DATE: July 18, 2002

TO: Zoning Administrator

FROM: Kathy Barclay
All God's Children Metropolitan Community Church
3100 Park Ave.
Minneapolis, MN 55407

RE: Appeal of the City Planning Commission's denial of the setback variance request along 31st Street for the church parking lot development at 3101-3103 Oakland Ave. South.

Appeal

We are appealing the City Planning Commission's denial of our setback variance request along 31st Street.

Goal: The project goal is to build a parking lot to meet a dual purpose: to provide the maximum number of off-street parking stalls to meet the high demand for parking while maintaining a commitment to beautify the neighborhood with green space and landscaping.

With approval of the modest variance request, we can build the parking lot as designed. All other City requirements have been met.

Basis for Appeal: Our original application to the City was for a variance to reduce the setback along 31st Street from 8 feet to 4.5 feet. Upon submission of our application for such, the City indicated that we needed to change our request "from 8 feet to 2 feet" because of the 2.5 foot City right of way, which we did. That is the request that was denied by the Planning Commission.

Our original setback variance request—from 8 feet to 4.5 feet—was based on the City plat, county tax records and an aerial photo of the property with dimensions that all show the dimensions of the lot to be 119.15 feet X 89.15 feet.

In our work with the City following the denial of our request, we discovered that the City plat is in error. Rick Kreuser, City Streets, has confirmed that. There is actually less land than the plat and county tax records indicate.

As a result, both the variance that we originally requested (to 4.5 feet) and the adjusted variance that the City indicated that we needed and that was ultimately denied (to 2 feet) are incorrect.

Both the staff's reduction of the variance request to 2 feet that was unnecessary even if the land matched the plat (as was believed by both us and City at the time) and an additional error in square footage and landscape calculation in the City Planning Department report caused the request considered by the Planning Commission to be more extreme than was necessary.

Variance Request on Appeal: Based on the actual lot size, which is 119.85 feet X 85.6 feet, our appeal is for a variance along 31st Street from 8 feet to 3.6 feet for three relatively small spans that adjoin the remaining green spaces that more than meet the 8 foot setback requirement. These small strips are:

- **Approximately 13 feet**: the distance from the east edge of the wide green space along Oakland Ave. to the west edge of the new connecting sidewalk required by the City on the left of the drive aisle.
- **Approximately 11 feet**: the distance from the east edge of the new connecting sidewalk on the right of the drive aisle to the west edge of the center island dividing the two sections of the parking lot.
- **Approximately 19 feet**: from the east edge of the center island to the west edge of the new connecting sidewalk on the left of the alley.

These three sections make up a total of only 43 feet out of a nearly 120 feet along 31st Street. For the remaining 77 feet along 31st Street our plan more than meets the required 8 foot setback or the setback doesn't apply because the area is devoted to the drive aisle or the required sidewalks to connect the parking lot to the City sidewalk—areas that would not be green space with or without the variance.

Please see the attached mocked up drawing reflecting the actual lot dimensions and the design adjustments. A full-engineered drawing will be provided next week.

Mitigating Setback and Landscaping Concerns

We believe that the impact of the variance we are requesting is off-set by the voluntary measures we are taking to actually increase green space beyond City requirements to lessen the overall impact of the parking lot and actually enhance the character of the neighborhood.

- We would landscape the 2.5 foot City Right-of-way in addition to the setback area along 31st Street so that the landscaped green space would actually be 6.1 feet deep in the three small areas for which the variance is requested. All other portions meet or exceed City requirements.

  Total Green Space In Question Along 31st Street:

Without the variance:	8 ft. X 43 ft. =	344 SQFT
With the variance:	3.6 ft. X 43 ft. =	155 SQFT
	Difference of	189 SQFT

- The required City setback along Oakland is 20 feet. Our plan provides a setback green space along Oakland that is 26 feet deep or 30% greater than required by the City.

- We enhanced the barrier between the two sections of the lot from the required simple curb barrier to a 6-foot wide landscaped green space. The landscaped island breaks up the visual impact of the asphalt substantially more than would a simple curb barrier. *Note: We could revert to a simple fixed curb barrier and further increase the green space along Oakland to 31 feet, exceeding the City requirement by more than*

50%. However, since we are already providing a generous green space and a mini-park like area on the Oakland side, we feel the island is an additional visual enhancement to the parking lot.

