

MINUTES OF THE ZONING COMMITTEE
Thursday, March 7, 2024 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Grill, Hood, Ochoa, Starling, Syed, and Taghioff
EXCUSED: Hackney and Reilly
STAFF: Kady Dadlez, Samantha Langer, Yasmine Robinson, and Josh Ladd

The meeting was chaired by Commissioner Taghioff.

1566 University Ave CUP & 8 Variances (United Village) - 24-013-570 - 1566 University Ave. W, between Snelling Ave. and Pascal St.

Conditional use permit for maximum building height: 75 ' allowed; 90' requested.

Variances related to buiding placement: 1. Stepping back the building; 2. Front yard setback; 3. Entrance Drive; 4. Anchoring the corner.

Variances related to window and door openings and building articulation: 5. Window and door openings on west façade; 6. Window and door openings west façade (ground floor); 7. Window and door openings east façade (ground floor), 8. Building façade articulation for bottom 25' of east façade.

Ms. Dadlez presented the staff report for the project and provided a project overview. She first detailed the conditional use permit for additional height. She recommended approval with conditions for the conditional use permit.

In response to Commissioner Starling, Ms. Dadlez confirmed that the only part of the building above 75' is the top level and the parking garage is entirely within the 75'.

Commissioner Ochoa questioned why staff tied the approval of the variances to the conditional use permit (CUP) approval and if that is a standard process. Ms. Dadlez said it is standard, noting that the language of Finding 3(e) for the CUP requires the use to conform to all applicable regulations of the district in which it is located. Therefore, the variances need to be approved to allow the CUP.

In response to Chair Taghioff, Ms. Dadlez said Finding 3(b) pertaining to adequate ingress and egress can be met assuming that the variance for the 320' driveway is approved.

Ms. Dadlez continued to detail the four variances related to building height: stepping back the building; front yard setback; entrance drive; and anchoring the corner. She recommended approval with conditions for the four variances.

Commissioner Starling had a question regarding the front yard setback variance. She asked where the sidewalk width of 18' would be located. Ms. Dadlez said it is north of the property line, but before the University Avenue right of way. It is more than what the Snelling Station Area Plan calls for, which is sidewalk widths of 14' in mobility enhancement areas.

Carolyn Wolf, Tegra Group, on behalf of the SMR development team, provided a presentation (attached) to provide an overview of the project. She noted additional items for the first phase of development including green spaces. Part of phase 1 is activating the great lawn. The hotel is positioned the way that it is to increase the overall pedestrian activity. She also noted the sculpture plaza in the northwest corner and the playground on the east side central to the superblock that are activation locations for the overall development. The placement of the hotel is the axis of Allianz Field. The intention of the design team was to make sure there is an alignment with the existing Allianz Field and the first development. The hotel brings in that alignment and will be the axis of the additional developments that will be flanking the hotel. Ms. Wolf briefly went over the pedestrian circulation of the site. She said the five principles of the 2016 Master Plan were to create additional pedestrian activation, mend the street grid, stormwater management plan, public space, and mixed-use. Supporting these goals, she showed a visual of the pedestrian circulation through the overall development that detailed the size of the blocks and the relation of the sidewalk widths around each development.

In response to Commissioner Grill, Ms. Wolf said they have had time to review the conditions in the staff report and there haven't been any surprises related to the conditions applied to the variances.

Commissioner Ochoa asked what the design will be for the front entrance drive parallel to University Avenue.

Jon Knutson, Loucks, said the front entrance drive will have a sidewalk along the front face of the hotel which will be integral to the drive. It won't be a typical city street curb. The pedestrian access point from University Avenue to the front entrance of the hotel will be a different material or have striping to block it from vehicles so that there is always an open access point for pedestrians. It will be a one way westbound drive from Simpson to Asbury so traffic will not back up onto Simpson or University. If someone is unloading a car in the drop-off lane another motorist will be able to bypass it in the lane to the north of the drop-off lane. There is also access for emergency vehicles. It will be a bituminous drive until your in front of the hotel entrance.

Commissioner Ochoa asked about the sidewalk perpendicular to University Avenue, and Mr. Knutson said there will be a few steps located there to come from University Avenue directly to the front entrance because of the grade differences. The hotel is about three feet higher than the sidewalk elevation on University Avenue so they have to make that up with steps. There is ADA routing on either side of the hotel from the city sidewalks.

Commissioner Taghioff said that the original 2016 Master Plan positioned the Victory Plaza and Midway Square as the gateway to the entire site and he is curious about the decision to put the hotel at this location and how it will affect pedestrian access to the site. Mr. Knutson said from University Avenue we have the light rail crossing on the corner of Simpson and the sidewalk adjacent to the hotel will be 21' wide and will be a heavily traveled corridor. The rest of the streets have 15' wide sidewalks. They also have the sculpture plaza on the corner of University and Snelling that has pedestrian walkways throughout the area to open into the site. Ms. Wolf added that they shifted the focal point more to the northwest corner as the gateway and opening the overall development. The location of the hotel and the terrace on the south side engages the

great lawn in hopes that it will create more of a pedestrian corridor, versus trying to break it up more as it had been in the Master Plan.

