

BZZ 393 – Urban Ventures Colin Powell Youth Leadership Center

Department of Community Planning and Economic Development – Planning Division
BZZ-393 Rezone, Variance, Site Plan Review; Alley Vacation-1374; Preliminary Plat-102

Date: September 27, 2004

Applicant: Urban Ventures Leadership Foundation

Address(es) of Property: 2901–2927 Clinton Avenue South and 2900-2930 4th Avenue South

Project Name: Colin Powell Youth Leadership Center

Contact Person and Phone: Ralph Bruins, (612) 638-1012

Planning Staff and Phone: Lonnie Nichols, (612) 673-5468

Date Application Deemed Complete: August 24, 2004

End of 60-Day Decision Period: October 23, 2004

End of 120-Day Decision Period: December 22, 2004

Ward: 8 Neighborhood Organization: Phillips West

Existing Zoning: I1 (Light Industrial) and R2B (Two-family District)

Proposed Zoning: Rezone three parcels (2921-23, 2925, and 2927 Clinton Avenue South) from R2B to I-1

Zoning Plate Number: 25

Legal Description: Parcels to be rezoned: 2921-23 Clinton Avenue South, P.I.D.- 34-029-24-44-0029, Lot 7, Blk 4 Duensings Addition to Mpls; 2925 Clinton Avenue South, P.I.D.- 34-029-24-44-4044, North 32 feet of Lot 2, Blk 1 F.A. Parker’s Addition to Mpls; 2927 Clinton Avenue South, P.I.D.- 34-029-24-44-0138, North 16 feet of Lot 11 and the South 16 feet of Lot 12, Blk 1 F.A. Parker’s Addition to Mpls.

Proposed Use: Community Center with Accessory Uses and Travel Demand Management Plan.

Concurrent Review: Rezone three parcels (2921-23, 2925, and 2927 Clinton Avenue South) from R2B (low density, two-family residential) to an I-1 (light industrial) district, yard-setback variance adjacent to residential, parking variance from required 324 maximum to 222 (91 on site, 131 on adjacent lots) with the applicant offering an additional 103 spaces of overflow parking (27 + 36 + 40) within one block of the site, major site plan review, alley vacation, plat, and transportation demand management plan review to construct the proposed Colin Powell Youth Leadership Community Center building at 2901-2927 Clinton Avenue South and 2900-2930 4th Avenue South.

Applicable zoning code provisions: Chapter 520 Introductory Provisions, Chapter 521 Zoning Districts and Maps, Chapter 525 Administration and Enforcement-specifically, Article IX Variances, Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.” and Section 525.520(6,7) “to reduce the applicable off-street parking requirements...”, Chapter 530 Site Plan Review, Chapter 535 Regulations of General Applicability, Chapter 536 Specific Development Standards, Chapter 541-Off Street Parking and Loading, Chapter 543 On-premise Signs, Chapter 550 Industrial Districts, Chapter 598-Land Subdivision Regulations.

Background and Project Summary: Urban Ventures is an existing nonprofit organization with an operational mission to build successful community in the city. Urban Ventures existing programs are operated from offices located at 3041 4th Avenue South, approximately one block away from the proposed community center building site. In 1997, Urban Ventures asked General Colin Powell to use his name to raise money to develop a central campus that with the applicable approvals from the City of Minneapolis will be constructed and named The Colin Powell Youth Development Leadership Center. Over several years Urban Ventures has assembled parcels of land on the North and South side of the Midtown Greenway (29th Street Rail Corridor) in the area of 4th Avenue South. Urban Ventures has previously established Kix Soccer Field, an impervious surface parking lot, and a green/turf surface parking lot on the north side of the greenway. The subject site for the proposed Colin Powell Center is a 93,823 sf parcel located on the south of the greenway between 29th Street and Lake Street bounded by 4th Avenue and Clinton Avenue. The applicants have proposed to vacate the North-South alley currently located in the project area. The site is currently primarily vacant green space in a light industrial (I-1) district (79,746 sf). Three adjacent parcels located in the R2B district (14,077sf) are proposed to be rezoned to light industrial. Urban Ventures has indicated they will purchase 4 new affordable homes in the area as replacement housing. The proposed 84,000 sf building will contain uses accessory to the community center which include on the lower level training rooms and area for the Air National Guard; basketball courts, arcade machines, kids café nutrition education area on the ground floor; a continuing education and vocational programs learning lab and administrative offices on second floor, and studio for arts and music and classrooms on the third floor. Urban Ventures estimates the proposed community center will create 135 positions (15 full time, 75 part time, 45 volunteer). The applicants have been actively pursuing and revising this project for approximately 5 years. The City Planning Commission continued the review of this project indefinitely on January 28, 2002. The applicants provided City staff and The Commission with a revised and updated August 2004 development manual for the Colin Powell Youth Leadership Center.

