



CPED STAFF REPORT

Prepared for the City Planning Commission

CPC Agenda Item #4
 May 19, 2014
 BZZ-6502

LAND USE APPLICATION SUMMARY

Property Location: 2732 Bloomington Avenue South
Project Name: Southeast Homes, Inc.
Prepared By: [Robert Clarksen](#), City Planner, (612) 673-5877
Applicant: Abah Mohamed
Project Contact: Abah Mohamed
Request: To increase the number of occupants in an existing Community Residential Facility from 6 to 9 in the R4, Multiple Family Zoning district.

Required Applications:

Conditional Use Permit	To allow for the increase the number of occupants in an existing Community Residential Facility from 6 to 9 persons in the R4, Multiple Family Zoning District.
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SITE DATA

Existing Zoning	R4 District
Lot Area	5265 square feet / .12 acres
Ward(s)	9
Neighborhood(s)	Midtown Phillips
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (Bloomington Avenue)
Small Area Plan(s)	None Applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. A single family home existed on the subject property as early as 1886. The existing 2 ½ story residential structure was constructed in 1930, and significantly altered in 1935, and again in 1962. City records indicate permits pulled to remove the original dwelling, and to construct a new entrance at the rear of the building in the early 1960s. The property was used as 3 tenement units above an original dwelling. In 1989, the property was converted to four dwellings. The most recent record for the property is a remodeling permit (BIRE 3057115) to revert back to three dwelling units in 2009. The structure is vernacular architecture positioned on a flat lot which features a fenced in front yard and a parking pad at the rear.

The applicant leases the space from the property owner (Gallop Solutions, Inc.) where she operates a Community Residential Facility licensed by the State of Minnesota Department of Human Services (DHS) to serve 6 men. The program provides 24 hour supervision of participants who receive “culturally and language specific behavioral health services for young adults” who have experienced

Date Application Deemed Complete	April 10, 2014	Date Extension Letter Sent	NA
End of 60-Day Decision Period	June 9, 2014	End of 120-Day Decision Period	NA

significant emotional or behavioral challenges such as PTSD as a result of traumatic experiences (many were victims of torture) in war-torn regions of Somali and East Africa. The existing use was granted administrative approval by CPED staff in November of 2010 upon determination the ¼ mile spacing requirement had been met. The applicant has obtained a Boarding/Lodging license (HI48-96) from the City’s housing office related to the use of the property. The applicant has been responsible for basic maintenance related to the use of the property.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The subject property is located amidst a neighborhood of turn of the century homes mixed with a few examples of 1960s multifamily infill development, and commercial uses at the south end of the block at 28th Street. The broader area is generally zoned for Single and Two Family Urban Neighborhood usage, though properties on Bloomington north of the site include high density residential (R6) classification. Bloomington Avenue, which is identified as a Community Corridor in the City’s Plan for Sustainable Growth, serves two-way north/south traffic between westbound 26th Street and eastbound 28th Street near the subject site. The Midtown Greenway is 1 ½ blocks to the south, and Lake Street forms the southern boundary of the Midtown Phillips neighborhood just over 2 blocks away.

PROJECT DESCRIPTION. The applicant proposes to obtain a Conditional Use Permit to expand the existing Community Residential Facility to allow service to a total of 9 persons. The R4 zoning regulations permit Community Residential Facilities serving 7-32 persons as conditional uses, provided the use complies with a maximum height regulation 4 stories (56 feet) and a maximum Floor Area Ratio of 1.5. The proposed use would be contained within the existing 2 ½ story structure, and comply with FAR requirements and specific development standards affecting the property. A condition of approval would require the applicant to amend licensure from DHS and the housing office related to the establishment of the proposed use.

RELATED APPROVALS. Early in 2008, the Zoning Board of Adjustment denied an appeal of the Zoning Administrators decision regarding the loss of nonconforming rights to use the property for four dwelling units. Later that year, the Planning Commission and City Council approved the rezoning of the property from R2B to R4, and a variance of the minimum lot area requirements from 5000 to 4686 square feet to accommodate the use of the existing structure for three dwelling units, and permits were granted to convert the structure accordingly.

