



LAND USE APPLICATION SUMMARY

Property Location: 3721, 3725, 3731 Chicago Avenue S
Project Name: Eco.Culture
Prepared By: Mei-Ling Smith, City Planner, (612) 673-5342
Applicant: Mike Stebnitz
Project Contact: Mike Stebnitz
Request: To allow a shopping center in an existing building.
Required Applications:

Conditional Use Permit	To allow a shopping center in an existing building in the CI Neighborhood Commercial District and PO Pedestrian Oriented Overlay District.
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SITE DATA

Existing Zoning	CI Neighborhood Commercial District PO Pedestrian Oriented Overlay District
Lot Area	14,682 square feet / 0.34 acres
Ward(s)	9; adjacent to Ward 8
Neighborhood(s)	Powderhorn Park Neighborhood Association; adjacent to Chicago Area Neighborhood Development Organization
Designated Future Land Use	Mixed Use
Land Use Features	Neighborhood Commercial Node (38th Street E/ Chicago Avenue S); Community Corridor (Chicago Avenue S)
Small Area Plan(s)	n/a

Date Application Deemed Complete	September 22, 2015	Date Extension Letter Sent	Not applicable.
End of 60-Day Decision Period	November 21, 2015	End of 120-Day Decision Period	Not applicable.

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject site contains three parcels located midblock on Chicago Avenue South between E 37th Street and E 38th Street. The two southern parcels contain a one-story commercial building that previously held a furniture business, since 1963, and is now vacant. The northern parcel contains an existing surface parking lot with 11 spaces, which is currently accessible via Chicago Avenue S to the west, and the adjacent residential alley to the east. Water drains from the street side of the parking lot toward the alley.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The block on which the subject site is located contains a mix of commercial uses and buildings, including a grocery store, art galleries, retail, a gas station, a coffee shop, a catering kitchen, and an auto repair business. There is a vacant office building and parking area to the north of the subject site. The adjacent parking area shares a curb cut with the subject site. To the south of the building, there is a one-story building containing a restaurant. The surrounding area contains a wide range of residential uses, including primarily low-density residential uses (zoned R2B) to the east of the adjacent alley and medium-to-high density residential zoning districts to the west.

PROJECT DESCRIPTION. The applicant is proposing to use the existing 8,260 square foot building for a shopping center with between eight and 15 retailers. The shops would be located on the main floor in an open sales area that is approximately 5,564 square feet in area. No individual tenant would exceed 4,000 square feet, as consistent with the requirements of section 548.240 in the zoning code for the CI district. There would also be offices on the east side of the main level. The basement would be used for storage and distribution. A shopping center requires a conditional use permit in the CI Neighborhood Commercial District.

As part of the project, the applicant is proposing to restripe the existing surface parking lot to the north of the building. Eleven parking spaces would remain, including one accessible parking spot. With the PO Pedestrian Oriented Overlay District reductions, the minimum requirement for the retail uses within the shopping center is seven spaces and the maximum is 32. There is no loading requirement for a shopping center of this size, although the property contains an existing loading area on the alley side of the building. The applicant is proposing a four-foot walkway between the building and parking area and a six-foot on-site landscaped yard between the parking area and public sidewalk along Chicago Avenue S. The applicant is proposing eight bicycle parking spaces within the public right-of-way near the entrance, which exceeds the minimum requirement of two short-term biking spaces, of which 50 percent must meet the definition of short-term bicycle parking.

PUBLIC COMMENTS. As of the printing of this report, staff has not received any comments from the community or neighborhood regarding this project. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow a shopping center based on the following findings:

- 1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

The applicant is proposing to use the existing building for a shopping center, which is a conditional use in the CI district. The principal use within the shopping center would be retail sales and services. The applicant has stated the refuse and recycling storage area would be located within the building on the lower level. No noise or odors are expected to result from the use. CPED finds that the shopping center would not be detrimental to or endanger the public health, safety, comfort, or general welfare provided that the development complies with all applicable building codes and life safety ordinances.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The proposed development would activate a building that has been vacant for several years. The retailers and main entrance would be located along the building frontage on Chicago Avenue S. The proposed use is consistent with character of the area, which has a mix of small-scale commercial and residential uses. CPED staff does not anticipate that the shopping center would produce odors or other exterior nuisances. As conditioned, the use would not be injurious to the use and enjoyment of adjacent properties.

