



CPED STAFF REPORT

Prepared for the Board of Adjustment

BOA Agenda Item #10
 November 6, 2014
 BZZ-6886

LAND USE APPLICATION SUMMARY

Property Location: 509 1st Avenue Northeast
Project Name: Red Stag Supperclub
Prepared By: [Janelle Widmeier](#), Senior City Planner, (612) 673-3156
Applicant: Miss Jimmy Inc.
Project Contact: Rebecca Slapnicher, Miss Jimmy Inc.
Request: To reduce the minimum parking requirement from 55 spaces to 0 spaces, where 4 spaces are grandfathered, for the Red Stag Supperclub located at the property of 509 1st Ave NE to account for recently lost leased parking and to allow an expansion of the dining area.

Required Applications:

Variance	To reduce the minimum parking requirement from 55 spaces to 0 spaces, where 4 spaces are grandfathered, for the Red Stag Supperclub.
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SITE DATA

Existing Zoning	C2 Neighborhood Corridor Commercial District
Lot Area	11,572 square feet
Ward(s)	3
Neighborhood(s)	Nicollet Island—East Bank Neighborhood Association
Designated Future Land Use	Mixed Use
Land Use Features	Activity Center (East Hennepin)
Small Area Plan(s)	Nicollet Island—East Bank Small Area Plan (The draft plan is proceeding through the approval process and was adopted by the City Council on October 17 th .)

Date Application Deemed Complete	October 14, 2014	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	December 13, 2014	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. A mixed use building is located on the subject property. Uses in the building include retail, offices, and the Red Stag Supperclub, a restaurant with general entertainment. The area of the site not occupied by the building is used for parking (approximately 8 spaces), a private alley, and refuse container storage. The on-site parking is used to meet the parking requirements of other uses in the building.

The dumpsters are located behind the building in an unenclosed area. Per section 535.80 of the zoning code, refuse and recycling storage containers shall be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Because there is a residential use adjacent to the rear of the site, the containers will need to be screened as required.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. There is a mix of uses in the immediate area including retail, offices and residential.

PROJECT DESCRIPTION. The applicant is proposing to expand the dining area of the Red Stag Supperclub, located at the property of 509 1st Avenue Northeast. The expansion will increase the total dining/public area to 2,955 square feet. This in turn increases the minimum parking requirement, which is equal to 30 percent of the capacity of persons, to a total of 59 spaces. There are some parking grandfather rights for the building, including 4 spaces for the Red Stag tenant space. Therefore, at least 55 spaces need to be provided to meet the minimum parking requirement. The current parking requirement is 36 spaces. Prior to the construction of the mixed use building located at 519 Central Avenue, parking was leased from that site to fulfill the parking requirement. Since that leasing option was eliminated, the applicant was able to secure two other off-site parking leases totaling 38 spaces:

1. 20 spaces are leased from the property of 615 1st Avenue Northeast between the hours of 6:00 p.m. to 2:30 a.m. Monday through Friday and 8:00 a.m. to 2:30 a.m. Saturday and Sunday
2. 18 spaces are leased from the property of 110 6th Street Northeast between the hours of 6:00 p.m. to 2:00 a.m. Monday through Sunday

The restaurant is open to the public during the following hours:

- 11:00 a.m. to 1:00 a.m. Monday through Wednesday,
- 11:00 a.m. to 2:00 a.m. Thursday and Friday,
- 9:00 a.m. to 2:00 a.m. Saturday, and
- 9:00 a.m. to 1:00 a.m. Sunday.

Because the leased parking is not available during all hours open to the public, the applicant is requesting to reduce the minimum parking requirement from 55 spaces to 0 spaces.

PUBLIC COMMENTS. As of writing this report, no correspondence from the neighborhood group, Nicollet Island—East Bank Neighborhood Association, 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 55 spaces to 0 spaces, where 4 spaces are grandfathered, for the Red Stag Supperclub located at the property of 509 1st Ave NE 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.*

Practical difficulties exist in complying with the ordinance. Although there is some on-site parking, this parking is used to meet the minimum parking requirements of other uses in the building. The applicant has leased 38 off-site parking spaces. However, this parking is not available during all hours that the restaurant is open to the public. The applicant has indicated that they have exhausted all other options for leased parking. Further, the expanded dining area is expected to only be used 2 to 3 times a week during peak times in spring and winter. There are other considerations that lessen the need for parking as well. The subject site is located in an activity center that is walkable and is in close proximity to multiple transit routes, bicycle routes and parking facilities available to the general public. The site is located within 2 blocks of bus stops serving 5 routes with frequent service. A NiceRide MN kiosk is located one block from the site. There are two public parking ramps within three blocks of the site. The *Nicollet Island—East Bank Small Area Plan* calls for extending the PO Pedestrian Oriented Overlay District, which would include the subject site. In all PO districts, the minimum off-street parking requirement for nonresidential uses is 75 percent of the minimum requirement specified in Chapter 541, Off-Street Parking and Loading. The zoning code changes cannot be implemented until the approval process for the small area plan is complete. These circumstances were not created by the applicant.

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 site has convenient access to alternative modes of transportation with frequent service and nearby parking facilities that are available to the general public. The applicant has leased 38 off-site parking spaces that are available after 6:00 p.m. and on weekends. The expanded dining area is expected to only be used 2 to 3 times a week during peak times in spring and winter. There are also 10 bicycle spaces on the site between the parking area and 1st Avenue. The area between the parking area and the street has not been improved to comply with the landscaping and screening requirements of section 541.360 of the zoning code. Staff is recommending that this area be improved and that at least 10 bicycle parking spaces are provided. Encouraging the use of shared parking and alternative modes of transportation is in keeping with the spirit and intent of the ordinance and the comprehensive plan. With the adoption of the staff recommendation, the request is reasonable.

