

Department of Community Planning and Economic Development - Planning Division
Change of a Nonconforming Use
BZZ-6258

Date: October 15, 2013

Applicant: Allegro Properties, Attn: Jamie Graham, 2937 Lyndale Avenue South, Suite 202, Minneapolis, MN 55408

Address of Property: 3225 Lyndale Avenue South

Project Name: Fiant Dental

Contact Person and Phone: Master Properties Minnesota, LLC, Attn: Elizabeth Liebhard, 1221 Nicollet Mall, Suite 310, Minneapolis, MN 55403, (612) 623-1633

Planning Staff and Phone: Becca Farrar-Hughes, Senior City Planner, (612) 673-3594

Date Application Deemed Complete: September 17, 2013

End of 60 Day Decision Period: November 16, 2013

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

Ward: 10 **Neighborhood Organization:** Lyndale Neighborhood Association & Calhoun Residents Action Group

Existing Zoning: R4 (Multiple-family) District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 24

Lot area: 10,254 square feet or approximately .24 acres

Legal Description: Not applicable for this application

Proposed Use: A new dental clinic.

Concurrent Review:

- Master Properties Minnesota, LLC, on behalf of Allegro Properties and Fiant Dental, has applied for a change of a non-conforming use to allow a dental clinic in place of the former offices within the existing building located on the property at 3225 Lyndale Avenue South.

Applicable Zoning Code Provisions: Chapter 531, Section 531.80.

Background: The applicant is proposing to change the use of an existing single-story 3,899 square foot legal non-conforming building that was a multi-tenant office building into a dental clinic. As proposed, the interior of the building would be completely demolished in order to accommodate eight dental operatories, administrative

offices, a waiting area, restrooms, an x-ray room, sterilization and lab rooms as well as a staff lounge and storage area. The current zoning of the property is R4 (Multiple-family) District, which does not allow dental clinics.

The building was originally constructed as a doctor's office in 1956 with an addition constructed to the original building in 1964. The existing footprint of the building would not be modified with the change in use; however the existing roof height would be elevated approximately 4 feet in some locations in order to add skylights. New clerestory windows would also be added to the north and west elevations of the existing building and the existing window openings would be increased vertically as well. The existing entrance vestibule would be expanded to allow for ADA compliance. Other than the addition of an accessible parking space, no changes are proposed to the existing surface parking lot located on the north side of the building. The size of the accessible space will need to be adjusted to comply with the appropriate ADA requirements. The applicant is aware that consultation with Plan Review is necessary, and that all required permits shall be attained in order to legalize the proposed change in use.

The application is being continued until the City Planning Commission meeting on October 28, 2013, as the applicant now intends to expand the existing building by adding an entrance vestibule on the west elevation of the building facing Lyndale Avenue South. The building expansion requires an expansion of a non-conforming use and the project must be re-noticed to include the additional land use application.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development for the change of nonconforming use:

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission adopt the above findings and **continue** the application for a change of nonconforming use to allow for a dental clinic in place of the former offices within the existing building located on the property at 3225 Lyndale Avenue to the October 28, 2013, Planning Commission meeting.