REZONING – Three parcels (2921-23, 2925, and 2927 Clinton Avenue South) from R2B to I-1

Findings As Required By The Minneapolis Zoning Code:

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

The subject property is located ½ block North of Lake Street, adjacent to the Midtown Greenway and in the general vicinity of Interstate 35W. The use of the site for a community center is generally consistent with the following policies and implementation steps of the comprehensive plan. These policies were selected because the site is located in a light industrial district identified by the City’s land use policy, is within one block of a commercial corridor, and the development proposal indicates that approximately 40 full time, low impact jobs will be created on land that would otherwise remain vacant.

2.1 Minneapolis will increase its share of economic prosperity in the region.

Implementation Steps

Support efforts that build skills and connect residents to living-wage jobs.

4.1 Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.

Implementation Steps

Develop standards based on a recognition of the qualities that make urban 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 which add interest at the scale of the pedestrian.

Designate certain streets as commercial corridors with the adoption of this Plan.

4.3 Minneapolis will support development in Commercial Corridors where it enhances the street’s character, improves its ability to accommodate automobile traffic and foster pedestrian movement, and expands the range of goods and services offered.

Implementation Steps

Develop parking facilities and management strategies that balance the following goals: improved customer access, protection of sidewalk traffic; reduced visual impacts and shared use of parking facilities.

Reduce the impact of non-residential uses on neighboring residential areas by considering appropriate access, buffering between incompatible uses and regulating hours of operation.

Require that street designs provide high quality access to Commercial Corridors for pedestrians and cyclists, as well as facilitate transit service and through passage of traffic.

9.25 Minneapolis will establish industrial districts to provide locations for industrial land uses, while ensuring that new industrial development is compatible with its surroundings.

Implementation Steps

Develop regulations for the industrial districts that promote compatible industrial development and the efficient use of land.

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

Rezoning three parcels from low density residential (R2B) to light industrial (I-1) to bring consistency to an otherwise contiguous light industrial district bound by three streets (29th Street, 4th Avenue, Clinton Avenue) to allow the development on otherwise vacant land is in the interest of the property owner and general public. The three parcels are sandwiched between C2 zoning fronting Lake Street to the South and I1 zoning on the North and East.

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 general area is a mix of commercial, industrial, and residential uses and zoning districts. Rezoning three parcels from low density residential (R2B) to light industrial (I-1) to bring consistency to an otherwise contiguous light industrial district bound by three streets (29th Street, 4th Avenue, Clinton Avenue) to allow the development on otherwise vacant land is compatible with the general area. Located to the North is the Midtown Greenway and an I-1 district containing Kix Field, surface parking lot and Wells Fargo parking ramp. Located to the East is I-1 and I-2 zoning is a restaurant supply warehouse and offices and parking lot. Located to the West is an ambulance service in the I-1 district and single family/low density housing in the R2B district. Located to the South two residential structures will remain in the R2B district, an autobody shop in the I-1, and the Plaza at Lake commercial development in the C-2 district fronting Lake Street.

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 three parcels could continue to be used as residential. The majority of the proposed building site (79,746 sf) is currently zoned I-1 and rezoning the three R2B parcels (14,077sf) to I1 will bring conformity to the contiguous parcel.

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.

