

LAND USE APPLICATION SUMMARY

Property Location: 5517 Lyndale Avenue S
Project Name: Mount Olivet Careview Home Addition
Prepared By: Kimberly Holien, Senior City Planner, (612) 673-2402
Applicant: Tim Hokanson, Mount Olivet Careview Home
Project Contact: Dave Wolterstroff, WAI Continuum
Request: To construct a 36,184 square foot addition to an existing board and care home/assisted living facility.

Required Applications:

Conditional Use Permit	To allow an addition to a board and care home/assisted living facility in the R5, Multiple-family District.
Conditional Use Permit	To increase the maximum height in the R5 district from four stories or 56 feet to five stories, 69 feet.
Variance	To decrease the south interior side yard setback from 13 feet to 6 feet.
Site Plan Review	To construct a 36,184 square foot addition to an existing board and care home/assisted living facility.

SITE DATA

Existing Zoning	R5, Multiple Family District PO, Pedestrian Oriented Overlay District AP, Airport Overlay District
Lot Area	99,997 sq. ft./2.29 acres
Ward(s)	11
Neighborhood(s)	Windom
Designated Future Land Use	Urban Neighborhood
Land Use Features	Community Corridor (Lyndale Avenue)
Small Area Plan(s)	<u>South Lyndale Corridor Plan (2006)</u>

Date Application Deemed Complete	October 23, 2015	Date Extension Letter Sent	November 17, 2015
End of 60-Day Decision Period	December 22, 2015	End of 120-Day Decision Period	February 20, 2016

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject site fronts along Lyndale Avenue S on the block bordered by 55th Street S and 56th Street S. Along Lyndale Avenue S, the site comprises the entire block face. Along the east property line, the north portion of the site fronts along Garfield Avenue S. The property line then cuts back to the center of the block to form an L-shape. The site contains an existing board and care home/assisted living facility with 153 skilled-care beds and 94 units of assisted living. The property also includes 6,710 square foot intergenerational day care program serving 35 seniors and 82 children. A large surface parking lot is located on the south half of the site, fronting along Lyndale Avenue S. Mount Olivet Careview Home also has off-site parking on the block to the north.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The site fronts on Lyndale Avenue just south of the neighborhood commercial node at 55th Street W and Lyndale Avenue S. The majority of the property is bordered by single-family homes to the west. Those homes have frontage on Garfield Avenue S. Mount Olivet owns the property directly south of the site, at 5522 Garfield Avenue S. This former single-family home currently functions as a child care center. Properties across Lyndale Avenue S include an office user and vacant properties formerly owned by Borton Volvo.

PROJECT DESCRIPTION. Mount Olivet Careview Home is a skilled care facility with 153 beds. Of those, 137 are long-term care beds and 16 are transitional care beds. The site also includes 94 units of assisted living. The applicant is proposing a 36,184 square foot addition in the center of the building, above a single-story building connection. Essentially the addition will fill in an existing gap between the two sections of the building above the ground floor. The statement submitted by the applicant notes that the addition will allow Mount Olivet Careview Home to add more private rooms. Of the 153 resident beds currently in the building, only nine are private rooms, 13 are “split-double” rooms and 130 are double rooms. After the addition, the building will have 59 private rooms and 47 “split-doubles”. As such, the addition will not result in an increase in the overall number of beds. The added floor area in the addition will also provide additional dining and activity spaces. The project also includes a renovation of the existing building and relocation of the physical plant.

The use is classified as a board and care home/nursing home/assisted living use. Specifically, the use includes a board and care home and assisted living. The subject use is a conditional use in the R5, Multiple-family District. The applicant is proposing to modify this conditional use by adding building bulk and a conditional use permit is required. The project also requires Site Plan Review.

Buildings in the R5, Multiple-family District are limited to four stories or 56 feet in height, whichever is less. The overall height of the building addition will be five stories, 69 feet. A conditional use permit to increase building height has been requested accordingly.

The side yard setback requirement for residential uses in the R5 district is 5+2x, where x equals the number of stories above the first floor. For this five-story building, the required setback is 13 feet. The applicant is proposing a setback of six feet from the south lot line. A variance has been requested accordingly.

