

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit and Site Plan Review
BZZ-5329

Date: October 17, 2011

Applicant: Allina Hospitals and Clinics

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

Project Name: Phillips Eye Institute

Contact Person and Phone: Robert Verstraete with BWBR, (651) 290-1924

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

Date Application Deemed Complete: September 21, 2011

End of 60-Day Decision Period: November 20, 2011

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

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

Existing Zoning: OR3, Institutional Office Residence District, NP, North Phillips Overlay District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 20

Legal Description for 2820 Colfax Avenue South: Parcel 1: South 36 ½ feet of Lot 4 and all other lots 5,6,7,8 and 9. Auditors subdivision No. 5, according to the recorded plat thereof, and situate in Hennepin County, Minnesota. Abstract property.

Parcel 2: Commencing at the point 8 rods North from the Southwest corner of the North half of the Southeast quarter of the Northwest quarter of the Northwest quarter of section 35, Township 29, Range 24, thence running North 8 rods, thence at right angles east 20 rods; thence at right angles South 8 rods; thence at right angles West 20 rods to the place of beginning; subject to the grant to the public of 50 feet off the west side of said land for a public highway said land being known as Lot 10 Auditors Subdivision No.5. Also commencing at a point 4 rods South of the Southwest corner of the Northeast quarter of the Northwest of the Northwest quarter of Section 35, Township 29, Range 24 said point being the middle of the Park Avenue; thence North along the center line of Park Avenue 36 ½ feet, thence east at right angles 20 rods; thence South 36 ½ feet; thence West 20 rods to the place of beginning, 50 feet in width of said land adjoining the center line of Park Avenue being reserved for a public highway, said land being South 36 ½ feet of Lot 11, Auditors Subdivision 5, all in the city of Minneapolis, in the county of Hennepin and State of Minnesota according to the plat thereof on file or

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of record in the office of the Register of Deeds in and for said Hennepin County. Being registered land as is evidenced by Certificate of Title No. 406753.

Parcel 3: Lots 1,2,3,4,5,6,7 and lots 8 and 9 except the Easterly 44 feet of said lot 8 and 9, all in the Phelps Addition to Minneapolis, according to the recorded plat thereof and situate in Hennepin County, Minnesota, together with North-South vacated alley as platted in Phelps Addition to Minneapolis. Abstract property.

Parcel 4: The Easterly 44 feet of Lots 8 and 9, Phelps Addition to Minneapolis, Files of Registrar of titles, County of Hennepin, State of Minnesota. Being registered land is as evidenced by Certificate of Title No. 244752.

Proposed Use: Expansion of a hospital

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

Site plan review: for a 1,335 square foot addition.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits 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 Street East, 2205 Park Avenue and 2215 Park Avenue. The 1,335 square foot expansion involves the construction of a one-story addition to the northeast corner of the campus. The building addition will accommodate mechanical equipment. The purpose of the project is to separate the Phillips Eye Institute from Hope Academy in regards to utility utilization. In addition to the building addition two pieces of rooftop mechanical equipment will be added to the building. Both of the pieces of equipment will be adequately screened from the adjacent streets.

Hope Academy is located immediately adjacent to the Phillips Eye Institute. There are several uses located within the Hope Academy building. There is a preschool, a K-8 school, a 9-12 school, a supportive housing facility and office space. Located on the north end of the building is a gymnasium that is used by the community. Also on the north end of the site is a Minneapolis Park and Recreation building for the adjacent Peavey Park.

This site went through site plan review (BZZ-1908) in 2004 for a building addition housing operating rooms and pre/post operative rooms with required support area. The site is in compliance with the approved plan.

CONDITIONAL USE PERMIT - for an expansion to an existing hospital

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and from the findings above concludes that:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division does not believe that the hospital expansion will be detrimental to or endanger the public health, safety, 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 mechanical equipment.

2. The conditional use 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 Planning Division does not believe that the hospital expansion would be injurious to the use and enjoyment of other property in the vicinity or impede the normal or orderly development and improvement of surrounding property. The addition will be constructed in the northeast corner of the campus. The purpose of the project is to separate the Phillips Eye Institute from Hope Academy in regards to utility utilization.

