

**Department of Community Planning and Economic Development – Planning Division**

**Small Area Plan: Lowry Avenue Strategic Plan  
Comprehensive Plan Amendment  
Zoning Map Amendments: Lowry Avenue Rezoning Study**

**Date:** November 15, 2010

**Project Name:** Lowry Avenue Strategic Plan and associated comprehensive plan amendments, Lowry Avenue Rezoning Study

**Submitted By:** CPED Community Planning Division

**Planning Staff and Phone:** Thomas Leighton, 612-673-3853

**Wards:** 3, 4, 5

**Neighborhood Organizations:**

- Cleveland Neighborhood Association
- Folwell Neighborhood Association
- McKinley Community
- Hawthorne Neighborhood Council
- Jordan Area Community Council

**Current Minneapolis Plan Designations:**

- Community Corridors – Lowry Avenue, Lyndale Avenue, Emerson-Fremont Avenues, Penn Avenue
- Neighborhood Commercial Nodes – Lowry & Lyndale, Lowry & Emerson, Lowry & Penn

**Initiator of Zoning Amendment:** Council President Johnson

**Date of Zoning Amendment Introduction at City Council:** July 23, 2010

**Affected Section of the Zoning Code:** Chapter 521: Zoning Districts and Maps Generally

**Existing Zoning:** Attached

**Proposed Zoning for Map Amendment:** Attached

**Zoning Plate Numbers:** 7, 8

## **SMALL AREA PLAN: LOWRY AVENUE STRATEGIC PLAN**

### **Background**

*Lowry Avenue Strategic Plan: An Update to the Lowry Avenue Corridor Plan (LAS Plan)* is the culmination of a planning effort that was initiated in 2009 by the five neighborhoods that border on Lowry Avenue in north Minneapolis. These are the Cleveland, Folwell, Hawthorne, Jordan and McKinley neighborhoods. It was motivated by an interest in advancing the revitalization of Lowry Avenue so that it would serve as a useful, attractive and bustling neighborhood asset, offering a wide range of goods and services, and additional residential options.

Following adoption of the Lowry Avenue Corridor Plan in 2002, significant improvements were completed in the public right of way. Lowry Avenue was reconstructed from Washington Avenue to Theodore Wirth Parkway. Sidewalks were widened in areas, and pedestrian enhancements such as decorative lighting and fencing were added. But community leaders felt that corresponding improvements in the private realm were not occurring. There were few new developments or businesses, nor was much investment evident in existing buildings.

Given this situation, the LAS Plan was motivated by a desire to jumpstart private investment in the corridor. The LAS Plan is an update and companion to the Lowry Avenue Corridor Plan, and does not attempt to replicate all of the content of that plan. It focuses on sharpening the vision for Lowry Avenue, particularly with respect to the private realm, and laying out a menu of implementation strategies that would advance that vision.

The LAS Plan was funded by neighborhood NRP monies and a City of Minneapolis Great Streets grant. Consultant services were provided by Cuningham Group, with subconsultants Biko Associates, and Donjek. City of Minneapolis staff served as project manager for the project, with guidance and support from neighborhood staff and a community-based project advisory committee.

The process of creating and vetting the LAS Plan was intentionally designed to engage partners that will be instrumental in its implementation. It was the focus of three community meetings, resident and business focus groups, and interviews with key stakeholders. The draft LAS Plan was made available for the 45 day public comment period on September 13, 2010. The comment period concluded on October 28, 2010.

### **Plan Summary**

The *Lowry Avenue Strategic Plan* sharpens the vision of what is desired on Lowry Avenue by offering the following.

- Future land use and development intensity maps
- Development objectives, including:
  - General development objectives
  - Greening/open space objectives

- Area-specific objectives for Lowry & Penn, Lowry & Emerson-Fremont, Lowry & Lyndale
- Concept development scenarios
- Transportation objectives
- Housing objectives
- Design themes

The implementation plan consists of revitalization strategies that can be clustered under the following headings.

