



CPED STAFF REPORT

Prepared for the Zoning Board of Adjustment
 BOA Agenda Item #4
 July 28, 2016
 BZZ-7782

LAND USE APPLICATION SUMMARY

Property Location: 3400 42nd Avenue South
Project Name: Belle's Tool Box
Prepared By: Janelle Widmeier, Senior City Planner, (612) 673-3156
Applicant: Lucy Elliott
Project Contact: Lucy Elliott
Request: To establish a visual arts school.
Required Applications:

Variance	To reduce the minimum parking requirement from 9 spaces to 0 spaces.
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SITE DATA

Existing Zoning	CI Neighborhood Commercial District
Lot Area	5,243 square feet
Ward(s)	12
Neighborhood(s)	Longfellow Community Council
Designated Future Land Use	Urban Neighborhood
Land Use Features	Not applicable
Small Area Plan(s)	Not applicable

Date Application Deemed Complete	June 25, 2016	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	August 23, 2016	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The existing one-story building located at the property of 3400 42nd Avenue South was permitted for construction in 1952 and was expanded in 1958 for an automobile service station. The site has frontage on two streets: 34th Street East and 42nd Avenue South. A parking area is currently located between the building and 34th Street. Two curb cuts, one from each street, provide vehicle access. The existing parking area does not comply with yard, landscaping and maneuvering requirements. It also extends into the public right-of-way, which is not allowed by the Public Works Department. A stand-alone, approximately 200 square foot building is also located on the site that is proposed to be demolished.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There are other commercial properties at the intersection of 34th Street East and 42nd Avenue South. The other surrounding properties are predominantly low-density residential uses.

PROJECT DESCRIPTION. The applicant is proposing to establish a visual arts school at the property of 3400 42nd Avenue South. An approximately 200 square foot, 1-story addition is proposed at the front of the existing one-story building to provide a new entrance and bathroom. Paving from the parking area up to the public sidewalks would be removed to create space for learning gardens. The curb cut on 34th Street would be closed off, but the curb cut on 42nd Avenue would remain for access to the existing loading doors. The learning gardens that extend into the public right-of-way and the closure of the curb cut will require approval from the Public Works Department. No on-site parking spaces are proposed. Based on the description of the proposed use, the Zoning Administrator determined that the use would be substantially similar to a performing, visual or martial arts school. For this use classification, the minimum parking requirement in the zoning code is parking equal to 20 percent of the capacity of persons (15 square feet per person). The public areas would occupy approximately 700 square feet of floor area. Therefore the minimum parking requirement is 9 spaces. The applicant is requesting a variance to reduce the minimum parking requirement.

Please note that any exterior improvements, such as stormwater cisterns and gazebos, will need to comply with minimum yard requirements.

PUBLIC COMMENTS. As of writing this report, no correspondence from the neighborhood group was received. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to reduce the minimum parking requirement from 9 spaces to 0 spaces based on the following findings:

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

The minimum parking requirement for the proposed use is 9 spaces. The applicant is requesting a variance to reduce the minimum parking requirement to 0 spaces. Practical difficulties exist in complying with the ordinance due to circumstances unique to the property. Although there is an

existing parking area on-site, it does not comply with yard, landscaping or maneuvering requirements of the zoning code. It also extends into the public right-of-way, which is not allowed. The small site is only 39 feet wide and 5,423 square feet in area. The building is located at the rear of the property. With the existing conditions, it appears that not more than one parking space can be provided on the property that complies with the applicable requirements for off-street parking. With the removal of the standalone building, it may be possible to provide 3 parking spaces on site without additional variances. However, most of the opportunities for providing learning gardens on the site would be eliminated with a driveway and drive aisle needed for access and maneuvering and the parking would overlap the proposed addition location. There are other transportation options available in close proximity to the site. A bus route and stop, which provides service approximately every half hour, are adjacent to the site. The applicant has indicated that at least 4 bicycle parking spaces would be provided as well.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

The purpose of parking regulations is to provide for the parking needs of uses and structures and to enhance the compatibility between parking areas and their surroundings, and to regulate the number, design, maintenance, use and location of off-street parking and loading spaces and the driveways and aisles that provide access and maneuvering space. The regulations promote flexibility and recognize that excessive off-street parking conflicts with the city's policies related to transportation, land use, urban design, and sustainability. The existing building is proposed to be repurposed from an auto oriented use to a visual arts school. The applicant expects a low parking demand for the proposed use. The site is adjacent to a bus route and stop. At least 4 bicycle parking spaces would be provided. The existing driveway would need to be closed once the parking area is removed. This would result in one more on-street parking space. The request is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

The applicant is proposing to repurpose the existing building and construct an approximately 200 square foot addition. The applicant expects a low parking demand for the proposed use. Off-street parking demand is further reduced because the site is adjacent to a bus stop with frequent transit service. Four on-site bicycle spaces are also proposed. The existing driveway would need to be closed once the parking area is removed. This would result in one more on-street parking space. Additional landscaping improvements would be completed to reduce impervious surface and improve the area adjacent to the streets making it more pedestrian friendly. With the additional bike parking and access to alternative modes of transportation, granting of the variance should not increase congestion in the area or affect surrounding properties. It would also not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the Zoning Board of Adjustment adopt staff findings for the application by Lucy Elliott for the property located at 3400 42nd Avenue South:

A. Variance to reduce the minimum parking requirement.

Recommended motion: **Approve** the application for a variance to reduce the minimum parking requirement from 9 spaces to 0 spaces to allow a visual arts school, subject to the following conditions:

