

**Department of Community Planning and Economic Development – Planning Division**  
**Conditional Use Permit**  
**BZZ-4249**

**Date:** December 8, 2008

**Applicant:** Sheik (Adam) Abdisalam

**Address of Property:** 2901 Pleasant Avenue South

**Project Name:** Karmel-ALHikmah Preschool

**Contact Person and Phone:** Sheik (Adam) Abdisalam, (612) 227-3933

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

**Date Application Deemed Complete:** November 13, 2008

**End of 60-Day Decision Period:** January 12, 2009

**End of 120-Day Decision Period:** Not applicable for this application

**Ward:** 6      **Neighborhood Organization:** Whittier Alliance

**Existing Zoning:** R2B, Two-Family District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 25

**Legal Description (properties to be rezoned):** Not applicable for this application

**Proposed Use:** Preschool

**Concurrent Review:**

**Conditional use permit:** for a preschool

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

**Background:** The applicant, as well as several other individuals, is proposing to utilize the building located at 2901 Pleasant Avenue South as a preschool for children ages 3 to 5. The preschool, Karmel-ALHikmah, will have a focus on core subjects as well as Somali language and culture. The applicant has indicated that the curriculum will be modeled using the Preschool Core Knowledge Sequence in math, language arts, social studies, science and fine arts ([www.coreknowledge.org](http://www.coreknowledge.org)). The property is located just north of Karmel Plaza, a multi-tenant market and just east of Karmel Village, a residential development that is currently under construction. The applicant has indicated that given the properties

proximity to both of these establishments the student population for the school will most likely originate from these places.

The applicant has indicated that there will be one teacher and a teacher's assistance in each of the classrooms. There will be a total of five classrooms in the building and up to 15 students per classroom. There are also two offices, a kitchen, two common areas and three restrooms in the building. There is a surface parking area on the site that can accommodate nine vehicles. There is also a green space on the site that will be able to be utilized as an outdoor play area.

**CONDITIONAL USE PERMIT** – for a preschool

**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, comfort or general welfare.**

The Planning Division does not believe that a preschool would be detrimental to or endanger the public health, safety, comfort or general welfare of the surrounding area. The surrounding area is primarily residential in nature with a mixture of housing developments of varying densities. Scattered throughout the area, mostly along the Midtown Greenway, there are commercial developments in the area including auto-related uses and a shopping center. A preschool would benefit those who live and work in the surrounding area and are in need of early education for their children.

There is not a good connection between the parking spaces and the building entrances. To alert drivers to the fact that pedestrians may be walking through the parking area the Planning Division is recommending that a walkway be striped along the south side of the building. The walkway should be four feet in width and connect the south building entrance to the east side of the parking area.

**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 a preschool would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. The building was originally built in 1940 as an office. Reusing the building for a preschool is a good retrofit for an existing non-residential building in a primarily residential area.

**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 for converting the existing commercial building into a preschool.

As for vehicular access, there is an existing curb cut along Pleasant Avenue South that leads to a surface parking area located towards the back of the building. This curb cut and parking area will remain.

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

The parking requirement for a preschool is one space per two employees plus two drop off spaces. The drop off spaces can be located either off-street or on-street with permission by the City's Public Works Department. The applicant has indicated that there will be a total of ten employees working at the preschool. Given this the parking requirement is five spaces plus two drop off spaces. On the site there will be a total of nine parking spaces. Two of the spaces within the parking lot or space on the street in front of the building should be designated as short-term parking for drop-off purposes. If the drop-off spaces are located on the street the applicant shall work with the Public Works Department prior to such designation.

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

The site is located on the designated Midtown Greenway and one block north of West Lake Street which is a designated Commercial Corridor. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Continue to provide a wide range of goods and services for city residents, to promote employment opportunities, to encourage the use and adaptive reuse of existing commercial buildings, and to maintain and improve compatibility with surrounding areas (Policy 4.4).
- Support the Minneapolis Public School's efforts to restructure its curriculum and instruction to improve student achievement (Policy 5.1).
- Provide equity of resources that enable students to achieve goals and acquire new skills (Implementation Step for Policy 5.1).
- Invest human and financial resources in nurturing healthy children and providing them with a safe school environment (Policy 5.2).
- Encourage the further development of community connections to public schools (Policy 5.3).
- Continue to explore solutions to space shortages and an increased student population with local businesses, cultural institutions and other participating institutions (Implementation Step for Policy 5.3).

