



CPED STAFF REPORT
Prepared for the City Planning Commission

CPC Agenda Item #2
February 9, 2015
BZZ-6977

LAND USE APPLICATION SUMMARY

Property Location: 514 Lowry Avenue NE
Project Name: Carma Coffee Shop & Offices
Prepared By: [Lisa Steiner](#), City Planner, (612) 673-3950
Applicant: Liz Jaap
Project Contact: Liz Jaap
Request: To open a coffee shop and office space in an existing building.
Required Applications:

Rezoning	From the R2B zoning district to the C1 zoning district.
-----------------	---

SITE DATA

Existing Zoning	R2B Two-family District
Lot Area	3,100 square feet
Ward	I
Neighborhood	Holland
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (Lowry Avenue NE) Activity Center (Lowry & University, 2 blocks east)
Small Area Plans	Holland Neighborhood Small Area Plan (Draft) Lowry Avenue Corridor Plan (2002)

Date Application Deemed Complete	January 16, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	March 17, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject site is located at the southwest corner of Lowry Avenue NE and 6th Street NE. The site measures 25 feet by 124 feet or 3,100 square feet. Due to the platting of the block, the site has no alley access. Because the building takes up the entire parcel area, there is no parking associated with this building.

The existing one-story building was constructed as an office building in 1962. At that time, the property was zoned for commercial uses. It almost immediately became nonconforming, as in 1963, the new zoning code was adopted which zoned the property within the R3 General District. In the early 1990s, the property and most of the surrounding properties with R3 zoning were all rezoned to the R2B Two-family District. The property has been utilized for various commercial and office uses throughout its history. The building has been vacant for over one year, so the nonconforming rights previously established have been lost and in order to establish a new commercial or office use, a rezoning of the property is required.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The subject site is adjacent to single-family residences. An industrially-zoned self-storage facility is located across Lowry Avenue NE from the subject site, as well as a child care center. Across 6th Street NE is a surface parking lot utilized by a minor auto repair facility located one block east from the subject site.

PROJECT DESCRIPTION. The applicant is proposing to convert the existing vacant commercial building into an approximately 1,600 square foot coffee shop and approximately 960 square feet of office space. Because the rezoning request is to change from a residential district to a commercial district, the applicant was required to obtain consent signatures from two-thirds of the property owners within 100 feet of the site. The applicant did obtain these signatures.

The building has three pedestrian entries along Lowry Avenue NE marked by 514, 516, and 520 Lowry Avenue NE. The 514 and 516 addresses would be the locations of the rentable office space, and the door currently marked 520 would be the main entrance to the coffee shop. An additional garage door opening on 6th Street NE was recently added to the building.

The size of the coffee shop would be approximately 1,600 square feet. A coffee shop has a minimum parking requirement of 1 space per 500 square feet up to 2,000 square feet. This proposed coffee shop would therefore have a parking requirement of 3 spaces. However, all non-residential uses over 1,000 square feet in area are required to provide 4 off-street parking spaces. The rentable office space amounts to only 960 square feet of space in the existing building, so this use is exempt from off-street parking requirements. Therefore, the total off-street parking requirement for the proposed uses is 4 spaces. The existing building was constructed in 1962 and was last utilized as an office. Therefore, the property has grandfathered rights to four parking spaces and no additional off-street parking is required for the proposed uses.

PUBLIC COMMENTS. No comments had been submitted as of the writing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

REZONING

The Department of Community Planning and Economic Development has analyzed the application for a petition to rezone the property at 514 Lowry Avenue NE from R2B Two-family District to CI Neighborhood Commercial District based on the following [findings](#):

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

The proposed zoning would be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The property is designated as Urban Neighborhood on the future land use map. Urban neighborhoods are predominantly residential areas with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors. Urban neighborhoods may include undesignated nodes and some other small-scale uses, including neighborhood-serving commercial and institutional and semi-public uses scattered throughout.

Lowry Avenue NE is a designated Community Corridor. Community Corridors generally contain small-scale retail sales and services serving the immediate neighborhood. The proposed coffee shop and small office spaces would be neighborhood-serving commercial uses along a Community Corridor.

The following principles and policies outlined in the plan apply to this proposal:

Land Use Policy I.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

- I.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy I.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- I.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- I.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.
- I.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street.”

Land Use Policy 1.6: Recognize that market conditions and neighborhood traditions significantly influence the viability of businesses in areas of the city not designated as commercial corridors and districts.

