

Department of Community Planning and Economic Development – Planning Division
Variance
BZZ 4985

Date: November 4, 2010

Applicant: Charles Levin Architects

Address of Property: 3808 Nicollet Avenue South

Contact Person and Phone: Charles Levin, (612) 729-5333

Planning Staff and Phone: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: October 8, 2010

End of 60-Day Decision Period: December 7, 2010

Ward: 8 Neighborhood Organization: Kingfield Neighborhood Association

Existing Zoning: C2 Neighborhood Corridor Commercial District

Zoning Plate Number: 31

Proposed Use: Development achievement center

Variance to reduce the required number of off-street parking spaces from approximately 25 spaces to 19 to allow for a development achievement center.

Applicable zoning code provisions: Chapter 525, Article IX Variances, Specifically Section 525.520(6) “to vary the applicable minimum...number of required off-street parking...”

Background: The subject site is approximately 80 ft. x 191 ft. (15,280 sqft) and consists of a 24,120 sq.ft., two-story plus basement, commercial storefront building. The structure was constructed on to this lot in 1950 and a large addition was constructed in 1963. The off-street parking area for the subject property has been historically located to the south of the existing building. The building is currently vacant and the previous tenant was Thiesen Vending.

The parking requirement for a development achievement center is 1 parking space per 500 sq. ft. of gross floor area. The gross floor area of the use is 13,823 sq. ft. Based on the floor area, 25 parking stalls would be required for the use. The zoning code requires more off-street parking for this use than were required for the previous use. The required parking may be reduced by 10% meeting the bicycle incentive per 541.220, which reduces the required parking to 25 spaces. There are 19 off-street parking spaces provided on the site. Therefore the applicant is applying for a variance to reduce the required

number of off-street parking spaces from approximately 25 spaces to 19 to allow for a development achievement center.

VARIANCE: to reduce the required number of off-street parking spaces from approximately 25 spaces to 19 to allow for a development achievement center.

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.**

The applicant is seeking a variance to reduce the required number of off-street parking spaces from the required 25 spaces to 19 spaces. The applicant states that the development achievement center is intended to serve members who will walk, bike or take the bus to the non-profit. According to the Executive Director of The Aliveness Project, statistics show that approximately 50% of the members will arrive by public transportation and this location was ideal due to nearby transit lines. The parking requirement is driven by the existing floor area of the building and limits the reuse of the existing building. The site plan shows the existing structure, which occupies the majority of the site and does not allow for any additional area devoted to off-street parking. Strict adherence to the regulations would not allow for the proposed development achievement center based on the parking requirement and would cause undue hardship.

- 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 for which the variance is sought are unique to the parcel of land and have not been created by the applicant. The subject site is located within a commercial node at an intersection of two community corridors as defined by the Minneapolis Plan for Sustainable Growth and was, at one time, served by a street car line. The structure was previously occupied by a vending machine repair and storage use, which predated the parking standards and requirements in the current Zoning Ordinance. The subject site does not permit any area sufficient enough in size to allow for any additional off-street parking area. The constraints of the site have been created by the existing building location and the size of the lot and are not 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 not alter the essential character of the surrounding neighborhood and will not be injurious to the use or enjoyment of other property in the area. The applicant states that the development achievement center is intended to serve members who will walk, bike or take the bus to the non-profit. According to the Executive Director of The aliveness Project, statistics show that approximately 50% of the members will arrive by public transportation and this location was ideal due to nearby transit lines. In addition, the existing restaurant is located on Nicollet Avenue and near 38th Street East which are both well served by several bus routes that

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run 24 hours per day. Consistent with policies for neighborhood commercial nodes, the variance would allow for transitioning away from the light industrial and warehousing use that previously occupied the building.

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.

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.

RECOMMENDATION:

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Variance:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance reduce the required number of off-street parking spaces from approximately 25 spaces to 19 to allow for a development achievement center located at 3808 Nicollet Avenue in the C2 Neighborhood Corridor Commercial District..

Attachments:

- 1) Written descriptions and findings submitted by the applicant
- 2) Copy of e-mail sent to Kingfield Neighborhood Association and CM Quincy
- 3) E-mail sent from Kingfield Neighborhood Association
- 4) Zoning map
- 5) Site plan
- 6) Floor plans
- 7) Photographs