- The overall landscaped area is approximately 2890 SQFT or nearly 27% of the total area, far exceeding the 20% required by the City.

The Need for Off-street Parking: The compelling need for the parking lot and the variance is the same: to get the maximum number of cars into off-street parking. There is an extremely high concentration of cars into the neighborhood seeking parking at specific times because of the high concentration of churches in the immediate neighborhood. *Please see the attached map.* The lack of available parking is a hardship for both our congregants and residents.

According to City Zoning staff calculations, 47 parking spaces would be required if our church were constructed today. The City standard itself speaks to the need for off-street parking. As stated previously, even though we are grandfathered from the off-street parking requirement, our goal is to build a lot that is as close to that City standard as possible while also beautifying the neighborhood with green space and landscaping and softening the visual impact of the parking lot. The lot design that best achieves that dual goal is the one we are proposing that requires the modest setback variance along portions of 31st Street. That design, with the variance, will provide 27 off-street parking stalls.

All God's Children Metropolitan Community Church (AGCMCC) currently has an average attendance of 250 for its 10:00 AM Sunday service. We have a minimum of 125 cars currently coming to the neighborhood looking for street parking on Sunday mornings.

With our current growth rate, our attendance will likely be at 300 by year-end, and the parking congestion will be further compounded. Also, considering our steady growth rate and the capacity of our sanctuary, we anticipate that we will split into two Sunday morning services in mid to late 2003. This will further exacerbate already overly taxed street parking. Two services will not only bring an even greater concentration of cars to the neighborhood, but it will also add the complexity that not all cars from the first service will have vacated their parking spots before people start arriving for the second service looking for parking. *Please see the attached All God's Children MCC attendance growth chart.*

Our neighboring churches bring additional cars:

- The Indian Ministry, 31st and Park Ave., the same intersection we are on, has Mass at the same time as our Sunday morning service, and they bring about 30 cars into the neighborhood looking for parking, further compounding the parking dilemma.
- Mount Olive Lutheran Church, 31st and Chicago, brings an additional 125 cars to the neighborhood on Sunday morning. They have only 50 off-street parking stalls.
- Park Ave. Methodist, 34th and Park Ave. has 1100 Sunday morning worshipers, adding approximately 400+ cars, and a parking lot that accommodates 35 cars.

- Both Mount Olive and Park Ave. Methodist have multiple Sunday AM services. They have Adult Forums, Sunday School and social time between services so cars from one service have not vacated parking before the next group arrives.

Church	Avg. Sunday Attendance	Cars looking for parking	Available off-street parking
All God's Children	250	125	2 (Handicap only)
Indian Ministry	60	30	12
Mount Olive	250 (2 Sunday AM services)	125	50
Park Ave. Methodist	1100 (3 Sunday AM services)	400	35
TOTALS	**1660**	**680**	**99**

Note: Total Victory Christian Center, 31st and Columbus, does not have a Sunday morning service so they do not compete for Sunday morning parking, but they do compete for event parking at other times.

In addition, many of the homes in the neighborhood are multi-family residences or occupied by large extended families that also rely heavily on street parking for themselves and for their guests.

With all this in mind—the concentration of churches in the immediate neighborhood, the current number of cars seeking parking on Sunday morning, and the attendance growth we are experiencing at All God's Children—we need to provide the maximum number of off-street parking stalls possible. That design requires the requested variance.

Neighborhood Support

The neighbors are fully supportive of the proposed design and the requested variance. They have attended two meetings—an informal meeting at the church and the required Central Neighborhood Improvement Association meeting. In both cases they stated their support and preference for the proposed design. At the request of Rick Heath, Transportation and Parking Services, we took the additional step of asking each resident along our block—both on park Ave. and Oakland—to sign a petition indicating their support. *Please see the attached petition.*

Summary

Approval of the 31st Street setback variance request from 8 feet to 3.6 feet allows for construction of a 27 stall parking lot and meets the goal of providing as much off-street parking as possible while maintaining generous green spaces and helping to beautify the neighborhood.

