

**Department of Community Planning and Economic Development—Planning Division
Parking Variance
BZZ-2176**

Hearing Date: 2/7/05

Applicant: Brian Goff, 612-920-4706, 275-3128, fax: 612-920-4706, bril2268@msn.com

Address of Property: 3400 Nicollet Ave. S., Minneapolis, MN 55410

Project Name: Lula's Coffee Shop and Jaz

Contact Person and Phone: David Booker, 3400 Nicollet Ave. S., Minneapolis, MN 55410, 612-221-6284

Staff Contact Person and Phone: J. Michael Orange, Principal Planner. Phone: 612-673-2347; facsimile: 673-2728; TDD: 673-2157; e-mail: michael.orange@ci.minneapolis.mn.us

Date Application Deemed Complete: 1/11/05

End of 60-Day Decision Period: 3/12/05

End of 120-Day Decision Period: n/a

Ward: 10 **Neighborhood Organization:** Lyndale Neighborhood Association

Existing Zoning: C1, Neighborhood Commercial District

Zoning Plate Number: 25

Proposed Use: Application by Brian Goff to vary the parking requirement from 22 to 11 stalls for the Lula's Coffee Shop and Jaz located at 3400 Nicollet Ave. S.

Prior approvals: None, however, the Planning Commission approved the site plan review application for the Nicollet Deli located in the same building at 3404 Nicollet Ave. on 8/23/04 (BZZ-1891). The applicant, Mr. Goff, has until August 31, 2005 to implement the site plan improvements required by the site plan review approval.

Concurrent Review / Applicable zoning code provisions: Parking variance per 525.520 (7)

Background: There is an existing building, built in 1900, on the site with three apartments on the second floor and three commercial spaces on the ground floor. The Nicollet Deli has recently moved into a small space (500 sq. ft.) in the building and Mr. Booker is applying to open the coffee shop in one of the remaining spaces. The applicant expects the third space to open later.

**If you need more information or have special needs, please call the
Minneapolis Planning Department at 612-673-2597.**

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According to the Zoning Administrator, the site has 4 grandfathered stalls. There is 1,275 sq. ft. of space open to the public in the coffee shop. At 15 sq. ft. per person and 0.3 stalls per person, the parking requirement is 26 stalls. The variance is $26 - 4 = 22$ stalls (refer to table).

Use	Required stalls
3 apartments	3
Nicollet Deli	4
Coffee Shop	26
Remaining space	4
Total	37
Grandfathered	4
On site	11
Variance	22

Neighborhood response: On 1/6/05, Mr. Booker sent the neighborhood group a letter that described the project and offered to present it to the group, however, staff have received no response for the group.

PARKING VARIANCE

Findings as Required By the Minneapolis Zoning Code for the Parking Variance for the Lula’s Coffee Shop and Jaz at 3400 Nicollet Ave. S.:

The Board of Adjustment and Planning Commission shall not vary the regulations of the zoning code, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

- 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.**

As stated above, this is an existing building, built in 1900 on a site with very limited space to comply with the City’s modern requirements. The establishment of a coffee shop in an existing commercial space on Nicollet Ave., a street that is one of the City’s premier commercial streets, is a reasonable use of the space. Strict adherence to the zoning ordinance and thus prohibit the use of the space for the coffee shop would cause undo hardship.

- 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 circumstances that precipitate the need for the variance are not created by the applicant. They consist of the existing building that has space for three businesses and three apartments

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and a parking lot that is limited to 11 vehicles, to some degree due to the City's requirements regarding landscaping, trash enclosure, vehicular access, and parking.

- 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.**

Refer to the above responses. This use will be compatible with the other uses in the area.

- 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.**

This is an area of the City with excellent bus service. There is regular bus service with four routes on Nicollet Ave. that link quickly and easily to center of the regional transit system in downtown Minneapolis and to destinations to the south. Four blocks to the north are two regular service and express service bus routes on Lake St. This area of Nicollet Ave. is also a pedestrian oriented area that encourages walk-in customers. As such, the off-site demand for parking will be limited for the proposed use.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department—Planning Division for the Parking Variance:

The Community Planning and Economic Development—Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the parking variance application to vary the required parking down from the required 33 stalls to the existing 11 stalls for the Lula's Coffee Shop and Jaz to be located at 3400 Nicollet Ave. S.

ATTACHMENTS

1. Zoning and parcel map
2. Site plan and floor plan
3. Applicant's statement
4. Photographs