



**LAND USE APPLICATION SUMMARY**

*Property Location:* 1701 44<sup>th</sup> Avenue North  
*Project Name:* Rezoning  
*Prepared By:* Aaron Hanauer, City Planner, (612) 673-2494  
*Applicant:* Kevin Aldwaik  
*Project Contact:* Mark Thieroff  
*Request:* Rezone property from C1 to C2  
*Required Applications:*

<b>Rezoning</b>	Petition to rezone the property located at 1701 44th Avenue North from the C1/Neighborhood Commercial District to the C2/Neighborhood Corridor Commercial District.
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**SITE DATA**

<b>Existing Zoning</b>	C1/Neighborhood Commercial District
<b>Lot Area</b>	5,173 square feet / 0.12 acres
<b>Ward(s)</b>	4
<b>Neighborhood(s)</b>	Webber-Camden
<b>Designated Future Land Use</b>	Urban Neighborhood
<b>Land Use Features</b>	Community Corridor (44 <sup>th</sup> Avenue North)
<b>Small Area Plan(s)</b>	<u>N/A</u>

<b>Date Application Deemed Complete</b>	December 22, 2015	<b>Date Extension Letter Sent</b>	January 4, 2016
<b>End of 60-Day Decision Period</b>	February 20, 2016	<b>End of 120-Day Decision Period</b>	April 20, 2016

**BACKGROUND**

**SITE DESCRIPTION AND PRESENT USE.** The project site is at the southwest corner of 44<sup>th</sup> Avenue North and James Avenue North. It contains a one-story, 2,200 square foot commercial building and surface parking lot with four surface parking spaces. City records show that there has been a commercial storefront building at this location since 1911.

The building is currently vacant. According to city records, WCM Wireless, which sold cell phones, was the last establishment in the building; they were in business in 2014. Prior to that, city licensing records show that Webber Camden Market, a convenience store, operated at this location from 2010 until 2014.

**SURROUNDING PROPERTIES AND NEIGHBORHOOD.** The subject property is located along the 44<sup>th</sup> Avenue North Community Corridor. The Minneapolis Comprehensive Plan states that a community corridor typically has primarily residential uses with intermittent commercial uses clustered at intersections in nodes; the commercial uses are generally small-scale retail sales and services, serving the immediate neighborhood. The 44<sup>th</sup> Avenue Community Corridor is in line with the comprehensive plan description of this land use feature. The corridor is predominately low-density residential with small scale commercial establishments at street intersections.

The parcels along 44<sup>th</sup> Avenue North within the area are primarily zoned R4. However, there are four parcels along 44<sup>th</sup> Avenue that are zoned CI between Fremont Avenue North and Newton Avenue North. The 44<sup>th</sup> Avenue North and Penn Avenue North Neighborhood Commercial Node is located four blocks to the west of the project site; most of the parcels in this commercial node are zoned CI/ Neighborhood Commercial District.

This community corridor is and has been well served by mass transit. From 1926 until 1954, a streetcar provided service along 44<sup>th</sup> Avenue North as part of the Emerson-Fremont Avenue line. It is now served by the #5 bus route, a high-frequency transit route.

**PROJECT DESCRIPTION.** The applicant intends to open a convenience/grocery store within the existing building; no additions or alterations are proposed. A convenience/grocery store is allowed in the CI zoning district. However, the applicant is pursuing a zoning from CI to C2 in order to gain a tobacco license. Since July 25, 2008, the City of Minneapolis has not allowed a parcel in the CI zoning district to receive a tobacco license (Section 281.85). The applicant intends to sell packaged cigarettes, packaged loose tobacco and papers, and chewing tobacco. The applicant states that they will not sell drug paraphernalia such as hookahs, pipes, or scales.

**RELATED APPROVALS.**

Planning Case #	Application	Description	Action
BZZ-547 (2002)	Site plan review	To allow for a convenience store	Withdrawn
Preliminary Development Review-1000611 (2008)	PDR	Site plan review	Approved

**PUBLIC COMMENTS.** No public comments have been received as of the publication of the staff report. Any correspondence received prior to the public meeting will be forwarded on to the City 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 1701 44<sup>th</sup> Avenue North from C1 to C2 based on the following findings:

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

The proposed rezoning from the C1/Neighborhood Commercial District to the C2/Neighborhood Corridor Commercial District would not be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The property is designated as a community corridor on the future land use map. The intent for community corridors is to have primarily residential uses with intermittent small-scale retail sales and service uses serving the immediate area. This can be achieved through the existing C1 zoning district which allows a wide variety of residential and commercial uses. If the property is rezoned to C2, it opens up the possibility of a minor automobile repair facility being located at this location which has been found to have adverse off-site impacts for neighboring residential uses and the pedestrian oriented character of a community corridor. In addition, there are additional, more intensive uses allowed as permitted and conditional in the C2 district that are not allowed in the C1 district (see attachment: zoning comparison: C1 and C2).

The proposed zoning would not be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The following principles and policies outlined in the 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.

**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.**

- I.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.
- I.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.
- I.9.3 Discourage uses that diminish the transit and pedestrian oriented character of Community Corridors, such as automobile services and drive-through facilities.

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

The rezoning would not be in the public interest and is solely for the interest of the property owner. The site contains a building that was constructed and has been continuously used as a commercial storefront building. The existing zoning, C1, would allow for this parcel to continue having a variety of small-scale commercial uses that are encouraged along a community corridor. The list of possible uses that are allowed with the C1 zoning including general retail sales and services, bookstore, child care center, grocery store, and restaurants. As mentioned in Finding 1, the proposed rezoning to C2 would open up the possibility of a minor automobile repair facility to be located at this location which has been found to have greater adverse off-site impacts for neighboring residential uses and the pedestrian oriented character of a community corridor. In addition, there are additional, more intensive uses allowed as permitted and conditional in the C2 district that are not allowed in the C1 district (see attachment: zoning comparison: C1 and C2).

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 existing uses of property within the general area are not compatible with the proposed zoning classification. The subject property is surrounded primarily by low-density residential uses. In addition to the residential uses, there are a few nonresidential uses (existing and proposed) interspersed along the 44<sup>th</sup> Avenue Community Corridor between Humboldt Avenue North and Logan Avenue North including a barber shop (1500 44<sup>th</sup> Avenue North), an office for the Southeast Asian Community Council (1827 44<sup>th</sup> Avenue North) and the proposed Pillsbury United Communities grocery store at 4414 Humboldt Avenue North (the former location of Kowalski's grocery store). In addition, the uses within the 44<sup>th</sup> Avenue North and Penn Avenue North Neighborhood Commercial Node, four blocks to the west of the subject property, are primarily small-scale commercial uses including a restaurant at 2203 44<sup>th</sup> Avenue North (Victory 44) and a tailor at 2144 44<sup>th</sup> Avenue North (Mighty Stitch by Vivienne). As previously mentioned, the proposed C2 zoning district opens up the potential of automobile related uses and other more intensive uses that may have an adverse impact on community corridors and neighboring residential uses.

