

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-3321**

Date: December 7, 2006

Applicant: Sarah Leschinsky on behalf of Stadium Village Plaza, LLC

Address of Property: 917 Washington Avenue Southeast

Contact Person and Phone: Sarah Leschinsky, (612) 338-1000

Planning Staff and Phone: Brian Schaffer, (612) 673-2670

Date Application Deemed Complete: November 8, 2006

Public Hearing: December 7, 2006

Appeal Period Expiration: December 18, 2006

End of 60 Day Decision Period: January 8, 2006

Ward: 2 Neighborhood Organization: Prospect Park East River Road Improvement Association

Existing Zoning: C2, Neighborhood Commercial Corridor District and PO Pedestrian Oriented Overlay District

Proposed Use: Converting one existing tenant space into three new tenant spaces.

Proposed Variance: A variance to reduce the required off-street parking from 75 to 35 spaces to convert a video store into three new retail establishments at 917 Washington Avenue Southeast in the C2 Neighborhood Commercial Corridor District and PO Pedestrian Oriented Overlay District.

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

Background: The subject site is a multiple tenant building, known as the Stadium Village Plaza, that is located on the northwest corner of the intersections of Washington Avenue Southeast and Huron Boulevard Northeast. The Stadium Village Plaza contains two buildings with six total tenants who share a common drive and parking area. The west building contains three tenants: Burger King, U Wireless, and Blockbuster. The east building also contains three tenants: Sushi Express, GNC, and Jasmine House.

The applicant is proposing to divide the Blockbuster space into three new tenant spaces for a coffee shop, a tanning salon, and a restaurant. The coffee shop requires 15 parking spaces, the tanning salon

requires 4, and the restaurant requires 20 spaces. In total, the addition of these three tenants requires 39 additional off-street parking spaces. However, there are 10 spaces grandfathered from the former Blockbuster resulting in a new requirement of 29 additional off-street parking spaces. The site currently provides 35 off-street parking spaces and has two bike racks. In 1997, when the property was developed, it received a parking variance (V-4156) to reduce the off-street parking requirement from 56 to 35 spaces, a 21 space or 18.6 percent reduction.

In effect, the current application to reduce the off-street parking requirement from 75 to 35 spaces is a variance to reduce the off-street parking from 75 to the previously approved 56 spaces, a 19 parking space reduction.

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 has requested a variance to reduce the required off-street parking from 75 to 35 spaces to convert a video store into three new retail establishments in the Stadium Village Plaza. The property is zoned C2 Neighborhood Commercial Corridor and PO Pedestrian Overlay District. The intent of the PO District is to “encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities by prohibiting certain high impact and automobile-oriented uses.”

There is no room for additional parking on the site. The site is located near bus lines making transit very accessible. Requiring that this use provide the full parking requirement when there is evidence that there is and will continue to be significant pedestrian traffic and transit available may not allow a reasonable use of the 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 circumstance for which the variance is sought is unique to the parcel of land and have not been created by the applicant. The subject site does not permit any area sufficient enough in size to allow for all of the required off-street parking. The constraints of the site have been created by the existing building locations and the size of the lot and are not 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.**

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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 subject site is located in the Pedestrian Overlay District in order to support the preserving and encouraging of the pedestrian character of commercial areas and promoting street life. In addition, the site is located on Washington Avenue which is well served by several bus lines and structured parking facilities. The site is also along the proposed Central Corridor LRT route.

- 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. While a restaurant and coffee shop use have a higher requirement for parking than some other more general retail uses, staff does not believe that the additional establishments will negatively impact the surrounding neighborhood. There are multiple bus lines serving Washington and University and a number of structure parking facilities within a short walking distance.

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 from 75 to 35 spaces to convert a video store into three new retail establishments at 917 Washington Avenue Southeast in the C2 Neighborhood Commercial Corridor District and PO Pedestrian Oriented Overlay District subject to the following condition:

1. CPED-Planning review and approve final site plans, floor plans and elevations.