- 1.6.1 Allow for retention of existing commercial uses and zoning districts in designated Urban Neighborhood areas, to the extent they are consistent with other city goals and do not adversely impact surrounding areas.

Land Use 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.

Economic Development Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.

The adoption of the *Holland Neighborhood Small Area Plan* is on the agenda for the February 9th Planning Commission meeting. Upon reviewing the [draft of the plan](#), staff finds that the proposed rezoning is consistent with applicable policies in the small area plan as well. The plan notes that growth is targeted towards Lowry Avenue, particularly for medium-density housing as well as small restaurants, markets, and shops. Because Lowry Avenue is a mix of residential and commercial uses, the plan anticipates small commercial nodes remaining with single-family houses gradually improved or redeveloped into townhouses and small apartments. The plan also specifies that development along Lowry should transition smoothly to the single family residential neighborhoods to the north and south. The proposed rezoning will be consistent with the draft small area plan guidance.

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

The rezoning would allow for a limited range of goods and services along a Community Corridor in an existing commercial building. Rezoning to CI to allow commercial uses on the subject site would enhance residential livability and reinvestment in the neighborhood and would also help to revitalize an existing commercial building. The amendment is in the public interest and is not solely in the interest of the property owner.

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 zoning would be compatible with the zoning classifications and existing uses of other property in the area. CI zoning is located a block west along Lowry Avenue and to the east of the railroad tracks. Industrial zoning is located north of the subject property. Lowry Avenue NE has a similar pattern of a patchwork of commercial and residential zoning between the Mississippi River and Central Avenue NE.

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 property is currently zoned within the R2B Two-family District. Permitted uses in this district include single and two-family dwellings, small community residential facilities, community gardens, public parks, places of assembly, child care centers, and small market gardens. The site constraints of the subject property pose a number of issues for its reasonable reuse within the R2B District. The minimum lot area required for a new single or two-family dwelling would be 5,000 square feet or 10,000 square feet respectively. Because the property has only 3,100 square feet of lot area, establishment of a single or two-family dwelling would require a variance of the minimum lot area. Without also triggering yard variances, only a 15 foot wide home would be able to be constructed on this lot. While some reasonable uses of the property still exist, it is unlikely due to the small size of this lot that it could be redeveloped or repurposed for a permitted use in the R2B District.

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 existing building was constructed as an office building in 1962 and has housed a variety of commercial uses since that time. The building has been vacant since at least when the current owners purchased the building in December 2013, so the nonconforming rights to commercial use have now expired.

The zoning surrounding the subject property has not changed significantly since 1963. Most of the parcels along Lowry Avenue NE between Marshall Street and 5th Street NE have been commercially zoned since 1963. The subject property was zoned residentially just one year after its construction. Lowry Avenue in this area has long been a mix of commercial and residential properties; no specific change in the character or general area has occurred since 1963.

Given that there has not been a noticeable change in the character of the development surrounding the property before or after it was zoned for residential uses in 1963, it would be appropriate to establish this property's commercial zoning status in order to utilize the existing commercial building for commercial uses. Rezoning to CI would not have a negative impact on the surrounding area.

FOR REZONINGS ONLY

ZONING PLATE NUMBER. 9

LEGAL DESCRIPTION. South 25 Feet of Lot 6, Block 7, Lennon & Newell's Addition to St. Anthony, Minneapolis, Hennepin County, Minnesota.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Rezoning:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning petition to change the zoning classification at the property located at 514 Lowry Avenue NE from the R2B Two-family District to the CI Neighborhood Commercial District.

ATTACHMENTS

1. Written description submitted by applicant
2. Memo from City Attorney Re: Petition for the Amendment of the Zoning Ordinance
3. Zoning maps
4. Site plan
5. Floor plan for coffee shop
6. Photos
7. Oblique aerial
8. Correspondence

December 30, 2014

To the City of Minneapolis Planning Division:

Hello, my name is Liz Jaap, and I am seeking the approval of the city council to rezone the property located at 514 Lowry Avenue NE.

My husband Bill and I started Good Carma Auto Repair in 1997. We purchased the building at 614 Lowry Ave NE in 2005 and relocated our business there. We have operated our business with a mission of being good stewards to our customers, employees and the neighborhood. Last year we purchased the adjoining property at 514 Lowry Avenue with the idea of improving the space and renting it out to businesses committed to the neighborhood. In order to move forward with this plan, we are seeking approval to rezone the property from its current residential classification of R2B to a C1 commercial status.

