

LAND USE APPLICATION SUMMARY

Property Location: 3238 Washington Avenue North
Project Name: Industrial Living Overlay District - Rezoning
Prepared By: Andrew Liska, City Planner, 612.673.2264
Applicant: David Bentz
Project Contact: David Bentz
Request: To add the Industrial Living Overlay District (ILOD) to the existing I2 Zoning.
Required Applications:

Rezoning	Petition to rezone the property located at 3238 Washington Avenue North to include the Industrial Living Overlay District (ILOD) to the existing I2 zoning.
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SITE DATA

Existing Zoning	I2 Medium Industrial District
Lot Area	8,888 square feet
Ward(s)	4
Neighborhood(s)	McKinley
Designated Future Land Use	Urban Neighborhood – Comprehensive Plan (2010) Mixed-Use – Above the Falls Master Plan Update (2013)
Land Use Features	N/A
Small Area Plan(s)	<u>Above The Falls Master Plan Update (2013)</u>

Date Application Deemed Complete	April 20, 2015	Date Extension Letter Sent	May 22, 2015
End of 60-Day Decision Period	June 19, 2015	End of 120-Day Decision Period	August 18, 2015

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is a through lot with street frontage on Washington Avenue North and 2nd Street North and is located just east of Interstate 94. The structure is a two story but due to topography, has a walk out lower level that faces 2nd Street North. There is an approximately an 18 foot grade change on this parcel. The current uses on site include office space, an envelope packing and printing production use, and general retail sales and services use.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The 3200 block along Washington and 2nd Street North features an array of uses. These uses include: single family dwellings located on the north side of the block, industrial and office mixed-use buildings, a cultural/entertainment use, a fabrication production use, various medium industrial uses, and a fast food restaurant on the south side of the block.

PROJECT DESCRIPTION. The applicant is seeking to add the Industrial Living Overlay District (ILOD) to the existing I2 zoning. This addition of the ILOD would allow the general retail sales and services uses to be legally established. There are no exterior or interior alterations proposed with this application.

PUBLIC COMMENTS. As of writing this report, staff has not received any correspondence from the McKinley Neighborhood. 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 3238 Washington Avenue North to include the Industrial Living Overlay District (ILOD) to the existing I2 zoning based on the following findings:

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

The comprehensive plan gives mixed policy guidance for this proposed rezoning to include the Industrial Living Overlay District (ILOD). The proposed rezoning is consistent some policies of *The Minneapolis Plan for Sustainable Growth* and the *Above the Falls Master Plan Update (2013)* while being in conflict with other policies and directions within these same documents.

The property was designated as Urban Neighborhood in the Comprehensive Plan however; the *Above the Falls Master Plan Update (2013)* was adopted by the City Council in June 2013 and the updated plans call for the future land use to be Mixed-Use. While this small area plan has not been formally adopted by the Metropolitan Council, it is expected that the *Above the Falls Master Plan Update* will be adopted by end of the year as a part of the Comprehensive Plan Update.

The following policies and direction in the comprehensive plan apply to this proposal:

Land Use Policy 1.1: 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.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

Policy I.14: Maintain Industrial Employment Districts to provide appropriate locations for industrial land uses.

- I.14.2 Allow industrial uses outside of Industrial Employment Districts to transition over time to other uses.

The *Above the Falls Master Plan Update (2013)* provides a brief commentary on this area in particular and notes challenges faced in this location:

“The small sites located between 2nd St N and Washington Ave N present somewhat of a challenge for redevelopment, as many are small, steeply sloped, and narrow. These may be suitable for small-scale office and light industrial uses. As there are already a number of residential uses within this section, it may also be appropriate for live-work type arrangements.” (Page 94)

The aforementioned light industrial and office uses existing are permitted under the current zoning. The live-work arrangements would not be permitted without the Industrial Living Overlay District.