The zoning classification of property within the general area is also not compatible with the proposed zoning classification from C1 to C2. The project site is entirely surrounded by residential zoning (R4) and there is no C2 zoning within a 450-foot radius of the project site. There is only one parcel that is zoned C2 along the entire 44<sup>th</sup> Avenue Community Corridor (4414 Humboldt Avenue North). As previously mentioned, this C2 zoned parcel is the site of a former large-scale grocery store (Kowalski's) and proposed Pillsbury United Communities grocery store and wellness center.

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. The existing zoning is C1/Neighborhood Commercial District. The C1 district allows small scale retail sales and commercial services, residential uses and various public uses (see attachment: zoning comparison: C1 and C2).

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.*

Historically, the site has had commercial use rights and/or commercial zoning. The project site has had a commercial storefront since 1911. The 1924 Minneapolis Use-District Map noted that the subject property along with the other property along 44<sup>th</sup> Avenue allowed for commercial uses. When the zoning code was revised in 1963, the property was zoned B3S-1/Community Service District. This zoning district was designed primarily to furnish areas served with a wide variety of necessary services and goods. When the Minneapolis zoning code went through a major overhaul in 1999, the subject property was zoned C1/Neighborhood Commercial District. The purpose of the C1 zoning district is to provide a convenient shopping environment of small scale retail sales and commercial services that are compatible with adjacent residential uses.

There has not been a change in the character or trend of development in the general area since the property was placed in the C1/Neighborhood Commercial District in 1999. The area (including all of the surrounding property) has remained low-density residential with predominantly small-scale commercial uses interspersed along the community corridor.

## FOR REZONINGS ONLY

### ZONING PLATE NUMBER. 3

**LEGAL DESCRIPTION.** The North 61 feet of Lots 1 and 2, Block 3, "Harvey's Addition To Minneapolis".

## RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application(s) by Kevin Aldwaik for the property located at 1701 44<sup>th</sup> Avenue North:

**A. Rezoning the property located at 1701 44<sup>th</sup> Avenue North from the C1/Neighborhood Commercial District to the C2/Neighborhood Corridor Commercial District.**

Recommended motion: **Deny** the application for a rezoning from the C1/Neighborhood Commercial District to the C2/Neighborhood Corridor Commercial District.

## ATTACHMENTS

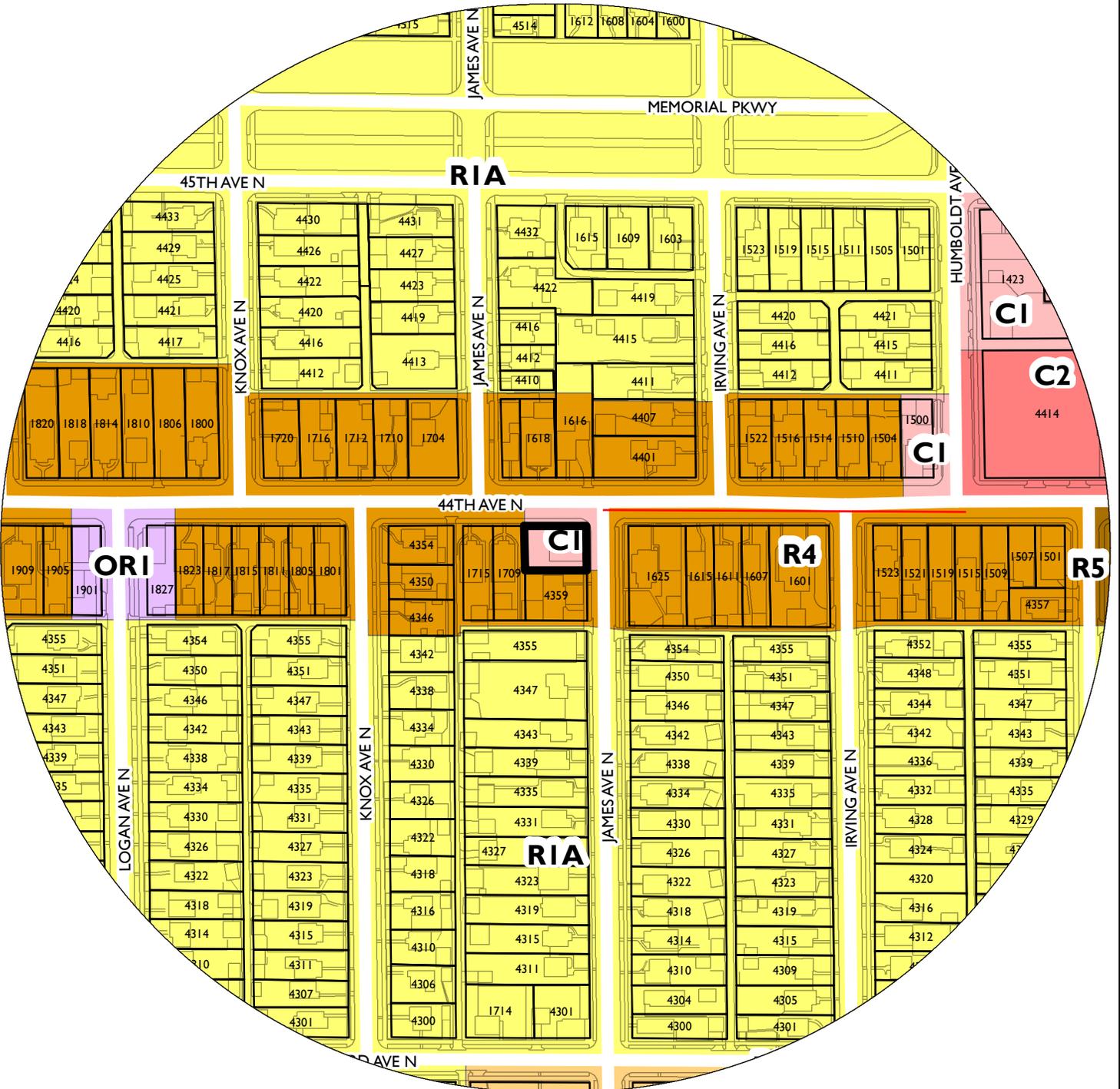
1. Zoning maps
2. Statement of proposed use and statement to findings
3. Zoning Comparison and Principal Uses in Commercial Districts
4. Survey, site plan, and elevations
5. Aerials
6. Images

