



Request for City Council Committee Action from the Department of Community Planning & Economic Development – Planning Division

Date: March 27, 2008

To: Council Member Gary Schiff, Chair, Zoning and Planning Committee
Members of the Committee

Referral to: Zoning and Planning Committee

Subject: Application for two historic variances for the Sharei Zedeck Synagogue located at 1119 Morgan Avenue North.

Recommendation: The Heritage Preservation Commission adopted the staff recommendation and approved both a historic variance to allow a community center in a R2B, Two-Family Zoning District, and a historic variance to reduce the required number of off-street parking spaces from 9 to 6 for the proposed community center at 1119 Morgan Avenue North.

Previous Directives: N/A

Prepared or Submitted by: Aaron Hanauer, City Planner, 612-673-2494

Approved by: Jack Byers, Planning Supervisor, 612-673-2634

Presenters in Committee: Aaron Hanauer, City Planner

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (use any categories that apply)

Ward: 5

Neighborhood Notification: The Northside Residents Redevelopment Council was notified of this application by letter, mailed on March 17, 2008.

City Goals: See staff report.

Comprehensive Plan: See staff report.

Zoning Code and Heritage Preservation Regulations: Section 525.530 of the Zoning Code and Section 599.490 of the Heritage Preservation regulations authorizes the historic variance applications:

Section 525.530: "In order to promote the use and conservation of historic properties, the city council also may grant variances from the provisions of this zoning ordinance to locally designated historic properties, as provided in Chapter 34 of the Minneapolis Code of Ordinances, Heritage Preservation Commission."

Section 599.490: "To encourage the preservation and reuse of landmarks and properties in historic districts by providing the commission with authority to recommend departure from the literal requirements of any of the applicable zoning regulations."

Living Wage/Job Linkage: Not applicable.

Other: Not applicable.

Background/Supporting Information Attached: Kathy Adams, on behalf of the Northside Center, applied for the historic variance applications on January 4, 2008 for the Sharei Zedeck Synagogue located at 1119 Morgan Avenue North. The Heritage Preservation Commission voted unanimously (9-0) to approve the historic variances on February 19, 2008. The findings and recommendations are respectfully submitted for your consideration.

Supporting Material

Appendix A: Staff Report and Staff Report Appendices A-J

**CITY OF MINNEAPOLIS
HERITAGE PRESERVATION COMMISSION STAFF REPORT**

FILE NAME: 1119 Morgan Avenue North

CATEGORY/DISTRICT: Individual landmark: Sharei Zedeck Synagogue

CLASSIFICATION: Historic Variance

APPLICANT: Kathy Adams (440) 225-3733: representative of prospective buyer

DATE OF APPLICATION: January 4, 2008

PUBLICATION DATE: February 12, 2008

DATE OF HEARING: February 19, 2008

APPEAL PERIOD EXPIRATION : February 29, 2008

STAFF INVESTIGATION AND REPORT: Aaron Hanauer (612) 673-2494

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A. SITE DESCRIPTION:

The Sharei Zedeck Synagogue is located at the southwest corner of 12th Avenue North and Morgan Avenue North in the Near North Neighborhood. The brick synagogue building was constructed in 1936. It is rectangular in plan, measuring 50 ft. x 83 ft. It is built thirty feet high atop a thirteen foot foundation, and sits in the middle of three lots (lot area is 18,641 sq. ft.). The interior consists of the main floor and basement. The finished square footage of the two floors is 7,158 sq. ft. The building was designed by the St. Paul architectural firm of Frenzel and Bernstein, and maintains a high degree of architectural integrity.

The building's simple and modern design was likely encouraged by the Depression. The framing of the building represents an early use of structural glued laminated timber arches. The simple exterior is faced with variegated brown brick, relieved by seven dark brown brick belt courses in the main building and two additional in the peak of the low-pitched gambrel. These belt courses continue on the side and rear elevations. Two massive stone arches dominate the façade, with each arch including stained glass windows, and entry doors. The arched motif of the entry façade is continued on the north and south elevations with six windows per side.

