

**Department of Community Planning and Economic Development – Planning Division Report****Variance Request  
BZZ-1925****Date:** September 15, 2004**Applicant:** Jackson Street LTD Partnership**Address of Property:** 1121 Jackson Street NE**Date Application Deemed Complete:** August 17, 2004**End of 60 Day Decision Period:** October 16, 2004**End of 120 Day Decision Period:** December 15, 2004**Appeal Period Expiration:** September 27, 2004**Contact Person and Phone:** Patricia Fitzgerald, 612-872-8495**Planning Staff and Phone:** Carrie Flack, 612-673-3239**Ward: 1      Neighborhood Organization:** Logan Park**Existing Zoning:** I2, Medium Industrial District; IL, Industrial Living Overlay District**Proposed Use:** Retail office and light industrial uses.**Proposed Variance:** A variance to reduce the required amount of off-street parking from 165 spaces to 105 spaces.**Zoning code section authorizing the requested variance:** 525.520 (7)

**Background:** The subject site is 163,937 sq. ft. and consists of an existing 80,000 sq. ft. one story building with approximately 43 tenants and two smaller buildings. The main building currently consists of several auto repair uses with numerous inoperable vehicles parked on site and several artists who lease space in the building. The applicant is proposing to fully renovate the dilapidated building into approximately 36 tenant spaces that will include artists, arts related offices, and light industrial users. The auto repair uses will not be part of the tenant mix.

Currently a total of 30 parking spaces are provided on the property. The parking requirement of the entire project is 165 spaces. The applicant is proposing to provide 105 parking spaces with 20 bicycle parking spaces on site. Therefore, the applicant is seeking a variance from the required 165 spaces to 105 spaces which is a difference of 60 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.**

**Parking reduction variance:** The applicant is seeking a variance to reduce the required number of off-street parking spaces from the required 165 spaces to 105 spaces. The subject site consists of a dilapidated building with 43 tenant spaces and 30 parking spaces that are not configured efficiently. The applicant is proposing to rehabilitate the building into 36 tenant spaces with 105 parking spaces on site. This is 7 less tenant spaces and 75 more parking spaces than currently exists. The applicant states that the majority of tenants that will locate in their building, such as artists, do not need the 4 space minimum requirement for their business. The applicant believes that strict adherence to the regulations would result in an over abundance of parking on the property or the number of tenants that would be allowed to occupy the building would be severely limited. Strict adherence to the regulations would prohibit the proposed building renovation. Based on the submitted information staff believes that the rehabilitation of the building and parking area is a reasonable use 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.**

**Parking reduction variance:** The circumstances for which the variance is sought are unique to the parcel of land and have not been created by the applicant. The subject site consists of an 80,000 sq. ft. building, 2 smaller buildings and approximately 30 parking spaces. The applicant is proposing to reconfigure the building into 36 tenant spaces with 105 parking spaces on site, 75 more spaces than currently exists. The applicant would need to acquire additional property to provide the required 165 spaces. The configuration of the property 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.**

**Parking reduction variance:** Staff does not believe that the parking reduction variance would alter the essential character of the neighborhood or be injurious to the use or enjoyment of other property in the area. The applicant states that the site is in a severe state of disrepair with inoperable vehicles parked randomly on the site leaving approximately 20-30 parking spaces for other tenants. The proposed project consists of decreasing the number of tenants from 43 to 36 and substantially increasing the number of parking spaces on site from 30 to 105. In addition, 20 bicycle parking spaces will be provided. Staff believes that the proposed improvements to the parking lot are in compliance with the ordinance and will provide a benefit to the neighborhood. Improvements being made consist of new landscaping and sidewalk around the site, an on-site

**CPED Planning Division Report**  
BZZ-1925

infiltration pond and green space, newly paved parking areas clearly striped for 100 spaces, 20 on-site bicycle parking spaces, and 2 driveway closures on 12<sup>th</sup> Avenue NE.

- 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.**

**Parking reduction variance:** Granting the variance would not likely increase congestion in the area or increase the danger of fire safety, nor would the proposed parking reduction variance be detrimental to welfare or public safety due to improved traffic circulation on site and 75 more on site parking spaces.

**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 amount of off-street parking from 165 spaces to 105 spaces subject to the following conditions:

1. That the Planning Division review and approve final site and elevation plans.