

**Department of Community Planning and Economic Development – Planning
Division**

Expansion of a Non-Conforming Use and Site Plan Review
BZZ-2898

Date: April 10, 2006

Applicant: Saint Mary's University of Minnesota, 2500 Park Avenue, Minneapolis, MN
55404-4403, (612) 728-5137

Addresses of Property: 2436 Park Avenue

Project Name: Saint Mary's University of Minnesota – Mother Teresa Hall

Contact Person and Phone: Mod Feders, Buetow & Associates, Inc., 2345 Rice Street,
Suite 210, St. Paul, MN 55113, (651)483-6701

Planning Staff and Phone: Becca Farrar, (612)673-3594

Date Application Deemed Complete: March 10, 2006

End of 60-Day Decision Period: May 8, 2006

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

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

Lot area: 24,685 square feet or .57 acres

Legal Description: Not applicable for this application.

Proposed Use: Addition of a second and third story, as well as a 673 square foot addition to the footprint on the east side of an existing building on the St. Mary's University of Minnesota Twin Cities campus.

Concurrent Review:

- Expansion of a non-conforming use to allow a second and third story addition as well as a 673 square foot addition to the footprint on the east side of an existing building located on the St. Mary's University of Minnesota Twin Cities campus.
- Site Plan Review.

Applicable zoning code provisions: Chapter 531: Expansion or alteration of nonconforming uses and structures and Chapter 530 Site Plan Review.

Background: The applicant proposes to construct an addition to an existing building on the Saint Mary's University of Minnesota Twin Cities campus located at 2436 Park Avenue. The use of this specific parcel within the campus is currently non-conforming, as colleges or universities are not permitted or conditional uses in the OR2 district. The Saint Mary's campus appears to have two different zoning classifications as the rest of the property currently affiliated with the university appears to be zoned OR3. The applicant was made aware of the option to rezone the parcel to OR3, however, instead chose to pursue an expansion of a nonconforming use for the proposed building additions on the 2436 Park Avenue parcel. The proposed building additions are an effort to increase classroom and office space to serve current students and to allow for new programming. Additionally, site plan review is required based on the proposal. The applicant is proposing parking lot improvements including landscaping within the existing parking lot located adjacent to Oakland Avenue. A portion of those improvements are located on the adjacent property that is also part of the university at 2450 Park Avenue.

Saint Mary's campus was lawfully established at 2500 Park Avenue as a permitted use in the B1-2 zoning district under 540.440(4) of the 1963 zoning code in 1984. In 1997 Saint Mary's acquired the buildings at 2450 and 2436 Park Avenue.

The campus serves approximately 340 adult students each evening and on Saturday in programs at the certificate, undergraduate, graduate and doctoral level.

St. Mary's occupies the west side of the blocks between 24th Street East to 26th Street East with the Lutheran Social Services, Zuhrah Shrine Center and City Life Center. In order to address additional parking requirements, Saint Mary's has contracted with Phillips Eye Institute to lease 500 parking spaces for use by students in the parking ramp at 24th Street East and Park Avenue. The letter is attached for reference. The applicants propose to continue to share the parking available on the Saint Mary's site with the Zuhrah Shrine and Lutheran Social Services.

Staff has received correspondence from Phillips West Neighborhood Organization which supports the proposed project. The letter has been attached for reference. Staff has received two additional emails prior to the printing of this report from a neighboring property which are against the proposed expansion. Those have also been attached for reference.

EXPANSION OF A LEGAL NONCONFORMING USE -

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Planning Division has analyzed the application and makes the following findings:

The Planning Commission may approve an application if it meets the following standards and all other applicable regulations in the zoning ordinance (this section shall not authorize a use prohibited in the zoning district in which it is located to be expanded beyond the boundaries of its zoning lot):

(1) A rezoning of the property would be inappropriate.

The property is located in an area where the properties are predominantly zoned OR2 and OR3. There are some adjacent residential properties zoned R4 and R6. Rezoning the property to a higher zoning classification, such as OR3 which allows universities or colleges as a conditional use would be appropriate for this property within the context of the surrounding area. However, the applicant has chosen not to rezone the property at this time.

(2) The enlargement, expansion, relocation, structural alteration or intensification will be compatible with adjacent property and the neighborhood.