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 taken to minimize traffic congestion in the public streets.

The building addition will accommodate mechanical equipment which will have no impact on traffic congestion.

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

The property is located along Park Avenue. The site is located half of a block west of Chicago Avenue and one block south of East Franklin Avenue. East Franklin Avenue is a designated Commercial Corridor and Chicago Avenue is a designated Community Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Public and Institutional. According to the principles and polices outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- 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 (Urban Design Policy 10.13).

The Planning Division believes the proposed development is in conformance with the policies of *The Minneapolis Plan for Sustainable Growth*.

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

With the approval of the conditional use permit and the site plan review this development will meet the applicable regulations of the OR3, Institutional Office Residence District.

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 and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- 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. In the case of a corner lot, the principal entrance shall face the front lot line.**
- 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 walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.**
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.**
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.**
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.**
- 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 fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.

Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

- Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
 - g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

Minimum window area at the first or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first

floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

- **Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.**
- **The form and pitch of roof lines shall be similar to surrounding buildings.**
- **Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.**

PLANNING DEPARTMENT RESPONSE:

- The area where the building addition will be constructed is an existing recessed area of the building. The building addition will be setback approximately 122 feet from the corner side property line. The building addition will not reinforce the street wall, maximize natural surveillance and visibility, or facilitate pedestrian access and circulation as it is an addition intended to accommodate mechanical equipment.
- The building wall fronting along East 22nd Street is required to be located within eight feet of the property line except where a greater yard is required by the zoning ordinance. The site is located in the OR3 zoning district. The corner side yard setback requirement along East 22nd Street is eight feet. The closest portion of the building is located 20 feet from property line along East 22nd Street.
- The area in between the building and the front and corner side property lines is used for parking and loading. This is an existing condition of the site.
- The principal entrance to the building is located on the Park Avenue side of the building.
- There are two surface parking lots located on the site. The proposed addition will have no impact on the parking areas.
- The exterior material of the addition is proposed to be EIFS which is the same material as the existing building. The addition will be similar to and compatible with the existing building.
- The south wall of the addition is over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements. The addition is intended to accommodate mechanical equipment. Please note that the south wall of the addition will not be visible from a public street or sidewalk.
- At least 30 percent of the first floor of the building addition facing East 22nd Street is required to be windows. There are no windows proposed along the wall of the addition facing the street as it is intended to accommodate mechanical equipment.
- None of the building addition contains active functions as the entire addition is intended to accommodate mechanical equipment.
- The principal roof line of the existing building is flat. The roof line of the building addition will be flat.

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 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

PLANNING DEPARTMENT RESPONSE:

- All of the entrances leading into the building are connected to the public sidewalk via a series of walkways that run through the site.
- No transit shelters are proposed as part of this development.
- There are two surface parking lots located on the site. The proposed addition will have no impact on the parking areas.
- This site is not adjacent to any public alley.
- The addition will be constructed in an area that is currently impervious.

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, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **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.**
- **Except as otherwise provided, 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 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 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 530.210.**
- **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 530.80, as provided in section 530.220.**

PLANNING DEPARTMENT RESPONSE:

- No changes to the existing landscaping will be made as a result of the proposed addition.

ADDITIONAL STANDARDS:

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, 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 related to:**
 - **Natural surveillance and visibility**
 - **Lighting levels**
 - **Territorial reinforcement and space delineation**
 - **Natural access control**
- **To the extent practical, 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.**

PLANNING DEPARTMENT RESPONSE:

- There are two surface parking lots located on the site. The proposed addition will have no impact on the parking areas.
- There are no important elements of the city near the site that will be obstructed by the proposed building addition.
- The building addition should have minimal shadowing impacts on the adjacent properties.
- The building addition should have minimal wind effects on the surrounding area.
- The site plan complies with crime prevention design elements.
- This site is neither historically designated nor located in a historic district.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE:

