

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit, Variances, Site Plan Review
BZZ-1908

Date: September 13, 2004

Applicant: Allina Health System

Address of Property: 710 24th Avenue East, 2205 Park Avenue and 2215 Park Avenue

Project Name: Phillips Eye Institute expansion

Contact Person and Phone: Stanley Schimke with Jordan Architects, P.A., (651) 291-2701

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Date Application Deemed Complete: August 6, 2004

End of 60-Day Decision Period: October 5, 2004

End of 120-Day Decision Period: Not applicable

Ward: 6 **Neighborhood Organization:** Phillips West Neighborhood Organization

Existing Zoning: OR3

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 20

Legal Description: Not applicable for this application

Proposed Use: Hospital

Concurrent Review:

Conditional use permit: for an expansion to an existing hospital.

Variance: to allow five parking spaces between the building and the front property line along Park Avenue.

Variance: to allow more than one freestanding sign on the property.

Site plan review.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX Variances, specifically Section 525.520(8) “to permit parking that cannot comply with the location requirements for on-site parking, as specified in Chapter 537, Accessory Uses and Structures, and Chapter 541, Off-Street Parking and Loading” and Section 525.520(21) “to vary the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial,

downtown or industrial district, pursuant to Chapter 543, On-Premise Signs”; and Chapter 530 Site Plan Review.

Background: Allina Health System is proposing to expand the existing Phillips Eye Institute hospital campus located at 710 24th Avenue East, 2205 Park Avenue and 2215 Park Avenue. The expansion involves the construction of a one-story addition to the west side of the campus located along Park Avenue. The building addition will house additional operating rooms and pre/post operative rooms with required support area.

CONDITIONAL USE PERMIT – for an expansion to an existing hospital

Findings as Required by the Minneapolis Zoning Code:

The Department of Community Planning and Economic Development – Planning Division has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The Phillips Eye Institute was established in 1987 and is an asset to the community and the greater Minnesota area. The proposed expansion will accommodate additional operating rooms and pre/post operative rooms with required support area. Staff does not believe that the addition to the hospital or the parking ramp would be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

2. 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.

Staff believes that the addition will not impede the normal and orderly development of the area as the building addition is being constructed on property that is currently owned by the applicant. In addition, the addition to the hospital will be a one-story glass addition that resembles the existing architecture of the building.

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

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

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

The parking requirement for this development is as approved by the conditional use permit, but not less than one space per every three beds. The majority of the procedures that are performed at the Phillips Eye Institute are considered to be day surgeries where an overnight stay is not required. However, there are a total of ten beds within the hospital for those procedures that require an overnight stay. Based on this information the hospital is required to have a total of four parking spaces. Allina Health Systems owns the parking ramp located on the southeast corner of Park Avenue and East 24th Street. There are a total of 501 parking spaces within the ramp.

5. Is consistent with the applicable policies of the comprehensive plan.

The site is located in a services - commercial area as designated on the Land Use Policy map in *The Minneapolis Plan*. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.
- Minneapolis will work with institutional partners to assure that the scale and form of new development or expansion will occur in a matter most compatible with the surrounding area.
- Promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

The Phillips Eye Institute hospital campus was established in 1987 and is an asset to the community and the greater Minnesota area. The proposed expansion will accommodate additional operating rooms and pre/post operative rooms with required support area that are necessary given the growing demand for ophthalmology procedures. The addition to the hospital will be a one-story glass addition that resembles the existing architecture of the building.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.

With the approval of the conditional use permit, the variance and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

VARIANCE - to allow five parking spaces between the building and the front property line along Park Avenue

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

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Parking between the building and the front property line along Park Avenue: The applicant is seeking a variance to allow five parking spaces between the building and the front property line along Park Avenue. The applicant has indicated that there are currently five parking spaces located along the existing driveway between the building and the front property line along Park Avenue and that the

intention is to relocate them in the reconfigured driveway after the addition has been constructed. The driveway is marked as a fire lane and the five parking spaces allow people to park near the main entrance while they are dropping off or picking up people. Please note that the parking spaces are signed “30 minute parking.”

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Parking between the building and the front property line along Park Avenue: The fact that there are five parking spaces currently located between the building and the front property line along Park Avenue is a unique circumstance of this parcel of land.