Kevin Aldwaik

4th

NAME OF APPLICANT

WARD



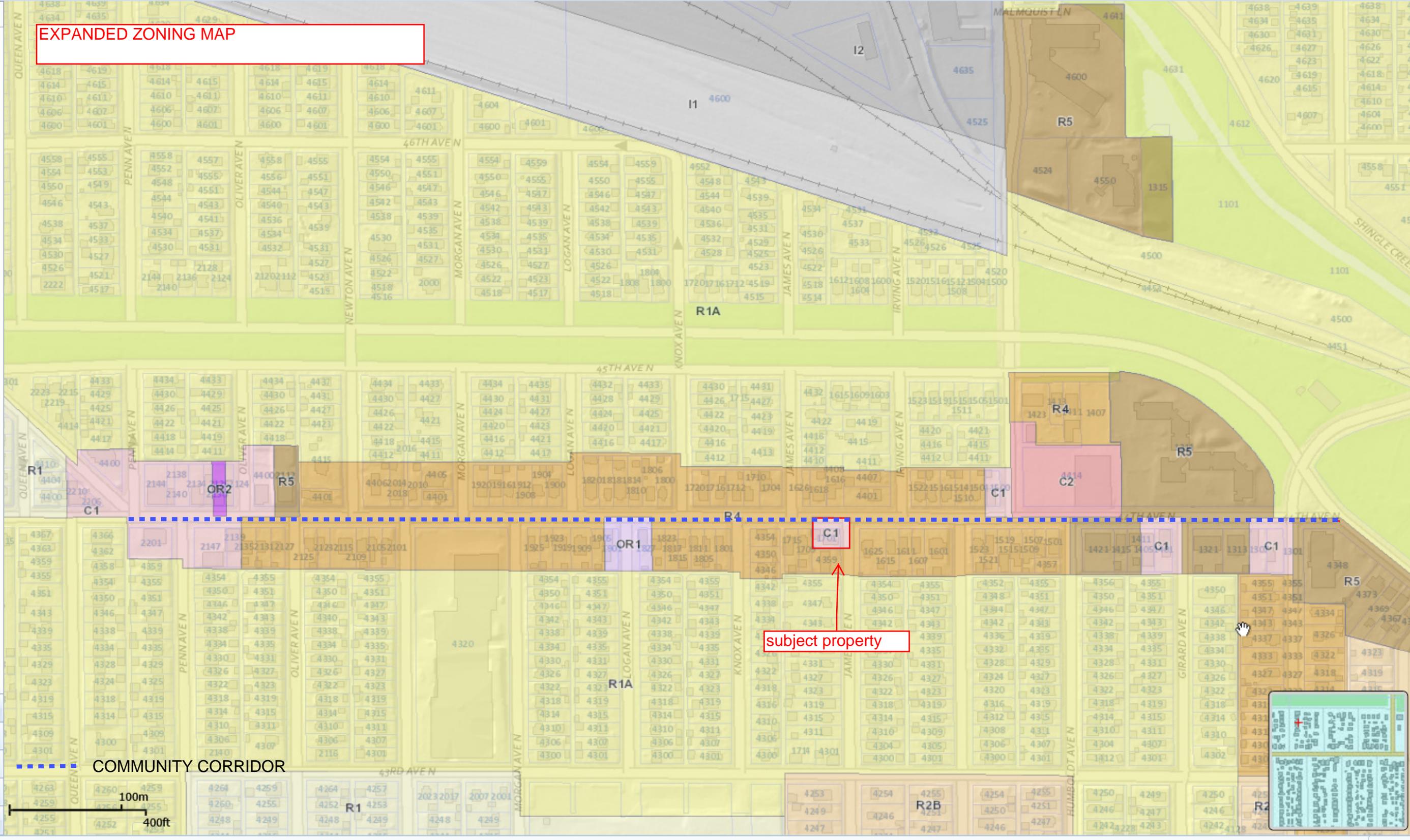
PROPERTY ADDRESS

1701 44th Avenue North

FILE NUMBER

BZZ-7515

EXPANDED ZONING MAP



subject property

COMMUNITY CORRIDOR

100m  
400ft

Legend for zoning categories:

- R1: Single-Family Detached
- R1A: Single-Family Detached (Medium Density)
- R2: Single-Family Detached (High Density)
- R2B: Single-Family Detached (High Density)
- R4: Single-Family Detached (Medium Density)
- R5: Single-Family Detached (High Density)
- C1: Community Center
- C2: Community Center
- OR1: Office (Retail)
- OR2: Office (Retail)

**Statement of proposed use and description of the project**

Kevin Aldwaik owns the property located at 1701 44th Ave. N., in the Webber-Camden neighborhood. The property is currently vacant, and Mr. Aldwaik intends to open a convenience/grocery store in the commercial building on the property. Mr. Aldwaik intends to offer a full range of grocery and household items in the store.

The property is zoned C1, and a grocery store is a permitted use in the C1 zone, but the applicant also wishes to sell tobacco products in the store, and a tobacco dealers license requires a C2 zoning designation. Those tobacco products will include packaged cigarettes, packaged loose tobacco and papers, and chewing tobacco. Mr. Aldwaik will not sell drug paraphernalia, including hookahs, pipes or scales on the property.

January 27, 2016

**Via Email** ([Aaron.Hanauer@minneapolismn.gov](mailto:Aaron.Hanauer@minneapolismn.gov))

Planning Commission  
City of Minneapolis  
City of Minneapolis—CPED  
250 S. Fourth St., Room 300  
Minneapolis, MN 55415

Re: Rezoning application—1701 44<sup>th</sup> Avenue North (BZZ-7515)  
Our File No. 27803

Dear Mr. Members of the Planning Commission:

I represent Kevin Aldwaik, the owner of the property located at 1701 44<sup>th</sup> Ave. N. I am writing to provide you with additional information about my client and his plans for the property, as you consider his request to rezone the property from C1 to C2.

As explained in more detail in the application materials, my client's plan is to open a convenience store on the property. This would not be my client's first involvement with a convenience store in the Webber-Camden neighborhood. After owning several small businesses in other parts of the City, in 2012 Mr. Aldwaik and a business partner opened the Camden Mart at 4151 N. Fremont Avenue. That store quickly became a neighborhood asset and now serves as much more than a convenience store. Mr. Aldwaik and his partner took a run-down, windowless former pharmacy and converted into a clean, well-lit, welcoming business that has become a center of life in the neighborhood. Camden Mart has been a reliable supporter of efforts to improve the neighborhood, including by regularly sponsoring multiple National Night Out parties in the neighborhood. Writing in the *Star Tribune*, Gail Rosenblum called Camden Mart "a statement about pride of ownership and a love letter from its owners to a neighborhood that doesn't get a lot of love letters." A customer quoted in the article said that "Kevin has provided an example of what it means to be a good manager." A full copy of the article is enclosed with this letter for your information.

A vice president of the local Lion's Club and a board member of the Webber-Camden Neighborhood Organization, Mr. Aldwaik is keen to continue his track record with a new store at the 1701 44<sup>th</sup> Avenue North property that he acquired last year. Located over a half-mile from the nearest convenience store, the new business would serve an area of the neighborhood that does not currently have any daily shopping options that residents can easily walk to. If allowed

to proceed with his plan, Mr. Aldwaik would again take a shuttered, run-down building and give it new life, in the process providing neighborhood residents with an important amenity.

