



## Legislation Text

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**File #:** 17-1148, **Version:** 1

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**Date:** December 14, 2017

**To:** Members of the Zoning Board of Appeals

**From:** Scott Tempel, City Planner

Consideration of Variances for 1520 Clinton Lane

**Action Requested:**

Staff recommends the Zoning Board of Appeals approve variances allowing construction of a bank with a drive through at 1520 Clinton Lane.

**Summary Report:**

The Community Development Department has received a Site Plan Application from Farmer's State Bank on October 20, 2017 for the development of a new bank at the corner of Hwy 3 and Clinton Lane. The proposed Farmer's State Bank of Northfield project includes a drive-through area as well as a small retail coffee shop on the .86 acres (37,592 SF) site.

Staff conducted a pre-development review committee meeting on November 6 to review the site plan and discuss the project in detail. The proposed project met all of the general requirements, pedestrian access, parking and loading, landscaping requirements and architectural standards for the C-2 Highway Commercial zoning district in the Land Development Code (LDC). However, the site plan will require two variances of site development standards and two variances for the proposed drive through.

This parcel includes several unique features including multiple street frontages, topography changes on the north and west sides, and a small lot size that provide significant constraints to development. Due to these constraints, the proposed layout for this site is similar to the existing property located directly to the north. The proposed building will line up with the existing retail center and have similar parking provided between the building and Hwy 3.

Variances are required for the following LDC standards:

- Stacking lanes shall be set back 25 feet from rights-of-way.
- A commercial building associated with a drive-through establishment shall be located at the property line along the street. If the property is a corner lot, the building shall be located no more than ten feet from the property line on the corner street side.
- For a development site with a property line abutting a Local or Collector public street, the principal building on the site should have a wall located within 25 feet of that property line. The length of that wall should be equal to or greater than 25 percent of the length of that property line.
- Whenever practical, at least one side of each building should be located in close proximity (without intervening parking) to one or more of the adjacent local or collector public streets such as Jefferson

Road, Jefferson Parkway, Heritage Drive or Honeylocust Drive. On corner sites, the building should be located near the corner.

Each of these variances are related, and denial of any single variance will prevent the project from moving forward. Each of the variances must be reviewed and considered individually in order to provide a proper legal decision. In this case, the standards that cannot be met are very similar, therefore, the variance findings are also very similar.

**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 ONE**

Northfield Land Development Code Section 2.9.7 Drive-Through Establishments requires:

- Stacking lanes shall be set back 25 feet from rights-of-way.

Analysis of the variance request is addressed below.

Criterion (a) The variance is in harmony with the general purposes and intent of the LDC.

Supported: The project is in harmony with the general purposes and intent of the LDC. The purpose of the Highway Commercial (C2-B) district is to provide a location for highway-oriented businesses that benefit from access to and visibility from the highway and a wider range of commercial building and site sizes than is possible in other districts. The standards proposed in this LDC are intended to support efficient use of the limited highway commercial land supply, attract and retain sustainable businesses which contribute to economic growth and job creation, and enhance the economic vitality of the district and of Northfield overall.

The proposed use is consistent with the general goals for the C2 zone district. The bank is a sustainable business that will contribute to Northfield's vitality. The use is wholly appropriate for the zone district and location. It is estimated the bank will employ nine workers and the coffee shop another three.

Criterion (b) The variance is consistent with the Comprehensive Plan.

Supported: The variance is consistent with the Comprehensive Plan. Objective number one in the Economic Development chapter is to support existing businesses. Plan goal LU 3.2, work collaboratively to identify structures and sites for redevelopment, intensification or reuse, is met by this project. While this business is not locating in the downtown as preferred by the Comp Plan, it is an infill project, which is also a priority of the plan.

Criterion (c) Property Owner proposes to use the property in a reasonable manner not permitted by the LDC.

