

Department of Community Planning and Economic Development - Planning Division
Variance Application
BZZ - 2498

Date: August 18, 2005

Applicant: 514 Inc. for Montana Coffeehouse

Address Of Property: 510-514 North 3rd Street

Contact Person And Phone: Gerald Young 612-379-4800

Planning Staff And Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: July 13, 2005

Appeal Period Expiration: August 29, 2005

End of 60 Day Decision Period: September 11, 2005

Ward: 5 **Neighborhood Organization:** North Loop

Existing Zoning: I2 Light Industrial District & ILOD Industrial Living Overlay District

Proposed Use: Coffee shop expansion.

Proposed Variances: A variance to reduce the required parking for a coffee shop expansion from seven spaces to zero spaces.

Zoning code section authorizing the requested variance: 525.520(7)

Background: Montanan Coffeehouse proposes to add 540 square feet to an already established 1150 square foot coffee shop. This new addition will have approximately 300 square feet of seating area which requires seven additional spaces. The coffee shop is a tenant in a multi-tenant building that has an overall parking requirement of 73 spaces including the existing Montanan Coffeehouse. The site can provide 23 spaces (note the site plan shows 26, but some of the spaces along the alley will not be allowed by Public Works as configured). The difference of 50 spaces is grandfathered. The seven spaces required for the expansion are not grandfathered and can not be provided on site, so the applicant is requesting a variance. The North Loop voted to support this variance (please see attached letter).

Findings Required by the Minneapolis Zoning Code for the Proposed Variance:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The use of one of the tenant spaces for a coffee shop is a reasonable use of the building. The expansion of the coffee shop would not be allowed if it had to comply with the off-street parking requirement. Because, coffee shops tend not to be destination points and to draw people from the local area, the city recognizes that parking reductions may be appropriate for these uses where pedestrian oriented activity makes parking spaces less necessary. This area is near several new large residential developments in the North Loop neighborhood. The applicant states that they receive much of their business from pedestrian activity from these developments and adjacent businesses.

- 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.**

This building has a large parking area, is on or near several bus routes, and is near many businesses and multi-family housing, so there is a high probability of pedestrian and transit oriented traffic to the site. The variance is for a coffee shop use that should draw customers from the surrounding area. This situation is not generally applicable to other properties in the area.

- 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.**

The intent of the ordinance is to provide parking that matches the demand of the uses in the building. The city often grants parking variances for coffee shops as they tend to draw people from the surrounding area. The site is in a higher density area, is on a community corridor, and a transit route, so there are factors that warrant granting a variance that do not circumvent the intent of the ordinance.

- 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.**

Because there is a probability of pedestrian oriented trade to the site, the variance should not significantly increase traffic in the public streets or be detrimental to the public welfare and safety. The variance should not increase the danger of fire.

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

The Community Planning and Economic Development Department - Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance application to reduce the required parking for a coffee shop expansion from seven spaces to zero spaces at 510-514 North 3rd Street in the I2 medium Industrial District subject to the following condition:

- 1) Staff review and approve the final site plan for design and maintenance review.
- 2) All improvements shall be completed by August 18, 2006 (unless extended by the zoning administrator).