

Department of Community Planning and Economic Development - Planning Division
Conditional Use Permit
BZZ-4888

Date: August 16, 2010

Applicant: Tim Hokanson

Address of Property: 5517 Lyndale Avenue S

Project Name: Mount Olivet Care Suites

Contact Person and Phone: Jeremy Bork (651) 227-0644 ext. 337

Planning Staff and Phone: Kimberly Holien (612) 673-2402

Date Application Deemed Complete: July 16, 2010

End of 60 Day Decision Period: September 14, 2010

Ward: 11 **Neighborhood Organization:** Windom Community Council

Existing Zoning: R5 Multiple Family District, PO Pedestrian Oriented Overlay District

Zoning Plate Number: 36

Legal Descriptions: Not applicable

Existing Use: Board and care home, child care center

Concurrent Review:

Conditional Use Permit: To convert a portion of an existing child care center to five rooming units within an existing board and care home, increasing the total number of units from 247 to 252.

Applicable zoning code provisions: Chapter 525, Article VII Conditional Use Permits; Chapter 546 Residence Districts

Background: Jeremy Bork, on behalf of Tim Hokanson, has applied for an amended conditional use permit to convert a portion of an existing child care center within a board and care home to five rooming units. The proposed renovation consists of a 3,710 square foot area on the first floor of the existing building. The use currently has 94 beds of board and lodging and 153 beds for skilled nursing. The proposal would increase the total number of units from 247 to 252.

Mount Olivet Home and Mount Olivet Careview Home have appeared before the City Planning Commission and Board of Adjustment a number of times for previous expansions and alterations. The most recent application was for a building addition to accommodate a child care center in 2003. This

CPED Planning Division Report

BZZ-4888

portion of the building is now the subject of the current application. A site plan was also approved with the previous application, and the site is in compliance with said plan. A 4-story addition was also approved for the site in 2002.

The board and care home use is subject to Specific Development Standards in Chapter 536 of the zoning code. Specific development standards for the use are as follows:

- (1) On-site services shall be for residents of the facility only.
- (2) The operator shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.
- (3) 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.
- (4) 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.

The site is in compliance with the above standards. No new construction or additions are proposed as part of this project and a detailed floor plan has been received.

CONDITIONAL USE PERMIT (To convert a portion of an existing child care center to five rooming units within an existing board and care home)

Findings as Required by the Minneapolis Zoning Code:

The Minneapolis City Planning Department 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, comfort or general welfare.**

The board and care home has received numerous land use approvals from the City, dating back to 1972. The child care center has been operating within the building since 2003. The size of the child care center will be reduced by 3,710 square feet as part of the project. Allowing interior renovations to expand the board and care use by five rooming units, while reducing the size of the child care center, is not expected to be detrimental to the public health, safety, comfort or general welfare. The site is on a community corridor. Allowing an expansion or alteration of this existing residential use is appropriate for the area.

- 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.**

The existing building is 154,635 square feet and the site is 139,065 square feet. The size of the building will not be increasing with the application and all renovations to accommodate the additional rooming units will occur within the building. The only exterior modification includes the installation of windows to allow for proper egress. Allowing five additional care suites that

CPED Planning Division Report

BZZ-4888

range in size from 366 square feet to 580 square feet is not expected to have an impact on the orderly development of the surrounding area, or affect the enjoyment of adjacent properties.

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

Roads and utilities are existing and adequate. All renovations proposed to accommodate the project will occur within the building and the site is in compliance with the previously approved site plan.

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

The parking requirement for a board and care home use is one space for every three beds. The existing facility has 247 rooms, requiring 82 spaces. The five additional rooms proposed as part of this project will require 2 additional spaces. The portion of the child care center that will remain in the building will be 3,054 gross square feet. The parking requirement for a child care center is one space per 500 square feet of gross floor area, plus two drop-off spaces, equivalent to 6 spaces in this case. There is a house on the subject site, under common ownership, which requires one parking space.

The total parking requirement for all uses on site is 91 spaces. There are 91 surface parking stalls on site, satisfying the minimum requirement. The drop-off spaces for the child care center are located on the west side of the building, adjacent to Lyndale Avenue. The applicant also has two off-site parking lots on adjacent properties that serve the use. One off-site parking lot is located to the north, across 55th Street, and the other is located south of the site, across 56th Street. The statement submitted by the applicant asserts that the majority of residents do not drive or own vehicles. Due to the availability of on-site parking and the nature of the use, the five additional rooms are not expected to contribute to congestion.

The board and care home is not subject to a bicycle parking requirement. The child care center is not subject to the bicycle parking requirement due to the fact that it was established prior to the adoption of said requirement.

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

Lyndale Avenue is a designated community corridor in this location. The subject site is designated as urban neighborhood on the future land use map in the Comprehensive Plan. The urban neighborhood designation refers to areas that are predominantly residential with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors. It may include undesignated nodes and some other small-scale uses, including neighborhood-serving commercial and institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. The following policies of *The Minneapolis Plan for Sustainable Growth* apply to the site:

CPED Planning Division Report

BZZ-4888

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.

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.

- 1.9.4 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.

The existing board and care home is considered a residential use. Allowing interior renovations to increase the number of rooms on site from 247 to 252 is appropriate along this community corridor and consistent with the above policies of the Comprehensive Plan. The small increase in density proposed with this project is also appropriate in an urban neighborhood setting.

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 use will conform to the applicable district regulations. As stated above, the property is in compliance with the previously approved site plan and no exterior modifications are proposed at this time.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department - Planning Division for the conditional use permit for extended hours:

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the amended conditional use permit to convert a portion of an existing child care center to five rooming units within an existing board and care home at the property of 5517 Lyndale Avenue S, subject to the following condition:

CPED Planning Division Report

BZZ-4888

- 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 one year of approval.

Attachments:

1. Statements from applicant.
2. Correspondence.
3. Zoning maps.
4. Site plans and floor plans.
5. Photos.