

Department of Community Planning and Economic Development
Rezoning and Conditional Use Permit
BZZ-6131

Date: July 29, 2013

Applicant: David J. Kelly

Address of Property: 3825 West 50th Street

Project Name: New off-sale liquor store

Contact Person and Phone: David J. Kelly, (952) 922-2220

CPED Staff and Phone: Aaron Hanauer, (612) 673-2494

Date Application Deemed Complete: June 26, 2013

End of 60 Day Decision Period: August 25, 2013

Ward: 13 **Neighborhood Organization:** Fulton Neighborhood Association

Existing Zoning: C1, Neighborhood Commercial District

Proposed Zoning: C3A, Community Activity Center District

Zoning Plate Number: 35

Legal Description: Shirley's First Addition to Minneapolis, Hennepin County, Minnesota; Lot 008

Proposed Use: Liquor store

Concurrent Review:

- Zoning amendment: Petition to rezone the property located at 3825 West 50th Street from the C1, Neighborhood Commercial District to the C3A, Community Activity Center District. The PO (Pedestrian-Oriented) Overlay District will be maintained.
- Conditional Use Permit: To allow for an off-sale liquor store.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments and Article VII, Conditional Use Permits.

Background: In addition to the Minneapolis zoning code having land use requirements for an off-sale liquor store, the Minneapolis city charter requires that off-sale liquor store locations have five contiguous acres of districts that allow for an off-sale liquor store (e.g. C2 or C3A).

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After accepting the land use applications, staff determined that the subject property would only have 3.5 acres of contiguous districts that allows for an off-sale liquor store if the rezoning application was approved. Therefore, an off-sale liquor store would not be allowed at this location even if the zoning amendment and conditional use permit applications were approved.

On July 15, 2013, CPED informed the applicant that even if their land use application were approved, the applicant would not be able to have an off-sale liquor store at this location. On July 18, 2013, the applicant sent an e-mail to the City of Minneapolis requesting that the zoning amendment and conditional use permit applications be withdrawn.

RECOMMENDATIONS:

REZONING RECOMMENDATION

Recommendation of the Community Planning and Economic Development Department for the zoning amendment application:

The zoning amendment application to rezone the property located at 3825 West 50th Street from the C1, Neighborhood Commercial District to the C3A, Community Activity Center District has been **withdrawn**.

Recommendation of the Community Planning and Economic Development Department for the conditional use permit:

The conditional use permit application to allow for an off-sale liquor store at 3825 West 50th Street has been **withdrawn**.