

(reserved for recording information)

CITY OF NORTHFIELD, MINNESOTA
ZONING BOARD OF APPEALS RESOLUTION ZBA #2016-003

A RESOLUTION BY THE ZONING BOARD OF APPEALS OF THE CITY OF NORTHFIELD, MINNESOTA, APPROVING A VARIANCE REQUEST AT 301 WATER STREET

WHEREAS, Theologia Pitsavas has requested a variance, from to allow construction of a one story addition to an existing two story building in the C1 zone, legally described as Lot 3, Block 3, and Outlot A, Cannon River West Addition; and

WHEREAS, based on LDC Table 3.2.-4 Dimensional Standards for the C1 District, all new construction in the C1 district shall have a minimum height of two stories; and

WHEREAS, the Zoning Board of Appeals held a public hearing, following required public notice thereof, on October 20, 2016, and has reviewed the variance from regulations identified in the Land Development Code and has considered the statutory variance criteria identified in the Staff report and proposed findings.

NOW THEREFORE BE IT RESOLVED that the Northfield Zoning Board of Appeals has duly considered the required criteria contained in state law and the LDC and hereby adopts the findings of fact contained in the staff report, which is attached hereto and incorporated herein by reference as Exhibit A.

BE IT FURTHER RESOLVED that the requested variance is hereby approved and granted, based upon the above-referenced adopted findings, to allow construction of a one story addition to an existing two story building at 301 Water Street.

PASSED by the Zoning Board of Appeals of the City of Northfield this 20th day of October, 2016.

Chair

Member

VOTE: ___SCHULTE ___GASIOR ___DELONG ___JASNOCH
___SKUNES ___STUART

EXHIBIT A

FINDINGS OF FACT

The criteria for approving a variance, according to Section 5.5.16(C), are as follows:

(1) Pursuant to Minn. Stat. §462.357, Subd 6, as it may be amended from time to time, the zoning board of appeals may only grant applications for variances where practical difficulties in complying with this LDC exist and each of the following criteria are satisfied:

- (a) The variance is in harmony with the general purposes and intent of this LDC; and,
- (b) The variance is consistent with the Comprehensive Plan; and
- (c) The property owner proposes to use the property in a reasonable manner not permitted by this LDC; and
- (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- (e) The variance, if granted, will not alter the essential character of the locality.

Variance: A variance, from Table 3.2.-4 Dimensional Standards for the C1 District to allow construction of a one story addition to an existing two story building.

Criterion 1 - The variance is in harmony with the general purposes and intent of the LDC.

1.1 Purpose of the Land Development Code (LDC)

The City of Northfield carries out the policies of the comprehensive plan by classifying and regulating the uses of land and structures within the city. This Land Development Code is adopted to protect and promote the public health, safety, morals, and general welfare of the city. More specifically, the purpose of these regulations is to:

- 1.1.1 Maintain and enhance the community's distinct small town character.
- 1.1.2 Preserve and protect the area's natural, historic, and cultural resources while providing for improved methods of integrating these resources in the community.
- 1.1.3 Encourage growth in infill locations as the desired location of development with expansion on the edge of the city a secondary priority.
- 1.1.4 Create residential community areas with strong neighborhood qualities including pedestrian-friendly streets, community gathering spaces, and basic commercial needs within walking distance.
- 1.1.5 Encourage the development of neighborhoods that incorporate a variety of housing types to serve the needs of a diverse population.
- 1.1.6 Allow for places with a mixture of uses that are distinctive and contribute to the city's overall vitality.
- 1.1.7 Provide standards and guidelines for continuing strategic growth and sustainable development.
- 1.1.8 Provide for the expansion and diversification of the economic base to assure a strong economy.

- 1.1.9 Promote an ethic of sustainability in all activities to ensure that proposed development and redevelopment will, at a minimum, conserve energy and natural resources.
- 1.1.10 Improve and promote connectivity to better serve residents and to improve the function of the overall street network.
- 1.1.11 Ensure that proposed development is of human scale, primarily pedestrian-oriented to the extent appropriate, and designed to create exceptional streetscapes and pedestrian spaces.
- 1.1.12 Minimize vehicle traffic by providing for a mixture of land uses, pedestrian-oriented development, compact community form, safe and effective multi-modal traffic circulation (e.g., pedestrian, bicycle, and vehicular), and adequate on- and off-street parking facilities.
- 1.1.13 Protect the rural character of certain areas of the community as identified in the comprehensive plan.
- 1.1.14 Encourage vibrancy in the downtown core and fringe areas.
- 1.1.15 Ensure compatibility between different types of development and land uses.
- 1.1.16 Create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage, energy, and other public facilities and utilities.