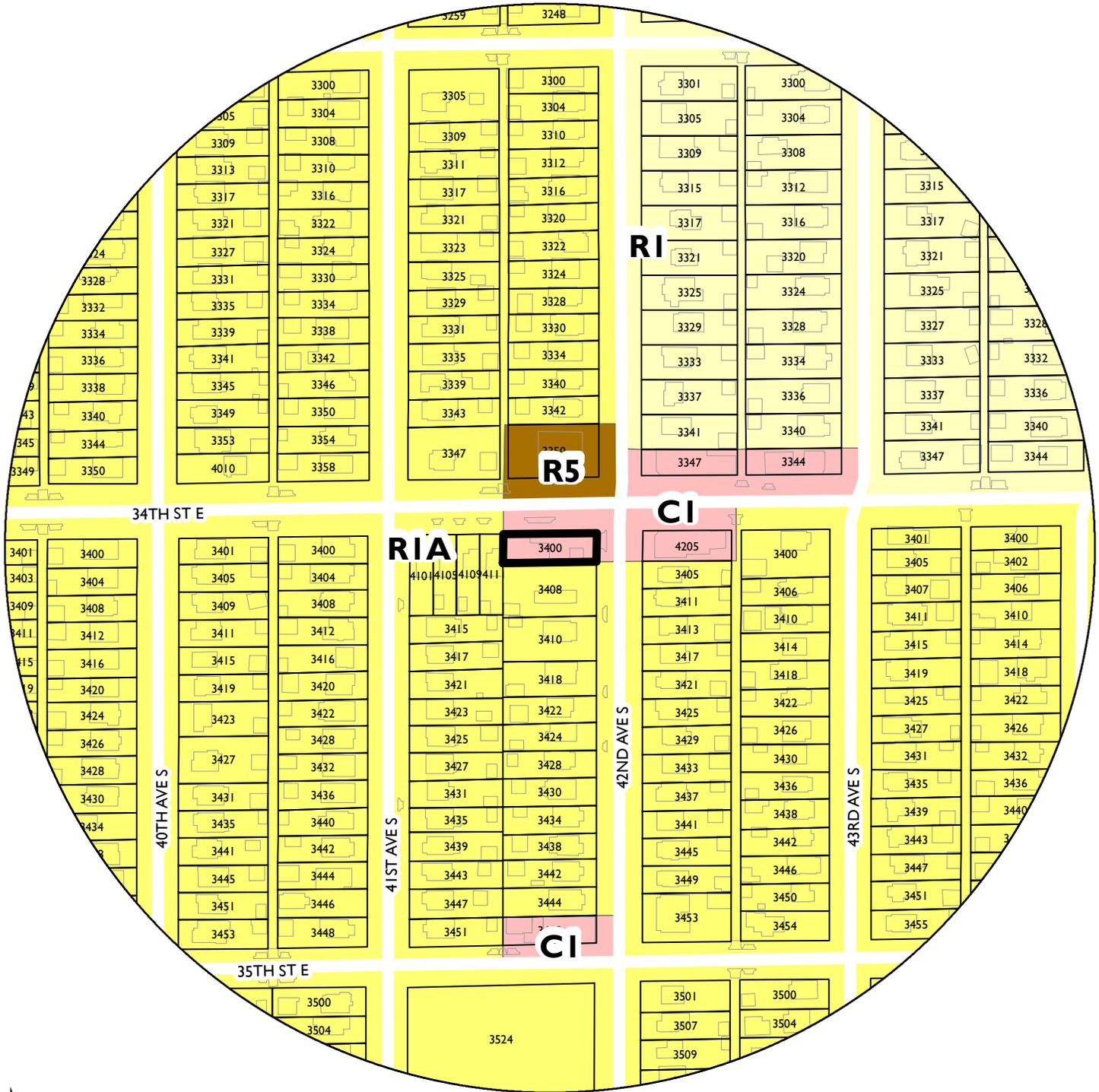
1. At least 4 bicycle parking spaces shall be provided that comply with the standards of section 541.280 of the zoning code.
2. Approval of the final site, elevation and floor plans by the Department of Community Planning and Economic Development.
3. All site improvements shall be completed by July 28, 2018, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Zoning map
2. Written description and findings submitted by applicant
3. Survey
4. Site plan
5. Floor and building elevation plans
6. Photos

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

3400 42nd Avenue South

FILE NUMBER

BZZ-7782

Our intent for use of the said property:

To create a setting where meaningful hands-on learning with child/adult shared experiences and resources are accessible to the neighborhood and broader community.

To offer experiences that welcome and embrace the many cultural backgrounds we are fortunate to have represented.

To connect multi-generational populations for the purpose of sharing and exchanging historical perspective, promoting understanding across age groups.

To execute our programming within an environmentally-sound structure and do so with a focus on repurposing materials; extending that environmental awareness to outside learning gardens.

Land Use VARIANCE STATEMENT

I am writing to ask for your support in our effort to move forward on the Belle's ToolBox project. I have been engaged with the City's PDR process since February with hopes of attaining permits so that we might build the necessary ADA bath addition and proceed with clearing the lot of asphalt to make way for learning gardens.

Unique circumstances at the said property interfere with the proposed use. A 'change of use' for the building is deemed necessary but does not fit neatly into any one of the existing categories. The inherited property lines and right-of-way issues have made it difficult as well. These circumstances were not created by our ownership and economics are not a priority. (Once in place, we hope to transfer the project to a NotForProfit status.)

It was suggested that a Land Use Variance would be the vehicle to remedy the problem.

To fully serve our mission, we intend to replace the bulk of bituminous material with green space. (Presently 94% of the property is impervious!) The outdoor learning environment will help to relieve storm water issues and wonderfully complement the family programming within the structure - hands-on projects that are science (natural and physical) and arts-related. All activities will be conducted in an ecologically-sound manner with use of recycled materials.

The need for a No Parking Variance is integral for the full spectrum of activities to have ample space and provide a safe area for activity. The proposed variance would serve to improve the property by incorporating a cistern for storm water use, rain gardens, raised garden beds for vegetables, a Three Sisters garden feature and small gazebo for special activities. (Ice sculpture in the winter!)