Planning Case #	Application	Description	Action
BZZ-4095	Rezoning	R2B to R4 for 3 unit dwelling	Approved 10/6/08
BZZ-3926	Cert. of NCU	4 unit dwelling	Denied 3/6/08

PUBLIC COMMENTS. Staff has not received any communication regarding the proposed Conditional Use Permit as of the date of this report. Any additional correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

ANALYSIS

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow an expansion of the number of occupants in an existing Community Residential Facility from 6 to 9 persons in the R4, Multiple Family Zoning district at 2732 Bloomington Avenue based on the following [findings](#):

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.*

Given the existing R4 medium density residential zoning designation, and the variance to lot area granted in 2008, the parcel can support 3 dwelling units with a total of 15 occupants and still meet zoning requirements. The applicant is requesting to expand the use to allow more effective utilization of space within the existing building to provide services to a total of 9 occupants.

The applicant has operated a Community Residential Facility on the property for almost four years, in which time the City has received only one complaint (removal of brush from the alley). City records indicate the property was significantly associated with narcotics trafficking (199 police calls between 1999 and 2009) prior to establishment of the Community Residential Facility in 2010. Since the applicant assumed the lease, emergency calls have reduced by over 90% - causing a significant improvement of the perception of public safety in the area. CPED staff finds that the proposed Community Residential Facility serving 9 persons is a reasonable use of the property. Staff does not anticipate the expansion of the facility will have detrimental effects upon the public health, safety, comfort or general welfare.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.*

The property is zoned R4 medium density residential, which permits a community residential facility upon the condition that all other zoning regulations are met. The subject property complies with the ¼ mile spacing regulations affecting community residential facilities in the City. The surrounding uses tend to be zoned single and two-family residential. The area is comprised of a mixture of land uses include low to medium density residential and interspersed commercial uses. The proposed use is consistent with the pattern development in the surrounding area, and should not impede orderly improvement of the neighborhood.

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

The site is adequately served by utilities and other public infrastructure. Bloomington Avenue is designated as a Community Corridor through this area, which is served by Metro Transit buses #14 and 27, providing connecting service to Lake Street Station and Robbinsdale via downtown Minneapolis. The frequent bus service is important as most of the residents of the facility do not use private transportation.

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

As indicated previously, most of the residents of the facility do not use private automobiles for transportation services. The property is served by frequent bus service connecting the use to downtown Minneapolis and the Blue line LRT at Lake Street station. The applicant shall provide bicycle parking facilities in a suitable location on the site or within the building to comply with zoning regulations for congregate living uses. The zoning code requires 3 bicycle parking spaces for this use – two for the existing development and one additional space for the proposed expansion. Based on this analysis, staff does not anticipate issues with traffic congestion related to the expansion of the existing community residential facility.

5. *The conditional use is consistent with the applicable policies of the comprehensive plan.*

In the *Minneapolis Plan for Sustainable Growth*, the site is identified as “Urban Neighborhood” on the future land use map, and positioned along the Bloomington Avenue Community Corridor.

Developments along a community corridor shall be of a medium density, and consist of “primarily residential, with intermittent commercial uses” clustered around neighborhood nodes. The proposed development is consistent with these features of the comprehensive plan, as well as the following principles and policies outlined in the plan:

Policy I.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

I.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use feature

Policy I.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

I.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.

I.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

6. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

If the Conditional Use Permit is approved, the proposed expansion of the Community Residential Facility would comply with the applicable zoning regulations (height, building bulk, etc) in the R4/Multiple-Family Residential District. The applicant has recently added plants and landscaping to enhance the appearance of the area between the principal structure and the front lot line. CPED staff encourages the applicant to pursue additional enhancements to the property, including architectural features such as a more prominent front entry or porch consistent with treatments to other residential uses of this era.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Conditional Use Permit:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow the expansion of an existing Community Residential Facility serving 6 persons to serve a total of 9 persons at 2732 Bloomington Avenue, 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 two years of approval.
2. The applicant shall comply with the specific development standards of chapter 536 of the zoning code, including the requirement that on-site services shall be for residents of the facility only, except where part of a regimen of scheduled post-residential treatment.

3. The applicant shall provide bicycle parking facilities in a suitable location on the site or within the building to comply with zoning regulations for congregate living uses. The zoning code requires 3 bicycle parking spaces for this use – two for the existing development and one additional space for the proposed expansion.
4. The applicant shall obtain an amendment to the existing licensure by the State of Minnesota Department of Human Services upon establishment of the proposed use.
5. The applicant shall perform necessary repairs to the gate and maintenance of the existing chain link fence in the front yard.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan
4. Floor Plans
5. Building elevations
6. Photos
7. Correspondence from Applicant

To whom it may concern,

This letter is written in regard to the recent conditional use permit request that our program, South East Homes, has requested.