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Parking between the building and the front property line along Park Avenue: The granting of the variance should not alter the essential character of the area given that the parking spaces currently exist between the building and the front property line along Park Avenue. In addition, the parking spaces are located approximately 45 feet from the front property line which allows ample room for landscaping which will help screen the parking spaces from the public street and sidewalk.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Parking between the building and the front property line along Park Avenue: Staff believes that the granting of the variance would have little impact on fire safety, nor would the location of the parking spaces be detrimental to welfare or public safety.

VARIANCE - to allow more than one freestanding sign on the property

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

1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.

Number of freestanding signs on the property: The applicant is seeking a variance to allow more than one freestanding sign on the property. There are a total of seven existing freestanding signs on the property and one additional sign on the parking ramp property. The applicant has indicated that the reason why there are seven signs on the property is because it is over four acres and that different signs are needed in order to identify the various uses on the site. The applicant is proposing to add one additional sign to the property on the corner of Park Avenue and East 22nd Street. The proposed sign

would direct patients to the inpatient unit/patient pick-up and drop/off area located on East 22nd Street. The applicant has indicated that East 22nd Street is not a through street and because of this patients often do not realize that the inpatient unit/patient pick-up and drop/off area is located off of this street.

2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.

Number of freestanding signs on the property: The fact that East 22nd Street is not a through street but that it functions as the inpatient unit/patient pick-up and drop/off area and the size of the site are unique circumstances of this parcel of land

3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.

Number of freestanding signs on the property: The granting of the variance should not alter the essential character of the area given that the proposed sign is similar in design and color to the other signs on the site and because it is located over 100 feet from the nearest sign on the property. There are three signs located near the main entrance to the hospital on Park Avenue. The sign located near the corner of Park Avenue and East 24th Street is the main hospital sign and reads “Philips Eye Institute,” the sign located near the driveway reads “main entrance” and the sign located in the driveway also area reads “Phillips Eye Institute” but also has directional information on it. Staff feels that the three signs are redundant and is recommending that the “main entrance” sign be removed. This sign currently has graffiti on it and is hidden by the bushes located near the driveway making it almost impossible to read.

4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.

Number of freestanding signs on the property: Staff believes that the granting of the variance would have little impact on fire safety, nor would the additional sign be detrimental to welfare or public safety.

Findings Required by the Minneapolis Zoning Code for the Proposed Sign Adjustment:

1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.

It is in staff's opinion that the sign does not lead to sign clutter as the site is over four acres in size and the proposed sign is located over 100 feet away from the nearest sign on the property. However, staff is recommending that one of the three signs located near the main entrance to the hospital on Park Avenue be removed as it is redundant.

2. The sign adjustment will allow a sign of exceptional design or style that will enhance the area or that is more consistent with the architecture and design of the site.

The sign will be similar in design and color to the other signs on the site which ties all of the signs together.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)**
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND FACADE

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.**
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.**
- The area between the building and the lot line shall include amenities.**
- The building shall be oriented so that at least one (1) principal entrance faces the public street.**
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.**
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.**
- In larger buildings, architectural elements shall be emphasized.**
- The exterior materials and appearance of the rear and side walls of any building shall be**

similar to and compatible with the front of the building.

- **The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.**
- **Entrances and windows:**
- **Residential uses shall be subject to section 530.110 (b) (1).**
- **Nonresidential uses shall be subject to section 530.110 (b) (2).**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The existing building is located between 90 and 190 feet from the front property line along Park Avenue as it sits at an angle to the street. The building addition will be constructed within approximately 75 feet of the front property line along Park Avenue for the entire length of the building. In the area between the building and the property line there will be landscaping.
- The principal entrance to the building is currently located on the Park Avenue side of the building and is setback 210 feet from the property line. The location of the principal entrance to the building will not be changing as a result of the proposed addition.
- The exterior materials of the existing building include brick, glass and concrete panels. The exterior material of the building addition will be glass which is the exterior material of the existing building.
- The percentage of windows required on the side of the building facing Park Avenue is 30 percent. According to the submitted drawings, none of the windows located between two feet and ten feet will be windows of clear or lightly tinted glass that allow views into and out of the building at eye level.