Allocating space to parking is not necessary for the following reasons:

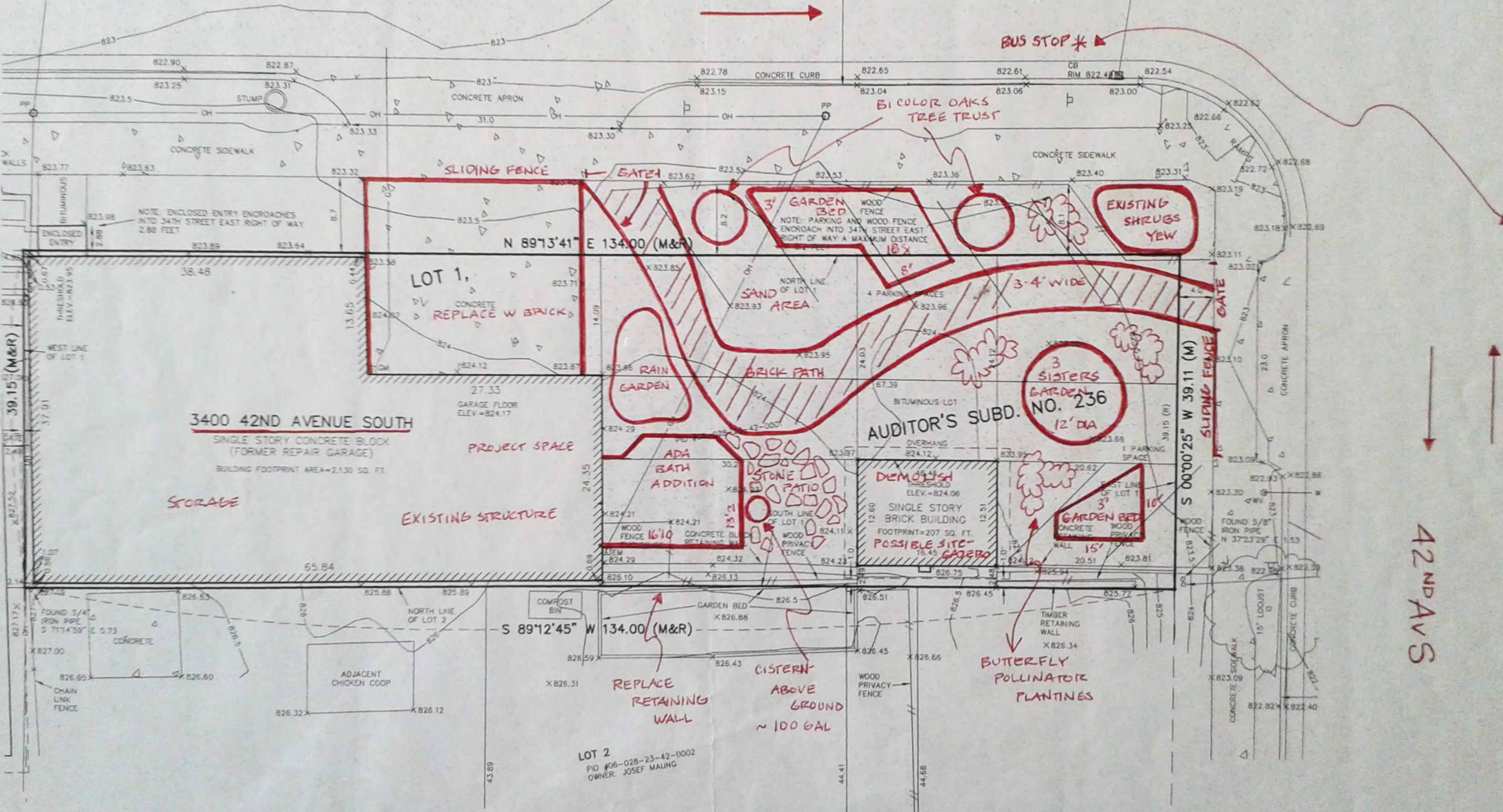
- *size of project space is suited only for small groups at any given time
- *bus stops are situated on two corners of the intersection where the property is located
- *neighborhood is known as a walking, biking area

Benefits easily outweigh any need for parking.

We propose to use the property in a manner that fully supports the neighborhood with a focus on family in a hands-on setting and engagement in learning gardens. We intend, also, to partner with small neighborhood groups for projects – Teen Parents from Broadway, ESL/new learners, elem. school, young musicians, garden workshops, multi-cultural activities.

We are hoping we can count on your support for this unique project to be fully realized in our neighborhood. As it is in alignment with the comprehensive code, we are confident it would serve to enrich young lives,,, and old!

Lucy Elliott
3136 42nd Av S Minneapolis, MN 55406
847-477-6040
laelliott914@gmail.com



BUS STOP *

BI COLOR OAKS TREE TRUST

SLIDING FENCE

GATE

3' GARDEN BED

EXISTING SHRUGS YEW

LOT 1.

REPLACE W BRICK

SAND AREA

RAIN GARDEN

BRICK PATH

3 SISTERS GARDEN NO. 236 12' DIA

3400 42ND AVENUE SOUTH

SINGLE STORY CONCRETE BLOCK (FORMER REPAIR GARAGE)
BUILDING FOOTPRINT AREA=2,130 SQ. FT.

PROJECT SPACE

AUDITOR'S SUBD. NO. 236

STORAGE

EXISTING STRUCTURE

ADA BATH ADDITION

STONE PATIO

DEMOLISH SINGLE STORY BRICK BUILDING
FOOTPRINT=207 SQ. FT.
POSSIBLE SITE-CABERO

GARDEN BED

S 89°12'45" W 134.00 (M&R)

