

**Department of Community Planning and Economic Development – Planning
Division**

Conditional Use Permit

BZZ-4971

Date: November 1, 2010

Applicant: Butler North, LLC, 510 1st Avenue North, Minneapolis, MN 55403,
(612)332-8323

Addresses of Property: 504 1st Avenue North (111 5th Street North)

Project Name: Pizza LaVista

Contact Person and Phone: RJ Marco Construction, Inc., Attn: Paul Nolan, 75 West
Viking Drive #104, Little Canada, MN 55117, (651)484-5635

Planning Staff and Phone: Becca Farrar, Senior City Planner, (612)673-3594

Date Application Deemed Complete: September 16, 2010

End of 60-Day Decision Period: November 15, 2010

End of 120-Day Decision Period: On October 25, 2010, Staff sent a letter to the
applicant extending the decision period to no later than January 14, 2011.

Ward: 7 **Neighborhood Organization:** Downtown Minneapolis Neighborhood
Association (DMNA)

Existing Zoning: B4S-1 (Downtown Service) district and DP (Downtown Parking)
Overlay District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 19

Lot area: 23,458 square feet or approximately .54 acres

Legal Description: Not applicable for this application.

Proposed Use: Extend the operational hours of a new business.

Concurrent Review: RJ Marco Construction, Inc., on behalf of Butler North LLC, has
applied for a Conditional Use Permit to extend the hours of operation for Pizza LaVista
located at 504 1st Avenue North to 3 a.m. daily. Typically, the hours of operation
allowed in the B4S-1 (Downtown Service) district are 6:00 a.m. to 1:00 a.m. daily.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits.

Background: The applicant proposes to extend the hours of operation for a new business proposed within the Butler North building located on the northwest corner of 5th Street North and 1st Avenue North. The property is zoned B4S-1 (Downtown Service) and is located in the DP (Downtown Parking) Overlay District. Pizza LaVista would be categorized as a delicatessen restaurant which is a permitted use in the B4S-1 district and would occupy an approximately 1,500 square foot tenant space, which has been newly created with a street facing entrance, located between the Loon Café and the 508 Bar along 1st Avenue North. The applicant is requesting a conditional use permit to operate the restaurant until 3 a.m. daily; typically the hours of operation allowed in the B4S-1 district are 6:00 a.m. to 1:00 a.m. daily.

As proposed the restaurant would serve primarily pizza, but will offer other foods as well. The 1,500 square foot tenant space is expected to provide seating for up to 48 customers. The restaurant would not serve alcoholic beverages. Planning Staff has consulted with the applicable Police Precinct and it was suggested that the applicant provide on-site security during the extended hours. At this time, the applicant does not intend to provide uniformed, on-site security during the extended hours of operation.

The project was continued from the October 18, 2010, Planning Commission meeting in order to discuss potential mitigation measures for the extended hours request. An additional continuance until the November 15, 2010, City Planning Commission meeting is being recommended by Planning Staff as there are additional issues that need to be addressed.

Staff has not received any official correspondence from the Downtown Minneapolis Neighborhood Association (DMNA) or any neighborhood letters prior to the printing of this report. Correspondence received prior to the meeting shall be forwarded on to the Planning Commission for consideration.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission **continue** the conditional use permit to allow Pizza LaVista to operate until 3 a.m. daily on the property located at 504 1st Avenue North (111 5th Street North) to the November 15, 2010, Planning Commission meeting.

Attachments:

1. Zoning map