After watching the building sit empty for years, we bought it with the hope of revitalizing our little strip of the neighborhood. Our vision is to rent out a third of the building and open a coffee shop in the other 2 thirds. We believe our experience running our own small business for eighteen years as well my 20 plus years working in the restaurant industry for Lucia's Restaurant, will help the success of this venture. In addition, the neighborhood and the surrounding businesses will surely benefit from a community gathering place.

Thank you for your support.

Sincerely,

Liz and Bill Jaap



Minneapolis
City of Lakes

Office of the City Attorney

Susan L. Segal
City Attorney

350 South 5th Street - Room 210
Minneapolis, MN 55415

January 15, 2015

Office: 612 673-2010
Civil Division Fax: 612 673-3362
Criminal Division Fax: 612 673-2189
CPED Fax: 612 673-5112
TTY: 612 673-2157

The Minneapolis City Council
Room 307, City Hall
350 South Fifth Street
Minneapolis, MN 55415

Minneapolis Planning Commission
Room 110, Public Service Center
250 South Fourth Street
Minneapolis, MN 55415

Re: Petition for Amendment of the Zoning Ordinance – 514 Lowry Avenue Northeast

Dear Members of the City Council and Planning Commission:

Pursuant to the requirements of the Zoning Code, I certify that the above petition submitted by Elizabeth Jaap, on behalf of Shoestring LLC, for rezoning of the property located at 514 Lowry Avenue Northeast from the R2B zoning district to the C1 zoning district complies with the signature consent requirements of Minnesota Statutes § 462.357, subd. 5.

This opinion is for the sole benefit of the Minneapolis City Council and Minneapolis City Planning Commission. Other persons are advised that they must seek their own legal counsel relative to the matters herein discussed.

