

Department of Community Planning and Economic Development - Planning Division
Rezoning, Conditional Use Permit
BZZ-5135

Date: May 23, 2011

Applicant: Cheryl Book, North Central University

Address of Property: 1401-1425 Chicago Avenue

Project Name: North Central University

Contact Person and Phone: Dennis Batty (651) 464-3756

Planning Staff and Phone: Kimberly Holien (612) 673-2402

Date Application Deemed Complete: April 26, 2011

End of 60 Day Decision Period: June 25, 2011

Ward: 7 Neighborhood Organization: Elliot Park

Existing Zoning: C1, Neighborhood Commercial District

Proposed Zoning: OR3, Institutional Office Residential District

Zoning Plate Number: 20

Legal Description: Lots 6 through 10, Block 19, according to the record plat thereof, J.S. & W. Elliot's Addition to Minneapolis, Hennepin County, Minnesota

Proposed Use: University

Concurrent Review:

Rezoning: From C1 to OR3.

Conditional Use Permit: To expand a college or university in the OR3 District.

Applicable zoning code provisions: Chapter 525, Article VI, Zoning Amendments; Chapter 525, Article VII, Conditional Use Permits; Chapter 547, Office Residence Districts.

Background: North Central University has submitted land use applications to allow for the expansion of the existing University campus onto the properties of 1401, 1413 and 1425 Chicago Avenue. The University campus currently occupies approximately 58 lots in the surrounding area with a total campus area of 10.52 acres and 577,500 square feet of building area. The subject site is contiguous to the existing campus. The specific proposal at this time includes

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establishing classrooms, labs, office space and a radio station in the existing building at 1413-1425 Chicago Avenue. The parcel at 1401 Chicago Avenue contains a surface parking lot. The applicant is proposing interior and exterior modifications to the existing building. Some of the exterior modifications include reestablishing four windows on the Chicago Avenue frontage and four on the 15th Street frontage, installing new awnings and decorative lighting, resurfacing portions of the building with brick and removing two doors on the east interior elevation. The applicant is also proposing to improve the southeast corner of the surface parking lot with landscaping and screening.

The parking lot on the north side of the subject site, at 1401 Chicago Avenue, was approved in 1999 per BZZ-1958. This parking lot was landscaped and screened in accordance with Chapter 530, Site Plan Review in 2004 as a condition of approval for BZZ-2038, an application to allow the construction of a 2-story chapel building at 825 E 14th Street.

The parcels at 1401, 1413 and 1425 Chicago Avenue are currently zoned C1, Neighborhood Commercial. Colleges and universities are first allowed in the OR3, Institutional Office Residence district. The applicant has applied for rezoning to OR3 for each of these parcels accordingly.

Colleges and universities are a permitted conditional use in the OR3 District. The applicant is expanding the existing university campus by occupying the existing building on the subject site. Because the university is being expanded, a conditional use permit is required. Parking lots of more than four parking spaces are subject to the landscaping, screening and curbing requirements of Chapter 530 Site Plan Review. The majority of the parking lot on the north side of the site went through design and maintenance with another University project in 2004. The seven parking stalls in the southeast corner of the site will be landscaped and screened per Chapter 530 as part of this project.

Colleges and universities are subject to specific development standards per Chapter 536 of the zoning code. Specifically, all new colleges or universities or the expansion of existing colleges or universities shall require the submittal of a master development plan that describes proposed physical development for a period of five years and a period from five years to ten years. Said development plan shall include a description of proposed development phases and plans, including development priorities, the probable sequence of proposed development, estimates dates of construction and anticipated interim use of property awaiting development. The applicant has submitted a master plan accordingly and said plan has been attached for review.

As of the writing of this staff report staff had not received any correspondence from the Elliot Park neighborhood. Any correspondence, if received, will be forwarded to the Commission.

REZONING: Petition to rezone the properties at 1401-1425 Chicago Avenue from C1 to OR3.

Findings as required by the Minneapolis Zoning Code:

- 1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

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The proposed zoning would be consistent with the applicable policies of *The Minneapolis Plan for Sustainable Growth*. The parcels at 1401 and 1413 Chicago Avenue are designated for public or institutional uses on the future land use map. The public or institutional land use designation accommodates public and semi-public uses, including museums, hospitals, civic uses, stadiums, airport related uses, and college and university campuses. The parcel at 1425 Chicago Avenue is designated for mixed use on the future land use map. Chicago Avenue is a commercial corridor in this location. The parcel is also near the downtown growth center. The following principles and polices outlined in the plan, the following apply to this proposal:

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.

1.1.5 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.

Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

1.4.2 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.

Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood-serving commercial uses, open space and parks, and campus and institutional uses.

Policy 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.

1.10.1 Support a mix of uses – such as retail sales, office, institutional, high-density residential and clean low impact light industrial – where compatible with the existing and desired character.

1.10.5 Encourage the development of high-density housing on Commercial Corridors.

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Policy 1.15: Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

- 1.15.4 Promote the integration of major public and private institutional campuses located in Growth Centers, including health care and educational services, with the function and character of surrounding areas.

