

Department of Community Planning and Economic Development
Rezoning
BZZ-5913

Date: February 19, 2013

Applicant: Melissa Gorman, on behalf of First & First, LLC

Address of Property: 945 Broadway Street NE; 1120 Tyler Street NE; 1121 Central Avenue NE

Project Name: The Broadway

Contact Person and Phone: Melissa Gorman, (612) 581-7852

CPED Staff and Phone: Aly Pennucci, (612) 673-5342

Date Application Deemed Complete: January 22, 2013

End of 60-Day Decision Period: March 23, 2013

End of 120-Day Decision Period: Not applicable for this application

Ward: 1 **Neighborhood Organization:** Northeast Park Neighborhood Association, Logan Park Neighborhood Association (adjacent), Beltrami Neighborhood Council (adjacent), St. Anthony East Neighborhood Association (adjacent)

Existing Zoning: I2 Medium Industrial District

Proposed Zoning: I2 Medium Industrial District and IL Industrial Living Overlay District

Zoning Plate Number: 10

Legal Description:

For: 1120 Tyler Street NE:

Lots 8 to 10 inclusive, Block 1, and that part of the East ½ of the vacated alley in said Block 1, lying between extensions Westward of the South line of Lot 7, said Block 1, and the South line of said Lot 10, Chute Bros. Central Ave. Addition to Minneapolis, Hennepin County, Minnesota.

For: 945 Broadway Street NE:

Lots 11 through 14 inclusive, Block 1, “Chute Bros. Central Ave. Addition to Minneapolis”, Hennepin County, Minnesota; those parts of Lots 15 through 20 inclusive, said Block 1, and that part of the vacated alley, dedicated in said Block 1 lying Southerly of the extensions across said vacated alley of the North lines of said Lots 11 and 20; which lie Northerly and Easterly of the Highway right-of-way line described in Registrar of Titles Document No. 1952465 according to the recorded plat thereof.

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For: 1121 Central Avenue NE:

Those parts of Lots 21 to 23, inclusive, Block 1, lying Easterly of the highway right-of-way line described in Registrar of Titles Document No. 1952465 and also that part of the West Half of the vacated alley in said Block 1, lying between extensions Eastward of the South line of said Lot 21 and the North line of said Lot 23, “Chute Bros. Central Ave. Addition to Minneapolis”, Hennepin County, Minnesota.

Proposed Use: TBD; primarily office, industrial and commercial uses, including a potential minor sports and health facility and beauty salon.

Rezoning Petition: to add the IL Industrial Living Overlay District to the existing I2 Medium Industrial District.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 550 Industrial Districts and Chapter 551 Overlay Districts

Background and Analysis: The applicant has submitted an application to add the Industrial Living Overlay District (ILOD) to the properties located at 945 Broadway Street NE, 1120 Tyler Street NE, and 1121 Central Avenue NE. The subject properties are currently zoned I2 Medium Industrial District. The applicants are in the process of renovating the existing building, the accessory parking area and making exterior repairs and improvements. The changes to the accessory parking area will bring the lot into compliance with landscaping and screening requirements.

The renovations to the building are designed to accommodate multiple tenant spaces. A portion of the building is already leased to a brewery and taproom, a coffee shop, and a website design firm. With the recent building renovations the applicants have had interest from business owners that would like to establish uses that are not permitted in the I2 district, such as a yoga studio (minor sports and health facility) and a beauty salon. The applicants are requesting the zoning amendment to add the IL Industrial Living Overlay District to allow more flexibility in the range of uses permitted at the subject site.

As of writing this staff report, staff has not received any correspondence from the Northeast Park neighborhood organizations. Staff will forward comments, if any are received, at the City Planning Commission meeting.

REZONING

Findings As Required By the Minneapolis Zoning Code:

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

The subject properties are designated as transitional industrial on the future land use map in *The Minneapolis Plan for Sustainable Growth*. Areas designated as transitional industrial are suited for industrial development and limited supporting commercial uses. Transitional industrial districts may transfer to another use over time, while industrial districts are preserved for

industrial use. The subject site is also located on two designated community corridors: Central Avenue NE and Broadway Street NE. Community Corridors are primarily residential with intermittent commercial, generally small-scale retail sales and services, serving the immediate neighborhood.

- a. **According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following policies are relevant to the rezoning:**

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.

- 1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

Land Use 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.

- 1.4.2 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.

Land Use Policy 1.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

- 1.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.

- 1.5.2 Facilitate the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood.

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.

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1.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.