- **Use:** Hospitals require a conditional use permit in the OR3 zoning district.
- **Off-Street Parking and Loading:** The building addition will accommodate mechanical equipment which will have no impact on parking or loading.
- **Maximum Floor Area:** The maximum FAR in the OR3 zoning district is 3.5. The lot in question is 331,889 square feet in area. The applicant proposes a total of 170,444 square feet of gross floor area, an FAR of .51.
- **Building Height:** Building height in the OR3 zoning district is limited to six stories or 84 feet. The applicant is proposing to construct a building that is one story in height.
- **Minimum Lot Area:** The minimum lot area for a hospital in the OR3 zoning district is 20,000 square feet. The lot is 331,889 square feet in size.
- **Yard Requirements:** The required front yard setback along Park Avenue is 15 feet and the corner side yard setbacks along both Eat 22nd Street and East 24th Street is eight feet. The building meets all of the setback requirements.
- **Specific Development Standards:** The specific development standard for a hospital says that all new hospitals and expansions of existing hospitals shall submit a master development plan that describes proposed physical development for a period of five years and a period from five to ten years and shall include a description of proposed development phases and plans, including development priorities, the probable sequence for proposed development, estimated dates of construction, and anticipated interim use of property waiting to be developed. Given the scope of addition the Planning Division did not require a master development plan.
- **Signs:** Signs are subject to the requirements of Chapter 543 of the Zoning Code. In the OR3 zoning district one can have 1.5 square feet of signage for every one foot of primary building wall unless there is a freestanding sign on the zoning lot. If there is a freestanding sign on the lot then there can only be one square foot of signage for every one foot of primary building wall. Wall signs are limited to 180 square feet in size. Projecting signs are limited to 12 square feet in size. The maximum height of any sign is 14 feet. Freestanding signs are limited to 32 square feet and can be no taller than 8 feet. The zoning code also limits the number of freestanding signs on a zoning lot to one. No signs are proposed as part of this building addition.
- **Refuse storage:** Existing trash and recycling storage areas existing on the site.
- **Lighting:** A lighting plan showing footcandles was not submitted as part of the application materials.

MINNEAPOLIS PLAN:

The property is located along Park Avenue. The site is located half of a block west of Chicago Avenue and one block south of East Franklin Avenue. East Franklin Avenue is a designated Commercial

Corridor and Chicago Avenue is a designated Community Corridor in *The Minneapolis Plan for Sustainable Growth*. The future land use map in *The Minneapolis Plan for Sustainable Growth* designates the site as Public and Institutional. According to the principles and policies outlined in *The Minneapolis Plan for Sustainable Growth*, the following apply to this proposal:

- Work with institutional partners to assure that the scale and form of new development or expansion will occur in a manner most compatible with the surrounding area (Urban Design Policy 10.13).

The Planning Division believes the proposed development is in conformance with the policies of *The Minneapolis Plan for Sustainable Growth*.

ALTERNATIVE COMPLIANCE:

- **The Planning Commission or zoning administrator may approve alternatives to any 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, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, 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.**

PLANNING DEPARTMENT RESPONSE:

- Many aspects of the building addition do not meet the standards of site plan review. The building addition will be located more than eight feet from the corner side property line along East 22nd Street, the south wall of the building addition is over 25 feet in length and void of windows, entries, recesses or projections, or other architectural elements, there are no windows in the building addition and none of the addition contains active functions. The Planning Division believes that strict adherence to these requirements is impractical given the fact that building addition will be used to accommodate mechanical equipment.

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 application for an expansion to an existing hospital located at 710 24th Street East, 2205 Park Avenue and 2215 Park Avenue subject to the following conditions:

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.

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 above findings and **approve** the site plan review for the property located at 710 24th Street East, 2205 Park Avenue and 2215 Park Avenue subject to the following conditions:

1. The development shall maintain compliance with the applicable components of the site and landscaping plans approved as part of permit number BZZ-1908.
2. Approval of the final site, landscaping, elevation and lighting plans by the Community Planning and Economic Development Department – Planning Division.
3. All site improvements shall be completed by October 17, 2012, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

Department of Community Planning and Economic Development – Planning Division
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1. Statement of purpose and description of project
2. Conditional use permit findings
3. September 21, 2011, email to Council Member Lilligren and the Phillips West Neighborhood Organization
4. September 21, 2011, email from the Phillips West Neighborhood Organization supporting the addition
5. Zoning Map
6. Site plan, elevations, equipment information
7. Photos of the site