As you know, a convenience store would be a permitted use of this property with its current C1 zoning. The reality of the small grocery business, however, is that such businesses are viable only if it is possible to sell tobacco, which requires C2 zoning. Tobacco sales typically account for 40-50 percent of gross sales at a convenience store and accordingly play a vital role in bringing customers to the store, where they often make purchases beyond just tobacco. My client shares the concern about potential tobacco sales to minors and for that reason has implemented strict procedures at his businesses to prevent such sales from occurring. In the 16 years that he has held business licenses in Minneapolis, he has never had any complaints about illegal tobacco sales. He would continue this history of responsible business ownership at his new convenience store.

Mr. Aldwaik and I will be in attendance at the February 10 public hearing and look forward to the opportunity to answer any questions you may have at that time.

Thank you for your consideration of Mr. Aldwaik's application.

Very truly yours,



Mark Thieroff

612.337.6102 | Direct  
markthieroff@siegelbrill.com

cc. Client (via email)

MINNEAPOLIS

## Rosenblum: Owner's expectations lead to a great little market

Jody Lee drives by Camden Mart in north Minneapolis most nights on her way home from work. And most nights she marvels at little things that speak volumes:

DECEMBER 25, 2012 — 8:53PM



**Gail Rosenblum**  
@GROSENBLUM

Jody Lee drives by Camden Mart in north Minneapolis most nights on her way home from work. And most nights she marvels at little things that speak volumes:

Forty feet of sparkling clean windows spanning the corner mart's front entrance. An absence of garbage. Well-shoveled sidewalks in winter, welcoming flower pots in summer.

Camden Mart, which opened in March at 4151 N. Fremont Av., is far more than a convenience store. It's a statement about pride of ownership and a love letter from its owners to a neighborhood that doesn't get a lot of love letters.

"I see the bad stuff, but I also see neighbors coming together, people just really helping each other," said Lee, who lives in the nearby Victory neighborhood and is president of the Northwest Minneapolis Business Association. "Kevin has provided an example of what it means to be a good manager."

About a year ago, Kevin Aldwaik, who had run two other area businesses, shared his bold vision with local leaders. With business partner Eddie Elias, he would transform a run-down, windowless pharmacy into a sunny and spacious grocery store and gathering spot for neighbors of all ages.

"Even the building's landlord was skeptical," Aldwaik, 35, said with a smile. Especially about the window part. "I told him, 'If you don't let me have windows, I don't want your building.'"

Aldwaik secured a small business loan, then ripped the place apart and rebuilt it from floor to ceiling. He had "Camden Mart: Your Neighborhood Store" painted on the front door and installed those windows, both clear messages of: Do come in.

"Customers can't believe it," he said. "This is here in north Minneapolis? Some think people over here don't have expectations, but they do."

Aldwaik walks the store's aisles with pride, noting that he carries 5,000 unique and competitively priced items. He's got digital thermometers, wireless adapters, jelly beans, energy drinks, fresh fruit, frozen pizza, pet food, 24 different kinds of cereal. Even Ben & Jerry's ice cream.

Tobacco is a big seller, too, "whether you like it or not," he said. With "a ton of kids around here," he and his small staff are sticklers about checking IDs. "Other places might let it slide, but we're very strict about that."

In a few weeks, he'll have one of the Twin Cities' few Champs Chicken in-store delis, which will sell fried chicken and subs. He plans to hire three or four students from nearby Patrick Henry High School to work part time behind the counter. "I'm anticipating it's going to be a huge success," he says.

Neighbors say success has already come.

"He's my sunshine," said Bonnie Moore, who lives a few doors down and comes in regularly to buy milk, bread and chips. "All of us old ladies love him."

After the big snowstorm a few weeks ago, Moore walked in to ask Aldwaik if he might know someone who could shovel her sidewalk. He said he did.



(<http://stmedia.startribune.com/images>)



(<http://stmedia.startribune.com/images/6gailr1225.jpg>)

Customers walked both from and to the Camden Mart in North Minneapolis on 12/22/12. Kevin Aldwaik is manager of Camden

On his break, Aldwaik walked down to Moore's house and shoveled it clean. "He's part of the neighborhood, rather than someone who just has business in the neighborhood," Moore said.

Aldwaik ran down a bike thief last summer, and helped return a stolen bike to its owner. During National Night Out, Camden Mart sponsored four block parties, offering free soda, bottled water and ice. He's active in the Camden Lions' Club, as well as supportive of Lee's association.

"He takes pride in his store and I'm hoping that's an infectious thing," Lee said.

That pride is seen in Aldwaik's regular, frequently funny posts to his Camden Mart Facebook page. Last week's post, "Apocalypse Sale Tomorrow," was updated with, "Sorry, Sale is Cancelled."

"I try to be witty," he said. "Sometimes it works."

Sometimes, he learns stuff, too. One customer told him, "'I read on Facebook that you have good coffee.' I didn't know that."

Aldwaik, who is Palestinian, came to the Twin Cities as a student and stayed. He owned a gas station and a smaller market in north Minneapolis but is pretty sure the third time is his enduring charm.

He lives in Brooklyn Center but works 16 or 17 hours a day at the mart and hopes to move to Camden soon. He continues to brainstorm ways to add value, such as bringing in a post office branch and getting a bus shelter installed outside.

"People are counting on us," Aldwaik said. "You ask me where I live? I live here."

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Gail Rosenblum writes two to three columns a week on people, social issues, trends, and the complexities of human relationships.

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**Proposed findings under Sec. 525.280 on the  
Application of Kevin Aldwaik  
to rezone 1701 44th Ave. N. from C1 to C2**

*Finding 1 considers "whether the amendment is consistent with the applicable policies of the comprehensive plan."*

The property is located on a street that the Comprehensive Plan designates as a Community Corridor. The application is consistent with Policy 1.9, which provides that "[t]hrough 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." The proposed grocery store will enhance residential livability because it will provide a shopping alternative for daily needs that will eliminate car trips, particularly given its location at a bus stop. Residential livability will also be enhanced by providing an opportunity for increased social interaction in the neighborhood.

*Finding 2 considers "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 for the same reasons that it is consistent with Policy 1.9—it will improve residential livability by making the neighborhood more pedestrian friendly, provide an important shopping alternative for daily needs, and provide an opportunity for increased social interaction in the neighborhood.

*Finding 3 considers "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 C2 zoning classification is compatible with the zoning classification of the surrounding properties. As a Community Corridor, 44th Avenue No. is zoned predominantly R4, which allows for medium-density housing, with commercial properties spaced along the Avenue going westward towards the commercial node at 44th and Penn Avenues. The property has historically been zoned commercial and has co-existed with the surrounding residential properties for decades.

*Finding 4 considers "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 proposed use—a grocery store—is a permitted use in the existing C1 zoning and the proposed C2 zoning. So this is not an application prompted by a desire to put property to a use that is not currently permitted. What necessitates the rezoning is a licensing requirement, namely the licensing rule that does not allow tobacco sales in the C1 zone. As tobacco sales are key to the business model for a successful neighborhood-grocery store, the applicant needs to be able to offer tobacco in the product range for the store in order for the project to be financially feasible.

