
LAND USE APPLICATION SUMMARY

Property Location: 2012, 2019, 2024 and 2028 Cedar Avenue
Project Name: Homeward Bound
Prepared By: Hilary Dvorak, Principal City Planner, (612) 673-2639
Applicant: AICDC
Project Contact: Tom McElveen
Request: To allow an emergency shelter for up to 50 persons on the property located at 2012, 2024 and 2028 Cedar Avenue and a surface parking lot on the property located at 2019 Cedar Avenue

Dwelling Units	Not applicable
Non-Residential Uses	Not applicable

Required Applications:

Interim Use Permit	To allow an emergency shelter for up to 50 persons on the property located at 2012, 2024 and 2028 Cedar Avenue and a surface parking lot on the property located at 2019 Cedar Avenue.
---------------------------	--

SITE DATA

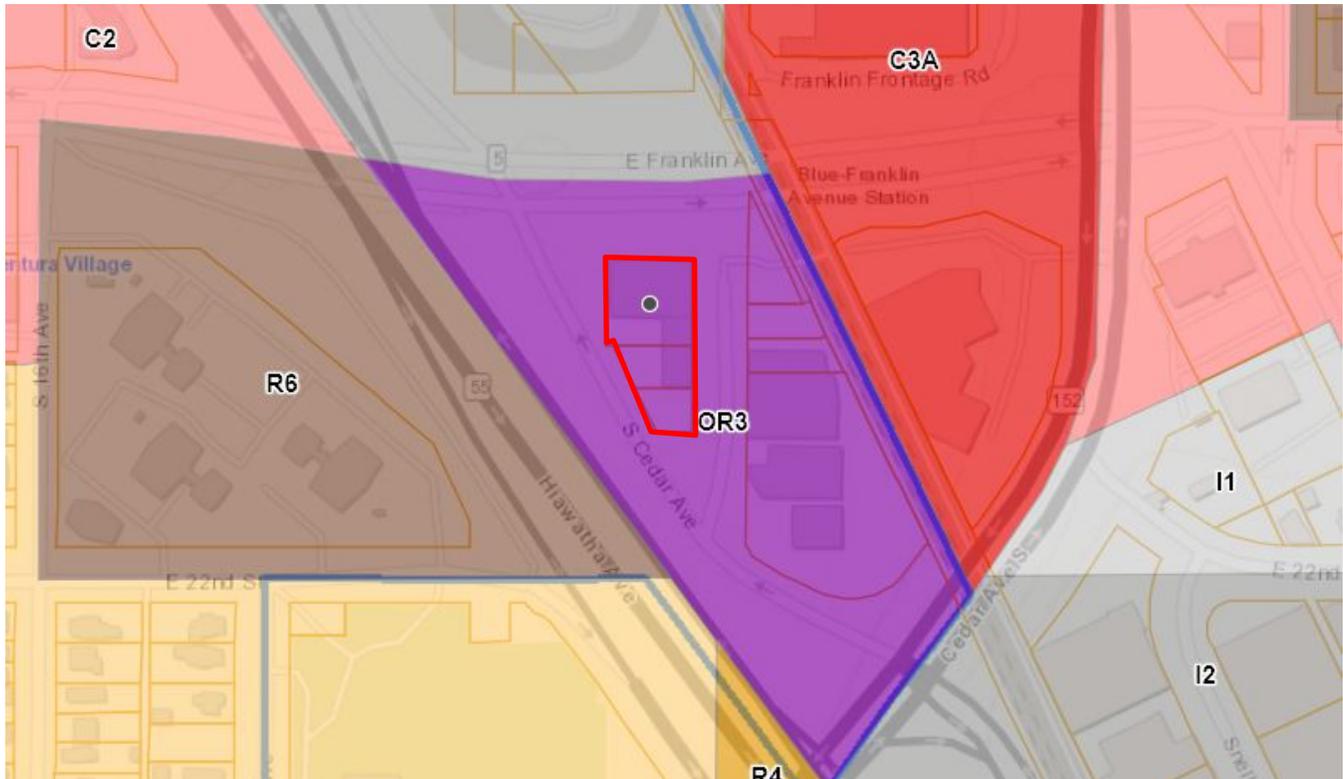
Existing Zoning	OR3 Institutional Office Residence District PO Pedestrian Oriented Overlay District
Lot Area	39,118 square feet / .9 acres
Ward(s)	6
Neighborhood(s)	Ventura Village
Future Land Use	Community Mixed Use
Goods and Services Corridor	Franklin Avenue
Built Form	Transit 20

