



CPED STAFF REPORT
 Prepared for the Zoning & Planning Committee

Z&P Agenda Item
 February 5, 2015
 BZZ-6951

LAND USE APPLICATION SUMMARY

Property Location: 1611 East 46th Street
Project Name: Hiawatha College Prep - Northrop
Prepared By: [Mei-Ling Anderson](#), City Planner, (612) 673-5342
Applicant: Charter Schools Development Corporation
Project Contact: Dan Peterson, Edie Sebesta, & Mark Burgess, U+B Architecture and Design, Inc.
Request: To allow a high school in a new building.
Required Applications:

Interim Use Permit	To allow a high school in a new building.
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SITE DATA

Existing Zoning	R3 Multiple-Family District AP Airport Overlay District
Lot Area	155,071 square feet / 3.56 acres
Ward(s)	11
Neighborhood(s)	Field, Regina, Northrop Neighborhood Group
Designated Future Land Use	Urban Neighborhood
Land Use Features	n/a
Small Area Plan(s)	n/a

Date Application Deemed Complete	January 20, 2015	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	March 21, 2015	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is the former Minneapolis Public School's Northrop campus and occupies the entire block bounded by 46th Street East, 17th Avenue South, 47th Street East, and 16th Avenue South. There is currently one, two-story building on the northern portion of the property. The original building was constructed in 1924 and an addition was constructed in 1949. The site was used as a grade school by Minneapolis Public Schools until it closed in 2005. The applicant purchased the property in 2013 and completed renovations, site improvements, and an addition to the existing two-story building in the fall of 2014. The existing building and new addition are now being used for an elementary school.

The grade of the site slopes down north to south, from 46th Street to 47th Street. There are retaining walls located on the south sides of the property to keep the existing playground and parking areas at-grade with the existing school building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is located less than a mile west of Lake Hiawatha, and Minnehaha Creek is two blocks to the south. The neighborhood contains primarily low-density residential uses, there is a higher concentration of nonresidential uses located on Cedar Avenue (two blocks east of the site) and on Bloomington Avenue (one block west of the site). The site is separated from adjacent uses by public streets on all four sides.

PROJECT DESCRIPTION. In January 2015, the applicant received approvals from the City Planning Commission to construct a new, two-story building and surface parking area on the south side of the site. The building would contain 45,429 square feet in gross floor area. The applicant is requesting an interim use permit to temporarily allow a school for students in grades 9 through 11 in the new building once it is complete. The applicant is requesting to hold classes for their ninth grade students in the lower level of the 2014 addition to the existing elementary school building beginning in fall 2015, until the new building is complete in the later part of the 2015-2016 school year.

The applicant has specified that the new middle school would contain ninth grade students only for the 2015-2016 school year, ninth and tenth grade students for the 2016-2017 school year, and students in grades nine through eleven in the 2017-2018 school year. For the 2018-2019 school year, all high school students will transfer to a new high school facility on a different site, and the middle school building will be used for students in grades 5 through 8 on a permanent basis.

Once the new surface parking area is constructed, there will be a total of 38 vehicle parking spaces on the site and 89 bicycle parking spaces. While the site will be in compliance with the minimum parking requirement for the elementary and middle school uses, the high school use has a higher minimum vehicle parking requirement; the minimum parking requirement increases from 37 to 77, based on the minimum of one additional space per five students of legal driving age. The applicant has stated that there will be a maximum of 200 students of legal driving age, for an additional requirement of 40 parking spaces. The interim use permits allows the City Council to consider granting exceptions to certain zoning code standards, such as providing less than the minimum required parking for the proposed use under the zoning code, given the temporary nature of the use.

A traffic safety analysis was completed for the elementary school that was approved in 2014. A travel demand management plan (TDMP) was not required by the City as part of either the elementary school or middle school proposals for the site. However, a revision to the safety study, as well as a full TDMP, may be required if the City Council grants the interim use permit request.

RELATED APPROVALS. In January 2014, the applicant received Planning Commission approvals to use the existing building on the northwest portion of the site as an elementary school, and to construct an addition to the school. This project was completed and kindergarten and first grade classes were enrolled as of August 2014.

In January 2015, the applicant received Planning Commission approvals to construct a new building for a middle school and surface parking area on the southern portion of the site.

Planning Case #	Application	Description	Action
BZZ-6297	CUP to allow a grade school; site plan review for a 15,380 square foot addition.	Renovation of and addition to the existing school building.	CPC approved on January 3, 2014
BZZ-6945	CUP to allow a middle school; variance to increase max floor area ratio; variance for parking area location; site plan review for a 45,429 square foot building.	Construction of a new middle school building and surface parking area.	January 12, 2015

PUBLIC COMMENTS. As of the writing of this report, staff has not received any public comments or correspondence from the neighborhood group. Any correspondence received prior to the public meeting will be forwarded on to the Zoning & Planning Committee for consideration.