Several new (construction) developments and renovations of existing buildings are underway or have been implemented in this area over the past few years. Phase I of the Midtown Greenway bicycle and recreational path stops at 5th Avenue South and the construction of Phase II, eastward to Hiawatha Avenue is scheduled to be completed in 2004. Representatives from Public Works and Hennepin County are holding (ongoing) public meetings for access ramp changes to I35W and the reconstruction of Lake Street. The Lake Street-Midtown Corridor has and continues to experience the renovation, modernization, and sometimes intensification of uses and buildings. The Midtown Exchange building at Chicago and Lake is under development.

VARIANCE – to reduce the required front yard setback on Clinton Avenue from the required 15 feet for the first 40 feet adjacent to residential to 0 feet for feet 24 through 40 adjacent to residential to allow establishment of a curb cut and drive aisle.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The applicant has located the primary parking area and entrance/exit on the opposite or East side of the lot fronting 4th Avenue South and adjacent to an industrial district. The subject area will serve as drive aisle space and a secondary entrance/exit to the community center. A gate will be provided at this secondary entrance/exit to control access to/from the community center at night and for special events. This will help curb traffic flow and street parking in the adjacent residential area to the West. Strict adherence to the regulations of this zoning ordinance may cause undue hardship by reducing the availability of off street parking stalls on the property and limiting access to the community center.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to the parcel. The property is located adjacent to an established pedestrian commuter corridor with mass transit development capacity. The eastern boundary of the property abuts 4th Avenue South which connects Lake Street, a commercial corridor, to businesses on the North side of the 29th Street Rail Corridor via a bridge over the Midtown Greenway containing public art. The property drops in grade at the North and Northeast corner and the building is designed to provide site surveillance and entrances facing the Midtown Greenway to the North on 29th Street East and 4th Avenue South to the Southwest of the building.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The applicant is providing a front yard setback of approximately 35 feet for the first 24 feet adjacent to residential to match the front yard setback of the existing residential structure. This is more than the minimum requirement to lessen the impact on the property. The applicant is providing a minimum 5 foot landscaped setback and fencing from the front yard setback on the West established by the existing residential structure East to the property line in the middle of the vacated alley. The granting of the variance will be in keeping with the spirit and intent of the ordinance and should not alter the essential character of the locality.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

A gate will be provided at this secondary entrance/exit to control access to/from the community center at night and for special events. This will help curb traffic flow and street parking in the adjacent residential area to the West. The applicant has submitted a travel demand management plan with the application. The proposed variance should not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

VARIANCE – to reduce the required parking for the proposed accessory uses of the community center from the required 225 base and 324 space maximum to 222 (91 on site, 131 on adjacent lots) with the applicant offering an additional 103 spaces of overflow parking (27 + 36 + 40) within one block of the site.

Findings Required by the Minneapolis Zoning Code:

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

The applicants have provided City staff with a travel demand management plan for the operation of the community center. The proposed center is the planned focal point of a larger campus area of large contiguous and nearby small scattered parcels that are dissected by public streets, sidewalks, and the Midtown Greenway. The applicants have agreed to implement the 11 recommendations (attached) of the Benshoof & Associates, Inc. TDM of June 2004 for the Colin Powell Community Center. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance could cause undue hardship.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The circumstances are unique to the parcel, see findings under question number 2 of previous setback variance. The subject parcel of the proposed community center building is the approximate geographic center of other adjacent larger contiguous and nearby scattered smaller parcels owned by the applicants. These outlying parcels will continue to be used to meet the parking needs of the new community center. The overall campus spans from the South side of Lake Street along 4th Avenue South to the North side of the Midtown Greenway between Clinton and 5th Avenues South (see attached site area parking plan map).

