

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-3086

Date: July 17, 2006

Applicant: Minnesota Internship Center Charter School

Address of Property: 310 E 38th St

Project Name: MIC - Sabathani

Contact Person and Phone: Stephen Bosacker, 651-645-0200 x3012

Planning Staff and Phone: Tara Beard, (612) 673-2351

Date Application Deemed Complete: June 16, 2006

End of 60-Day Decision Period: August 15, 2006

End of 120-Day Decision Period: Not applicable

Ward: 8 **Neighborhood Organization:** Central Neighborhood Improvement Organization,
adjacent to Bryant Neighborhood Organization

Existing Zoning: R1A Single Family District

Zoning Plate Number: 25

Lot area: 239,526 square feet

Proposed Use: Charter School serving grades 9-12

Concurrent Review:

- A Conditional Use Permit to allow a Charter School in the R1A Single Family District

Applicable zoning code provisions: Chapter 525: Article VII Conditional Use Permits

Background: Stephen Bosacker, on behalf of Minnesota Internship Center Charter School, has submitted an application for a conditional use permit to allow for a Charter School at Sabathani Community Center, Inc. at 310 38th St E. Sabathani Community Center is 190,000 square foot building that houses many different businesses, including the Friendship Academy of Fine Arts Charter School. Other uses in the building include neighborhood organization offices, social services and child care services. The Minnesota Internship Center proposes to inhabit 4,714 square feet of space in four different rooms in the lower level of the building.

A school in the R1A district requires a conditional use permit. A conditional use permit was approved for the existing Charter School in the building in 2004.

At this time staff has received no written comments from the Bryant or Central neighborhoods.

CONDITIONAL USE PERMIT -

Required Findings for the Conditional Use Permit:

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

A different charter school has been operating in the building since 2004. Staff is not aware of any problems or issues stemming from that use. There is no indication that additional building space used for school purposes would be detrimental to the public in any way.

- 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.**

The use would not change the impact of the building on surrounding property. Allowing a school within an existing community center should not impede normal or orderly development nearby.

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

Allowing another charter school in the building would have no significant impact on the building's use of facilities and utilities. Adequate utilities, access roads, drainage, and other facilities are provided.

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

The existing parking lot meets the parking space and aisle dimensions set forth in Table 541-4. The number of off-street parking spaces required for a community center is to be determined by the Zoning Administrator and should be based on the principal uses in the community center. The principal uses in the building are offices, schools, and child care centers. The Zoning Administrator has determined that the parking requirement based on those uses is 81 spaces; the building provides 171 spaces.

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

The proposed use does not appear to conflict with any policies of *The Minneapolis Plan*.

According to other principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

The Minneapolis Plan, Chapter 1.3 states: “Minneapolis will encourage public institutions to coordinate their programming and facilities in order to function as neighborhood centers.” One of the implementation plans for this section of the plan is to “expand collaborative planning for programming and facilities-sharing agreements among colleges, early childhood and K-12 schools, libraries and parks.” In addition to the other charter school located at Sabathani, Minneapolis Community and Technical College offers courses in the building as well. These schools are sharing bathrooms and other common space in a neighborhood community center.

The Minneapolis Plan, Chapter 5.3 states: “Minneapolis will encourage the further development of community connections to public schools.” This section includes the implementation step to “continue to explore solutions to space shortages and an increased student population with local businesses, cultural institutions and other participating organizations.” The mix of schools, child care, and social service amenities in the building clearly indicate a community connection to the schools located in Sabathani Community Center.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

In addition to the Conditional Use Permit, the applicant must comply with the following specific development standards found in Chapter 536.20:

School, grades K--12.

- (1) The use shall include a regular course of study accredited by the State of Minnesota.
- (2) 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.
- (3) An appropriate transition area between the facility and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

RECOMMENDATION:

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow the Minnesota Internship Center Charter School to locate in Sabathani Community Center at 310 38th St E, subject to the following conditions:

1. The applicant will meet the specific development requirements for K-12 schools in section 536.20 of the zoning code.

Attachments:

1. Statement of use
2. Findings
3. Correspondence
4. Site Plan, Floor Plans, Elevations, & Zoning map
5. Contour Map
6. Photos