

**Department of Community Planning and Economic Development – Planning Division**  
Rezoning, Conditional Use Permits, Variance, Site Plan Review, Alley Vacation  
and Preliminary Plat  
BZZ-3229

**Date:** October 30, 2006

**Applicant:** Penn Lowry Crossing LLC

**Address of Property:** 3010, 3108, and 3120 Penn Avenue North, 2125 Lowry Avenue North and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Avenue North

**Project Name:** Penn Lowry Crossing

**Contact Person and Phone:** Gonzalo Villares with Pope Associates, (651) 789-1619

**Planning Staff and Phone:** Hilary Dvorak, (612) 673-2639

**Date Application Deemed Complete:** October 4, 2006

**End of 60-Day Decision Period:** December 3, 2006

**End of 120-Day Decision Period:** Not applicable

**Ward:** 4      **Neighborhood Organization:** Jordan Area Community Council

**Existing Zoning:** R2B, Two-Family District, C1, Neighborhood Commercial District and C2, Neighborhood Corridor Commercial District

**Proposed Zoning:** C1, Neighborhood Commercial District, C2, Neighborhood Corridor Commercial District and R2B, Two-Family District with the TP Transitional Parking Overlay District

**Zoning Plate Number:** 7

**Proposed Use:** Planned Commercial Development including the renovation of an existing 14,000 square foot commercial building and the construction of two new commercial buildings totaling 32,000 square feet and a parking lot that would be shared by all of the tenants

**Concurrent Review:**

**Rezoning:** of a portion of the property located at 3010 Penn Avenue North from the C2 district to the C1 district

**Rezoning:** of 3108 and 3120 Penn Avenue North and 2125 Lowry Avenue North from the C1 district to the C2 district

**Rezoning:** of a portion of the properties located at 3107, 3111, 3115 and 3119 Oliver Avenue North from the R2B district to the C2 district

**Rezoning:** of a portion of the property located at 3119 Oliver Avenue North from the R2B district to the C2 district

**Rezoning:** a portion of the properties located at 3023, 3027, 3101, 3107, 3111 and 3115 Oliver Avenue North to add the TP Transitional Parking Overlay district to the existing R2B District

**Conditional use permit:** for a Planned Commercial Development. The applicant is proposing to construct two commercial buildings on the site and a parking lot that would be shared by all of the tenants.

**Site plan review**

**Alley Vacation (Vac-1505)**

**Preliminary Plat (PL-205)**

**Applicable zoning code provisions:** Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits, Chapter 530, Site Plan Review and Chapter 598, Land Subdivision Regulations

**Background:** The development site is located on the southeast corner of Penn Avenue North and Lowry Avenue North. All but five parcels on the block are included in the site. The City of Minneapolis currently owns a large portion of the development site. In May of 2005, the applicant responded to a request for Proposal (RFP) for the site and is currently working with the City on the land sale. The other parcels that make up this property are either currently owned by the applicant or the applicant has a purchase agreement for them.

The applicant is proposing to construct two new commercial buildings, renovate an existing commercial building and reconstruct a surface parking lot to create a Planned Commercial Development. In total there will be approximately 46,000 square feet of commercial and office space within the development. The anchor tenant within the building will be an Aldi grocery store. In addition to this tenant there will be upwards of six other commercial or office uses within the development.

The site currently has three different zoning classifications on it; R2B, C1 and C2. The applicant intends on realigning the property lines to better fit the new layout of buildings on the site. As a result the applicant is proposing to rezone several of the parcels of land, or portions of the existing parcels of land, within the development site. The new zoning classifications will include R2B with the TP Overlay, C1 and C2. In order to change the zoning classification of the residentially zoned parcels to commercial the applicant had to obtain signatures from 2/3's of the property owners within 100 feet of the property. On October 4, 2006, the City Attorney's Office sent a letter indicating that all requirements had been met.

While writing the staff report the Planning Division discovered that additional applications were necessary for the development project. The Planning Division is recommending that the applications be continued to the November 13, 2006, Planning Commission hearing to allow for a revised public notice.

## **RECOMMENDATIONS**

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the rezoning of a portion of the property located at 3010 Penn Avenue North from the C2 district to the C1 district to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the rezoning of 3108 and 3120 Penn Avenue North and 2125 Lowry Avenue North from the C1 district to the C2 district to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the rezoning of a portion of the properties located at 3107, 3111, 3115 and 3119 Oliver Avenue North from the R2B district to the C2 district to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the rezoning of a portion of the property located at 3119 Oliver Avenue North from the R2B district to the C2 district to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the rezoning a portion of the properties located at 3023, 3027, 3101, 3107, 3111 and 3115 Oliver Avenue North to add the TP Transitional Parking Overlay district to the existing R2B District to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the conditional use permit application for a Planned Commercial Development located at 3010, 3108 and 3120 Penn Avenue North, 2125 Lowry Avenue North and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Avenue North to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the site plan review for a Planned Commercial Development located at 3010, 3108 and 3120 Penn Avenue North, 2125 Lowry Avenue North and 3023, 3027, 3101, 3107, 3111, 3115 and 3119 Oliver Avenue North to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the vacation:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the vacation application to the November 13, 2006, City Planning Commission hearing.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the preliminary plat:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission continue the preliminary plat application to the November 13, 2006, City Planning Commission hearing.