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.*

Because the applicant has leased 38 off-site parking spaces that are available after 6:00 p.m. and on weekends and there are multiple alternative transportation and public parking facility options that are available in the immediate area, granting of the variance should not increase congestion in the area or effect 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

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

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to reduce the minimum parking requirement from 55 spaces to 0 spaces, where 4 spaces are grandfathered, for the Red Stag Supperclub located at the property of 509 1st Ave NE, subject to the following conditions:

1. The applicant shall work with CPED staff to provide landscaping and screening improvements along with maintaining at least 10 bicycle parking spaces in the area between the on-site vehicle parking spaces and 1st Avenue Northeast.
2. Approval of the final site and floor plans by the Department of Community Planning and Economic Development.
3. All site improvements shall be completed by November 6, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan/survey
4. Plans
5. Photos
6. Correspondence

The Red Stag Supperclub lost its parking lot across the street in mid 2013 due to a development being built on the site.

We are proposing to expand north into what is now being used as a garage/storage space. We hope that the expansion of our dining room will be used 2-3 times per week during peak times in the season, which for us would be winter/spring.

We currently have leases for a total of 38 spaces after 6PM and on weekends only. Our current leases do not fulfill our current parking requirement, nor do they fulfill the parking requirement of our proposed use, which is why we are applying for this variance.

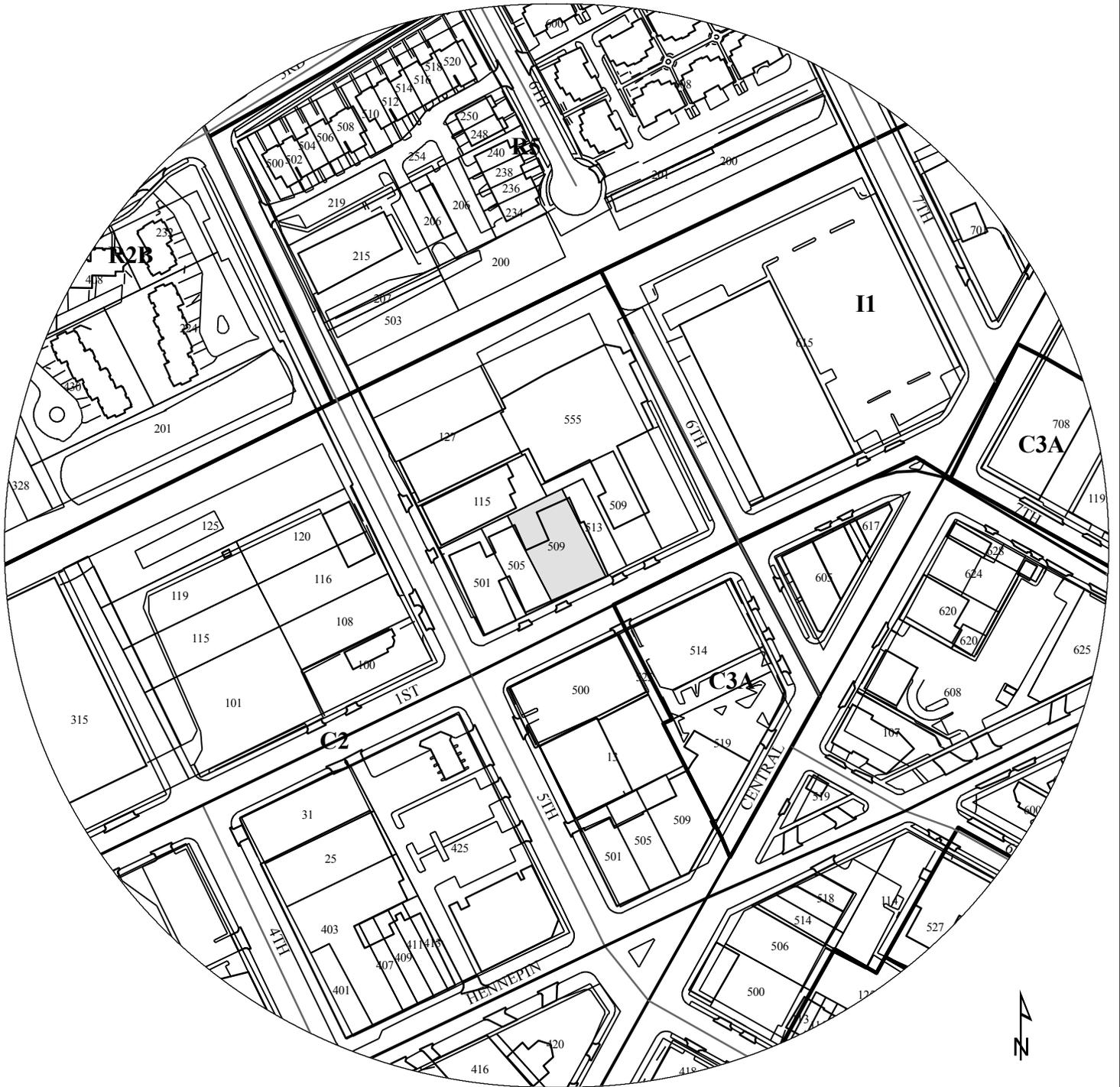
With this expansion, our parking requirement is 55 spaces. We have exhausted all other parking options, and we are currently leasing the only available spaces in the neighborhood.