Direction mentioned in the *Above the Falls Master Plan Update (2013)* suggests that the proposed rezoning would not be in accordance with policies framed around economic and fiscal analysis done for this area. This analysis demonstrates development/redevelopment of this area transitioning away from industrial and towards mixed-use is limited by land availability. The plan states that to overcome this challenge, land assembly is necessary (Pages 62-63). Rezoning a single parcel to include ILOD is not the intent of the future land use policy of the transition from industrial to mixed-use.

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

The proposal to add the Industrial Living Overlay District would allow more flexibility in uses while maintaining the underlying industrial zoning district uses. As this area is outside the Industrial Employment District, this amendment will allow for transitions of uses from industrial to mixed-use. Related, the property to the north, 3240 Washington Avenue North, is also seeking to add the Industrial Living Overlay District to the parcel as well. It is in the interest of the applicant to rezone this parcel as opposed to the public’s interest. If there was a large assembly of parcels combined with this proposed rezoning, it would appear to be more of the public’s interest.

- 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.*

There are no other Industrial Living Overlay District (ILOD) zoning overlay districts in the immediate vicinity. The nearest property with an ILOD is 3442 Washington Avenue North; over two blocks north.

The existing uses of the surrounding properties are compatible with the proposed use and zoning classification. The proposed ILOD addition to the existing zoning would allow for more flexibility and would allow for the existing non-conforming general retail sales and service use but legally established. The general retail sales and services component has been present at this site for a number of years and does not negatively impact the surrounding area. This area has a wide array of

uses; the proposed ILOD would provide more flexibility for this parcel in transitioning into the future land use as dictated by the *Above the Falls Master Plan Update* although this document seems to suggest meeting the intent will require land assembly for a larger scale development.

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 reasonable uses of the property in question permitted under the existing zoning classification, including the existing office uses as well as the existing assembly use. The addition of Industrial Living Overlay District (ILOD) would not eliminate any uses but would allow for more flexibility in uses.

The IL Overlay District would also allow for the following uses:

- General Retail Sales and Services
- Antiques and collectibles.
- Banks and financial institutions.
- Bookstore, new or used.
- Grocery store.
- Laundry, self-service.
- Performing, visual or martial arts school.
- Reception or meeting hall.
- Sports and health facility, minor.
- Supportive housing.
- Theater, indoor, provided live performance only.
- Video stores up to 4,000 square feet.

All of these aforementioned uses would allow this parcel to transition out of strictly industrial uses and will allow for flexibility in mixed-uses that are the future land-uses of this parcel and area as a whole.

In addition to these permitted uses, the property would also be eligible to apply for a condition use permit to establish dwelling units, planned unit developments, and grade schools.

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 desire to transition this area to non-industrial uses is evident through the *Above the Falls Master Plan Update* (2013) as this area is shown as Mixed Use in the future land-use plan.

There has been some transition to non-industrial uses in the area as a whole but this immediate vicinity has not experienced a change in character.

FOR REZONINGS ONLY

ZONING PLATE NUMBER. 8

LEGAL DESCRIPTION. BAKER'S 4TH ADDITION TO MINNEAPOLIS LOT 004 BLOCK 029

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application by David Bentz for the property located at 3238 Washington Avenue North:

- A. Rezoning the property located at 3238 Washington Avenue North to add the Industrial Living Overlay District (ILOD) to the existing I2 zoning district.**

Recommended motion: **Deny** the application.