RELATED APPROVALS. The site has been through the land use application process numerous times since the construction of the existing buildings. A summary of the previous applications is below:

Planning Case #	Application	Description	Action
BZZ-6585	Variance	Variance to allow a	Approved by the

		gazebo in the required front yard	Board of Adjustment June 19, 2014
BZZ-4888	Conditional Use Permit	Conditional use permit to convert part of the child care center to care rooms	Approved by the City Planning Commission August 16, 2010
BZZ-1052	Conditional Use Permit	Conditional use permit for a building addition for a child care center	Approved by the City Planning Commission March 17, 2013
BZZ-855	Conditional Use Permit	Conditional use permit for a 2,600 square foot building addition	Approved by the City Planning Commission on December 9, 2002
CU-239	Conditional Use Permit	Conditional use permit for a kitchen addition	Approved by the City Planning Commission on November 6, 2000
C-1269, 1447 and 1802	Conditional Use Permits	Permits for additions and a sign	All approved
V-2016	Variance	Variance to allow drop off area in required front yard	Approved by Board of Adjustment January 25, 1984

PUBLIC COMMENTS. No correspondence had been received as of the writing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow an expansion to an existing to a board and care home/assisted living facility in the R5, Multiple-family District 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.*

Mount Olivet Careview Home is a skilled care facility with 153 beds. Of those, 137 are long-term care beds and 16 are transitional care beds. Allowing an addition to an existing board and care home and assisted living facility will not be detrimental to or endanger the public health, safety, comfort or general welfare as the number of total beds is not increasing. The proposed addition will allow Mount Olivet Careview Home to add more private rooms. Of the 153 resident beds currently in the building, only nine are private rooms, 13 are “split-double” rooms and 130 are double rooms. After the addition, the building will have 59 private rooms and 47 “split-doubles”.

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 36,184 square foot addition to the existing use will not be injurious to the use and enjoyment of other property in the vicinity, nor will it impede the normal and orderly development of the

surrounding area. The surrounding area is fully developed with a mix of residential, commercial and auto-oriented uses. In the sections below staff is making a series of recommendations that will reduce the impact of the addition on neighboring residential properties.

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

Utilities, access roads, drainage and other necessary facilities are existing and adequate to support the addition. The applicant will continue to work with Public Works and Construction Code Services to obtain all necessary permits before and during construction.

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

The addition is not expected to generate traffic congestion in the adjacent public streets. As noted above, the total number of beds on site is not changing as part of the project and as such, the parking requirement will not be changing. The uses on site require 93 parking stalls and 110 stalls are provided.

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

The site is designed as urban neighborhood on the future land use map and Lyndale Avenue is a Community Corridor in this location. The proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

Land Use Policy 1.8: 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.

- 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.
- 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.

Land Use Policy 1.9: 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.

- 1.9.1 Support the continued presence of existing small-scale retail sales and commercial services along Community Corridors.
- 1.9.2 Support new small-scale retail sales and services, commercial services, and mixed uses where Community Corridors intersect with Neighborhood Commercial Nodes.
- 1.9.3 Discourage uses that diminish the transit and pedestrian oriented character of Community Corridors, such as automobile services and drive-through facilities.
- 1.9.4 Discourage the conversion of existing residential uses to commercial uses outside of Neighborhood Commercial Nodes.
- 1.9.5 Encourage the development of low- to medium-density housing on Community Corridors to serve as a transition to surrounding low-density residential areas.
- 1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

Housing Policy 3.1: Grow by increasing the supply of housing.

- 3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.

Housing Policy 3.2: Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.

- 3.2.1 Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.

The applicant is proposing an addition to address growing program needs and resident privacy in an existing facility. The addition will improve an existing housing facility that serves the City's aging population on a Community Corridor in an area that is well connected by transit.

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

If the requested land use applications are approved, the proposal will comply with all provisions of R5, Multi-family District and PO, Pedestrian Oriented Overlay district.

