

Department of Community Planning and Economic Development - Planning Division
Change of a Nonconforming Use
BZZ-5469

Date: February 21, 2012

Applicant: Michael West

Address of Property: 2427 Golden Valley Road

Contact Person and Phone: Michael West (612) 986-7061

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

Date Application Deemed Complete: January 24, 2012

End of 60 Day Decision Period: March 24, 2012

Ward: 5 Neighborhood Organization: Northside Residents Redevelopment Council

Existing Zoning: R2B Two-family District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 7

Legal Description: Not applicable for this application

Proposed Use: Barber shop

Concurrent Review:

- **Change of nonconforming use:** Change of nonconforming use from a contractor's office to a barber shop in the R2B Two-family District.

Applicable Code Provisions: Chapter 531, Nonconforming Uses and Structures.

Background: Michael West has submitted an application for a change of non-conforming use for the property at 2427 Golden Valley Road. The structure was originally built as a commercial building in 1924 and contains two tenant spaces. The tenant space subject to this request was most recently occupied by a contractor's office. The request at this time is for a change of non-conforming use to a barber shop. The tenant space is 620 square feet in area and is located at the front of the building, facing Golden Valley Road.

The subject building was constructed in 1924. The property's first zoning classification, per the 1924 Zoning Ordinance, was commercial. In the 1963 Zoning Ordinance the property was zoned B2, which allowed a wide array of commercial uses. In 1976 the property was rezoned from B2 to R2B as part of

the Willard Homewood 40 acre study. At that time, any commercial uses in the building became non-conforming. At the time of the zoning change the building was used as a grocery store and delicatessen. After these uses vacated the building, it was used as office space from approximately 1975 to 1985. From 1986 to 1988 the subject space functioned as a hair salon. The Northside Glass Company, a contractor's office, moved into the rear tenant space in 1989 and the front tenant space contained a retail use. In 1997 the building was purchased by the current owner. The subject tenant space was occupied by a contractor's office until the summer of 2011. The rear tenant space contains a wood crafting use.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Any comments received from the neighborhood will be forwarded to the Planning Commission.

Findings As Required By The Minneapolis Zoning Code (change of nonconforming use from a grocery store to retail):

The Community Planning and Economic Development Planning Division has analyzed the application and makes the following findings:

The Planning Commission may approve a proposed change in use if the use meets the following standards as specified in section 531.80 of the Zoning Code:

(1) The proposed use is compatible with adjacent property and the neighborhood.

The site is bordered by a single family home to the east and a duplex across the alley to the south. Other uses at the intersection include a small park, a child care center and an 11-unit residential building. The subject building has contained commercial uses since at least 1956. The proposed barber shop will be located entirely within the building. In that regard, the proposed use is compatible with adjacent property in the neighborhood.

(2) The proposed use is less intense than the existing, nonconforming use.

(a) Hours of operation: According to the applicant, the hours of operation for the previous contractor's office use were 8:30 a.m. to 3:30 p.m. Monday through Sunday. The proposed hours of operation for the barber shop are 8:30 a.m. to 7:00 p.m. While the proposed hours of operation are longer, the hours are not expected to have a detrimental impact on the surrounding area. Hours of operation are now under the purview of Business Licensing but are still regulated by zoning district. The permitted hours of operation in the R2B district are 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday. The hours proposed are within the parameters allowed for the R2B district.

(b) Signage: The previous use had a small wall sign on the west building wall. While the specific design has not been finalized, the applicant has indicated that the barber shop would have one sign on an awning facing Golden Valley Road. Chapter 543 of the Zoning Ordinance states the following regarding new signs for non-conforming uses:

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Newly established signs located on nonconforming uses shall be limited to one non-illuminated, flat wall identification sign, not to exceed sixteen (16) square feet in area and fourteen (14) feet in height. In addition, on a corner lot, two (2) such signs per building, except as otherwise allowed in the manner provided for in Chapter 531, Nonconforming Uses and Structures, governing expansion or alteration of legal nonconforming uses and structures.

Any future signage for the barber shop would have to comply with these regulations.

(c) Traffic generation and safety: The proposed barber shop is expected to have similar traffic impacts to those of the previous contractor's office. Due to the limited size of the tenant space, the amount of traffic generated should be minimal. The site has some off-street vehicle parking and bicycle parking will be provided. Midday bus service is available along Golden Valley Road. Bus service includes a stop at the intersection of Golden Valley Road and Sheridan Avenue North, across the street from the subject site. In that regard, the amount of traffic generated is not expected to have a negative impact on surrounding properties and staff has no concerns about safety.

(d) Off-street parking and loading: The subject tenant space is 620 square feet. Uses with less than 1,000 square feet of gross floor area are not subject to a minimum parking requirement. The previous contractor's office was also exempt from an off-street parking requirement. The building has three parking spaces accessed from Sheridan Avenue North and two garage spaces. The surface spaces are non-conforming because they do not have a drive aisle. However, the proposed use will not rely on these spaces for parking.

Due to the limited size, the use is also exempt from the minimum bicycle parking requirements. The previous contractor's office did not have a minimum bicycle parking requirement. While not required, the applicant has stated that a bike rack can be accommodated on the site to offer more transportation options. As a condition of approval, staff is recommending that a minimum of three bicycle parking spaces be provided for the use.

(e) Nature of business operations: The previous use was a contractor's office. A contractor's office is classified as retail sales and services in the zoning code and is a conditional use in all commercial districts. The proposed barber shop is classified as "general retail sales and services" and is a permitted use in all commercial districts. The nature of the proposed use is expected to be less intense in terms of business operations, and is not expected to have a detrimental impact on the surrounding area.

(f) Number of employees: According to the applicant, the previous contractor's office had two employees. The barber shop has space for a total of five barbers. However, it is expected that the maximum number of employees working at any given time is three. This number of employees is not expected to have any significant impact on the surrounding area.

(g) Building Bulk: The existing building is 2,851 square feet in area. No exterior modifications or additions are proposed for the building and thus the bulk would remain the

same. Therefore, converting the tenant space to a barber shop would have no impact on the building bulk.

(h) Aesthetic impacts on surrounding property: Converting the front tenant space from a contractor's office is not expected to have any aesthetics impacts on surrounding property. As stated above, no exterior modifications are proposed to the building at this time. In 2011 the building owner replaced the front windows and door and the overhead doors on the garage, facing Sheridan Avenue North. The applicant is not proposing any additional aesthetic changes to the property at this time. As a condition of approval, staff is recommending that all portions of the building containing plain face CMU be painted uniformly.

(i) Noise, odor, heat, glare and vibration: The proposed use, as with the previous use, is not expected to generate noise, odor, heat, glare or vibration.

Based on the above analysis, the proposed barber shop use should not be more intense than the previous contractor's office use, with the attached conditions of approval.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the change of nonconforming use from a contractor's office to a barber shop in the R2B Two-family Residence District for the property at 2427 Golden Valley Road, subject to the following conditions:

1. All portions of the building that contain plain face CMU shall be painted uniformly.
2. A minimum of three bicycle parking spaces shall be provided.

Attachments:

1. Zoning map
2. Statement from applicant
3. Letters to Ward 5 City Council Office and Northside Residents Redevelopment Council
4. Site plan and floor plans
5. Photos