The applicant is requesting to rezone the parcels to OR3 to allow for the expansion of the North Central University Campus. The OR3 District allows for institutional uses, such as colleges and universities, and also allows for additional commercial uses and high density residential development. All of these uses are appropriate in this location and consistent with the above policies of the Comprehensive Plan.

The site is also within the study area of the Elliot Park Neighborhood Master Plan. The subject site is in both the residential district and the mixed-use district, as identified in the Master Plan. The plan identifies the site as being appropriate for a transition to mixed use development of 4-8 stories. While the site is not being redeveloped at this time, the proposed rezoning would allow for this type of mixed use development. The site is also in the Central Core priority project area, which calls for a mix of residential and commercial uses, such as small offices, restaurants and services. The site is on the Chicago Avenue corridor, for which the plan recommends active streets that support retail, restaurant and destination uses and a variety of street improvements to encourage pedestrian and bike activity. Again, the proposed rezoning to OR3 would allow for these types of uses and activities. Other general plan recommendations call for streetscape improvements such as greening and pedestrian scale lighting, emphasized building entries, durable exterior materials, numerous window openings to create an interior/exterior connection, encouraging pedestrian and bicycle traffic, and the preservation, restoration and enhancement of existing neighborhood strengths and assets.

An institutional use with office and classroom space is consistent with the above policies of the small area plan. Streetscape improvements have previously been installed along Chicago Avenue in this location and the applicant is proposing additional landscaping along 15th Street as part of the project. The existing building is being renovated to increase window openings, resurface the exterior with brick, add decorative lighting and modify the building entrance by repairing/replacing glass block and installing a metal canopy. Staff is also recommending that the applicant provide short-term bicycle parking, consistent with Chapter 541 of the zoning code and the small area plan policies that encourage pedestrian and bicycle traffic in the area.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The rezoning would allow for a number of institutional uses, as well as neighborhood serving retail sales and service, other commercial uses and high density residential development along a commercial corridor. The current C1 zoning requires 700 square feet of lot area per dwelling unit and the proposed OR3 zoning requires 300 square feet of lot area per dwelling unit, allowing

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for greater density if the site were to be redeveloped in the future. The amendment is in the public interest and not solely in the interest of the property owner.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The proposed zoning should be compatible with the zoning classifications and existing uses of other property in the area. North Central University has campus facilities on the properties to the north and east, both of which are zoned OR3. The University also owns the properties to the south and west of the site. The property to the south is zoned R5 and contains student housing. This student housing was approved by the City in this location in 1999 per C-1958. The property to the west, at the corner of Chicago Avenue and 14th Street, contains the campus bookstore and office space. This parcel is zoned C1. The parcel to the west at the corner of Chicago Avenue and 15th Street is owned by the university and currently contains a surface parking lot. The campus master plan identifies the future use of this property as a recreation center. Rezoning the subject site to OR3 would be consistent with the surrounding area, as it is a contiguous university campus.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

The existing zoning is C1, Neighborhood Commercial. The C1 district allows a number of commercial and residential uses. Colleges or universities are not permitted in the C1 district. The minimum lot area for residential uses in the C1 district is 700 square feet per dwelling unit. On this 38,124 square foot parcel, 54 dwelling unit would be permitted as of right under the current C1 zoning. The OR3 zoning, which requires 300 square feet of lot area per dwelling unit, would allow up to 127 dwelling units on the site in the event of any redevelopment. This increased density is consistent with the above Comprehensive Plan policies for commercial corridors and growth centers. Rezoning the property to OR3 would encourage mixed-used development consistent with the small area plan, while still allowing for commercial uses along this commercial corridor. Rezoning to OR3 for the current project would allow for the legalization of the existing parking area on this contiguous campus property and allow for the University to occupy the existing vacant building.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

The three properties at 1401-1425 Chicago Avenue have been zoned C1 since 1999. From 1963 to 1999 the parcels were zoned B3S-3, similar to the C2 district in the current zoning ordinance. Colleges and universities were allowed in the B3S district as a conditional use under the 1963 code. North Central University has expanded since the property was placed in the C1 district in

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1999, changing the character of the area. The parcels to the north and east have consistently been zoned to allow for a college or university. As stated above, the parcels to the south and west are also owned by the University and have received land use approvals to allow University facilities on these properties prior to the adoption of the current zoning code.

CONDITIONAL USE PERMIT (to allow a college or university in the OR3, Institutional Office Residence district)

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Allowing the expansion of the existing university campus is not expected to be detrimental to the public health, safety or general welfare, provided the use complies with all licensing requirements, life safety ordinances and Public Works Department standards. The applicant is proposing a radio station, six classrooms, two labs and office space within the existing building. The south half of the building is currently vacant and the proposed project would provide active uses along Chicago Avenue and 15th Street. The north portion of the building is currently occupied by North Central University.

2. 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 for uses permitted in the district.