CONDITIONAL USE PERMIT

The Department of Community Planning and Economic Development has analyzed the application to allow an increase in height from four stories or 56 feet to five stories, 69 feet, 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.*

The request to increase the height of the addition from 4 stories or 56 feet to 5 stories, 69 feet will not be detrimental to or endanger the public health, safety, comfort or general welfare. The massing of the addition is concentrated in the center of this large site. The majority of the addition will be 67 feet in height with a taller parapet fronting along Lyndale Avenue S. Staff is recommending that the addition maintain a side yard setback of 13 feet from the south property line which will create a greater separation between the addition and adjacent residential uses, thus reducing any potential impact of the increased height.

- 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 proposed height would not be injurious to the use and enjoyment of other property in the vicinity, nor will it impede the normal and orderly development of the surrounding area. The height is proposed in the center of the existing building, filling in a gap between two existing building sections. The proposed addition is approximately 22 feet from the nearest residential structure. Said structure is owned by Mount Olivet and currently contains a child care center. The next closest structure, not owned by Mount Olivet, is approximately 67 feet away from the addition. The amount of space between properties helps to mitigate any potential impact of the increased height. As evaluated below, staff will be recommending an increased side yard setback from the south property line which will create a greater separation between uses and further alleviate potential off-site impacts. Staff is also recommending that the arch above the top floor windows be removed which could potentially lower the ceiling and bring the overall height down by approximately two or three feet. These recommendations are evaluated further in the Site Plan Review section below.

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

Utilities, access roads, drainage and other necessary facilities are existing and adequate to support the addition. The applicant will continue to work with Public Works and Construction Code Services to obtain all necessary permits before and during construction.

4. *Adequate measures have been or will be taken to minimize traffic congestion in the public streets.*
The increased height is not expected to generate traffic congestion in the adjacent public streets. As noted above, the total number of beds on site is not changing as part of the project and as such, the parking requirement will not be changing. The uses on site require 93 parking stalls and 110 stalls are provided.

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

The policies below are applicable to the request for increased building height. With the increased setback mentioned above, the proposed development would be consistent with the following general land use policies of *The Minneapolis Plan for Sustainable Growth*:

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 1.8: 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.

- 1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.
- 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.

Urban Design Policy 10.4: Support the development of residential dwellings that are of high quality design and compatible with surrounding development.

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

Urban Design Policy 10.5: Support the development of multi-family residential dwellings of appropriate form and scale.

- 10.5.2 Medium-scale, multi-family residential development is more appropriate along Commercial Corridors, Activity Centers, Transit Station Areas and Growth Centers outside of Downtown Minneapolis.

Urban Design Policy 10.6: New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level.

- 10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.

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

If the requested land use applications are approved, the proposal will comply with all provisions of R5, Multi-family District and PO, Pedestrian Oriented Overlay district.

Additional Standards to Increase Maximum Height

In addition to the conditional use permit standards, the Planning Commission shall consider, but not be limited to, the following factors when determining the maximum height of principal structures in commercial districts:

1. *Access to light and air of surrounding properties.*

If the addition maintains the required side yard setback, the proposed height would not significantly impact access to light and air for surrounding properties. The proposed addition is approximately 22 feet from the nearest residential structure, which they own, and approximately 67 feet away from the closest residential structure that is not under common ownership. Staff is recommending that the applicant increase the setback from the south property line to 13 feet from six feet.

2. *Shadowing of residential properties, significant public spaces, or existing solar energy systems.*

The applicant submitted shadow studies of existing conditions and shadowing impacts with the proposed addition. The shadow studies show that with the addition, there are no significant changes to shadowing on adjacent residential properties. This is primarily due to the fact that adjacent residential uses are southeast of the proposed addition. There are no significant open spaces nearby and no known solar energy systems near the site.

3. *The scale and character of surrounding uses.*

The scale and character of surrounding uses varies. Uses north of the site are auto-oriented. Uses west of the site include an auto-oriented use, a two-story office building and a vacant site. Other uses along Lyndale Avenue in this general area are one to two stories in height and contain a range of commercial uses. The uses to the east are single-family homes. The existing building is a maximum of four stories in height.

4. *Preservation of views of landmark buildings, significant open spaces or water bodies.*

The addition will not impact view of any landmark building, significant open spaces or water bodies.

