

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-4102

Date: July 17, 2008

Applicant: Christian Johnson

Address of Property: 2404 Hennepin Avenue

Contact Person and Phone: Christian Johnson, 612-812-2243

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

Date Application Deemed Complete: June 23, 2008

Publication Date: July 11, 2008

Hearing Date: July 17, 2008

Appeal Period Expiration: July 28, 2008

End of 60 Day Decision Period: August 24, 2008

Ward: 10 **Neighborhood Organization:** East Isles (adjacent Lowry Hill East)

Existing Zoning: C2 Neighborhood Commercial Corridor District

Proposed Use: Interior renovation of a retail space into a coffee shop

Proposed Variances: A variance to reduce the required off-street parking requirement from 42 to 13 spaces to allow for the conversion of a retail space to a coffee shop in a multi-tenant property (six tenants) at 2404 Hennepin Avenue in the C2 Neighborhood Corridor Commercial District.

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

Background: The subject site is an existing commercial building that is proposed to be changed from a retail use to a coffee shop. The building is also located on the same zoning lot as five other businesses. The required parking for the coffee shop is 22 spaces; however, due to the shared parking situation of the six businesses in the rear parking lot, the variance request is to reduce the entire zoning lot's parking requirement. The overall site requirement for parking is 42 spaces.

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The rear parking area has thirteen (13) parking spaces that are shared among the six tenants. The other businesses on this zoning lot are retail and office spaces, such as Via's Vintage Wear (clothing store), Sudz (hair salon), a small law firm, a technology support office, and a chiropractic office. The space that the proposed coffee shop is locating to was most recently a stationary store (Paper-gami). These buildings were built during the 1910's, at a time when streetcars ran on Hennepin Avenue and this corner had a stop. There is a triangular plaza in front of the buildings that is owned and maintained by the City of Minneapolis, Right of Way. This area currently has landscaping and benches.

The subject property is located at the corner of Hennepin Avenue and West 24th Street. There is midway bus service along Hennepin, and West 24th Street, include Metro Transit Routes 6, 12, 17 and express busses to the University of Minnesota. This area surrounding the subject site is a mix of commercial uses and high density residential, including the Lowry Hill East (the Wedge) and East Isles Neighborhoods.

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.**

Due to the size of the existing parking area, strict adherence to the zoning code prevents the proposed conversion of retail space into a coffee shop. The parking lot does not have the size to accommodate the entire off-street parking requirement for the coffee shop and the other commercial uses on the zoning lot. Due to the size and configuration of the property, the proposed parking variance is a reasonable use of the commercial 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 circumstances are unique to parcel of land due to the lot size and the configuration of buildings on the lot. The proposed coffee shop is an allowed use in the C2 District and is going into an existing tenant space, however, the parking requirement for food-related uses are much higher than retail uses. The size of the parking area and configuration of the buildings are not a circumstances 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 increase parking requirement for food-related uses acknowledges that there is often more patrons visiting coffee shops at one time than a retail or office space. The area around the subject site has a number of other commercial and higher density residential uses, which adds to the pedestrian

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nature of the area and encourages the walkable nature of the area. Staff assumes that many visitors to the coffee shop will arrive by transportation modes other than single-occupancy vehicles. The availability of midway and rush hour bus service also alleviates the need for a large parking lot.

- 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 proposed variance would likely have no impact on public safety; however, congestion related issues may result, as a coffee shop may attract more visitors. In order to alleviate parking pressure, the applicant should work with Public Works to install bike racks in the public right-of-way plaza area in front of the subject building to provide a minimum number of four bike 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 off-street parking requirement from 42 to 13 spaces to allow for the conversion of a retail space to a coffee shop in a multi-tenant property (six tenants) at 2404 Hennepin Avenue in the C2 Neighborhood Corridor Commercial District, subject to the following conditions:

1. Install bike racks that can accommodate a minimum of four bikes, and
2. CPED–Planning Division review and approve the final site plan, floor plans, and elevation. All drawings will be measured to an architect or engineer’s scale.