Very truly yours,

ERIK E. NILSSON
Assistant City Attorney
(612) 673-2192

cc: Lisa Steiner, CPED
Diana Armstrong, City Clerk's Office



City Information
and Services

www.minneapolismn.gov

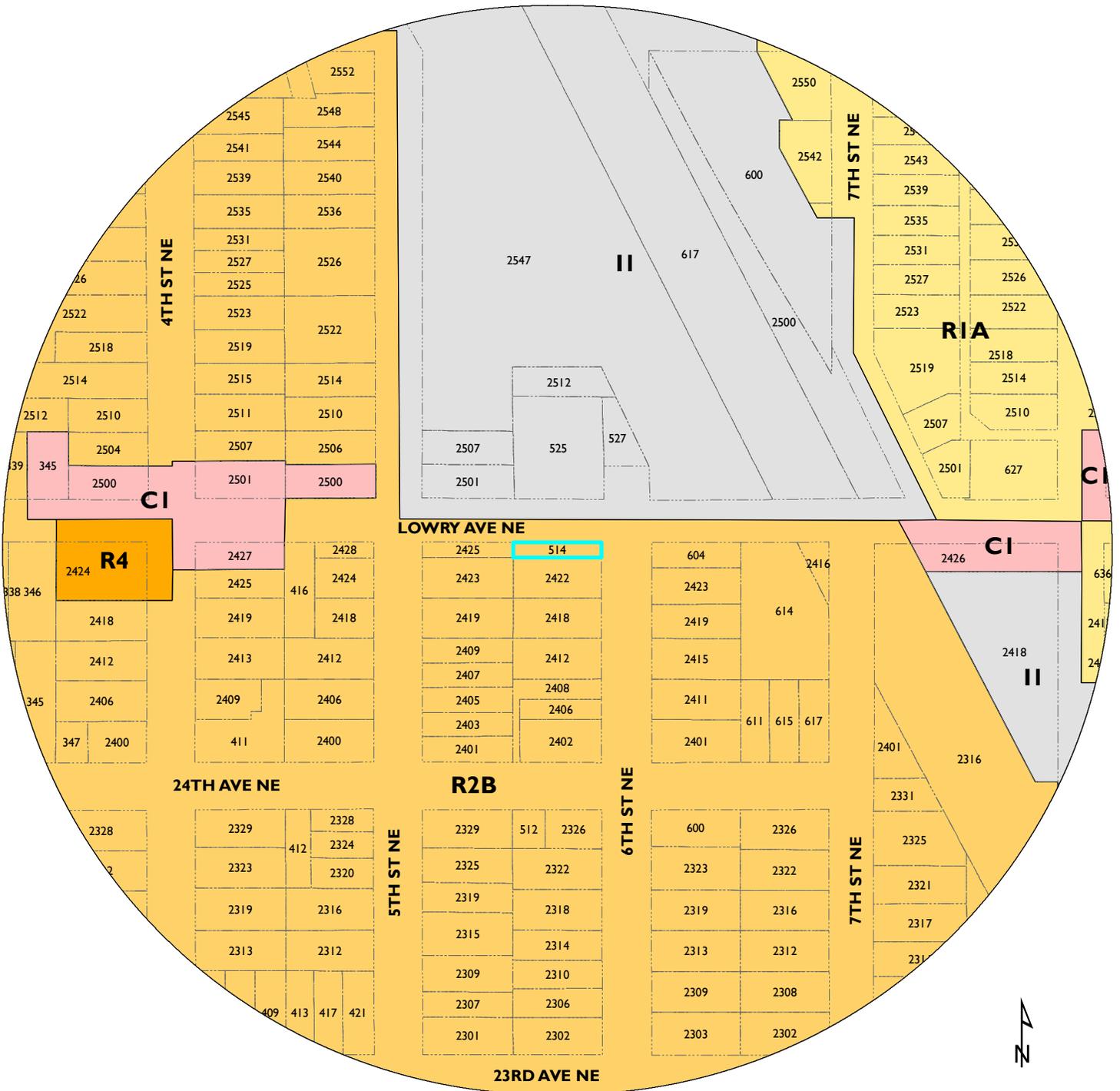
Affirmative Action Employer

Liz Jaap

I

NAME OF APPLICANT

WARD

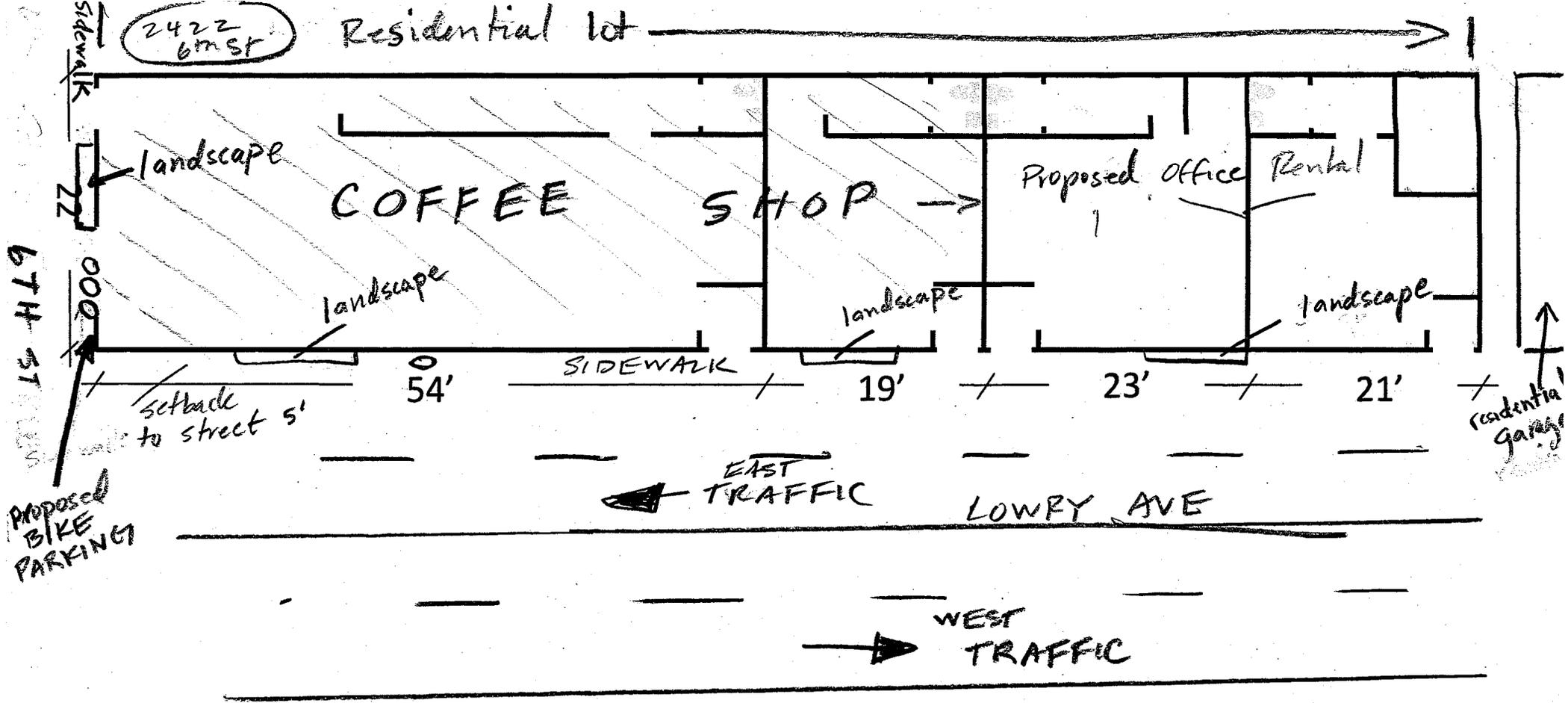


PROPERTY ADDRESS

514 Lowry Ave NE

FILE NUMBER

BZZ-6977



NO ALLEY
 NO ENCROACHMENTS



Site Photos



North Elevation - along Lowry Ave NE



Corner of building at 6th and Lowry



Looking east down Lowry

514 LOWRY AVENUE NE



Shoestring LLC
Liz and Bill Jaap
4837 29th Avenue S
Minneapolis, MN 55417

Kevin Reich
350 South 5th Street, Room 307
Minneapolis, MN 55415

December 10, 2014

Dear Councilman Reich,

My name is Liz Jaap. We have met in the past through Kurt Nowacki. My husband Bill and I own Good Carma Auto Repair, which we started in 1997. We purchased the building at 614 Lowry Ave NE in 2005 and relocated our business there. Last year we purchased 514 Lowry Avenue with the idea of improving the space and renting it out to businesses committed to the neighborhood.

Our vision is to open a coffee shop in two thirds of the space and rent out the other third as office space. The building is currently zoned as residential with an expired conditional use permit that will not be renewed by the city. We are seeking to have it rezoned to C1 commercial in order to proceed with our plans.

Recently I met with city planner Lisa Steiner for my pre-planning meeting. After conferring with her colleagues, she found out that we will not need a parking variance for the plan. Our next steps moving forward involve getting written support of neighbors within a 100' radius; contacting both the neighborhood organization and the councilperson, as well as completing the application paperwork. From there we will be put on the public hearing schedule to seek final approval. We have communicated with the Holland neighborhood group and begun collecting the eight signatures needed from the neighbors.