- Additional transportation and infrastructure improvements supportive of pedestrians, and the transit and bicycle use
- Strategies for attracting new development—both residential and commercial
- Strategies for attracting new businesses
- Strategies for strengthening existing businesses and commercial nodes
- Strategies for increasing organizational capacity

### **Analysis – Major Considerations and Issues**

The *Lowry Avenue Strategic Plan* offers recommendations related to land use and development, transportation and infrastructure, housing, economic development, and organizational development. The following highlights some of the major plan elements.

**Land Use and Development.** The Land Use and Development Chapter is largely centered on providing guidance for future development through maps and written development objectives. Future land use and density are the subject of concept-level maps, and land use guidance is also provided in a parcel-specific future land use map. Development objectives are offered as an articulation of community values and city policy priorities, and as inspiration and guidance to developers and property owners. They fall under a variety of headings, as noted above.

The most significant policy modification that results from the LAS Plan is the elimination of the designated Lowry & Lyndale Neighborhood Commercial Node. The commercial node was highly impacted by the widening of Lowry Avenue at the Lowry Lyndale intersection. All of the commercial properties on the south side of the street were acquired and demolished in that process, leaving four small commercial buildings on the north side of the street. Every source of economic information that was available during the planning process attested to the difficulty of reestablishing a robust neighborhood commercial node at this intersection. It was also deemed inadvisable because the neighborhood market is insufficient to strongly support even the existing range of commercial establishments.

Given this context, the LAS Plan's Future Land Use map supports eliminating the designated Neighborhood Commercial Node at Lowry and Lyndale, and for future commercial development to be concentrated at the two remaining Neighborhood Commercial Nodes at Emerson and Penn, as well as in three areas with a smaller commercial footprint at Lyndale, Knox and Upton.

Another important emphasis of the Plan is on attracting residential growth. It allows for multifamily housing development along the entire length of Lowry Avenue, and offers a range of strategies to attract new development.

**Transportation.** The Transportation Chapter proposes a range of strategies to increase the transit, pedestrian, and bicycle orientation of the project area. In some cases, improving the balance between these modes of transportation and auto travel will require physical improvements to the area's public infrastructure. In other cases, recommendations are for improvements that would be made by property and business owners, or that could be made with new development.

**Housing.** The Housing Chapter includes development objectives for new housing, as well as strategies for attracting new housing development to Lowry. Housing objectives focus on creating a mix of housing opportunities (in terms of scale and design) for a mix of markets (economic, demographic, and ownership vs. rental).

A number of implementation strategies are offered for attracting new housing development to Lowry Avenue. Important among these are third party site assembly, marketing and branding, dealing with the market dampening effect of problem properties, and creative partnerships with potential groups of housing occupants.

**Economic Development.** The Economic Development Chapter focuses on improving the commercial fabric of Lowry Avenue. Under that general heading it identifies strategies for strengthening existing businesses, and for increasing the strength and attractiveness of the Neighborhood Commercial Nodes at Lowry & Penn, and Lowry & Emerson. Additional strategies are aimed at attracting new businesses to Lowry Avenue.

An important recommendation is to brand Lowry as a retail and services center for both the adjacent neighborhoods and the further flung Hmong community. There are a number of Hmong businesses along Lowry, and arguably no other self-identified Asian retail and services destination exists elsewhere in Minneapolis. Lowry Avenue would be more successful if it has multiple markets to draw from, and an emphasis on shopping local can coexist with the creation of a unique ethnic destination.

**Implementation.** The Implementation Chapter consolidates the implementation strategies presented in the other chapters of the document. It also adds strategies related to organizational development. Key to successful revitalization of Lowry Avenue will be two organizational efforts—locating leadership for furthering the wide-ranging implementation agenda, and fostering effective partnerships with Lowry Avenue stakeholders to advance key initiatives.

