

2542 Blaisdell Avenue South Request for Variance Applicant Statement

Applicant: Eilat Group LLC

Requested Variance – Front Yard Setback

City of Minneapolis Variances Requirements

ALL VARIANCES: A statement by the applicant which addresses the following required 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.
- (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.
- (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.

Overview

The lot at 2542 Blaisdell Avenue is approximately 78' x 165' and 12,866 square feet.

The proposed building will sit between two story office building at 2554 Blaisdell Avenue (approximately 15' from the front property line) to the south and a four-story multifamily residential building to the north at 2530 Blaisdell Avenue. This building is set back from the street approximately 35' to accommodate a large, semi-circular vehicle driveway.

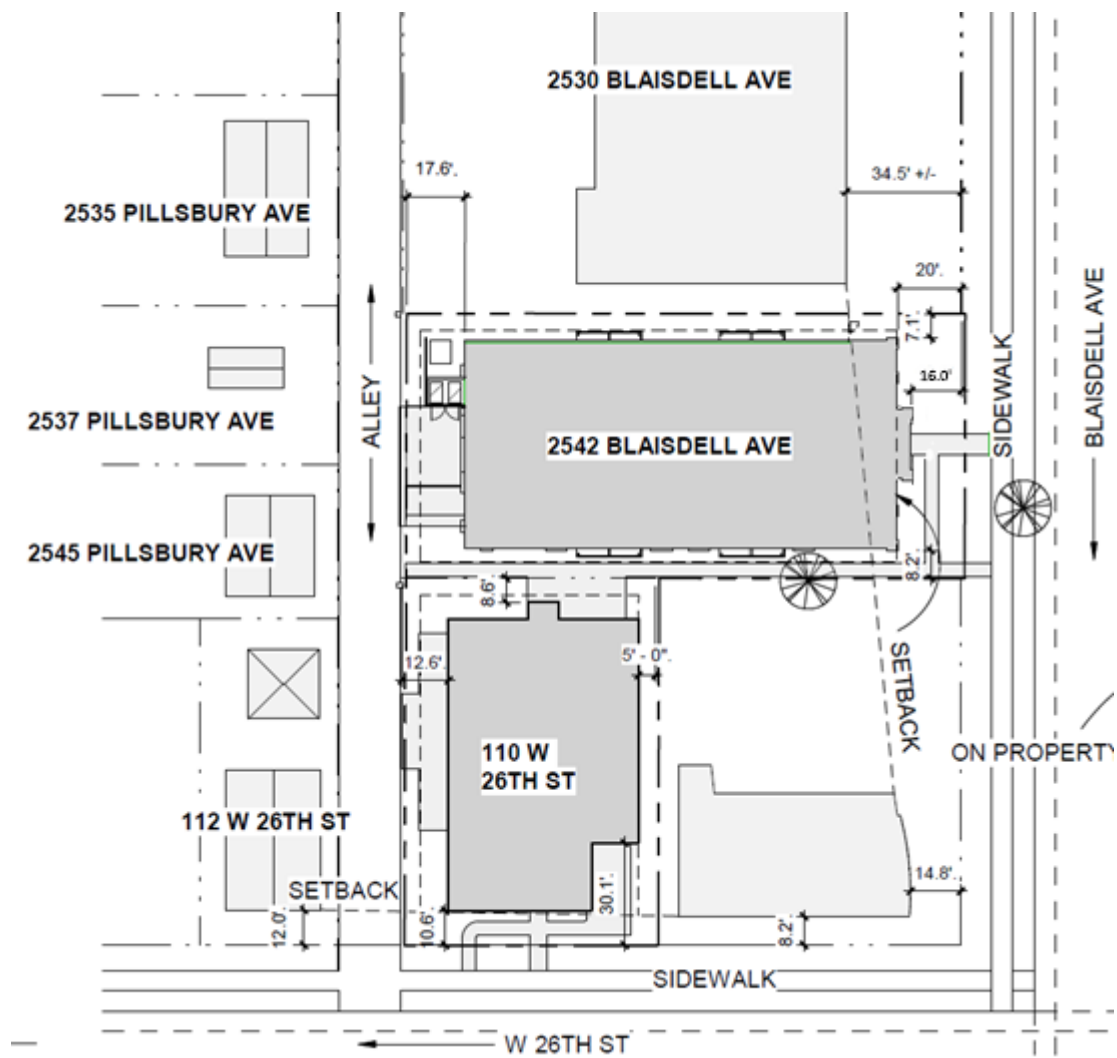
The site is in the Interior 3 Built Form Overlay, which allows up to three and maximum of 42' feet. The required setbacks by code are 5' for the side and rear



setbacks. The front setback standard by the Interior 3 zone is 20', but the actual allowed setback is determined by taking the average of the front setbacks of the immediately adjacent lots. With 2530 Blaisdell at about 35' and 2554 Blaisdell at about 15', the averaged setback for 2542 Blaisdell Ave is approximately 25'.

