

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Variance
BZZ-4149

Date: August 18, 2008

Applicant: Roger Howley on behalf of The Episcopal Church of St. James on the Parkway

Address of Property: 3225 East Minnehaha Parkway

Project Name: Children’s Center Montessori

Contact Person and Phone: Roger Howley, (612) 659-7775

Planning Staff and Phone: Jessica Thesing, (612) 673-5887

Date Application Deemed Complete: July 25, 2008

End of 60-Day Decision Period: September 23, 2008

Ward: 12

Neighborhood Organization:

- Property is located in the Keewaydin Neighborhood within the Nokomis East Neighborhood Association
- Property is across Minnehaha Pkwy from the Ericsson Neighborhood within the Standish Ericsson Neighborhood Association

Existing Zoning: R1A Single Family District

Zoning Plate Number: 33

Lot area: 40,705 square feet

Proposed Use: School serving grades K-8

Concurrent Review:

- A Conditional Use Permit to allow a School for grades K-8 in the R1A Single Family District

Applicable zoning code provisions: Chapter 525: Article VII Conditional Use Permits; Chapter 536.20: Specific Development Standards

Background: The Episcopal Church of St. James on the Parkway was originally constructed as an approximately 4,036 square foot church in 1940. City records indicate that an addition was permitted in 1951. According to the applicant, the purpose of the addition was to allow for a school and was used both by the church and other organizations until present for this purpose. The building is located within an R1A-Single Family zoning district and a conditional use permit is required for a school in this district. Schools located in the R1A district are also required to have at least 20,000 square feet of lot

area however the lot area for 3225 East Minnehaha Parkways has approximately 40,705 square feet which exceeds this zoning code requirement. According to the applicant, the educational wing of the church that was built in 1951 has been used for Christian education classes serving K-12 youth from 1952 until present. During this time, the church shared space with other school programs as well as hosted summer programs however information on exact dates has not been provided. Also according to the applicant, the same portion of the building was used by the Waldorf School from 1982-1988, the Friends School from 1989-1991, and then the North Star Academy from 2006-2008. The Episcopal Church of St. James on the Parkway would like to continue to use this portion of the building as a school for its own purposes as well as other accredited small scale K-8 school uses. It has been determined that a conditional use permit is required at this time because the school uses are no longer accessory to the church.

Children’s Center Montessori is an existing K-6 school that according to the applicant has been in operation since 1972. Its most recent location was within the Temple of Aaron located in the Highland Park Neighborhood of St. Paul. The school is proposing to relocate to the subject property within the 6 existing rooms located on the 1st floor within the existing portion of the building located on the southeast portion of the lot along 33rd Avenue South. The school will also have use of the full grounds including an existing fenced in 1,160 sq ft playground located along the east side of the building. The maximum enrollment for the school will be 30 children from K through 6th grade with 3 full time teachers and 1 full time assistant totaling 4 employees. All faculty and students will enter through the door on the east side of the building facing 33rd Avenue and all the students will be dropped off and picked up between the hours of 8:00 am and 9:00 am and 3:15 pm and 4:15 pm either on 33rd Avenue or on Minnehaha Parkway. Many of the parents will be carpooling and there will be no bus service for the students.

School staff will be utilizing 5 existing parking spaces including two handicap spaces with signage located on the southwest portion of the lot. This parking area is landscaped with a wild flower garden and separated by the adjacent lot with a fence and therefore is in substantial compliance with chapter 541 of the Minneapolis Zoning Codes landscaping and screening requirement. Requiring additional landscaping at this time would not be practically and economically feasible however if the parking area is expanded in the future, further review will be required.

CONDITIONAL USE PERMIT -

Required Findings for the Conditional Use Permit to allow for a K-6 School in the R1A District:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The place of assembly was constructed in 1940 and a large addition was constructed in 1951 to allow for classrooms. The proposed school will occupy six of the existing classrooms on the first floor within the previous addition in the same manner the space has been used from 1952 until the present. There is no indication that the space used for school purposes would be detrimental to the public health, safety, comfort or general welfare.

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.

There are no proposed changes to the structure; therefore, there should not be any significant impact on the surrounding property. Allowing a school within an existing place of assembly should not impede normal or orderly development nearby. The two principal uses; the existing place of assembly and the proposed school, will likely occur at opposite times during the week and share the use of the existing parking facility, which should not increase the amount of traffic to the site. The school will be serving K-6 age students and thus, no students are of driving age.