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

The site is adequately served by existing roads, utilities, drainage, and other necessary facilities. However, the proposed parking area currently drains to the alley. CPED recommends a condition of approval requiring that pervious landscape materials and a landscaped buffer with discontinuous curbing be installed along the alley side of the parking lot in order to capture and infiltrate excess stormwater runoff draining from the Chicago Avenue side of the parking lot.

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

Staff does not expect that the use would contribute to congestion in the public streets. All vehicles would enter the site from Chicago Avenue S. With the PO Pedestrian Oriented Overlay District reductions, the minimum requirement for the shopping center is seven spaces, the maximum is 32, and 11 are provided. There is no loading requirement for a shopping center of this size, although the property contains an existing loading area on the alley side of the building. The applicant is proposing eight bicycle parking spaces within the public right-of-way near the entrance, which exceeds the minimum requirement of two short-term biking spaces, of which 50 percent must meet the definition of short-term bicycle parking. To minimize commercial traffic in the adjacent residential alley, CPED and Public Works staff are recommending a condition of approval that alley access be closed off from the parking area along the east property line.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

The subject site is designated as Mixed Use on the future land use map in *The Minneapolis Plan for Sustainable Growth* and is located on a Community Corridor (Chicago Avenue S). Mixed Use areas may include either a mix of retail, office, or residential uses within a building or within a district. There is no requirement that every building be mixed use.

Community corridors contain primarily residential uses, with intermittent commercial uses clustered at intersections in nodes. The commercial uses are generally small-scale retail sales and services, serving the immediate neighborhood, while the residential uses along Community Corridors are generally medium density (20-50 du/acre), transitioning to low density in surrounding

areas. The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

Land Use Policy I.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

- I.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy I.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- I.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- I.4.2 Promote standards that help make commercial districts and 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 to add interest at the pedestrian level.
- I.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Land Use Policy I.5: Promote growth and encourage overall city vitality by directing new commercial and mixed use development to designated corridors and districts.

- I.5.1 Support an appropriate mix of uses within a district or corridor with attention to surrounding uses, community needs and preferences, and availability of public facilities.
- I.5.2 Facilitate the redevelopment of underutilized commercial areas by evaluating possible land use changes against potential impacts on the surrounding neighborhood.
- I.5.3 Promote the preservation of traditional commercial storefronts wherever feasible.

Land Use Policy I.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

- I.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.
- I.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.

Land Use Policy I.11: Preserve and enhance a system of Neighborhood Commercial Nodes that includes a mix of housing, neighborhood-serving retail, and community uses.

- I.11.2 Support the continued presence of small-scale, neighborhood-serving retail and commercial services in Neighborhood Commercial Nodes.

- I.11.7 Encourage the redevelopment of vacant commercial buildings and direct City services to these areas.

The proposed shopping center would activate a vacant existing building on a Community Corridor. There would be between 8 to 15 retailers within the shopping center which would support small-scale retail for the surrounding neighborhood. The site and landscaping improvements would further enhance the character of the property and minimize any impact on surrounding properties.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

If the requested land use application is approved, the proposal will comply with all provisions of the CI District.

Parking lots with four or more spaces are subject to the landscaping, screening, and curbing requirements in section 530.170 of the zoning code, which requires a minimum seven-foot landscaped yard and three-foot, 60 percent opaque screen along the west parking lot frontage along Chicago Avenue S. The subject site contains an existing parking area with 11 spaces. The applicant is proposing to add a six-foot landscaped yard between the parking area and sidewalk to comply with the intent of this zoning code provision. Staff finds that it would be reasonable to require that the applicant fully comply with the on-site seven-foot landscaped yard minimum between the parking area and public right-of-way. In order to meet the minimum seven-foot landscaped yard requirement, staff encourages the applicant to reduce the size of each standard space from nine feet to 8.5 feet, per Chapter 541, Off-Street Parking and Loading.

The applicant is proposing to install two ornamental trees (hawthorn and chokeberry) and a variety of perennials within the landscaped yard. Staff recommends a condition of approval that the final landscaping plan shall list the scientific names and numbers of the proposed trees and shrubs in tabular format, and that the applicant provide a three-foot, minimum 60 percent opaque screen in the landscaped yard along Chicago Ave S to comply with the screening requirements for parking areas fronting public streets.