**Comprehensive plan conformance.** The LAS Plan offers guidance, and promotes growth and development, that is consistent with the policies of the City's comprehensive plan. In particular, it is consistent with policies that support strategic investments in disadvantaged areas, as well as policies that

direct growth to Community Corridors, Neighborhood Commercial Nodes, and areas well served by transit.

The following are comprehensive plan policies that are furthered by the development guidance and implementation strategies of the LAS Plan.

- Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.
  - 1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.
  - 1.5.2 Facilitate the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood.
  
- Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.
  - 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.
  - 1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood-serving commercial uses, open space and parks, and campus and institutional uses.
  
- Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.
  - 1.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.
  - 1.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.
  - 1.9.3 Discourage uses that diminish the transit and pedestrian oriented character of Community Corridors, such as automobile services and drive-through facilities.
  - 1.9.4 Discourage the conversion of existing residential uses to commercial uses outside of Neighborhood Commercial Nodes.
  - 1.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.
  - 1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.
  
- Policy 1.11: Preserve and enhance a system of Neighborhood Commercial Nodes that includes a mix of housing, neighborhood-serving retail, and community uses.

- 1.11.1 Discourage the commercial territorial expansion of Neighborhood Commercial Nodes, except to adjacent corners of the node's main intersection.
  - 1.11.2 Support the continued presence of small-scale, neighborhood-serving retail and commercial services in Neighborhood Commercial Nodes.
  - 1.11.3 Discourage new or expanded uses that diminish the transit and pedestrian character of Neighborhood Commercial Nodes, such as some automobile services and drive-through facilities.
  - 1.11.4 Encourage a height of at least two stories for new buildings in Neighborhood Commercial Nodes, in keeping with neighborhood character.
  - 1.11.5 Encourage the development of medium- to high-density housing where appropriate within the boundaries of Neighborhood Commercial Nodes, preferably in mixed use buildings with commercial uses on the ground floor.
  - 1.11.6 Encourage the development of medium-density housing immediately adjacent to Neighborhood Commercial Nodes to serve as a transition to surrounding low-density residential areas.
- Policy 3.1: Grow by increasing the supply of housing.
    - 3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.
    - 3.1.2 Use planning processes and other opportunities for community engagement to build community understanding of the important role that urban density plays in stabilizing and strengthening the city.
- Policy 3.2: Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.
    - 3.2.1 Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.
- Policy 3.5: Improve the stability and health of communities of concentrated disadvantage through market building strategies, and strategies that preserve and increase home ownership.
    - 3.5.1 Work to improve the stability and sustainability of the city's disadvantaged communities by taking measures to diversify the household mix and allay historic patterns of concentration of poverty.
    - 3.5.2 Pursue an integrated array of development and revitalization strategies to attract a broadened socio-economic mix of residents to communities of concentrated disadvantage.
    - 3.5.5 Focus development activities strategically in priority areas within disadvantaged communities so that it results in the greatest impact.

- 3.5.9 Utilize and expand the city's development programs and tools to jumpstart investment in the city's disadvantaged communities.
- Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.
  - 3.6.1 Promote the development of housing suitable for people and households in all life stages that can be adapted to accommodate changing housing needs over time.
  - 3.6.2 Promote housing development in all communities that meets the needs of households of different sizes and income levels.
- Policy 4.1: Support private sector growth to maintain a healthy, diverse economy.
  - 4.1.1 Use public development resources and other tools to leverage maximum private sector investment for public benefit.
  - 4.1.2 Seek out and implement long-term redevelopment projects that catalyze revitalization and private sector investment.
- Policy 4.2: Promote business start-ups, retention and expansion to bolster the existing economic base.
  - 4.2.1 Promote access to the resources and information necessary for successful operation of healthy businesses.
- Policy 4.9: Focus economic development efforts in strategic locations for continued growth and sustained vitality.
  - 4.9.1 Prioritize economic development efforts around designated neighborhood commercial nodes, commercial corridors, activity centers, and growth centers.