ACCESS AND CIRCULATION

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).**
- **Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.**
- **Site plans shall minimize the use of impervious surfaces.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The principal entrance to the building is not proposed to be connected to the public sidewalk via a walkway. Staff is recommending that the applicant connect the principal entrance to the public

sidewalk. The walkway should also be accessible to the five parking spaces located between the building and the property line along Park Avenue.

- The Public Works Department has reviewed and approved the vehicular access and circulation plan provided by the applicant.
- The applicant has indicated that snow will be stored on the site.

LANDSCAPING AND SCREENING

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).**
- **Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
 - **A decorative fence.**
 - **A masonry wall.**
 - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).**
- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- The applicant has indicated that approximately 49 percent of the site not occupied by the building will be landscaped. The landscaping requirement for the hospital campus is 105 trees and 526 shrubs. According to the plant schedule there will be a total of 11 new trees and 328 new shrubs planted on the site after the building addition is constructed. An inventory of the total number of trees and shrubs on the site was not submitted as part of this application.
- After conducting a site visit staff is recommending that additional landscape materials be added along East 24th Street, between the public sidewalk and the parking lot, and along East 22nd Street, between the public sidewalk and the parking lot.
- No new fences are proposed as part of this development.

ADDITIONAL STANDARDS

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- A lighting plan showing footcandles was not submitted as part of the application. Staff is recommending that a lighting plan showing footcandles be submitted as part of the final plans.
- The building addition should not block views of important elements within the city.
- The building addition should not cast shadows on public spaces or adjacent properties.
- The building addition should not contribute to the wind tunnel effect.
- The Crime Prevention Specialist has reviewed and approved the project in regards to crime prevention design elements.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan

ZONING CODE

See conditional use permit findings number six.

THE MINNEAPOLIS PLAN

See conditional use permit finding number five.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

There are no small area plans adopted by the city for this particular location.

ALTERNATIVE COMPLIANCE

The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT – PLANNING DIVISION RESPONSE

- Staff is recommending that the City Planning Commission grant alternative compliance to allow the building to be setback more than 15 feet from the front property line along Park Avenue. The existing building is setback between 90 and 190 feet from Park Avenue. The addition will bring the building more into compliance with the site plan review requirements than it is currently.
- Staff is recommending that the City Planning Commission grant alternative compliance to allow there to be no windows on the Park Avenue side of the building that are located between two feet and ten feet, of clear or lightly tinted glass and that allow views into and out of the building at eye level. Staff believes that in this situation it would be appropriate to allow this given the nature of the use and the need to control the lighting levels within the building and that the exterior of the building addition will resemble the exterior of the existing building.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit

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application for an expansion to an existing hospital located at 710 24th Avenue East, 2205 Park Avenue and 2215 Park Avenue.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance application to allow five parking spaces between the building and the front property line along Park Avenue for the property located at 710 24th Avenue East, 2205 Park Avenue and 2215 Park Avenue subject to the following conditions:

1. Additional landscaping shall be added around the parking spaces to effectively screen them from the public street and sidewalk.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance application to allow more than one freestanding sign on the property for the property located at 710 24th Avenue East, 2205 Park Avenue and 2215 Park Avenue subject to the following conditions:

1. The “main entrance” sign located near the southern driveway on Park Avenue shall be removed.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the site plan review application for an expansion to an existing hospital located at 710 24th Avenue East, 2205 Park Avenue and 2215 Park Avenue subject to the following conditions:

1. The principal entrance to the building shall be connected to the public sidewalk by a walkway. The walkway shall also be accessible to the five parking spaces located between the building and the property line along Park Avenue.
2. The driveway shall be signed as a fire lane.
3. Additional landscape materials shall be added along East 24th Street, between the public sidewalk and the parking lot, and along East 22nd Street, between the public sidewalk and the parking lot.

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4. Approval of the final site, landscaping and elevation plans by the Community Planning and Economic Development Department – Planning Division.
5. All site improvements shall be completed by September 13, 2005, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
6. If estimated site improvement costs exceed \$2,000, the applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before exterior building permits are issued.

Attachments:

1. Master facility plan
2. Statement of proposed use
3. CUP and variance findings
4. July 26, 2004 letter to CM Zimmerman
5. August 4, 2004 e-mail to the Phillips West Neighborhood Organization
6. Zoning Map
7. Site plan, floor plans and elevations
8. Existing sign information
9. Proposed sign information
10. Photographs of the site and surrounding area