Expanding the North Central University Campus onto the subject site is not expected to impede the normal or orderly development of the surrounding area or be injurious to the use and enjoyment of other property in the vicinity. The subject site is contiguous to the existing University campus. As previously stated, the surface parking lot on the north side of the site was approved by conditional use permit in 1999 and improved per the landscaping and screening provisions of Chapter 530 as a condition of approval for a separate University project in 2004. The applicant is proposing to occupy the existing building at the properties of 1413 and 1425 Chicago Avenue with classrooms, office space, labs and a radio station. The applicant is making improvements to the existing building that include reestablishing window openings along Chicago Avenue and 15th Street, resurfacing a portion of the building exterior with brick masonry and adding awnings. The applicant is also proposing to improve the southeast corner of the parking lot by providing 1,270 square feet of additional green space and adding shrubs and perennials. The surrounding properties are all owned by North Central University and campus facilities are located to the north, south, east and west. A portion of the property to the west contains a surface parking lot that the submitted Campus Master Plans identifies as being redeveloped as a recreation center in or around 2020.

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

Roads and utilities are existing and adequate. The applicant will be working closely with the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements. Utilities, access roads and drainage facilities were also reviewed as part of the Preliminary Development Review (PDR) process. The PDR report is attached for reference.

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

The parking requirement for universities is one space for each classroom plus one space per every five students based on the maximum number of students attending classes at any one time. North Central University has 30 classrooms campus wide and a total enrollment of 1,400 students. The minimum parking requirement is 310 spaces. The parking lot on the subject site contains 65 spaces. An additional 381 parking stalls are provided throughout the campus in surface parking lots and parking structures. The parking area on the north side of the site has functioned as part of the University campus since at least 1999. The applicant is proposing to improve the southeast corner of the site and retain seven off-street parking stalls as part of this project. The campus has adequate off-street vehicle parking and the conditional use permit to expand the campus into the existing building at the corner of Chicago Avenue and 15th Street would not contribute to traffic congestion in the public streets.

The bicycle parking requirement for colleges or universities is as determined by the conditional use permit. The Elliot Park Neighborhood Master Plan also calls for measures that encourage pedestrian and bicycle traffic. The existing campus was established prior to the adoption of the minimum bicycle parking requirements. However, bike parking shall be required for the subject site. Staff recommends that a minimum of eight short-term bicycle parking stalls be provided on site. This number is equivalent to providing one space for each classroom and lab, which is the minimum requirement for vocational or business schools. Providing bicycle parking will further minimize congestion in the public streets.

5. Is consistent with the applicable policies of the comprehensive plan.

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1.4.3 Promote standards that help make commercial districts and corridors desirable, viable, and distinctly urban, including: diversity of activity, safety for pedestrians, access to desirable goods and amenities, attractive streetscape elements, density and variety of uses to encourage walking, and architectural elements to add interest at the pedestrian level.

Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

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6. And, does in all other respects conform to the applicable regulations of the district in which it is located.

The applicant is improving seven existing spaces in the surface parking area, which contains a total of 65 stalls. A total of 58 stalls in the surface parking lot were part of the land use application that was approved in 1999 and these stalls were previously landscaped per Chapter 530 in 2004. The seven spaces being improved at this time must also comply with the design and maintenance provisions of Chapter 530, Site Plan Review. A landscaped yard a minimum of seven feet in width is required along the south property line, adjacent to 15th Street. A 9-foot landscaped yard is proposed in this location. Said landscaped yard shall contain screening that is a minimum of three feet in height and 60 percent opaque. The required landscaping is provided along the south property line. A row of eight shrubs is proposed between the parking area and the street and said shrubs will grow to be a minimum of three feet in height. The applicant is also proposing landscaped areas between the building and the parking lot with arborvitae and perennials, and along the east side of the parking lot adjacent to the alley. The proposed plantings will match those in the remainder of the parking lot. Because the total parking lot will contain more than 10 spaces, the proposed parking stalls must be within 50 feet of the center of an on-site deciduous tree. The applicant is also required to provide one tree for every 25 linear

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feet of street frontage, or one tree in this case. No trees are proposed. As a condition of approval, staff recommends that one deciduous tree be provided in each of the landscaped islands on the east side of the parking area.

Colleges and universities have a minimum lot size of two acres. The North Central University campus is 10.52 acres. The portion of the campus that has OR3 zoning is 5.3 acres. The proposed rezoning would increase the portion of the campus with OR3 zoning to 6.13 acres.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning from C1 to OR3:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the rezoning from the C1, Neighborhood Commercial district to the OR2, Institutional Office Residence district for the properties located at 1401-1425 Chicago Avenue.

Recommendation of the Community Planning and Economic Development Department - Planning Division for the conditional use permit:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit for a college or university at for the properties located at 1401-1425 Chicago Avenue., subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, floor, site, lighting and landscape plans.
3. The applicant shall provide a minimum of eight short-term bicycle parking spaces within 50 feet of the principal building entrance, in compliance with Table 541-3 of the zoning code.
4. A minimum of two deciduous trees shall be provided in the southeast corner of the parking lot, in compliance with Section 530.170 of the zoning code.

Attachments:

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1. Statement and findings from applicant.
2. Zoning map.
3. Correspondence.
4. Zoning code matrix.
5. PDR report.
6. Site plans and elevations.
7. Photos.
8. Campus Master Plan (link available from online CPC agenda).