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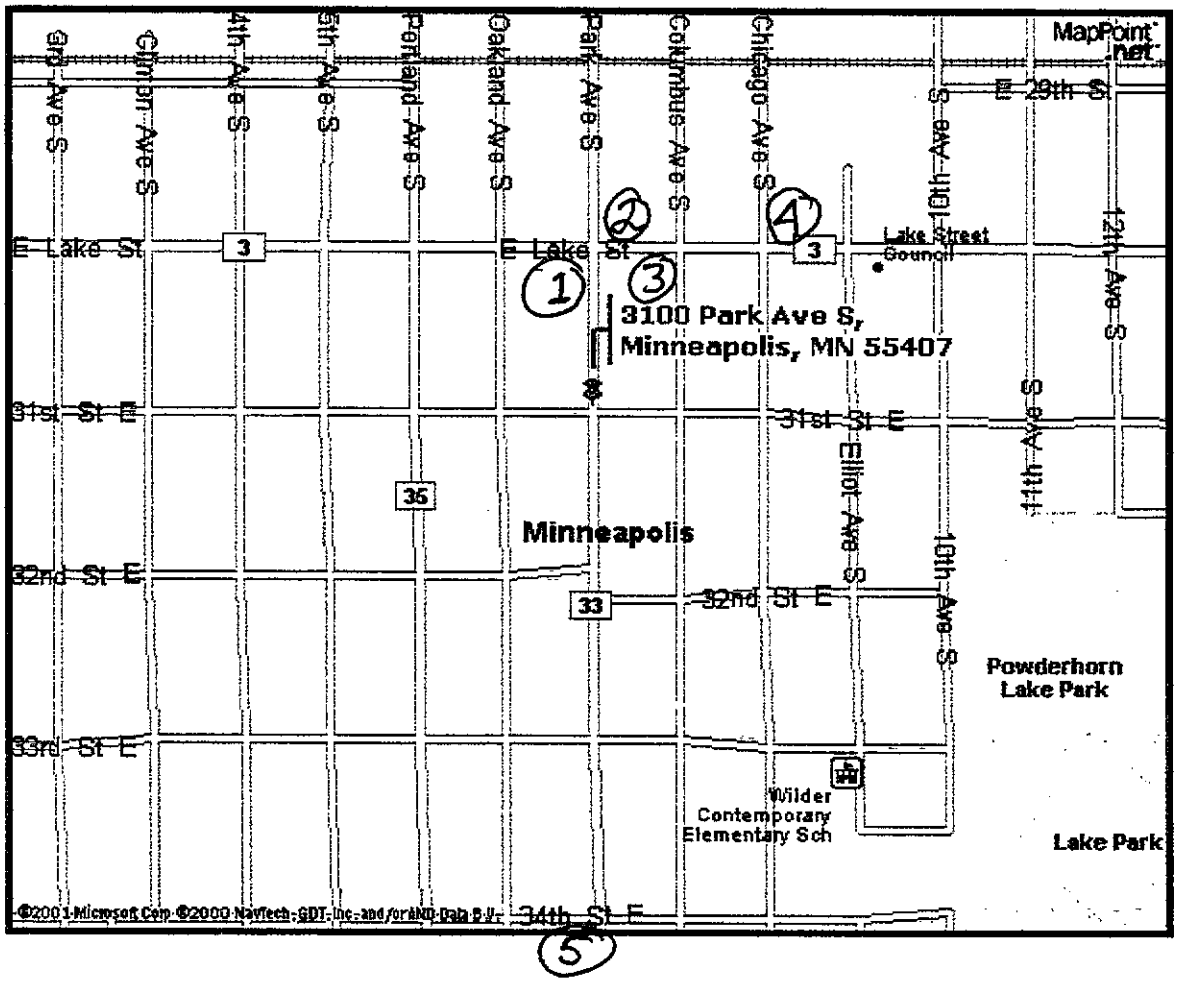