The parking lot frontage along Chicago Avenue S is approximately 18 feet. The zoning code requires that not less than one canopy tree be provided for each 25 linear feet of parking area frontage. One on-site canopy tree is required and none are proposed, as the proposed ornamental trees would not be deciduous trees that reach a mature height of at least 35 feet, and would likely block views into and out of the property between four and seven feet. Staff recommends a condition of approval that requires that at least one canopy tree be provided in the required landscaped yard along Chicago Ave S in place of the proposed ornamental trees.

As conditioned, the applicant would be required to install a landscaped yard with discontinuous curbing along the alley side of the parking lot to capture stormwater runoff from the surface parking area and close off alley access from the parking area (see finding number 3 above). Section 530.170 of the zoning code requires that all parking areas abutting residential alleys or residential district shall contain a six-foot, 95 percent opaque screen. The proposed site plan would not comply with this requirement. With the installation of the landscaped yard and stormwater collection area, as conditioned, staff finds that it would be practically and economically infeasible to also require the six-foot, 95 percent opaque screen in this location.

In parking lots of ten or more spaces, all spaces must be located within 50 feet from the center of an on-site deciduous tree. Given the existing layout of the parking area, staff finds that it would be practically and economically infeasible to require strict compliance with this provision.

In addition, the shopping center use is subject to, and complies with, the following specific development standards, per Chapter 536 of the zoning code:

- (1) Only uses allowed in the zoning district in which the shopping center is located shall be allowed in the shopping center.
- (2) Uses which require a conditional use permit, site plan review or other land use approval shall comply with all review and approval requirements of this zoning ordinance.
- (3) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the application by Mike Stebnitz for the properties located at 3721, 3725, and 3731 Chicago Avenue S:

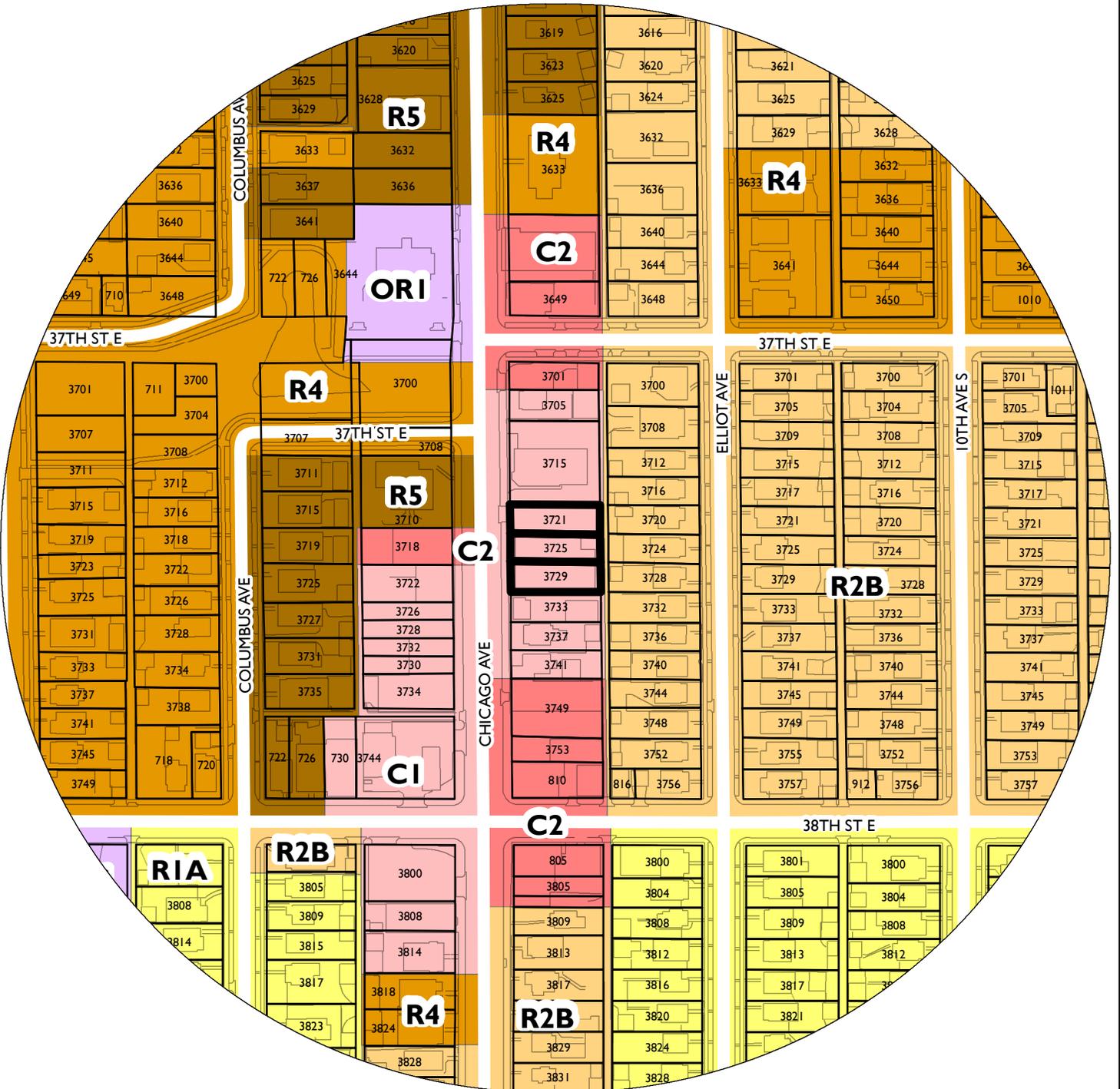
A. Conditional Use Permit to allow a shopping center in the CI District.