B. BACKGROUND:

In 1998, the Sharei Zedeck Synagogue was locally designated and design guidelines were adopted for the building (see Appendix D: Design Guidelines). Sharei Zedeck Synagogue, now St. John's Missionary Baptist Church, is significant under the City of Minneapolis Heritage Preservation Criteria 1 as an example of the religious and cultural development in Minneapolis. Sharei Zedeck was the last new Orthodox congregation formed in Minneapolis during the great flowering of synagogue development at the turn of the century. This congregation reflected the life of the North Minneapolis Jewish community. The Sharei Zedeck was an "immigrant" congregation, and represented the Orthodox branch of Judaism, and particularly Jews of Lithuanian decent.

The subject property has served as a place of worship for over 70 years and as the nomination form states, “[The building] has been an adaptable building that remains a center for community life in the Near North neighborhood (see Appendix C).” The Sharei Zedeck congregation left this location in the late 1960’s due to the move of Jews from North Minneapolis; at this time only one percent of Jews in the metropolitan area lived in North Minneapolis. By the late 1960s, when Sharei Zedeck left, North Minneapolis was becoming largely African American. In 1969, St. John’s Missionary Baptist Church purchased the Sharei Zedeck building from the Jewish congregation and has been at this location to date. The St. John’s Missionary Baptist Church listed the building for sale in 2007. The applicant, Kathy Adams, is representing the Northside Center. The Northside Center will be run by a non-profit charity backed by a philanthropist who wishes to remain anonymous at this time (see Section C).

C. PROPOSED HISTORIC VARIANCE APPLICATION AND ORDINANCES:

The applicant, Kathy Adams, is applying for a historic variance to allow for a community center at 1119 Morgan Avenue South, which is in a R2B zoning district. This historic variance application also includes a request to reduce the required number of off-street parking spaces from 9 to 6 to allow for the community center and a community garden.

The historic variance application requires that applicants describe their project or proposal and state the reasons for the historic variance. In addition, it requires applicant describe why the variance is needed to alleviate undue hardship because of special conditions or circumstances unique to the property. Finally, it asks how the project or proposal will impact the property and other properties in the area.

Section 525.530 of the Minneapolis Zoning Code and section 599.490 of the Minneapolis Heritage Preservation Regulations authorize the historic variance “to encourage the preservation and reuse of landmarks and properties in historic districts by providing the commission with authority to recommend departure from the literal requirements of any of the applicable zoning regulations.”

State Statute 471.193 provides a Municipal heritage preservation the authority to grant the use variation to a zoning ordinance. Subd. 3. Powers. The powers and duties of any commission established pursuant to this section may include any power possessed by the political subdivision creating the commission, but shall be those delegated or assigned by the ordinance establishing the commission. These powers may include: the granting of use variations to a zoning ordinance.

D. PROPOSED CHANGES:

The applicant is proposing to have the Sharei Zedeck Synagogue house a nonprofit organization called the Northside Center. The applicant states that the Northside Center would provide the surrounding community: educational programs, entertainment arts education, and a community garden.

The community garden will be run by the national, nonprofit organization, known as Urban Farming. The mission of Urban Farming is to teach basic gardening skills, nutrition, food preservation techniques, and give participants the opportunity to share fresh produce with the community at large. In addition to these principal uses, the applicant states that movie nights and fundraiser events will also take place at this property.

The primary age group for the Northside Center will be students from 5-17 years of age; however, the applicant also intends to reach out to entire families and people of all ages. The proposed hours of operation would be Monday through Saturday from 3:00-9:00 pm.

E. ZONING ANALYSIS:

The subject property is located in the Near North neighborhood. It is zoned R2B (Two-Family Residential), along with the neighboring properties. The lots adjacent to the subject property are single-family dwellings (see Appendix I: Aerials). Within a 350 foot radius, there are also four-plexes and small apartment buildings. Along Plymouth Avenue North, which is one block north of the subject property, there is a mix of commercial and high-density residential (see Appendix E: Zoning Map).

The subject property has been a religious institution since it was built in 1936. Religious intuitions, in addition to single-family dwellings, two-family dwellings, community gardens, and public parks are permitted use within the R2B Zoning District. The applicant is proposing to have an educational based community center and community garden known as the Northside Center. The applicant states that the Northside Center will, “Provide access to educational programs that will teach morals and values based on biblical principals, build stronger community, provide homework support, and teach life skills, such as health and nutrition, gardening, business skills, social skills, how to handle finances, how to fill out a job application, computer use, and how to manage time.” In addition, “The Center will offer entertainment arts education so youth and families can enjoy theatrical and musical performances in the existing sanctuary.” The Northside Center will cater to clients of all ages, but the principal age group will be children between the ages of 5 and 17 (see Appendix B: Statement of Proposed Use). The other use proposed at the subject site is a community garden. This is a permitted use in the R2B Zoning District; however, a community center is not.