COMPOST BIN

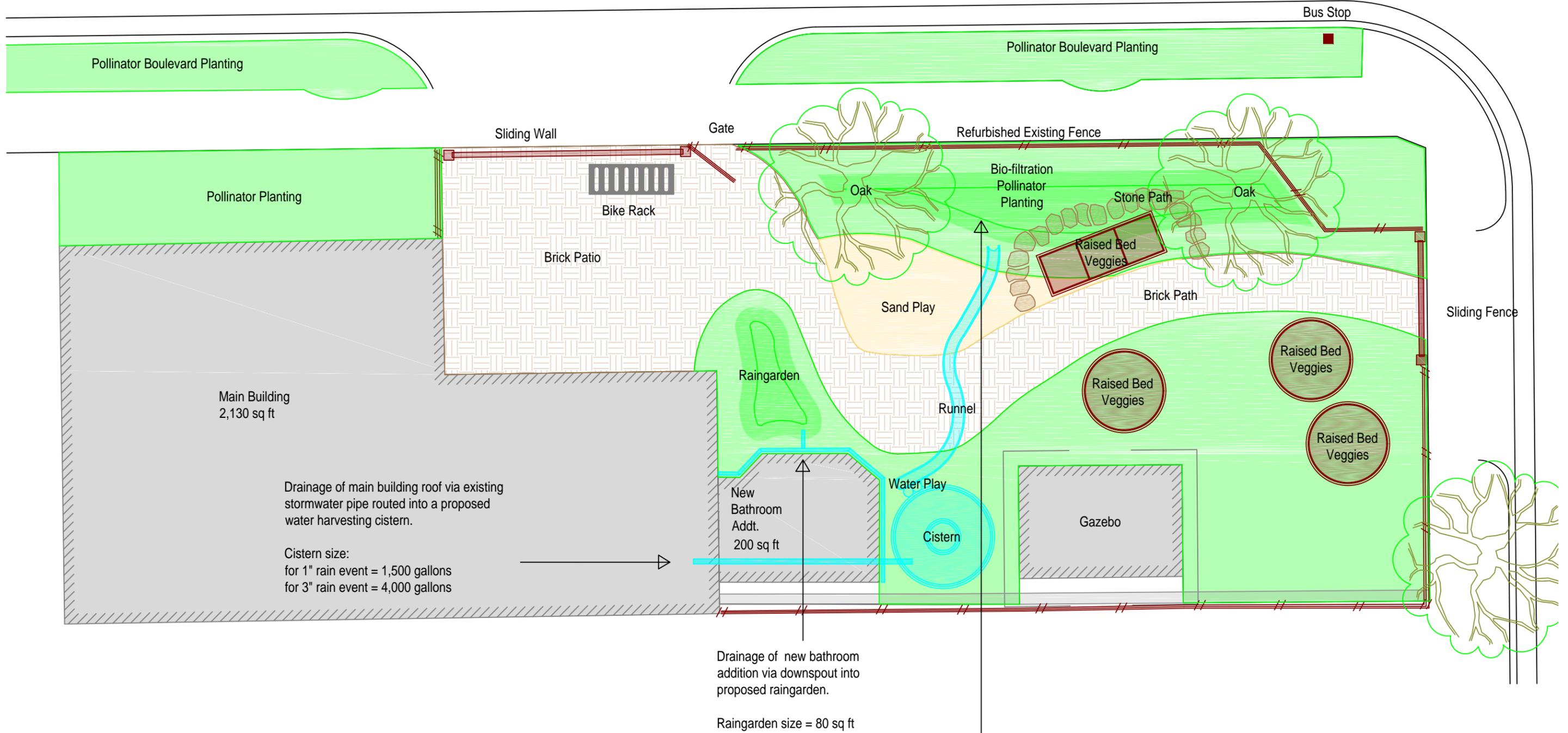
REPLACE RETAINING WALL

CISTERN ABOVE GROUND ~100 GAL

BUTTERFLY POLLINATOR PLANTINES

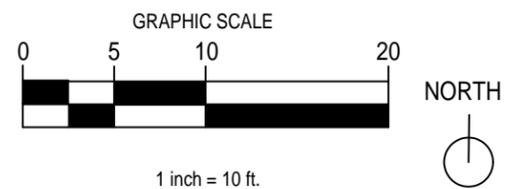
LOT 2
PID #06-028-23-42-0002
OWNER: JOSEF MAUNG

42ND AVS



Belle's Toolbox Concept Design

Lucy Elliot
3400 42nd Ave S, Minneapolis, MN 55406



CODE SUMMARY

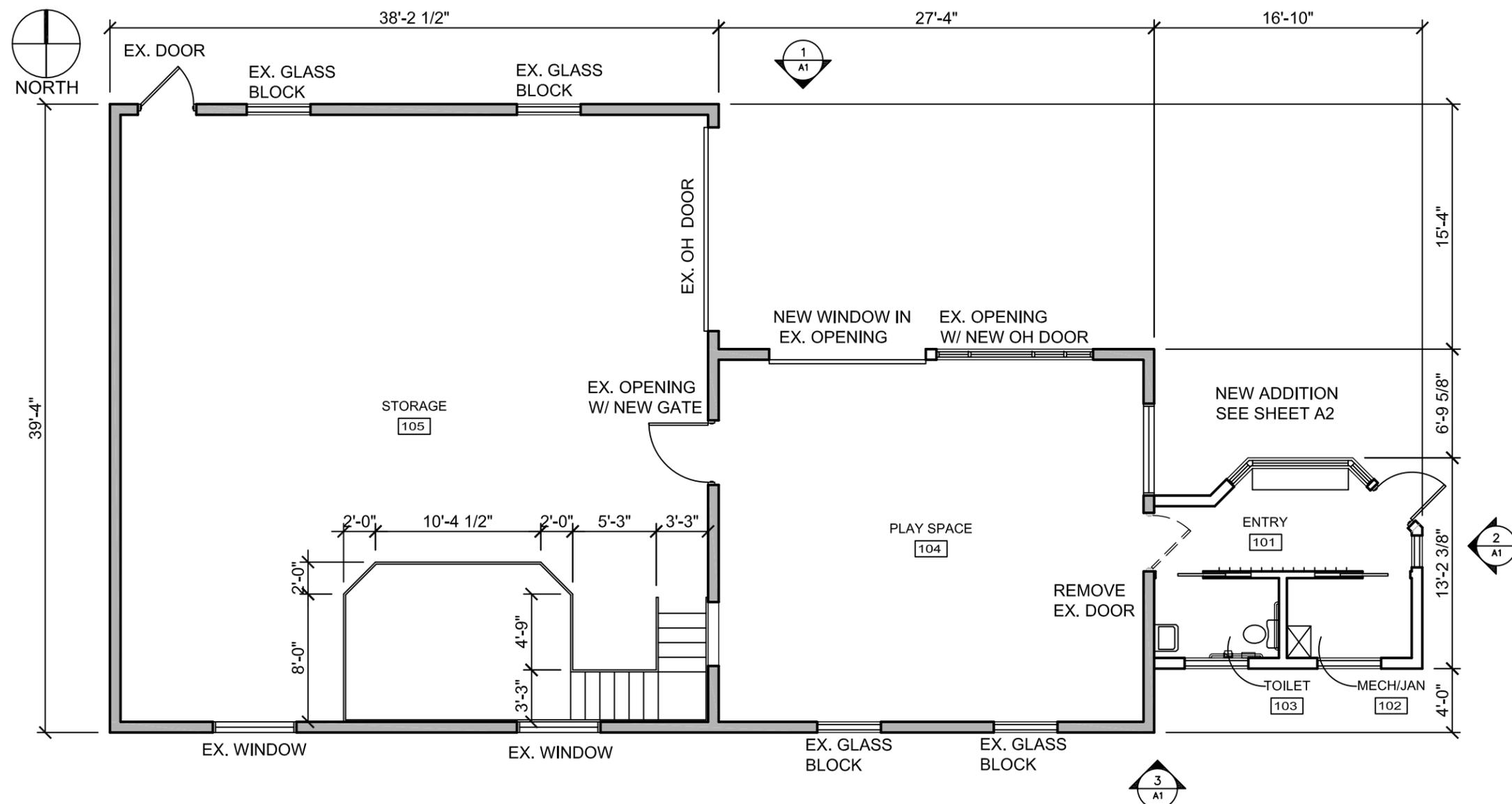
APPLICABLE CODES	
BUILDING CODE	2015 MN STATE BUILDING CODE 2012 IBC
ACCESSIBILITY STANDARDS	2015 MN ACCESSIBILITY CODE 2012 IBC; ANSI A-117.1 2009
FIRE/LIFE SAFETY CODE	2006 IFC MN STATE FIRE CODE 2007; MN RULES CHAPTER 7511
MECHANICAL CODE	2012 IMC; 2012 IFGC 2015 MN MECH & FUEL GAS CODE
PLUMBING CODE	2015 MN STATE PLUMBING CODE MN RULES CHAPTER 4715
ENERGY CODE	AHRAE 90.1-2010 2015 MN ENERGY CODE
ELECTRICAL CODE	2014 NATIONAL ELECTRICAL CODE MN RULES CHAPTER 1315
BUILDING DESCRIPTION	
THE PROJECT CONSISTS OF A 230 GSF ADDITION TO AN EXISTING CONCRETE MASONRY GARAGE STRUCTURE TO PROVIDE AN ENTRY VESTIBULE, ACCESSIBLE TOILET AND MAINTENANCE STORAGE (FUTURE TOILET). THE EXISTING GARAGE SPACES WILL PROVIDE A CHILD'S PLAY SPACE AND STORAGE AREA.	