Recommended motion: **Approve** the application for conditional use permit to allow a shopping center in the CI district, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.
2. Approval of the final site, floor, and landscaping plans by the Department of Community Planning and Economic Development. The final landscaping plan shall specify the scientific names and numbers of the proposed trees and shrubs in tabular format.
3. All site improvements shall be completed by October 19, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. All signs shall comply with Chapter 543 of the zoning code. All signage requires a separate permit from CPED.
5. A landscaped yard with discontinuous curbing and landscape materials shall be provided along the east property line between the alley and parking area to capture and infiltrate stormwater runoff, and to block off alley access from the parking area.
6. The applicant shall provide a minimum seven-foot on-site landscaped yard between the parking area and west property line.
7. The applicant shall provide a three-foot, 60 percent opaque screen within the landscaped yard along the west property line to comply with the screening requirements in section 530.170 of the zoning code.
8. The applicant shall provide no fewer than one canopy tree in the landscaped yard along the west property line in lieu of the proposed ornamental trees.
9. The surface of the parking area shall be repaired and restriped in compliance with sections 541.300 and 541.320 of the zoning code.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site and floor plans
4. Photos



PROPERTY ADDRESS
3721-3731 Chicago Ave S

FILE NUMBER
BZZ-7396

Mike Stebnitz
3725 Columbus Avenue, Apt. A (residence)
Minneapolis, MN 55407
612-889-9551



Re: Conditional Use Permit Application notification for 3725 Chicago Avenue

September 8th, 2015

Dear City of Minneapolis Planning Commission;

I am applying for a Conditional Use Permit with the City of Minneapolis for approval to convert 3725 Chicago Avenue (the long vacant Furniture Liquidators Building), from "Single-user Retail" to "Shopping Center".

With your approval, I plan to open *Eco.Culture 'Goods for your Home and Habitat'* at 3725 Chicago, which is a new concept, planned to be a collaborative market of retailers that share the values of sustainability, affordability and creativity. The combination of retailers will be from 8 to 15, of various sizes. Some of the planned uses include; a urban agriculture retailer, a home furnishings creator who makes items from reclaimed materials in our every-day landscape, a vintage vinyl records seller, and a green-friendly clothing retailer. All planned merchants are dry-goods type retailers. The current plan is that the lower level basement will be used for rentable storage and perhaps distribution for some of the onsite retailers.

The property consists of three separate parcels, 3721, 3725 and 3729 Chicago Avenue. The building itself is approximately 8,300 sq feet on the main retail level, and 8,000 sq feet in the lower level basement.

I currently own the buildings across the street 3730-3740 Chicago Avenue, which I purchased largely vacant and boarded six years ago. Since that time I have added at least five new businesses to my buildings, all independent start-ups, plus the CANDO Community Center and proudly, they are all still operating today. I also live on the same block, and have been a consistent, active participant in our Powderhorn Community.

