

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits and Variances
BZZ-1821

Date: July 26, 2004

Applicant: Minneapolis Community & Technical College

Address of Property: 1309 Hennepin Avenue and 1324 Harmon Place

Project Name: Minneapolis Community & Technical College, Harmon Center

Contact Person and Phone: Bruce Cornwall, Bentz, Thompson, Rietow Architects, (612) 332-1234

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: June 29, 2004

End of 60-Day Decision Period: August 28, 2004

End of 120-Day Decision Period: Not applicable

Ward: 7 Neighborhood Organization: Citizens for a Loring Park Community

Existing Zoning: OR3, DP Downtown Parking Overlay District and HA Harmon Area Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 18

Legal Description: Not applicable for this application

Proposed Use: College classrooms and offices and a surface parking lot

Concurrent Review:

Conditional use permit: for an expansion of the Minneapolis Community & Technical College campus.

Conditional use permit: for a surface parking lot located in the DP Downtown Parking Overlay District.

Variance: to increase the number of parking spaces in the parking lot from the permitted 20 spaces to 86 spaces.

Variance: to reduce the front yard setback along Spruce Place from the required 15 feet to 11 feet to allow a surface parking lot.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX Variances, specifically Section 525.520 (20) “to vary the standards of any overly district,

other than the SH Shoreland Overlay District or the FP Floodplain Overlay District” and Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.”

Background: In November of 2003, the applicant purchased the properties on the block bounded by Hennepin Avenue, 13th Street South, Harmon Place and Spruce Place. The Minnesota State College and Universities (MnSCU) long-range strategic plan calls for the co-location of the Metropolitan State University (MSU) campus with the Minneapolis Community & Technical College (MCTC) campus by the fall of 2004. The decision was made to move the MSU campus to the MCTC campus and vacate the existing MSU campus at 8th Street South and Hennepin Avenue in order to create a single higher education center in downtown Minneapolis.

As a result of the co-location several changes are proposed. The immediate changes involve the demolition of portions of the buildings located at 1324 Harmon Place and 1309 Hennepin Avenue, partial renovation of the buildings located at 1300 Harmon and 1300 Harmon Annex and the creation of a surface parking lot. These changes will occur by the fall of 2004. In the future the institutions intend on renovating the remaining portions of the existing buildings and constructing two new facilities with underground parking. The timeline for these future phases is not exact as they are dependent on State funding but the institutions hope to have the facilities constructed by 2019.

The parking requirement for a college or university is as approved by Conditional Use Permit based on a parking study of the institution, but not less than one space per classroom and other rooms used by students and faculty plus one space per five students based on the maximum number of students attending classes at any one time. According to the applicant there will be an additional 1,000 students attending classes at the MCTC campus after the co-location of the two institutions. MCTC classes are held primarily during the day and MSU classes are held primarily at night and on the weekends. In addition, there will be up to 12 additional classrooms and as many as 80 faculty offices built out as part of the first phase. Given these numbers the additional parking requirement is 292 spaces. With the 86 parking spaces in the proposed surface parking lot and the almost completed addition to the existing parking ramp located on Hennepin Avenue the additional parking requirement will be met. Because the applicant could demonstrate that the parking requirement for the immediate changes could be met on the campus a parking study was not required. However, staff would like to note that when the institutions decide to fully renovate the existing buildings on the site and utilize them to their full capacity that the City will require that a Travel Demand Management plan be completed.

The south half of the block is located in the Harmon Place Historic District. At the July 20, 2004 Heritage Preservation Commission (HPC) meeting, Certificates of Appropriateness were approved to demolish portions of the buildings located at 1309 Hennepin Avenue and 1324 Harmon Place. HPC staff made the findings that the portions of the buildings being demolished were noncontributing to the historic district. The HPC staff findings and recommendations are included in this report.

CONDITIONAL USE PERMIT – for an expansion of the Minneapolis Community & Technical College campus

Findings as Required by the Minneapolis Zoning Code:

The Department of 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, morals, comfort or general welfare.