## **Public Comments**

The *Lowry Avenue Strategic Plan* was a neighborhood initiated effort. It benefited from close partnership with neighborhood staff and the project's community advisory committee throughout the process. Neighborhood staff offered extensive feedback on the plan document prior to finalizing the draft for the 45 day public comment period. The strong engagement of neighborhood leadership may explain the fact that no comments were received on the LAS Plan during the 45 day public comment period.

Letters of support for the LAS Plan have been submitted by all five of the affected neighborhood organizations, as well as from the Northwest Minneapolis Business Association.

## **Concurrent and Future Related Actions**

- Comprehensive plan changes. Modification of the City's comprehensive plan is proposed as a concurrent action to adoption of the LAS Plan. Changes to the comprehensive plan's Future Land Use map will be required to align with this Plan's future land use guidance. And the LAS Plan in its entirety is recommended to be amended to the comprehensive plan, given that it articulates comprehensive plan policies for Lowry Avenue.

- Zoning changes. Zoning changes are recommended as another companion action to adoption of the LAS Plan. Changing the zoning of property is the most important measure that can be taken to implement the land use guidance in the LAS Plan. It will help to ensure that that new development in the Lowry Avenue corridor advances the approved vision and development policies for Lowry Avenue. The zoning changes are being submitted to the City Planning Commission concurrent with the adoption of the LAS Plan, but the City Council may not take up adoption of the proposed zoning changes until full adoption of the LAS Plan and related comprehensive plan modifications, including Metropolitan Council approval.
- Development review. Future development proposals for property in the study area will require Planning Commission review of land use applications such as rezonings, conditional use permits, and site plan review. The LAS Plan will provide guidance for decisions regarding those applications.

### **Reference Materials/Attachments**

- *Lowry Avenue Corridor Plan*, including appendices  
([http://www.ci.minneapolis.mn.us/cped/lowry\\_strategic\\_plan.asp](http://www.ci.minneapolis.mn.us/cped/lowry_strategic_plan.asp))
- Comments on the LAS Plan

## **COMPREHENSIVE PLAN AMENDMENT**

### **Background**

As discussed above, the *Lowry Avenue Strategic Plan* furthers many policy objectives of the City's comprehensive plan. The development of the LAS Plan also provided an opportunity to take a more fine-grained look at the future land use guidance for Lowry Avenue. This guidance was captured in its Future Land Use map. Some aspects of that guidance require map changes to the corresponding map in the City's comprehensive plan, in order to make the land use guidance consistent between the two documents. To this end, two types of adjustments to the comprehensive plan's Future Land Use map are proposed.

1. **Neighborhood Commercial Node features.** The Neighborhood Commercial Node designation at Lowry & Lyndale would be eliminated (for reasons outlined above). And the boundaries of the remaining Neighborhood Commercial Nodes, at Lowry & Penn, and Lowry & Emerson, would be adjusted to correspond to the future land use guidance in the LAS Plan.
2. **Parcel-specific land use guidance.** The coloration of parcels in the comprehensive plan's Future Land Use map would be similarly adjusted to correspond to the future land use guidance in the LAS Plan.

Beyond these proposed comprehensive plan map amendments, City small area plans are, as a matter of practice, adopted as amendments to the City's comprehensive plan in their entirety. This reflects the fact that the policies of small area plans articulate the City's comprehensive plan policies at a detailed level for a defined geographical area.

### **Analysis – Major Considerations and Issues**

The proposed changes to Neighborhood Commercial Node features and their boundaries are supported by the policy considerations and analysis detailed in the preceding section of this report.

### **Impacts on Regional Systems**

The review of potential impacts on regional systems primarily considers the policies of the Lowry Avenue Corridor Plan as a whole. Specifically, the LAS Plan proposes and anticipates a modest amount of housing and commercial growth over a 20 year time frame.