Date Application Deemed Complete	September 16, 2020	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	November 15, 2020	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The site is located along an isolated stretch of Cedar Avenue, south of East Franklin Avenue and east of Hiawatha Avenue. The Blue Line LRT line and the Franklin Avenue LRT Station are located approximately 250 feet east of the site. The site is currently occupied by the Cedar Box Company building.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site is surrounded by roadways, the Mino-bimaadiziwin housing development and the Blue Line LRT. The site is located in the Ventura Village neighborhood.



PROJECT DESCRIPTION. The applicant is proposing to establish a new emergency shelter for up to 50 American Indians currently experiencing homelessness and/or living in encampments in the City of Minneapolis and/or Hennepin County. The emergency shelter would be established on the properties located at 2012, 2024 and 2028 Cedar Avenue. There would be beds for up to 15 women and 35 men. The duration of one's stay would be 30-days or less; however, if a resident is absent for three days or more they would be discharged. Residents will be permitted to stay in the shelter 24 hours per day but would be required to vacate the sleeping areas when they are being cleaned. Residents will have access to case management, housing assessments, Rule-25 assessments, GA benefit assistance, three meals and snacks per day, restroom and shower facilities and washers and dryers.

The applicant has stated that shelter residents will be connected to the proposed emergency shelter through AICDC's Case Managers who will conduct intake with all people who present themselves as in need of shelter, capturing critical data relating both to demographics and specific needs. This includes self-reported data on disability status that is captured within the federally mandated Homeless Management Information System (HMIS). On-site services for case management and healthcare, through Hennepin Health for the Homeless, will be available to residents on-site.

The maximum number of residents allowed in an emergency shelter in the OR3 Institutional Office Residence District is 32. The applicant applied for Reasonable Accommodation under the Federal Fair Housing Act Amendments of 1988 to increase the number of beds in the emergency shelter to 50. This request was approved on September 22, 2020. Therefore, 18 of the proposed occupants must be diagnosed with a documented disability as defined in the Federal Fair Housing Amendments Act or be a member of a family whose head of household meets this requirement and resides in the same unit as that family member.

The applicant is also proposing to establish a surface parking lot on the property located at 2019 Cedar Avenue. This site is located across Cedar Avenue from where the emergency shelter will be located. The site is currently used for surface parking. The existing parking lot is unimproved; the surface material of it is Class 5. The applicant is not proposing to make and changes to the site.

RELATED APPROVALS.

Planning Case #	Application(s)	Description	Action
PLAN11550	Reasonable Accommodation	To increase the maximum number of beds from 32 to 50 within a new emergency shelter.	Approved, September 22, 2020

PUBLIC COMMENTS. No public comments have been received for this application. Any correspondence received prior to the public meeting will be forwarded on to the City Council for consideration.

ANALYSIS

INTERIM USE PERMIT

For an interim use permit to be granted, the Zoning and Planning Committee must make the same findings that pertain to conditional use permits. In addition to these, any City Council approval of an interim use is subject to five additional conditions. Discussion of each of these findings and conditions follows.

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 establishment of an interim use permit for an emergency shelter for up to 50 persons on the property located at 2012, 2024 and 2028 Cedar Avenue and a surface parking lot on the property located at 2019 Cedar Avenue will not be detrimental to or endanger the public health, safety, comfort or general welfare. The additional 50 beds will provide shelter for 50 American Indians currently experiencing homelessness and/or living in encampments in the City of Minneapolis and/or Hennepin County.

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 establishment of an interim use for an emergency shelter for up to 50 persons on the property located at 2012, 2024 and 2028 Cedar Avenue and a surface parking lot on the property located at 2019 Cedar Avenue 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 site is located along an isolated stretch of Cedar Avenue, south of East Franklin Avenue and east of Hiawatha

Avenue. The site is surrounded by roadways, the Mino-bimaadiziwin housing development and the Blue Line LRT.