As you are already aware, our program is licensed as a six bed board and lodge. In our recent request we have sent a request for an addition of three beds, increasing the total to nine beds. In addition to the six beds South East Homes already contains, the addition of three beds will still be under the maximum of 12 that an R4 allows. Therefore, the addition of the beds will not interrupt the current situation, be detrimental to or endanger the public health, safety, comfort or general welfare.

Thus far, South East Homes has been providing services and has been active for approximately four years. During those four years, no complaints were received. At this time, neither the structure of the South East Homes building nor its utilities will be changing. Therefore, no existing conditions are being interfered with; the only change will be an addition of three beds. With that being said, the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district, seeing as South East Homes has been active for four years and has been a good contributing neighbor with no received complaints. Furthermore, we have maintained our property by staying clean and planting trees in front of our property to better the appearance of our neighborhood.

Considering that South East Homes has been providing services for four years, the adequate utilities, access roads, drainage, necessary facilities and other measures have been provided and will continue to be provided. In addition, as has been relevant for four years, adequate measures have been and will continue to be taken in order to minimize traffic congestion in the public streets.

Lastly, the conditional use is consistent with the applicable policies of the comprehensive plan and in all respects, conforms to the applicable regulations of the district in which it is located.

Sincerely,

Abah Mohamed
Director, South East Homes
southeastar@gmail.com

South East Homes
2732 Bloomington Ave
Minneapolis, MN 55407

Dear Midtown Phillips neighborhood and city council office,

My name is Abah Mohamed and I am the current program director of South East Homes, here in the Phillips neighborhood. I am writing to you today in regard to our request to add three more beds to our program.

South East Homes is currently a six bed licensed DHS board and lodge community residential serving a culturally specific population even though the building can accommodate more than six people who are in need. Please note that prior to South East Homes being implemented, we completed all the necessary city inspections and our program meets the city's quarter mile rule. Due to the current demand coming from our community, we are requesting to have three more beds added to our current existing program, in order to be able to serve nine people rather than six. Please consider that our proposed project is an R4 and our building is able to serve even more than nine individuals.

Over the past four years we have been a community residential facility and have worked to meet the needs for a culturally specific population. While serving our clients, we have also remained good neighbors and respectfully contributed to bettering our neighborhood. We have maintained our property by staying clean and planting trees in front of our property to better the appearance of our neighborhood.

With that being said, we would like to inform you that we are not changing the existing structure of our building nor the land use. We are not adding any additions either; we are only requesting three extra beds to be allowed within our current residency.

We thank you in advance and look forward to your response.

