

Department of Community Planning and Economic Development – Planning Division
Rezoning, Conditional Use Permit and Variances
BZZ-4710

Date: March 29, 2010

Applicant: Abdirahim Omar

Addresses of Property: 3025 5th Avenue S

Project Name: Kamals Restaurant and Food

Contact Person and Phone: Abdirahim Omar (612) 501-8299

Planning Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: March 2, 2010

End of 60-Day Decision Period: May 1, 2010

End of 120-Day Decision Period: June 30, 2010

Ward: 8 **Neighborhood Organization:** Central Area Neighborhood Organization

Existing Zoning: R2B Two-Family District

Proposed Zoning: R2B Two-Family District and TP Transitional Parking Overlay District

Zoning Plate Number: 25

Legal Description: Lot 014, Block 001, Hastings Second Addition to Minneapolis

Proposed Use: Accessory parking lot

Concurrent Review:

- Petition to rezone the property at 3025 5th Avenue S from R2B Two-Family District to R2B Two-Family District and TP Transitional Parking Overlay District.
- Conditional use permit to allow a parking lot in the R2B Two-Family District and TP Transitional Parking Overlay District.
- Variance to reduce the required north side yard setback from 5 feet to 0 feet.
- Variance to the maximum impervious surface requirement from 65 percent to 77 percent.
- Variance of the Transitional Parking Overlay District standards requiring that the entrances and exits are located at least twenty (20) feet from any adjacent property located in a residence or office residence district to allow for a parking lot.
- Variance to reduce the required 7-foot landscaped yard between the parking lot and the adjacent residential lot to 0 feet.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments, Chapter 525, Article VII, Conditional Use Permits, Chapter 525, Article IX, Variances, Chapter 530 Site Plan Review, Chapter 551 Overlay Districts and Chapter 541 Off-Street Parking and Loading.

Background: Abdirahim Omar has submitted land use applications to allow for an accessory parking lot to be established on property at 3025 5th Avenue S. The parking would be to accommodate a proposed restaurant in the first floor of the building at 3021 5th Avenue S. The second floor of the building will be used as storage for a wholesaling, warehousing and distribution use. Accessory parking for the building is currently located on the north side of the building, at 3017 5th Avenue S. The site proposed for the additional accessory parking is located mid-block, between Lake Street and 31st Street E. The subject site has most recently been used illegally as a parking lot.

The required parking for the restaurant use is 15 spaces and the storage area requires four spaces. The building has non-conforming rights to four parking stalls and the applicant is therefore required to provide 15 stalls. This number may be further reduced by one space for each use by providing a minimum of four bicycle parking spaces per use, resulting in a potential requirement of 13 stalls. The applicant is proposing 19 parking stalls with the addition of the accessory parking lot at 3025 5th Avenue S.

The applicant has proposed the accessory parking lot to provide parking for the customers of the new 5,236 square foot restaurant. The parking lot also requires several land use applications. The proposed accessory parking lot is located in the R2B Two-Family District and the use is prohibited. Therefore, the applicant has applied to rezone the parcel to add the TP Transitional Parking Overlay District. In addition, accessory parking lots are conditional uses in the TP Overlay District and a conditional use permit is required. The applicant is intending to allow for 9 standard sized parking spaces in the accessory parking lot; all of which are located in the required side yard on the north side of the property. A variance has been applied for accordingly. The landscaping and screening standards of Chapter 530 require a landscaped yard of at least 7 feet where parking and loading abuts a residence or office residence district. The property to the south is zoned R2B and no landscaped yard is provided for the first 100 feet of the south property line. The applicant has requested a variance from this provision. The maximum amount of impervious surface allowed in the R2B District is 65 percent. The site plan shows 1,099 square feet of landscaping on a 4,760 square foot lot; equivalent to 77 percent impervious surface. A variance has been requested for this provision as well. Finally, there is a standard in the TP Overlay that requires that the entrances and exits to the parking lot be located at least twenty (20) feet from any adjacent property located in a residence or office residence district. The adjacent property to the south is also zoned R2B Two-Family District and contains a single family home. The curb cut is proposed two feet from this property line.

Continuance: The applicant has requested that this item be continued for one cycle in order to gather additional information and make changes to the application. Staff is recommending that this application be continued one cycle, to April 12, 2010, to honor this request.

RECOMMENDATIONS:

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **continue** the petition to rezone the property of 3025 5th Avenue S South to add the TP Transitional Parking Overlay District to allow for an accessory parking lot to the April 12, 2010 City Planning Commission meeting.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the Conditional Use Permit:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a conditional use permit to allow a parking lot for the property located at 3025 5th Avenue South in the R2B Two-Family District to the April 12, 2010 City Planning Commission meeting.

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 **continue** the application for a variance to reduce the north side yard setback from 5 feet to 0 feet to allow a parking lot for the property located at 3025 5th Avenue South to the April 12, 2010 City Planning Commission meeting.

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 **continue** the application for variance to increase the maximum impervious surface requirement from 65 percent to 77 percent for the property located at 3025 5th Avenue South to the April 12, 2010 City Planning Commission meeting.

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 **continue** the application for a variance of the Transitional Parking Overlay District standards requiring that the entrances and exits are located at least twenty (20) feet from any adjacent property located in a residence or office residence district to allow for a parking lot located at 3025 5th Avenue South to the April 12, 2010 City Planning Commission meeting.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a variance to reduce the required landscaped yard from 7 feet to 0 feet for the property located at 3025 5th Avenue South to the April 12, 2010 City Planning Commission meeting.

Attachments:

1. Zoning map
2. Request for continuance from applicant