ANALYSIS

INTERIM USE PERMIT

For an interim use permit to be granted, the Zoning and Planning Committee must make the same findings that pertain to conditional use permits. In addition to these, any City Council approval of an interim use is subject to five additional conditions. Discussion of each of these findings and conditions follows.

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

The existing building on the site is currently being used for an elementary school. The new building with the high school would not be detrimental to public health, safety, comfort or general welfare provided that the development complies with all applicable building codes, life safety ordinances, site plan review requirements as well as Public Works Department standards.

2. *The interim 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 proposal to expand the existing school use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property. The site is located in a primarily low-density residential neighborhood and is separated from surrounding properties by public streets. The existing building was originally constructed as a school and was used as one since 1924. The scale and character of

the proposed building is in keeping with the existing building and will not create adverse effects on surrounding properties.

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

The site is served by existing and adequate infrastructure, including utilities, access roads, and drainage.

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

Once the new surface parking area is complete, there will be 38 parking spaces on the site. While the off-street parking requirement for the high school use would increase the minimum parking requirement from 37 to 77 spaces based on the zoning code requirements, the applicant is requesting to provide a total of 38 off-street parking spaces as part of the interim use request.

Adequate measures have been provided to minimize traffic congestion in the public streets. Students and employees would have options for alternate modes of transportation, as there are four nearby bus routes that travel on Bloomington Avenue, Cedar Avenue and 46th Street. The school program attempts to minimize vehicle drop-offs and traffic by providing free busing for all students who reside in South Minneapolis, and by requiring all students to be escorted into the building if they do not arrive by bus. The applicant states that most of the students would arrive by bus and all bus loading and unloading for the middle school would take place on 17th Avenue South and 47th Street East before 7:50 a.m. and after 4:15 p.m. (Monday-Thursday) and after 1:30 p.m. on Friday.

The applicant is also proposing 89 bicycle parking spaces on the property, which exceeds the minimum requirement of 84 spaces for a school serving kindergarten through grade 12. All loading and refuse collection would occur on-site.

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

The future land use designation of the site is Urban Neighborhood in *The Minneapolis Plan for Sustainable Growth*. One block west of the site, Bloomington Avenue is designated as a community corridor. A designated neighborhood commercial node is also located at Bloomington Avenue and 46th Street East. Two blocks east of the site, Cedar Avenue is designated as a community corridor. The area between 47th Street and 48th Street East on Cedar Avenue is designated as a neighborhood commercial node as well. The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

Land Use Policy 1.1: 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.

1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

1.1.5 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 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

- 1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Public Services and Facilities Policy 5.2: Support the efforts of public and private institutions to provide a wide range of educational choices for Minneapolis students and residents throughout the city.

- 5.2.1 Work with institutions to ensure that school facilities are safe, accessible, and functionally appropriate for a diverse array of educational programs.

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

If the interim use permit were to be approved, the proposal would comply with all but one of the applicable provisions of the R3 Multiple-Family Residential District. The high school use would increase the minimum parking requirement from 37 to 77 vehicle parking spaces based on the 200 students of legal driving age that would be at the school in its final year. This would ordinarily require a variance of the minimum parking requirement in Chapter 541 of the zoning code. Due to the interim nature of the proposed use, the City Council can consider alternatives to compliance with the minimum parking requirement.

Any future signage would need to comply with Chapter 543 of the zoning code, and a separate permit would also need to be obtained. Any outdoor dumpsters serving the use must be screened as required by section 535.80 of the Zoning Code.

Interim Use Conditions:

1. *The interim use shall be allowed as a conditional use in the zoning district in which it is to be located.*

The R3 district allows a high school as a conditional use.

2. *Except as otherwise authorized by this section, an interim use shall conform to this zoning ordinance as if it were established as a conditional use.*

As discussed above in the findings for a conditional use, the use is in conformance with the Zoning Code except as it relates to the minimum vehicle parking standards as listed above in findings number four and six.

3. *The date or event that will terminate the interim use shall be identified with certainty. Interim uses may not be granted for a period of greater than five (5) years.*

Staff is recommending that the interim use permit expire on September 5, 2018, or three years and seven months from today's date. This is consistent with the applicant's request. The total time for an interim use cannot exceed five (5) years.

4. *In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.*

The applicant is aware of this standard.

5. *Such conditions and guarantees as the city council deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan.*

Staff is recommending that the high school be allowed to operate until September 5, 2018, as requested by the applicant.

RECOMMENDATION

Recommendation of the Department of Community Planning and Economic Development for the Interim Use Permit:

The Department of Community Planning and Economic Development recommends that the City Council adopt the above findings and **approve** the application for an interim use permit to allow the temporary operation of a high school on the property located at 1611 East 46th Street, subject to the following conditions:

1. The interim use shall expire no later than September 5, 2018.
2. At the end date of the interim use, the applicant shall cease operation of the high school or apply for applicable land use approvals.
3. No fewer than 38 off-street parking spaces shall be provided, as shown on the plans approved by the City Planning Commission at their meeting of January 12, 2015.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Plans
4. Photos