

**Department of Community Planning and Economic Development – Planning Division**  
Two Conditional Use Permits  
BZZ-2224

**Date:** March 28, 2005

**Applicant:** Lowell Berggren, Executive Director, Jones-Harrison Residence

**Address of Property:** 3700 Cedar Lake Avenue

**Project Name:** Jones-Harrison Residence, West Hall Addition and Renovation

**Contact Person and Phone:** Bob Mueller, (763) 494-3208

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

**Date Application Deemed Complete:** February 25, 2005

**End of 60-Day Decision Period:** April 26, 2005

**End of 120-Day Decision Period:** Not applicable

**Ward: 7      Neighborhood Organization:** Cedar Isles Dean Neighborhood Association

**Existing Zoning:** R4, Multiple-family District

**Proposed Zoning:** Not applicable for this application

**Zoning Plate Number:** 23

**Legal Description:** Not applicable for this application

**Proposed Use:** Addition to an existing nursing home/assisted living facility

**Concurrent Review:**

**Conditional use permit:** for an addition to an existing nursing home/assisted living facility.

**Conditional use permit:** to increase the height of the building located in the SH (Shoreland) Overlay District from the permitted 2.5 stories/35 feet to 3 stories/32 feet.

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits.

**Background:** The Jones-Harrison Residence was originally built in 1900. Prior to 1971, 104 residents lived in the facility. In 1971, a conditional use permit was approved for a 30-bed addition. Then in 1978, a conditional use permit was approved to allow for the demolition of the existing nursing home and construction of a new nursing home with no more than 163 beds. Then in 1990, a conditional use permit and a height variance were approved to allow for a 60-unit assisted living facility addition on the

same property as the nursing home. And then in 1999, a conditional use permit was approved to allow the facility to be remodeled. As part of this application no additional nursing home beds or assisted living units were added to the building.

At this time, the applicant is applying for two conditional use permits. One is to allow an addition to the west hall of the building which contains 32 of the assisted living units and the second is to increase the height of the building from 2.5 stories/35 feet to 3 stories/32 feet. The property is located in the R4 zoning district which allows buildings up to 4 stories/56 feet in height. However, the property is also located within 1,000 feet of the high-water mark of Cedar Lake and is therefore located within the SH Shoreland Overlay District which limits the height of buildings to 2.5 stories.

The addition that the applicant is proposing to construct will not increase the number of assisted living units within the building. Currently there are 32 studios in the west hall. The addition would convert 12 of the studios to one-bedroom units and enlarge the remaining 20 studios to better accommodate the accessibility needs of the residents. Also as part of the addition a larger elevator would be added to the building and community space would be added to each floor.

The applicant is also in the process of remodeling other parts of the building which do not require a conditional use permit. Those remodeling projects include; increasing the width of the entry drive to better accommodate emergency vehicles, extending the canopy over the drive to provide shelter for the residents when being picked up or dropped off, replacing the timber retaining wall with stone, replacing the concrete walk with pavers and adding bench seating and additional landscaping near the entrance and adding additional landscaping in the east courtyard.

**CONDITIONAL USE PERMIT** – for an addition to an existing nursing home/assisted living facility

**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, comfort or general welfare.**

The Planning Division does not believe that constructing an addition to the existing nursing home/assisted living facility would be detrimental to or endanger the public health, safety, 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.**

The Planning Division does not believe that constructing an addition to the existing nursing home/assisted living facility would be injurious to the use and enjoyment of surrounding property nor

would it impede the normal development of the surrounding area. No additional beds or assisted living units would be added to the facility as part of the addition and the proposed addition would not be highly visible from adjacent streets or residential properties.

**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.**

Given that no additional beds or assisted living units would be added to the facility as part of the addition the parking requirement does not change.

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

The site is designated as multi-family in the comprehensive plan. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Improve the availability of housing options for its residents (Policy 4.11).
  - Increase the variety of housing styles and affordability levels available to prospective buyers and renters.
  - Promote the development of housing suitable for people and households in all life stages, and that can be adapted to accommodate changing needs over time.
  - Promote accessible housing designs to support persons with disabilities.