The property was on the market for several years - a property that is too small for most junior-box retailers, and too large for most of our Powderhorn-sized businesses. The stream of people in our area who come to me (as a commercial realtor) who hope to open their own businesses is never ending, but most need rental rates that don't exist in the standard commercial real estate market, even in our neighborhood. Eco.Culture plans to offer rates that allow many retailers their first opportunity to 'test the market'. Adding Powderhorn's consistent commitment to the earth, and my personal passion for businesses that actually *make* things, and the vision for Eco.Culture emerged... and continues to evolve as I become inspired by the various merchants I am meeting.

I am also very excited that instead of presenting just one, big new retailer to the 38th and Chicago node, this project can present as many as a dozen. I often imagine the project is in a sense creating all of these beautiful retailers as new "storefronts" along our corridor, nearly doubling the number of business owners we currently have at 38th and Chicago, but in perfect alignment with the project's mission - without wasteful, resource-draining 'building outside the envelope'.

I have attached images that reflect the project, and more can be seen at the [Eco.Culture website](http://www.ecoculturempls.com). <http://www.ecoculturempls.com>. Please take time to also read my thoughts about Why low-cost retail space is important.

As part of the process, all property owners within 350 feet of the subject site will be notified about the project and have an opportunity to present any thoughts or concerns. The public hearing at the Planning Commission will likely be on either October 5th or possibly October 19th.

Please feel free to contact me with any questions, ideas or inspirations for the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Stebnitz", written in a cursive style.

Mike Stebnitz

Mike Stebnitz
3725 Columbus Avenue, Apt. A (residence)
Minneapolis, MN 55407
612-889-9551



Re: WRITTEN STATEMENT Conditional Use Permit Application for 3725 Chicago Avenue

September 8th, 2015

Dear City Planning Commission;

I am applying for a Conditional Use Permit with the City of Minneapolis for approval to convert 3725 Chicago Avenue (the long vacant Furniture Liquidators Building), from "Single-user Retail" to "Shopping Center". As part of that process I would like to speak to the following findings.

The property consists of three separate parcels, 3721, 3725 and 3729 Chicago Avenue. The building itself is approximately 8,300 sq feet on the main retail level, and 8,000 sq feet in the lower level basement.

The Eco.Culture conditional use of 3725 Chicago Avenue will not be detrimental to or endanger the public health, safety, comfort or general welfare. The project will convert a vacant building to regular public use, contributing to safety at the site, and will create a will also contribute to the overall wellness of our area, providing jobs, and resources to live a healthier, more earth-friendly, active lifestyle. Retailers such as bike-friendly merchants are expected to be part of the project.

The Eco.Culture conditional use of 3725 Chicago Avenue will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. In contrast, the Eco.Culture project will contribute to the walkability and retail streetscape of our neighborhood node, contributing to the economic health of all neighborhood businesses. It may potentially also serve to reduce crime in the alleys and rear residential areas, which have been highlighted recently as an areas of concern due to a commercial block which has suffered high vacancy.

Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided. The property was used for many decades as a busy furniture sales store and the conditional use The Eco.Culture conditional use of 3725 Chicago Avenue is not expected to increase demand on these facilities. In addition, with the addition of more pedestrian activity and the growing use of bike lanes and the contribution of bike-centric retailers at 3725 Chicago are expected to alleviate pressure on these systems.

The conditional use is consistent with the applicable policies of the comprehensive plan. Eco.Culture and the conditional use of 3725 Chicago are a strong match for our area's pedestrian overlay, which among other things encourages the use of more biking and pedestrian uses, and discourages new automobile uses.

The Eco.Culture conditional use of 3725 Chicago Avenue shall, in all other respects, conform to the applicable regulations of the district in which it is located.