Miss Jimmy Inc

3

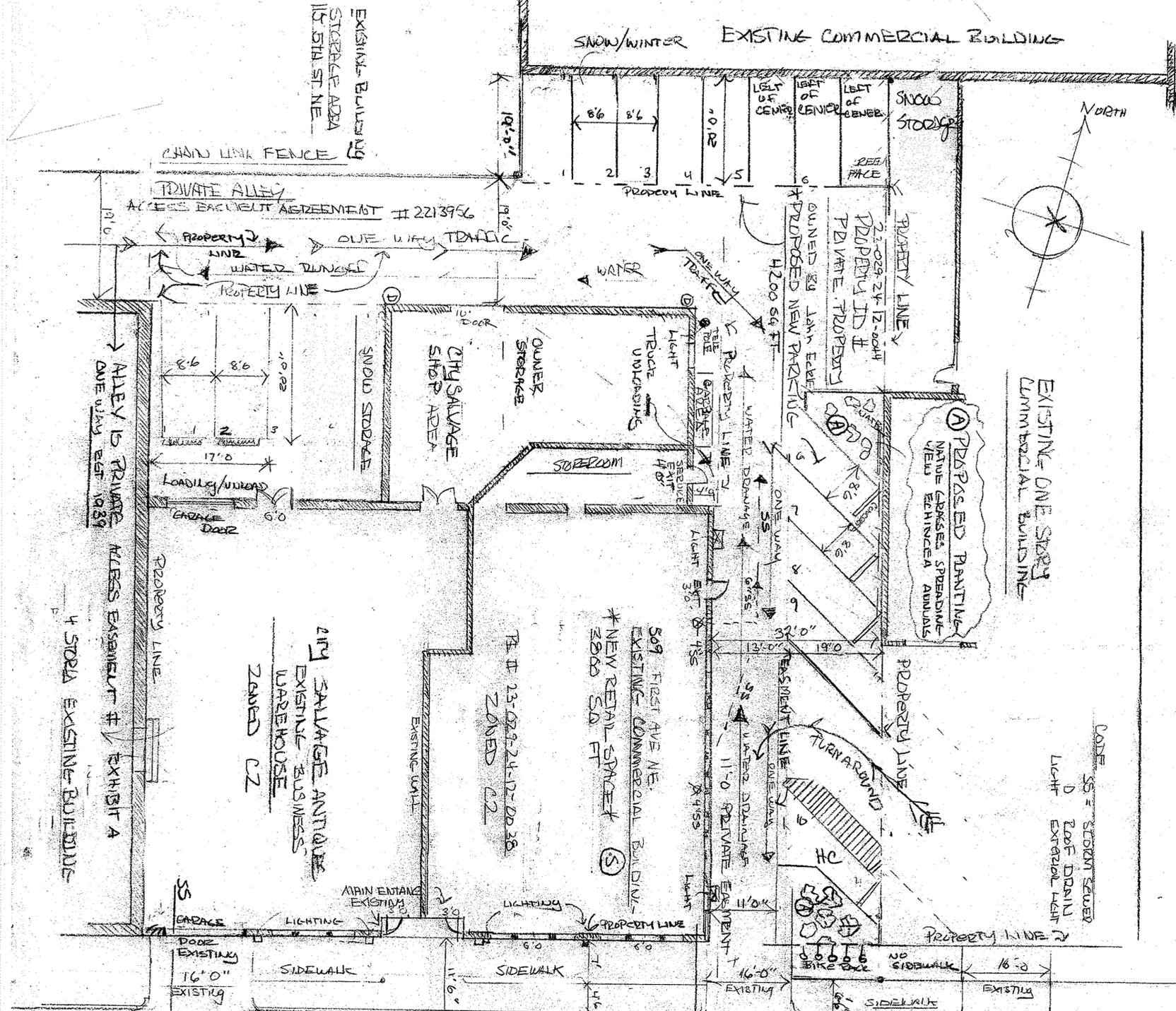
NAME OF APPLICANT

WARD



PROPERTY ADDRESS
509 1st Ave NE

FILE NUMBER
BZZ-6886



BUS STOP 5TH ST & 1ST AVE NE. 65' FROM BUILDING

513 1ST AVE NE

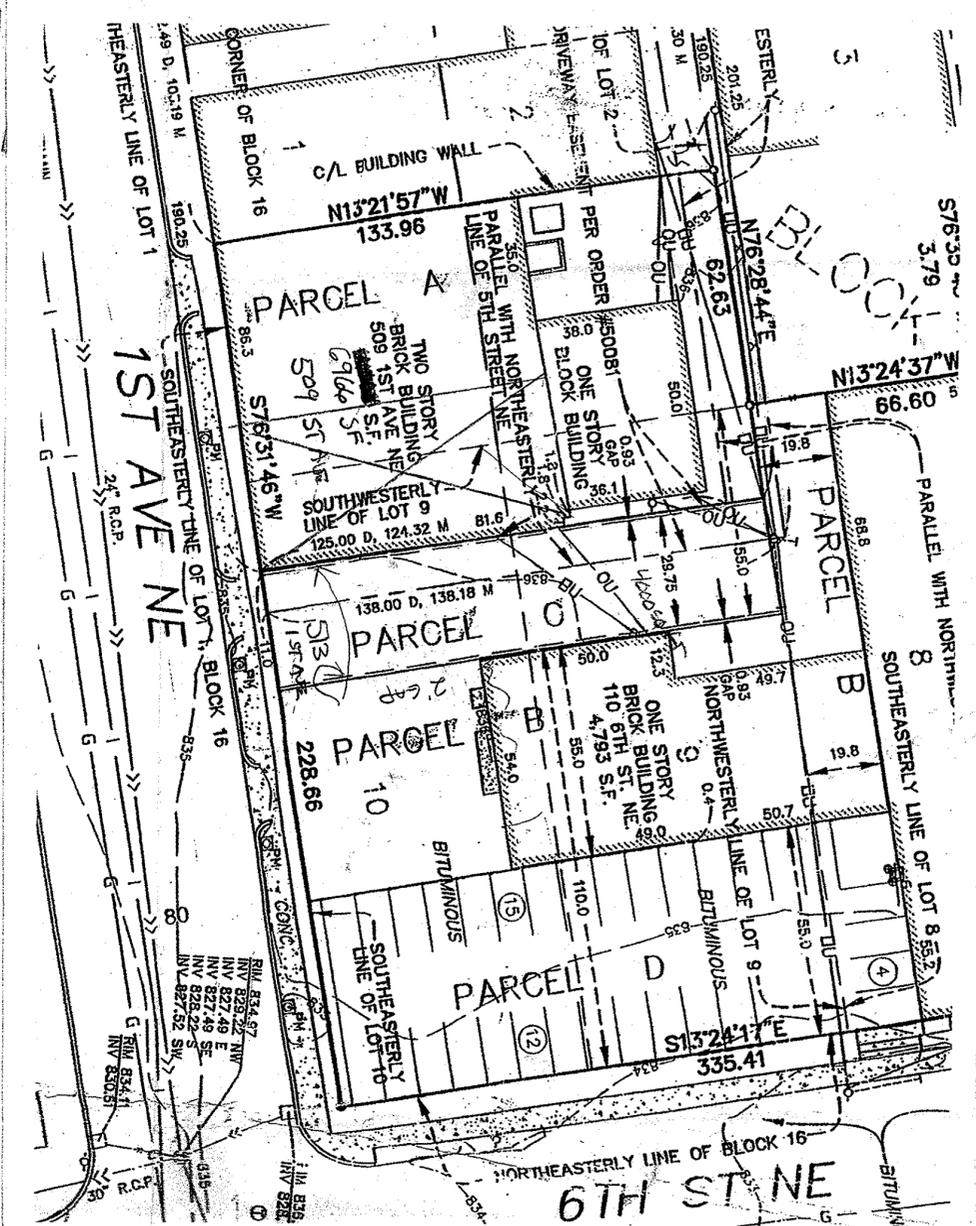
90 FT AWAY - BUS STOP 6TH ST & 1ST AVE NE.