CONSTRUCTION DESCRIPTION	
EXISTING CONSTRUCTION CONSISTS OF MASONRY BLOCK EXTERIOR AND INTERIOR WALLS, SLAB ON GRADE FLOOR, STEEL BEAM WITH WOOD JOIST AND WOOD DECK ROOF AT SMALLER GARAGE BAY AND STEEL JOISTS WITH STEEL DECK AT LARGER GARAGE BAY WITH MEMBRANE ROOFS. ADDITION TO BE CONCRETE AND MASONRY FOUNDATION, SLAB ON GRADE FLOOR, WOOD STUD AND JOIST FRAMING, FLAT MEMBRANE ROOF AND WOOD SIDING.	
CHAPTER 3: OCCUPANCY CLASSIFICATIONS REPRESENTED IN THE BUILDING (304.1): B (BUSINESS)	
CHAPTER 5: ALLOWABLE AREA: (TYPE V-B CONSTRUCTION) B OCCUPANCY: 2 STORIES; 9,000 SF (TABLE 503) ACTUAL AREA: 1 STORY; 2,390 GSF	
CHAPTER 6: TYPE OF CONSTRUCTION TABLE 601: TYPE V-B: NO RATINGS REQUIRED ON BLDG. ELEMENTS FIRE SEPARATION DISTANCE TABLE 602: TYPE V-B FIRE SEPARATION DISTANCE < 30 FT: 1 HOUR	
CHAPTER 7: IBC 704 EXTERIOR WALLS (TABLE 705.8) MAXIMUM AREA OF EXTERIOR WALL OPENINGS FOR FIRE SEPARATION DISTANCE: <5 FT, UNPROTECTED, NON-SPRINKLERED: NOT PERMITTED 5 TO <10 FT, UNPROTECTED, NON-SPRINKLERED: 10%	

OCCUPANCY CALCULATIONS BY ROOM				
LOAD CALCULATIONS BASED UPON IBC TABLE 1004.1.1				
ROOM NO.	ROOM NAME	AREA	LOAD FACTOR	OCCUPANT LOAD
101	ENTRY	85	---	0
102	TOILET	40	---	0
103	MAINTENANCE	40	300 GROSS	0.14
104	PLAY SPACE	604	100 GROSS	6.04
105	STORAGE	1,401	300 GROSS	4.67
	NET S.F.	2,170		10.85
	GROSS S.F.	2,390		

IBC 1014 EXIT ACCESS
COMMON PATH OF EGRESS TRAVEL (1014.3) WITHOUT SPRINKLER SYSTEM: B OCCUPANCIES WITH 30 OR LESS OCCUPANTS: 100 FEET
MAXIMUM OCCUPANT LOAD FOR SPACES WITH ONE EXIT OR EXIT ACCESS DOORWAY (TABLE 1015.1): B OCCUPANCIES: 49
EXIT ACCESS TRAVEL DISTANCE (TABLE 1016.2) WITHOUT A SPRINKLER SYSTEM: B OCCUPANCIES: 200 FEET

CHAPTER 29: REQUIRE PLUMBING FIXTURES
TABLE 2902.1
WATER CLOSETS, 1 PER 25 FOR THE FIRST 50 AND 1 PER 50 FOR OCCUPANTS ABOVE 50
LAVATORIES, 1 PER 40 FOR THE FIRST 80 AND 1 PER 80 FOR OCCUPANTS ABOVE 80
DRINKING FOUNTAINS, 1 PER 100; 1 SERVICE SINK
BASED UPON OCCUPANT LOAD, 1 TOILET FIXTURE AND ONE SINK IS REQUIRED
2902.2 SEPARATE FACILITIES: SEPARATE FACILITIES SHALL BE PROVIDED FOR EACH SEX
EXCEPTION 2: NOT REQUIRED WHERE THE OCCUPANT LOAD IS LESS THAN 15.