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*Finding 5 considers "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."*

What has changed is the tobacco dealer license ordinance, which as of 2008 no longer permits tobacco sales in the C1 zone. A grocery store has long been an appropriate use at this site, and with its location along a Community Corridor, permitting tobacco sales on the property would be consistent with the character of a grocery store in the general area.

## Zoning Comparison: C1 and C2

	C1	C2
	Neighborhood Commercial District	Neighborhood Corridor Commercial District
<b>FAR</b>		
Base FAR Maximum	<b>1.70</b>	<b>1.70</b>
20% bonus for enclosed, underground or structured parking	0.34	0.34
20% bonus for 50% ground floor commercial	0.34	0.34
20% bonus for 20% affordable units	0.34	0.34
<b>Total possible FAR</b>	<b>2.72</b>	<b>2.72</b>
Required lot area per dwelling unit (sq. ft.)	700	700
<b>Possible DU Bonuses:</b>		
20% bonus for enclosed, underground or structured parking	Yes	Yes
20% bonus for 50% ground floor commercial	Yes	Yes
20% bonus for 20% affordable units	Yes	Yes
Base building height maximum (in stories)	2.5/3	4
Maximum size of retail store (sq. ft.)	8,000	30,000
Maximum Lot Coverage	n/a	n/a
Maximum Impervious Surface Coverage	n/a	n/a
<b>Yard Requirements</b>		
Front	0	0
Interior side or rear <sup>1</sup>	5	5
Corner Side	0	0
<b>Height Requirements</b>		
Feet	35	56
Stories	2.5	4
<b>Retail</b>		
Maximum size of retail store (sq. ft.)-base	4,000	30,000
Bonus for no parking b/w structure and street	2,000	0
Bonus for additional stories & parking	2,000	0

## Principal Uses in the Commercial Districts

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
<b>COMMERCIAL USES</b>						
<b>Retail Sales and Services</b>						
General retail sales and services	P	P	P	P	P	
Alternative financial establishment		P		P	P	
Antiques and collectibles store	P	P	P	P	P	
Art gallery	P	P	P	P	P	
Art studio	P	P	P	P	P	
Bank or financial institution	P	P	P	P	P	
Bookstore, new or used	P	P	P	P	P	
Building material sales	P	P		P	C	
Child care center	P	P	P	P	P	
Consignment clothing store	P	P	P	P	P	
Contractor's office	C	C	C	C	C	
Day labor agency					C	
Exterminating shop					P	
Farmers' market	P	P	P	P	P	
Firearms dealer					C	
Funeral home	P	P	P	P	P	
Greenhouse, lawn and garden supply store	P	P		P	P	
Grocery store	P	P	P	P	P	
Laundry, self service	P	P	P	P	P	
Market garden	P	P	P	P	P	
Memorial monuments		P			P	
Motorized scooter sales	P	P	P	P	P	
Neighborhood electric vehicle sales	P	P	P	P	P	
Office supplies sales and service	P	P	P	P	P	
Pawnshop					P	
Performing, visual or martial arts school	P	P	P	P	P	
Pet store	P	P	P	P	P	
Photocopying	P	P	P	P	P	

Rental of household goods and equipment		P	P	P	P	
Secondhand goods store	P	P	P	P	P	
Shopping center	C	C	C	C	C	
Small engine repair		C		P	P	
Tattoo and body piercing parlor	P	P	P	P	P	
Tobacco shop		P	P	P	P	
Veterinary clinic	P	P	P	P	P	
Video store	P	P	P	P	P	
<b>Offices</b>	P	P	P	P	P	
<b>Automobile Services</b>						
Automobile convenience facility existing on the effective date of this ordinance	C	C		C	C	
Automobile convenience facility		C		C	C	
Automobile rental		C			C	
Automobile repair, major					C	
Automobile repair, minor		C		C	C	
Automobile repair, minor, existing on the effective date of this ordinance	C	C		C	C	
Automobile sales		C		C	C	
Car wash		C		C	C	
<b>Food and Beverages</b>						
Catering	P	P	P	P	P	
Coffee shop, with limited entertainment	P	P	P	P	P	
Liquor store, off-sale		C	C	C	C	
Nightclub			C			
Restaurant, delicatessen	P	P	P	P	P	
Restaurant, fast food	C	C	C	C	C	
Restaurant, sit down, including the serving of alcoholic beverages, with limited entertainment	P	P	P	P	P	
Restaurant, sit down, including the serving of alcoholic beverages, with general entertainment		P	P	P	P	
<b>Commercial Recreation, Entertainment and Lodging</b>						
Bed and breakfast home	P	P	P	P	P	

Hotel, 5—20 rooms	P	P	P	P	P	
Hotel, 21 rooms or more			P	P	P	
Indoor recreation area		P	P	P	P	
Outdoor recreation area		C	C	C	C	
Radio or television station	P	P	P	P	P	
Reception or meeting hall		C	P	C	C	
Regional sports arena			P			
Sports and health facility	P	P	P	P	P	
Theater, indoor	P	P	P	P	P	
<b>Medical Facilities</b>						
Birth center	P	P	P	P	P	
Blood/plasma collection facility					P	
Clinic, medical or dental	P	P	P	P	P	
Laboratory, medical or dental	P	P	P	P	P	
<b>Planned Unit Development</b>	C	C	C	C	C	
<b>Transportation</b>						
Ambulance service					C	
Bus garage or maintenance facility					C	
Limousine service					C	
Package delivery service					C	
Taxicab service					C	
Truck, trailer, boat, recreational vehicle or mobile home sales, service and rental					C	
<b>PARKING FACILITIES</b>						
Parking facility	C	C	C	C	C	
<b>RESIDENTIAL USES</b>						
<b>Dwellings</b>						
Single or two-family dwelling	P	P				
Single or two-family dwelling existing on the effective date of this ordinance			P	P	P	
Cluster development	C	C	C	C	C	
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	P	P	

Multiple-family dwelling, five (5) units or more	P	P	P	P	P	
<b>Planned Unit Development</b>	C	C	C	C	C	
<b>Congregate Living</b>						
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	C	
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	C	C	
Board and care home/Nursing home/Assisted living	C	C	C	C	C	
Inebriate housing		C			C	
Residential hospice		C			C	
Supportive housing		C			C	
<b>INSTITUTIONAL AND PUBLIC USES</b>						
<b>Educational Facilities</b>						
Early childhood learning center	P	P	P	P	P	
Preschool	P	P	P	P	P	
School, grades K—12	C	C	C	C	C	
School, vocational or business	C	P	P	P	P	
<b>Social, Cultural, Charitable and Recreational Facilities</b>						
Athletic field	C	C	C	C	C	
Club or lodge, with limited entertainment	C	P	P	P	P	
Club or lodge, with general entertainment		P	P	P	P	
Community center	C	P	P	P	P	
Community garden	P	P	P	P	P	
Developmental achievement center	P	P	P	P	P	
Educational arts center	P	P	P	P	P	
Library	C	P	P	P	P	
Mission					C	
Museum	C	P	P	P	P	
Park, public	P	P	P	P	P	
<b>Religious Institutions</b>						
Convent, monastery or religious retreat center	C	P	P	P	P	

