

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-2083

Date: December 13, 2004

Applicant: Institute for New Americans

Address of Property: 730 Hennepin Avenue South

Project Name: Abraham Lincoln High School & Lincoln English Language School

Contact Person and Phone: Thomas Owens, Attorney at Law, (612) 349-5280

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

Date Application Deemed Complete: November 5, 2004

End of 60-Day Decision Period: January 4, 2005

End of 120-Day Decision Period: Not applicable

Ward: 5 Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Existing Zoning: B4S-2

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 19

Legal Description: Not applicable for this application

Proposed Use: High school and language school

Concurrent Review:

Conditional Use Permit: for a K-12 school.

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

Background: The Institute for New Americans (INA) was established in 1991. The organization provides support for immigrants and refugees in and around the Twin Cities. In 1993, the Gateway program for adults was added to assist immigrants with overcoming language barriers. This program is now called the Lincoln English Language School. In 1997, the Minneapolis Public School Board approached the INA and asked them to open an alternative high school. The high school was named Abraham Lincoln High School. Between 2000 and 2003 INA also had a Public Policy and Advocacy program that worked to ensure economic, educational, political and social equity for new Americans in

Minnesota. Then in September of 2003 the INS defined its focus to high school and adult educational programming. Today, INS operates out of three different locations. The applicant has indicated that by combining the various services offered by INS into one location will allow for increased operational efficiency.

The use, as defined by the zoning code, is a K-12 school which requires a conditional use permit. The applicant has indicated that the Abraham Lincoln High School is an adult high school, where less than 20 percent of the student population is under the age of 18.

The Downtown Minneapolis Neighborhood Association supports the use of the building located at 730 Hennepin Avenue as a K-12 school.

CONDITIONAL USE PERMIT – for a K-12 school

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 a K through 12 school would be detrimental to or endanger the public health, safety, morals, comfort or general welfare. Currently Metro State University occupies the building where the applicant is looking to relocate. Within walking distance of this site one can find the Interdistrict Downtown School (K-12), the University of St. Thomas campus and the MCTC/Metro State University 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 a K-12 school would be injurious to the use and enjoyment of surrounding property nor will it impede the normal development of the surrounding area given that a school has occupied the site for the past 14 years. It must be noted that sexually oriented uses would be prohibited from establishing within 500 feet of the site and an establishment with a full liquor license that is not a hotel or a restaurant would be prohibited from establishing within 300 feet of the site.

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.

The parking requirement for the development is one parking space per every 1,400 square feet of gross floor area or 45 parking spaces. The applicant is leasing 45 parking spaces in the surface parking lot located across the street from the site (29 8th Street North). The parking lot is accessed off of both 8th Street North and Hawthorne Avenue.

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

The site is designated as entertainment in the comprehensive plan. It is also noted in the comprehensive plan that this site is home to an existing educational facility. According to the principles and policies outlined in *The Minneapolis Downtown 2010 Plan*, the following apply to this proposal:

- Designate the area along Hennepin Avenue between 5th and 10th Streets and the Warehouse District as downtown's Entertainment District. Entertainment and specialty retail uses should be the primary uses at the street and skyway levels. This is especially true for uses that are unique to downtown and the region. Above the street and skyway levels, encourage offices and hotel uses.
- Create street level excitement in the Entertainment District. A successful urban entertainment district requires a street level environment that is active, that is visually exciting and that encourages pedestrian flow between various attractions.
- Encourage educational and other public facilities to share resources and provide services effectively and cost efficiently.

Although this site is located in the Entertainment District downtown the building has been used as a school for the past 14 years. Converting the building from a college or university to a K-12 school should not have a significant impact on the surrounding area given the hours of operation that the school will be open and the fact that less than 20 percent of the student population is under the age of 18. With the relocation of INS at this location the students will be able to take advantage of the new Minneapolis Public Library and the other educational facilities located downtown.

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 permit this development will be in conformance with the applicable regulations of the zoning code.

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 a K-12 school located at 730 Hennepin Avenue South subject to the following conditions:

1. The use shall include a regular course of study accredited by the State of Minnesota.
2. Staff shall review the sign plan prior to applying for a sign permit.

Attachments:

1. History of the Institute for New Americans and a photo of the existing site
2. Statement of proposed use
3. Conditional use permit findings
4. November 4, 2004 letters to Council Members Johnson Lee and Goodman
5. November 4, 2004 letter to the Downtown Council and the Hennepin Avenue Advisory Board
6. November 14, 2004 letter from the Downtown Minneapolis Neighborhood Association
7. Zoning Map
8. Site plan and floor plans
9. Photographs of the site and surrounding area