

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-3350

Date: January 8, 2007

Applicant: Steve Allen

Address of Property: 4701 Hiawatha Avenue

Project Name: Hiawatha Falls Liquors

Contact Person and Phone: Steve Allen, 612-581-2572

Planning Staff and Phone: Michael Wee, 612-673-5468

Date Application Deemed Complete: November 29, 2006

End of 60-Day Decision Period: January 28, 2007

End of 120-Day Decision Period: Not applicable in this application

Ward: 12 **Neighborhood Organization:** Hiawatha, Ericsson, and Minnehaha

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

Proposed Zoning: N/A

Zoning Plate Number: 34

Legal Description: Not applicable for this application

Proposed Use: Establishment of an Off-Sale Liquor Store

Concurrent Review: Conditional Use Permit for a liquor store in C2 District (Chapter 548)

Background: The property is a retail shopping center located south of 46th Street along Hiawatha Avenue. A rezoning and a site plan were approved in January 11, 1989 (PR-153 and P-831) for the shopping center development of 37,945 square feet on a 2.91 acre lot known as the Hiawatha Plaza. The approval required 165 surface parking spaces but 187 spaces were provided. The shopping center is a one story structure and located on a relatively flat land.

There are currently 15 stores and 2 office spaces in this shopping center. There are no peripheral landscaping materials in the entire property, as observed on a site visit.

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The applicant is signing a 5-year lease agreement to establish an off-sale liquor store (1,054 square feet) in the Hiawatha Plaza shopping center. A wide range of businesses are in the shopping center including a dry cleaner, restaurant, video store, and offices, and a Walgreens corporate office. In the immediate surrounding to the north are retail stores such as Walgreens and Burger King along Hiawatha Avenue. The adjoining properties include an industrial use to the east and commercial uses both to the north and to the south. A railroad corridor borders the shopping center property to the east.

A map provided by the applicant indicated the nearest off-sale liquor store in proximity is approximately 3,000 feet to the southwest of the proposed location. Residential areas are concentrated to the east one block away and across Hiawatha Avenue and Mississippi River to the west.

The property is also located in a Pedestrian Overlay District and Shoreland Overlay District. Standards under these overlay districts do not apply for this request. The required off-street parking for the liquor store is 4 spaces, but being in a PO district, only 3 is required per Section 551.175(5)(a).

No comments have been received from neighborhood groups at the time of writing this staff report.

CONDITIONAL USE PERMIT: To allow the establishment of an off-sale liquor store in C2 District.

Findings as required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The existing shopping center has a wide range of stores in operation including a video store, restaurants, dry cleaner, and offices. Approving an off-sale liquor store in the shopping center should not prove detrimental to public health, safety, comfort or general welfare provided the applicant complies with all applicable building codes. Hours of operation will be from 10 a.m. to 10 p.m. Monday through Saturday and closed on Sundays in compliance with Section 548.300 of the zoning code. As part of licensing process, the business will be regularly monitored and any specific operational issues will be addressed through licensing office.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

Staff does not anticipate any incidents that may be injurious to the use and enjoyment of other property in the vicinity. The addition of the proposed store will not impede the normal and orderly development of surrounding properties, which is already fully developed. Store sign will include individual letter wall sign which is consistent with other retail stores in the shopping center. The sign will have an area of approximately 31 square feet installed on the fascia of the store front.

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3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The site is served by existing infrastructure and deemed adequate. No additional requirements are anticipated.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The proposal may increase current traffic conditions in the surroundings, but it will be insignificant in volume. A significant grade change from Hiawatha Avenue to the shopping center required its access to be located to the north end of the property through an interior drive. Any possible traffic increase from the shopping center will not directly impact Hiawatha Avenue.

5. Is consistent with the applicable policies of the comprehensive plan.

The Minneapolis Plan supports reinvestment along major urban corridors as a way of promoting growth in all neighborhoods (Policy 4.1). The applicant is leasing a retail space that has become available and proposing an off-sale liquor store, which will provide a wide range of goods and services to surrounding residents, of which Policy 4.4 of the Comprehensive Plan advances.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

Staff is not aware of any applicable regulations in a C2 District that will conflict with the proposed off-sale liquor store.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit to allow the establishment of an off-sale liquor store at 4701 Hiawatha Avenue.

Attachments:

- Statement of use
- Zoning map
- Plans
- Photos