The duration of ones stay would be 30-days or less; however, if a resident is absent for three days or more they would be discharged. Residents will be permitted to stay in the shelter 24 hours per day but would be required to vacate the sleeping areas when they are being cleaned.

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

The applicant will be required to work closely with the Department of Public Works, the Plan Review Section of CPED and the various utility companies during the duration of the development should the application be approved. This would be required to ensure that all procedures are followed and that the development complies with all city and other applicable requirements.

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

There is no minimum parking requirement for an emergency shelter. The applicant is proposing to establish a surface parking lot on the property located at 2019 Cedar Avenue. The parking lot can accommodate approximately 20 vehicles. The applicant has stated that the parking lot will be utilized by staff. The Blue Line LRT line and the Franklin Avenue LRT Station are located approximately 250 feet east of the site.

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

The proposed use would be consistent with the applicable guidance and policies of *Minneapolis 2040 (2020)*:

Future Land Use	Guidance	Staff Comment
Community Mixed Use	Large-scale mixed use development is encouraged throughout these areas, with commercial uses fronting on major streets. Commercial retail spaces are typically smaller in order to generate pedestrian activity, and are often a destination for customers coming from outside of the market area. Active uses that are accessible to the general public such as office, food service, retail, or medical establishments are required at the street level; therefore single-use residential development is not permitted. Contiguous expansion of commercial zoning is allowed.	The applicant will be converting the vacant warehouse building on the site into an emergency shelter.
Goods and Services Corridor	Guidance	Staff Comment
Franklin Avenue	Goods and Services Corridors serve two purposes: 1) To indicate where commercial uses should front in relation to properties guided for commercial future land uses, and 2) In addition to the guidance for the mixed use land use categories found in this section, Goods and Services Corridors identify where the establishment or	There will be no commercial uses in the building.

	expansion of commercial uses can be considered. Properties immediately adjacent to a Goods and Services Corridor may be considered for commercial activity, allowing for uses similar in scale and scope to the Neighborhood and Corridor Mixed Use categories.	
Built Form Guidance	Guidance	Staff Comment
Transit 20	New and remodeled buildings in the Transit 20 district should reflect a variety of building types on both moderate and large sized lots. Upper floors of taller buildings should be set back to increase access to light and air. Building heights should be 6 to 20 stories. Building heights should be at least 6 stories in order to best take advantage of the access to transit, jobs, and goods and services provided by the Transit 20 district. Requests to exceed 20 stories will be evaluated on the basis of whether or not a taller building is a reasonable means for further achieving Comprehensive Plan goals.	The existing one-story building will be converted from a vacant warehouse to an emergency shelter.

The following policies and action steps from Minneapolis 2040 (2020) apply to this proposal:

Policy 1. Access to Housing: Increase the supply of housing and its diversity of location and types.

- a. Allow housing to be built in all areas of the city, except in Production and Distribution areas.

Policy 38. Affordable Housing near Transit and Job Centers: Create more affordable housing near transit and job centers.

- a. Maximize opportunities to create affordable housing, including senior housing and multigenerational housing, near transit stations and along high-frequency transit corridors.
- c. Strengthen the City’s coordination with local and regional partners and local service providers to have a strong regional network, aligned with state goals, to financially support and develop strategies to address and prevent homelessness.

Policy 40. Homelessness: Eliminate homelessness through safe, stable, and affordable housing opportunities and strategies for homeless youth, singles, and families.

- a. Strengthen the City’s coordination with local and regional partners and local service providers to have a strong regional network, aligned with state goals, to financially support and develop strategies to address and prevent homelessness.
- d. Strengthen the City’s coordination with local and regional partners and local service providers to have a strong regional network, aligned with state goals, to financially support and develop strategies to address and prevent homelessness.
- f. Strengthen the City’s coordination with local and regional partners and local service providers to have a strong regional network, aligned with state goals, to financially support and develop strategies to address and prevent homelessness.

