

Department of Community Planning and Economic Development – Planning Division
Rezoning
BZZ-5766

Date: October 1, 2012

Applicant: MN SNAP

Address of Property: 2822 Washington Avenue North

Project Name: MN SNAP Rezoning

Contact Person and Phone: Dana Andresen, (763) 221-6040

Planning Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: September 5, 2012

End of 60-Day Decision Period: November 4, 2012

End of 120-Day Decision Period: On September 18, 2012 staff sent a letter to the applicant extending the City's decision period for an additional 60 days, to January 2, 2013.

Ward: 3 **Neighborhood Organization:** Hawthorne Neighborhood Council

Existing Zoning: I2, Medium Industrial district

Proposed Zoning: C1, Neighborhood Commercial district

Zoning Plate Number: 8

Lot area: 12,626 square feet

Legal Description: Lot 12 and the north 30 feet of Lot 11 excluding the alley, Block 28, Morrison's Addition to North Minneapolis, Hennepin County, Minnesota.

Proposed Use: Veterinary Clinic.

Concurrent Review:

- Rezoning from I2, Medium Industrial district to the C1, Neighborhood Commercial district.

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

Background: The site is located in the southeast corner of the intersection of Washington Avenue North and 29th Avenue North. The proposal is to establish a veterinary clinic, MN

SNAP, in the existing building. The site is zoned I2, Medium Industrial and veterinary clinics are not a permitted use in this district. Therefore, the applicant is applying to rezone the property from the I2, Medium Industrial district to the C1, Neighborhood Commercial district. No changes are proposed to the building at this time. Raised planters are proposed on the west side of the site, near the entrance. The building covers nearly the entire property and the parking is enclosed within the building. The principal entrance opens on to the public sidewalk adjacent to Washington Avenue North.

The use is a veterinary clinic that provides spay and neuter services. The use works in conjunction with a mobile spay and neuter unit that performs surgeries in underserved and/or low-income communities. The mobile unit would be stored within the building when not in use. MN SNAP would employ approximately 15 people, eight of which would be on site. According to the statement submitted by the applicant, the stationary clinic would include a veterinarian and three technicians who would perform up to 40 surgeries per day. Clients drop off animals before surgery and pick them up after recovery. The building would include a surgical clinic, conference room, volunteer work space, storage, laundry facilities, offices and enclosed parking.

Staff had not received any correspondence from the neighborhood as of the writing of this staff report. Any correspondence, if received, will be forwarded on to the Planning Commission for consideration.

REZONING: from the I2, Medium Industrial district to the C1, Neighborhood Commercial district

Findings as required by the Minneapolis Zoning Code:

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

The Minneapolis Plan for Sustainable Growth identifies this site as Industrial on the future land use map. The site is located in one of the City's seven Industrial Employment Districts which were formed as part of the adoption of the *Industrial Land Use and Employment Plan* in 2006. The objective of Industrial Employment Districts is to protect prime employment space, provide an opportunity for the City to support targeted industrial and business clusters and to redevelop underutilized sites for economic development purposes. Industrial Employment Districts preserve properties for the retention, expansion and attraction of existing and new industrial firms in areas of the city with good transportation access, minimal conflict with nearby land uses and proximity to recent market investment. According to the principles and policies outlined in the comprehensive plan, the following 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.

- 1.1.5 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 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

Land Use Policy 1.14: Maintain Industrial Employment Districts to provide appropriate locations for industrial land uses.

- 1.14.1 Develop regulations for the Industrial Employment Districts that promote compatible industrial development and the efficient use of land.
- 1.14.2 Allow industrial uses outside of Industrial Employment Districts to transition over time to other uses.
- 1.14.3 Restrict the development and expansion of nonindustrial uses within designated Industrial Employment Districts, limiting non-industrial uses to the types of uses and locations designated in the Industrial Land Use and Employment Plan.
- 1.14.4 Strongly discourage new residential uses in Industrial Employment Districts.
- 1.14.5 Encourage and implement buffering through the site plan review process to mitigate potential conflicts between industrial uses and adjacent other uses.

Economic Development Policy 4.5: Attract businesses investing in high job density and low impact, light industrial activity to support the existing economic base.

- 4.5.1 Align workforce investments with targeted industrial employers identified and defined in the Industrial Land Use and Employment Policy Plan as “21st Century” and “Opportunity” industries.
- 4.5.2 Set aside at least half of the city’s available industrial business assistance for targeted industries.
- 4.5.5 Increase resident employment at existing and new industrial businesses through workforce development.

Economic Development Policy 4.10: Prioritize Industrial Employment Districts for industrial uses.