The proposed elimination of the Neighborhood Commercial Node at Lowry & Emerson represents a very slight adjustment in the commercial/residential balance along Lowry Avenue that may be offset by additional commercial development elsewhere on the corridor. Thus it should not be considered to have any effect on regional systems.

**Population, housing, and employment forecasts.** The LAS Plan is a 20 year plan. Although it places an emphasis on fostering housing growth along and near Lowry Avenue, such development would not affect the City's overall forecasts for population, housing and employment growth.

**Housing.** The LAS Plan supports medium density development along Lowry Avenue, which is consistent with previous planning. It proposes multiple strategies for attracting new development, but recognizes that housing growth will occur over an extended period of time. No specific estimates were made as part of the planning process, but it is unlikely that new housing on Lowry would exceed 1,000 dwelling units over the 20 year life of the Plan.

**Transportation.** No significant road improvements are required or recommended in the LAS Plan.

**Transit.** Over the long term, new development along Lowry, and measures taken to strengthen commercial nodes, should result in modest increases in transit ridership.

**Wastewater and water supply.** Modest growth along and near Lowry Avenue is proposed over the next 20 years, but existing wastewater and water supply infrastructure is adequate to accommodate this growth.

**Surface water.** New development along and near Lowry Avenue will be captured by the City's stormwater ordinance, and should thus not place a burden on the existing stormwater infrastructure.

**Regional parks.** The LAS Plan's study area extends at the west to Theodore Wirth Parkway and Victory Memorial Drive, which are part of the regional park system. The LAS Plan recommends improving the bicycle connection from the Lowry Avenue bike lanes to these parkway trails, and does not otherwise impact these park features.

**Wetlands, Mississippi River Critical Area, Airports.** Adoption of the LAS Plan has no implications for these regional assets.

### **Public Comments**

The need to make corresponding changes to the City's comprehensive plan was discussed throughout the development of the LAS Plan. "Proposed modifications to the city's comprehensive plan" was called out explicitly as a separate agenda item in the public notice for the November 15 City Planning Commission meeting. No comments have been received concerning the proposed amendments.

### **Reference Materials/Attachments**

- Comprehensive Plan's Future Land Use map, existing and proposed

## **ZONING MAP AMENDMENTS: LOWRY AVENUE REZONING STUDY**

### **Background**

Zoning changes typically follow the adoption of small area plans because they are a critical tool for implementing the land use and development guidance that such plans offer. The proposed zoning changes that came out of the Lowry Avenue Rezoning Study are intended to support the land use and development guidance in the *Lowry Avenue Strategic Plan*.

A rezoning study has historically followed plan adoption by varying periods of time. In this instance, an effort is being made to engage in both processes as concurrently as possible. Proposed zoning changes were drafted immediately upon completion of the public process associated with the LAS Plan, prior to its adoption. The LAS Plan and recommended zoning changes are being advanced concurrently to the City Planning Commission for adoption.

The benefits of this approach are several. First, the community engagement that is fostered in the process of developing a small area plan is built upon in the outreach and engagement associated with reviewing zoning recommendations. Secondly, community consensus is fostered in the small area plan process about how and where growth of different types ought to occur. This consensus, and the education process that fostered it, are still fresh when draft zoning changes consistent with the development vision are vetted. Thirdly, reviewing draft zoning changes serves to make future land use guidance more tangible, and may result in refinements to that guidance.

Community engagement related to the Rezoning Study included a community meeting that was specifically focused on recommended zoning changes. The meeting was broadly advertised, but the outreach also included letters to all affected property owners. Owners of affected properties have been notified again by mail about the November 15 City Planning Commission public hearing.

### **Summary of Recommended Changes**

The proposed zoning follows the future land use guidance of the Lowry Avenue Strategic Plan very closely. Commercial land use guidance in the Plan is supported with proposed C1 or C2 zoning. Multifamily residential land use guidance is supported with proposed R3 through R5 zoning, or in some instances OR1 or OR2.

