

**Department of Community Planning and Economic Development – Planning  
Division  
Rezoning  
BZZ-3423**

**Date:** March 26, 2007

**Applicant:** Cuyler Gerbich, 400 Flandrau Street, St. Paul, MN 55106, (651) 972-7483

**Addresses of Property:** 2921 E. 26<sup>th</sup> Street

**Project Name:** 2921 E. 26<sup>th</sup> Street

**Contact Person and Phone:** Charlie LaBrie, Labrie Construction Services, 3919 Minnehaha Avenue, Minneapolis, MN 55406, (612) 695-7008

**Planning Staff and Phone:** Becca Farrar, (612)673-3594

**Date Application Deemed Complete:** February 14, 2007

**End of 60-Day Decision Period:** April 14, 2007

**End of 120-Day Decision Period:** On February 27, 2007, Staff sent the applicant a letter extending the decision period to no later than June 13, 2007.

**Ward:** 2 **Neighborhood Organization:** Seward Neighborhood Group

**Existing Zoning:** I1 (Limited Industrial) district

**Proposed Zoning:** R1A (Single-family) district

**Zoning Plate Number:** 27

**Lot area:** 4,166 square feet or .09 acres

**Legal Description:** W43 FT OF E 77 FT OF LOTS 1 AND 2, Block 2, South Side Addition to Minneapolis

**Proposed Use:** A single-family home in the R1A district.

**Concurrent Review:**

- Petition to rezone the subject property from the I1 (Limited Industrial) district to the R1A (Single-family) district in order to construct a new single-family home.

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

**Background:** The applicant proposes to rezone the subject parcel to the R1A (Single-family) district in order to construct a new single-family home on the property located at 2921 E. 26<sup>th</sup> Street. The property is a lot of record that is non-conforming as to size and currently zoned I1 (Limited Industrial) which does not permit single-family residential developments. Should the Planning Commission approve the rezoning application, the applicant must attain a separate permit for the single-family dwelling which would be required to meet all applicable requirements, inclusive of Chapter 530 requirements as they pertain to single and two-family dwellings (530.280). The applicant has submitted a conceptual development plan and elevations that appears to indicate that the property can be developed and adequate access provided without any additional applications.

The property is located within the boundaries of the Seward Longfellow Greenway Plan in an area referred to as the “island of residential”, which exists along 29<sup>th</sup> Avenue on both sides of the Greenway.

Staff has not received official correspondence from the Seward Neighborhood Group stating a position on the proposal prior to the printing of this report. Staff will forward any letters received on to the Planning Commission for consideration.

## **REZONING**

### **Findings As Required By The Minneapolis Zoning Code for the Rezoning Application:**

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

According to the *Minneapolis Plan*, the subject property is located in a light industrial / general industrial area adjacent to a single and two-family residential area. The following policies are relevant to the proposed development.

- Minneapolis will grow by increasing its supply of housing.
- Improve the availability of housing options for its residents.
- Work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.
- Maintain and strengthen the character of the city’s various residential neighborhoods.
- Support the development of residential dwellings of appropriate form and density.

The project would allow construction of a new single-family development. This development is in conformance with the above noted principles and policies of the comprehensive plan.

Further, the property is located within the boundaries of the Seward Longfellow Greenway Plan in an area referred to as the “island of residential”, which exists along 29<sup>th</sup> Avenue on both sides of the Greenway. The majority of parcels within this “island of residential” are used for residential purposes, and some of the industrial uses operate out of structures that were once homes. The transition of this area from residential to industrial use, as anticipated by the areas zoning, has not occurred. Even moderate changes from residential to industrial use have not occurred for several decades. Given predominantly residential use, the lack of redevelopment consistent with the industrial zoning, and market forces that support an evolution toward housing development, there is little justification for continuing industrial zoning of this area. The proposed land use maps call for this area to remain low-density/neighborhood oriented.

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

The amendment is in the public interest as well as in the interest of the property owner. It would allow a compatible single-family residential use within a predominantly residential neighborhood despite the existing zoning, instead of an allowable industrial use currently permitted under the existing zoning classification of I1.

**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 property is located directly adjacent to 26<sup>th</sup> Street East. The subject properties are located within a predominantly I1 zoned area as the properties on the south side of 26<sup>th</sup> Street East are all zoned I1. However, directly across 26<sup>th</sup> Street East to the north, the subject parcels are predominantly zoned R1A.

The proposal to rezone the subject site to R1A would seem compatible with the surrounding area and further, the proposed use of the subject site for a single-family development would seem appropriate given the uses surrounding the site.

**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 not necessarily reasonable uses of the property permitted under the existing I1 zoning classification based on the surrounding land uses. A single-family dwelling unit would appear to be the most appropriate use of the subject parcel and single-family dwellings are not permitted in the I1 district.

Authorizing the rezoning which would allow a single-family development which would be reasonable based on the location and surrounding land uses.

**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.**

Under the 1963 Zoning Code, the subject properties were zoned M2-1. Despite the industrial zoning classification historically and currently associated with this specific area, the majority of the surrounding properties in the vicinity are residential in nature.

**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 City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification of the property located at 2921 E. 26<sup>th</sup> Street from the I1 district to the R1A district.

**Attachments:**

1. Statement of use / description of the project
2. Correspondence
3. Zoning map
4. Plans –site, elevations, floor plans, etc.
5. Photos