

Department of Community Planning and Economic Development - Planning Division
Variance
BZZ-4919

Date: September 7, 2010

Applicant: Neil and Kelly Miyamoto dba the Firm Workout Studio

Address of Property: 1000 – 2nd Avenue North, 1100 & 1102 – 2nd Avenue North, 250 Fremont Avenue North, and 227 Colfax Avenue North (1010 2nd Avenue North)

Project Name: The Firm Workout Studio

Contact Person and Phone: Randall Lindemann, AIA – KKE Architects 612-339-4200

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: August 10, 2010

End of 60 Day Decision Period: October 9, 2010

Ward: 5 Neighborhood Organization: Harrison

Existing Zoning: C2 Neighborhood Corridor Commercial District with the PO Pedestrian Oriented Overlay District.

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 13

Legal Description: Not applicable for this application.

Proposed Use: Major sports and health facility.

Concurrent Review:

Variance: Of the PO Pedestrian Oriented Overlay District and Chapter 541 maximum allowed number of parking spaces to 180 spaces.

Applicable zoning code provisions: Chapter 525, Article IX Variances, specifically Section 525.520(6) “To vary the applicable minimum and maximum number of required off-street parking”; and Section 525.520(20) “To vary the standards of any overly district...”

Background: The applicant proposes to remodel and add a 6,594 square foot addition to an existing warehouse at 1010 2nd Avenue North to convert it to an approximately 28,618 square foot major sports and health facility. This project is part of a larger site located along 2nd Avenue North between Fremont Avenue North and Colfax Avenue North with a portion of the site fronting on Glenwood Avenue that contains office, industrial, and warehouse uses with accessory parking and storage yards.

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The City Planning Commission, at its meeting of June 14, 2010, approved the following applications (BZZ-4779 & PL-243):

- Rezoning from OR2 High Density Office Residence District to the C2 Neighborhood Corridor Commercial District with the PO Pedestrian Oriented Overlay District.
- Conditional Use Permit to allow a major sports and health facility.
- Conditional Use Permit to extend the hours of operation for the sports and health facility from 6:00 a.m. everyday to 5:30 a.m. everyday.
- Variance to reduce the east side interior setback on the proposed Lot 2 from 7 feet to zero feet to allow an existing transformer to remain.
- Variance to reduce the west side interior setback on the proposed Lot 3 from 7 feet to zero feet to allow existing parking to remain.
- Variance to increase the maximum allowable gross floor area of a commercial use from 30,000 square feet to approximately 31,600 square feet.
- Variance of the PO Pedestrian Oriented Overlay District standards to allow a parking area to exceed the maximum allowable 60 feet of street frontage to 225 feet on Glenwood Avenue
- Variance of the PO Pedestrian Oriented Overlay District standards to allow a parking area to exceed the maximum allowable 60 feet of street frontage to 211 feet on 2nd Avenue North.
- Variance of the PO Pedestrian Oriented Overlay District and Chapter 541 maximum allowed number of parking spaces to 180 spaces.
- Site Plan Review for an approximately 10,000 square foot addition to an existing building.
- Preliminary and Final Plat to replat 18 lots or parcels and vacated right-of-way into 3 lots.

These approvals remain in effect, except the variance of building size is no longer necessary. In addition, the original building addition was to be 10,000 square feet, but due to budget constraints it has been reduced to 6,594 square feet. The overall gross floor area of the building and additions has been reduced from 31,600 square feet to 28,618 square feet and this in turn reduces the parking maximums. The applicant is requesting a revised parking variance required by the reduction in the size of the building to allow the originally approved 180 parking spaces.

As of the writing of this report, staff has not received any correspondence from the neighborhood group, but will forward comments, if any, at the Planning Commission meeting.

VARIANCE (to increase the maximum allowable parking)

Findings Required by the Minneapolis Zoning Code:

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

The zoning code allows a maximum of 1 space per 200 square feet of gross floor area. The gross floor area is 28,618 (previously 31,600) square feet and this results in a maximum parking requirement of 143 (previously 158) spaces, but with the PO Overlay District maximum of 75 percent, this is reduced to 107 (previously 119) spaces maximum. The applicant is requesting a variance of the maximum allowable spaces to 180 spaces. Staff is recommending approval for the variance of PO Overlay District maximum of 107 spaces to 143 spaces, but not to exceed the Chapter 541 use maximum of 143 spaces.