A community center is defined by the Zoning Code as an “establishment operated by a non-profit organization or government agency, which includes recreational and cultural facilities, meeting rooms, social service facilities and public health facilities, or any combination thereof, and that is not a public park.” Community centers are permitted uses in the other four categories of zoning districts, office-residential, commercial, downtown, and industrial.

In addition, to needing approval for the historic variance due to the use, the applicant is required to be in compliance with the off-street parking requirements of the Minneapolis Zoning Code because this is a new use of the property. The off-street parking requirement for the proposed use was determined to be nine spaces (see Table 1 below). The applicant has an off-street parking area that accommodates eight vehicles. However, this parking lot currently does not comply with the site plan and landscaping requirements of the Zoning Code. The parking area will likely accommodate six spaces that are in compliance with Zoning Code standards, once it is reconfigured to meet site plan and landscaping requirements. In addition to the off-street parking, bus service is available on Bus Route 7 along Plymouth Avenue, which is located one block to the north.

Table 1: Off- Street Parking Calculations

Use	Square Footage/Class rooms/Students	Parking Requirement	Required Parking Spaces
Community garden	5,000 sq. ft.	one space per 5,000 square feet of lot area	1
Community Center*	2 class rooms 30 students	one space per classroom and other rooms used by students and faculty and one space per five students based on the maximum number of students attending classes at any one time.	8
Total Required			9
Existing			6
Variance Requested			3

Note: A community center is determined by the zoning administrator based on the principle uses in the community center. The zoning administrator determined that the primary use of the building was a school facility.

F. NEED FOR THE HISTORIC VARIANCE:

The historic variance is needed to allow for a use that is not permitted in the R2B Zoning District and to assist in alleviating a financial hardship. The applicant is proposing to establish a community center organization in the subject property. Even though a community center is not a permitted use in the R2B Zoning District, the applicant plans to provide services that are historically provided by religious institutions, which are a permitted use in the R2B Zoning District (see Appendix G: Project for Public Spaces article). These services include: educational and arts programs and food to the needy by way of a community garden.

It is unknown exactly how many religious institutions in Minneapolis are zoned residential. The assessor database provides information on 330 religious institutions, and 213 of these (65 percent) are in R1, R1A, or R2B zoned districts.

The Sharei Zedeck Synagogue building is 72 years old, and is in need of substantial structural repairs; it is the applicant’s intent to complete the needed repairs (see Appendix B1: Statement of Proposed Use). Staff conducted a site visit this past summer and saw that the building had substantial water damage in the basement, the window were in need of repair, and there was structural damage to the sanctuary walls.

The repairs required for this building coupled with a small congregation has created a financial hardship. Few other congregations are likely interested in taking over ownership of this building. Congregations and church buildings throughout the city have faced similar financial burdens created by having an old building in need of substantial repairs and a smaller congregation (see Appendix H: Star Tribune article). The consolidation and reduced size of congregations in Minneapolis in the last 40 years has left vacant churches. Since a substantial number of these religious institutions are located in residential districts that have limited uses it is sometimes difficult for these structures to find new users.

G. IMPACT TO THE LANDMARK AND NEIGHBORING PROPERTIES:

The proposed use of the property is compatible with local landmark and other properties in the area. The proposed uses for the Sharei Zedek Synagogue would not have a negative impact to the historic integrity of the building's exterior. The applicant plans to make needed improvements to the building. In addition, the applicant is aware that this property is a local landmark, and that exterior alterations will require Heritage Preservation approval.

CPED staff also believes that the proposed use will not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. The intended users of the community center and community garden are elementary and high school students from the nearby area. Therefore, most patrons of the proposed community center will likely bike and walk to this location. The applicant states, "As has been the case with the church, there will be some occasional gatherings like movie nights or fundraising events that may draw a larger crowd, and use more street parking than a typical programming (See Appendix B: Applicant Information)."

Since the community garden is a permitted use in the R2B Zoning District, it is anticipated that noise from the community garden will not be greater than other community gardens in Minneapolis. The applicant has also stated that they will work with neighbors to reduce any unforeseen negative impacts.

