

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits and a Variance
BZZ-3732

Date: January 14, 2008

Applicant: Rochelle Barrett with Bakery Properties, LLC

Address of Property: 2603 Bloomington Avenue South

Project Name: Mercado Phillips Este

Contact Person and Phone: Jose Cano, (612) 202-2262

Planning Staff and Phone: Hilary Dvorak (612) 673-2639

Date Application Deemed Complete: September 17, 2007

End of 60-Day Decision Period: November 16, 2007

End of 120-Day Decision Period: A 60-day extension letter was mailed on October 25, 2007, extending the 120-day decision period to January 15, 2008. The applicant has further extended the time for review to March 15, 2008.

Ward: 9 **Neighborhood Organization:** East Phillips Improvement Coalition

Existing Zoning: C4, General Commercial District

Proposed Zoning: Not applicable for this development

Zoning Plate Number: 26

Legal Description (properties to be rezoned): Not applicable for this development

Proposed Use: Mixed-use building including seven retail spaces and four dwelling units

Concurrent Review:

Conditional use permit: for a shopping center

Conditional use permit: for extended hours

Variance: to reduce the minimum off-street parking requirement from the required 109 spaces to 35 spaces to allow a reception hall, restaurant, three small retail spaces and four dwelling units in an existing building

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, specifically and Section 525.520(7) “to reduce the applicable off-street parking requirements up to one hundred percent, provided the proposed use or building serves

pedestrian or transit-oriented trade or occupancy, or is located near an off-street parking facility that is available to the customers, occupants, employees and guest of the use”.

Background: The applicant is proposing to renovate the existing building located at 2603 Bloomington Avenue South. The building is currently used to manufacture restaurant furniture. On the second floor of the building there are four dwelling units however, they are currently being used for storage purposes. The applicant is proposing to renovate the entire building into a mixed-use building including seven retail spaces and four dwelling units.

The four dwelling units would remain on the second floor of the building. An entrance along both the Bloomington Avenue South and the East 26th Street side of the building would provide access to the units. The first floor of the building would be divided into seven different retail spaces. Six of the retail spaces would front along Bloomington Avenue South and the seventh will front along East 26th Street. Because each of the retail uses has its own separate customer entrance facing the street the conditional use permit for a shopping center is no longer required. Along the east side of the building there will be in an internal service area for loading and trash pick-up for all of the tenants in the building. There will also be shared restrooms and individual storage areas for the retail spaces on the first floor of the building.

Initially the applicant was proposing to locate a restaurant and a reception hall in the building. The applicant had applied for a conditional use permit to extend the hours of operation for the restaurant from 11 pm until 12 am on Friday and Saturday and the reception hall from 10 pm Sunday through Thursday and 11 pm Friday and Saturday until 1 am seven days a week. Because the restaurant and the reception hall are no longer proposed for the building the conditional use permit for extended hours is no longer required.

The parking requirement for the various uses within the building are as follows:

Retail sales and service uses: 1 space per 300 square feet of GFA over 4,000 square feet with a minimum of four spaces per use that is over 100 square feet, all seven of the retail spaces are under 4,000 square feet, total of 28 spaces required.

Dwellings: one space per dwelling unit, total of 4 dwellings, total of 4 spaces required.

Combined, the total parking requirement for the building is 32 spaces. There are no parking spaces on the site. However, the building has grandfathered parking rights for 29 parking spaces based on the current use of the building. The zoning code allows for a one-space reduction in parking when a minimum of four bicycle parking spaces are provided per use on site. The applicant is proposing to install three bicycle racks which will each accommodate four bicycles. Given this the parking requirement for the development is being met. Please note that if a food or beverage use is proposed for the building that a parking variance will be required as food and beverage uses have a higher parking requirement than a retail sales and services use. Because the parking requirement is being met on site the variance to reduce the parking requirement is no longer required.

An e-mail from the applicant withdrawing all of the applications is included in this report along with an e-mail indicating the proposed hours of operation for the retail sales and services uses and the revised building plans.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The conditional use permit application for a shopping center located at 2603 Bloomington Avenue South has been **withdrawn**.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The conditional use permit application for extended hours for the restaurant and reception hall located at 2603 Bloomington Avenue South has been **withdrawn**.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The variance application to reduce the minimum off-street parking requirement from the required 109 spaces to 35 spaces to allow a reception hall, restaurant, three small retail spaces and four dwelling units in an existing building in an existing building located at 2603 Bloomington Avenue South has been **withdrawn**.

Attachments:

1. E-mail withdrawing the applications
2. Site plan, floor plans and elevations