

City of Bloomington, Minnesota
DEPARTMENT OF COMMUNITY DEVELOPMENT

CASE: PL2018-113
APPLICANT: Douglas Feickert – Colliers International
LOCATION: 1701 and 1801 American Blvd E
REQUEST: Variance to reduce the minimum setback from the planned widened right-of-way line from 20 to 15 feet for a parking lot expansion at an existing office/warehouse building

Required Variance Findings – Section 2.85.04 (g)(1)(A-F).

Required Finding	Finding Outcome/Discussion
(A) ... the variance is in harmony with the general purposes and intent of the ordinance	Finding Made –The City Code recommends appropriate setbacks for the orderly and safe development along streets. Parking that meets the on-site demands minimizes the impact on the public right-of-way and adjoining properties. The proposed location for parking expansion with a setback matching the existing parking spaces would have a minimal impact on the future right-of-way while providing beneficial parking expansion. The parking would be 38 feet from the existing property line so a more than adequate landscape yard will be provided until the road is expanded.
(B) ... the variance is consistent with the Comprehensive Plan.	Finding Made - Granting a setback variance for the proposed parking expansion to accommodate the use while creating minimal impact on future planned street improvement is consistent with enhancing older office/warehouse sites in Bloomington. Granting the requested variance for a proposed parking expansion is consistent with the Comprehensive Plan.
(C) ... the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone do not constitute practical difficulties.	Finding Made - The established office warehouse use has a greater parking demand than the applicant may accomplish on-site. Without a variance, the impact of the parking may encroach onto adjoining properties or residential streets to the south. The existing stalls within the planned right-of-way were installed in compliance with the original building construction. The proposed parking stalls would be an extension of the existing stalls along American Boulevard. The current design of the parking lot represents a practical difficulty in the design of an expansion.
(D) ... The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.	Finding Made – Responding to market demands to add parking is reasonable and the proposed location is the most reasonable location on the property to do so.

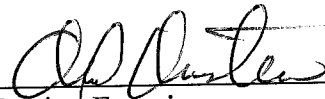
Required Finding	Finding Outcome/Discussion
(E) ... The plight of the landowner is due to circumstances unique to the property not created by the landowner.	Finding Made – The larger than typical boulevard and need for future right-of-way are not the result of actions by the applicant and are not present on most properties.
(F) ... The variance if granted will not alter the essential character of the locality.	Finding Made – Given that the parking expansion aligns with the existing parking area and given that a 38 foot setback will be retained under the street is expanded, the variance is not anticipated to alter the character of the area.

RECOMMENDATION

Staff recommends the following motion:

In Case PL2018-113, having been able to make the required findings, I recommend approval of a variance to reduce the minimum setback from the planned widened right-of-way line from 20 to 15 feet for a parking lot expansion at an existing office/warehouse building at 1701 and 1801 American Boulevard East, subject to the following conditions:

1. The encroachment must be as shown on the approved plans in Case PL2018-113.
2. Final Site and Building Plans must be approved prior to the parking expansion occurring.
3. A parking lot permit for all required changes to accommodate the proposed use be obtained.
4. An additional 9 foot sidewalk/bikeway easement be provided as approved by the City Engineer.
5. Should additional right-of-way be required that impacts the parking lot, compensation will not be provided for the proposed parking covered under the variance.


 Hearing Examiner
 May 1, 2018