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While the applicant proposes the same number of parking spaces previously approved by the City Planning Commission, the requested variances would be more substantial given the reduction in the size of the building. The previously approved variance granted an increase of 51 percent ($180 - 119 = 61$; $61 / 119 = 51\%$). The proposed variance is an increase of 68 percent ($180 - 107 = 73$; $73 / 107 = 68\%$). Applying the percentage increase from the previous approval of 51 percent would allow 162 parking spaces ($107 * 51\% = 55$; $55 + 107 = 162$).

The Planning Commission granted a variance of both maximums based on the findings that the variance would allow a reasonable increase in the amount of parking, the applicant provided information that the fitness center has unique and high-volume customer activity, including overlapping classes with timing based on their experience with customer demand in this area, there is infrequent bus service during certain days and times of the day, and the use will add bicycle parking. The commission also added conditions for public art on 2nd Avenue North to create pedestrian interest and the bike parking equal to 20 percent (36 spaces) of the total number of automobile parking spaces be provided.

The applicant has noted that the factors above are still relevant and that they will comply with the conditions of approval. In addition, they have noted that the operations of the facility have not changed, but the reduction in square footage comes from common areas, such as the atrium lobby.

The site is mainly vacant land and parking on the street frontages with an older building in the center of the site. The southerly portion of the lot did not have the PO Overlay and the applicant added it as a part of the rezoning to the C2 District. The PO District is designed to preserve and encourage the pedestrian character of commercial areas. In this case it was added as apart of the rezoning study of the area to encourage a pleasant pedestrian area, which currently does not exist at the site. In the future, the property owners have discussed a phase two development that would include new buildings and structured parking. While the future development is not guaranteed the proposed parking lot can be a positive interim step until further development is possible. Reducing the parking to 107 spaces, as required by the PO district regulations, may not allow a parking lot large enough to supply the parking demand for the proposed use and could be considered a hardship.

The parking maximums were adopted to promote urban design that is not dominated by parking, to improve stormwater management, and to encourage transit usage. While the proposed parking lot has been designed to meet or exceed stormwater management requirements, a parking lot of this size does not encourage the use of any mode of travel besides the single-occupant car. The addition of bike parking will improve this situation, but the variance will discourage the use of other modes of travel. Staff can find no hardship to exceed the Chapter 541 parking maximum requirement of 143 spaces to 180 spaces.

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- 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 existing site is vacant industrial land with underutilized buildings and parking. The proposed development will significantly improve the area and provide landscaped buffers with trees along the street frontages. It is not a case where existing storefront buildings will be removed for surface parking. This situation is not generally applicable to properties in the PO District. Exceeding the PO Overlay district requirements is a reasonable use of the property.

Staff can find no unique circumstance about the site or the use that supports exceeding the established parking maximums of Chapter 541.

- 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.**

The intent of the ordinance is to preserve and encourage the pedestrian character of commercial areas and to promote street life and activity. The development will not remove storefront buildings or degrade the existing pedestrian. It will improve the pedestrian character by providing landscaped buffers with trees along the street frontages. While staff would not normally recommend a variance for a parking lot this large in a PO District in this case the variance of the PO Overlay district maximum should not circumvent the intent of the ordinance.

The parking maximums were adopted to promote urban design that is not dominated by parking, to improve stormwater management, and to encourage transit usage. While the proposed parking lot has been designed to meet or exceed stormwater management requirements, a parking lot of this size does not encourage the use of any mode of travel besides the single-occupant car. The addition of bike parking will improve this situation, but the variance will discourage the use of other modes of travel. Staff can find no hardship to exceed the Chapter 541 parking maximum requirement of 143 spaces to 180 spaces.

- 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 variance will allow for a more intensive use with increased customer traffic beyond the existing uses, but not to a level that is out of character with a commercial corridor near downtown. It should not be detrimental to the public welfare or safety or increase the danger of fire.

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RECOMMENDATION:

Recommendation of the Community Planning and Economic Development Department - Planning Division for the parking maximums variance:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the a variance to exceed the PO Overlay District maximum of 107 spaces to 143 spaces and **deny** a variance to exceed the Chapter 541 maximum of 143 spaces to 180 spaces for property located at 1000 – 2nd Avenue North, 1100 & 1102 – 2nd Avenue North, 250 Fremont Avenue North, and 227 Colfax Avenue North (1010 2nd Avenue North).

Attachments:

1. PDR report.
2. Statements from applicants.
3. Zoning maps.
4. Site plans, floor plans, and elevations.
5. Photos.