ATTACHMENTS

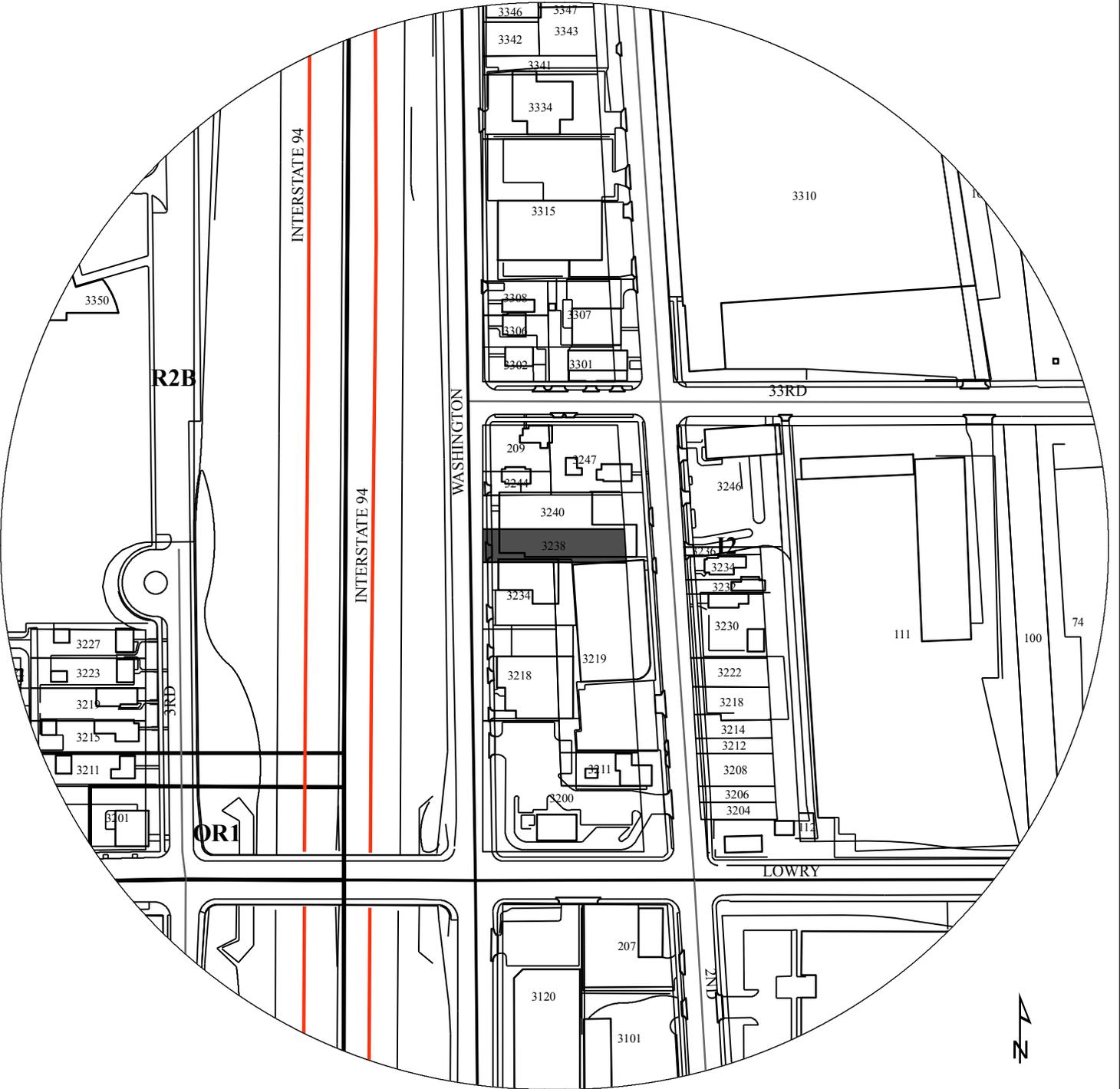
1. Zoning Map
2. Written description and findings submitted by applicant
3. Site plan
4. Plans
5. Photos
6. Correspondence

David Bentz

4th

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

3238 Washington Avenue North

FILE NUMBER

BZZ-7138

David Bentz

Mon, Apr 13 8:09 PM

Rezoning for 3238 Washington Avenue North.

My name is David Bentz and I am applying for an Industrial Living Overlay District (ILOD) zone to be added to my property at 3238 Washington Avenue North. Currently the property is zoned I2 which allows medium Industrial uses.

