

**Department of Community Planning and Economic Development – Planning Division**  
**Rezoning Petition**  
**BZZ-3729**

**Date:** September 17, 2007

**Applicant:** Julia Rice and Jonathan Pinkerton

**Address of Property:** 2729 29<sup>th</sup> Avenue S.

**Contact Person and Phone:** Jonathan Pinkerton, 612-729-8208

**Planning Staff and Phone:** Michael Wee, (612) 673-5468

**Date Application Deemed Complete:** August 13, 2007

**End of 60-Day Decision Period:** October 12, 2007.

**End of 120-Day Decision Period:** On September 6, 2007, staff sent a letter to the applicant extending the decision period to no later than December 11, 2007.

**Ward: 9      Neighborhood Organization:** Longfellow Community Council

**Existing Zoning:** I1 Light Industrial District

**Proposed Zoning:** R2B Two-Family District

**Zoning Plate Number:** 27

**Legal Description of Property to be Rezoned:** Lots 17, Block 13, Southside Addition, Minneapolis, Hennepin County, Minnesota.

**Proposed Use:** Not applicable for this application.

**Concurrent Review:**

**Petition to rezone** a property at 2729 29<sup>th</sup> Avenue S. from I1 to R2B.

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

**Background:** The applicant owns a duplex located in an I1 Light Industrial District at 2729 29<sup>th</sup> Avenue S., where the lower floor is rented out and the second floor is the applicant's residence. The dwelling was built as a duplex in 1913 and several additions were made over the years. This application does not involve any physical changes to the existing structure. A permit was issued on September 27, 2001 for the front porch handicap ramp (BIRE 3010017). The purpose of the rezoning petition is to obtain refinancing only that the dwelling unit has to be zoned residential.

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The property has a lot area of 8,183 square feet (48' x 167'), and a total floor area of 2,925 square feet. The detached garage has a total floor area of 855 square feet, exceeding the maximum floor area for an accessory structure, but it was constructed in May, 1971 (Permit #428172).

The Industrial Employment District (Seward/Hiawatha) which was adopted in November, 2006 does not include the block where the property is located. However, this block is included in the Seward Longfellow Midtown Greenway Land Use and Development Plan, which was adopted in February 9, 2007. Midtown Greenway is located a block north of the subject property. The Plan recommends for a neighborhood oriented development district (map attached) for several blocks including the one where the subject property is located. A potential rezoning study of the entire Seward Longfellow area is planned for 2008.

As of writing this staff report, comment from a neighbor was received. Staff will forward comments, if any are received, at the City Planning Commission meeting.

**REZONING:** Petition to rezone a property located at 3010 West River Parkway from R1A to R3.

**Findings as required by the Minneapolis Zoning Code for the rezoning petition:**

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

The Seward Longfellow Midtown Greenway Land Use and Development Plan supports low density housing development in the area where subject property is located. The Minneapolis Plan also reiterates to provide affordable housing for low to medium income households. The following relevant policies are from the Minneapolis Plan:

Policy 4.10 Minneapolis will increase its housing that is affordable to low and moderate income households.

*Implementation Steps: Foster partnerships with housing developers, financial institutions, faith communities and others to extend the City's capacity to create affordable housing.  
Improve access of low-income families to sources of housing financing.*

Policy 4.12 Minneapolis will reasonably accommodate the housing needs of all of its citizens.

*Implementation Step: Permanent housing for people with disabilities shall not be excluded by the zoning ordinance or other land use regulations from the benefit of residential surroundings. Special housing shall be available as needed and appropriately dispersed throughout the city.*

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

The rezoning is in the interest of the property owner and tenants of the building. However, the rezoning will also conform to the recommended future land use in the Seward Longfellow Midtown Greenway Land Use and Development Plan.

**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 surrounded by non-conforming residential uses in an I1 Light Industrial District between 29<sup>th</sup> Avenue and half a block of 31<sup>st</sup> Avenue. Industrial uses are located to the north and blocks beyond. This section of the industrial district is not in the adopted employment district, but is recommended for low density residential development in the small area plan. The existing use of the property is compatible with the rest of the residential uses in the same block, and will be consistent with the future land use recommendation of the small area plan.

**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.**

Under its current zoning, the property at 2729 29<sup>th</sup> Avenue S would not be sufficient in land area for industrial development. The existing residential house was constructed in 1913 and all other dwelling structures in the same block are most likely built in the same time period. These properties have not been reclassified to reflect their existing 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.**

The Seward Longfellow Midtown Greenway Land Use and Development Plan included the area where subject property is located and is recommending low density residential development. A larger section of this Plan to the west is designated as an employment district as adopted by the city council on November 6, 2006. The Plan also calls for major housing development in the surrounding areas as shown in the future land use map.

## **RECOMMENDATION**

### **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 petition to rezone the property at 2729 29<sup>th</sup> Avenue S from I1 to the R2B district.

#### **Attachments:**

1. Statement of use
2. Findings
3. Zoning map
4. Plans
5. Photos
6. Permits Issued