



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #
August 15, 2016

REZONING STUDY AND ZONING CODE TEXT AMENDMENT SUMMARY

<i>Project Name:</i>	Central Avenue Northeast Pedestrian Oriented Overlay District Rezoning Study
<i>Prepared By:</i>	Joe Bernard, AICP – Senior City Planner, (612) 673-2422
<i>Ward:</i>	I
<i>Neighborhoods:</i>	Holland, Audubon Park, Windom Park, Logan Park, Northeast Park
<i>Existing Land Use Features:</i>	<i>Activity Center: Central and Lowry</i> <i>Commercial Corridor: Central Avenue NE</i> <i>Community Corridor: Lowry Avenue NE</i>
<i>Zoning Plate Numbers:</i>	6, 10
<i>Zoning Code Section:</i>	Chapter 551, Overlay Districts

BACKGROUND

[The Central Avenue Small Area Plan](#) was adopted by the City Council in 2008 after several years of community engagement. Key recommendations from the plan include expanding the commercial corridor on the future land use map, adoption of built form and land use guidance for the corridor, and suggesting that the Pedestrian Oriented Overlay zoning district be expanded to encompass a larger portion of the commercial properties along the avenue.

The existing extent of the Pedestrian Oriented Overlay is focused on the Activity Center at the intersection of Central Avenue and Lowry Avenue. It was initially put in place before the small area plan process started, and includes a unique provision for [allowing drive-through banking facilities](#) under certain circumstances.

Council Member Reich submitted ordinance introduction for “expanding and amending the Pedestrian Oriented Overlay District along Central Avenue Northeast” on [January 11, 2013](#). Generally speaking, the intent of expanding the PO Overlay is to prevent proliferation of auto oriented uses and support the walkable nature of the existing and future planned commercial areas on Central Avenue.

CPED Long Range Planning has conducted a rezoning study with scope limited to implement the Pedestrian Oriented Overlay District. A rezoning study is a key tool that allows the City to implement land use policy adopted by the City Council. Studies usually take place shortly after the completion of a planning process and result in a recommendation to change the zoning of multiple parcels so that zoning is consistent with adopted future land use plans. The goal of this rezoning study is to encourage the type of development envisioned in the *Central Avenue Small Area Plan*.

REZONING STUDY PROCESS

In early 2016, staff explored a series of options for expanding the boundary of the Pedestrian Oriented Overlay district and amending text that applies specifically to the Central and Lowry area. Several north-south and east-west extents were explored and evaluated against policies in the *Central Avenue Small*

Area Plan and the *Holland Neighborhood Small Area Plan*. Considerations taken into account when drafting recommendations include future land use, built form, and text from the plans. In addition to analyzing various boundary extents, staff evaluated the potential non-conforming uses created by a potential zoning change.

Staff recommends expanding the boundary of the Pedestrian Oriented Overlay to all commercially zoned property and property identified as mixed-use in the Central Avenue Small Area Plan between 27th Avenue Northeast and 18th Avenue Northeast (inclusive of the property on all corners). If adopted these expanded boundaries would create eight non-conforming uses; seven auto related uses and one property with a drive-through.

Staff also recommends an amendment to the Central and Lowry area Pedestrian Oriented Overlay zoning ordinance text. The changes include eliminating the existing two provisions related to drive-through banking facilities and building alteration, and adding a provision for a minimum floor area ratio of 1.0 consistent with language found in other sections of the Pedestrian Oriented Overlay ordinance.

PUBLIC INPUT

Affected property owners, residents, and businesses were notified by mail of the beginning of the 45-day public review period on June 9th, 2016 and of the upcoming Planning Commission public hearing. During the review period, recommendations for amending the text and boundary of the Central Avenue PO district were made available on the [city's website](#). At the request of the Central Avenue Special Services District, staff attended their July meeting to discuss the recommendations. The 45-day public review period ended on July 25th, 2016. During the review period staff received a handful of inquiries from property owners interested in the proposal, but as of the writing of this staff report no public comment has been received.

PURPOSE OF TEXT AMENDMENT

What is the reason for the amendment?

To make the Central and Lowry area section of the Pedestrian Overlay ordinance more consistent with other geographically specific pedestrian oriented districts. This includes eliminating an exception for drive through facilities, and altering a building form and scale requirement.

What problem is the amendment designed to solve?