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance of the south interior side yard setback requirement based on the following findings:

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 side yard setback requirement for residential uses in the R5 district is 5+2x, where x equals the number of stories above the first floor. For this five-story building, the required setback is 13 feet. The applicant is proposing a setback of six feet from the south lot line. A variance has been requested accordingly.

Practical difficulties do not exist in complying with the setback requirements and there are no unique circumstances to justify the request. The applicant is proposing a building addition that is five stories and 69 feet in height six feet from the south property line. The subject property is over two acres in size and bordered by single-family homes to the east and south. The site is large enough to accommodate additional square footage while complying with the setback requirements. The impacted side yard is a shared property line with a single-family residential structure that is currently owned by Mount Olivet and used as a child care center. While the two properties are currently under common ownership, it is possible that the adjacent single-family home could be sold in the future and used as such.

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.*

Allowing a five-story addition within six feet of the property line would not be a reasonable use of this large property. The adjacent property is zoned R1A and contains a structure originally built as a single-family home. The purpose of yard requirements is to provide for orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. Allowing a five-story building addition within six feet of the property line would not allow for adequate separation between uses and would impact the amount of light and air that adjacent properties receive. Additionally, the specific development standards for this use require an appropriate transition area between the use and adjacent property through the use of landscaping, screening and other site improvements consistent with the character of the neighborhood. Staff will be recommending that the addition comply with the minimum setback requirement of 13 feet to minimize conflicts between this high-density use and the single-family homes on the remainder of the block and provide a proper transition.

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 portion of the site where the addition is proposing currently helps to serve as a transition between the existing building and the single-family homes on the remainder of the block. Allowing the addition to be constructed within six feet of the property line would impact the character of the surrounding area and be injurious to the use and enjoyment of other properties in the vicinity. An addition of this size six feet from the property line would likely have a detrimental impact on the low-density development to the east and south. Requiring the building addition to maintain a setback of 13 feet would allow for greater separation between uses and greater access to light and air for adjacent properties.

SITE PLAN REVIEW

The Department of Community Planning and Economic Development has analyzed the application based on the required findings and applicable standards in the site plan review chapter:

I. Conformance to all applicable standards of Chapter 530, Site Plan Review.**Building Placement and Design – Requires alternative compliance**

- The placement of the addition generally reinforces the street wall. The applicant is proposing to expand the ground floor 5,572 square feet toward Lyndale Avenue S. This infill will bring the front of the addition roughly inline with the remainder of the building.
- The building will be setback approximately 17 feet from the front lot line along Lyndale Avenue S. The R5 district has a minimum front yard setback requirement of 15 feet, an increase over the eight-foot maximum required under Chapter 530.
- The area between the building and Lyndale Avenue S is proposed to include Cyprus mulch with one existing tree and nine new shrubs. As a condition of approval, staff will be recommending additional landscaping in this location. The area between the addition and Garfield Avenue S is currently a surface parking lot and surface parking will remain in this area.
- There is a primary building entrance just south of the proposed addition, facing Lyndale Avenue S. This entrance will remain as part of the proposed project and no new entrances are proposed into the addition.
- The site has two existing, off-street parking areas. One is located on the east side of the site, which functions as the rear of the site. This parking area will be slightly reduced in size as the proposed addition is located in this area. The other parking area is located on the south side of the site, fronting along Lyndale Avenue S. No modifications are proposed to this parking area.
- The proposed addition will be brick to match the existing building, but will be a darker color to break up the building into smaller sections and provide visual interest. The addition will also be one floor taller than the north wing of the existing building and two floors taller than the south wing of the building. The increased height will also help to divide the building into identifiable sections.
- The south elevation has one section of blank wall visible on the fourth and fifth floors that is approximately 30 feet in length. The east elevation has a section of blank wall approximately 32 feet in length. Both instances of blank wall in excess of 25 feet require alternative compliance.
- The exterior materials of the addition are brick to match the existing building, though in a darker shade of brown. Recessed brick panels are proposed below some of the windows to match the recessed panels on the south part of the building. The proposed materials are durable. The site complies with the maximum of three primary exterior materials.
- All four sides of the building will be similar to one another in terms of appearance and materials.
- Plain face concrete block is not proposed as a primary, exterior material.
- The building has a window requirement on the west and east elevations. Per Table 2 below, the building complies with the minimum window requirements.
- The windows are vertically proportioned. However, they are not evenly distributed. The center of the east elevation contains no windows. This section of the building also requires alternative compliance for blank walls. Alternative compliance is requested. Additionally, the windows on the fifth floor of the west elevation contain an arch at the top that is not present on any other windows. In order to maintain a consistent window pattern and potentially reduce the height of the building, staff recommends that these arches be removed. Staff also recommends that the roofline be reduced in this location with the elimination of the arches to bring down the overall building height.
- Ground floor active functions are required to comprise a minimum of 70 percent of the ground floor frontage along public streets. The building contains active functions on the ground floor for 100 percent frontage along Lyndale Avenue S and 74.6 percent of the frontage facing Garfield Avenue S.
- The proposed primary roofline is flat, similar to the other non-residential uses along Lyndale Avenue S.