Plot Plan 509 1ST AVE NE.
 SCALE 1/16" = 1'-0"
 FEB 07 07

John ECKLEY
 ARCHITECTURAL ARTS & DESIGN
 REVISED APRIL 07 07

ONE WAY
 1ST AVE NE.

Planning
 Section
 4-19-07 ZPDC
 Admin Review and attached letter



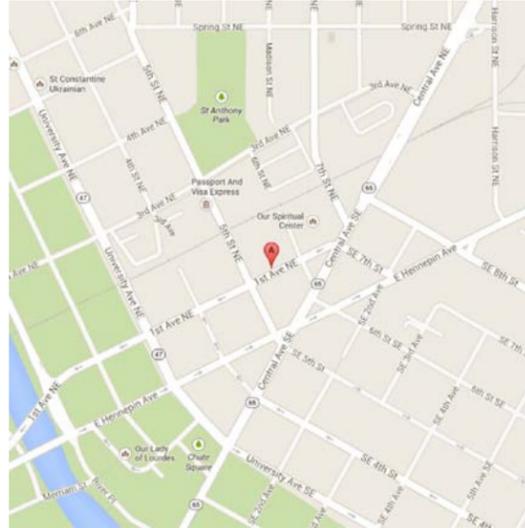
PROPOSED PARKING SPACES
 509 513 1ST AVE NE.
 FUTURE RETAIL (S)

* DRAINAGE OF PROPERTY
 ALL PARCELS INCLUDING
 501-503 505 509 511 509 1/2 1ST AVE NE,
 116 6TH ST NE,
 115 5TH ST NE.

HAVE DRAINED THROUGH THE ALLEY (PRIVATE) SINCE 1922 (509 1/2 BUILT IN 1955) DRAIN IN ALLEY

103843

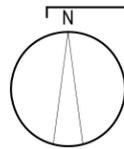
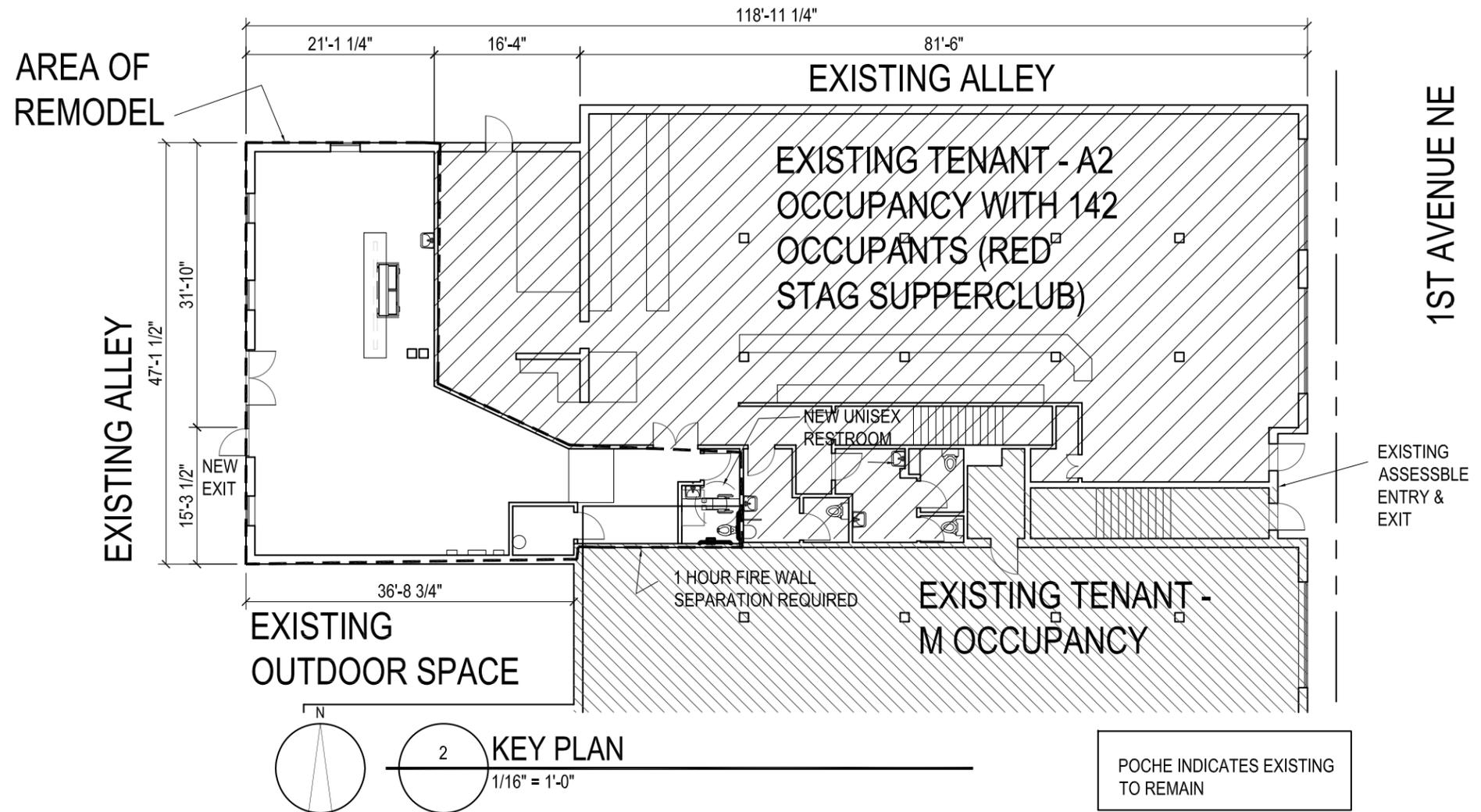
RED STAG SUPPERCLUB REMODEL