The intent is to require a minimum scale of development along the corridor by instituting a minimum floor area ratio of 1.0 in an attempt to maintain the walkable built form that already exists in the area.

What public purpose will be served by the amendment?

Ensuring that minimum standards for scale of development are met will support the existing physical framework for corridor businesses and encourage pedestrian comfort and safety.

What problems might the amendment create?

It is intended that this ordinance amendment will effectively eliminate the potential for single-story development in the corridor. If development pressure for multi-story development remains low, investment in new buildings may be slowed as a result. This potential result being perceived as a problem is one of perspective – as it is the intended outcome for long-term investment in the corridor that is consistent with city adopted policy.

TIMELINESS OF TEXT AMENDMENT

Is the amendment timely?

The amendment is intended to implement policies from the *Central Avenue Small Area Plan* and *The Minneapolis Plan for Sustainable Growth*, adopted in 2008 and 2009 respectively. Adopting ordinance changes at this time is appropriate given those adopted policies and the market conditions present in the area.

Is the amendment consistent with practices in surrounding areas?

The ordinance amendment is partly intended to create greater language consistency between various geographically specific pedestrian oriented overlay regulations.

Are there consequences in denying this amendment?

Denying this amendment will result in unique language pertaining to the Central and Lowry area remaining in the zoning code. This inconsistency can contribute to confusion among developers that seek to do work in the area. Leaving the opportunity for expansion of some drive through facilities in the pedestrian oriented overlay at this location would be inconsistent with city policy, as allowing for such an expansion would likely degrade the pedestrian experience along the corridor.

FINDINGS AS REQUIRED BY THE MINNEAPOLIS ZONING CODE

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

The rezoning recommendations are consistent with and directly implement the land use and built form recommendations found in the *Central Avenue Small Area Plan* and *The Minneapolis Plan for Sustainable Growth*.

Designated land use features found in the study area include:

- Activity Center: Central and Lowry
- Commercial Corridor: Central Avenue
- Community Corridor: Lowry Avenue

The following general land use policies of the *Minneapolis Plan for Sustainable Growth* apply:

Policy I.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.1.5 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.

Policy I.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

I.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

Policy I.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

I.10.4 Encourage a height of at least two stories for new buildings along Commercial Corridors, in keeping with neighborhood character.

I.10.5 Encourage the development of high-density housing on Commercial Corridors.

Policy I.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

I.12.3 Encourage active uses on the ground floor of buildings in Activity Centers.

I.12.4 Discourage uses that diminish the transit and pedestrian character of Activity Centers, such as automobile services, surface parking lots, and drive-through facilities.

I.12.5 Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.

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

- Reinforce Central Avenue from 31st Avenue NE to 18th Avenue NE as Northeast's commercial core and its downtown.
- Extend Pedestrian-Oriented Overlay District from 31st Avenue NE to 18th Avenue NE.
- Establish an area of concentrated development at 18th Avenue NE and Central Avenue. Work with property owners to redevelop properties with multi-use buildings containing active ground floor uses.
- Encourage infill development on parking lots that face Central Avenue. New development should be multi-story with active ground floor uses.

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

The recommended zoning changes affect 70 parcels, and thus are not in the interest of a single property owner. The recommendations implement plans that involved the participation of multiple stakeholders.

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 proposed changes to overlay zoning designations are guided by the adopted small area plan and the Comprehensive Plan. These plans and policies consider the growth and evolution of the entire area, including integration with and transition between surrounding land uses.

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 proposed zoning identifies reasonable changes to fulfill long-term land use objectives of adopted city plans. Existing base zoning districts are not proposed to change, so changes to the uses allowed are limited to those additionally regulated in the proposed overlay district.

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.**

There has not been an appreciable level of change in the character or trend to development in the area since the Pedestrian Oriented Overlay was last evaluated for implementation in this area. Moderate levels of redevelopment have occurred in the affected area since the adoption of the *Central Avenue Small Area Plan* and *The Minneapolis Plan for Sustainable Growth*. The expansion of the overlay ensures that future development continues to occur in a manner that is compatible with the area and is consistent with the aforementioned plans.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development:

The Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning map amendment for the rezoning of parcels in the attached exhibits. Staff further recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending Chapter 551.