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The granting of the variance will be in keeping with the spirit and intent of the ordinance. Off-street parking will be provided on-site at the new community center and existing parking facilities will continue to function as parking areas serving the new community center (see attached site area parking plan map). The TDM plan recommends operational measures such as controlling the access onto Clinton Avenue with a gate for certain events and times and requiring employees to park in the remote lots to limit the impact on other property in the vicinity of the new community center.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Lake Street and Fourth Avenue South both have frequent bus service and the area also currently experiences consistently high-levels of pedestrian and bicycling traffic due to the Midtown Greenway and Lake Street corridors. The TDM plan recommends a minimum of 80 convenient and secure bicycle parking spaces and to monitor use annually and increase the supply of outdoor bike parking to meet demand. The proposed parking variance should not substantially increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Required Findings for Major Site Plan Review

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**

B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)

C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FAÇADE:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
 - Residential uses shall be subject to section 530.110 (b) (1).
 - Nonresidential uses shall be subject to section 530.110 (b) (2).
- Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

The proposed community center will be built up to the property line along Clinton Avenue and 29th Street and reinforce the street wall along 4th Avenue South through the provision of a landscaped plaza and pedestrian stairway down to 29th Street adjacent to the 4th Avenue Bridge. The building is three stories to the East, West, and South, and four stories to the North facing 29th Street and providing natural site surveillance through the Midtown Greenway to Kix Field and off-site parking facilities. Principal entrances to the buildings face North, South, and East. There are emergency exit doors of the West façade of the building allowing exit from the gymnasium. Amenities on the site include landscaping, a sculpture, bike parking and bio retention storm water area. The on-site accessory parking facilities are located to the interior and South-Southeast of the site adjacent to an industrial use and district. The façades of the building provide architectural details and emphasize architectural elements. The applicants have indicated the building contains windows at the ground level and first floor and meets the glazing

percentage, with an estimated coverage over 30% on each façade. The exterior materials and appearance of the rear and side walls of the building are similar to and compatible with the front of the building. The floor area ratio of the community center is 0.9 ($84,004/93,823 = .8953$). The maximum floor area ratio allowed in the I1 district is 2.5. For additional information, see August 2004 development manual for the Colin Powell Youth Leadership Center.

ACCESS AND CIRCULATION:

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

Clear and well-lighted walkways of at least four (4) feet in width connect the building entrances to the adjacent public sidewalk and to any parking facilities located on the site. There is not a transit shelter proposed for the community center, but it is anticipated that buses will que for pick up and drop off along the hardscaped plaza area facing 4th Avenue South. As per Public Works comments at Preliminary Plan Review and the recommendations in the travel demand management plan vehicular access and circulation has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. The applicants have proposed the vacation of the existing North-South alley and provided a private easement and letters of consent and agreement to the alley vacation from the adjacent property owners. The applicants will be able to control access into and out of the on site parking area with gates. The bio retention area can be used for snow storage and excess amounts of snow will be removed from the site. The site plan indicates a grass paver system in the loading dock area to minimize the use of impervious surfaces. The applicants have submitted a travel demand management plan and requested a variance to reduce the required parking for the proposed accessory uses of the community center from the required 225 base and 324 space maximum load to 222 (91 on site, 131 on adjacent lots) with the applicant offering an additional 103 spaces of overflow parking (27 + 36 + 40) within one block of the site.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
- Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).
- Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).
- The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
- Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.
- All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible.
- All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.

The total lot area is 93,823 sf and the proposed new building coverage footprint is 45,468 sf. Section 530.150 of the zoning code requires that not less than twenty (20) percent of the site not occupied by buildings shall be landscaped. Calculations: $(93,823 - 45,468 = 48,355 \times 20\% = 9671 \text{ sf})$. The applicant is providing 9605 sf or 19.8 percent $(9605/48,355 = .1986)$ landscaping. Section 530.150 of the code also requires not less than one (1) canopy tree for each one thousand (1000) sf and not less than one (1) shrub per each two-hundred (200) sf of the site not occupied by buildings. In order to be in full compliance, the required plant count for this site is seventeen (10) trees and forty-eight (48) shrubs. The applicant has proposed forty-three (43) trees and two-hundred-forty (240) shrubs. The applicant is providing a minimum 5 foot landscaped setback and Cedar fencing 6 feet tall on the interior lot line from the front yard setback on the West (Clinton Avenue) established by the existing residential structure East to the property line in the

