

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-2371

Date: June 13, 2005

Applicant: Bedlam Theatre, LLC

Address of Property: 504 Cedar Avenue

Project Name: Bedlam Theatre

Contact Person and Phone: Maren Ward, (612) 341-1038

Planning Staff and Phone: Lonnie Nichols, (612) 673-5468

Date Application Deemed Complete: May 18, 2005

End of 60-Day Decision Period: July 16, 2005

End of 120-Day Decision Period: Not applicable at this time

Ward: 2 Neighborhood Organization: West Bank Community Coalition

Existing Zoning: C3A (Community Activity Center) with PO (Pedestrian Oriented) Overlay

Proposed Zoning: No Change proposed, not applicable for this application

Zoning Plate Number: 21

Legal Description: No Zoning change proposed, not applicable for this application

Proposed Use: Theater, indoor in existing mixed-use commercial building

Concurrent Review: Conditional Use Permit for indoor theater

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 548, Commercial Districts, Chapter 551, Overlay Districts.

Background: Maren Ward, dba the Bedlam Theatre, has filed application for a conditional use permit for an indoor theater in an existing building located at 504 Cedar Avenue South in the C3A (Community Activity Center) district. Regular hours of operation for the C3A district are from 6:00 a.m. to 1:00 a.m. Sunday through Saturday. The Bedlam has produced 15 plays since 1993-the first half of them at off-site locations, until they moved into their existing studio at the subject site in 1996. The space has been used as a rehearsal and set construction studio for the theater productions, but the Bedlam is now

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evolving into a live performance venue and therefore seeking a CUP for an indoor theater. Prior to the Bedlam's occupancy in 1996, the subject rental space was used as a retail apparel shop for approximately three years, and prior to 1994 the space was used for several years as a maintenance workshop for a property management company. The West Bank Community Coalition has not objected to the indoor theater application.

CONDITIONAL USE PERMIT

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 establishment of an indoor theater in a building that has been used as a theater rehearsal and set construction studio for the past ten years will not be detrimental to or endanger the public health, safety, comfort or general welfare. The applicant and property, however, must comply with the applicable fire and building code provisions for maximum occupancy and accessibility.

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.

The establishment of an indoor theater in a building that has been used as a theater rehearsal and set construction studio for the past ten years 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.

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

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

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

As per the specific development standards listed in finding #6 of this report, the zoning office has determined the applicant has grandfather rights to the required amount of parking for the proposed

indoor theater. Adequate measures have been or will be provided to minimize traffic congestion in the public streets. The site is well served by public transportation, located near the Franklin Avenue and Cedar-Riverside LRT stations, and off-street parking is typically available in nearby facilities.

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

MINNEAPOLIS PLAN:

The comprehensive plan shows Cedar Avenue from Washington Avenue to 58th Street as a community corridor. The Minneapolis Plan also designates the area surrounding the intersection of Cedar Avenue and Riverside Avenue as an Activity Center. Chapter four of *The Minneapolis Plan* states the following applicable objectives and relevant implementation steps about community corridors and activity centers that are consistent with the reuse of the building at 504 Cedar Avenue to include an indoor theatre:

4.1 Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.

Relevant Implementation Steps

Develop standards based on a recognition of the qualities that make urban corridors desirable, viable and distinctly urban, including; diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements which add interest at the scale of the pedestrian.

Designate certain streets as community corridors with the adoption of this Plan.

Designate certain streets as commercial corridors with the adoption of this Plan.

4.2 Minneapolis will coordinate land use and transportation planning on designated Community Corridors streets through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.

Relevant Implementation Steps

Require that street design for these corridors preserves and enhances the strong residential character and pedestrian orientation of these streets while maintaining the street's capacity to carry current volumes of traffic.

Support the continued presence of small-scale retail sales and commercial services along Community Corridors.

Ensure that commercial uses do not negatively impact nearby residential areas.

4.4 Minneapolis will continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas.

Relevant Implementation Steps

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Provide for a range of commercial districts that provide the services required by the residents and businesses.

Plan, implement and monitor projects and programs that encourage and support the city's neighborhood commercial areas.

Encourage the economic vitality of the city's commercial districts while maintaining compatibility with the surrounding areas.

4.7 Minneapolis will identify and support Activity Centers by preserving the mix and intensity of land uses and enhancing the design features of each area that give it a unique and urban character.

Relevant Implementation Steps

Designate Activity Centers according to criteria outlined above.

Ensure that land use regulations support diverse commercial and residential development types which generate activity all day long and into the evening.

Preserve traditional urban form in buildings where it currently exists, and encourage new development to relate to traditional siting and massing, where it is already established.

Require that buildings in Activity Center districts incorporate a pedestrian orientation at the street edge.

Apply street design criteria that incorporates a pedestrian orientation and accommodates a variety of traffic (pedestrian, cyclist, transit, automobile).

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.

Chapter 536 of the zoning code, states these Specific Development Standards for a Theater, indoor:

A theater which is nonconforming as to off-street parking shall not be altered by partitioning or dividing such theater into two (2) or more separate seating areas unless sufficient off-street parking spaces are provided as required by conditional use permit, notwithstanding nonconforming parking rights. In addition to the conditional use standards, the city planning commission shall consider, but not be limited to the following factors in determining the number of off-street parking spaces required:

- (1) Documentation supplied by the applicant regarding the actual parking demand for the proposed use.
- (2) The impact of the proposed use on the parking and roadway facilities in the surrounding area.
- (3) Whether the theater is located near a parking area that is available to the customers, occupants, employees and guests of the proposed use.
- (4) The availability of alternative forms of transportation.

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 for an indoor theater located at 514½ Cedar Avenue in the 504 Cedar Avenue building, subject to the following conditions:

1. Compliance with the specific development standards for an indoor theater listed in Chapter 536 of the zoning code.

Attachments:

1. Statement of use and CUP findings
2. Letter from Property Owner
3. Insurance Statement
4. Correspondence
5. Seward Profile news article
6. Zoning map
7. Site plan and Floor plan
8. Photos