In addition to the industrial uses the ILOD would also allow the following types of uses:

- (1) General retail sales and services uses.**
- (2) Antiques and collectibles.**
- (3) Banks and financial institutions.**
- (4) Bookstore, new or used.**
- (5) Grocery store.**
- (6) Laundry, self service.**
- (7) Performing, visual or martial arts school.**
- (8) Reception or meeting hall.**
- (9) Sports and health facility.**
- (10) Theater, indoor, provided live performance only.**
- (11) Video stores up to four thousand (4,000) square feet.**

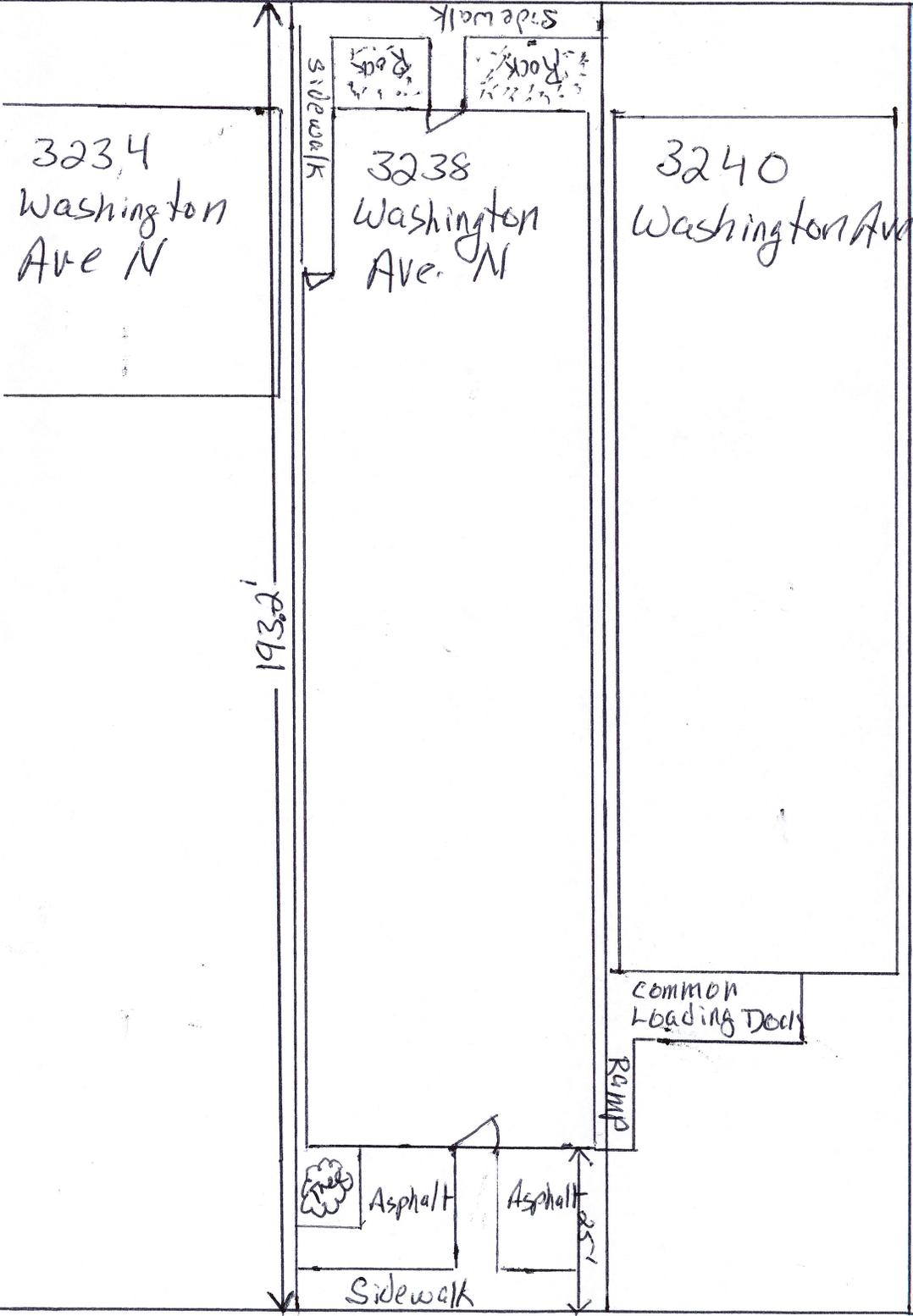
David Bentz

7218 Aldrich Ct N.

Brooklyn Center MN 55430

Cell 612-328-2463

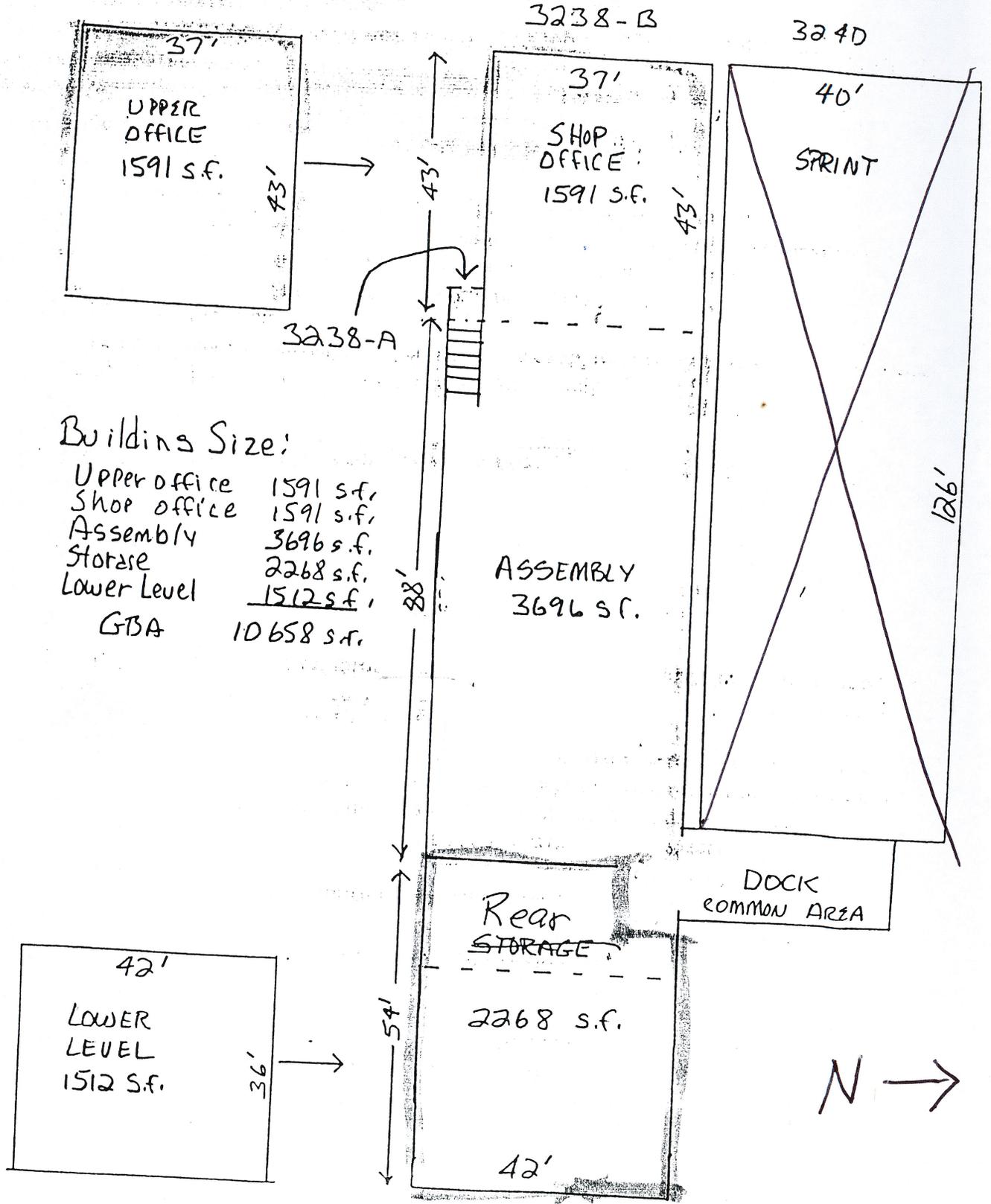
Washington Ave. N.



