

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

Variance Request  
BZZ-3854

**Date:** November 29, 2007

**Applicant:** Sam St. Pierre, Mutual Management Company

**Address of Property:** 1808 Riverside Avenue, Suite 206

**Contact Person and Phone:** Sam St. Pierre, 612-333-9164

**Planning Staff and Phone:** Molly McCartney, 612-673-5811

**Date Application Deemed Complete:** October 30, 2007

**Publication Date:** November 22, 2007

**Hearing Date:** November 29, 2007

**Appeal Period Expiration:** May 29, 2007

**End of 60 Day Decision Period:** December 30, 2007

**Ward: 2      Neighborhood Organization:** West Bank Community Coalition

**Existing Zoning:** C3A Community Activity Center District, PO Pedestrian Oriented Overlay District.

**Proposed Use:** Conversion of basement retail space into community room accessory to a coffee shop

**Proposed Variance:** A variance to reduce the required parking from 26 to 0 to allow for a community room in the Bailey building at 1808 Riverside Avenue in the C3A Community Activity Center District and PO Pedestrian Oriented Overlay District.

**Zoning code section authorizing the requested variance:** 525.520 (7)

**Background:** The subject property is the Bailey Building, a multi-tenant commercial building with several existing tenant spaces. Currently tenants include KFAI Radio, offices, and Mapps Coffee shop. The coffee shop is proposing to convert existing story space in the basement for additional room for the coffee shop, to be used as a community gathering space. The basement has been a retail and video store in the past, but most recently has been used for storage. The applicant is proposing now to convert 1,285 sq. ft. of the storage space into the community room/gathering space that will be accessory to the coffee shop. The conversion of the basement space into a coffee shop increases the parking requirement.

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Currently the site does have any on-site parking because the building is built out to the lot lines. The existing uses have nonconforming rights to the off-street parking requirement.

There are a number of public parking facilities in close proximity to the subject property. Directly behind the Bailey Building to the north and across the street are public parking lots owned by the City of Minneapolis. In addition, there is a multi-level University of Minnesota parking ramp on the same block, northeast of the subject site.

The site is also served by transit and pedestrian activity. There is midday bus service along Cedar Avenue and Riverside Avenue and the site is within one-half mile of the Cedar-Riverside LRT station. Pedestrian activity comes from the University of Minnesota and the near by multi-family and commercial neighborhoods. The site is also in a PO Pedestrian Oriented Overlay District which places limits on off-street parking requirements and encourage pedestrian character of commercial areas. The site currently provides eight (8) bike parking spaces.

### **Findings Required by the Minneapolis Zoning Code:**

- 1. The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Strict adherence to the zoning code prevents the proposed internal expansion for the commercial spaces. The off-street parking requirement for the expansion of the coffee shop could not happened on site because there is no space on the lot for parking. The proposed expansion is a reasonable uses of the property.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The parking variance to allow the community room is required because of the expansion of the coffee shop has a high parking requirement than the previous storage and retail spaces. The building was constructed prior to the off-street parking requirements in the zoning code. The property is unique in that it is an older multi-tenant building without the sufficient parking to meet the current parking requirement. This is not a circumstance created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Granting the variance will be in keeping with the spirit and intent of the ordinance. The expansion is internal to the establishment and the building footprint will not expand. There is an abundance of off-street parking spaces available in the adjacent surface lots and parking ramp.

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In addition, Metro Transit routes run on Cedar Avenue and Riverside Avenue. The site is surrounded by high density uses, such as the University of Minnesota and multi-family apartments which provide pedestrian activity near the site.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The parking variance will have little impact on congestion of area streets or fire safety, nor would the parking variance be detrimental to the public welfare or endanger the public safety.

### **Recommendation of the Department of Community Planning and Economic Development Planning Division:**

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** the variance to reduce the required parking from 26 to 0 to allow for a community room in the Bailey building at 1808 Riverside Avenue in the C3A Community Activity Center District and PO Pedestrian Oriented Overlay District, subject to the following conditions:

1. CPED-Planning review and approve final site plans, floor plans and elevations.