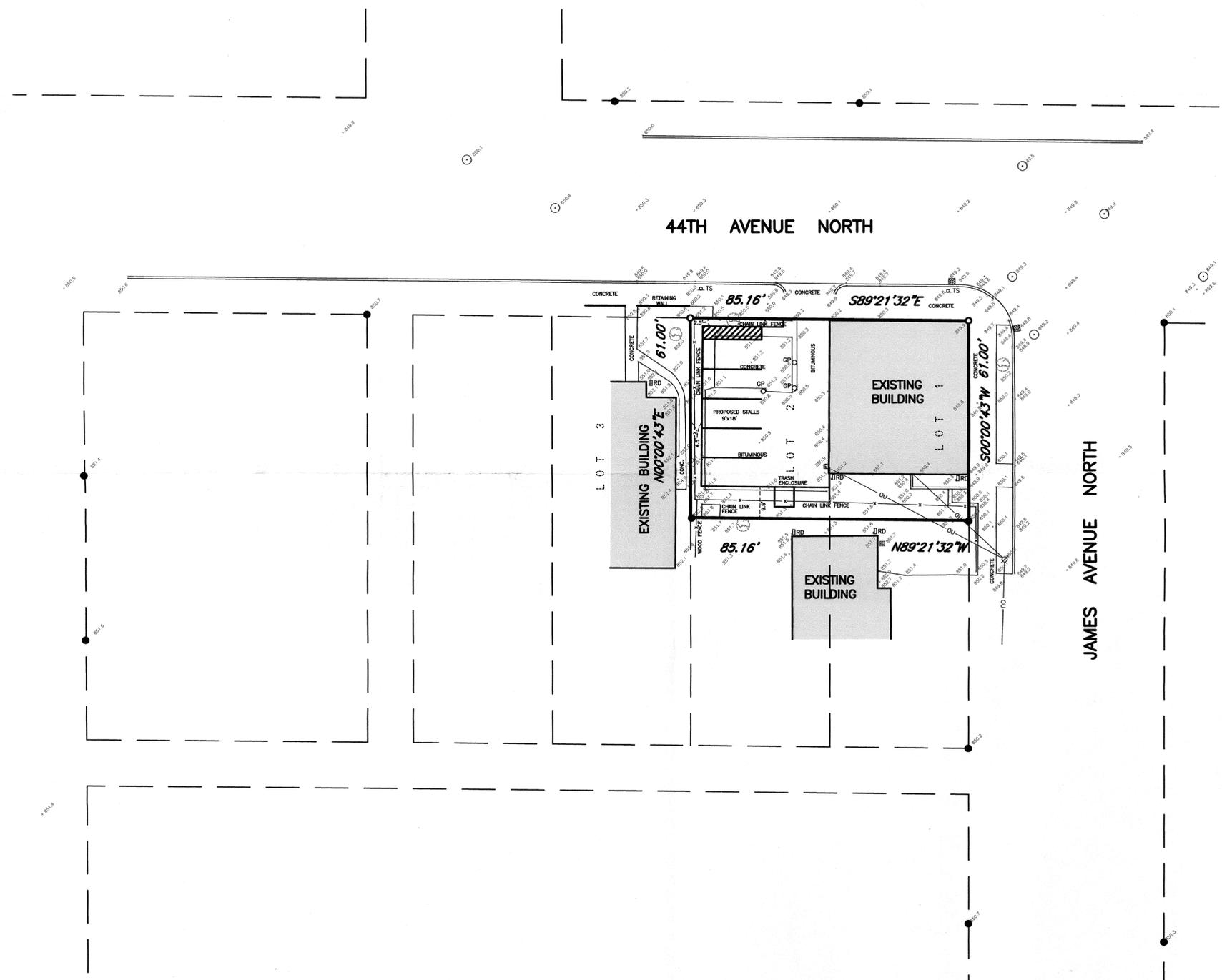
Place of assembly	P	P	P	P	P	
<b>PRODUCTION, PROCESSING AND STORAGE</b>						
Limited production and processing	C	C	C	C	C	
Dry cleaning establishment		C			C	
Film, video and audio production	P	P	P	P	P	
Furniture moving and storage					C	
Industrial machinery and equipment sales, service and rental					C	
Laundry, commercial		C			C	
Packaging of finished goods					C	
Printing and publishing		C			C	
Self-service storage					C	
Urban farm					C	
Wholesaling, warehousing and distribution					C	
<b>PUBLIC SERVICES AND UTILITIES</b>						
Bus turnaround	C	C	C	C	C	
Communication exchange	C	C	C	C	C	
Electric or gas substation	C	C	C	C	C	
Fire station	C	C	C	C	C	
Garage for public vehicles					C	
Heating or cooling facility	C	C	C	C	C	
Passenger transit station	C	C	C	C	C	
Police station	C	C	C	C	C	
Post office	C	C	C	C	C	
Railroad right-of-way	C	C	C	C	C	
Regional financial service center			C			
Stormwater retention pond	C	C	C	C	C	
Street and equipment maintenance facility					C	
Water pumping and filtration facility	C	C	C	C	C	

**LEGEND**

- . . . . . FIRE HYDRANT
- ⊙ . . . . . WATER VALVE
- ⊖ . . . . . MANHOLE
- ⊠ . . . . . CATCH BASIN
- ⊘ . . . . . POWERPOLE
- ⊛ . . . . . LIGHT POLE
- ⊙ . . . . . GUY
- ⊠ . . . . . TRANSFORMER
- ⊠ . . . . . ELECTRIC METER
- ⊠ . . . . . TV PEDESTAL
- ⊠ . . . . . TELEPHONE PEDESTAL
- ⊠ . . . . . AIR CONDITIONER
- ⊠ . . . . . HAND HOLE
- ⊠ . . . . . SEMAPHORE
- ⊠ . . . . . GAS METER
- S . . . . . SANITARY SEWER
- ST . . . . . STORM SEWER
- W . . . . . WATERMAIN
- G . . . . . UNDERGROUND GAS MAIN
- T . . . . . UNDERGROUND TELEPHONE
- E . . . . . UNDERGROUND ELECTRIC
- TV . . . . . UNDERGROUND CABLE T.V.
- OU . . . . . OVERHEAD UTILITY LINES
- . . . . . IRON MONUMENT FOUND
- . . . . . IRON PIPE MONUMENT SET
- ⊙ . . . . . EXISTING SPOT ELEVATION
- ⊙ . . . . . SOIL BORING
- ⊙ . . . . . SIGN
- ⊙ . . . . . DECIDUOUS TREE
- ⊙ . . . . . CONIFEROUS TREE
- ⊙ . . . . . DENOTES TREE AND BRUSH LIMITS
- ⊙ . . . . . DENOTES FLARED END SECTION
- ⊙ . . . . . DENOTES FRENCH DRAIN
- ⊙ . . . . . CURB STOP
- ⊙ . . . . . CLEAN OUT
- ⊙ . . . . . BUSH
- ⊙ . . . . . BARBECUE GRILL
- ⊙ . . . . . AUTO SPRINKLER
- ⊙ . . . . . BASKETBALL HOOP
- ⊙ . . . . . BENCH
- ⊙ . . . . . WATER SPIGOT
- ⊙ . . . . . TRENCH DRAIN
- ⊙ . . . . . TRAFFIC CONTROL PANEL
- ⊙ . . . . . STORM DISIPATER
- ⊙ . . . . . SATELITE DISH
- ⊙ . . . . . TELEPHONE
- ⊙ . . . . . ELECTRIC PEDESTAL
- ⊙ . . . . . FLAG POLE
- ⊙ . . . . . GROUND LITE
- ⊙ . . . . . MAILBOX
- ⊙ . . . . . ROOF DRAIN
- ⊙ . . . . . TRANSMISSION TOWER
- ⊙ . . . . . VENT PIPE
- ⊙ . . . . . WELL
- — — — — DENOTES ELEC. LINE
- — — — — DENOTES FENCE LINE
- — — — — DENOTES FIBER OPTIC
- — — — — DENOTES GAS LINE
- — — — — DENOTES SANITARY SEWER
- — — — — DENOTES STORM SEWER
- — — — — DENOTES TELEPHONE LINE
- — — — — DENOTES TV LINE
- — — — — DENOTES OVERHEAD UTL.
- — — — — DENOTES WATERMAIN
- — — — — DENOTES WETLAND
- — — — — DENOTES TREELINE
- — — — — DENOTES RAIL ROAD