**Commercial zoning.** C2 zoning is not considered highly compatible with the character of Community Corridors because it allows automobile oriented uses, and businesses with large floor areas that are better situated on commercial corridors. For this reason, C1 zoning is proposed for all Lowry Avenue commercial areas except at the Penn & Lowry Neighborhood Commercial Node. There C2 zoning is proposed primarily at the northwest and southeast corners where there is sufficient size to support an anchor business such as a pharmacy or bank, which could play a critical role in improving the viability of the node. C2 zoning is not proposed for the southwest quadrant of the Lowry and Emerson intersection, which has similar characteristics, because it has the additional quality of abutting directly on single family homes.

**Residential zoning.** Multifamily residential zoning is proposed for all property within about 120 feet of the Lowry Avenue right of way, and along the first block of the cross streets Lyndale, Emerson, Fremont and Penn Avenues (one block being the extent of the study area). Three multifamily zoning districts are proposed. R4 is proposed along the length of Lowry Avenue, except for one large parcel adjacent to each of the Neighborhood Commercial nodes, where R5 was judged to be better because it supports density at the node. R4 is also proposed along Penn Avenue going north and south from Lowry Avenue. R3 is proposed for Lyndale, Emerson and Fremont Avenues for property that is further than a half block from Lowry. These streets are narrower than Penn Avenue, and thus have a more residential character.

**Office Residential zoning.** OR2 zoning is proposed in a few instances. Both the US Post Office at Lowry and Russell, and North Regional Library at Lowry and Fremont, are relatively large institutions at the edge of a Neighborhood Commercial Node. OR2 zoning is proposed for both sites. If redeveloped they could support another office or institution, but would not spread the retail away from the Neighborhood Commercial Node. OR2 zoning is also proposed for both of the southern corners of the Lowry and Lyndale intersection. The goal in this instance would be to not see a significant expansion of commercial square footage at this intersection. However, OR2 does support an appropriately limited amount of commercial floor area within a multifamily residential building.

OR1 zoning is used as an alternative to multifamily residential zoning in three instances. In two instances there is a commercial building that is not well suited for residential reuse but has a distinctive traditional and historic character. In these instances, it would not be desirable for the building to lose its grandfather rights to commercial use since that would make demolition of the building likely. In the third instance, there is a house with a classic and handsome design that is immediately adjacent to the Neighborhood Commercial Node. OR1 zoning would support the ongoing use of this house as an office, which would not compete with the retail mix of the Neighborhood Commercial node, but would offer a walkable extension to the district for office services.

**Transitional Parking Overlay District.** There is one parcel at the Lowry & Penn Neighborhood Commercial Node that is currently in the Transitional Parking Overlay District (which allows parking for commercial businesses on residentially zoned property). Given that the proposed zoning would extend commercial zoning to this parcel, the Transitional Parking Overlay would be unnecessary. In the opposite quadrant of the Lowry & Penn intersection, the extent of the proposed commercial zoning is reduced by one parcel to focus future redevelopment at the Lowry Penn corner. In this instance the Transitional Parking Overlay District is proposed to apply to the newly residential parcel—to allow existing parking for the adjacent business to continue.

**Zoning changes.** There are 1,390 parcels within the study area. Of these, changes are proposed to 359 parcels. These were either judged not consistent with the future land use guidance in the LAS Plan, or they were assigned zoning that is a departure from the existing zoning in order to meet density or neighborhood compatibility objectives. Most proposed changes are of one of three kinds.

1. The LAS Plan supports medium density housing development along the length of Lowry Avenue, and on the first block of the major north-south Community Corridors that cross Lowry. However, the existing zoning of many of these properties is R1A or R2B, which represent single family zoning. This accounts for the many parcels that are proposed to change from R1A or R2B to R3 or R4.