Respectfully,

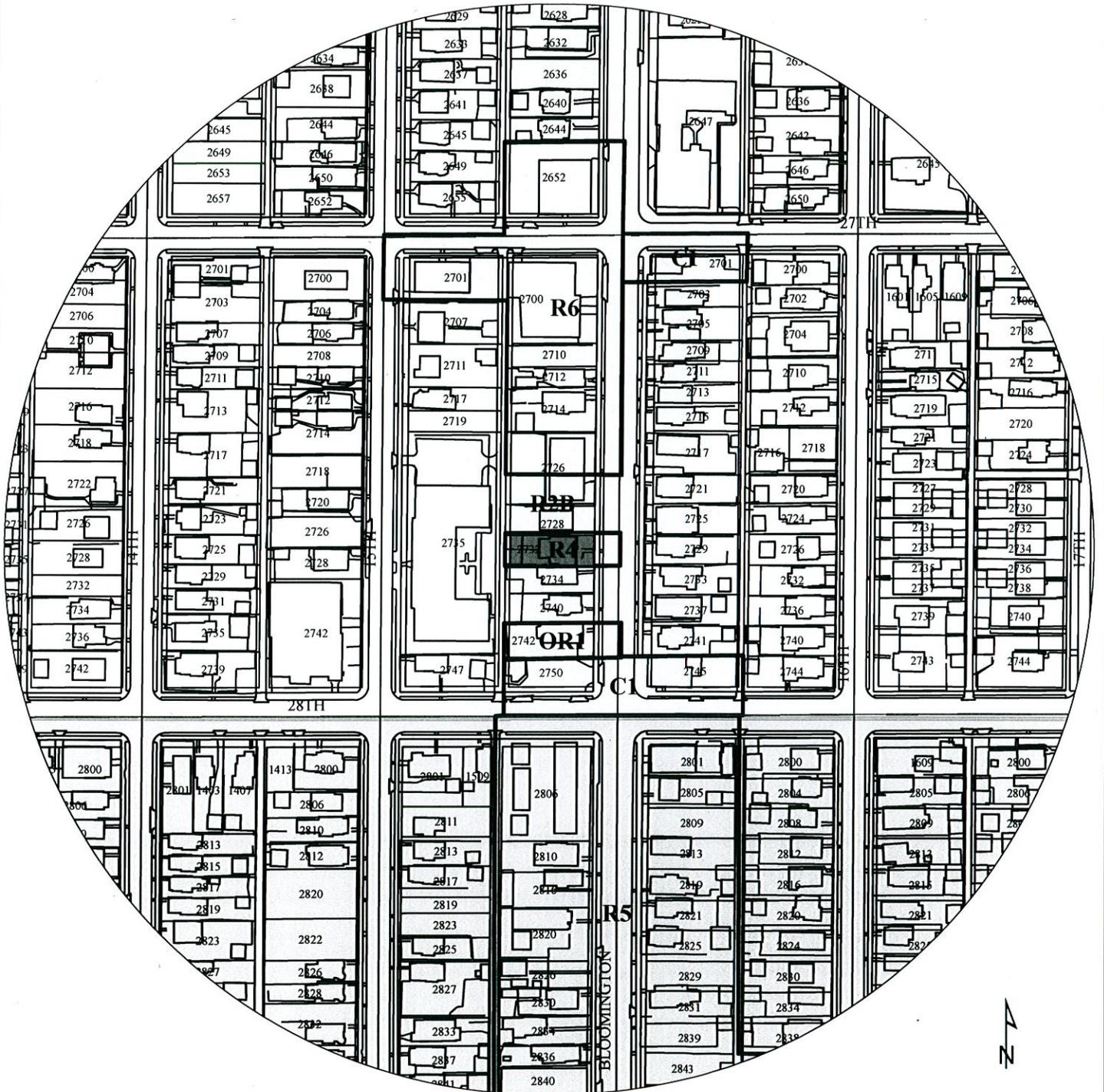
Abah Mohamed
South East Homes
e-mail: southeastar@gmail.com
(612) 702-7231