H. PUBLIC COMMENTS AND PUBLIC PARTICIPATION

CPED notified property owners within 350 ft. of the historic variance request. No comments were received as of February 11, 2008.

The Northside Residents Redevelopment Council (NRRC) convened a meeting of individuals on February 4, 2008 they thought could be partners with the applicant's Northside Center proposal. At that meeting the applicant presented their proposal. HPC staff also attended that meeting. The potential partners were enthused about having Urban Farming at the subject property, however, no written statement has been submitted as of February 11, 2008.

I. GUIDELINE CITATION

CHAPTER 599. HERITAGE PRESERVATION REGULATIONS
ARTICLE IX. HISTORIC VARIANCE

599.490. Purpose. This article is established to encourage the preservation and reuse of landmarks and properties in historic districts by providing the commission with authority to recommend departure from the literal requirements of any of the applicable zoning regulations.

599.500. Application for historic variance. An application for historic variance shall be filed on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160.

599.510. Hearing on application for historic variance. The commission shall hold a public hearing on each complete application for historic variance as provided in section 599.170. Following the public

hearing, the commission shall make findings with respect to the proposed historic variance and shall submit the same together with its recommendation to the zoning and planning committee of the city council.

599.520. Required findings for historic variance. Before recommending approval of a historic variance, the commission shall make findings that the variance is compatible with the preservation of the property and with other properties in the area, and that the variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant.

599.530. Historic variance conditions and guarantees. The commission may impose such conditions on any historic variance and require such guarantees as it deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this chapter.

599.540. City council decision. The city council shall make the final decision on all historic variances.

599.550. Changes in approved historic variance. Changes to an approved historic variance shall require a new application. The requirements for application and approval of a change to a historic variance shall be the same as the requirements for original approval.

J. FINDINGS:

1. The Sharei Zedeck Synagogue is an individually designated local landmark.
2. A community center is not a permitted use in the R2B Zoning District.
3. A community garden is a permitted use in the R2B Zoning District
4. Granting the historic variance would be compatible with the preservation of the property since the proposed uses, the community center and community garden, would not have a negative impact on the building's designated exterior. In addition, the applicant plans to make needed structural improvements to the building.
5. The Sharei Zedeck Synagogue has served as a place of worship and a center for community life in the Near North neighborhood for over 70 years. The proposed services that the community center plans to provide are similar to the services that religious institutions have historically provided: educational and arts programs. Therefore, the community center and community garden are compatible with the surrounding area.
6. The proposed community center is a reasonable use of the property, and it is consistent with the character of the nearby residential uses. The proposed use will enhance the viability of the property, and it will create an amenity to the neighborhood. Therefore, the proposed use is compatible with the preservation of the subject property.
7. The proposed historic variance is necessary to alleviate undue financial hardship. The current property requires substantial repairs, and the prospective buyer plans to make these needed repairs. It is good to keep a landmark in active use rather than being boarded up.
8. The community center and community garden uses and the proposed site plan are in compliance with the individual guidelines for the Sharei Zedeck Synagogue.

K. STAFF RECOMMENDATION:

Staff recommends that the HPC **adopt** staff findings and **approve** the Certificate of Appropriateness subject to the following conditions.

1. All activities shall be held between the hours of 7:00 am and 10:00 pm.
2. Historic variance shall terminate if the Northside Center ceases operation.
3. The community garden shall be in compliance with Section 536.20 of the Zoning Code.
4. A minimum of 4 bicycle parking spaces shall be provided in compliance with Chapter 541.
5. Parking lot shall be brought into compliance with the Minneapolis Zoning Code and all other applicable City ordinances.
6. A scope-of-work plan for identification, repair, and restoration of the historic landmark property shall be submitted to CPED staff for review and approval by HPC within one year.
7. Occasional events such as fundraisers or movie nights will be allowed provided that there are no more than 12 per year.

L. ATTACHMENTS:

Appendix A: Historic Variance Application

Appendix B: Applicant Information

Appendix C: City of Minneapolis Heritage Preservation Commission Registration Form Continuation Sheet

Appendix D: Sharei Zedeck Design Guidelines

Appendix E: Zoning Map

Appendix F: CPED-Planning, Zoning Section Statement

Appendix G: Project for Public Places Article

Appendix H: Star Tribune Article

Appendix I: Aerials

Appendix J: CPED Images