With this letter we are seeking your support in rezoning 514 Lowry Avenue and would greatly appreciate your help.

Please contact me with any questions or concerns relating to our exciting plans.

Sincerely,

Liz Jaap
612/598-6877 or lizjaap44@gmail.com

Shoestring LLC
Liz and Bill Jaap
4837 29th Avenue S
Minneapolis, MN 55417

Adelheid Koski, President
Holland Neighborhood Improvement Association
1900 Central Ave NE, Suite 108
Minneapolis, MN 55418

December 11, 2014

Dear Ms Koski,

My name is Liz Jaap. I was given your contact information by Kurt Nowacki. My husband Bill and I own Good Carma Auto Repair, which we started in 1997. We purchased the building at 614 Lowry Ave NE in 2005 and relocated our business there. Last year we purchased 514 Lowry Avenue with the idea of improving the space and renting it out to businesses committed to the neighborhood.

Our vision is to open a coffee shop in two thirds of the space and rent out the other third as office space. The building is currently zoned as residential with an expired conditional use permit that will not be renewed by the city. We are seeking to have it rezoned to C1 commercial in order to proceed with our plans.

Recently I met with Minneapolis city planner Lisa Steiner for my pre-planning meeting. After conferring with her colleagues, she is confident that we will not need a parking variance for the project. Our next steps moving forward involve getting written support of neighbors within a 100' radius; contacting both the neighborhood organization and the councilperson, as well as completing the application paperwork. From there we will be put on the public hearing schedule to seek final approval.

We have communicated with Councilman Reich and are seeking the support of HNIA in rezoning 514 Lowry Avenue. We would greatly appreciate your help.

Please contact me with any questions or concerns relating to our exciting plans.

Sincerely,

Liz Jaap
612/598-6877 or lizjaap44@gmail.com