Abah Mohamed, on behalf of Southeast Homes, Inc

9th

NAME OF APPLICANT

WARD



200 100 0 200 400

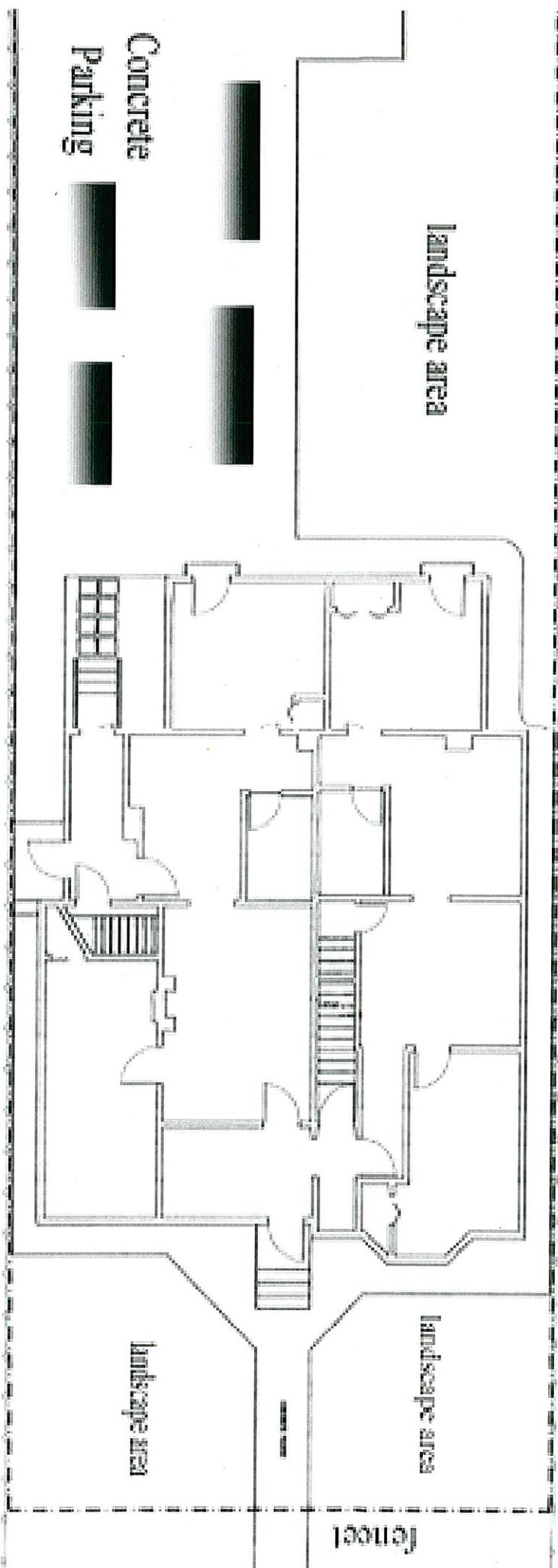
PROPERTY ADDRESS

2732 Bloomington Avenue

FILE NUMBER

