

**Department of Community Planning and Economic Development – Planning Division**  
Rezoning, Conditional Use Permit  
BZZ – 2049

**Date:** November 22, 2004

**Applicant:** Family from M.U.B., LLC

**Address of Property:** 1824 Quincy St. NE

**Project Name:** N/A

**Contact Person and Phone:** Corey Sandberg, (612) 987-3500

**Planning Staff and Phone:** Jason Wittenberg, (612) 673-2297

**Date Application Deemed Complete:** October 20, 2004

**End of 60-Day Decision Period:** December 19, 2004

**Ward:** 1      **Neighborhood Organization:** Logan Park Neighborhood Association

**Existing Zoning:** I2

**Proposed Zoning:** Add the IL (Industrial Living) Overlay District

**Zoning Plate Number:** 9

**Legal Description:** The East 80 feet of Lot 1 and North 39 feet of the East 80 feet of Lot 2, Block 42, East Side Addition to Minneapolis

**Proposed Use:** New residential structure with three dwelling units

**Concurrent Review:**

**Rezoning:** Add the Industrial Living Overlay District to the existing I2 District

**Conditional use permit:** Required for establishing dwelling units in the Industrial Living Overlay District

**Applicable zoning code provisions:**

Chapter 551, Article IV. Industrial Living Overlay District. 551.370. Conditional uses.

**Background:** The applicant proposes to remove an existing vacant and condemned building from the property in order to construct a new three-family dwelling. The applicant seeks to add the Industrial Living Overlay District to the site. A conditional use permit is required in order to construct dwelling units in the Industrial Living Overlay District.

**REZONING –**

**Required Findings for the Zoning Amendment (Rezoning):**

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

The Minneapolis Plan indicates that the City should increase the number of households living in Minneapolis, and that “(t)he number of households from all walks of life who choose to make Minneapolis their home must continue to grow if the city’s neighborhoods are to remain economically, socially and physically vital.”

Planning staff has identified the following goals and policies of the Minneapolis Plan as being relevant to the request to rezone the property to add the Industrial Living Overlay District and finds that the request is consistent with the relevant policies of the comprehensive plan:

*Relevant Policy:* **9.22** Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.

*Relevant Implementation Steps:* Use both infill development and new development opportunities to increase housing in the city.

*Staff comment:* The rezoning would allow infill housing development in an area that contains a mix of residential and industrial uses.

*Relevant Policy:* **9.26** Minneapolis will prioritize growth in light industrial land uses to increase the tax base and create jobs for city residents.

*Relevant Implementation Step:*

- Identify appropriate areas for the retention and expansion of existing industry and the development of new industry in specific industrial and business park opportunity areas.
- Promote light industrial uses as the preferred use of industrial land, but discourage warehouse or distribution uses in areas where truck traffic will negatively impact residential neighborhoods.

*Staff comment:* The rezoning would allow other uses other than light industrial uses, which would not “promote” the property for light industrial use. The zoning would preserve the right to develop the site with a light industrial use, however.

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

The applicant proposes to remove an existing condemned building. There is a public interest in expanding the population and tax base of the city. While the size of the individual parcel is unlikely to accommodate an industrial use, the proposed rezoning preserves the future ability to assemble multiple parcels on the block for industrial redevelopment.

- 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 underlying zoning classification would not change. The Industrial Living Overlay District allows uses that are generally less intense in nature than the underlying zoning classification. Further, there are existing residential uses on the block that would be consistent and compatible with the proposal to facilitate the ability to construct additional dwelling units.

- 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.**

While industrial or office uses would be a reasonable use of the property, the small parcel size makes such development impractical. The proposed rezoning would preserve the ability to assemble parcels for an industrial use.

- 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.**

Staff is not aware of a substantial change in the character or trend of development in the immediate area. However, a similar rezoning request was recently approved nearby in order to allow dwelling units in an industrial area west of the nearby railroad tracks.