ATTACHMENTS

1. Proposed Zoning Ordinance
2. Proposed Pedestrian Oriented Overlay Zoning Map
3. Proposed Zoning Code Text Amendment
4. Existing Base Zoning
5. Policy Maps
 - a) Future Land Use
 - b) Built Form Plan
6. Comments received

By Bender

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

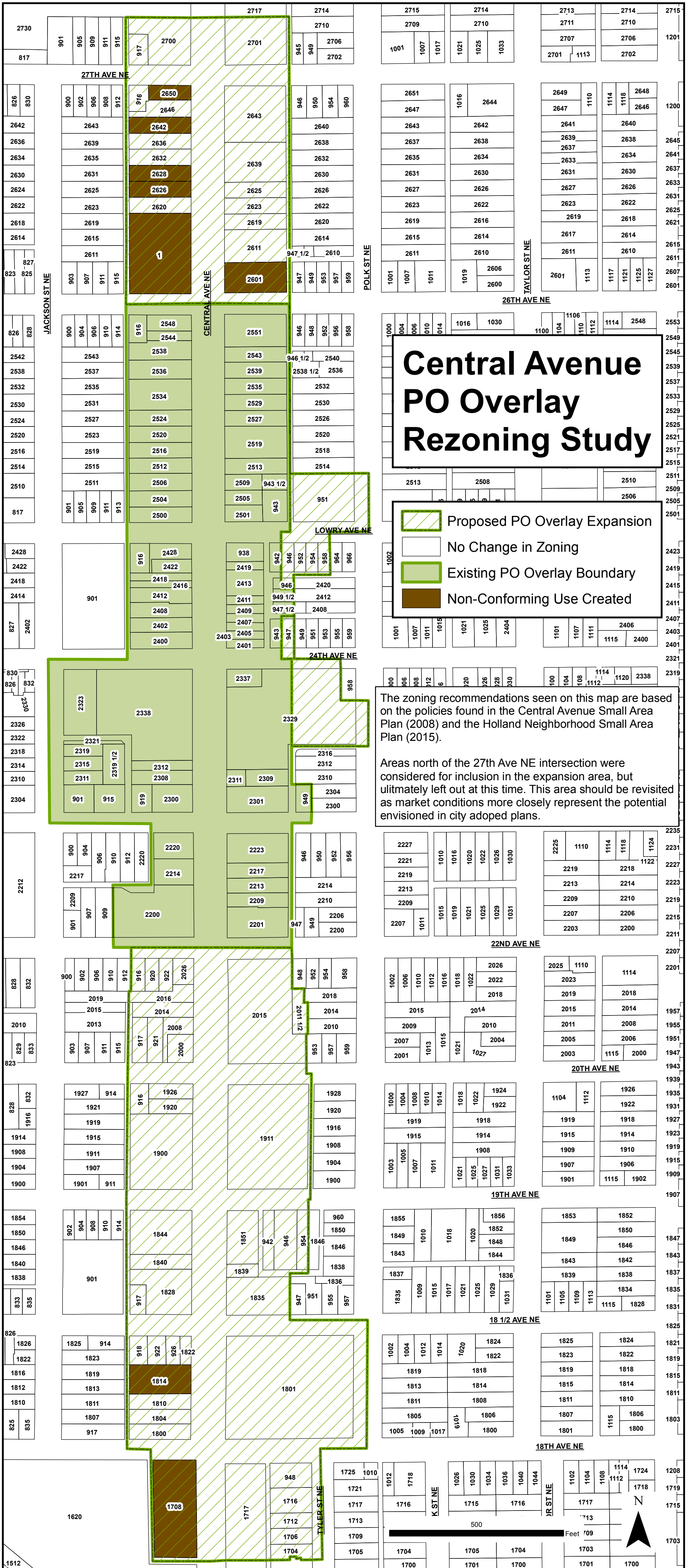
Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for the parcels of land listed below and identified on Zoning District Plates 6 and 10, pursuant to MS 462.357:

Property ID #	Address	Overlay Zoning Change
1302924220078	1704 TYLER ST NE	PO Added
1302924220077	1706 TYLER ST NE	PO Added
1402924110012	1708 CENTRAL AVE NE	PO Added
1302924220076	1712 TYLER ST NE	PO Added
1302924220075	1716 TYLER ST NE	PO Added
1302924220094	1717 CENTRAL AVE NE	PO Added
1102924440060	1800 CENTRAL AVE NE	PO Added
1202924330192	1801 CENTRAL AVE NE	PO Added
1102924440059	1804 CENTRAL AVE NE	PO Added
1102924440058	1810 CENTRAL AVE NE	PO Added
1102924440057	1814 CENTRAL AVE NE	PO Added
1102924440056	1822 CENTRAL AVE NE	PO Added
1102924440158	1828 CENTRAL AVE NE	PO Added
1202924330216	1835 CENTRAL AVE NE	PO Added
1202924330122	1839 CENTRAL AVE NE	PO Added
1102924440197	1840 CENTRAL AVE NE	PO Added
1102924440196	1844 CENTRAL AVE NE	PO Added
1202924330123	1851 CENTRAL AVE NE	PO Added
1102924440201	1900 CENTRAL AVE NE	PO Added
1202924330210	1911 CENTRAL AVE NE	PO Added
1102924440002	1920 CENTRAL AVE NE	PO Added
1102924440001	1926 CENTRAL AVE NE	PO Added
1102924440104	2000 CENTRAL AVE NE	PO Added
1102924440102	2008 CENTRAL AVE NE	PO Added
1202924330209	2011 1/2 CENTRAL AVE NE	PO Added
1102924440100	2014 CENTRAL AVE NE	PO Added

Property ID #	Address	Overlay Zoning Change
1202924330204	2015 CENTRAL AVE NE	PO Added
1102924440099	2016 CENTRAL AVE NE	PO Added
1102924410089	2026 CENTRAL AVE NE	PO Added
1202924320235	2329 CENTRAL AVE NE	PO Added
1202924230099	2601 CENTRAL AVE NE	PO Added
1202924230100	2611 CENTRAL AVE NE	PO Added
1202924230101	2619 CENTRAL AVE NE	PO Added
1102924140234	2620 CENTRAL AVE NE	PO Added
1202924230102	2623 CENTRAL AVE NE	PO Added
1202924230103	2625 CENTRAL AVE NE	PO Added
1102924140008	2626 CENTRAL AVE NE	PO Added
1102924140007	2628 CENTRAL AVE NE	PO Added
1102924140006	2632 CENTRAL AVE NE	PO Added
1102924140005	2636 CENTRAL AVE NE	PO Added
1202924230194	2639 CENTRAL AVE NE	PO Added
1102924140004	2642 CENTRAL AVE NE	PO Added
1202924230195	2643 CENTRAL AVE NE	PO Added
1102924140003	2646 CENTRAL AVE NE	PO Added
1102924140001	2650 CENTRAL AVE NE	PO Added
1102924140235	2700 CENTRAL AVE NE	PO Added
1102924110002	2700 CENTRAL AVE NE	PO Added
1202924220104	2701 CENTRAL AVE NE	PO Added
1102924440003	916 20TH AVE NE	PO Added
1102924410091	916 22ND AVE NE	PO Added
1102924140002	916 27TH AVE NE	PO Added
1102924440159	917 18 1/2 AVE NE	PO Added
1102924440103	917 20TH AVE NE	PO Added
1102924110003	917 27TH AVE NE	PO Added
1102924440053	918 18 1/2 AVE NE	PO Added
1102924410092	920 22ND AVE NE	PO Added
1102924440101	921 20TH AVE NE	PO Added
1102924440054	922 18 1/2 AVE NE	PO Added
1102924410090	922 22ND AVE NE	PO Added
1102924440055	926 18 1/2 AVE NE	PO Added
1202924330121	942 19TH AVE NE	PO Added
1202924330120	946 19TH AVE NE	PO Added
1202924320229	946 LOWRY AVE NE	PO Added
1202924320089	947 24TH AVE NE	PO Added
1302924220074	948 18TH AVE NE	PO Added
1202924230205	951 LOWRY AVE NE	PO Added

Property ID #	Address	Overlay Zoning Change
1202924320079	952 LOWRY AVE NE	PO Added
1202924330119	954 19TH AVE NE	PO Added
1202924320080	954 LOWRY AVE NE	PO Added
1202924320081	958 LOWRY AVE NE	PO Added

Section 2. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district boundaries so that they follow the centerline of public rights-of-way in a manner identified on maps accompanying the Central Avenue Northeast Pedestrian Oriented Overlay Rezoning Study.



Central Avenue PO Overlay Rezoning Study

- Proposed PO Overlay Expansion
- No Change in Zoning
- Existing PO Overlay Boundary
- Non-Conforming Use Created

The zoning recommendations seen on this map are based on the policies found in the Central Avenue Small Area Plan (2008) and the Holland Neighborhood Small Area Plan (2015).

