

Department of Community Planning and Economic Development – Planning Division
Variances
BZZ-5155

Date: June 13, 2011

Applicant: Lillibridge Healthcare Services, Minneapolis

Address of Property: 2545 Chicago Avenue

Project Name: Allina and Childrens Hospitals Mother Baby Program Project, Minneapolis Campus

Contact Person and Phone: Don Rolf, HDR Architecture, Inc. (612) 524-6000

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

Date Application Deemed Complete: May 19, 2011

End of 60-Day Decision Period: July 18, 2011

Ward: 9 Neighborhood Organization: Midtown Phillips (adjacent to Phillips West)

Existing Zoning: OR3 Institutional Office Residence District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 20

Legal Description: Not applicable for this application

Proposed Use: Offices

Concurrent Review:

Variance to reduce the required corner side yard adjacent to 26th St E to allow a skyway.

Variance to reduce the required interior side yard (new lot line location on north side of property) to allow parking, the existing building and attached canopy, a driveway, a walkway wider than 4 feet in width, raised planters and two new skyways.

Applicable zoning code provisions: Chapter 525, Article IX Variances, Section 525.520 (1) “To vary the yard requirements, including permitting obstructions into required yards not allowed by the applicable regulations.”

Background: A medical office building owned by Lillibridge Healthcare Services is located at 2545 Chicago Avenue. It is adjacent to the Children’s Hospitals and Clinics campus located north of the subject property. Children’s Hospital is proposing to construct a 4-floor, 75,000 square foot addition. Because of the proposed healthcare program needs for each floor level of the addition, the addition has

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been designed to extend over the Lillibridge property. Two skyway connections from the hospital addition are also proposed. One skyway would connect to the Lillibridge medical office building. The other skyway would bridge 26th Street East connecting Children's to Abbott Northwestern Hospitals and Clinics (owned by Allina) as well as providing another connection to the Lillibridge building. There are various zoning code and building code issues with building over a property line of different ownership. Children's Hospital is a planned unit development (PUD). Lillibridge Healthcare Services has chosen to not become a part of the PUD. To address the issues with building over a lot line, a subdivision, yard variances, and an alternative method of construction are being requested.

The subdivision would adjust the shared lot line on the north side of the Lillibridge property. Lillibridge will convey the subdivided land to Children's Hospital to be platted as part of the PUD. Please refer to the staff report for the Children's Hospitals land use applications (BZZ-5154 and PL-255) for the subdivision staff findings and recommendation.

Adjusting the property line between the Children's Hospital property and the Lillibridge property would address the building code provision that does not allow building over properties under different ownership. However, the subdivision proposal would not comply with the building code in regard to fire separation at the property line. The proposed lot line location would bisect a lower level of the Lillibridge building. The applicant is requesting that the Minneapolis Building Official authorize an alternative method of construction to address this building code issue. The building official has approved the request.

The proposed lot line location would make the Lillibridge property nonconforming to several yard requirements. The new skyways are also not permitted obstructions in required yards. Because the subject property is not part of the Children's Hospital PUD, separate yard variances to allow several obstructions are required to allow the subdivision.

A corner side yard is required adjacent to 26th Street East. The minimum corner side yard requirement for the building is $8 + 2x$, where x is equal to the number of stories above the first floor, but not to exceed the front yard requirement (15 feet). The building is 7 stories in height, therefore the minimum corner side yard required is 15 feet for the building. All other encroachments are subject to a corner side yard requirement of 8 feet. The proposed skyway that would connect to the Abbott Northwestern campus would extend up to the corner side lot line. This requires a variance to reduce the yard requirement to 0 feet.

An interior side yard is required adjacent to the north lot line. The minimum interior side yard requirement for the building is $5 + 2x$, where x is equal to the number of stories above the first floor. The building is 7 stories in height, therefore the interior side yard requirement is 17 feet. All of the existing building, except for a very small portion where the lot line would be angled and where the canopy over the entrance would extend 3 feet into the required yard, would comply with the interior side yard requirement. The proposed skyways require a variance to reduce the requirement from 17 feet to 0 feet. All other encroachments are subject to an interior side yard requirement of 5 feet. Existing parking and a walkway would not be set back 5 feet. Proposed planters and a driveway would not comply with the yard requirement either. These obstructions are not permitted and require a variance.

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There are easements in place allowing Children's Hospital access over the Lillibridge property and vice versa. These easements will be amended accordingly upon the approval of the subdivision and variances to continue to allow authorized access to each party.

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

VARIANCES: 1) to reduce the required corner side yard adjacent to 26th St E to allow a skyway and 2) to reduce the required interior side yard (new lot line location on north side of property) to allow parking, the existing building and attached canopy, a driveway, a walkway wider than 4 feet in width, raised planters and two new skyways.