GENERAL NOTES

- DO NOT SCALE DRAWINGS
- GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL DEMOLITION REQUIRED BY A SPECIFIC TRADE OR FOR INSTALLATION OF NEW WORK. FIELD VERIFY THE EXTENT OF DEMOLITION REQUIRED IN ORDER TO COMPLETE THE WORK IDENTIFIED IN THE CONTRACT DOCUMENTS. THE DRAWINGS MAY NOT INDICATE ALL ITEMS TO BE REMOVED DURING DEMOLITION - GENERAL CONTRACTOR TO VERIFY.
- FIELD VERIFY EXISTING CONDITIONS PRIOR TO STARTING DEMOLITION ACTIVITIES.
- COORDINATE ALL DEMOLITION ACTIVITIES AND SCHEDULE WITH OWNER PRIOR TO START OF WORK.
- PROTECT EXISTING CONSTRUCTION FROM DEMOLITION AND CONSTRUCTION ACTIVITIES BY PROVIDING ALL NECESSARY TEMPORARY BARRIERS. PROVIDE DUST BARRIER BETWEEN LOWER LEVEL AND OCCUPIED UPPER LEVEL. PATCH AND REPAIR ALL EXISTING CONSTRUCTION THAT IS DAMAGED OR DISTURBED.
- FIELD VERIFY LOCATION OF ALL UTILITIES PRIOR TO DEMOLITION ACTIVITIES.

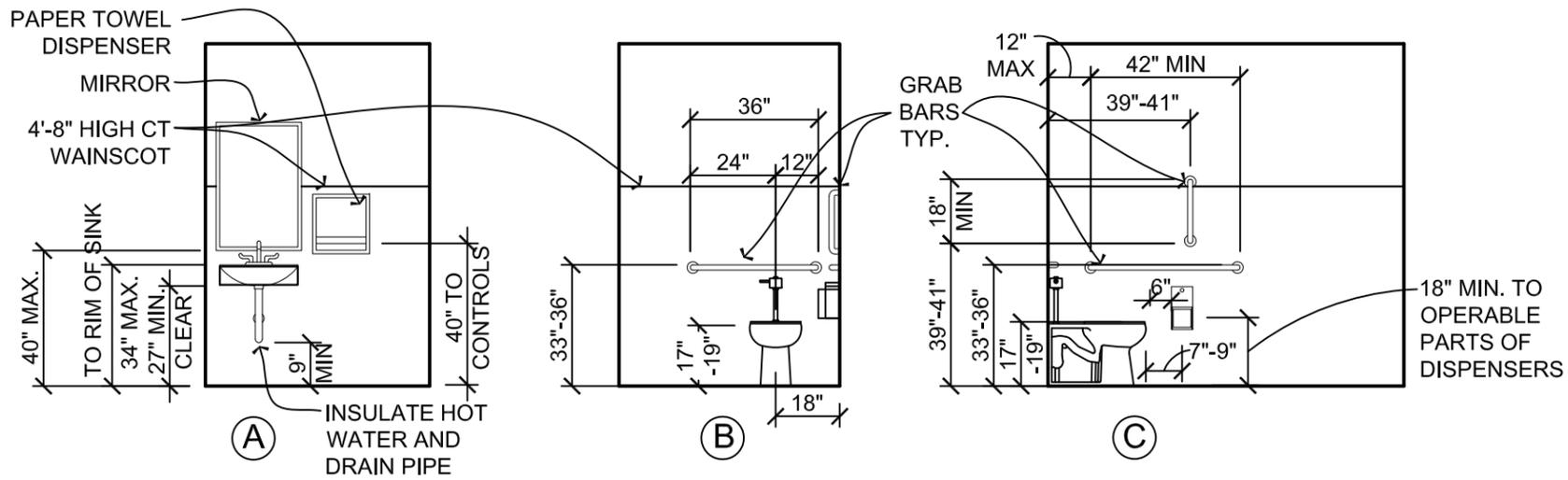
DRAWING INDEX

SHEET NO.	SHEET NAME
A1	OVERALL PLAN & CODE INFORMATION
A2	ADDITION PLAN & CEILING PLAN
A3	EXTERIOR ELEVATIONS
A4	BUILDING SECTION
A5	WALL & ROOF DETAILS
	DETAILS