The expansion of the building would be compatible and relatively consistent with other buildings located in the vicinity. The vertical addition of two floors to the top of an existing one-story building as well as the addition of 673 square feet to the existing footprint to allow for elevator access for ADA purposes would be compatible. There are other multi-story buildings located within the vicinity and additionally, the OR2 district standards allow buildings constructed up to a height of 4 stories or 56 feet. The proposed addition would technically result in a building 4 stories or 42 feet tall as the proposed first story would be taller than the maximum allowable 14 feet for a story.

(3) The enlargement, expansion, relocation, structural alteration or intensification will not result in significant increases of adverse, off-site impacts such as traffic, noise, dust, odors, and parking congestion.

The proposed addition would accommodate additional classroom and office space to serve current students and to allow for new programming. The expansion would not be expected to result in significant increases of adverse, off-site impacts. The applicant has provided evidence of a shared parking agreement with the Phillips Eye Institute in the parking ramp at 24th Street East and Park Avenue for a total of 500 parking spaces, which are in addition to the 95 on-site parking spaces provided on the campus. Based on the information provided by the applicant, the supply of parking available to students exceeds the demand on any given day.

- (4) **The enlargement, expansion, relocation, structural alteration or intensification, because of improvements to the property, will improve the appearance or stability of the neighborhood.**

The expansion of the structure in a vertical manner while allowing a 673 square foot increase in the building footprint would improve the appearance of both the property and the immediate neighborhood. The structure's appearance would be improved with the proposed modifications. Staff would argue that allowing the expansion of the university would be a stabilizing improvement for the neighborhood.

- (5) **In districts in which residential uses are allowed, the enlargement, expansion, relocation, structural alteration or intensification will not result in the creation or presence of more dwelling units on the subject property than is allowed by the regulations of the district in which the property is located.**

No dwelling units are located on site and none are proposed.

- (6) **The enlargement, expansion, relocation, structural alteration or intensification will not be located in the Floodway District.**

The site is not located in a Floodway District.

SITE PLAN REVIEW:

Required Findings for Site Plan Review

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 FAÇADE:

- 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 and windows:
 - 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.
 - 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.
- Minimum window area shall be measured as indicated in section 531.20 of the zoning code.
- 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. At least thirty (30) percent of the first floor building wall that faces a public street,

public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

The subject parcel would be considered a through-lot as the property has frontage on both Park Avenue and Oakland Avenue. The existing structure on the 2436 Park Avenue parcel appears to be oriented toward the Oakland Avenue frontage as opposed to Park Avenue with surface parking located adjacent to Oakland Avenue. The existing structure is located approximately 60 feet from the property line along Park Avenue and approximately 90 feet from Oakland Avenue. The applicant proposes to construct an addition to the existing building footprint which would locate the building approximately 48 feet from Park Avenue. Alternative compliance would be necessary as no portion of the building is located within 8 feet of the required 15 foot setback.

There is an existing principal entrance that faces the parking lot adjacent to Oakland Avenue. However, there is not a principal entrance facing Park Avenue, nor is there one proposed. Staff would require as a condition of approval that the proposed development include a principal entrance along the Park Avenue frontage as well as a pedestrian connection to link the entry with the public sidewalk. The adjacent 2450 Park Avenue parcel, also part of the St. Mary's campus, has a principal entrance facing Park as well as a walkway connecting to the public sidewalk along Park Avenue. The building does not reinforce the street wall, maximize natural surveillance or facilitate pedestrian access due to the location of the building on site; however, the building is existing. The area between the building and the public streets and parking lot would have new and existing tree plantings, sod and shrubs.

The elevations of the building located along Oakland Avenue incorporates windows that meet the 30% window requirement, as do the north and south elevations, however the elevation facing Park Avenue has approximately 10% windows. Staff would require as a condition of approval that the elevation be modified to include the minimum window requirements. The windows proposed along the Oakland Avenue elevation between 2 and 10 feet provide natural surveillance and visibility by having active uses located along the public street. The proposed development meets the 10% window requirement on each floor above the first floor that faces the public street and public sidewalk. The windows are more or less evenly distributed.

The exterior materials and appearance of the rear and side walls of the existing and proposed portions of the building are proposed to be similar to and compatible with the fronts of the building. The proposed materials would be brick, aluminum curtain wall systems and pre-finished metal panels. The building appears to incorporate some architectural elements including recesses and projections, windows and entries. However, all elevations have blank uninterrupted walls that exceed 25 feet in width. Alternative compliance would be necessary. All elevations would need to be modified to incorporate architectural elements to meet the requirement.