The purpose of the Downtown (C1) district is to sustain the historic central business district, make the Highway 3 corridor a more integral and attractive part of Downtown, provide design transitions to surrounding zoning districts, provide a strong relationship to the Cannon River and thus enhance the beauty, appreciation and benefits of the river, and to augment and increase Downtown viability and prosperity. The C1 District aims to provide a compact, pedestrian friendly, active mix of land uses including business, hospitality, offices and services, housing, arts and culture, government, public gathering places and points of interest for residents and visitors alike. The design standards of this district reflect the character of the historic downtown and will help create a sense of arrival and center by locating buildings close to the sidewalk or road, providing compatible facades along the Cannon River, building intimate places for people to gather outdoors, or minimizing negative effects on residential neighborhoods.

Finding: Criterion 1 satisfied. The proposal meets LDC purposes 1, 2, 3, 8, 11, and 14. It is also in harmony with the purpose of the C1 district as it will help to sustain the oldest restaurant in Northfield in its historic central location. The project will reflect the character of the district and define a sense of arrival to downtown.

Criterion 2 - The variance is consistent with the Comprehensive Plan.

The Comprehensive Plan provides guidance that the Land Use chapter will be consulted for any development proposal based on the Intent, Location, and Character of the project.

Intent: Development proposals will reflect the spirit and values expressed in the 12 **Northfield Comprehensive Plan Land Use Principles** (statements of intent) (pages 4.9 to 4.13).

1. The small town character will be enhanced.

2. The natural environment will be protected, enhanced and better integrated into the community.
3. The preference for accommodating future growth is in infill locations, then redevelopment/land intensification opportunities, and then on the edge of existing developed areas.
4. New and redeveloped residential communities (areas) will have strong neighborhood qualities.
5. Environmentally-sensitive and sustainable practices will be integrated into new developments and redeveloped areas.
6. Places with a mix of uses that are distinctive and contribute to increasing the city's overall vitality are preferred.
7. Neighborhood-serving commercial will be small scale and integrated with the residential context.
8. A wider range of housing choices will be encouraged - in the community as well as in neighborhoods.
9. Rural character of certain areas of the community will be protected.
10. Streets will create an attractive public realm and be exceptional places for people.
11. Places will be better connected, in part to improve the function of the street network and also to better serve neighborhoods.
12. Opportunities will be created to walk and bike throughout the community.

Analysis: The proposal will enhance the small town character of downtown with a new infill development.

Location: Development proposals will be consistent with the **Conservation and Development Map** (page 4.18) and location descriptions (pages 4.14 to 4.15).

Analysis: The property is in the Core Enhancement district which focuses on the downtown area for continued infill as a mixed-use center with improved river access. This project is in line with the essential character of Northfield's core.

Character: Development proposals will be consistent with the **Framework Map** (page 4.19) and recommendations and context descriptions (pages 4.15 to 4.17).

Analysis: The property is in the Core context consisting of the densest mixed-use development. The essential, existing character of the zone should be reinforced with future development. This project will enhance the essential character of Northfield's core.

Finding: Criterion 2 satisfied. The proposal meets the criteria outlined in the Comprehensive Plan for consistency.

Criterion 3 - Property Owner proposes to use the property in a reasonable manner not permitted by the LDC.

Finding: Criterion 3 satisfied. The property owner proposes to continue to use the property in a reasonable manner. They will continue to operate Northfield's oldest restaurant. The proposed addition meets all pertinent LDC criteria except for building

height. It is reasonable for a property owner to wish to expand their business, but this is not permitted by the LDC in this case. To expand the addition to two stories would require expanding the building addition and retrofitting the existing building.

Criterion 4 - The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Finding: Criterion 4 satisfied. The adjacent land, which is being made available from the City, is only buildable when attached to the Basil's building. The 18' width is too narrow to build a standalone structure or to facilitate second story residences.

Criterion 5 - The variance, if granted, will not alter the essential character of the locality.

Finding: Criterion 5 satisfied. The addition and improvements to the existing business will serve to enhance the essential character and vitality of the locality. The addition, as designed, conforms to the existing building and the height is compatible with the one story structure on the south side of Basil's.