

Minneapolis City Planning Department Report

Waiver from Moratorium Application

Date: July 16, 2002

Applicant: Lappin & Associates

End of 60 Day Decision Period: August 4, 2002

Address Of Property: 1807 West Broadway

Contact Person And Phone: Terrance Lappin 612-339-7555

Planning Staff And Phone: Gary Dorek 612-673-2587

Ward: 5 **Neighborhood Organization:** West Broadway Area Coalition & Northside Residents Redevelopment Council

Existing Zoning: C1

Proposed use: Domino's Pizza

Reason For Waiver: To allow construction of a Domino's Pizza on a vacant gas station site.

Appropriate Section(s) of the Zoning Code: Chapter 576

Background: The site was previously occupied by a Clark Oil service station. The station is vacant and boarded, and the property owner (QC Energy II LC of Rock Island Illinois) has been unable to attract a buyer for several years. As a result of the abandonment of the site, it has attracted graffiti and litter, and is a community eyesore. The property was scheduled for tax forfeiture on 5-22-02, so the applicant executed a purchase option on the parcel contingent on the waiver being approved. Domino's has been located at 3108 Emerson Avenue North for 28 years. If this waiver is approved, the applicant will be required to submit applications for zoning approval (CUP, site plan review) to the Planning Commission. The West Broadway Area Coalition has reviewed and approved the application (see attached letter).

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Findings:

Section 576.50 provides that in cases of hardship the City Council may grant a waiver of all or a portion of the applicable restrictions as provided for in Chapter 529 of the zoning code. A waiver may be granted where the City Council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the planning process or the purposes for which the interim ordinance is enacted.

Hardship: The moratorium was extended to November of 2002, and prevents purchase and construction on the site until spring of 2003. The applicant has executed a purchase option on the parcel. If the waiver is not granted, Domino's will not go forward with the proposed project.

Affect on planning process: Planning staff working on the West Broadway study has indicated that the site is a "brownfield" with pollution issues. The pollution issues make this site undesirable for any future residential use. The existing C1 zoning will probably be maintained for this site. Residential uses will probably be proposed for the north side of Broadway, but staff believes that the proposed development by Domino's will be in conformance with future plans for this area.

Recommendation Of The City Planning Department:

The City Planning Department recommends that the City Council adopt the above findings and **approve** the application.