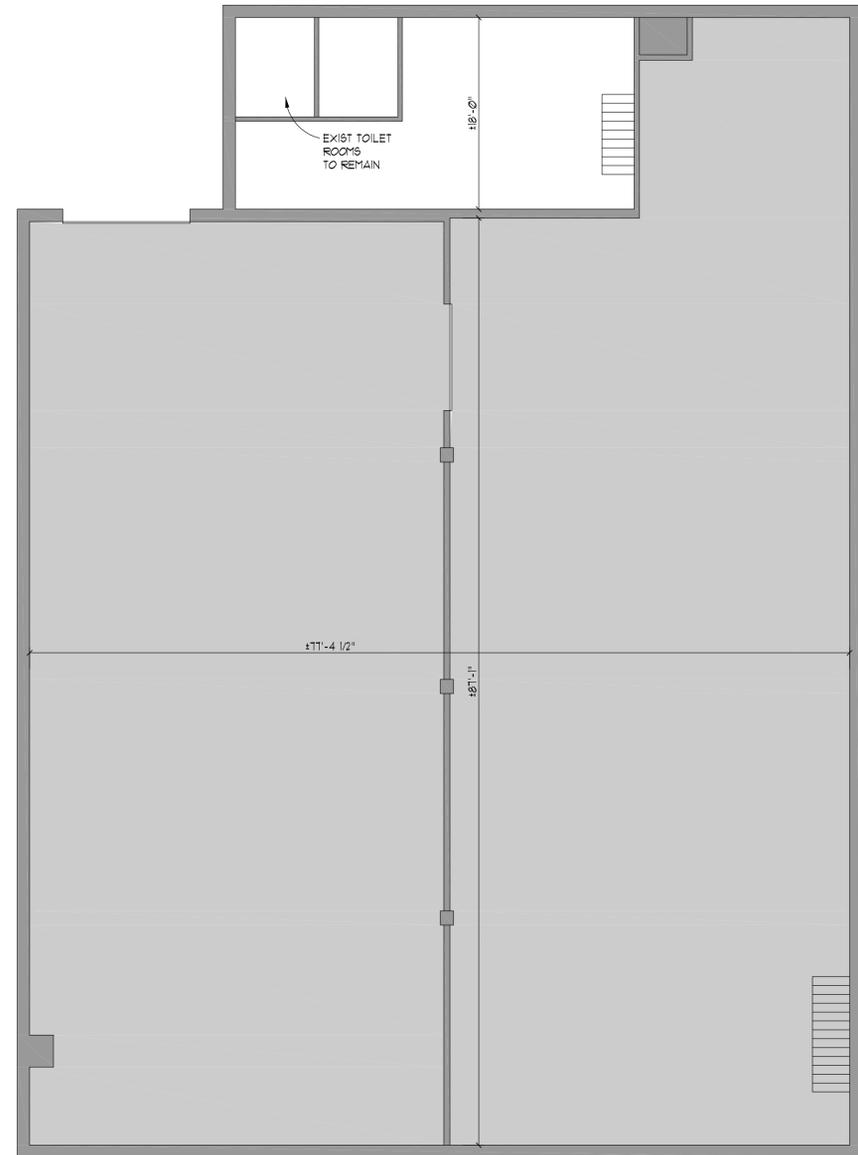
Sincerely,

A handwritten signature in black ink, appearing to read "Mike Stebnitz", is written over a white rectangular area. The signature is fluid and cursive.

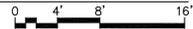
Mike Stebnitz
Eco.Culture

NOTE:

- THIS PLAN IS FOR DESIGN INTENT AND REFERENCE ONLY - AND IS NOT TO BE CONSIDERED A CONSTRUCTION DOCUMENT.
- BASEMENT WALL LOCATIONS SHOWN ARE APPROXIMATE AND ARE BASED ON AN OWNER PROVIDED BACKGROUND DRAWING. ACTUAL WALL LOCATIONS AND DIMENSIONS MUST BE FIELD VERIFIED.
- EXISTING WALLS TO REMAIN SHOWN SHADED DARK
- EXISTING AREAS WITH NO WORK SHOWN SHADED LIGHT



2 BASEMENT PLAN
a1.1 1/8" = 1'-0"



GRAPHIC LEGEND



NOTE:

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- EXISTING AREAS WITH NO WORK SHOWN SHADED LIGHT



1 MAIN LEVEL PLAN
a1.1 1/8" = 1'-0"



PRELIMINARY - NOT FOR CONSTRUCTION



PROJECT INFORMATION

STILLWATER PROPERTIES

CONDITIONAL USE PLANS

3725 CHICAGO AVE S. MINNEAPOLIS, MN 55407

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ISSUES AND REVISIONS

No.	Description	Date
1	PRELIM. CODE PLAN	08.11.15

DRAWING TITLE

PRELIMINARY MAIN LEVEL & LOWER LEVEL FLOOR PLAN

Project Number 15006
 Drawn By JDG
 Checked By JDG

SHEET NUMBER

a1.1