2nd St. N



DAVID BENTZ PROPERTY
 3238-A, 3238-B, 3240 WASHINGTON AVE. N.O.
 MINNEAPOLIS, MN.



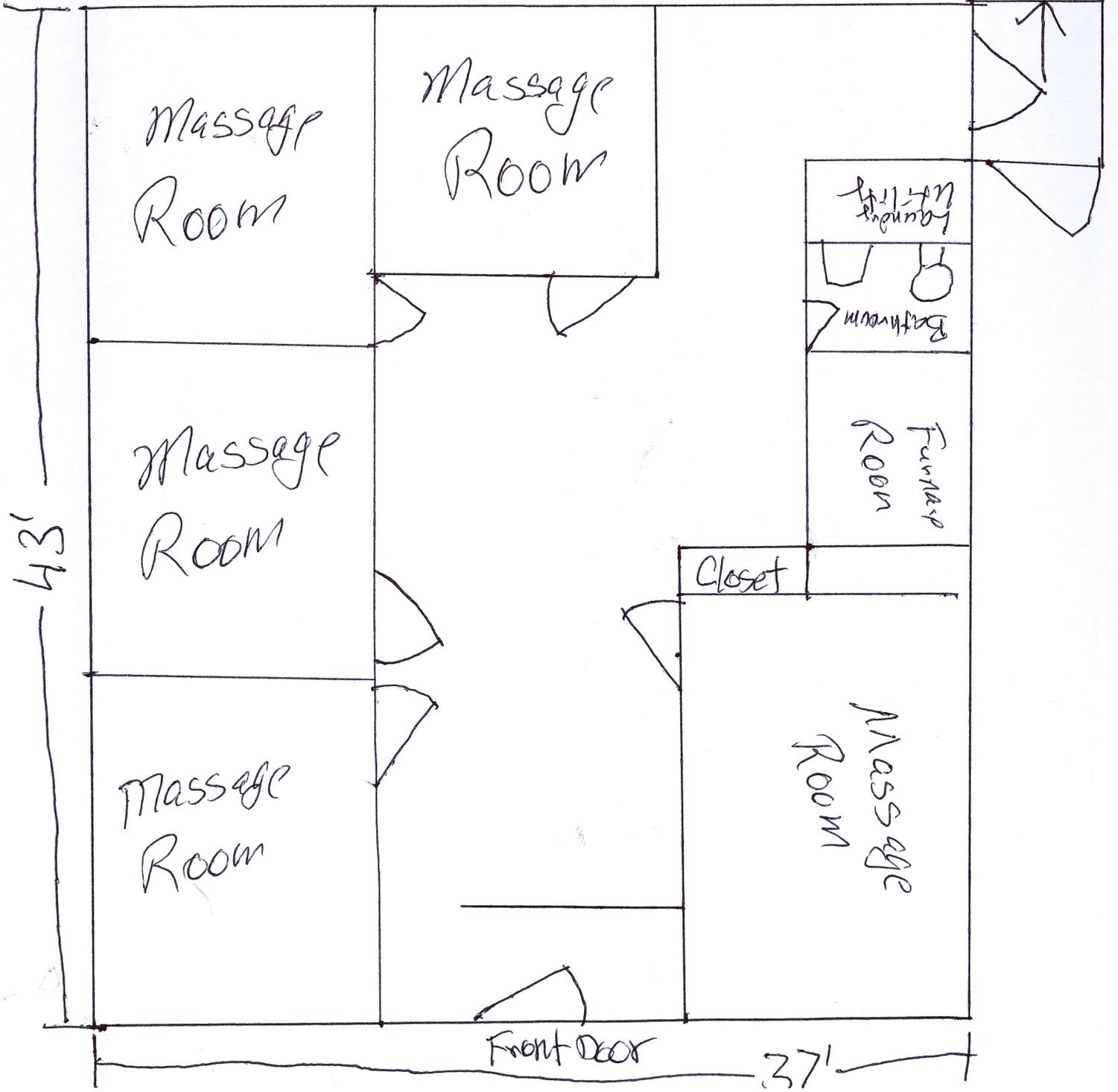
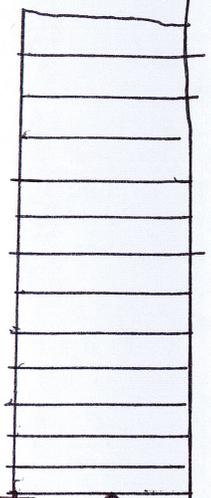
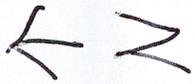
Buildings Size:

Upper office	1591 s.f.
Shop office	1591 s.f.
Assembly	3696 s.f.
Storage	2268 s.f.
Lower Level	1512 s.f.
GBA	10658 s.f.

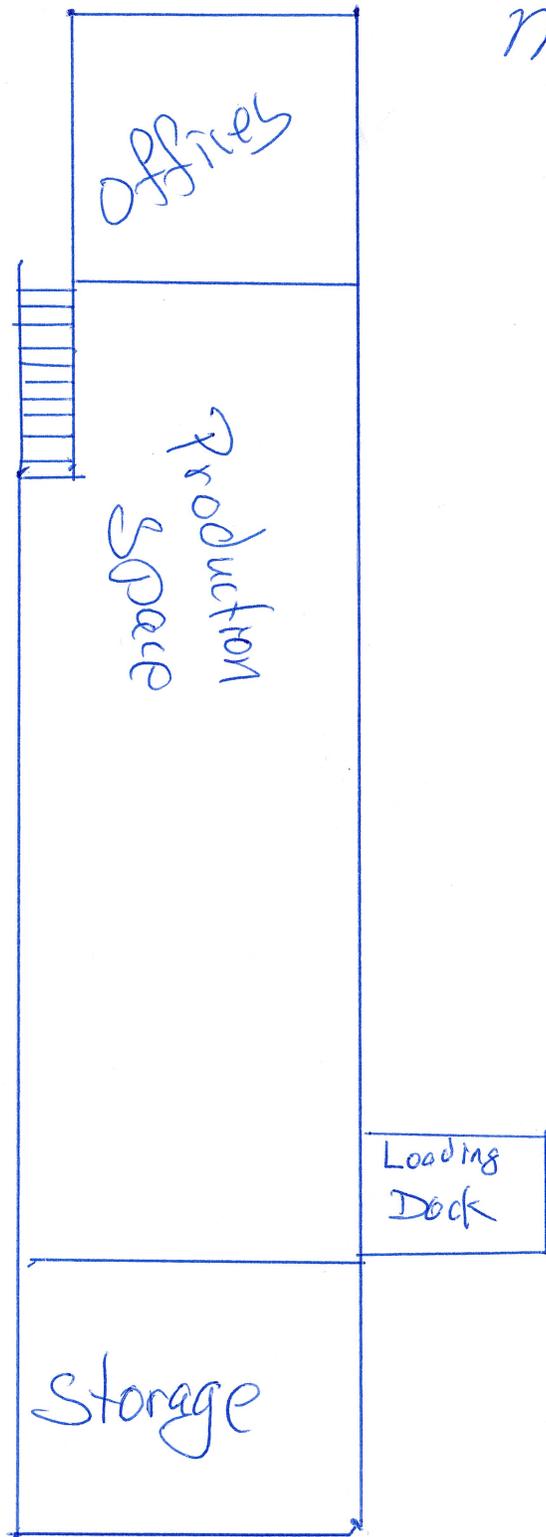


EX.A.