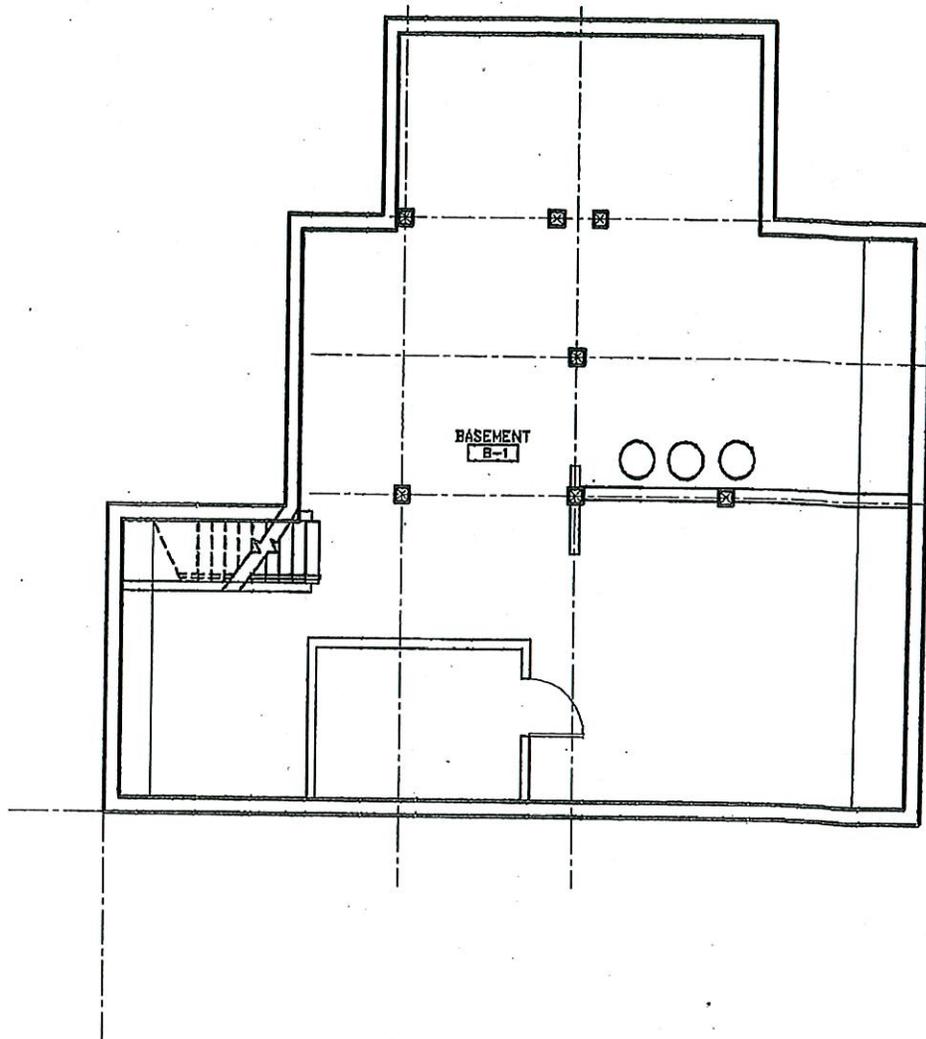
BZZ-6502

Lot 117' x 45' = 5265
Builds for 1800 SF =

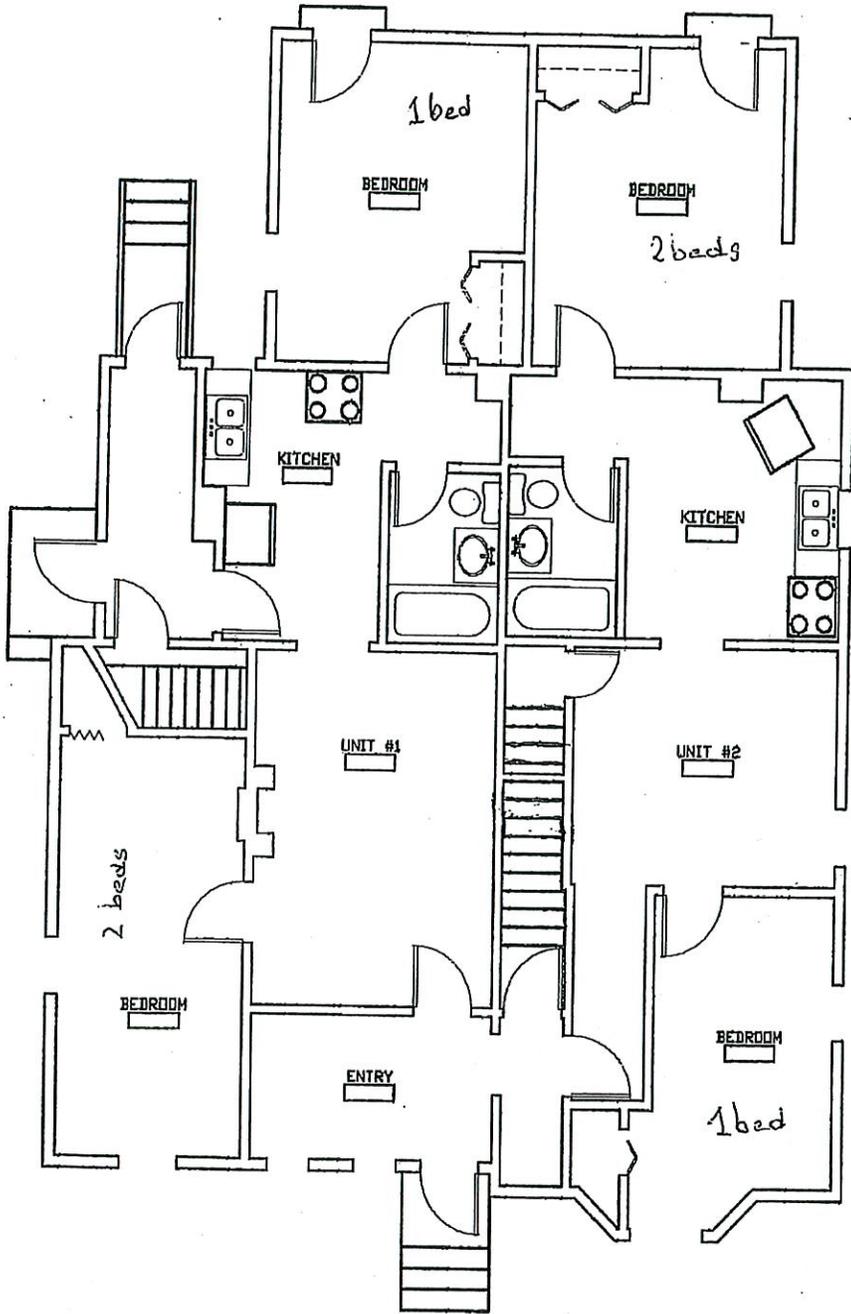


⊖ SITE PLAN 2732 BLOOMINGTON VE. S.
1/8" = 1'-0"