The addition that the applicant is proposing would convert 12 of the existing 32 studios to one-bedroom units and enlarge the remaining 20 studios to better accommodate the accessibility needs of the residents. Also as part of the addition a larger elevator would be added to the building and community space would be added to each floor. The addition that is proposed supports the above policies of the comprehensive plan as it would diversify the housing options within 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 two conditional use permits this development would be in conformance with the applicable regulations of the zoning code.

**CONDITIONAL USE PERMIT** - to increase the height of the building located in the SH (Shoreland) Overlay District from the permitted 2.5 stories/35 feet to 3 stories/32 feet

**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 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 Planning Division does not believe that increasing the maximum permitted height of the building addition from 2.5 stories/35 feet to 3 stories/32 feet would be detrimental to or endanger the public health, safety, comfort or general welfare. The portion of the building where the addition would be added is currently 3 stories/32 feet.

**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 Planning Division does not believe that increasing the height of the building from 2.5 stories/35 feet to 3 stories/32 feet would be injurious to the use and enjoyment of surrounding property nor would it impede the normal development of the surrounding area. As stated above, the height of the addition would be the same as the height of the existing building.

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

Increasing the height of the building would have no impact on utilities, access roads or drainage.

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

Increasing the height of the building would have no impact on traffic congestion in the public streets.

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

The site is designated as multi-family in the comprehensive plan. According to the principles and polices outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Support the development of residential dwellings of appropriate form and density (Policy 9.5).
- 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 (Policy 9.7).

The addition that the applicant is proposing would be the same height as the existing building. The proposed addition would be located on the north side of the development which is opposite of where the adjacent residential neighborhood is located. Although the addition would be located on the side of the property closest to the lake, the property is so heavily wooded that even during the winter months it is

difficult to see the building from Cedar Lake Parkway. The addition that is proposed supports the above policies of the comprehensive plan as its scale and form is similar to the existing building.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located.**

See conditional use permit finding number six above.

**ADDITIONAL STANDARDS TO INCREASE MAXIMUM HEIGHT**

**In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:**

**1. Access to light and air of surrounding properties.**

Increasing the height of the proposed building should have no impact on the amount of light and air that the surrounding properties receive as the addition is located on the north side of the existing building and would be located approximately 75 feet from the east property line and approximately 200 feet from the north property line.

**2. Shadowing of residential properties or significant public spaces.**

No shadow study was submitted as part of this application. However, as the addition is located on the north side of the existing building and would be located approximately 75 feet from the east property line and approximately 200 feet from the north property line, shadowing of surrounding residential properties or significant public spaces should not occur.

**3. The scale and character of surrounding uses.**

The height of buildings found throughout the neighborhood are predominantly 1 and 2.5 stories with a few buildings scattered throughout the neighborhood that exceed this. The properties located immediately to the north, east, south and west of the site are between 1 and 2.5 stories in height. The architectural style of the buildings in the neighborhood vary. Although the proposed addition will be 3 stories it will be similar in scale and character to the existing building.

**4. Preservation of views of landmark buildings, significant open spaces or water bodies.**

The proposed addition would not block views of Cedar Lake and the open space around it given the height 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 application for an addition to an existing nursing home/assisted living facility located at 3700 Cedar Lake Avenue subject to the following conditions:

1. No additional beds or assisted living units shall be added to the building as part of this addition.
2. Approval of the final site and elevation plans by the Community Planning and Economic Development Department – Planning Division.

**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 findings above and **approve** the conditional use permit to increase the height of the building located in the SH (Shoreland) Overlay District from the permitted 2.5 stories/35 feet to 3 stories/32 feet for the property located at 3700 Cedar Lake Avenue.

**Attachments:**

1. Statement of proposed use
2. Conditional use permit findings
3. Previous conditional use permit and variance approvals
4. February 28, 2005, letter to Council Member Lisa Goodman
5. February 28, 2005, letter to the Cedar Isles dean Neighborhood Association
6. Zoning Map
7. Site plan, floor plans and elevations
8. Photographs of the site and surrounding area