**TOPOGRAPHIC SURVEY FOR: KEVIN ALDWAIK**

1701 44TH AVENUE NORTH, CITY OF MINNEAPOLIS, HENNEPIN COUNTY, MINNESOTA, 55412



**LEGAL DESCRIPTION:**

THE NORTH 61.00 FEET OF LOTS 1 AND 2, BLOCK 3, HARVEYS ADDITION TO MINNEAPOLIS ACCORDING TO THE PLAT ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY RECORDER, HENNEPIN COUNTY, MINNESOTA.

**AREA:**

THE PROPERTY CONTAINS 5195 SQUARE FEET OR 0.12 ACRES

**CERTIFICATION:**

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

SIGNED THE 17th OF NOVEMBER, 2008.

*Dennis M. Honsa*

DENNIS M. HONSA  
MINNESOTA LICENSE No. 22440  
FOR BDM CONSULTING ENGINEERS AND SURVEYORS

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THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM ASBUILT DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED UNDERGROUND UTILITIES.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD

JOB NO: 900 213 S



**CONSULTING ENGINEERS & SURVEYORS**

SOUTH OFFICE:  
60 PLATO BOULEVARD EAST, SUITE 140, ST. PAUL, MN (612) 548-3140  
NORTH OFFICE:  
11040-183RD CIRCLE NW, STE. A, ELK RIVER, MN (651) 334-8413

PROTECT ALL EXISTING TREES AT DRIP LINE WITH CHAIN LINK FENCE DURING CONSTRUCTION

PLANTING BED W/ HEDGES

44TH AVENUE NORTH

REMOVE PORTION OF EXISTING CHAIN LINK FENCE

1"=10'

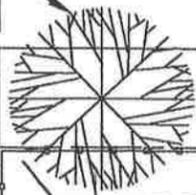
REQUIRED YARD SETBACK SHOULD EQUAL SET BACK OF ADJACENT PROPERTY

4' Cedar Wood Fence

REMOVE EXIST STORAGE BUILDING + Green

BUS STOP

EXIST CONCRETE WALK



PROPERTY LINE

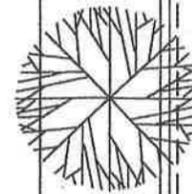
SNOW STORAGE

TRAFFIC FLOW

84.8' MAIN ENTRY

WALL MOUNTED LIGHT (400 WATTS)

42.8'



DRAINAGE

SERVICE ENTRY

1701 44th Avenue North

JAMES AVENUE NORTH

ON STREET PARKING

ADJACENT HOME

PLANTING BED W/ HEDGES

CONCRETE WHEELSTOPS

EXISTING CHAIN LINK FENCE

Covered with 6' cedar Wood Fence

61.0' PROPERTY LINE

8'-0"

18'-0"

SERVICE ENTRY

24'

46.6'

61.0'

PROPERTY LINE

84.8' PROPERTY LINE

DUMPSTER ENCLOSURE. SEE DETAIL 5,6 & 7 /A1  
PLANTING BED W/ HEDGES

5'-0"

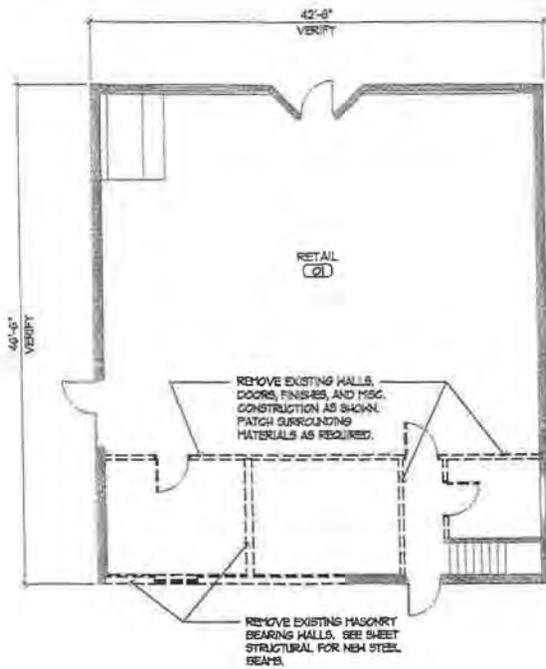
38'-0"