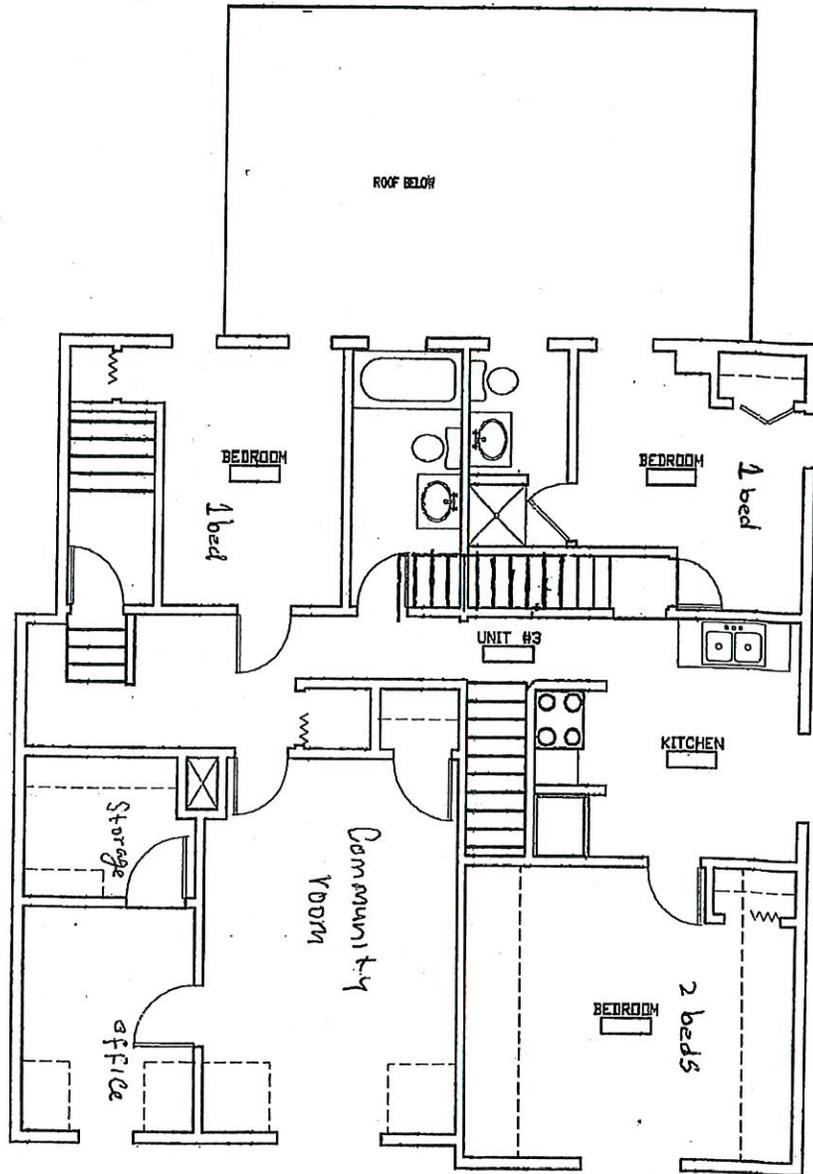




⊖ BASEMENT FLOOR PLAN
⊖ $1/8'' = 1'-0''$



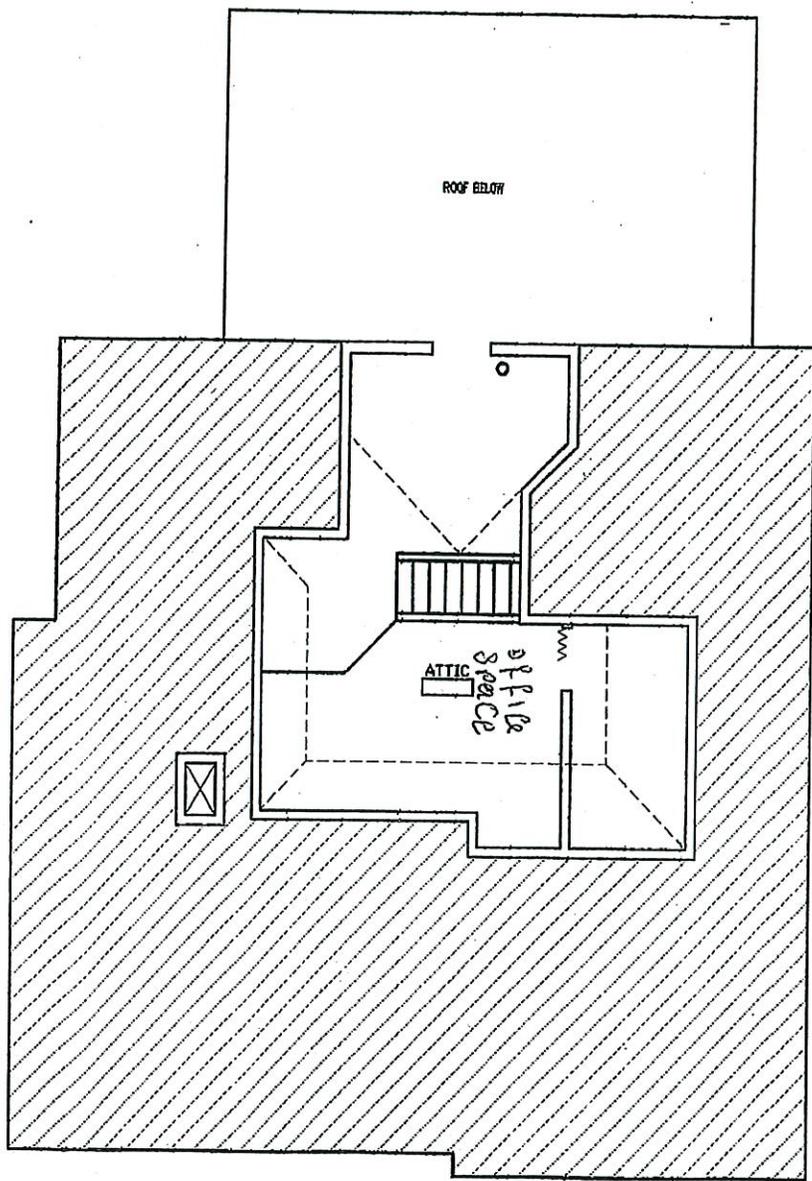
— FIRST FLOOR PLAN
 — 1/8" = 1'-0"