3 LOCATION MAP



1 EXTERIOR ELEVATION



2 KEY PLAN
1/16" = 1'-0"

POCHE INDICATES EXISTING TO REMAIN

CODE REVIEW:

SCOPE OF WORK TO BE PERFORMED: REMODEL AND EXISTING STORAGE AREA TO AN ASSEMBLY A2 RESTAURANT AREA - ALL WORK IN EXISTING BUILDING

IBC BUILDING CONSTRUCTION TYPE VB SPRINKLED - REMODEL SPACE IS A ONE STORY SPACE ON THE BACK SIDE OF A TWO STORY BUILDING

ACCESSIBLE ENTRY AT SIDEWALK, NO OTHER ACCESSIBLE ENTRY REQUIRED

IBC TABLE 1004.1.1
 REMODEL = A2 OCCUPANCY = 1296 SF / 15 SF / OCCUP = 86 OCCUPANTS
 IBC 2902.1 REQUIRED NUMBER OF PLUMBING FIXTURES A2 RESTAURANT - 1:75
 EXISTING RESTAURANT OCCUPANCY = 142 OCCUPANTS + 86 PROPOSED = 228 OCCUPANTS / 2 = 114 / 75 = 1.52 (EXISTING 2 MEN AND 2 WOMEN) NEW UNISEX RESTROOM PROPOSED

IBC TABLE 508.3.3 REQUIRED TENANT SEPARATION FROM M TO A2 = 1 HOUR REQUIRED
 SEPARATION OF OCCUPANCIES

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**RED STAG
 SUPPERCLUB
 RENOVATION**

509 1ST AVENUE NE
 MINNEAPOLIS, MN 55413

ISSUE DATE	
REVIEW	2013 JULY 26
PERMIT	2013 SEPT 4
PERMIT	2013 SEPT 9

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DWG NO.
T-101

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No. Fire Rating

Ref. Design No. Description

STC Test No.

1 hr.