The aforementioned deep setback of 2530 Blaisdell to is what makes front vehicular access possible in such a manner that is no longer encouraged or supported by the Minneapolis comprehensive plan (Goal 6, Item Q: *Prohibit driveways for new small scale residential buildings on blocks that have alley access.*)

This driveway pushes back the massing of 2530 Blaisdell and as a result pushes back the average front setback depth beyond the current Interior 3 overlay district front setback guidance of 20'.



We are proposing a front setback of 20'-0" for the full three-story main massing of the building and 16' setback to the front of the one-story lobby. Due to the 8' of right of way between the sidewalk and the front property line, there is considerable additional setback functionally provided as one would see the building from the street. Following the averaged 25' setback would place the main massing of the proposed building 33' from the sidewalk and only 13' from the alley.

Statement of 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 circumstance that is determining the front setback of the proposed building is not within the control of the applicant. The considerable difference in front setback between the buildings on either side of 2542 Blaisdell Avenues contribute to a deeper resulting front setback which exceeds the Interior 3 district standard of 20'. The existence of a bike lane that removes parking from the curb in front of the building and thus places additional pressure to access the building from the rear alley is also not a circumstance created by the applicant. Furthermore, because the electrical utility poles on the alley sit on the east side, the poles rest on the property lines of the project, causing additional buffer zones to be necessary to meet all setback requirements for the project transformer and the building itself.

(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 property owner/applicant is proposing a residential structure that is adhering to all the form and setback requirements of the Interior 3 district, except for that of the front setback in the requested variance. It is a reasonable request for the building to be 5' closer to the front of the property to provide better balance of space between the rear and fronts of the building, especially with the heightened function the rear of the building due to the lack of curbside parking in the front.

(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 proposed variance will not alter the character be injurious to the use or enjoyment of property in the vicinity. The proposed variance actually better follows the current district standards and intent by matching the 20' front setback than the buildings adjacent. The variance helps to center the building from east to west on the site and reduces potential detrimental effects to the property owners to the rear and to those who utilize the alley between Blaisdell Avenue and Pillsbury Avenue. The additional 8' between the property line and sidewalk in the right of way creates an additional perceived setback area that exceeds the 5' requested in this variance.

Community Engagement and Feedback

Community engagement for the proposed project began in April when the applicant door knocked all the immediate property owners and reached some directly by email. All were also invited to a Whittier Alliance Housing and Land Use committee meeting to learn about the project and an additional meeting of immediate property owners was convened onsite a week later. Through these interactions, we have proposed this 5' variance in front setback in part because of property owners desire to maintain the maximum rear offset from the alley. In addition, with the protected bicycle lane along the entire front face of the site, no on-street parking is allowed on the west side of Blaisdell Avenue. The building being further forward will provide additional room in the rear for visiting and delivery vehicles who will utilize the alley to get close to the building. This on-site access is crucial to allow space for vehicles to pull out of the alley and not block it for unauthorized temporary parking.

Feedback from the property owners also was overwhelmingly in favor of the parking provided on the first floor of the building. While none is required in the project, vehicular parking space is at a premium on the block due to the lesser amounts of on-street parking (due to bike lanes). The critical dimensions of this indoor parking space drive much of the floor plan of the ground level as to where staircases and doors can be located in the building. As we attempt to match the character of the neighborhood through a traditional brick façade and a symmetrical front elevation, the adjacent property owners and Whittier Housing and Land Use committee have positively commented on support for the one-story lobby protrusion to enhance and center the front door of the building on the façade. Otherwise, the front door would not be centered and would be awkwardly off to one side. The historic structures nearby could avoid this façade pitfall because many of these buildings had the front entrance door load directly into the stairway landing, meaning that one had to go up or down a half flight of stairs to get to a hallway with units. Such a configuration is not allowed by modern building codes and ADA requirements.

The single-story lobby that protrudes 4' into the 20' overlay standard meets the allowed exception for such spaces, which is no greater than 75 SF. As such, the plan was designed as if the standard front setback of 20' was allowed as of right. The immediate property owners favored the building being as close to Blaisdell as possible in order to preserve space in the rear and push the 3-story massing of the building further from the alley. By keeping the main 3-story bulk of the massing at the Interior 3 Overlay setback of 20', the project meets the zone standard guidance while providing aesthetic enhancement to the front facade in a way that helps limit impact to neighboring properties at the rear/alley side of the building.

The particular zoning language that stipulates the 25' averaged front setback requirement has not been updated since the adoption of the 2040 Minneapolis Comprehensive Plan and subsequent zoning ordinance amendments that followed to create the form overlay zone parameters. The stated policy goals of the Comprehensive Plan direct projects to prioritize the needs of humans and non-motorized vehicles over cars. As such, front curb cuts and on-site vehicular access is discouraged and/or no longer allowed. Therefore, existing conditions which perpetuate the previous car-oriented bias should not hold back new construction buildings which are attempting to meet current intent and ordinance requirements, as in the case of the proposed building.