Commissioner Taghioff asked how they are going to create a safe pedestrian experience going from the eastern end of the light rail platform to the east side of the site along Simpson Street and crossing the hotel driveway plus the parking garage entry and exit as you enter the site.

Mr. Knutson said their expectation during a typical weekday when there is only hotel traffic going on is that it could be managed without difficulty. Specifically with event traffic, there will be personnel present managing traffic coming in and out of the ramp. They will be creating an event management plan with the city. They will also have lighting along the building. They are still working on a specific design for pedestrian alerts in the ramp.

No one spoke in support or opposition of the conditional use permit or the first four variances. The public hearing was closed.

Ms. Dadlez presented the four variances related to window and door openings and building articulation: window and door openings west façade (15%); window and door openings west façade – ground floor; window, and door openings east façade – ground floor; and building façade articulation for bottom 25' of the east façade. She recommended approval with conditions for the four variances. She said District 13 submitted a letter of approval with the exception of the ground floor openings variance on the west façade and they were uncommitted on the driveway variance. District 11 submitted a letter recommending approval with the exception of the driveway variance and ground floor openings variance on the west façade. There were no other letters in support or opposition of the application.

In response to Commissioner Starling, Ms. Dadlez said the entrance to the hotel and restaurant is on the west façade of the hotel. The west wall of the parking garage is set back 190 feet from Asbury Street and there are no door or window openings proposed for that wall; a mural is planned here. The southern part of the parking garage has retail space and the northern part has access to the parking garage. The entrances to retail space are off Spruce Street.

Commissioner Grill asked if staff considered a condition requiring a window or door to the retail space that is facing the green space. Ms. Dadlez it is not in the staff recommendation. The applicant stated that a door or window opening along this wall would conflict with the plans for a mural.

In response to Commissioner Ochoa, Ms. Dadlez said the staff report was not ready at the time Union Park District Council's Committee met to discuss and make a recommendation. The committee recommendation went to the full Union Park board last night and that is the recommendation you have before you today.

In response to Commissioner Ochoa, Ms. Dadlez said parking maximums only apply to surface parking not to structure parking.

Carolyn Wolf, Tegra Group, said that an update they made after working with city staff was to add glazing to the southeast corner where the stair tower and elevator are located to help with

the overall look of that corner. They also added detail to the metal panel structure that is cladding the parking garage. She noted that the cloud mural in the materials is a place holder and not the intention for the final mural. They will be working with an artist and city staff before any work for the mural is finalized. She highlighted the retail on the first floor of the parking structure and with the canopy and bringing that down to a scale that is pedestrian friendly along that corridor. There may be four single entrances depending upon how the retail along Spruce Tree lays out. It has the potential to be revised based off the businesses that will be within that space. They are targeting local small businesses to occupy the 5,000 square feet of retail space. Ms. Wolf showed a rendering from their presentation (attached) that provides the overall scale of the space. It shows the widened sidewalks, the opening to the pedestrian area and additional landscaping along Simpson Street. They are working with a hospitality consultant and their architect to add something more visually enticing to the other corner. In response to Commissioner Grill's earlier question on adding windows or doors to the west façade, she said that the intention of the retail space that abuts the parking ramp would be their back of house. They are trying to fit as much into this small rectangle as possible and maximize the store front. They are using the great lawn as their focal point.

In response to Commissioner Starling, Ms. Wolf said that they do not have any specific tenants in mind and that this space is on reserve for retail use only. That was part of the discussion with the Master Plan that with the structured parking a portion of that ground floor is subject to retail. They want to make sure that they are utilizing that space as best they can while still allowing for back of house for the hotel and for traffic patterns to get through the structured parking. This is the corner that we thought emphasized retail the best.

In response to Commissioner Syed, Ms. Wolf said the parking garage would be for retail and hotel guest use and once they build out other portions of the development it will be open to the public. She doesn't know if parking will be allowed on the street. They are analyzing other potential areas for parking and they are working with the city on what the next phase will look like for parking.

In response to Commissioner Grill, Ms. Wolf said they do not have any major concerns with the conditions that have been outlined in the staff report. There are a few that they need to continue to work with staff on specific to the east elevation.

Commissioner Grill asked if they are comfortable with condition #3 on the variances for east and west building façade articulation that states that a window facing Simpson Street shall be added to the ground floor meeting room at the northeast corner of the hotel building.

Ms. Wolf said they would like to have continued discussion around that condition. They would like to review the final location because based off what that space will be and if it is a meeting room and understanding the functionality of the space. They haven't finalized the interior details and they want to make sure they are on the same page with understanding the programming within and the request for the east façade.

In response to Commissioner Grill, Mr. Knutson said the sidewalk width is 15 feet on Asbury Street and 21 feet on Simpson Street.

In response to Commissioner Grill, Ms. Wolf said it would not be the preferred outcome to lay over this item. She said the hotel is the catalyst for the balance of the development which is why they wanted to put this item first on the agenda. Their preference would be to work through any questions now and if there are any additional conditions, they can have that discussion today or within the next week.