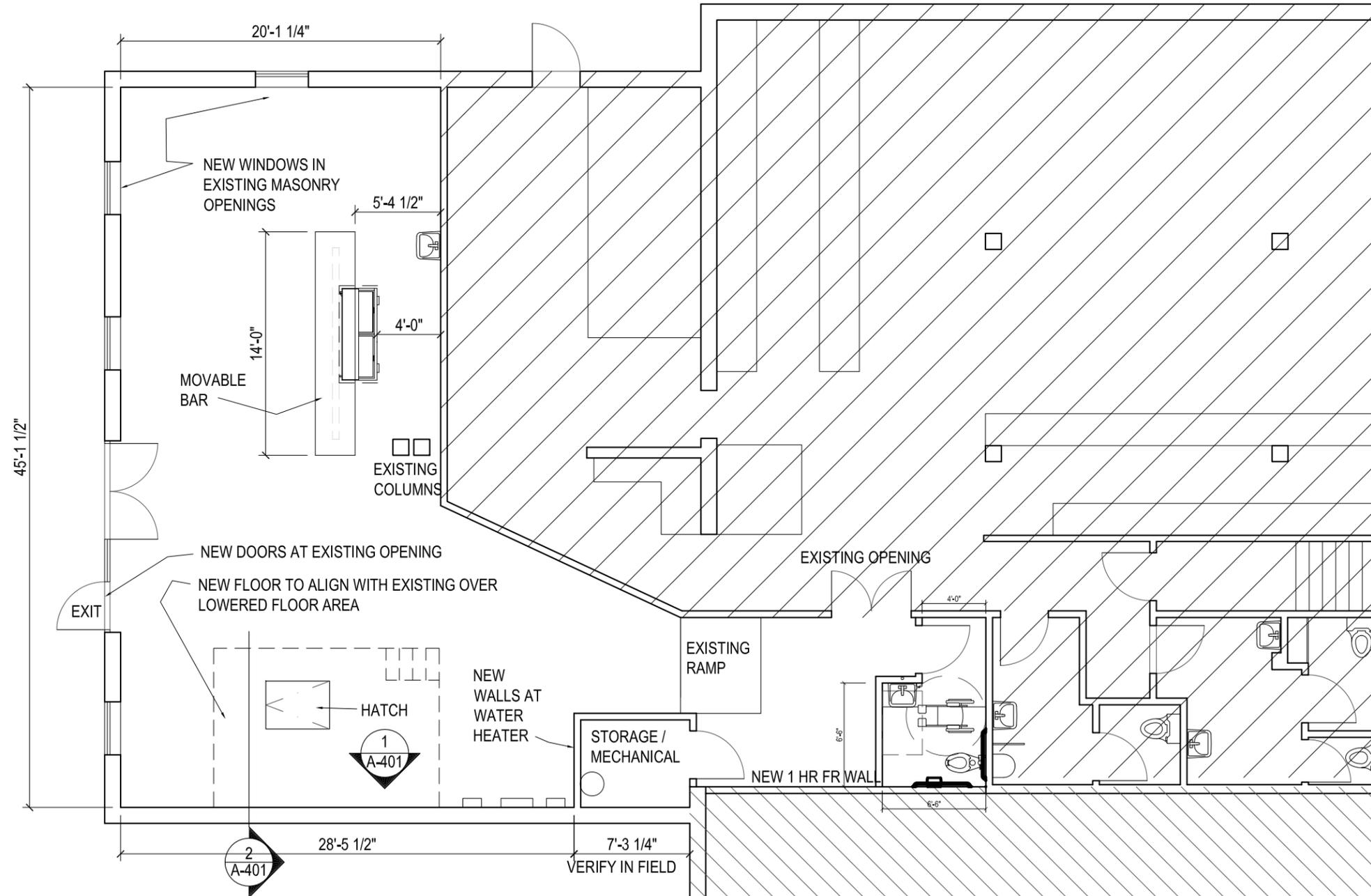
UL
GA

U305
WP 3605

5/8" (15.9mm) Fire-Shield Gypsum Wallboard or 5/8" (15.9mm) Fire-Shield MR Board nailed both sides 2 x 4 (38 mm x 89 mm) wood studs, 16" o.c. (406mm).

35 NGC 2403

1 1 HOUR FIRE WALL
NTS



POCHE INDICATES EXISTING TO REMAIN

2 PROPOSED FLOOR PLAN
1/8" = 1'-0"

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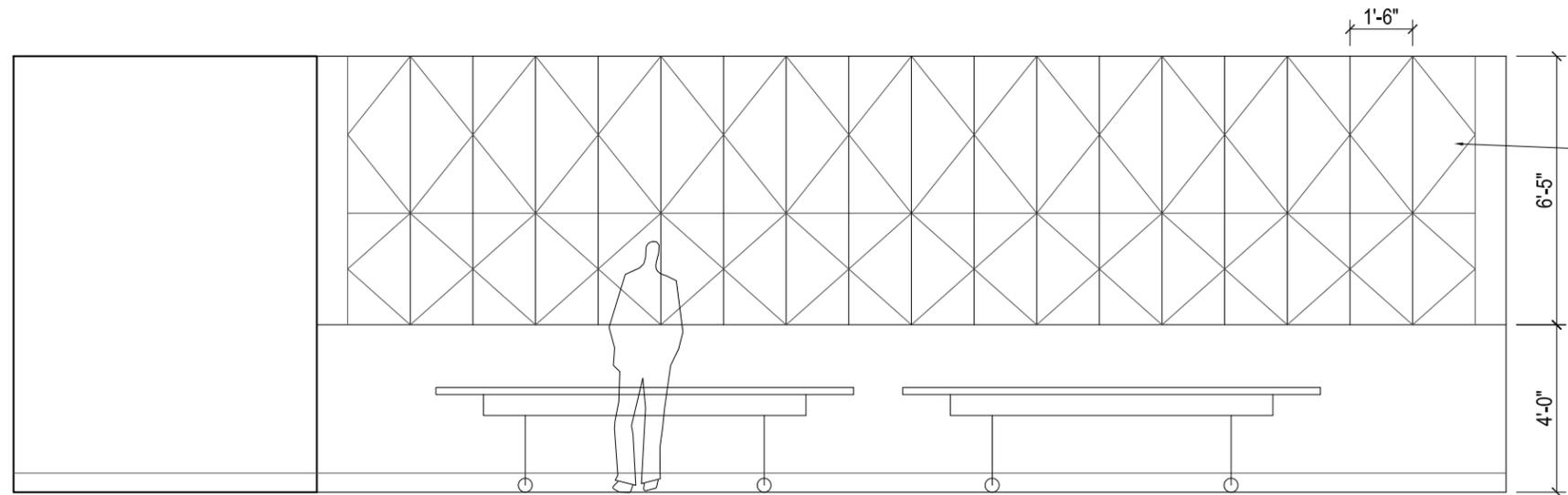
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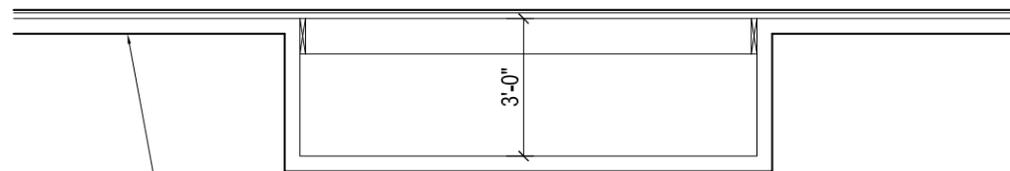
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WOOD PAINTED FRAME AND
PANEL CABINETS, PAINT
PER OWNERS
SPECIFICATIONS

