

**Department of Community Planning and Economic Development – Planning Division**  
Rezoning and Minor Subdivision Application  
BZZ-2799 & MS-141

**Date:** February 6, 2006

**Applicants:** Star Machine & Tool Co. and Mibellie LLC

**Address of Property:** 624 2<sup>nd</sup> Avenue SE, 218½ 7<sup>th</sup> Street SE, and 215 6<sup>th</sup> Street SE

**Project Name:** Not applicable.

**Contact Person and Phone:** Morris Wisti, Star Machine & Tool Co. 612-378-3232

**Planning Staff and Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** December 28, 2005

**End of 60-Day Decision Period:** February 26, 2006

**Date Extension Letter Sent:** January 30, 2006

**End of 120-Day Decision Period:** April 27, 2006

**Ward:** 3      **Neighborhood Organization:** Marcy-Holmes

**Existing Zoning:** C2 Neighborhood Corridor Commercial District and I1 Light Industrial

**Proposed Zoning:** C2 Neighborhood Corridor Commercial District and I1 Light Industrial

**Zoning Plate Number:** 14

**Legal Description:** See survey for entire legal description of the site and for the individual parcels being created. The legal description of the property to be rezoned is as follows: The southwest 41 feet of Lots 7 and 8 as measured on the southeasterly and northwesterly lines of said Lot 8 and lying southeast of the northwesterly 95.30 feet of Lots 6 and 7 as measured on the southwest line of said Lots 6 and 7.

**Existing Use:** Parcel A (northerly parcel) will be 23,610 square feet and currently is vacant. Parcel B (southerly parcel) will be 18,795 square feet and contains a machine shop.

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**Concurrent Review:**

**Rezoning:** Rezoning part of the site from the C2 Neighborhood Corridor Commercial District to the I1 Light Industrial District.

**Minor Subdivision:** To split one parcel made up of several lots or parts of lots into two parcels.

**Applicable Code Provisions:** Chapter 525, Article VI Zoning Amendments and Chapter 598 Subdivisions.

**Development Plan:** Please see attached survey. The north parcel is vacant and the south parcel contains a machine shop.

**Background:** The survey will make two parcels out of parts of approximately six lots and some vacated right-of-way of 7<sup>th</sup> Street SE that are currently one tax parcel/zoning lot. The intent is to redraw the lines to create two new parcels. The southerly parcel will contain a building and parking that is used for industrial purposes (formerly owned by Star machine and Tool Co.) and the northerly lot will be vacant land that may be developed in the future by Star Machine & Tool Company. The subdivision ordinance prohibits the creation of lots or parcels with split zoning. The proposed split does not match the existing zoning district boundaries, so the northerly 41 feet of the southerly parcel is proposed to be rezoned from the C2 Neighborhood Corridor Commercial District to the I1 Light Industrial District to match the current I1 zoning of the majority of the southerly parcel.

There are no minimum lot width and lot size requirements for most uses in the industrial districts, including the ones currently in the buildings. Future development may have minimum lot size and width requirements. The applicant has provided staff with evidence of an easement across the southerly parcel for the northerly parcel to 6<sup>th</sup> Street SE, so that if the northerly parcel is developed access to it could be provided from 6<sup>th</sup> Street SE. This would allow a new building to be built within 8 feet of the property line on East Hennepin Avenue as typically required by the zoning ordinance.

**REZONING**

**Findings As Required By The Minneapolis Zoning Code:**

**1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

The comprehensive plan shows this part of East Hennepin as a community corridor. The site is also near the East Hennepin Activity Center. While staff would not normally find light industrial zoning appropriate on a community corridor, this is not a change of an entire site to industrial zoning, but rather a relatively small expansion to adjust the zoning districts to match the new lot lines. Policy 9.18 of *The Minneapolis Plan* states that “Minneapolis will establish land use regulations, in order to achieve the highest possible development standards, enhance the environment, promote flexibility in approaches and otherwise carry out the comprehensive plan.” Rezoning so that zoning districts match lot lines and to prevent split zoning on parcels is in conformance with the implementation of land use regulations and is in conformance with this policy of the comprehensive plan.

**2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The rezoning is necessary to match the district boundaries to actual property lines. While moving the lot line is in the interest of the property owners it is also in the interest of the public to have clear and orderly development of land. The subdivision ordinance does not allow split zoning on parcels, so it is necessary to rezone a relatively small part of the new parcel from commercial to industrial; therefore, the rezoning is also in the interest of the public.

**3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

The area is a mix of commercial, residential, and light industrial uses and zoning. The northerly 40 feet of the new southerly parcel will be rezoned to match the existing industrial zoning of the majority of this parcel. There will be no change in uses.

**4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

The I1 Light Industrial District allows a wide range of uses, however, the majority of the southerly parcel is currently zoned light industrial and the purpose of this rezoning is to bring district boundaries in line with proposed lot lines because split zoning is not allowed on a lot or parcel.

**5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

There has not been a significant change in the pattern of development in the area toward industrial uses. The area has seen a general redevelopment toward residential and commercial uses. The purpose of the rezoning is to eliminate split zoning on a lot and to match the zoning districts to the new lot lines and existing conditions.

**MINOR SUBDIVISION**

**Required Findings:**

**1. The subdivision is in conformance with the land subdivision regulations and the applicable regulations of the zoning ordinance and policies of the comprehensive plan.**

Both parcels will be in conformance with the requirements of the subdivision ordinance, zoning code, and comprehensive plan.

**2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The proposed subdivision will create two parcels out of one parcel with an existing business and vacant land. This will not be out of character with the area and will not add significant congestion to the public streets.

**3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision and the surrounding area because of flooding, erosion, high water table, severe soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.**

The existing building and the vacant land do not present the above noted hazards.

**4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

No change to the grading is proposed and access is existing. The applicant has provided staff with evidence of an easement across the southerly parcel for the northerly parcel to 6<sup>th</sup> Street SE, so that if the northerly parcel is developed access to it could be provided from 6<sup>th</sup> Street SE.

**5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city**

**engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

Existing utility and drainage provisions are adequate for the existing structures.

**RECOMMENDATIONS:**

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the rezoning to I1 Light Industrial:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning application from the C2 Neighborhood Corridor Commercial District to the I1 Light Industrial District for property located at 624 2<sup>nd</sup> Avenue SE, 218½ 7<sup>th</sup> Street SE, and 215 6<sup>th</sup> Street SE.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the minor subdivision application for property located at 624 2<sup>nd</sup> Avenue SE, 218½ 7<sup>th</sup> Street SE, and 215 6<sup>th</sup> Street SE.

**Attachments:**

- 1) Zoning map.
- 2) Hennepin County map.
- 3) Survey.
- 4) Site plan.
- 5) Photos.