The Planning Division does not believe that expanding the institutional campus to the block bounded by Hennepin Avenue, 13th Street South, Harmon Place and Spruce Place will be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The blocks immediately to the west of the site are currently occupied by the existing MCTC campus.

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 Planning Division does not believe that this development will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. The site was previously part of the Billy Graham Evangelistic Association’s Minneapolis campus. The majority of the buildings on the block were utilized as a mailing and distribution center. Utilizing the site for classrooms, faculty offices and a surface parking lot for both MCTC and MSU will reduce the number of delivery trucks coming and going to the site and will bring more pedestrian activity to the area throughout the day. Adjacent uses include the existing MCTC campus, a number of multiple-family developments, commercial uses and some warehousing uses.

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

The applicant will be working closely with the Public Works Department, 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.

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

When attending classes at or working at MCTC and MSU there are two primary places to park during the day. One is in the proposed surface parking lot and the other is in the existing parking ramp located on Hennepin Avenue. Both of the facilities have been designed to minimize traffic congestion in the public streets. The two entrances and exits to the surface parking lot are both located off of Spruce Place and those who park in the lot will first be required to purchase a pass from the institutions so there will be no line of vehicles waiting to park.

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

According to *The Downtown 2010 Plan*, this block is located in a Downtown neighborhoods area as found on the concept map. According to the principles and polices outlined in *The Downtown 2010 Plan*, the following apply to this proposal:

- Locate educational uses in areas where they compliment downtown’s primary functions of office, retail and housing, and where lost development potential for more intensive and tax-generated uses can be minimized.
- Encourage educational and other public institutions to share resources and provide services effectively and code efficiently.

This development supports these principles and policies.

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.

With the approval of the conditional use permits and the variances this development will be in conformance with the applicable regulations of the zoning code.

CONDITIONAL USE PERMIT – for a surface parking lot located in the DP Downtown Parking Overlay District

Findings as Required by the Minneapolis Zoning Code:

The Department of 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, morals, comfort or general welfare.

The Planning Division does not believe that an 86-space surface parking lot will be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The proposed parking lot will be monitored by a camera system and screened from the public street by landscaping.

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 Planning Division does not believe that an 86-space surface parking lot will be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area. Although a surface parking lot is not the preferred land use for half of the block, the Planning Division recognizes that the proposed surface parking lot is a placeholder for a new facility that is

proposed to someday be built on this site pending funding from the State. Adjacent uses include the existing MCTC campus, a number of multiple-family developments, commercial uses and some warehousing uses.

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

See Conditional Use Permit finding number three above.

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

See Conditional Use Permit finding number four above.

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

According to *The Downtown 2010 Plan*, this block is located in a Downtown neighborhoods area as found on the concept map. According to the principles and polices outlined in *The Downtown 2010 Plan* and *The Minneapolis Plan*, the following apply to this proposal:

- Encourage educational and other public institutions to share resources and provide services effectively and code efficiently.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form.
- Require the landscaping of parking lots.

This development supports these principles and policies.

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.

See Conditional Use Permit finding number six above.

VARIANCE - to increase the number of parking spaces in the parking lot from the permitted 20 spaces to 86 spaces

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Number of parking spaces in the DP Overlay: The applicant is seeking a variance to increase the number of parking spaces in the parking lot from the permitted 20 spaces to 86 spaces. The applicant has indicated that the existing buildings that are proposed to be demolished were previously used as a mailing and distribution center and cannot be renovated to fit the needs of either MCTC or MSU. In

addition, given that the co-location is to occur by the fall of 2004 additional parking is needed in order to accommodate the additional parking requirement.

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.

Number of parking spaces in the DP Overlay: The co-location of two institutional facilities on one campus is a unique circumstance that is not generally applicable to other parcels of land.

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.