1 OVERALL BUILDING PLAN
A1 1/8"=1'-0"

I hereby certify this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota

Pamela Bakken Anderson, AIA
 Date: 05.01.2016 Reg. No: 21241

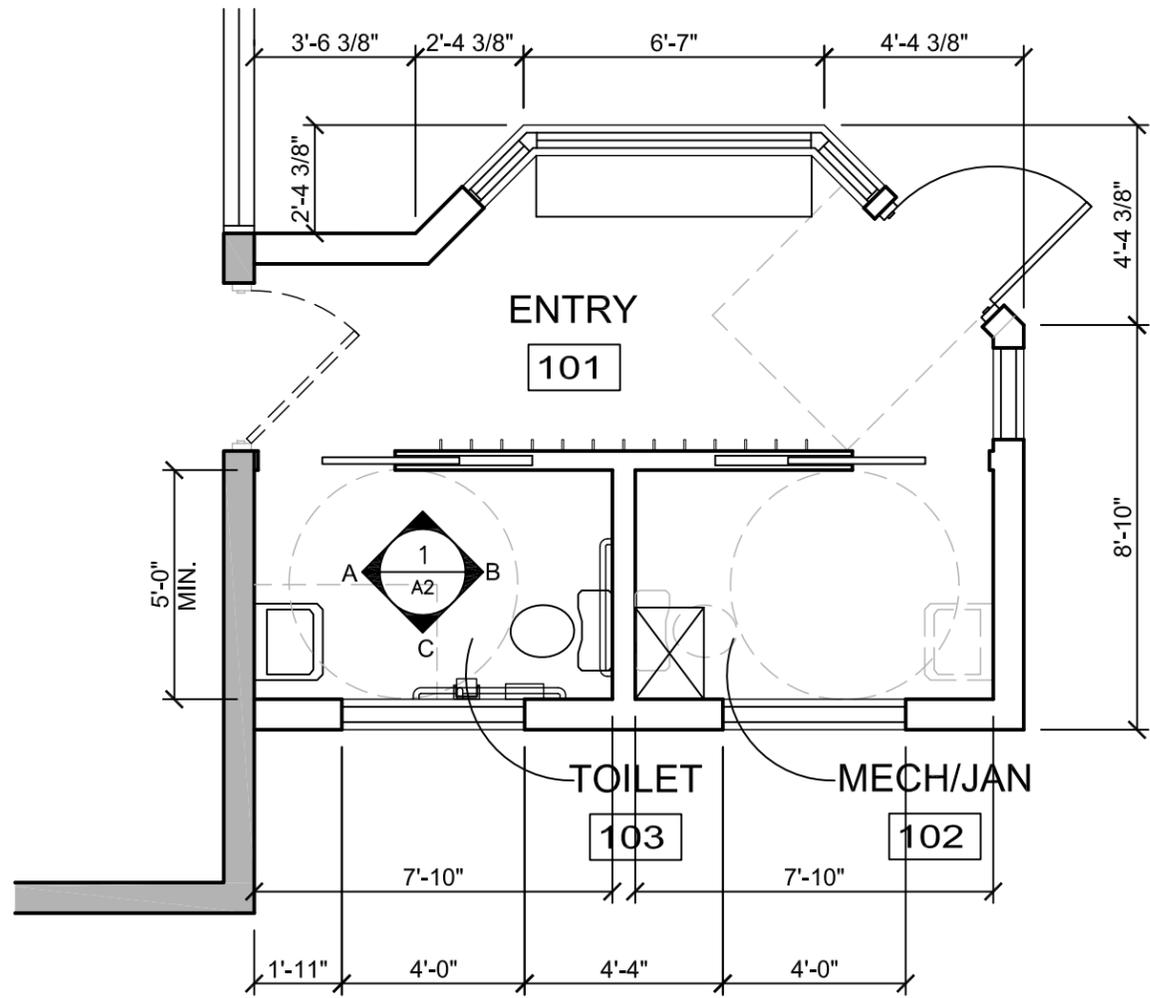


1 TOILET ROOM 102 INTERIOR ELEVATIONS & ACCESSIBLE FIXTURE DIMENSIONS
 A2 1/4"=1'-0"

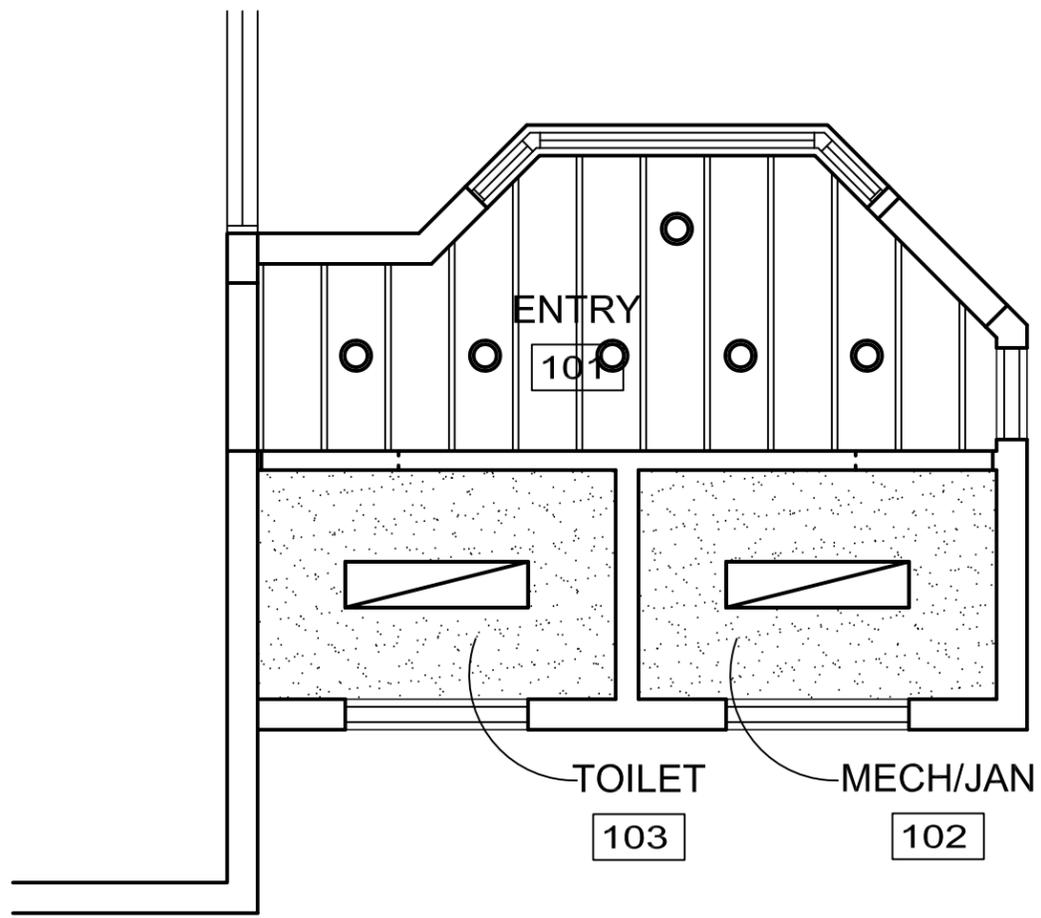
ROOM FINISH SCHEDULE								
RM NO.	ROOM NAME	FLOOR			WALLS		CEILING	
		MAT.	FIN.	BASE	MAT.	FIN.	MAT.	FIN.
101	ENTRY	CONC	POLISH	WOOD	GYP BD	WOOD	EXP.STR	PT
102	TOILET	CONC	CT	CT	GYP BD	PT/CT	GYP BD	PT
103	MAINTENANCE	CONC	SEAL	WD	GYP BD	PT	GYP BD	PT

4'-8" HIGH C.T. WAINSCOT AT ALL WALLS OF TOILET 102

DOOR SCHEDULE						
DR NO.	ROOM NAME	DOOR		FRAME		NOTES
		MAT.	FIN.	MAT.	FIN.	
101A	3'-0" X 7'-0"	ALUM	ANOD	ALUM	ANOD	PANIC DEVICE
102A	3'-0" X 7'-0"	WOOD	SSV	WOOD	SSV	POCKET DOOR; LOCK
103A	3'-0" X 7'-0"	WOOD	SSV	WOOD	SSV	POCKET DOOR; LOCK