ADJACENT HOME

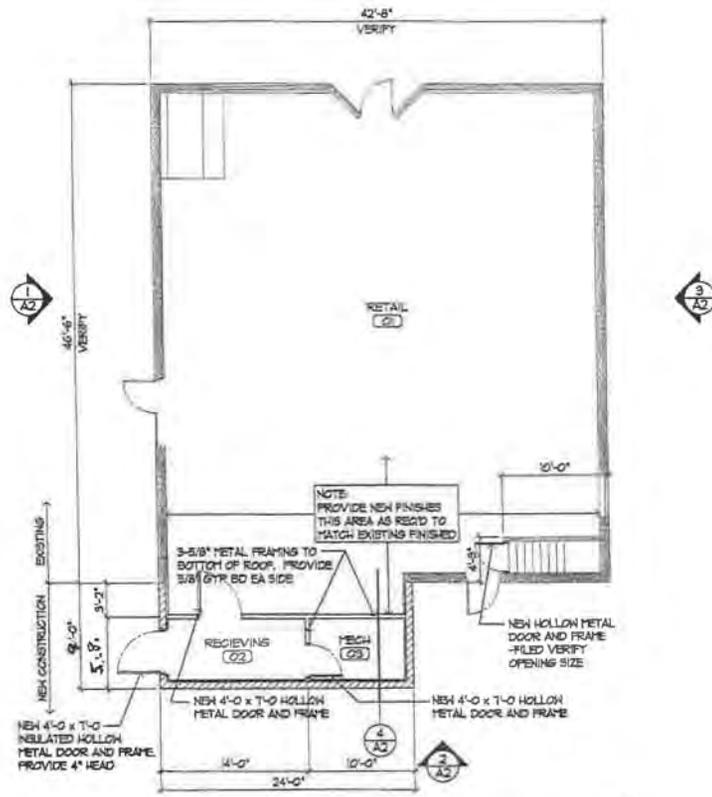


EXIST CHAIN LINK FENCE

Covered with 6' cedar wood



1 AI DEMOLITION PLAN  
1/8"=1'-0" N



2 AI ADDITION PLAN  
1/8"=1'-0" N

RETAIL AREA SCHEDULE	
SPACE	AREA
EXISTING RETAIL	1,456 SQ FT
EXISTING MECG SPACES ADDED (NOT INCLUDING STAIRWAY)	470 SQ FT
NEW CONSTRUCTION (RETAIL ONLY)	76 SQ FT
TOTAL RETAIL AREA	2,002 SQ FT

REVISIONS

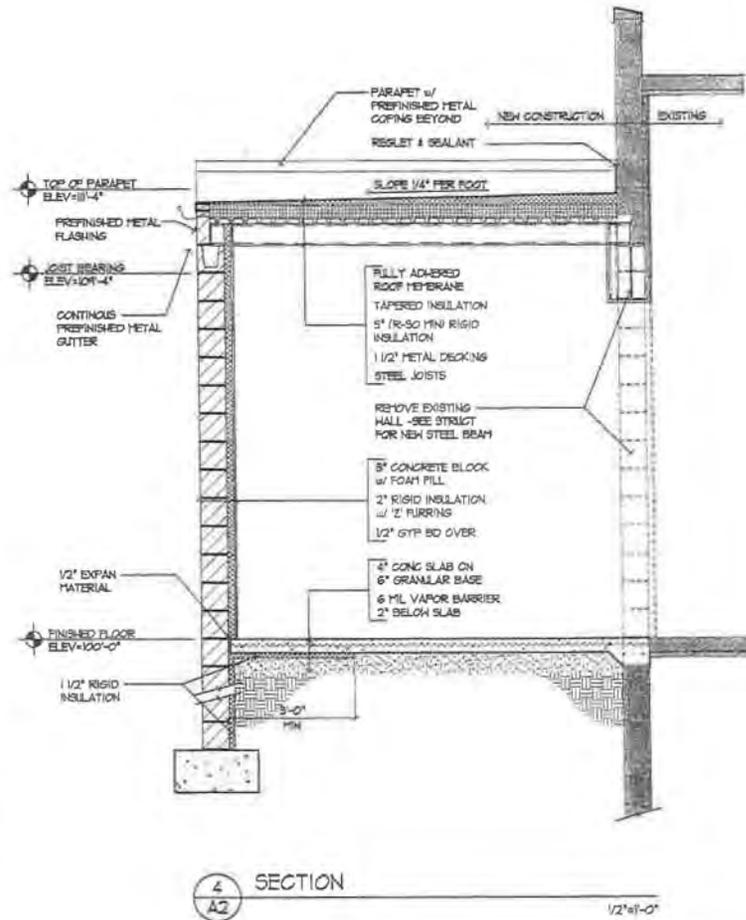
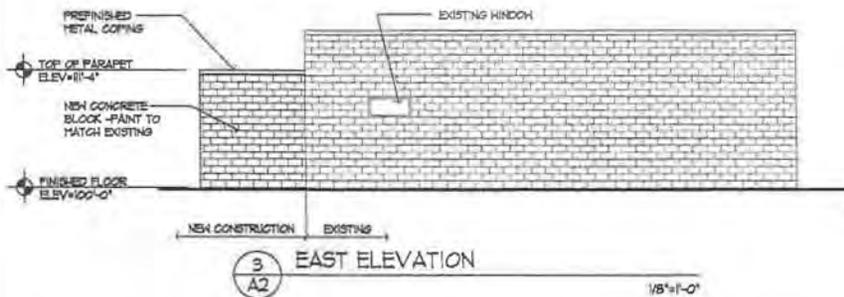
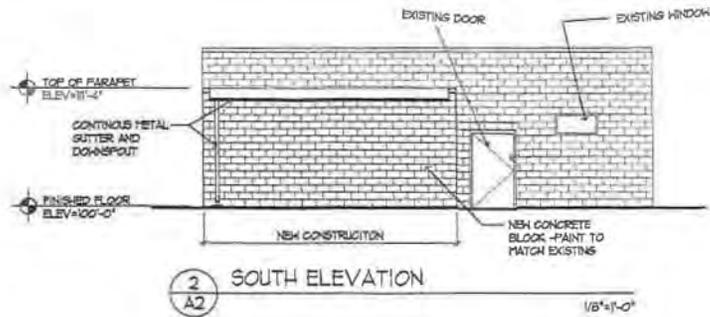
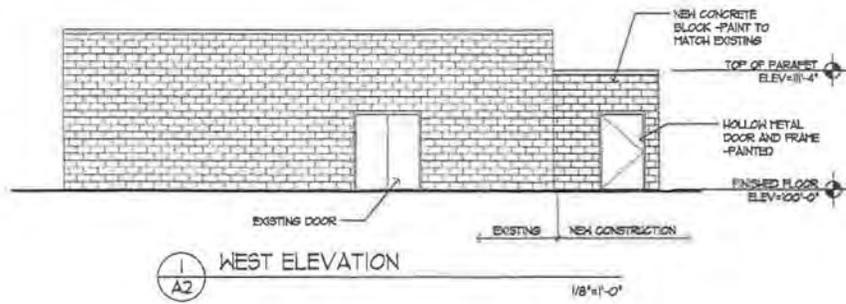
1701 44TH AVE. N.  
MINNEAPOLIS, MN 55412



TRUMAN  
HOWELL  
ARCHITECTS  
& ASSOC., INC.  
1703 HATHING DRIVE  
MINNETONKA, MN 55345  
(952) 877-7888 FAX: (952) 877-7818

DATE  
9/18/09  
SCALE  
AS NOTED  
DRAWING  
FLOOR  
PLANS

SHEET NO.  
A1  
SHEET OF



REVISIONS


1701 44TH AVE. N.  
MINNEAPOLIS, MN 55412

*Truman Howell*

**TRUMAN HOWELL ARCHITECTS & ASSOC., INC.**

1785 HITCHCOCK DR. W.  
MINNETONKA, MN 55345  
(952)431-7888 FAX: (952)431-7914

DATE 9/18/09  
SCALE AS NOTED  
DRAWING ELEVATIONS/SECTION

SHEET NO. A2

DATE 1-24-11

113063



subject property