Number of parking spaces in the DP Overlay: The granting of the variance to allow more than 20 parking spaces in the surface parking lot would not significantly affect the essential character of the area. There is an existing surface parking lot on the block located towards Harmon Place which accommodates up to 48 vehicles. None of the existing parking is screened from the multiple-family developments directly across the street from the site. The proposed surface parking lot will be setback 15 feet from the sidewalk along Harmon Place and 11 feet along Spruce Place and will be screened by landscaping and a decorative fence.

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.

Number of parking spaces in the DP Overlay: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed number of parking spaces be detrimental to welfare or public safety.

VARIANCE - to reduce the front yard setback along Spruce Place from the required 15 feet to 11 feet to allow a surface parking lot

Findings as Required by the Minneapolis Zoning Code for the Variance:

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.

Front yard setback along Spruce Place: The applicant is seeking a variance to reduce the front yard setback along Spruce Place from the required 15 feet to 11 feet to allow a surface parking lot. The applicant has indicated that in order to accommodate the appropriate parking space and drive aisle dimensions that the setback along Spruce Place needs to be reduced. In addition, the setback requirement off of both Hennepin Avenue and Harmon Place is 15 feet. The applicant is providing a 50-foot setback along Hennepin Avenue and a 35-foot setback along Harmon Place. By providing larger

setbacks along both Hennepin Avenue and Harmon Place the overall amount of pervious surface is greater than increasing the setback along Spruce Place to 15 feet.

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.

Front yard setback along Spruce Place: The need to meet the zoning code requirements for accurately dimensioned parking spaces and drive aisles is not a unique circumstance of only this property. However, providing larger than required setbacks along two other street frontages is a unique circumstance that is not generally applicable to other parcels of land.

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.

Front yard setback along Spruce Place: The granting of the variance to reduce the required setback along Spruce Place would not significantly affect the essential character of the area given that there will be landscaping and a decorative fence in the setback area that will screen the parking lot from the public street and sidewalk.

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.

Front yard setback along Spruce Place: Staff believes that the granting of the variance would likely have little impact on congestion of area streets or fire safety, nor would the proposed reduced setback be detrimental to welfare or public safety.

RECOMMENDATIONS

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 conditional use permit application for an expansion of the Minneapolis Community & Technical College campus located at 1309 Hennepin Avenue and 1324 Harmon Place subject to the following conditions:

1. When exterior modifications are made to any of the existing buildings the plans are to be reviewed by Planning Division staff.
2. When the institutions decide to fully renovate the existing buildings on the site and utilize them to their full capacity a Travel Demand Management plan shall be completed before building

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permits are issued. The Travel Demand Management Plan is to be reviewed by the Planning Division.

3. Approval of the final site, landscaping, fence and elevation plans by the Community Planning and Economic Development Department – Planning Division.

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 conditional use permit application for a surface parking lot located in the DP Downtown Parking Overlay District located at 1309 Hennepin Avenue and 1324 Harmon Place subject to the following conditions:

1. The parking lot shall be utilized by MCTC and MSU students and faculty only.
2. The parking lot shall not be utilized as or converted to a commercial parking lot.
3. There shall be no more than 86 parking spaces in the parking lot.
4. Approval of the final site, landscaping, fence and elevation plans by the Community Planning and Economic Development Department – Planning Division.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to increase the number of parking spaces in the parking lot from the permitted 20 spaces to 86 spaces for the property located at 1309 Hennepin Avenue and 1324 Harmon Place subject to the following conditions:

1. There shall be no more than 86 parking spaces in the parking lot.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the front yard setback along Spruce Place from the required 15 feet to 11 feet to allow a surface parking lot the property located at 1309 Hennepin Avenue and 1324 Harmon Place.

Attachments:

1. Statement of proposed use
2. Explanation of the relationship between MCTC and Metro State University
3. Campus expansion plan
4. CUP and variance findings
5. June 15, 2004 e-mail to CM Goodman
6. June 16, 2004 e-mail regarding a meeting with the Loring Business Association
7. Heritage Preservation Commission findings and recommendations
8. Zoning Map
9. Site, elevation and floor plans
10. Photographs of the site and surrounding area