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

An emergency shelter is also subject to six Specific Development Standards, outlined in Chapter 536, Specific Development Standards of the Zoning Code. These standards are as follows:

Emergency shelter.

- (1) The use shall be located at least one thousand (1,000) feet from all existing emergency shelters and overnight shelters.
- (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 area.
- (3) 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 area.
- (4) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (5) The operator shall submit a management plan for the facility, and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

The proposed emergency shelter complies with the above specific development standards.

A parking facility is a conditional use in the OR3 Institutional Office Residence District. In addition to obtaining an interim use permit, surface parking lots are subject to Chapter 530 Site Plan Review and Chapter 541 Off-Street Parking and Loading requirements that relate to the design and maintenance of the proposed parking lot, impervious surface requirements, and yard requirements for the location in and adjacent to an office residence district. The City Council may waive conditions that would apply to an interim use upon finding that the temporary nature of the interim use will eliminate the adverse effects that the condition was intended to prevent. The applicant is requesting that the following zoning code requirements be waived (applicable zoning code sections are referenced for each request):

- **General landscaping (530.160).** Twenty percent of the site is required to be landscaped and not less than one canopy tree for each 500 square feet, or fraction thereof, and not less than one shrub for each 100 square feet, or fraction thereof, shall be provided. The applicant is not proposing to landscape the parking lot.
- **Parking and loading landscaping and screening (530.170).** There is not a three-foot screen consisting of a masonry wall, fence, berm, hedge, or combination thereof that is at least 60 percent opaque provided in the landscaped yard facing the public street or sidewalk. The applicant is not proposing to landscape the parking lot.
- **Parking and loading landscaping and screening (530.170).** The parking area abutting the office residence district to the north and south does not contain an on-site landscaped yard of at least feet in width. The applicant is not proposing to landscape the parking lot.
- **Parking and loading landscaping and screening (530.170).** There is not a six-foot screen that is at least 95 percent opaque for the parking lot area facing the office residence district to the north and south. The applicant is not proposing to landscape the parking lot.
- **Surfacing (541.300).** Surface parking lots are required to be surfaced with a dustless all-weather hard surface material capable of carrying a wheel load of 4,000 pounds. The entire site is covered in Class 5. The applicant is not proposing to make any change to the parking lot.

- **Impervious surface coverage (547.150).** In the OR3 Institutional Office Residence District, not more than 85 percent of the site can be covered by impervious surfaces. The entire site is covered in Class 5. The applicant is not proposing to make any change to the parking lot.
- **Yards (547.160.).** Per the OR3 Institutional Office Residence District requirements, a minimum 15-foot front yard, a minimum five-foot north and south interior side yard and a minimum five-foot rear yard is required. The applicant is not proposing to make any changes to the parking lot.

CPED does not believe that a temporary surface parking lot use warrants full compliance with the above zoning code requirements. Requiring full compliance with the above requirements would require more substantial investment, which is impractical for this interim use.

Interim Use Conditions

1. *The interim use shall be allowed as a conditional use in the zoning district in which it is to be located.*

An emergency shelter is allowed as a conditional use in the OR3 Institutional Office Residence District. The maximum number of residents allowed in an emergency shelter in the OR3 Institutional Office Residence District is 32. The applicant applied for Reasonable Accommodation under the Federal Fair Housing Act Amendments of 1988 to increase the number of beds in the emergency shelter to 50. This request was approved on September 22, 2020.

A parking facility is allowed as a conditional use in the OR3 Institutional Office Residence District.

2. *Except as otherwise authorized by this section, an interim use shall conform to this zoning ordinance as if it were established as a conditional use.*

An emergency shelter is also subject to six Specific Development Standards, outlined in Chapter 536, Specific Development Standards of the Zoning Code. These standards are as follows:

Emergency shelter.

- (1) The use shall be located at least one thousand (1,000) feet from all existing emergency shelters and overnight shelters.
- (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 area.
- (3) 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 area.
- (4) Shelter guests shall be provided with an enclosed waiting area one (1) hour prior to opening each evening, except when the shelter accepts guests by appointment only or is open twenty-four (24) hours per day.
- (5) The operator shall submit a management plan for the facility, and a floor plan showing sleeping areas, emergency exits, bathing and restrooms.
- (6) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

The proposed emergency shelter complies with the above specific development standards.