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

Allowing a school in an existing building will not have a significant impact on the building's use of facilities and utilities. Adequate utilities, access roads, drainage, and other facilities are provided. The building will be used in the same manner that it has been used since 1952.

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

The parking requirement for a School, grades K-12 is 1 space per classroom and other rooms used by students and faculty + 1 space per 5 driving-aged students based on the maximum number of students attending at any 1 time. The parking requirement for the K-6 School with 6 rooms used by students and faculty and where there are no students of driving age, is 6 spaces. The parking requirement for the place of assembly is parking equal to 30% of the capacity of persons in the main auditorium and any rooms which can be added to the main auditorium by opening doors or windows to obtain audio or video unity. The size of the auditorium according to the applicant is 1,734 square feet and thus the parking requirement for the church is 35 spaces. An existing landscaped and fenced parking lot with 5 legal spaces exists on the southwest corner of the lot and because the place of assembly and the addition utilized for the school was built prior to the zoning code requiring parking, the remaining parking requirement is being fulfilled with nonconforming rights for the building. The existing parking lot of 5 spaces meets the parking space and aisle dimensions set forth in Table 541-4. In total, the requirement for the church and the school equals 41 spaces; 5 parking spaces are provided, bike racks will be installed to accommodate no fewer than four (4) bicycles on the property in lieu of 1 space, and the remaining 35 spaces are being fulfilled with nonconforming rights. In addition, no busses will be provided for the students and parent pick up and drop off times are scattered from 8:00 am to 9:00 am in the morning prior to the school day and from 3:15 to 4:15 in the afternoon after the school day to help mitigate congestion. Therefore, adequate measures have been or will be provided to minimize traffic congestion in the public streets.

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

The proposed use is in conformance with the policies of *The Minneapolis Plan*.

The Minneapolis Plan, has the following applicable policies:

The Minneapolis Plan, Chapter 1.2 states: “Minneapolis will encourage both private and public development that provides gathering spaces in city neighborhoods.” One of the implementation plans for this section of the plan is to “encourage not-for-profit and places of worship to increase resident access to and use of facilities and meeting places.” The Episcopal Church of St. James on the Parkway will be sharing classrooms, common areas, an outdoor playground, the parking lot, and other indoor and outdoor areas with the proposed school.

The Minneapolis Plan, Chapter 1.3 states: “Minneapolis will encourage public institutions to coordinate their programming and facilities in order to function as neighborhood centers.” One of the implementation plans for this section of the plan is to “expand collaborative planning for programming and facilities-sharing agreements among colleges, early childhood and K-8 schools, libraries and parks.” While the primary function of the building will remain as a neighborhood place of assembly, the Episcopal Church of St. James on the Parkway will continue to share their facilities with accredited K-8 education institutions.

The Minneapolis Plan, Chapter 5.3 states: “Minneapolis will encourage the further development of community connections to public schools.” This section includes the implementation step to “continue to explore solutions to space shortages and an increased student population with local businesses, cultural institutions and other participating organizations.” The existing place of assembly clearly indicates a community connection with accredited K-8 education institutions both in the past and proposes to continue this connection into the future.

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.

The applicant must also comply with the following specific development standards found in Chapter 536.20:

School, grades K--12.

- (1) The use shall include a regular course of study accredited by the State of Minnesota.
- (2) 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.
- (3) An appropriate transition area between the facility and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

The proposed project complies with the stated development standards.

RECOMMENDATION:

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 application for a conditional use permit to allow the Episcopal Church of St. James on the Parkway to continue to utilize its facilities for K-8 education institutions located in the existing building at 3225 East Minnehaha Parkway, subject to the following conditions:

1. The applicant will meet the specific development requirements for K-12 schools in section 536.20 of the zoning code.
2. Bicycle racks shall be provided to accommodate no fewer than four (4) bicycles on the property.
3. The Community Planning and Economic Development Planning Division shall review and approve the final site plan.
4. 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.
5. The applicant must meet all applicable zoning code requirements in the district in which the use is located. This includes signage and changes to the parking area if proposed such as striping or reconfiguration of stalls; applicant must meet the Parking Area Design and Maintenance Standards in Article VII of chapter 541 of the zoning code.

Attachments:

1. Statement of use and Findings
2. Copy of an e-mail sent July 24, 2008, to CM Colvin Roy and NENA (Nokomis East Neighborhood Assoc.)
3. Copy of an e-mail sent July 25, 2008, to SENA (Standish Ericsson Neighborhood Assoc.)
4. Neighbor correspondence
5. Site Plan and Floor Plans
6. Zoning map
7. Photos