

Department of Community Planning and Economic Development
Conditional Use Permit and Variance
BZZ-5984

Date: April 22, 2013

Applicant: James Dayton

Address of Property: 411 Kenwood Parkway and 1600 Emerson Avenue South

Project Name: The Blake School, Center for Science, Design and Research

Contact Person and Phone: James Dayton, (612) 338-0005

CPED Staff and Phone: Aaron Hanauer, (612) 673-2494

Date Application Deemed Complete: March 12, 2013

End of 60-Day Decision Period: May 11, 2013

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

Ward: 8 & 9 Neighborhood Organization: Lowry Hill Neighborhood Association

Existing Zoning: R2/Two-Family District and SH/Shoreland Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 18

Legal Description: Not applicable for this application

Proposed Use: Addition to an existing K-12 school.

Concurrent Review:

- Conditional use permit to allow for a school expansion.
- Variance to increase the maximum floor area ratio to 0.68. A previous variance was granted to increase the maximum floor area ratio from 0.50 to 0.64.

Applicable zoning code provisions: Chapter 525, Article VII Conditional Use Permits, Chapter 525, Article IX, Variances, specifically Section 525.520 (3) “to vary the gross floor area, floor area ratio and seating requirements of a structure or use.”

Background: The Blake School, a private school that serves pre-kindergarten through grade 12 for Minneapolis and the Twin Cities area, was established in 1900. The school system has three campuses

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in the metropolitan area. The campus at 511 Kenwood Parkway, which serves grades nine through 12, has been open since 1916. The site is bordered by Kenwood Parkway on the north, Northrop Lane on the west, and Groveland Terrace on the south.

Over the years, a number of additions have taken place to The Blake School's Kenwood Parkway location. In 1982, a 26,258 square foot, two-story wing was built at the southwest portion of their campus for a science, design, and research wing. In 2001, a three-story addition was built on the eastern part of their campus for a new entrance and music room.

The applicant is proposing remodeling the 1982 addition. Most of the remodeling project involves an interior renovation which received zoning approval in March 2013.

As part of the remodeling project the applicant is also proposing to tear down the one-story, 378 square foot greenhouse in the southwestern portion of the building and build a two-story addition within the same footprint. The first floor of the new construction is proposed to be a biology classroom and the second floor is proposed to be a media classroom. This addition requires a conditional use permit since schools grades K-12 are a conditional use in the R2 zoning district, and the applicant would be expanding the size of the school.

The proposed addition also requires a variance to increase the maximum floor area ratio, which is 0.5 for schools, grades K-12, in the R2 zoning district. In 2001, the applicant received approval to increase the maximum floor area ratio from 0.5 to 0.64 for the three-story east entry and music room addition. CPED recalculated the square footage of the building based on the current definition of gross floor area and a story, and found the current square footage of the building to be 131,794 and not 121,685 square feet as was determined in 2001. With the proposed 378 square foot addition, the gross floor area of the building would increase from 131,794 square feet to 132,169 square feet. The school lot area is 193,521 square feet. Therefore, the floor area ratio would be 0.683.

The applicant has made an effort to blend the new construction in with the existing. The new construction will match the brick and cast stone detailing and finish of the 1982 and 1916 buildings. The proposed two-story addition will be 29 feet in height, which is the same height of the adjacent portions of the building and is in compliance with the R2 district height requirements of 2.5 stories or 35 feet, whichever is less. The applicant states that the existing landscape areas will be replanted after construction is completed.

As of the writing of this staff report, no correspondence had been received from the Lowry Hill Neighborhood Association or neighbors. Any correspondence received will be forwarded on to the Planning Commission for consideration.

CONDITIONAL USE PERMIT: for a school expansion in the R2, Two Family District.

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department (CPED) has analyzed the application and from the findings above concludes that:

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.

The school expansion of 378 square feet will not be detrimental to or endanger the public health, safety, comfort or general welfare. The subject site has been a school since 1916. The proposed addition will allow The Blake School to meet their classroom needs of today with the addition of a new biology and media classroom. The proposed design and location of the addition was done in a manner that is sensitive to its residential context by not increasing the footprint of the building and the proximity to the residential buildings nearby. In addition, it will have limited visibility from the neighboring residential properties to the south and southwest.

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 or orderly development and improvement of surrounding property for uses permitted in the district.

Expanding the existing school will not be injurious to the use and enjoyment of other property in the vicinity. If the second floor addition is approved, The Blake School's Center for Science, Design and Research wing will continue to be setback 47 feet from the nearest property line. The addition will also have limited visibility from the residential buildings to the south and west due to the lower topography of the subject site compared to the residential properties. Furthermore, the conditional use will not impede normal or orderly development and improvement of surrounding property for uses permitted in the district. The surrounding area is fully developed with residential uses and Parade Athletic Fields across Kenwood Parkway.