The Planning Division believes that the proposed project is in conformance with the above policies of *The Minneapolis Plan*. Reusing the existing commercial building as a preschool is a good retrofit for an existing non-residential building in a primarily residential area. Although the proposed preschool is not part of the City's public school system it will focus on core subjects as well as Somali language and culture.

In the *Midtown Greenway Land Use and Development Plan*, which was adopted by the Minneapolis City Council in February of 2007, the site is called out as a high-density housing site ranging between 40 and 120 dwelling units per acre. In addition, the site is located in an Urban-Oriented development district which permits apartment buildings between three and five stories. Although the proposed use of the site is not high-density housing as called for in the plan the Planning Division believes that the proposed development does not conflict with the *Midtown Greenway Land Use and Development Plan*. Educational uses such as a preschool are allowed in all residential districts. Reusing the existing commercial building as a preschool is a good retrofit for an existing non-residential building in a primarily residential area. In addition, unless additional parcels of land were assembled to make a larger development site it would be difficult to construct high density housing on the 11,880 square foot lot.

The *Midtown Greenway Land Use and Development Plan* calls for a public promenade along the north edge of the Greenway. The applicant is not proposing to provide general public access to this site. The Planning Division believes that the promenade is an important feature to implement but that it is impractical to implement the promenade in conjunction with an adaptive reuse project that does not extend between two north-south streets.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located.**

- **Use:** Preschools are a conditional use in the R2B zoning district.

- **Off-Street Parking and Loading:**

**Parking:** The parking requirement for a preschool is one space per two employees plus two drop off spaces. The drop off spaces can be located either off-street or on-street with permission by the City's Public Works Department. The applicant has indicated that there will be a total of ten employees working at the preschool. Given this the parking requirement is five spaces plus two drop off spaces. On the site there will be a total of nine parking spaces. Two of the spaces within the parking lot or space on the street in front of the building should be designated as short-term parking for drop-off purposes. If the drop-off spaces are located on the street the applicant shall work with the Public Works Department prior to such designation.

**Loading:** There is no loading requirement for a preschool.

- **Maximum Floor Area:** The maximum FAR for a preschool in the R2B zoning district is 0.5. The lot in question is 11,880 square feet in area. The applicant proposes a total of 4,906 square feet of gross floor area, an FAR of .41.
- **Building Height:** The height requirement in the R2B zoning district is two stories or 35 feet, whichever is less. The building is two stories or 17 feet in height.
- **Minimum Lot Area:** The minimum lot area for a preschool in the R2B zoning district is 5,000 square feet. The lot is 11,880 square feet in size.

- **Yard Requirements:** The site has two front yards; Pleasant Avenue South and West 29<sup>th</sup> Street. The front yard setback in the R2B zoning district is 20 feet. The building is setback between six and nine feet from Pleasant Avenue South and nine feet from West 29<sup>th</sup> Street. The building setbacks are grandfathered. The parking lot is located 20 feet from West 29<sup>th</sup> Street. The east and south interior setbacks are equal to  $5+2x$  where  $x$  equals the number of stories above the first floor. The building is a one story building so the resulting setback along these two sides of the site is five feet. These setbacks are being met.
- **Maximum lot coverage:** The maximum lot coverage in the R2B zoning district is 50 percent. The lot is 11,880 square feet in size. The footprint of the building is 2,453 square feet or 21 percent of the site.
- **Maximum impervious surface:** The maximum impervious surface in the R2B zoning district is 65 percent. There is a total of 7,697 square feet of green space on the site or 65 percent of the site.
- **Specific Development Standards:** Preschools are subject to specific development standards:

**Preschool:**

- In the residence and OR1 Districts, the use shall be located in a nonresidential structure existing on the effective date of this ordinance.
- A designated area for the short-term parking of vehicles engaged in loading and unloading children shall be provided, as specified in Chapter 541, Off-Street Parking and Loading. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
- Play equipment shall not be located in required front, side or rear yards and shall be effectively screened from any adjacent residential use located in a residence or office residence district or from a ground floor permitted or conditional residential use, as specified in Chapter 530, Site Plan Review.
- 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.
- 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.

The development is in or will be in compliance with the above specific development standards for a preschool through the approval of the conditions placed on this application. Please note that the applicant is not proposing to have play equipment on site. If in the future play equipment is installed it should be located in the green space behind the building and more than 20 feet from the front property line along West 29<sup>th</sup> Street.