Table 1. Percentage of Windows Required for Elevations Facing a Public Street, Sidewalk, Pathway, or On-Site Parking

	Code Requirement		Proposed	
Residential Uses				
1st Floor (west)	20% minimum	81 sq. ft.	39.6%	160.4 sq. ft.
2nd Floor and Above	10% minimum	67 sq. ft.	19.2%	130 sq. ft.
1st Floor (east)	20% minimum	129.6 sq. ft.	XX%	XX sq. ft.
2nd Floor and Above (east)	10% minimum	82 sq. ft.	15.3%	125.4 sq. ft.

Access and Circulation – Meets requirements

- No changes are proposed to the entrance or parking locations are part of the project. The primary entrance facing Lyndale Avenue S is connected to the public sidewalk with a walkway that is a minimum of ten feet in width. The parking area on the south side of the site is connected to the entrances on that side of the building with a walkway that is a minimum of five feet in width.
- The site does not include any transit shelters and none are proposed.
- Vehicular access and circulation is generally designed to eliminate conflicts with pedestrians and adjacent residential uses. The applicant is proposing a loading dock for the use on the east side of the building. The proposed loading dock will allow for trucks to enter the site for deliveries, whereas this activity is currently occurring in the public street on Garfield Avenue S. The applicant submitted an exhibit detailing turning movements to illustrate that all required maneuvering can occur on site. The existing parking area on the south side of the site will not be modified as part of the project.
- The site does not have alley access.
- The site plan is generally designed to minimize the use of impervious surfaces. The location where the addition is proposed is currently nearly 100 percent impervious and the applicant is not proposing any additional hard surfaces within the project area. A total of 24 percent of the site will remain impervious after the addition is constructed.

Landscaping and Screening – Requires alternative compliance

- The site includes large landscaped areas around the building and landscaped yards between the parking areas and the street. The general composition and distribution of landscaping compliments the building and overall site conditions.
- The site plan exceeds the total amount of green space and the required number of trees, per Table 3 below. Alternative compliance is requested for the shrub requirement.
- Parking and loading facilities along public and where adjacent to residential uses require landscaped yards a minimum of seven feet in width with screening that is a minimum of 60 percent opaque and three feet in height along the street and 95 percent opaque and six feet in height adjacent to residential. The required landscaped yards are provided along all public streets adjacent to the south parking lot. The required screening is shown on the landscaping plan. However, the landscaping shown on the plan was also proposed as part of the variance application per BZZ-6585. Zoning Enforcement staff recently inspected the site and found that it was not in compliance with the approved landscape plan. In order to come into compliance with the plan, the following is required:

- 3 Japanese Lilacs, 5 spruce shrubs and 2 tall shrubs of any species on the north side of the south parking lot
- 5 spruce shrubs in the sitting area along the public sidewalk adjacent to Lyndale Avenue S
- 2 Barberry shrubs around the storm sewer drain on the west side of the parking lot
- 4 shrubs along the sidewalk on the north side of the curb cut from 56th Street
- 3 coniferous shrubs on the west side of the two parking stalls in the southwest corner of the parking lot
- The parking area in the south portion of the site also abuts residential uses to the east. There is no landscaped yard in this location but there is a solid wood fence. Said fence was approved in lieu of the landscaped yards in previous site plan review applications.
- The parking area on the east side of the site abuts residential uses to the south. The landscaped yard provided in this location is a minimum of two feet in width. Alternative compliance is requested. Some landscaping is shown within the required yard above a retaining wall, but it does not meet the minimum opacity requirement. Alternative compliance is requested. The required landscaped yard on the east side of the parking area is provided. Only two shrubs are proposed in this location. Alternative compliance to the screening requirement in this location is also requested.
- The corners of all parking areas are landscaped.
- The parking lot on the south side of the site contains several parking stalls that are more than 50 feet from the center of an on-site deciduous tree. This was approved as part of previous site plan review applications. Alternative compliance is requested.
- All areas not occupied by buildings, parking and loading are landscaped.
- Installation and maintenance of all landscape materials shall comply with 530.210

Table 2. Landscaping and Screening Requirements

	Code Requirement	Proposed
Lot Area	20,000 sq. ft.	99,997 sq. ft.
Building footprint	--	40,795 sq. ft.
Remaining Lot Area	--	59,202 sq. ft.
Landscaping Required	11,840 sq. ft.	24,346 sq. ft.
Canopy Trees (1: 500 sq. ft.)	24 trees	32 trees
Shrubs (1: 100 sq. ft.)	118 shrubs	101 shrubs

Additional Standards – Meets requirements

- The primary parking area for the use is on the south side of the site. No changes are being to the parking area as part of this application. Previous site plan review applications for the site approved continuous curbing.
- The proposed addition will not block views of any important City elements.
- Per the shadow studies provided, the addition will not have any significant shadowing impacts on adjacent residential properties.
- The addition is not expected to generate wind currents at ground level.
- The site includes crime prevention through environmental design. The minimum window requirements are met on both street-facing elevations and well-lit walkways connect the building entrances to the adjacent public sidewalks and on-site parking areas. Landscaping adjacent to the public sidewalk provides for natural access control and helps to delineate between public and private spaces.

- No demolition is proposed as part of the project. The site is not within a designated historic district and the property is not an individual historic landmark.

2. Conformance with all applicable regulations of the zoning ordinance.

The proposed use is a *conditional use* in the R5, Multi-family District. The required conditional use permit is evaluated above.

Off-street Parking and Loading – Meets requirements

- The site complies with the minimum parking and loading requirements.
- The use has a low loading requirement, equating to one small space. A loading dock is proposed on the east side of the building that meets the minimum dimensional requirements.
- The use does not have a minimum bicycle parking requirement. However, bike parking is provided along Lyndale Avenue S.

Table 3. Vehicle Parking Requirements Per Use (Chapter 54I)

	Minimum Vehicle Parking	Applicable Reductions	Total Minimum Requirement	Maximum Parking Allowed	Proposed
Board and Care Home/Assisted Living	82	--	82	247	--
Child Care Center	15	25 percent in PO	11	28	--
Total	--	--	93	275	115

Building Bulk and Height – Requires conditional use permit

- The applicant has requested a conditional use permit for increased height. Staff is recommending approval, as evaluated above.

Table 5. Building Bulk and Height Requirements

	Code Requirement	Proposed
Lot Area	20,000 sq. ft.	99,997 sq. ft. / 2.23 acres
Gross Floor Area (GFA)	--	169,630 sq. ft.
Minimum Floor Area Ratio (GFA/Lot Area)	--	1.69
Maximum Floor Area Ratio (GFA/Lot Area)	2.0	1.69
Maximum Building Height	4 stories or 56 feet, whichever is less	5 stories, 69 ft.

Lot Requirements – Meets requirements

Table 4. Lot Requirements Summary

	Code Requirement	Proposed

Minimum Lot Area	20,000 sq. ft.	99,997 sq. ft.
Maximum Impervious Surface Area	85%	76%
Maximum Lot Coverage	70%	40.7%
Minimum Lot Width	80 ft.	200 ft.

Yard Requirements – Requires variance(s)

- The applicant has requested a variance to reduce the south interior side yard setback from 13 feet to six feet. Staff is recommending denial of said variance, as evaluated above.