2. The LAS Plan focuses future commercial development at the two proposed Neighborhood Commercial Nodes, and three smaller commercial areas. However, there are currently commercially zoned properties in other places along Lowry Avenue. These properties are proposed to change from C1 to R3 or R4.
3. Because C2 zoning is not generally considered compatible with the character of Community Corridors, a number of parcels are proposed to change from C2 to C1.

**Nonconformities.** Of the 359 parcels for which a zoning change is proposed, 106 or 30% would be considered a downzoning—meaning that there would be fewer development options allowed after the zoning change than before. In some of these instances, the existing land use would no longer be a permitted use, and would be considered a legally nonconforming use. Legal nonconforming uses, under current state law, have grandfather rights which allow ongoing use. Such right continues if the property is sold, or if the property’s business tenant changes hands, or if another business in the same use category is established in the place of the current business. The nonconforming rights will also endure if the building is destroyed—meaning that the building can be rebuilt and put back into service for the same use without the loss of the grandfather rights. The building may also be intentionally demolished and reconstructed without loss of rights.

A map of properties judged to become nonconforming is attached.

### **Findings as Required by the Minneapolis Zoning Code**

The adoption of zoning changes requires the review of five findings as set out by state statute and the City’s zoning code. They are as follows:

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

The proposed zoning changes are consistent at a parcel-specific level with the concurrently proposed Lowry Avenue Strategic Plan and related comprehensive plan modifications. They will not be the subject of City Council action until the concurrently proposed Plan and modifications have been approved by the Metropolitan Council.

Like the Lowry Avenue Strategic Plan, they further the policies of the City’s comprehensive plan. See excerpted policies above.

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

The recommended zoning changes affect 359 parcels, and thus are not in the interest of a single property owner. The recommendations implement the LAS Plan, which involved the participation of many stakeholders.

**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 proposed changes to primary and overlay zoning designations are guided by the LAS Plan. This Plan considers the growth and development of the entire area, including integration with and transition between surrounding land 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 proposed zoning identifies reasonable changes to fulfill long-term land use objectives of the comprehensive plan and the LAS Plan. In some cases, existing uses would become legally non-conforming so that future uses would be more likely to further the objectives of these plans. In most cases, zoning changes increase development potential to realize the density and/or use objectives of the plans.

**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.**

The last major rezoning to affect the study area took place when there was a city-wide rezoning in 1999. Since that time the Lowry Avenue Corridor Plan was developed and adopted. The entire length of Lowry Avenue in North Minneapolis was reconstructed with streetscaping enhancements. A multitenant commercial development was built on formerly City-owned property at Penn & Lowry.

### **Public Comments**

Letters of support for the proposed zoning changes have been submitted by all five of the affected neighborhood organizations. Two comments from property owners have been submitted, expressing disagreement with the proposed zoning of their property.

### **Reference Materials/Attachments**

- Zoning maps, existing and proposed
- Table of proposed zoning changes
- Map of newly nonconforming uses under the proposed zoning
- Comments received

**RECOMMENDATIONS OF THE DEPARTMENT OF COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT – PLANNING DIVISION:**

**Small Area Plan: Lowry Avenue Strategic Plan**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council **adopt** the Lowry Avenue Strategic Plan as an articulation of and amendment to the policies found in the City’s Comprehensive Plan, pending Metropolitan Council review and approval of associated amendments to the City’s comprehensive plan.

**Comprehensive Plan Amendment**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council **adopt** the proposed map amendment to the City’s comprehensive plan, as illustrated in the attached exhibits, pending Metropolitan Council review and approval.

**Zoning Map Amendments: Lowry Avenue Rezoning Study**

The Planning Division of the Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council find that obtaining consent signatures for the rezoning of properties from residential to commercial in the Lowry Avenue Rezoning Study Area would be impractical, and recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning map amendment as illustrated and listed in the attached exhibits.