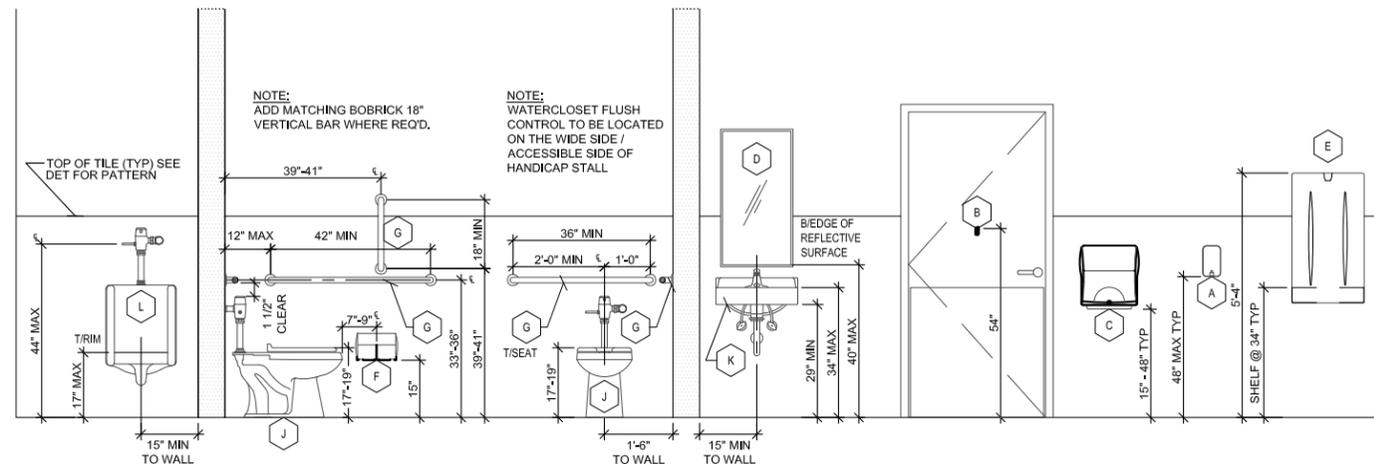
1 INTERIOR ELEVATION
1/4"=1'-0"

NEW 2X10 JOISTS AND PLYWOOD SHEATHING AT FLOOR CHANGE



CONCRETE FLOOR AND WALLS AT LOWERED FLOOR AREA
IBC 717.3.3 DRAFTSTOPPING NOT REQUIRED WHERE SPRINKLED

2 SECTION AT FLOOR
1/4"=1'-0"



3 RESTROOM ELEVATIONS
1/4"=1'-0"

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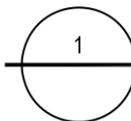
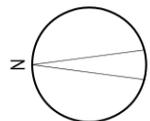
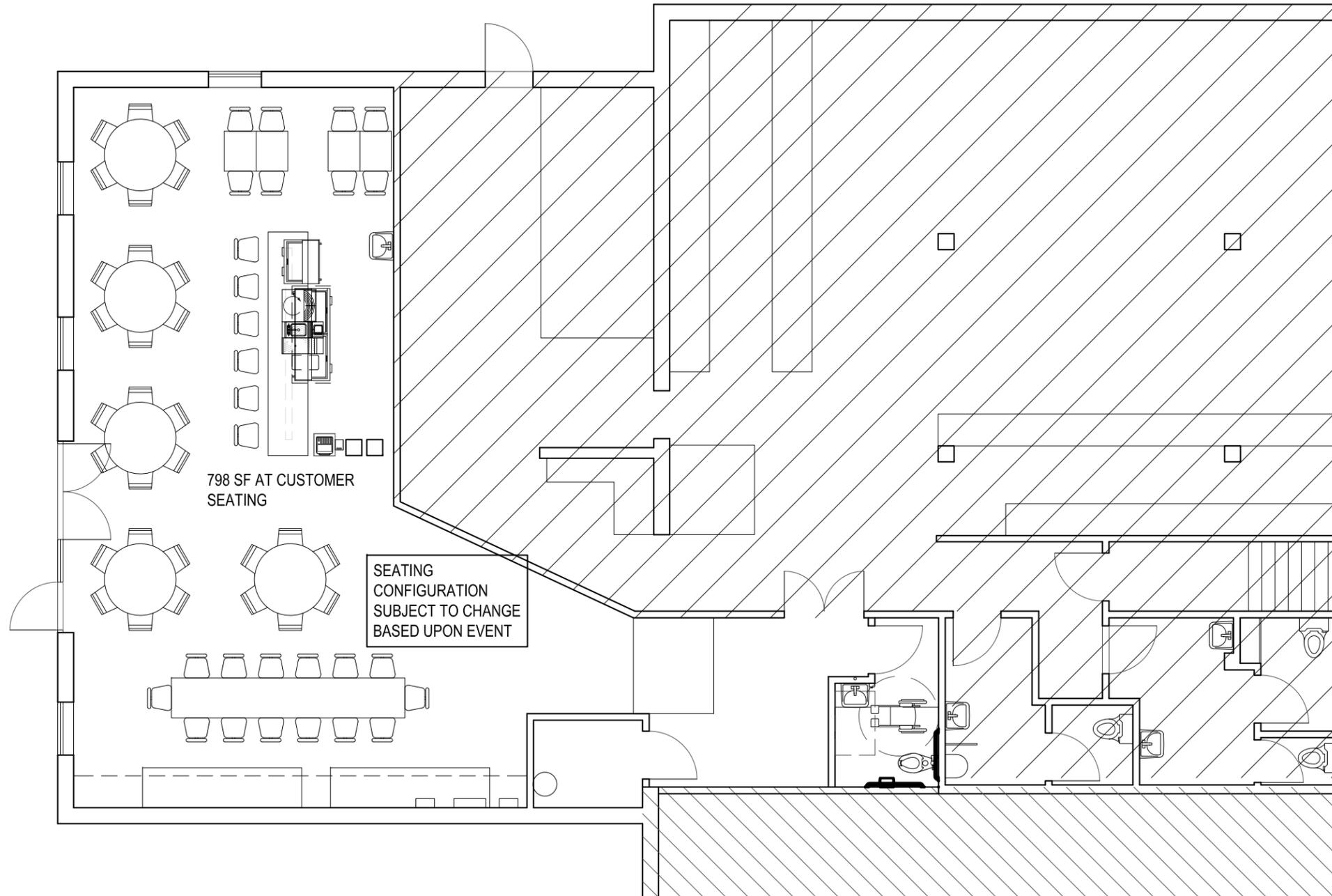
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PROPOSED FURNITURE PLAN