Table 5. Minimum Yard Requirements

	Zoning District	Overriding Regulations	Total Requirement	Proposed
Front (west)	15 ft.	--	15 ft.	17 ft.
Front (east)	15 ft.		15 ft.	83 ft.
Interior Side (south)	13 ft.	--	13 ft.	6 ft.

Signs – Meets requirements

- Signs are subject to Chapter 543 of the Zoning Code. All new signs are required to meet the requirements in Chapter 543. The applicant is not proposed any new signage as part of the project.

Screening of Mechanical Equipment – Meets requirements with Conditions of Approval

- All mechanical equipment is subject to the screening requirements of Chapter 535 and district requirements:

535.70. Screening of mechanical equipment.

(a) In general. All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) Screened by another structure. Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
 - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
 - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
 - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) Screened by vegetation. Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) Screened by the structure it serves. Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) Designed as an integral part of the structure. If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

(b) Exceptions. The following mechanical equipment shall be exempt from the screening requirements of this section:

- (1) Minor equipment not exceeding one (1) foot in height.
 - (2) Mechanical equipment accessory to a single or two-family dwelling.
 - (3) Mechanical equipment located in an I2 or I3 District not less than three hundred (300) feet from a residence or office residence district.
- One large piece of rooftop mechanical equipment is shown on the plans. This equipment is proposed to be 14 feet in height and located 14 feet back from the front elevation along Lyndale Avenue S. The equipment will be partially screened with the parapet wall. Any other ground or roof-mounted mechanical will be required to comply with the standards above.

Refuse Screening – Meets requirements

- All refuse and recycling storage containers are subject to the screening requirements in Chapter 535:

535.80. Screening of refuse and recycling storage containers.

Refuse, recycling storage, and compost containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. Single and two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall not be governed by this provision.

- A new refuse storage contained is proposed on the east side of the addition. The trash enclosure is sized to house three dumpsters. The screening will comply with the requirements above.

Lighting – Meets requirements

- Existing and proposed lighting must comply with Chapter 535 and Chapter 54I of the zoning code, including:

535.590. Lighting.

(a) In general. No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) Specific standards. All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is

directed only onto the facade or roof.

- No photometric plan was submitted as part of the project. All lighting shall be required to comply with the standards above.

Fences – Meets requirements

- Fences must comply with the requirements in Chapter 535. No new fencing is proposed as part of the project. Existing fencing is located between the south parking area and adjacent residential uses. A small section of fence is located between the east parking area and the residential property at 5522 Garfield Avenue S.

Specific Development Standards – Meets requirements

- The applicant’s proposal meets the specific development standards in Chapter 536. The specific development standards for the use are as follows:
 - On-site services shall be for residents of the facility only.
 - The operator shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.
 - 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.
 - 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 neighborhood.
- With the conditions of approval recommended by staff, the site will comply with the specific development standards outlined above. In addition to these standards, staff recommends that the applicant prepare a campus master plan for this site for the next ten years, detailing any proposed expansions or other site modifications that they may be considering. This site and associated properties have been through the land use application process nearly 15 times since its construction. A master plan would allow for more transparency for the neighbors and get the applicant to think about future expansions more holistically.

Pedestrian Oriented Overlay District Standards – Meets requirements

- The site is in the Pedestrian Oriented Overlay district. The property is residentially zoned with a residential use and therefore not subject to the majority of the PO standards.

3. Conformance with the applicable policies of *The Minneapolis Plan for Sustainable Growth*.

Please see the conditional use permit sections of this report.

4. Conformance with applicable development plans or objectives adopted by the City Council.

The site is within the study area of *The South Lyndale Corridor Plan*. The project is consistent with the following applicable policies of the plan:

- **Scale, form and use of new development should be compatible with surrounding community.** The South Lyndale Corridor lies at the heart of four well-established residential neighborhoods. Any new development within the corridor should respect the scale and

character of the neighborhoods and provide a mix of uses that support the livability of the surrounding community.