Areas north of the 27th Ave NE intersection were considered for inclusion in the expansion area, but ultimately left out at this time. This area should be revisited as market conditions more closely represent the potential envisioned in city adopted plans.

By Bender

Amending Title 20, Chapter 5551 of the Minneapolis Code of Ordinances relating to Zoning Code: PO Pedestrian Oriented Overlay District.

The City Council of The City of Minneapolis do ordain as follows:

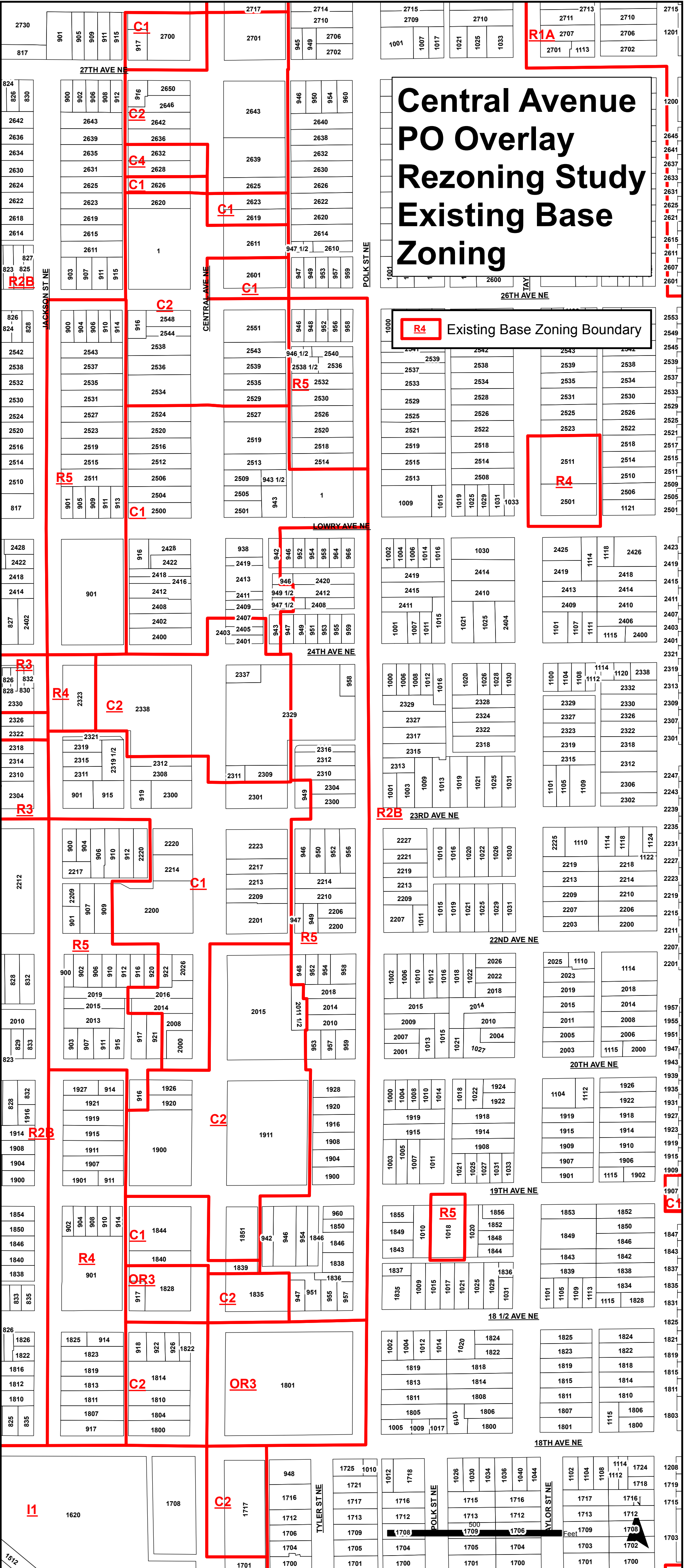
Section 1. That Section 551.170(1) and 551.170(2) of the above-entitled ordinance be amended to read as follows:

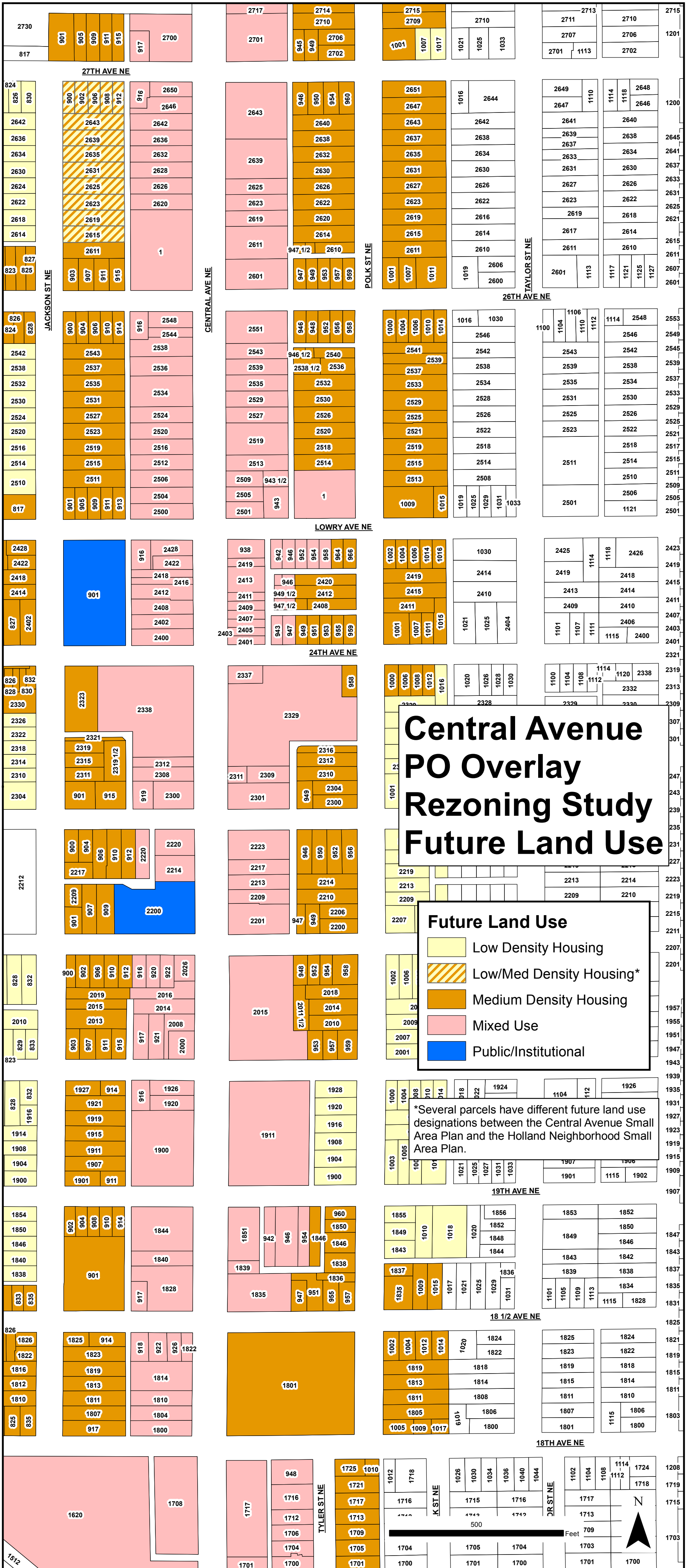
551.170. - Central and Lowry area.

The following additional regulations shall govern development within the PO Overlay District in and around the intersection of Central Avenue Northeast and Lowry Avenue Northeast, as shown on the official zoning map:

- ~~(1) *Drive-through banking facilities.* Notwithstanding any other provision to the contrary, an existing drive-through banking facility may be rebuilt or may add one (1) additional drive-through lane provided the drive-through banking facility or additional drive-through lane is located within the boundaries of the zoning lot existing on the effective date of this ordinance, and subject to all other applicable regulations of this zoning ordinance.~~
- (1) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement of one (1.0). Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.
- ~~(2) *Building alteration or replacement.* The alteration of an existing building shall not result in a reduction of the existing number of stories (e.g., a two-story building shall not be reduced to a one-story building or be replaced by less than a two-story building).~~

Central Avenue PO Overlay Rezoning Study Existing Base Zoning





Central Avenue PO Overlay Rezoning Study Future Land Use

Future Land Use

- Low Density Housing
- Low/Med Density Housing*
- Medium Density Housing
- Mixed Use
- Public/Institutional

*Several parcels have different future land use designations between the Central Avenue Small Area Plan and the Holland Neighborhood Small Area Plan.