1/8" = 1'-0"

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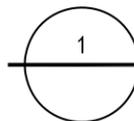
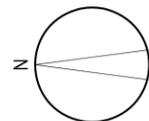
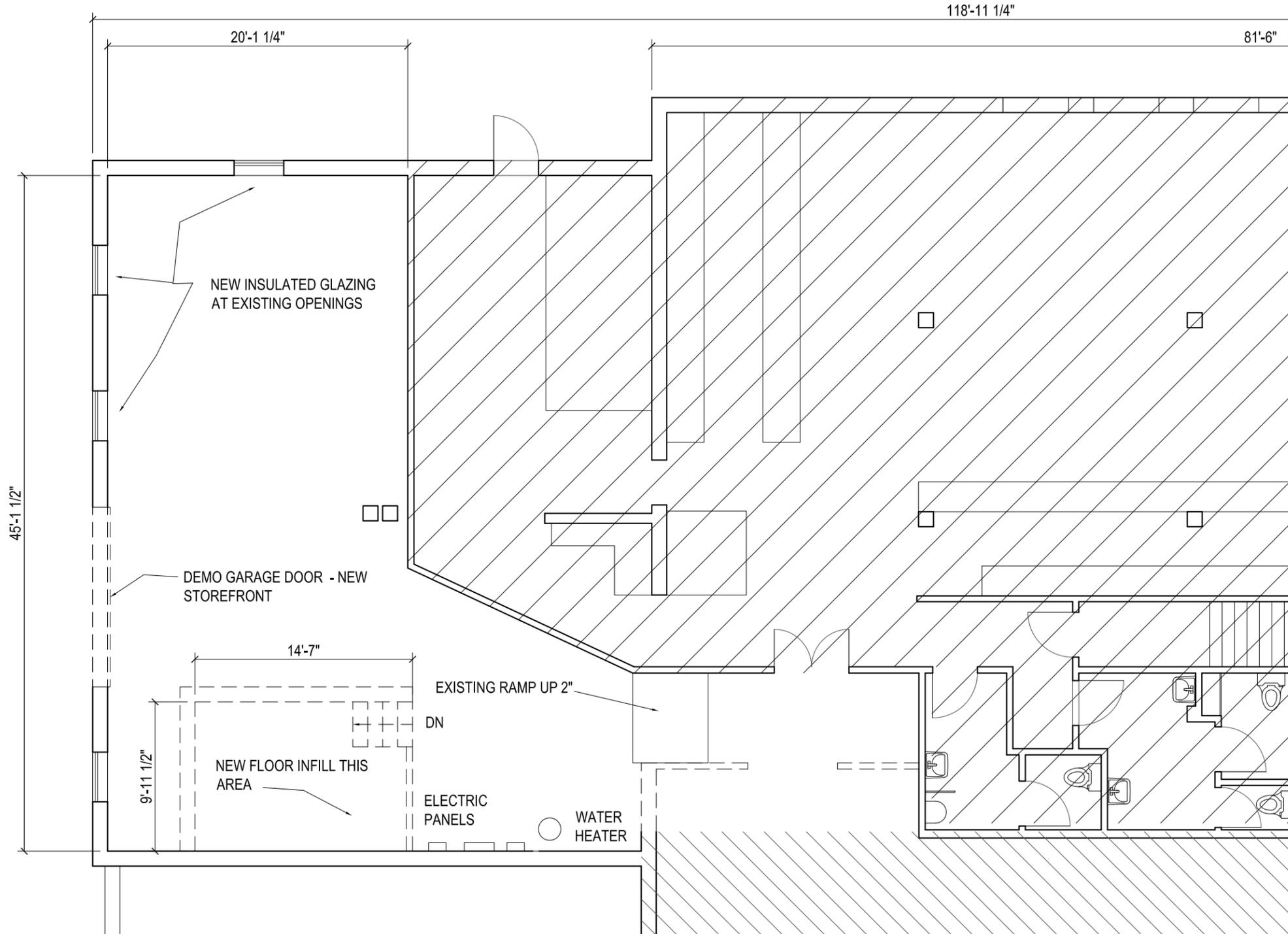
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PRIVATE ALLEY



1 DEMO FLOOR PLAN

1/8" = 1'-0"

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No Stopping







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09



WARNING
PERMIT PARKING
ONLY
VEHICLES WITHOUT
VALID PERMITS WILL
BE TOWED AT
OWNER'S EXPENSE

WARNING
NO PARKING
EXCEPT
AS SHOWN

CityLink

413.788.0390

Widmeier, Janelle A.

From: Stephanie Mitchell <scentedwoods@gmail.com>
Sent: Thursday, October 16, 2014 11:31 AM
To: Widmeier, Janelle A.
Subject: Master Land Use Application Permit #BZZ 6886

As a person in the neighborhood that will be affected by master land use application permit #BZZ 6886, I am writing today to encourage you to DENY the request by Miss Jimmy Inc. for a variance that reduce the minimum parking requirement from 55 to 0.

There is significant parking issues in this area already and feel that such a drastic reduction in the minimum is irresponsible.

Thank you,

-Stephanie Mitchell
513 2nd Ave SE.
Minneapolis, MN 55414