

**Department of Community Planning and Economic Development – Planning Division Report**

Variance Request  
BZZ-3244

**Date:** October 19, 2006

**Applicant:** Christian Dean, CityDeskStudios

**Address of Property:** 1101 Washington Avenue South

**Date Application Deemed Complete:** September 27, 2006

**End of 60 Day Decision Period:** November 27, 2006

**Appeal Period Expiration:** January 26, 2007

**Contact Person and Phone:** Christian Dean, 612-872-2398

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

**Ward:** 7      **Neighborhood Organization:** Downtown East Neighborhood

**Existing Zoning:** I1 Light Industrial District, IL Industrial Living Overlay District and DP Downtown Parking Overlay District

**Proposed Use:** Establishing a restaurant in a commercial building

**Proposed Variance:** A variance to reduce the required off-street parking requirement from 61 spaces to 4 spaces to establish a restaurant on the ground floor of a commercial building located at 1101 Washington Avenue South in the I1 Light Industrial District and the IL Industrial Living Overlay District and DP Downtown Parking Overlay District.

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

**Background:** The subject property is a corner lot approximately 10,890 sq. ft. and consists of a three story building built in 1883. In May, 2005, a parking variance (*BZZ-2372*) was granted for this building to allow for remodeling into new uses. The building, formerly Frank's Plumbing, was converted from one ground floor retail use and storage space on the second and third stories to two proposed ground floor retail uses and office use on the second and third stories. At the time of the 2005 parking variance, the off-street parking calculation was based on two ground floor retail uses anticipated by the applicants. A condition of approval for the 2005 parking variance was for the applicant to incorporate a bicycle rack to accommodate a minimum of four bicycles. At this time, however, the building owner is proposing to lease the two ground floor retail spaces to one restaurant use.

The off-street parking requirement for a restaurant use is much greater than a retail use. Based on the customer area of the proposed restaurant, the off-street parking requirement for the restaurant is 61 spaces. The building does have a parking lot that accommodates 16 parking spaces. For the purposes of calculating the off-street parking requirement for the building, 4 parking spaces of the parking lot can be allocated to the ground floor uses based on the floor area of the first, second and third floors. The remaining 12 spaces are allocated to the second and third floor office space. The off-street parking for the restaurant is based on the customer area, including the seating, bar and lobby areas.

For parking to be reduced more than 20 percent of the requirement, the building must serve “pedestrian or transit-oriented trade or occupancy, or is located near an off-street parking facility that is available to the customers, occupants, employees and guests of the use.” The subject site is at the edge of Downtown and four blocks east of the area currently zoned for Downtown Districts, but is not in a Pedestrian Overlay District. The subject site is approximately one-half mile from the Metrodome Light Rail Station and is at the northwest edge of the Downtown Bus Zone, which allows for reduced fares through downtown. There are bus stops along Washington Avenue South with midday service. There is also a number of parking ramps and surface lots near the subject site. In addition, CPED staff brought forth a rezoning proposal to the City Planning Commission in September, 2006, to expand the areas zoned Downtown Districts. The proposed zoning change to this property would be B4S-1 Downtown Service District which would have a substantially smaller parking requirement. These proposed zoning changes have been recommended by the City Planning Commission for approval by the City Council in late October 2006.

**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 for a restaurant use from 61 spaces to 4 spaces. Due to the size of the property, the parking lot on the site accommodates 16 parking spaces, 4 of which are allocated to the first floor use. Strict adherence to the parking code regulations in the Zoning Code would prevent any use, including a restaurant, with an off-street parking requirement greater than 16 spaces.

- 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 building was built in 1883, prior to the adoption of the Minneapolis Zoning Code in 1924 and prior to off-street parking regulations added in 1963. While the site can accommodate 16 parking spaces on site, 4 of which are allocated to the proposed restaurant, the size of the property is not large enough to provide all the required

parking. The age of the building and size of the property 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 renovation of the subject property and subsequent parking variance in 2005 has added to the commercial character along Washington Avenue South and the surrounding area. There is ample parking found in parking ramps and surface lots in this area and the site will be well served by the increased residential development within walking and bicycling distance of the building. The subject site is located on the outer edge of Downtown, in an area proposed for rezoning to Downtown Service District in late 2006.

- 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. There are multiple public parking surface lots and ramps near this site, as well as access to public transportation via the Hiawatha LRT and buses. In addition to public transportation, the site is accessible by bicycle and pedestrian connections, including the Mississippi River Parkway, downtown bike lanes, Washington Avenue bus routes, and Light Rail.

**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 61 spaces to 4 spaces to establish a restaurant on the ground floor of a commercial building located at 1101 Washington Avenue South in the I1 Light Industrial District, the IL Industrial Living Overlay District and DP Downtown Parking Overlay District, subject to the following conditions:

1. That the Planning Division review and approve building permits for interior renovation.