

**Department of Community Planning and Economic Development**  
Variance and Site Plan Review  
BZZ 6394

**Date:** January 13, 2014

**Applicant:** 2500 University LLC

**Address of Property:** 2500 University Avenue NE

**Contact Person and Phone:** Luke Derheim, (612) 788-2529

**CPED Staff and Phone:** Shanna Sether, (612) 673-2307

**Date Application Deemed Complete:** December 19, 2013

**End of 60-Day Decision Period:** February 17, 2014

**Ward: 3**      **Neighborhood Organization:** Holland Neighborhood Improvement Association, adjacent to Bottineau Neighborhood Association and Concerned Citizens for Marshall Terrace

**Existing Zoning:** C1 Neighborhood Commercial District

**Zoning Plate Number:** 9

**Legal Description:** Lots 12 and 13, Block 11, B S Wright's Addition, except the East 40 feet thereof, Hennepin County, Minnesota

**Proposed Use:** Expansion of an existing sit-down restaurant

**Concurrent Review:**

- Variance to reduce the minimum front yard setback along University Avenue NE from approximately 10 feet to 0 feet to allow for a two-story addition to an existing sit-down restaurant.
- Variance to increase the maximum gross floor area of a commercial use in the C1 Neighborhood Commercial District.
- Site plan review

**Applicable zoning code provisions:** Chapter 525, Article IX Variances, Specifically Section 525.520(1) "to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations", Chapter 530 Site Plan Review, Chapter 541 Off-Street Parking and Loading and Chapter 548 Commercial Districts

**Continuance:** The subject property is located at the northwest corner of University Avenue NE and Lowry Avenue NE. The parcel is approximately 94 feet by 187 feet (14,810 square feet). The property is Stanley's Northeast Bar Room, an existing sit-down restaurant. The applicant is also proposing to construct a two-story addition along University Avenue NE that would increase the floor area by

approximately 3,500 square feet. The proposed addition would be located in the area currently devoted to the outdoor patio. The first floor would be additional seating area and the second floor would have a new outdoor bar and patio.

The subject property is zoned C1 Neighborhood Commercial District and is adjacent to a two-family dwelling to the north. The minimum front yard setback applies to the subject parcel for the first 25 feet from the shared property line. The proposed addition would be located up to the front property line along University Avenue NE and would be located 7 feet from the north property line. Therefore, the proposed addition would be located in the required front yard setback and the applicant is seeking a variance to reduce the required minimum front yard setback along University Avenue NE from approximately 10 feet to 0 feet to allow for a two-story addition to an existing sit-down restaurant.

The proposed addition to the existing building will also require that the property be reviewed for site plan review. Finally, the applicant is also applying to amend a conditional use permit to expand their existing principal parking facility at 300, 306 and 308 Lowry Avenue NE (BZZ 6395).

The maximum floor area for all commercial uses is regulated per section 548.240(1) of the zoning code:

*548.240 (1) Maximum floor area.*

- a. In general. All commercial uses, including shopping centers, and film, video and audio production uses, shall be limited to a maximum gross floor area of four thousand (4,000) square feet per use, except for planned unit developments and as provided in sections b. and c. below.
- b. Bonus for no parking located between the principal structure and the street. If parking is not located between the principal structure and the street, the maximum gross floor area of a commercial use shall be increased to six thousand (6,000) square feet.
- c. Bonus for additional stories. If parking is not located between the principal structure and the street, and the structure in which the commercial use is located is at least two (2) stories (not including the basement), the maximum gross floor area of a commercial use shall be increased to eight thousand (8,000) square feet.

The existing restaurant is the only commercial use on the property. The existing gross floor area is 5,214 square feet. The proposed first floor addition will add 2,400 square feet and a 13 foot 2 inch by 74 foot (974 square feet) outdoor bar pavilion, server station and shed. The maximum floor area permitted on the site is 8,000 square feet and the proposed floor area is 8,588 square feet. Staff did not identify this variance until after notifications were sent. Therefore, staff is requesting a continuance for one-cycle to the February 3, 2014, city planning commission public hearing.

**RECOMMENDATIONS:**

**Recommendation of the Department of Community Planning and Economic Development for the Variance:**

The Department of Community Planning and Economic Development recommends that the City Planning Commission **continue** the variance to reduce the required front yard setback along University Avenue NE from approximately 10 feet to 0 feet to allow for a two-story addition to an existing sit-down restaurant located at 2500 University Avenue NE in the C1 Neighborhood Commercial District, one-cycle to the February 3, 2014, public hearing.

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

The Department of Community Planning and Economic Development recommends that the City Planning Commission **continue** the site plan review application to allow for a two-story addition to an existing sit-down restaurant located at 2500 University Avenue NE in the C1 Neighborhood Commercial District, one-cycle to the February 3, 2014, public hearing.

**Attachments:**

1. Zoning map