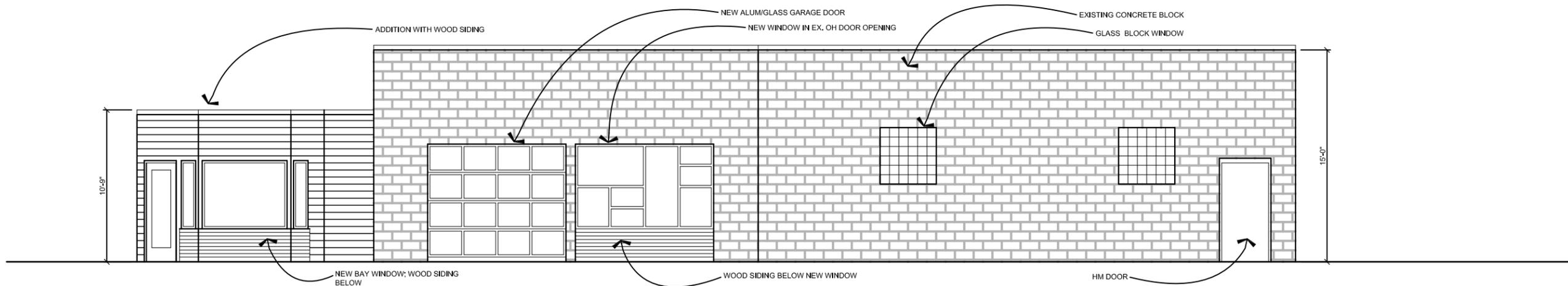
2 ENLARGED PLAN OF ADDITION
 A2 1/4"=1'-0"



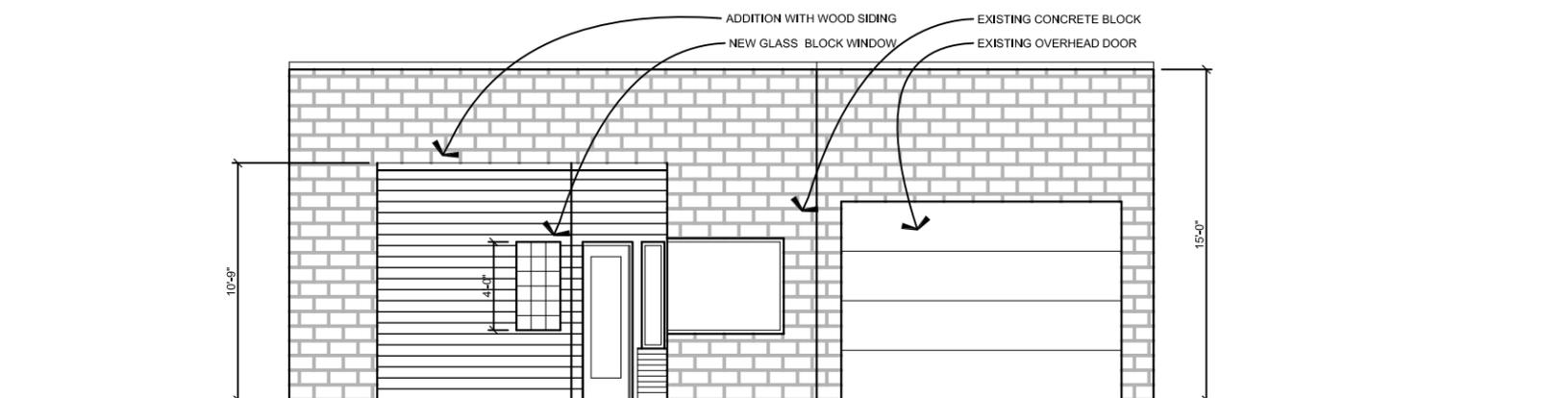
3 REFLECTED CEILING PLAN OF ADDITION
 A2 1/4"=1'-0"

I hereby certify this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the state of Minnesota

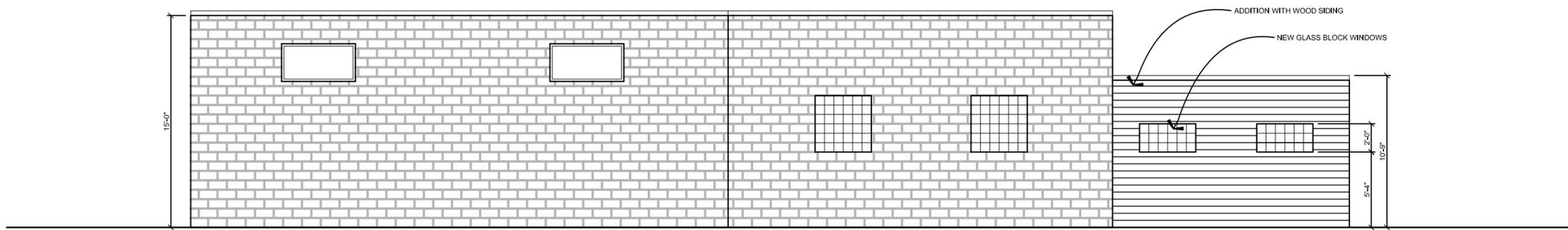
Pamela Bakken Anderson, AIA
 Date: 05.01.2016 Reg. No: 21241



1
A3
EXTERIOR ELEVATION - NORTH
1/8"=1'-0"



2
A3
EXTERIOR ELEVATION - EAST
1/8"=1'-0"



1
A3
EXTERIOR ELEVATION - SOUTH
1/8"=1'-0"

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Date: 05.01.2016 Reg. No: 21241

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LOOKING WEST FROM 42ND



LOOKING EAST THRU PROPERTY TO T. BREAD



LOOKING WEST FROM 42ND



LOOKING EAST THRU PROPERTY TO T. BREAD





Basket

Children's Books

Curious George



DRAINS TO

GOAT check ✓

Every Child Is Our Child

people-Powered



RECYCLE
REUSE
REDUCE





LOOKING NE THRU INTERSECTION $\frac{34^{TH}}{42^{ND}}$



LOOK NORTH ACROSS 34TH St.