Supported: The applicant is proposing to use the property in a reasonable manner. The requested variance will result in a reasonable use of the property otherwise not permitted by the LDC. This is a unique lot that has Local or Collector streets located on 3 sides of the site. For the permitted drive-through on this site, the building will need to have circulation on all 4 sides of the structure (for parking access and drive-through access). In order to meet the required parking spaces for this use, parking needs to be located on 3 side of the building, while the drive up is located on the remaining side. The drive up is located on the east side of the site to allow for required stacking depth. The width of the site does not allow for the drive up to be located on the north or south side of the side due to stacking and parking requirements. The variance request is based upon the requirements and elements necessary for this type of permitted use on this site to be functional. There is no financial benefit or impact in regards to building frontage location.

Criterion (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Supported: The plight of the landowner is not self-created. This is an existing lot with three frontages.

Criterion (e) The variance, if granted, will not alter the essential character of the locality.

Supported: Granting the variance will not alter the essential character of the locality. This parcel is part of a larger commercial development that fronts Highway 3 with parking in between the building and the highway. There is a similar development at Hwy 3 and Heritage that employs a drive through along Jefferson Road.

## **VARIANCE TWO**

Northfield Land Development Code Section 2.9.7 Drive-Through Establishments requires:

- A commercial building associated with a drive-through establishment shall be located at the property line along the street. If the property is a corner lot, the building shall be located no more than ten feet from the property line on the corner street side.

Analysis of the variance request is addressed below.

Criterion (a) The variance is in harmony with the general purposes and intent of the LDC.

Supported: The project is in harmony with the general purposes and intent of the LDC. The purpose of the Highway Commercial (C2-B) district is to provide a location for highway-oriented businesses that benefit from access to and visibility from the highway and a wider range of commercial building and site sizes than is possible in other districts. The standards proposed in this LDC are intended to support efficient use of the limited highway commercial land supply, attract and retain sustainable businesses which contribute to economic growth and job creation, and enhance the economic vitality of the district and of Northfield overall.

The proposed use is consistent with the general goals for the C2 zone district. The bank is a sustainable business that will contribute to Northfield's vitality. The use is wholly appropriate for the zone district and location. It is estimated the bank will employ nine workers and the coffee shop another three.

Criterion (b) The variance is consistent with the Comprehensive Plan.

Supported: The variance is consistent with the Comprehensive Plan. Objective number one in the Economic Development chapter is to support existing businesses. Plan goal LU 3.2, work collaboratively to identify structures and sites for redevelopment, intensification or reuse, is met by this project. While this business is not

locating in the downtown as preferred by the Comp Plan, it is an infill project, which is also a priority of the plan.

Criterion (c) Property Owner proposes to use the property in a reasonable manner not permitted by the LDC.

Supported: The applicant is proposing to use the property in a reasonable manner. The requested variance will result in a reasonable use of the property otherwise not permitted by the LDC. This is a unique lot that has Local or Collector streets located on 3 sides of the site. This lot also has a small footprint (38,385 sf). In order to provide the required parking and circulation for this permitted use (financial institution w/ coffee shop tenant) the building is not able to be located within 25' of the property line on any of the 3 street sides. For the permitted drive-through on this site, the building will need to have circulation on all 4 sides of the structure (for parking access and drive-through access). In order to meet the required parking spaces for this use, parking needs to be located on 3 side of the building, while the drive up is located on the remaining side. The functional site components of this building type (required parking spaces, site circulation, drive up circulation, and drive up stacking requirements) prohibit the building from meeting the street frontage requirements. The variance request is based upon the requirements and elements necessary for this type of permitted use on this site to be functional. There is no financial benefit or impact in regards to building frontage location.

Criterion (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Supported: The plight of the landowner is not self-created. This is an existing lot with three frontages.

Criterion (e) The variance, if granted, will not alter the essential character of the locality.

Supported: Granting the variance will not alter the essential character of the locality. This parcel is part of a larger commercial development that fronts Highway 3 with parking in between the building and the highway. There is a similar development at Hwy 3 and Heritage that employs a drive through along Jefferson Road.