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

Utilities and access roads are existing and adequate. There will be no impacts made on the utilities, roads or drainage with the 378 square foot school addition.

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

The proposed addition, which would replace a greenhouse with biology and media classrooms, is not expected to contribute to traffic congestion in the public streets. The Blake School provides more parking than the Minneapolis zoning code requires. The parking requirement for a K-12 school is one space per classroom plus one space for every five students of legal driving age. If approved, the school will have 56 classrooms and 277 students of driving age. Therefore, the parking requirement for the school is 111 parking spaces. The applicant provides 131 parking spaces on site, and leases 190 additional spaces across the street at the Parade Athletic Fields.

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

The conditional use is consistent with the applicable policies of the comprehensive plan. The subject site is designated as Urban Neighborhood on the future land use map in *The Minneapolis Plan for Sustainable Growth*. The Urban Neighborhood designation is described as predominately but including

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neighborhood-serving commercial and institutional and semi-public uses (for example, schools, child care facilities, community centers, religious institutions, public safety facilities, etc.) scattered throughout. *The Minneapolis Plan for Sustainable Growth* encourages schools such as The Blake School to locate and thrive in low density residential areas through proper building location and design. The proposed addition, which is designed to blend in with the existing school building and placed in an area that will have minimal visibility will help the school meet its educational needs. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

- 1.2.3 Lessen the negative impacts of non-residential uses on residential areas through controls on noise, odors, and hours open to the public.

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing or increased density in order to attract and retain long-term residents and businesses.

- 1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood-serving commercial uses, open space and parks, and campus and institutional uses.

Public Services and Facilities Policy 5.2: Support the efforts of public and private institutions to provide a wide range of educational choices for Minneapolis students and residents throughout the city.

- 5.2.1 Work with institutions to ensure that school facilities are safe, accessible, and functionally appropriate for a diverse array of educational programs.
- 5.2.2 Encourage new educational institutions to locate in existing school buildings, or at sites that take advantage of proximity to transit such as neighborhood commercial nodes or commercial and community corridors.

Urban Design Policy 10.8: Strengthen the character and desirability of the city's urban neighborhood residential areas while accommodating reinvestment through infill development.

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10.8.8 Appropriate non-residential land uses, such as institutional, public and suitable commercial uses, should be integrated into low density residential areas through proper building location and design, landscaping, and other site improvements.

Urban Design Policy 10.13: Work with institutional and public partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area.

10.13.3 Encourage institutional uses and public buildings and facilities to incorporate architectural and site design that is reflective of their civic importance and that identifies their role as focal points for the community.

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

With the approval of the conditional use permit and floor area ratio variances this development would be in conformance with the applicable regulations of the zoning code.

Specific Development Standards (536.20): In addition to the conditional use standards, the following specific development standards also apply to schools:

1. The use shall include a regular course of study accredited by the State of Minnesota.
Staff comment: The use includes 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.
Staff comment: The proposed addition is compatible with the scale and character of the existing building. The brick and cast stone detailing will match the wing's original construction.
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.
Staff comment: An appropriate transition between the facility and the adjacent property is currently provided. The Blake School Center for Science, Design and Research will continue to be setback 47 feet from the nearest property line. In addition, landscaping, screening and other site improvements consistent with the character of the neighborhood will be reinstalled once the project is completed. The addition will also have limited visibility from the residential buildings to the south and west due to the lower topography of the subject site compared to the residential properties.

Parking and Loading Area Design and Maintenance: The Blake School has two parking lots. The parking lot on the western edge of the campus provides 91 parking spaces. The parking lot at the eastern edge of their property contains 42 parking spaces. As a condition of approval for their 2001 building expansion, the parking and loading areas that face Kenwood Parkway were required to be landscaped and screened according to 530.160. In completing a site visit and

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reviewing recent photos from the City of Minneapolis files and Google Street View, it appears that the western lot was screened close to the standards outlined in Section 530.160, until recently. Today, the mature trees remain; however, most of the shrubs that fronted the parking lots along Kenwood Parkway appear to have been removed. The eastern parking lot has a decorative fence screening the parking lot and some shrubs; however, the landscaping does not screen the parking to the extent required by section 530.160. As a condition of approval for the conditional use permit, the parking and loading areas along Kenwood Parkway shall have landscaping and screening consisting of either a masonry wall, fence, berm or hedge or combination thereof that forms a screen three (3) feet in height and not less than sixty percent opaque. This will bring the parking lots into compliance with their 2001 approved site plan.

