

Department of Community Planning and Economic Development – Planning Division
Rezoning
BZZ-3817

Date: November 13, 2007

Applicant: Lowry Avenue Partners

Address of Property: 2211 Lowry Avenue North

Project Name: Metro Check Cashing

Contact Person and Phone: Mitchell Curtis, (612) 521-1404

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

Date Application Deemed Complete: October 16, 2007

End of 60-Day Decision Period: December 15, 2007

End of 120-Day Decision Period: A 60-day extension letter was mailed on October 30, 2007, extending the 120-day decision period to February 13, 2008

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

Existing Zoning: C1, Neighborhood Commercial District

Proposed Zoning: C2, Neighborhood Corridor Commercial District

Zoning Plate Number: 7

Legal Description: That part of Lots 1 and 2 described as follows: Commencing at the northwest corner of said Lot 1 thence on an assumed bearing of east along the north line of said Lot 1 a distance of 64.17 feet thence on an assumed bearing of south a distance of 68.6 feet to the south line of Lot 2 thence on an assumed bearing of west a distance of 64.17 feet to the southwest corner of said Lot 2 thence on an assumed bearing of north along the west line of said Lots 1 and 2 a distance of 68.6 feet to the northwest corner of said Lot 1 and there terminating.

Proposed Use: Currency exchange

Concurrent Review:

Rezoning: of the property from the C1 zoning district to the C2 zoning district.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments.

Background: The applicant operates a currency exchange located at 3207 Penn Avenue North. Due to the Lowry Avenue road reconstruction project the applicant's business needs to be relocated. The applicant is proposing to purchase the 2,400 square foot building located at 2211 Lowry Avenue North. The intention is to utilize one-third of the building for a currency exchange and lease the other two-thirds of the building to another business. The site located at 2211 Lowry Avenue North is zoned C1. Currency exchanges are first allowed in the C2 zoning district therefore the applicant is proposing to rezone the site to C2.

The applicant intends on rehabbing the building to its original design. Over the years the storefronts have been covered up with false facades and original window and door openings have been removed. The applicant is proposing to restore the glass storefronts and tuck-point the entire building.

Currency exchanges are subject to specific development standards which are established to provide supplemental regulations to address the unique characteristics of certain land uses. The following lists the Specific Development Standards in the Zoning Code for a currency exchange:

- (1) The use shall be located at least one thousand (1,000) feet from all existing currency exchanges, secondhand goods stores, pawnshops and missions.
- (2) Back-lighted signs, back-lighted awnings, portable signs, temporary signs and freestanding signs shall be prohibited.
- (3) The window and door area of any existing first floor facade that faces a public street or sidewalk shall not be reduced, nor shall changes be made to such windows or doors that block views into the building at eye level.
- (4) For new construction, at least thirty (30) percent of the first floor facade that faces a public street or sidewalk shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building at eye level.
- (5) The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.
- (6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

REZONING - from C1 to C2

Findings as Required by the Minneapolis Zoning Code:

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

The property is located one-half of a lot off of the intersection of Penn Avenue North and Lowry Avenue North. Both Penn and Lowry avenues are designated Community Corridors and the intersection

itself is a designated Neighborhood Commercial Node. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods (Policy 4.1).
- Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets (Policy 4.2).
- Support the continued presence of small-scale retail sales and commercial services along Community corridors (Implementation Step for Policy 4.2).
- Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Minneapolis will identify Neighborhood Commercial Nodes that provide a shopping environment of small-scale retail sales and commercial services that are compatible with adjacent residential areas (Policy 4.5).
- Preserve traditional storefronts at Neighborhood Commercial Nodes wherever possible (Implementation Step for Policy 4.5).

The Planning Division believes that rezoning the property from the C1 zoning district to the C2 zoning district would be in conformance with the above policies of *The Minneapolis Plan*. The C2 District allows for a wide range of commercial uses which is appropriate for properties located near two Community Corridors and at a Neighborhood Commercial Node. Although there may be some concern about rezoning the property to the C2 zoning district as it allows more intensive uses than the C1 zoning district, including automobile services uses and uses with drive-through facilities, the property is only 4,402 square feet in size. Given the size of the site the Planning Division believes that it would be difficult to construct an auto-related use on the site if the existing building were even removed.

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

The amendment will allow the applicant to rehab the existing building on the site and convert one-third of it to a currency exchange. Approving this rezoning supports the City's decision to maintain a variety of small-scale retail sales and commercial services along Community Corridors and at Neighborhood Commercial Nodes.

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 Planning Division believes that the C2 zoning district would be compatible with the surrounding area. The four corners of the Penn Avenue North and Lowry Avenue North intersection are zoned commercial; the northeast and southwest corners are zoned C1 and the northwest and southeast corners are zoned C2. Properties along the avenues and in close proximity to the intersection are zoned either

C1 or C2 and R4 and R5. Adjacent uses include commercial and office uses, a church, single family dwellings and multiple-family developments.

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.

There are reasonable uses of the property permitted under the C1, Neighborhood Commercial District. Permitted uses in the C1 zoning district include, but are not limited to, the following:

- General retail sales and services
- Consignment clothing store
- Pet store
- Video store
- Coffee shop, with limited entertainment
- Sports and health facility, minor
- Clinic, medical or dental
- Preschool

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.

In November of 2006 a major redevelopment project located on the southeast corner of the Penn Avenue North and Lowry Avenue North intersection was approved by the City Council. The approvals included a number of rezonings for all but five parcels located on the block. The rezonings resulted in most of the parcels being rezoned to either the C1 or the C2 zoning district.

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 and the City Council adopt the above findings and **approve** the rezoning petition to change the zoning of the property located at 2211 Lowry Avenue North from C1 to the C2 district.

Attachments:

Department of Community Planning and Economic Development – Planning Division
BZZ-3817

1. Statement of proposed use
2. E-mail correspondence between the applicant and Council Member Johnson and the neighborhood organizations
3. Zoning Map
4. Minneapolis Zoning Plate 7
5. Building plans
6. Photographs of the site