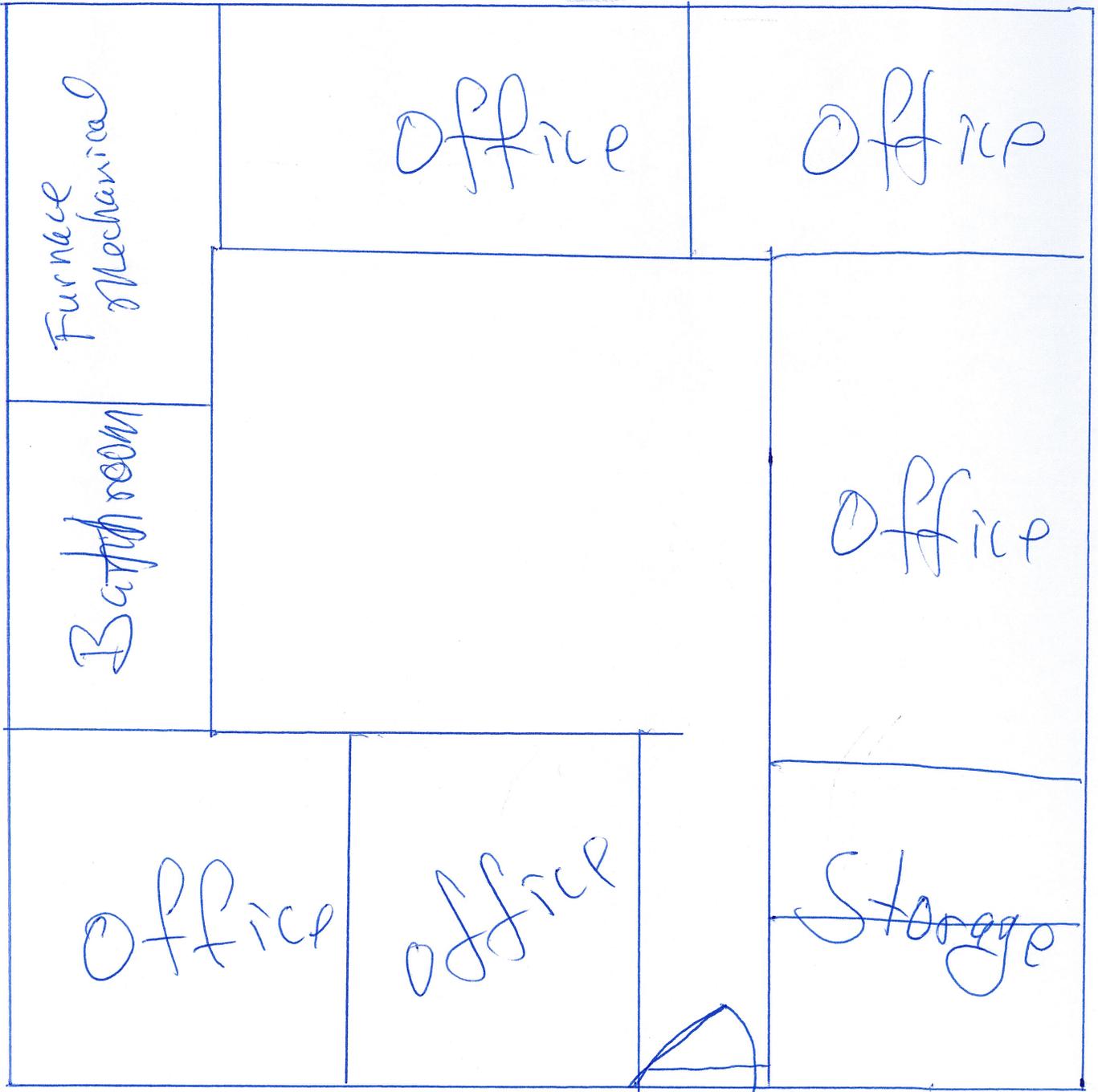
3238 Washington
Upper Level



3238 Washington Ave
Middle Floor



3238 Washington
Bottom Level





3238

ABSOLUTE
Mail Services, Inc.
is owned by [unreadable]
and serves the mail.
The name of the company on the sign does not matter.