### **VARIANCE THREE**

Northfield Land Development Code Table 3.2-7 states:

- For a development site with a property line abutting a Local or Collector public street, the principal building on the site should have a wall located within 25 feet of that property line. The length of that wall should be equal to or greater than 25 percent of the length of that property line.

Analysis of the variance request is addressed below.

Criterion (a) The variance is in harmony with the general purposes and intent of the LDC.

Supported: The project is in harmony with the general purposes and intent of the LDC. The purpose of the Highway Commercial (C2-B) district is to provide a location for highway-oriented businesses that benefit from access to and visibility from the highway and a wider range of commercial building and site sizes than is possible in other districts. The standards proposed in this LDC are intended to support efficient use of the limited highway commercial land supply, attract and retain sustainable businesses which contribute to economic growth and job creation, and enhance the economic vitality of the district and of Northfield overall.

The proposed use is consistent with the general goals for the C2 zone district. The bank is a sustainable business that will contribute to Northfield's vitality. The use is wholly appropriate for the zone district and

location. It is estimated the bank will employ nine workers and the coffee shop another three.

Criterion (b) The variance is consistent with the Comprehensive Plan.

Supported: The variance is consistent with the Comprehensive Plan. Objective number one in the Economic Development chapter is to support existing businesses. Plan goal LU 3.2, work collaboratively to identify structures and sites for redevelopment, intensification or reuse, is met by this project. While this business is not locating in the downtown as preferred by the Comp Plan, it is an infill project, which is also a priority of the plan.

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Criterion (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

Supported: The plight of the landowner is not self-created. This is an existing lot with three frontages.

Criterion (e) The variance, if granted, will not alter the essential character of the locality.

Supported: Granting the variance will not alter the essential character of the locality. This parcel is part of a larger commercial development that fronts Highway 3 with parking in between the building and the highway. There is a similar development at Hwy 3 and Heritage that employs a drive through along Jefferson Road.

## **VARIANCE FOUR**

Northfield Land Development Code Table 3.2-7 states:

- Whenever practical, at least one side of each building should be located in close proximity (without intervening parking) to one or more of the adjacent local or collector public streets such as Jefferson Road, Jefferson Parkway, Heritage Drive or Honeylocust Drive. On corner sites, the building should be located near the corner. The intention of this guideline is to add a sense of enclosure to the street and to help pedestrians walk from the street sidewalk to the building entrance. The rear or service side of the building should not be used for this purpose.

Analysis of the variance request is addressed below.

Criterion (a) The variance is in harmony with the general purposes and intent of the LDC.

Supported: The project is in harmony with the general purposes and intent of the LDC. The purpose of the Highway Commercial (C2-B) district is to provide a location for highway-oriented businesses that benefit from access to and visibility from the highway and a wider range of commercial building and site sizes than is possible in other districts. The standards proposed in this LDC are intended to support efficient use of the limited highway commercial land supply, attract and retain sustainable businesses which contribute to economic growth and job creation, and enhance the economic vitality of the district and of Northfield overall.

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The functional site components of this building type (required parking spaces, site circulation, drive up circulation, and drive up stacking requirements) prohibit the building from meeting the street frontage requirements. The variance request is based upon the requirements and elements necessary for this type of permitted use on this site to be functional. There is no financial benefit or impact in regards to building frontage location.

Criterion (d) The plight of the landowner is due to circumstances unique to the property not created by the landowner.

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Supported: Granting the variance will not alter the essential character of the locality. This parcel is part of a larger commercial development that fronts Highway 3 with parking in between the building and the highway. There is a similar development at Hwy 3 and Heritage that employs a drive through along Jefferson Road.

**Alternative Options:**

If the proposal is found not to meet the variance criteria, the Planning Commission shall provide explicit rationale as to why.

**Financial Impacts:**

There are no direct financial impacts to the City of Northfield from this project. The new bank will increase the tax base and employment in the city.

**Tentative Timelines:**

Applicant must complete Site Plan Review prior to construction.