



## Legislation Text

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**File #:** ABZA 24-1, **Version:** 1

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Considering the appeal of Snelling-Midway Redevelopment, LLC to a decision of the Board of Zoning Appeals denying two zoning variance requests pertaining to a proposed restaurant building on the property at 1566 University Avenue West.

**Zoning File:** #24-033509 (Appeal of Zoning file #24-023545)

**File Name:** 1566 University Avenue West - Snelling-Midway Redevelopment, LLC

**Appellant:** Snelling-Midway Redevelopment, LLC

**Applicant:** Snelling-Midway Redevelopment, LLC

**Address:** 1566 University Avenue West - *temporary address, NW corner of Simpson & Shields*

**Purpose:** The appellant, Snelling-Midway Redevelopment, LLC, applied for variances related to a proposed restaurant building. City Council Resolution RES 23-1442 requires all new commercial buildings to have window and door openings that comprise at least 30% of the area around the ground floor and a primary pedestrian entrance on street facing facades. The appellant proposed 19.6% on the northern façade of the northern building along Spruce Tree Avenue and no primary pedestrian entrance on the same street for a variance of 10.4% and the entrance requirement respectively. A public hearing was held on April 29, 2024.

**Staff Recommendation:** Denial of these two zoning variance requests. Staff recommended approval of four other zoning variance requests within the original application.

**District Council Recommendation:** Union Park District Council opposes the variance request pertaining to the window and door opening requirement and supports the variance request pertaining to the primary pedestrian entrance requirement.

**Board of Zoning Appeals Decision:** The Board of Zoning Appeals approved four variance requests in this application and denied the two that the appellant is appealing, which was in alignment with the staff recommendation.

**Support:** 2 people spoke, 2 letters received

**Opposition:** 0 people spoke, 0 letters received

Does this issue fall within the 60 day rule? Yes

If yes, when does the 60 days expire? May 23, 2024

Has an extension been granted? No

If so, to what date? N/A

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