middle of the vacated alley. This will screen the adjacent residential property. Staff is recommending the fencing be extended eastward to at least the western edge of the existing industrial building to better define the community center grounds and separate them from the adjacent private parcels. Strips around the perimeter and the corners of the parking lot are landscaped, tree islands and a landscaped terrace and retaining wall are provided, and a sculpture and bicycle parking are provided. The parking lots and driveways will be defined by a six (6) inch by six (6) inch continuous concrete curbing and a bio retention area is designed to provide on-site retention and filtration of stormwater has been provided in the Southeast corner of parcel. Upgrades are planned to the off-site parking lots fronting 5th Avenue South located to the North of the Midtown Greenway to meet parking area design and maintenance requirements. The three smaller parking lots located on the 3100 block of 4th Avenue South will need to be reviewed administratively for parking area design and maintenance requirements to bring them closer to code compliance.

ADDITIONAL STANDARDS:

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

Lighting shall comply with the requirements of Chapter 535 and Chapter 541. The applicants developed the existing lighting plan based on typical standards and feedback received from City staff during preliminary plan review meetings. The applicant is providing a minimum 5 foot landscaped setback and Cedar fencing 6 feet tall on the interior lot line from the front yard setback on the West (Clinton Avenue) established by the existing residential structure East to the property line in the middle of the vacated alley. This will screen the adjacent residential property. The building is located in the North-Northwest area of the parcel, away from the two remaining residential units to minimize the blocking of views of important elements of the city. The building is arranged to minimize shadowing on public spaces and adjacent properties and will not cast a shadow on the Midtown Greenway recreational path. The building should not generate wind currents at ground level. The site plans include crime prevention design elements.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE:

Specific Development Standards:

Section 536, Specific Development Standards for a community center require:

- (1) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
- (2) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

Accessory uses of the community center shall check the premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Hours of Operation:

Regular hours of operation for the I-1 district are from 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:00 p.m. Friday and Saturday.

Dumpster screening:

Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses.

Window obstructions:

543.350. Window signs. Window signs shall be allowed, provided that such signage shall not exceed thirty (30) percent of the window area, whether attached to the window or not, and shall not block views into and out of the building at eye level. Window signs shall be included in the calculation of the total permitted building sign area, except as provided for temporary signs in section 543.330.

Signage:

The applicants have not submitted a full and detailed sign plan and inventory at this time. Signage is subject to Sections 531 and 543 of the Zoning Code. All new signage is required to meet the requirements of the code.

MINNEAPOLIS PLAN:

See finding number one in the rezoning section of this report. The Urban Ventures Leadership Foundation Colin Powell Youth Leadership Development Center is in conformance with the applicable listed objectives of the Minneapolis Comprehensive Plan.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

Staff is not aware of any applicable development plans or objectives approved by the City Council for this specific area beyond the Comprehensive Plan that would be in direct conflict with the proposed development. The Lake Street-Midtown Greenway Corridor Framework Plan (2000) calls for streetscape improvements, and a stronger pedestrian and bicycle connection between Lake Street and the Midtown Greenway on 4th and 5th Avenues. The Framework plan also calls for business development and infill in the area. Lake Street at the Crossroads (1996) states opportunities to support the emerging core of ethnic businesses and local neighborhood retailers and restaurants should be encouraged in the area bounded by I-35W, 28th Street, 5th Avenue, and 31st Street.

Alternative Compliance. The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

The proposed Colin Powell Youth Leadership Center development proposal provides 19.8% landscaping. In exchange for being 66 sf short on landscaped area, the applicant is providing above the required amount of trees and shrubs on the site, a bio retention area, and bicycle parking.

VACATION (Vac1374) – part of the alley South of 29th Street East between Clinton and 4th Avenue South, North of the South line of Lot 3, Block 1, F.A. Parkers Addition to Mpls.

Development Plan: The site plan and development manual for the proposed project is attached.

Responses from Utilities and Affected Property Owners: Of the utilities that have responded, Qwest and Xcel Energy have requested easements, and Time Warner has requested to be included on any new utility easements. The City Engineer – Director of Public Works requested the alley vacation be subject to conditions.

