

**Department of Community Planning and Economic Development – Planning Division**  
Modification to existing Conditional Use Permit  
BZZ-2054

**Date:** November 22, 2004

**Applicant:** Cuningham Group Architecture dba Sharing and Caring Hands

**Address of Property:** 401 North 7<sup>th</sup> Street

**Project Name:** Mary's Place Apartments Chapel

**Contact Person and Phone:** David Engleson, (612) 379-5544

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

**Date Application Deemed Complete:** October 20, 2004

**End of 60-Day Decision Period:** December 19, 2004

**End of 120-Day Decision Period:** February 17, 2005

**Ward:** 5      **Neighborhood Organization:** Downtown Minneapolis Neighborhood Assn.

**Existing Zoning:** I-2 (Medium Industrial), ILOD (Industrial Living Overlay District), DP (Downtown Parking).

**Proposed Zoning:** “No Change in zoning proposed for this application”

**Zoning Plate Number:** 13

**Legal Description:** Not applicable for this application.

**Proposed Use:** Add chapel as accessory use to existing 94 unit transitional housing building

**Concurrent Review:** Amendment to existing Conditional Use Permit

**Applicable zoning code provisions:** Chapter 520 Introductory Provisions, Chapter 521 Zoning Districts and Maps, Chapter 525 Administration and Enforcement-specifically Section 525.360 Changes in approved conditional use permit, 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 551 Overlay Districts.

**Background:** On April 19, 1999, the City Planning Commission approved a rezoning (P-1055) to add the Industrial Living Overlay District to the subject parcel. A conditional use permit (CUP 1978) was also granted for the use. These approvals were required in order for the

residential facility to expand from 56 units to 94 units. On October 22, 2001 the City Planning Commission approved a modification (BZZ 318) of the existing conditional use permit to allow an “automobile dealership”, with a maximum inventory of 4 vehicles, as an accessory use to the transitional housing development. This was done to provide an on-site job skills training program and to provide a means to transfer title of vehicles in good working condition to residents, within one week of receipt, to improve mobility for employment opportunities. The proposed (accessory) prayer chapel is a 426 sf footprint, will incorporate compatible and matching materials to the existing building, be sprinkled, and is designed for 16 people in fixed pews with one priest standing. Staff has received no objections to the chapel addition.

**Findings as required by the Minneapolis Zoning Code to amend the conditional use permit for Sharing and Caring Hands located at 401 North 7<sup>th</sup> Street in the I-2 (Medium Industrial), ILOD (Industrial Living Overlay), DP (Downtown Parking) zoning districts- to include the addition of a 426 sf chapel to the Mary’s Place Apartment Building for accessory use by staff and residents:**

The Community Planning and Economic Development Planning Division has analyzed the application and from the findings above 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.**

To staff’s knowledge, Sharing and Caring Hands has operated the existing facility in a manner that is consistent with the terms of the management plan submitted for the facility and that all other conditions of approval have been met. The addition of a 426 sf chapel onto the Northwest wing of the existing building as an accessory use for staff and residents should not prove detrimental. No change is anticipated to the number of people living at the facility.

**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.**

At the proposed scale, the accessory use would be expected to have negligible impact on the development or enjoyment of surrounding property. Surrounding development is primarily industrial in nature. The chapel is intended as an amenity for residents and staff.

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

An access road connects the site to 5<sup>th</sup> Avenue North. Parking lots are located at the north and southwest ends of the site. Grass pavers can allow emergency vehicles to access the south and east sides of the site. The Fire Department previously instructed the applicant to ensure that these areas are cleared of snow during winter months. The Public Works Department previously reviewed the plans for drainage and utilities.

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

The site is served by one access road. Due to the nature of the facility, many residents either walk or use public transportation. No parking stalls will be removed from the site. A fence surrounds the site that prevents tenants from walking across the railroad tracks to the south.

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

The proposed chapel, an accessory use to the existing residential facility, requires very limited physical changes to the property on the interior of the lot. The proposed modification does not conflict with policies of the Minneapolis Plan.

**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.**

To staff's knowledge, Sharing and Caring Hands has operated the existing facility in a manner that is consistent with the terms of the management plan submitted for the facility and all other conditions of approval have been met. A place of assembly is a permitted use in the I-2 district, and in this case the proposed chapel is intended as an amenity for residents and staff only.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division to:** amend the conditional use permit for Sharing and Caring Hands located at 401 North 7<sup>th</sup> Street in the I-2 (Medium Industrial), ILOD (Industrial Living Overlay), DP (Downtown Parking) zoning districts- to include the addition of a 426 sf chapel to the Mary's Place Apartment Building for accessory use by staff and residents:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the amendment to the conditional use permit for Sharing and Caring Hands located at 401 North 7<sup>th</sup> Street in the I-2 (Medium Industrial), ILOD (Industrial Living Overlay), DP (Downtown Parking) zoning districts- to include the addition of a 426 sf chapel to the Mary's Place Apartment Building for accessory use by staff and residents.

**Attachments:**

1. Staff report
2. Statement of use and findings
3. Correspondence
4. Zoning and Vicinity maps
5. Plans
6. Photos