

**Department of Community Planning and Economic Development – Planning
Division
Conditional Use Permit
BZZ-3789**

Date: October 15, 2007

Applicant: Sorella Wine and Spirits, Inc., Attn: Kathy Huber, 1010 Washington Avenue South, Minneapolis, MN 55415, (612) 339-4040

Addresses of Property: 1010 Washington Avenue South

Project Name: Sorella Wine and Spirits, Inc.

Contact Person and Phone: Lynn Leegard, 3200 Main Street NW, Suite 300, Coon Rapids, MN 55448, (763) 421-3500

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

Date Application Deemed Complete: September 19, 2007

End of 60-Day Decision Period: November 17, 2007

End of 120-Day Decision Period: Not applicable for this application.

Ward: 7 Neighborhood Organization: Downtown Minneapolis Neighborhood Assn. (DMNA)

Existing Zoning: C3A (Community Activity Center District), DP (Downtown Parking) Overlay District, and DH (Downtown Height) Overlay District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 20

Lot area: 103,812 square feet or 2.38 acres (total of PUD site)

Legal Description: Not applicable for this application.

Proposed Use: Liquor store within a commercial tenant space in a Planned Unit Development

Concurrent Review:

- Conditional Use Permit to allow a liquor store, off-sale, within a ground level, 5,285 square foot tenant space in the Bridgewater Lofts Planned Unit Development.

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

Background: The applicant proposes to locate a liquor store, off-sale in a 5,285 square foot ground level commercial tenant space at the corner of 10th Avenue South and Washington Avenue South within the Bridgewater Lofts Planned Unit Development located at 1010 Washington Avenue South. The property is zoned C3A and is located in the DP (Downtown Parking) Overlay District and the DH (Downtown Height) Overlay District. Liquor stores are a conditional use in the C3A district and are subject to specific development standards.

The Bridgewater Lofts mixed-use Planned Residential Development was approved on June 26, 2006 (BZZ-2837). The property included the entire block bounded by Washington Avenue South, 10th Avenue South, 11th Avenue South and 2nd Street South. The property was rezoned from I1 to the C3A district and the IL (Industrial Living) Overlay District was removed. Two other overlay districts, the DP (Downtown Parking), and DH (Downtown Height) Overlay Districts were maintained. As part of the Conditional Use Permit for the PUD the majority of the site was demolished for new construction, however one existing building located at 212 11th Avenue South, was retained but the attached garage removed and replaced with a new garage. The second portion of the project included a total of 574,360 square feet of new construction incorporating 277 owner-occupied residential units constructed in a 7 to 10 story, U-shaped building with approximately 20,191 square feet of lower level retail located along Washington Avenue South and 10th Avenue South. Exceptions that were requested under the PUD were for height and number of loading spaces. The project replaced an existing liquor store, gas station, surface parking lot and empty warehouse. The project included 532 enclosed parking spaces located in a 3-story underground parking garage, 23 parking stalls located within the building at the interior of the site for the retail uses, 18 existing surface stalls located adjacent to 11th Avenue South, and 16 parking spaces to be located in the proposed garage for a total of 589 parking spaces. A center courtyard and planters located along 10th Avenue South as well as parking lot improvements to the existing surface lot along 11th Avenue South were also included in the proposal. The proposal included parking for 277 bicycles as well. In addition to the rezoning application and conditional use permit for a PUD, site plan review and a preliminary and final plat were also required and approved.

As previously mentioned, prior to redevelopment, the site had been occupied by a liquor store called Liquor Depot for 31 years. Sorella Wine and Spirits is owned and operated by the same individuals that owned and operated the former Liquor Depot. Sorella is proposed to be an up-scale wine shop featuring 4,000 labels of wine and a small amount of spirits and beer.

Staff has not received any official correspondence on the proposed application from the Downtown Minneapolis Neighborhood Association or any neighborhood letters prior to the printing of this report.

CONDITIONAL USE PERMIT

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Prior to the redevelopment of the site, a liquor store owned and operated by the same individuals was located on the site for 31 years. Allowing the liquor store to reopen within the development would not be expected to be detrimental to or endanger the public health, safety, comfort or general welfare. Staff would recommend that the Planning Commission approve the conditional use permit subject to compliance with the window sign provision as stated in Chapter 543.350 of the Zoning Code. The submitted floor plan indicates that shelving will not obstruct view into and out of the building.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

Staff would not expect that reopening the liquor store within the development would be injurious to the use and enjoyment of other property in the vicinity and would not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The applicant would be required to continue to work closely with the Public Works Department and with the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The parking that is being provided for the development is adequate. The applicant is providing more than the minimum requirement for the proposed development as a total of 532 parking stalls are provided in an underground ramp for the development. A total of 23 parking spaces are located on the ground level at the interior of the site for the retail and commercial uses. The proposed liquor

store requires 9 spaces (based on 1 per 300 square feet of gross floor area in excess of 4,000 square feet). Adequate measures have been provided to minimize traffic congestion in the public streets.

5. Is consistent with the applicable policies of the comprehensive plan.

According to the *Minneapolis Downtown 2010 Plan*, this property is located in a downtown neighborhood as found on the concept plan map. The property is also subject to the Update to the Historic Mills District Master Plan. According to the Principles and Policies outlined in the *Minneapolis Downtown 2010 Plan*, the following apply to this proposal:

- Locate medium to high-density housing in areas designated as a Riverfront Residential District located adjacent to and near the West River Parkway. This district should provide for housing that can take advantage of the open space and recreational amenities along the riverfront. The primary use of this district should be housing. Other retail, office, cultural and recreational uses should be encouraged, especially those that revitalize historic structures, but should be compatible with housing (Housing Policy 4).
- Support the retention and development of neighborhood-serving retail (Housing Policy 9).

The Update to the Historic Mills District Master Plan was adopted by the City Council on September 14, 2001. The plan calls for residential developments on the block with commercial uses located on the ground floor along Washington Avenue South. The plan further guides streetscape improvements for the block which the proposal is in full conformance with. This development is in conformance with those guidelines.

The proposal is in conformance with the above noted principles and policies of the *Minneapolis Downtown 2010 Plan* and the Update to the Historic Mills District Master Plan.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

If all land use/zoning applications are approved, including a conditional use permit as well as compliance with the applicable specific development standards for a liquor store, off-sale, the proposal will comply with all provisions of the C3A District.

The specific development standards for a liquor store, off-sale, are as follows:

- (1) The use shall comply with the requirements of Title 14, Liquor and Beer, of the Minneapolis Code of Ordinances and Chapter 4 of the Minneapolis City Charter.

- (2) The premises, all adjacent streets, sidewalks, alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow for a liquor store, off sale, within a ground level, 5,285 square foot tenant space in the Bridgewater Lofts Planned Unit Development on the property located at 1010 Washington Avenue South subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. Compliance with the specific development standards for a liquor store, off-sale, as defined by Chapter 536.20 of the Zoning Code.
3. Compliance with the window sign provision as stated in Chapter 543.350 of the Zoning Code.

Attachments:

1. Legal description
2. Statement of use and Findings
3. Correspondence – CM Goodman and DMNA, etc.
4. Zoning map
5. Plans – site survey, site plan, floor plans, elevations, landscape plans