

City of Minneapolis
Request for Committee Action

To: Zoning & Planning
Date: 1/21/2016
From: Community Planning & Economic Development
Prepared by: Kimberly Holien, Senior Planner
Presented by: Kimberly Holien, Senior Planner
File type: Action
Subcategory: Land Use Application

Subject:

Variance appeal: Mount Olivet Careview Home, 5517 Lyndale Avenue S.

Description:

Considering an appeal submitted by Tim Hokanson of Mount Olivet Careview Home, regarding the City Planning Commission decision to deny a variance to the south interior side yard setback on a 36,184 square foot building addition to an existing board and care home/nursing home/assisted living facility at 5517 Lyndale Avenue S.

Previous Actions:

On December 7, 2015, the City Planning Commission denied a variance to decrease the south interior side yard setback from 13 feet to six feet (BZZ-7408) for a 36,184 square foot building addition to an existing board and care home/nursing home/assisted living facility at 5517 Lyndale Avenue S.

As part of the City Planning Commission review, the following actions were also taken:

**4. Mount Olivet Careview Home Addition, 5517 Lyndale Ave S, Ward 11
Staff report by Kimberly Holien, BZZ-7408.**

A. Conditional use permit.

Action: Approved the application for a conditional use permit to allow an addition to a board and care home/assisted living facility in the R5, Multiple-family District, 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 is required to prepare a campus master plan identifying any proposed additions or major alterations over the next ten years, engaging the neighbors in that process.

Aye: Gisselman, Magrino and Rockwell

Nay: Slack

Absent: Bender, Forney, Gagnon, Kronzer and Luepke-Pier

B. Conditional use permit.

Action: Approved the application for a conditional use permit to increase height from 4 stories or 56 feet to 5 stories, 69 feet, 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.

Aye: Gisselman, Magrino, Rockwell and Slack

Absent: Bender, Forney, Gagnon, Kronzer and Luepke-Pier

C. Variance to reduce the south interior side yard setback.

Action: Denied the application for a variance.

Aye: Giseelman, Magrino, Rockwell and Slack

Absent: Bender, Forney, Gagnon, Kronzer and Luepke-Pier

D. Site plan review.

Action: **Approved** the application for site plan review to construct a 36,184 square foot addition to an existing board and care home/assisted living facility, subject to the following conditions:

1. All site improvements shall be completed by November 16, 2017, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED Staff shall review and approve the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. Windows shall be provided on the east elevation to reduce the length of the blank wall and provide for even distribution of windows, in compliance with Section 530.120 of the zoning code.
4. The arches above the windows on the fifth floor of the west elevation shall be removed to provide for even distribution, in compliance with Section 530.120 of the zoning code.
5. A minimum of seventeen additional shrubs shall be planted in the landscaped yard between the addition and Lyndale Ave S for an overall site total of 118 shrubs, in compliance with Section 530.110 and Section 530.160 of the zoning code.
6. The landscaped yard between the east parking area and Garfield Ave S shall contain plantings that are a minimum of three feet in height and 60 percent opaque for the length of the yard, in compliance with Section 530.170 of the zoning code.
7. All rooftop mechanical equipment shall be screened in compliance with Section 535.270 of the zoning code.

Aye: Giseelman, Magrino, Rockwell and Slack

Absent: Bender, Forney, Gagnon, Kronzer and Luepke-Pier

Ward/Neighborhood/Address:

Ward 11

Windom

5517 Lyndale Avenue S

Background/Analysis:

Tim Hokanson of Mount Olivet Care Home has appealed the decision of the City Planning Commission to deny a variance to the south interior side yard setback on a 36,184 square foot building addition to an existing board and care home/nursing home/assisted living facility at 5517 Lyndale Avenue S.

The statement of appeal submitted by the applicant refers to an alternate option for an addition that would meet the side yard setback requirement but have a more substantial building footprint. Said alternate was presented as part of the City Planning Commission public hearing. In their appeal statement, the appellant states that the community did not understand the impact of the presentation by the architect at the City Planning Commission meeting and the potential negative impact it would have on them. The appellant further states that the neighbors did not understand how the additional footprint of the alternate option was required to meet the program requirements of the Minnesota Department of Health and how it would impact their properties.

End of 60/120-Day Decision Period: On November 17, 2015, staff sent a letter to the applicant extending the decision period for an additional 60 days, to February 20, 2016.

Financial Review:

No financial impact.

Attachments:

1. Appellant's Statement
2. Meeting Minutes
3. CPED Staff Report and Attachments