

**Department of Community Planning and Economic Development - Planning Division**  
Site Plan Review  
BZZ-4865

**Date:** August 2, 2010

**Applicant:** Land Ho, LLC

**Address of Property:** 217-229 West Broadway

**Project Name:** North Loop Gateway

**Contact Person and Phone:** Tony Smith, Master Development (612) 236-1633

**Planning Staff and Phone:** Kimberly Holien (612) 673-2402

**Date Application Deemed Complete:** July 1, 2010

**End of 60 Day Decision Period:** August 30, 2010

**Ward: 5     Neighborhood Organization:** Near North

**Existing Zoning:** I1 Light Industrial District, PO Pedestrian Oriented Overlay District

**Proposed Zoning:** Not applicable for this application.

**Zoning Plate Number:** 13

**Legal Description:** Not applicable for this application.

**Proposed Use:** Off-sale liquor store and restaurant

**Concurrent Review:**

**Site Plan Review:** For a new 11,920 square foot building.

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX, Variances and Chapter 530, Site Plan Review.

**Background:** Land Ho, LLC is proposing a new 11,919 square foot commercial building at the properties of 217 and 229 West Broadway, in the southeast corner of the intersection of West Broadway and Washington Avenue N. The proposed building would contain a 3,875 square foot restaurant at the corner and an off-sale liquor store with 8,044 square feet of floor area on the east side of the site. The only land use application required at this time is for site plan review. The property at 229 West Broadway currently contains BJ's Liquor Lounge, an adult entertainment use. The property at 217 West Broadway is currently vacant.

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The applicant previously submitted land use applications for an 11,503 square building on this site containing the same uses. Applications required included a conditional use permit for an off-sale liquor store, a variance to the standards of the West Broadway Pedestrian Oriented Overlay District to reduce the required floor area ratio (FAR) from 1.0 to .46 and a variance to the West Broadway Pedestrian Oriented Overlay District to allow a building that was not two floors for the length of the West Broadway frontage. The conditional use permit for the off-sale liquor store was approved, notwithstanding staff recommendation. The remaining applications were denied.

The project has now been revised to include a mezzanine on the liquor store with a depth of 14 feet for the length of the West Broadway frontage and a mezzanine on the restaurant space that also fronts on West Broadway. This change eliminated the variance for the 2-floor minimum requirement. The applicant has also decided to retain a portion of the existing building at 229 West Broadway to eliminate the floor area ratio variance. Section 551.145 of the zoning code relating to the West Broadway PO states that new development in Commercial, OR2 and OR3, and Industrial districts shall be subject to a minimum floor area ratio of 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. Because the applicant is retaining more than 50 percent of the existing structure it is considered an expansion of an existing structure and therefore not subject to the minimum floor area ratio. The FAR proposed for the revised project is .473, just slightly higher than what was previously proposed. The revised project also includes a courtyard area between the liquor store and restaurant with a connecting element above.

The site is bordered by an office use to the west that will be providing an easement to allow a driveway through the property that connects the subject site to 2<sup>nd</sup> Street N. The properties to the south contain a mixed use building and a recycling/salvage yard use. The property to the north, across West Broadway, contains an automobile repair use.

As of the writing of this staff report staff has not received any comments from the Northside Residents Redevelopment Council regarding the revised plan. Staff will forward any comments, if received, to the City Planning Commission.

**Continuance:** The applicant has requested that the application be continued for one cycle to allow additional time for them to work out issues related to the site design. Specifically, Business Licensing staff has recently informed the applicant that the proposed design does not appear to meet the 2,000-foot minimum spacing requirement from another off-sale liquor establishment. The applicant is also working with Hennepin County on a potential median within West Broadway in front of the site. Staff recommends that this application be continued one cycle, to August 16, 2010, per the applicant's request.

### **RECOMMENDATIONS:**

#### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **continue** the site plan review

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application for the property located at 217-229 West Broadway to the August 16, 2010 City Planning Commission meeting.

**Attachments:**

1. Zoning map.
2. Site plans and elevations.