Specific comments from the utilities is as follows:

Qwest: On November 11, 2001 staff from Qwest, Inc. replied they wished to maintain a utility easement in the entire alley ROW (12' and 14' wide), from the South line of Lot 10 Block 1 of F.A. Parkers Addition to the North line of Lot 7 Block 4 of Duesings Addition. Qwest has facilities in this area, which provide service to the area. Should these facilities need to be relocated this would be done on a time and material job order to be billed to the party requesting the relocation.

Xcel: On December 18, 2001, Northern States Power dba Xcel Energy responded they needed to retain an easement over the West 10' of that portion of the alley being vacated, that part of the alley South of 29th Street East between Clinton and 4th Avenue South, North of the South line of Lot 3, Block 1, F.A. Parkers Addition to Mpls. On April 2, 2004, Xcel Energy indicated when the described removal and relocation is complete; and a new easement has been granted on the east side of the property, they would release the easement reserved in the vacation resolution. The applicants (Urban Ventures in c/o Ralph Bruins) signed an agreement and paid a fee of \$39,798.25 in order for Xcel Energy to remove overhead lines running north and south in the said part of the alley and on 29th Street between Clinton Avenue and 4th Avenue to relocate new underground facilities in an easement area on the East side of the property.

Time Warner Cable: On November 29, 2001 Time Warner Cable staff conditioned the said alley vacation with the understanding that if there is a new utility easement given, Time Warner Cable will be included in it.

Public Works: On November 27, 2001 the City Engineer – Director of Public Works requested the alley vacation be subject to the following conditions: (1) the owners abutting the proposed area to be vacated will be granted easements for access to their properties, over and across the petitioner's property by the petitioner; (2) adjacent property owners must give their consent in writing for the vacation, including an acknowledgement that the vacation may result in a change to curbside trash pickup. The applicant has provided confirmation of a private easement and letters of consent and agreement to the alley vacation from the adjacent property owners in the project development manual.

Findings: Given that the alley section is located at the end of the block for the entire development site and that the applicant controls most of the property adjacent to the existing alley and has provided a private easement and letters of consent and agreement to the alley

vacation from the adjacent property owners, the Public Works Department and the Community Planning and Economic Development Department – Planning Division find that the area proposed for the vacation is not needed for any public purpose and it is not part of a public transportation corridor, and that it can be vacated if any easements requested above are granted by the petitioner.

Preliminary PLAT 102-proposed as Urban Ventures 1st Addition

Required Findings:

- 1. Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The preliminary plat will conform to the requirements of section 598.80 of the code with approval of the land use applications. The final plat will need to ensure conformance with the regulations of Chapter 598 and all other applicable regulations of the City. Conformance with the comprehensive plan is covered in Finding #1 of the Rezoning section of this report.

- 2. Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.**

The proposed community center building on the subdivision will serve as the primary point for educational and training activities offered by Urban Ventures Leadership Foundation. It will facilitate the use of currently vacant land and buildings. The development will supply the majority of parking stalls required by the proposed uses on the Colin Powell Youth Leadership Center site or at nearby off-street locations within closed proximity to the Midtown Greenway, and should not add substantially to congestion in the public streets.

- 3. All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The land intended for the building site slopes from West to East and drops grade at the North end and Northeast corner, but is otherwise relatively level and can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazards.

- 4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

The lot is suitable in its current condition for the proposed commercial development. The grade is substantially level, but slopes West to East and spot elevations show a maximum difference in grade of 10 degrees (865 to 855) over a 380 feet distance from Southwest to Northeast. The subject building site is a 93,823 sf lot of contiguous land that will have three street frontages and the lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street.

- 5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.**

The applicant will provide and direct drainage to an approximately 2500 sf landscaped and bio retention area in the Southeast corner of the property. The applicant has indicated that all plans shall be designed in accordance with the rules, regulations and standards of the city engineer. Downspouts will be designed to direct roof drainage to landscaped areas, thereby minimizing any potential storm water runoff.