Findings as Required by the Minneapolis Zoning Code for Variances:

1. The property owner proposes to use the property in a reasonable manner.

Corner side yard: The skyway would connect the Children's Hospital campus, the Lillibridge medical office building, and the Abbott Northwestern Hospital campus. It would better accommodate the pedestrian traffic between these large institutional campuses and the offices of medical professionals that frequent both campuses. Providing a skyway connection should increase efficiency and prevent life safety issues by providing better access. A tunnel and at-grade exterior walkways are the only existing pedestrian routes between these buildings. The request is reasonable.

Interior side yard: With the granting of the variances, the property would continue to function much as it does today. Easements allow shared access for Children's Hospital through the parking area. Once subdivided, Children's will provide an easement for access to the parking area, driveway and egress to 26th Street. Easements will also be provided for pedestrian access. The skyway between the Lillibridge building and Children's Hospital would better accommodate the pedestrian traffic between these buildings for medical professionals that frequent the hospital. The walkway is needed to provide pedestrian access to the building from the parking area. Planters would provide separation to reduce conflicts between pedestrians and vehicles. The request is reasonable.

2. Practical difficulties exist due to 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.

Corner side yard: The subject property is located between two hospitals. The hospitals are large institutional uses that need to accommodate a high amount of pedestrian traffic to, from and between campuses. Medical professional that have offices in the Lillibridge building also frequent both campuses. A skyway connection cannot be provided unless a yard variance is granted. These circumstances are unique to very large institutional uses and this property.

Interior side yard: Variances to allow existing conditions that will become obstructions are required to allow the proposed subdivision for the Children's Hospital addition. The existing

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layout of Children's Hospital buildings limits where expansion can occur. The existing and proposed development must be connected for the hospital to function efficiently without affecting life safety issues. Information provided by the applicant indicates that the limited buildable area would not allow adequate floor area to fulfill a complete program of clinical and support services required to be contained within one department/floor level. To address building code requirements, a lot line adjustment is proposed. Land from the Lillibridge property will be conveyed to Children's Hospital. The variances are needed to prevent the creation of nonconformities. These circumstances are unique.

- 3. If granted, the variance will be in keeping with the spirit and intent of the ordinance and the comprehensive plan and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

In general, yard controls are established to provide for the 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. The intent of the ordinance is consistent with applicable policies of the comprehensive plan.

Corner side yard: The Lillibridge property is adjacent to the Children's Hospital campus. The Abbott Northwestern Hospital campus is located south of 26th Street East. The width of the skyway where it would extend into the required yard is 16 feet. The average setback of buildings on this block face is 16 feet with landscaped yards adjacent to the street. The proposed skyway would have little effect on open space. The zoning code includes design standards for skyways located downtown. The proposed skyway would almost fully comply with these standards. The width would be at least 12 feet, but not greater than 30 feet. As allowed by the building code, most of the skyway walls would be windows. The skyway would be designed to appear level with the street. Because large, nonresidential buildings are located on both sides of the street, no residential structures are located on this block of 26th Street and the design meets the intent of the design standards for downtown skyways, the skyway would not be out of character and should have little effect on surrounding properties.

Interior side yard: The north interior side yard is adjacent to the Children's Hospital campus. With the granting of the variances, the property would continue to function much as it does today. As with the proposed skyway over 26th Street, the skyway crossing the interior side lot line would be designed to meet the intent of the downtown skyway standards. It would have vision glass windows extending the length of the skyway on both sides. It would be 14 feet wide. Sufficient clearance (17.5 feet) between the bottom of the skyway and the parking area below would be provided. The minimum recommended clearance is 16.5 feet. The proposal would not create a condition out of character with the area and should have no negative effect on surrounding properties.

- 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.**

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Corner side yard: An encroachment permit will be required to allow the skyway to project into the 26th Street right-of-way. The Public Works Department will review the project to ensure the safety of the position and design of improvements in or over the public right of way. The granting of the variance should not affect public safety or increase congestion in the public streets.

Interior side yard: The building official has authorized the applicant's proposed alternative method of construction. There are easements in place allowing Children's Hospital access over the Lillibridge property and vice versa. These easements will be amended accordingly upon the approval of the subdivision and variances to continue to allow authorized access to each party. The granting of the variance should not affect public safety or increase congestion in the public streets.

RECOMMENDATIONS

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 above findings and **approve** the variance to reduce the required corner side yard adjacent to 26th St E from 15 feet to 0 feet to allow a skyway located at the property of 2545 Chicago 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 above findings and **approve** the variance to reduce the required interior side yard (new lot line location on north side of property) to allow parking, the existing building and attached canopy, a driveway, a walkway wider than 4 feet in width, raised planters and two new skyways located at the property of 2545 Chicago Avenue.

Attachments:

1. Applicant statement of proposed use and findings
2. Zoning map
3. Plans
4. Site photos