SECOND FLOOR PLAN

1/8" = 1'-0"

SouthEast Homes



⊖ ATTIC FLOOR PLAN
⊖ $1/8'' = 1'-0''$



Building permit issued in 2009 regarding conversion from 4 to 3-unit Multiple Family dwelling

BIRE #: 3057115 Project: _____ Date: 07-JAN-09 Jur: MPLS

#: R2-3,4R/R 3&4 UNIT APARTMENT REMODEL OR REPAIR

CODE COMPLIANCE REPAIRS AT 3-PLEX (JAG # 2)
ORDERS ISSUED JANUARY 6, 2009 BY INSPECTOR BROBERG
KIVA SHOWS 4 UNIT, ZONING APPROVAL REQUIRE CONVERSION TO MAX 3 UNITS
REMOVE KITCHEN FROM EXISTING UNIT THREE AND CONVERT TO CLOSET FOR BEDROOM.
REMOVE HALL DOORS SEPARATING UNITS 3 AND 4 ON SECOND FLOOR TO JOIN UNITS INTO NEW SINGLE.
ADD NONRATED WALLS AT EXISTING DINING ROOM UNIT 4 TO CREATE NEW BEDROOM SPACE
ADD FIRE DOOR AT FIRST FLOOR LANDING TO SEPARATE UNIT FROM COMMON ENTRY.
NO OCCUPANCY UNTIL WORK IS COMPLETE AND CERTIFICATE OF COMPLIANCE ISSUED.
CERTIFICATE OF OCCUPANCY REQUIRED: NO- CERTIFICATE OF COMPLIANCE REQUIRED
CONST TYPE: V-B OCCUPANCY: R-2 2006 IBC

2008 Rezoning Application – BZZ 4095 – CPC / City Council approval

I. Tom Bohlen (BZZ-4095, Ward: 9), 2732 Bloomington Ave (Kimberly Holien). This item was continued from the October 6, 2008 meeting.

A. Rezoning: Application by Tom Bohlen, on behalf of Gallop Solutions, Inc. for a rezoning from R2B to R4 to accommodate an existing structure with three proposed units at 2732 Bloomington Ave.

Action: The City Planning Commission recommended that the City Council adopt the findings and approve the petition to rezone the property of 2732 Bloomington Ave from the R2B district to the R4 district.

B. Variance: Application by Tom Bohlen, on behalf of Gallop Solutions, Inc. for a variance to reduce the minimum lot area from 5,000 square feet to 4,686 square feet for property located at 2732 Bloomington Ave.

Action: The City Planning Commission adopted the findings and approved the application for a variance to reduce the minimum lot size requirement from 5,000 square feet to 4,686 square feet (6.3 percent) for property located at 2732 Bloomington Ave.

Zoning & Planning Committee Agenda

Standing Committee of the City Council, Minneapolis, Minnesota

Regular Meeting Monday, November 17, 2008

Referred from City Planning Commission 10/20/2008

4. Tom Bohlen (2732 Bloomington Ave):

Approve petition to rezone the property from R2B to the R4 Multiple Family District to accommodate the existing building (Ward 9).

Action Taken: Approved