Additional Reviews: The proposed 378 square foot addition does not require a site plan review application since the gross floor area is less than 1,000 square feet.

The maximum impervious surface coverage in the R2 district is limited to 65 percent. With the proposed addition, the site will maintain having 61 percent impervious surfaces. The Blake School campus which is 193,521 square feet has 117,612 square feet of hardscape.

The subject site is located in the Shoreland Overlay District. However, it does not require a variance of the overlay requirements given that (1) the project site is not located on a steep slope, (2) within 40 feet of the top of steep slope or bluff (the development is located approximately 200 feet to the south of the top of a steep slope), (3) within 50 feet of the ordinary high water mark (the development is located approximately 700 feet away from the ordinary high water mark). A steep slope is defined as land having an average slope of eighteen percent or greater measured over a horizontal distance of fifty feet or more. When measuring 50 feet from the southwestern edge of the addition to the north, which is the area of the addition, the slope is 14 percent. Even though the development is not located on a steep slope, as conditioned, the new development shall meet the standards for development between 12 and 18 percent (551.500).

VARIANCE: to increase the maximum floor area ratio to 0.68.

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

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

The maximum floor area ratio for a K-12 school in the R2, two-family district is 0.5. The applicant is proposing to increase their floor area ration from 0.681 to 0.683 with a 378 square foot, second floor addition. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property that were not created by persons presently having an interest in the property. The original school building was built on Kenwood Parkway in 1916, which predates the first Minneapolis zoning code that was established in 1924. The residential zoning districts are significantly more restrictive compared to other zoning districts for the maximum floor area ratio for K-12 schools. The Office Residential, Commercial, and Downtown Districts provide a maximum floor area ratio of 2.5 or greater,

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compared to a maximum in residential districts of 0.5. School programming needs have changed over the past 97 years. The applicant cites the need to bring the classrooms and media center to current performance standards for the school's educational use. The additional 378 square feet and two additional classrooms will help meet the school's contemporary needs. These unique circumstances have not been created by the property owner.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

The Blake School proposes to use the property in a reasonable manner that is in keeping with the intent of the zoning code. Building bulk regulations are established in order to assure that the scale and form of new development will occur in a manner most compatible with the surrounding area. The scale and form of the proposed addition is compatible with the surrounding area. The two-floor addition is proposed to be clad in brick and blend in with the adjacent parts of the Center for Science, Design and Research wing. The addition will not increase the footprint of the school building nor reduce the setback from the nearest property line. This portion of the building will continue to be 47 feet from the nearest property line. In addition, the visibility of the addition is reduced due to its lower topography compared to the nearby residential structures.

Allowing the proposed floor area ratio would also be in keeping with the spirit and intent of the comprehensive plan. *The Minneapolis Plan for Sustainable Growth* encourages schools such as The Blake School to locate in low density residential areas through proper building location and design. The proposed addition, which is designed and located in a compatible way to its residential surroundings, will help the school meet its educational needs.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

The requested floor area ratio will not alter the essential character of the locality or be injurious to the use and enjoyment of other property in the vicinity. The Blake School was established at this location in 1916 and has continuously been used as a school since that time. The proposed addition will allow for continued use of this institutional building as called for in adopted City policy. The proposed location and the design of the addition limits its visibility and impact on adjacent residential uses. The expansion of an existing school building is in keeping with the character of the area and will not be detrimental to the health, safety or welfare of the general public or those using nearby properties.

RECOMMENDATIONS:

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

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The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit to allow an addition to an existing K-12 school for the property at 411 Kenwood Parkway and 1600 Emerson Avenue South, subject to the following condition:

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. Approval of the final site, landscaping and refuse storage enclosure plans by the Department of Community Planning and Economic Development.
3. All site improvements shall be completed by April 22, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
4. The parking and loading areas along Kenwood Parkway shall have landscaping and screening consisting of either a masonry wall, fence, berm or hedge or combination thereof that forms a screen three (3) feet in height and not less than sixty percent opaque.
5. The construction of the new addition shall meet the shoreland overlay development standards outlined in section 551.500.
6. New mechanical equipment shall be screened in compliance with Section 535.70.

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

The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the findings above and **approve** the application for a variance to increase the maximum floor area ratio from 0.681 to 0.683 for the properties at 411 Kenwood Parkway and 1600 Emerson Avenue South.

Attachments:

1. Statement of proposed use and statement addressing findings
2. Council member and neighborhood notification
3. Zoning map
4. Aerials
5. Site plan, floor plans, and elevations
6. Photos of existing structure and rendering of new construction
7. Photos of parking lot screening from Kenwood Parkway