- **Hours of Operation:** The hours of operation for the R2B District are Sunday through Thursday, 7 am to 10 pm, and Friday and Saturday, 7 am to 11 pm. The applicant has indicated that the use will be open from 8 am until 7 pm seven days a week.

- **Signs:** Signs are subject to the requirements of Chapter 543, On-premise Signs. The sign allowance for a preschool in the R2B zoning district is one nonilluminated, flat wall identification sign not exceeding 16 square feet with a maximum height of 12 feet or top of wall, whichever is less. On a corner lot, two such signs per building are allowed.

The applicant has indicated that there will not be any signage on the building. If there is signage placed on the site it shall conform to what is allowed in the R2B zoning district for a preschool.

- **Refuse storage:** The refuse storage containers will be located along the east wall of the building. The Planning Division is recommending that the containers be located within an enclosure.
- **Lighting:** Lighting exists at the site. There are wall mounted lights on all four sides of the building and three pole lights located along the north property line.
- **Fencing:** There is an existing five-foot high decorative metal fence located along Pleasant Avenue South and West 29<sup>th</sup> Street. The permitted fence height in a required front yard is four feet for an open, decorative fence. The applicant has indicated that the existing five-foot high fence will be reduced in height by one foot. In addition, there is a six-foot high fence with barbed wire on it located along the east property line. The fence extends from the front property line to the south property line. The permitted fence height in the interior side yard is six feet as long as the adjacent property has maintained an interior side yard of five feet. The adjacent property is vacant. Barbed wire is not a permitted fence material in the residence district. The Planning Division is recommending that the portion of the six-foot high fence located in the front yard be removed and replaced with the same decorative metal fence located along the front property line. In addition, the barbed wire and the brackets should be removed from the remaining portion of the existing chain link fence.
- **Parking area design and maintenance:** There are a total of nine parking spaces located in the on-site parking area. Parking lots of four to nine spaces are subject to the requirements of Chapter 530, Site Plan Review for screening purposes. The parking lot is required to be screened from West 29<sup>th</sup> Street and along the east and south property lines. The applicant is proposing to plant a hedge row of Japanese Red Barberry along the front property line, adjacent to the public sidewalk along West 29<sup>th</sup> Street. This specific plant material can grow as tall as five or six feet. The Planning Division is recommending that the same species be planted along the east property line for screening purposes. Along the south property line is the retaining wall that is part of the Midtown Greenway. This existing retaining wall screens the parking lot from the Midtown Greenway and other properties located on the south side of the Midtown Greenway. There is a five-foot wide green space located between the retaining wall and the parking area. In order to protect vehicles from driving over the green space the Planning Divisions is recommending that plant materials be located in this space.

## **RECOMMENDATIONS**

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

Department of Community Planning and Economic Development – Planning Division  
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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 to allow for a preschool located at 2901 Pleasant Avenue South subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.
2. A walkway shall be striped along the south side of the building. The walkway shall be four feet in width and connect the south building entrance to the east side of the parking area.
3. Two of the spaces within the parking lot or space on the street in front of the building shall be designated as short-term parking for drop-off purposes. If the drop-off spaces are located on the street the applicant shall work with the Public Works Department prior to such designation.
4. If signage is placed on the site it shall conform to what is allowed in the R2B zoning district for a preschool.
5. If in the future play equipment is installed it shall be located in the green space behind the building and more than 20 feet from the front property line along West 29<sup>th</sup> Street.
6. That portion of the six-foot high fence along the east property line located in the front yard shall be removed and replaced with the same decorative metal fence located along the front property line. In addition, the barbed wire and the brackets shall be removed from the remaining portion of the existing chain link fence.
7. Japanese Red Barberry shall be planted along the east property line for screening purposes.
8. Plant materials shall be located in the five-foot wide green space between the retaining wall and the parking area.
9. The refuse storage containers shall be located within an enclosure.
10. Approval of the final site, elevation, landscaping and lighting plans by the Department of Community Planning and Economic Development – Planning Division.

**Attachments:**

1. Written description of the project
2. Written description of the school
3. Conditional use permit findings
4. October 14, 2008, letter to Council Member Lilligren and the Whittier Alliance

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5. Zoning Map
6. Site plan and floor plans
7. Aerial photos of the site and photos of the property