The form and pitch of the roof line would be flat and compatible with surrounding buildings in the general area.

No parking ramp is proposed as part of the development. All parking proposed for the development would be located in the surface parking lot located adjacent to Oakland Avenue as well as off-site in the Phillips Eye Institute ramp where St. Mary's leases 500 spaces.

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.**

The principal entrance of the proposed building is located off of the surface parking lot facing the Oakland Avenue frontage. The entrance is connected via a 5-foot wide concrete walkway system to the public sidewalk. The on-site surface parking is located adjacent to Oakland Avenue on the west side of the property. Staff is requiring as a condition of approval that the applicant provide a principal entry on the east side of the property facing Park Avenue as well. The new entry would also require that a 5-foot wide sidewalk also be installed to connect the entry to the public walk.

There are no transit shelters within the development.

The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses.

There would likely be minimal impacts on the adjacent residential properties.

There is no public alley adjacent to the site.

The site has been designed to minimize the use of impervious surfaces through landscaping.

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.**

The proposal does meet the 20% landscape requirement. The total site area is 24,685 square feet or .57 acres and the proposed building footprint on the site would be 6,873 square feet. A total of 3,562 square feet of landscaping would be necessary to meet the 20% requirement. The applicant is providing approximately 10,530 square feet or approximately 59%. The zoning code requires that there be at least 7 trees and 35 shrubs. The applicant is proposing to provide 8 trees and 30 shrubs. Staff would require that the applicant modify the landscape proposal to include the minimum quantities of shrubs.

A landscaped yard is being provided as required, however, additional screening is also required between the parking lot and Oakland Avenue. Staff will require as a condition of approval that the project be modified to meet the screening standards between the parking lot and Oakland Avenue per Section 530.170.

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. The proposal complies with this requirement.

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.**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **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.**

The parking lot is proposed to be defined by a six (6) inch by six (6) inch continuous concrete curb around the perimeter.

All parking is being proposed in the surface lot located adjacent to Oakland Avenue. The water as proposed would drain to the landscaped areas, not to any adjacent lots.

The applicant is proposing to install wall mounted light fixtures throughout the site. A photometric plan was not submitted as part of the application. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

The City's CPTED officer has recommended that any additional plantings follow the 3' – 7' rule to allow visibility on site. No additional specific comments were received regarding the proposal. Planning Staff would concur with this recommendation and also recommend that the applicant provide some decorative pedestrian or bollard style lighting in the parking lot as necessary.

The surface parking lot has been somewhat designed to avoid headlights from shining on adjacent properties. However, due to the location of the parking along Oakland Avenue additional screening would be required per 530.170. There are adjacent residential properties across both Park Avenue and Oakland Avenue, Staff would expect minimal impacts from vehicular access to and from the site as there are access points off of both streets.

Staff would not expect the proposal to result in the blocking of views, shadowing of public space or adjacent properties. The proposed building would also not be expected to have significant impacts on light, wind and air in relation to the surrounding area.

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 - The proposed use requires an expansion of a nonconforming use in the OR2 District.

With the approval of the expansion of a nonconforming use and site plan review this development would meet the requirements of the OR2 zoning district.

Specific Development Standards: All new colleges and universities and expansion of existing colleges or universities shall submit a master development plan that describes proposed physical development for a period of five (5) years and a period from five (5) to ten (10) 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 awaiting to be developed.

The applicant has provided a brief master development plan which has been attached for reference.

Parking and Loading: Chapter 541 of the zoning code requires not less than 1 space per classroom and other rooms used by students and faculty plus 1 space per 5 students based on the maximum number of students attending classes at any one time. Based on information provided by the applicant, a total of 14 rooms are used by students and faculty which would require 14 parking spaces. The applicant has stated that there are no more than 340 students attending classes at any one time campus wide. Based on this information, 68 spaces would be required. A total of 82 parking spaces would be required based on the above listed information. A total of 95 off-street parking spaces are available on the 2436 and 2450 Park Avenue properties. Additionally, the applicant leases 500 additional parking spaces from the Phillips Eye Institute for use by students in the parking ramp at 24th Street East and Park Avenue. The proposal is meeting the parking requirement.

Signs: All new signage is required to meet the requirements of the code. Permits are required from the Zoning Office should any signage be included for the development.