RECOMMENDATIONS of The Department of Community Planning and Economic Development Planning Division

Recommendation of the Community Planning and Economic Development Planning Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application to rezone three parcels (2921-23, 2925, and 2927 Clinton Avenue South) from R2B to I-1 (light industrial).

Recommendation of the Community Planning and Economic Development Planning

Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the application for a variance to reduce the required front yard setback on Clinton Avenue from the required 15 feet for the first 40 feet adjacent to residential to 0 feet for feet 24 through 40 adjacent to residential to allow establishment of a curb cut and drive aisle, subject to the approval of the rezoning petition, alley vacation 1374, and preliminary plat 102 for Urban Ventures 1st Addition and Urban Ventures Leadership Foundation Colin Powell Youth Leadership Development Center.

Recommendation of the Community Planning and Economic Development Planning

Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the application for a parking variance from the required 225 base and 324 maximum to 222 (91 on site, 131 on adjacent lots) with the applicant offering an additional 103 spaces of overflow parking (27 + 36 + 40) within one block of the site, subject to the approval of the rezoning petition, alley vacation 1374 and preliminary plat 102 for Urban Ventures 1st Addition and Urban Ventures Leadership Foundation Colin Powell Youth Leadership Development Center.

Recommendation of the Community Planning and Economic Development Planning

Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the site plan application for the Plaza at development; subject to the following conditions:

- 1) The approval of the rezoning petition, alley vacation 1374, and preliminary plat 102 for Urban Ventures 1st Addition and Urban Ventures Leadership Foundation Colin Powell Youth Leadership Development Center.
- 2) The Community Planning and Economic Development Planning Division shall review and approve the final plat, site and landscaping plans. Boulevard tree planting will be coordinated with the Minneapolis Parks-Forestry Division.
- 3) The final site plan shall show the sculpture located on private property or have an approved encroachment permit. The fencing along the southern property line will be extended eastward to at least the western edge of the existing industrial building to better define the community center grounds and separate them from the adjacent private parcels. Approval of Encroachment permits for any items in the Public Right of Way is subject to Public Works requirements.
- 4) The applicants will submit site plans for the three smaller parking lots located on the 3100 block of 4th Avenue South proposed for overflow parking to be reviewed administratively for parking area design and maintenance requirements to bring them closer to code compliance by September 1, 2005.

- 5) The applicants will implement the approved travel demand management plan for the project.
- 6) The applicants will provide The Community Planning and Economic Development Planning Division with a current list of building uses and travel demand management updates biannually in even-numbered years.
- 7) The community center and any accessory uses shall comply with the applicable specific development standards from Chapter 536 of the zoning code.
- 8) The applicant shall provide a performance bond in an amount equal to 125% of the cost of site improvements or the permit may be revoked for noncompliance.
- 9) All site improvements shall be completed by September 1, 2006, unless extended by the Zoning Administrator, or the permit may be revoked for noncompliance.

Recommendation of the Community Planning and Economic Development Planning Division:

The City Planning Department recommends that the City Planning Commission and the City Council accept the above findings and **approve** alley vacation 1374; subject to retention of easements by Qwest, Xcel Energy, Time Warner Cable, public works rededication for the alley opening to Clinton Avenue, and provision of private drive with easements for the existing residential buildings and autobody business.

Recommendation of the Community Planning and Economic Development Planning Division:

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the application for preliminary plat 102 for Urban Ventures 1st Addition and Urban Ventures Leadership Foundation Colin Powell Youth Leadership Development Center, subject to the approval of alley vacation 1374 and the final site plans.

Attachments:

Staff report
Cover letter for Land Use Application
Zoning Data Sheet, Zoning map, Zoning letter
Aerial overview, site plan, landscape plans, floor plans, elevations
Travel Demand Management plan recommendations
Site area parking plan map
Colin Powell Youth Leadership Center Development Manual including:
Statement of Use and Project Description
Findings, legal documents, and Preliminary Plat
Correspondence
Floor Plans, Site and Area Maps, Elevations and Grading Plans
Photographs and aerial photos
Letters of Support