

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permits, Variances, Site Plan Review & Registered Land Survey
BZZ – 3546 & RLS-49

Date: June 11, 2007

Applicant: Lutheran Social Service of Minnesota

Address of Property: 2414 Park Avenue South

Project Name: Center for Changing Lives & LSS Park Avenue Apartments

Contact Person and Phone: Gretchen Camp, (612) 373-9122

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: May 18, 2007

End of 60-Day Decision Period: July 17, 2007

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

Existing Zoning: OR2 High Density Office Residence District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 20

Legal Description: Not applicable for this application

Proposed Use: Planned unit development including 48 units of supportive housing and a community center.

Concurrent Review:

Conditional use permit to allow a planned unit development.

Conditional use permit to allow supportive housing with 48 dwelling units.

Variance to increase the maximum number of persons served by supportive housing from 32 to 220 persons.

Variance to allow supportive on-site services to be used by non-residents.

Variance to reduce the required front yard along Oakland Ave from 15 feet to 7.5 feet to allow a surface parking area.

Variance to allow parking between a principal structure and the front lot line (Oakland Avenue) in an office residential district.

Site plan review.

Preliminary registered land survey.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits; Chapter 525, Article IX Variances, specifically Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.”, 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(22) “to vary the development standards of Chapter 536...except that specific minimum distance and spacing requirements may be varied only to allow for the relocation of an existing use where the relocation will increase the spacing between such use and any use from which it is nonconforming as to spacing, or will increase the distance between such use and any protected boundary or use from which it is nonconforming as to distance”; Chapter 527; Chapter 530, Site Plan Review; and Chapter 598, Land Subdivision.

Background: The applicant proposes to construct a new mixed-use building to establish a community center and 48 units of supportive housing. The site occupies the majority of the block bound by 24th Street East, Park Avenue South, 25th Street and Oakland Avenue. Several institutional uses, such as St. Mary’s University and the Phillips Eye Institute, and mainly medium- to high-density residential uses are located in the immediate area. Lutheran Social Services (LSS) currently owns and provides services in the existing building. This building would be demolished to allow construction of the new building. The State Historic Preservation Office has requested that LSS enter into a section 106 memorandum of agreement with the City and SHPO to address the effects of the project on historic properties in the area. At this time, a demolition permit has not been approved.

The new mixed-use building would include a community center and 48 units of supportive housing. The housing would be located in the southern 5-story wing of the building. The community center would occupy the northern portion of the building. Please refer to the applicant’s statement of proposed use for information on the type of services and uses that would be provided in the community center. Parking would be provided below-grade and in a surface parking lot adjacent to Oakland Avenue.

A PUD requires a conditional use permit in the OR2 district. Supportive housing is also a conditional use in the OR2 district. If the conditional use permits are approved, the actions must be recorded with Hennepin County as required by state law.

The supportive housing would not comply with the following development standards:

- (1) Supportive housing shall be located at least one-fourth (1/4) mile from all existing supportive housing and from all of the following uses, except in the B4H Overlay District:
 - a. Community correctional facility.
 - b. Community residential facility.
 - c. Inebriate housing.
 - d. Motel.
 - e. Overnight shelter.

CPED Planning Division Report
BZZ – 3546 & RLS-49

- (2) The maximum number of persons served shall not exceed thirty-two (32), except in the B4H Overlay District.
- (3) On-site services shall be for residents of the facility only, except where part of a regimen of scheduled post-residential treatment.

Because the first standard cannot be varied, the applicant is requesting accommodation under the Federal Fair Housing Act Amendment. Services provided by the community center would be available to people who do not reside at the facility. To allow the services to be provided in the same building as the supportive housing, a variance is required. The applicant has estimated that up to a total of 220 persons would be served by the supportive housing at one time and most of the units are intended to provide housing for families. To increase the number of persons served, a variance is required.

The minimum front yard required along Oakland Avenue is 15 feet. The proposed parking area would only be set back 7.5 feet from the front lot line. It would also be located between the building and Oakland Avenue. In the office residence districts, parking is not allowed to be located between the building and a front lot line. A variance is required to allow the proposed setback and the parking location.

A site plan review is required for any new mixed-use building.

A plat or registered land survey is required as part of any application for planned unit development approval. The applicant is proposing to do an RLS.

As of the writing of this report, staff has not received any correspondence from the neighborhood group. Staff will forward additional comments, if any are received, at the City Planning Commission meeting.

Due to the abundance of information that must be considered in order to arrive at an informed staff recommendation, staff is recommending that the applications be continued one cycle to the meeting of June 25, 2007.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Conditional Use Permit for a Planned Unit Development:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for a conditional use permit to allow a planned unit development for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

Recommendation of the Community Planning and Economic Development Department – Planning Division for a Conditional Use Permit:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for a conditional use permit to allow supportive housing with 48 dwelling units for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for a variance to increase the maximum number of persons served by supportive housing from 32 to 220 persons for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for a variance to allow supportive on-site services to be used by non-residents for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

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

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for a variance to reduce the required front yard along Oakland Avenue from 15 feet to 7.5 feet to allow a surface parking area for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

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

CPED Planning Division Report
BZZ – 3546 & RLS-49

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for a variance to allow parking between a principal structure and the front lot line (Oakland Avenue) in an office residential district for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission **continue** the application for site plan review to allow a planned unit development located at the property of 2414 Park Avenue South to the meeting of June 25, 2007.

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

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the preliminary registered land survey for the property located at 2414 Park Avenue South to the meeting of June 25, 2007.

Attachment:
Zoning map