Maximum Floor Area: The use is not a permitted or a conditional use in the OR2 district, however, the OR2 district standards for the maximum F.A.R. would be utilized for the proposal. The gross floor area of the building including the proposed addition would be 26,138 square feet divided by the area of the lot which is 24,685 square feet just for the 2436 Park Avenue parcel. The applicant is proposing to make improvements on an adjacent parcel as part of the parking lot improvements required under Chapter 530. However, for the purposes of calculating the FAR for the development, only the 2436 Park Avenue parcel would be included. The outcome is 1.06 which is less than the maximum of 2.5 that is generally permitted in the OR2 District.

Minimum Lot Area: Typically a minimum of 2 acres would be required for a college or university in the OR3 district. These requirements would not be applicable for the proposed development in the OR2 district. The development was established legally and this portion of the university campus is a nonconforming use. However, the entire Saint Mary's campus is 96,573 square feet or 2.2 acres which would exceed the minimum requirement.

Height: Maximum building height in the OR2 District is 4 stories, not to exceed 56 feet. The proposed building would comply with this limitation as the proposed development is technically 4 stories or 42 feet. The first floor exceeds the maximum height of 14 feet for a story and is therefore considered two stories. The addition of two more stories results in a building technically 4 stories tall.

Yard Requirements: The required yards are as follows:

Front: 15 feet

Rear yard (5+2x): 11 feet.

Interior side yards(5+2x): 11 feet.

Building coverage: The maximum building coverage in the OR2 District is 70 percent. Buildings would cover approximately 28 percent.

Impervious surface area: The maximum impervious surface coverage in the OR2 District is 85 percent. Impervious surfaces would cover approximately 59 percent of the site.

MINNEAPOLIS PLAN

According to the *Minneapolis Plan*, the subject parcel is predominantly located in a services – commercial area. According to the Principles and Policies outlined in the *Minneapolis Plan*, the following apply to this proposal:

9.6 Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.

9.7 Minneapolis will 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.

The development proposal is in conformance with the above noted principles, policies and implementation steps of the comprehensive plan.

Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council

No small area plans for this area of Minneapolis have been adopted by the City Council.

ALTERNATIVE COMPLIANCE

The Planning Commission 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.**

Alternative compliance is necessary for building placement as even with the proposed building modifications the structure would not be located within 8 feet of the required setback line along both Park Avenue and Oakland Avenue. Staff believes that granting alternative compliance is reasonable for this proposal as the structure is existing and only a small addition to the existing footprint is being done as part of the proposal. Additionally, it would require a very substantial increase in the building footprint and elimination of the on-site parking in order to be located in such a manner. The structure is located centrally on the lot approximately 90 feet from Oakland Avenue and with the proposed footprint addition on the east side approximately 48 feet from Park Avenue.

Alternative compliance would not be necessary for the rest of the below listed items should the Planning Commission recommend approval with the conditions as written. All elevations would need to be modified as there are blank uninterrupted walls that

exceed 25 feet in width. The east elevation facing Park Avenue must be modified to meet the 30% window requirement on the first floor. Additional screening is required per 530.170 along Oakland Avenue. Staff is also recommending that the applicant comply with the minimum quantities of vegetation to meet the requirements of the zoning code.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the expansion of a nonconforming use:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for an expansion of a nonconforming use for Saint Mary's University of Minnesota to construct a second and third story addition and 673 square foot addition to the footprint of an existing building located on the property at 2436 Park Avenue.

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 application for property located at 2436 Park Avenue subject to the following conditions:

1. Planning Staff review and approval of the final site, elevation and landscaping plans.
2. All site improvements shall be completed by April 10, 2007 unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
3. Incorporation of windows, entries, recesses, projections or other architectural elements along all elevations to break up the blank uninterrupted walls that exceed 25 feet in width per Section 530.120.
4. Modification of the east elevation to incorporate 30% clear windows.
5. The proposed development shall include a principal entrance along the east elevation facing Park Avenue as well as a 5-foot wide walkway to link the entry with the public sidewalk.
6. Compliance with the landscaping and screening standards between the parking lot and Oakland Avenue per Section 530.170.
7. The landscape plan must be modified to include the required minimum quantities of shrubs.

Attachments:

1. Statement of use and description of project
2. Findings
3. Correspondence including neighborhood letters
4. University Master Plan
5. Zoning map
6. Plans – site survey, site plan, floor plans, elevations, landscape plans
7. Photos
8. PDR Comments: 2/15/06