### **CONDITIONAL USE PERMIT -**

#### **Required Findings for the Conditional Use Permit:**

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Development of a three-family residential building on the site would not pose a particular health or safety concern. The adjacent contractor's yard has outdoor storage and activity.

However, such activity is on the other side of the adjacent building and therefore should not result in a conflict with the residential use.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

Constructing a building with three dwelling units would not result in harm to any adjacent uses. Note, however, that future residents must be aware that they are moving into an industrial area that may include impacts that extend beyond the property of the industrial use(s). The applicant must provide screening between the parking lot and the public sidewalk consistent with section 530.160 of the zoning code. Staff also recommends that the applicant provide screening between the parking lot and the residential use to the south, particularly to avoid the impact of headlight glare. Such screening shall consist of a decorative fence, a masonry wall and/or a hedge. The applicant should explore opportunities to preserve mature trees near the north and south edges of the site.

**3. Will have adequate utilities, access roads, drainage and/or other necessary facilities.**

The site is adequately serviced by city streets, utilities, water and sewer. The applicant proposes a new curb cut along 18½ Avenue Northeast, which would access a parking area where the applicant proposes six parking spaces—two per dwelling unit. The curb cut should be reduced in size to align with the drive aisle.

The applicant proposes a very small maneuvering area for vehicles. While the proposed three-unit building is not subject to specific minimum parking space and parking aisle dimensions, the City will ensure that the final layout meets the following requirements:

**541.280. Access to parking spaces.** Each required off-street parking space shall open directly to an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking spaces...

The applicant could consider moving the proposed building slightly closer to the street in order to accommodate a larger drive aisle. Also, the Public Works Department will comment about the proposed parking layout as required for situations involving a new curb cut:

**541.230. Required plan approval.** Plans for any use requiring movement of vehicles across public walks or access through a public alley or street shall be referred to the city engineer for review before any permits are issued...

There are opportunities to reduce excess impervious surfaces on the site. The applicant is encouraged to eliminate the northernmost front walkway, which does not lead to a dwelling unit. Also, the southwest corner of parking lot, which is unavailable for parking or vehicular circulation, should be landscaped rather than paved.

**4. Will take measures to minimize traffic congestion in the public streets.**

The project would comply with the minimum number of off-street parking spaces and would provide only one curb cut, minimizing the impact of on-street parking.

**5. Is consistent with the applicable policies of the comprehensive plan.**

See the above analysis regarding the rezoning consistency with the comprehensive plan.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this c.u.p.**

Provided the applicant submits a parking lot screening plan that is consistent with the regulations of Chapter 530 of the zoning code, the project is consistent with all other zoning code regulations. The applicant is encouraged to add windows to the south elevation both for aesthetic reasons and to take advantage of southern exposure for the benefit of the residents. Note that adding windows to the south elevation would result in a required south side yard of seven feet (rather than the proposed five feet).

**RECOMMENDATIONS**

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the Zoning Amendment (Rezoning):**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a zoning amendment (rezoning) to add the IL (Industrial Living) Overlay District to the existing I2 District at 1824 Quincy St. NE.

**Recommendation of the Community Planning and Economic Development Department – Planning Division for the Conditional Use Permit:**

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow three (3) dwelling units in the IL (Industrial Living) Overlay District at 1824 Quincy St. NE, subject to the following conditions:

1. The parking lot shall be screened to the standards of Chapter 530 between the parking lot and the public sidewalk and between the parking lot and the adjacent residential use.
2. Planning Department staff review and approval of the final site and landscape plans.

**Attachments:**

1. Statements submitted by the applicant
2. Letters from the applicant to the council office and neighborhood group

CPED Planning Division Report  
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3. Letter from the property owner
4. Aerial photos
5. Zoning map
6. Site survey
7. Site plan
8. Building specifications
9. Floor plans
10. Elevations
11. Building sections
12. Photos