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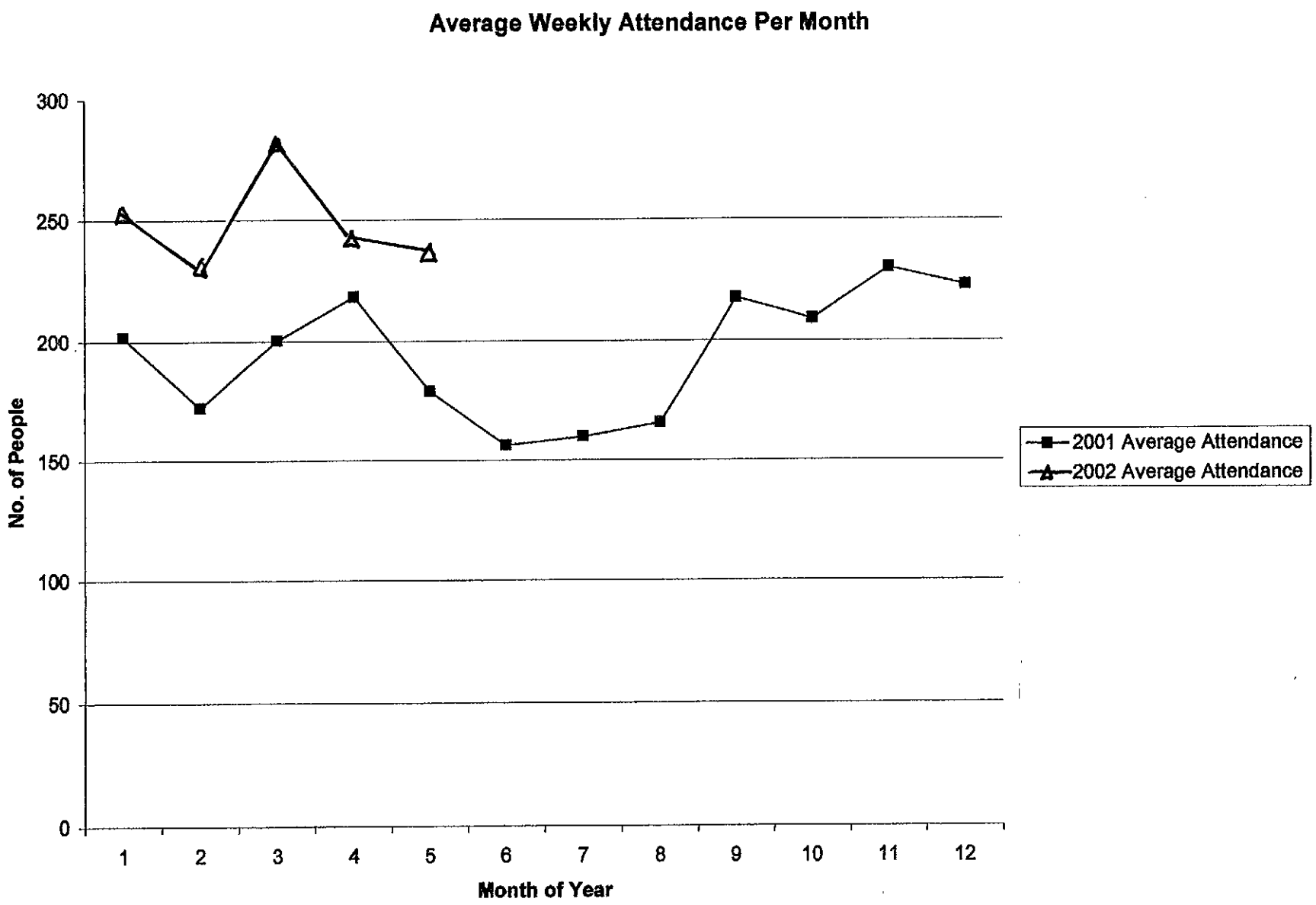
1. All God's Children - 31st & Park Ave.
2. Indian Ministry - 31st & Park Ave.
3. Total Victory - 31st & Columbus
4. Mount Olive Lutheran Church - 31st & Chicago
5. Park Ave. Methodist - 34th & Park Ave.


Average Weekly Attendance Per Month
300
250
200
150
100
50
0
No. of People
1
2
3
4
5
6
7
8
9
10
11
12
Month of Year
2001 Average Attendance
2002 Average Attendance