- 4.10.1 Secure vacant and underutilized sites within Industrial Employment Districts for industrial uses.

The City's *Industrial Land Use and Employment Policy Plan* contains additional policy guidance that is relevant to this request to rezone property in an Industrial Employment District. This plan identifies Industrial Employment Districts with the objective to protect prime industrial space and to provide an opportunity for the City to support targeted industries and business clusters and to redevelop underutilized sites for economic development purposes. In terms of the available supply of industrial land in the City, the plan states, "*The City of Minneapolis needs industrial-zoned land to capture the benefits generated by industrial jobs. Existing industrial businesses need enough land in Minneapolis to maintain operations and expand with new opportunities.*" The site is specifically in the Upper River Industrial Employment District. Specific geographic Employment District boundaries were established with the adoption of the plan to clarify that industrial is the priority land use and uses that impede industrial businesses should not be permitted.

Rezoning from I2, Medium Industrial to C1, Neighborhood Commercial within an industrial employment district is in direct conflict with the adopted policies of *The Minneapolis Plan for Sustainable Growth* and the *Industrial Land Use and Employment Policy Plan*. The proposed use will employ a total of 15 people, only eight of which will be on site. Further, the proposed veterinary clinic would introduce a non-industrial use into an Industrial Employment District and this use would not be one that provides necessary goods and services to the employees of the adjacent industrial uses, as called for in the *Industrial Land Use and Employment Policy Plan*.

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

A rezoning to the C1, Neighborhood Commercial district would be solely for the interest of the property owner. Rezoning from the I2, Medium Industrial district to the C1, Neighborhood Commercial district in an Industrial Employment District would be in direct conflict with adopted City policies and result in a reduction in the amount of industrial land available for industrial uses. The industrial sector contributes to the City's economic diversity and the industrial sector is important to provide living wage jobs within the City. Rezoning to C1 would not allow for the retention of industrial uses within an Industrial Employment District, as called for in *The Minneapolis Plan for Sustainable Growth*.

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 site is currently zoned I2, Medium Industrial district. The site is located within the boundaries of an Industrial Employment District. The proposed C1 zoning classification would not be compatible with the existing uses and zoning classifications of other properties in the general area. The site is bordered by I2 zoning to the north, south and east and Interstate 94 to the west. Adjacent uses include a contractor's office, a contractor's yard, a metal working (welding) use and a warehouse use.

The I2 district allows medium intensity industrial uses, while the C1 district is intended to allow for neighborhood serving retail sales and service uses. Specifically, the purpose of the I2 district is to provide locations for medium industrial uses and other specific uses which have the potential to produce greater amounts of noise, odor, vibration, glare or other objectionable influences than uses allowed in the I1 district and which may have an adverse effect on surrounding properties. This district is not compatible with the proposed C1 district, which is established to provide a convenient shopping environment of small scale retail sales and commercial services that are compatible with adjacent residential uses. As stated above, all adjacent uses are industrial in nature.

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 permitted in the current I2, Medium Industrial zoning classification. There are a significant number of industrial uses allowed under the current zoning that are appropriate in this Industrial Employment District, including land uses engaged in production, processing, assembly, manufacturing, packaging, wholesaling, the distribution of goods and materials and a limited number of automobile service uses. A rezoning to the C1, Neighborhood Commercial district would severely restrict any industrial uses in this location. As stated above, the uses allowed in the C1 district are small-scale, neighborhood serving retail sales and service 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.

Under the 1963 Zoning Code, the subject site was zoned M2-2, Limited Manufacturing District. The surrounding area was also zoned M2-2. With the adoption of the new zoning code in 1999 these parcels were zoned I2, which allows a similar set of industrial uses as the M2-2 district. There has not been a change in the character or trend of development in the general area since 1999. This area has historically contained industrial uses and remains industrial today. The only change since 1999 has been the property's inclusion in an Industrial Employment District with the adoption of the *Industrial Land Use and Employment Policy Plan* in 2006. The objective of Industrial Employment Districts is to protect prime employment space, provide an opportunity for the City to support targeted industrial and business clusters and to redevelop underutilized sites for economic development purposes. In summary, this adopted policy document calls for the character of the area to remain industrial.

RECOMMENDATION:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:

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The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **deny** the application for rezoning from I2, Medium Industrial District to the C1, Neighborhood Commercial district for the property located at 2822 Washington Avenue N.

Attachments:

1. Statement of proposed use and project description
2. Correspondence
3. Zoning map
4. Rezoning matrix
5. Site plan, floor plans and elevations
6. Photos