Staff comment: The adjacent uses to the east, west and north are a combination of commercial and industrial. Several of the adjacent uses are already within the ILOD and have incorporated a range of uses. The area to the south of the subject site, across Broadway Street NE, is primarily residential with some light industrial uses. The residential uses do not have frontage on Broadway and are not visible from the subject site due to the street elevation. The proposed rezoning request to add the ILOD will allow for a range of uses, such as general retail sales and services uses, theaters, minor sports and health facilities and residential development. The subject property is not located in a designated industrial employment district. The proposed rezoning is consistent with these goals of *The Minneapolis Plan for Sustainable Growth*.

b. Consistency with plans:

The subject properties are located within the study area of the *Central Avenue Small Area Plan* adopted by the city council on June 20, 2008. The land use map included in that plan designates the properties as urban-oriented industrial with medium density housing such as townhouses, small apartments, live/work, and mixed-use buildings.

The following recommendations from the *Central Avenue Small Area Plan* apply:

- Retain industrial land use designation for much of the area to align with the goals of the Northeast Arts District and the area's history of an employment area.
- Combine industrial land use with commercial and mixed-uses along Central Avenue to offer opportunities for an arts presence on the Avenue
- Designate the South Segment as urban-oriented to help facilitate a more active streetscape.
- Use the "wedge" shape dictated by the rail lines as a distinctive name for the area: the Central Arts Wedge.

Staff comment: Adding the ILOD to the subject site will retain the primary industrial zoning while allowing more flexibility in uses that could accommodate a mix of arts and retail in this area combined with the already permitted industrial uses. The rezoning request is consistent with these policies outlined in the *Central Avenue Small Area Plan*.

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

The amendment is in the public interest and not solely that of the property owner. The proposal to add the ILOD to the subject properties will allow more flexibility in uses while maintaining the underlying industrial zoning district. Adding the ILOD to the existing I2 District will allow for additional general retail sales and services uses and other limited commercial uses that are typically found on a community corridor and will allow for residential use. This is consistent with the goals

for this area outlined in finding number one above.

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 primary zoning classification of the I2 District will remain on the properties. The properties to the north, east and west are a mix of industrial and commercial districts. The properties to the south are residential. There are a mix of uses in the area, including single and two-family dwellings to the south, industrial uses to the north, east and west and commercial and uses mixed in within the existing ILOD. Given the surrounding uses and zoning classifications, the amendment of this zoning classification to add the ILOD is compatible with the immediate area.

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 use of the property has historically been industrial in nature and the I2 District allows for these types of uses. In addition to industrial uses, the I2 District allows a limited number of commercial uses, including the following:

- Art gallery
- Art studio
- Building material sales
- Child care center
- Contractor's office (conditional use)
- Day labor agency (conditional use)
- Farmers' market
- Liquor store, off-sale (conditional use)
- Motorized scooter sales
- Neighborhood electric vehicle sales
- Office supply sales and service
- Photocopying
- Offices.
- Catering
- Coffee shop, with limited entertainment
- Nightclub
- Restaurants (limited to 5,000 square feet of gross floor area)

The addition of the IL Overlay District will expand the number of uses allowed to include the following:

- General retail sales and services uses.
- 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.
- Theater, indoor, provided live performance only.
- Video stores up to four thousand (4,000) square feet
- Dwelling units and supportive housing (conditional use)

The existing zoning classification with the addition of the ILOD will allow for uses characteristic of a community corridor and allow for reasonable use of this property.

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 subject properties have been zoned industrial since 1924, the first year the City of Minneapolis had a codified zoning ordinance. The *Central Avenue Small Area Plan* notes that Central Avenue and the surrounding neighborhoods are constantly changing and that currently the corridor does not substantially or adequately serve its neighborhoods. Over time, this area has developed into the Northeast Arts District through the reuse of several existing industrial and manufacturing buildings into artist studios. The plan focuses on growth that will provide a range of goods and services for residents, attract a wider range of customers from throughout the region, and present opportunities for people to work, shop, and play closer to where they live. The character and trend in redevelopment of the area is moving towards the types of uses allowed in the ILOD. The proposed amendment will be in character and consistent within the surrounding area.

RECOMMENDATION

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 add the IL Industrial Living Overlay District to the existing I2 Medium Industrial District for the properties located at 945 Broadway Street NE, 1120 Tyler Street NE, and 1121 Central Avenue NE.

Attachments:

1. Rezoning matrix
2. Zoning map
3. Future land use map
4. Statement of proposed use and findings submitted by the application
5. Correspondence to neighborhood association and council office
6. Plans submitted by the application
7. Photos