A parking facility is a conditional use in the OR3 Institutional Office Residence District. In addition to obtaining an interim use permit, surface parking lots are subject to Chapter 530 Site Plan Review and Chapter 541 Off-Street Parking and Loading requirements that relate to the design and maintenance of the proposed parking lot, impervious surface requirements, and yard requirements for the location in and adjacent to an office residence district. The City Council may waive conditions that would apply to an interim use upon finding that

the temporary nature of the interim use will eliminate the adverse effects that the condition was intended to prevent. The applicant is requesting that the following zoning code requirements be waived (applicable zoning code sections are referenced for each request):

- **General landscaping (530.160).** Twenty percent of the site is required to be landscaped and not less than one canopy tree for each 500 square feet, or fraction thereof, and not less than one shrub for each 100 square feet, or fraction thereof, shall be provided. The applicant is not proposing to landscape the parking lot.
- **Parking and loading landscaping and screening (530.170).** There is not a three-foot screen consisting of a masonry wall, fence, berm, hedge, or combination thereof that is at least 60 percent opaque provided in the landscaped yard facing the public street or sidewalk. The applicant is not proposing to landscape the parking lot.
- **Parking and loading landscaping and screening (530.170).** The parking area abutting the office residence district to the north and south does not contain an on-site landscaped yard of at least feet in width. The applicant is not proposing to landscape the parking lot.
- **Parking and loading landscaping and screening (530.170).** There is not a six-foot screen that is at least 95 percent opaque for the parking lot area facing the office residence district to the north and south. The applicant is not proposing to landscape the parking lot.
- **Surfacing (541.300).** Surface parking lots are required to be surfaced with a dustless all-weather hard surface material capable of carrying a wheel load of 4,000 pounds. The entire site is covered in Class 5. The applicant is not proposing to make any change to the parking lot.
- **Impervious surface coverage (547.150).** In the OR3 Institutional Office Residence District, not more than 85 percent of the site can be covered by impervious surfaces. The entire site is covered in Class 5. The applicant is not proposing to make any change to the parking lot.
- **Interior side yards (547.160.).** Per the OR3 Institutional Office Residence District requirements, a minimum five-foot wide north and south interior side yard is required. The applicant is not proposing to make any changes to the parking lot.

CPED does not believe that a temporary surface parking lot use warrants full compliance with the above zoning code requirements. Requiring full compliance with the above requirements would require more substantial investment, which is impractical for this interim use.

3. *The date or event that will terminate the interim use shall be identified with certainty. Interim uses may not be granted for a period of greater than five (5) years.*

The applicant has requested that the interim use permit expire on October 1, 2022.

4. *In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.*

The applicant is aware of this standard.

5. *Such conditions and guarantees as the city council deems reasonable and necessary to protect the public interest and to ensure compliance with the standards and purposes of this zoning ordinance and policies of the comprehensive plan.*

CPED is recommending that the interim use permit to allow an emergency shelter for up to 50 persons on the property located at 2012, 2024 and 2028 Cedar Avenue and a surface parking lot on the property located at 2019 Cedar Avenue be allowed to operate until October 1, 2022. At the end date of the interim use, the applicant shall cease operation of the emergency shelter and the surface parking lot.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Council adopt staff findings for the application by AICDC for the properties located at 2012, 2019, 2024 and 2028 Cedar Avenue:

A. Interim Use Permit.

Recommended motion: **Approve** the application for an interim use to allow an emergency shelter for up to 50 persons on the property located at 2012, 2024 and 2028 Cedar Avenue and a surface parking lot on the property located at 2019 Cedar Avenue, subject to the following conditions:

1. The interim use shall expire no later than October 1, 2022.
2. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.
3. A minimum of 18 occupants of the subject property must be diagnosed with a documented disability as defined in the Federal Fair Housing Amendments Act or be a member of a family whose head of household meets this requirement and resides in the same unit as that family member.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Survey
3. Site plan
4. Floor plan
5. Property details
6. Correspondence