- **Encourage new development to use human scale design features.** Particular attention should be given to address the needs of the pedestrian. Human scale should be a priority when building height, mass and façade treatments are considered. Buildings that include many building entries, shop windows, awnings and other fenestration treatments are highly encouraged.
- **Strengthen the residential character of the corridor and provide a range of types and affordability levels.** Community corridors like South Lyndale can be attractive to a range of residents, each with their own preferences for a living environment. Most important, there is no single dwelling unit that can be a universal fit, so a range of housing choices must be provided with a character befitting the corridor.
- **Support a land use pattern that is primarily residential, with commercial uses clustered at intersections.** To be consistent with the goals stated in The Minneapolis Plan and those expressed by the community, the South Lyndale district should look toward development that is primarily residential in scale and pattern, but includes a greater mix of uses – primarily shops and services that support the community at neighborhood commercial nodes.

5. Alternative compliance.

The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding that the project meets one of three criteria required for alternative compliance. Alternative compliance is requested for the following requirements:

- **Blank walls.** The south elevation has one section of blank wall visible on the fourth and fifth floors that is approximately 30 feet in length. The east elevation has a section of blank wall approximately 32 feet in length. Both instances of blank wall in excess of 25 feet require alternative compliance. Staff recommends granting alternative compliance for the south wall, given the configuration of the addition. However, staff does not recommend granting alternative compliance for the east elevation. As a condition of approval, this section of wall will be required to be broken up with a material change, windows, or other architectural detail. Providing windows in this location would eliminate the need for alternative compliance for even distribution of windows.
- **Even distribution of windows.** Windows on the east elevation are not evenly distributed. The center of the east elevation contains no windows. Staff does not recommend granting alternative compliance. This section of the building also requires alternative compliance for blank walls. As a condition of approval, staff will be recommending that windows are added to this section of blank wall.

The windows on the fifth floor of the west elevation contain an arch at the top that is not present on any other windows. Staff does not recommend granting alternative compliance for window distribution. In order to maintain a consistent window pattern and potentially reduce the height of the building, staff recommends that these arches be removed.

- **Minimum number of shrubs.** The minimum shrub requirement for the site is 118 and 101 are proposed. Staff does not recommend granting alternative compliance. A minimum of seventeen additional shrubs will be required in the landscaped area between the proposed addition and Lyndale Avenue S. Other landscaping will be required in the east parking area to meet the minimum screening requirements, resulting in an overall number of shrubs that exceeds 118.
- **Landscaped yards.** Parking and loading facilities along public and where adjacent to residential uses require landscaped yards a minimum of seven feet in width with screening that is a minimum of 60 percent opaque and three feet in height along the street and 95 percent opaque and six feet in height adjacent to residential. The parking area in the south portion of the site also abuts residential uses to the east. There is no landscaped yard in this location but there is a solid wood fence. Said fence was approved in lieu of the landscaped yards in previous site plan review

applications. Staff recommends granting alternative compliance again for the 7-foot landscaped yard in this location.

The parking area on the east side of the site abuts residential uses to the south. The landscaped yard provided in this location is a minimum of two feet in width and very little screening is proposed in this location. Alternative compliance is requested. Staff recommends granting alternative compliance for the yard width, as this is a previously established parking area. However, a solid fence will be required for the length of the parking area to screen the parking from the adjacent residential parcel. Alternative compliance is also requested for the screening requirement along the east side of this parking area. Only two shrubs are proposed in this location. In lieu of granting alternative compliance, staff will be requiring additional shrubs in this location.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt staff findings for the applications by Dave Wolterstorff of WAI Continuum for the properties located at 5517 Lyndale Avenue S:

A. Conditional Use Permit to allow an addition to a board and care home/assisted living facility in the R5, Multiple-family District.

Recommended motion: **Approve** the application for a conditional use permit, 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 encouraged to prepare a campus master plan identifying any proposed additions or major alterations over the next ten years.

B. Conditional Use Permit to increase height from 4 stories or 56 feet to 5 stories, 69 feet.

Recommended motion: **Approve** the application for a conditional use permit, 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.

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

Recommended motion: **Deny** the application for a variance.

D. Site Plan Review to construct a 36,184 square foot addition to an existing board and care home/assisted living facility.

Recommended motion: **Approve** the application for site plan review, 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 Avenue 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 Avenue 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.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. PDR Report
3. Zoning map
4. Survey
5. Site Plan
6. Floor Plans
7. Building elevations
8. Shadow study
9. Photos