In response to Commissioner Taghioff, Mike Hahm, Project Advisor to the United Village Project, said they started discussions with the District Council in June when they reactivated this project. They were getting people caught up with the project after being off for the pandemic and civil unrest. There were a lot of new voices, eyes and ears on this project that hadn't seen it previously and, in a way, we were starting over with community engagement. Everyone had to get acclimated to the hotel as well as the entire site. He has been to no fewer than 12 individual committee hearings and board meetings for Union Park District Council. The Hamline Midway Coalition attended these meetings too. They had a large community open house last August and they have one planned next Thursday at Allianz Field. They have also reached out to the Midway Chamber of Commerce. The District Councils are endorsing the conditional use permit and six of the eight variances. Considering where we were when we started the conversation, I'd say that has really developed a strong understanding about what we're trying to achieve on the super block and how it relates to the goals of the Master Plan and what we are trying to do with the hotel. Regarding the two items they wanted more information on and that we didn't come into agreement with they would have benefited from today's presentation about the orientation of the building and how the hotel is engaging with the community versus complementing what is going on in the super block and how the building out of the transportation infrastructure that this project is doing brings forward the Master Plan and the multimodal access on this site. From his perspective the full District Council Board of Union Park was not willing to take a position that was expanded on what their committee had done, which he understands. A lot of the discussion on the drive centered on if this was recreating the situation of the famous coffee shop on Marshall and we talked through that concern. We are making sure that there are right in and right out drives on University Avenue. We have worked with staff doing everything we can to avoid backups that would impact pedestrian and multimodal access that goes through this site. Regarding the west elevation when we first started discussion, they didn't have all the information and renderings, but yesterday we had more communication and they could see the latest plans. If we continue the discussion about design, they are going to be happy with what is there and how it relates to traffic. The overall conversation has benefited the project and the growth in the dialog and how it's impacted the quality of the plan in front of you today. It is clear from his work with the District Councils and the communication that the community wants the hotel to happen and have a design that is reflective of what the Master Plan represents.

No one spoke in support or opposition of the conditional use permit or the last four variances. The public hearing was closed.

Commissioner Grill said she is in favor of the hotel, but she is struggling with the number of variances and the deviation within some of the variances from what the actual zoning requirements are and sees that there are opportunities where they could recommend additional conditions. One concern she has is with the variance pertaining to entrance drives and the quality of pedestrian access.

Commissioner Ochoa said he had a discussion with Ms. Dadlez regarding variance three and possible additional conditions to make it safer and he proposed that the developer is encouraged to consider accessible curb along the entire length of the hotel driveway drop zone.

Commissioner Starling said she has concerns about the ground floor façades particularly in a pedestrian and transit oriented development area. Her main concerns are the variances 6, 7, and 8 that affect the ground floor.

Commissioner Hood said he would be in favor of the staff report with the removal of the condition #3 on variances 7 and 8 that requires a window facing Simpson Street shall be added to the ground floor meeting room at the northeast corner of the hotel building. He would like the Zoning Administrator to approve design elements that aren't necessarily a window. He doesn't like the idea of forcing a developer to use fake windows.

Commissioner Syed said he is in favor of the staff report recommendation.

Commissioner Grill said she has reservations on variances 6, 7, and 8. Her main concern is with variance 6 and she feels like there is an opportunity in the retail space to encourage a window, door or some sort of access rather than a very large blank wall. It is a lot of real estate to have no access on that side.

Commissioner Ochoa suggested adding language regarding the retail space to condition 5 on variance 6; additional design treatments/elements and articulation to activate the hotel and retail portion of the west facade shall be added.

In response to Commissioner Starling, Ms. Robinson said that what staff was trying to achieve with condition 5 was akin to a menu of design options including, but not limited to some of the items listed. There is a large variety that the applicant could choose from and staff wanted to provide flexibility for the applicant to get further down the road with their design and choose something that was appropriate in consultation with the Zoning Administrator.

Commissioner Taghioff voiced his concern with making the eastern approach safe and prioritizing pedestrians along the east façade along Simpson Street. He wants to make sure that the design, especially at ground level, reflects the T4M zoning intent. He is conflicted with Finding d in variances 5 and 6 regarding practical difficulties. This is a 34 acre site and how they choose to program the site is completely within their control. When he looks at the openings, glazing and articulation requirements he is looking at choices made by the applicant around the internal configuration of the hotel and he is wondering if he can overcome the plight of the landowner finding, in making the finding that there is a practical difficulty, because other layouts could be considered.

After discussion it was decided that a roll call vote would be done for the conditional use permit and each variance.

Ms. Robinson explained that not all variances need to be approved for the conditional use permit to be approved. The applicant could still move forward with the development they would just have to comply with the code with a variance that was denied.

Commissioner Grill moved approval with conditions of the conditional use permit. Commissioner Hood seconded. The motion passed 6-0. (Final Zoning Committee recommendation table attached).

Commissioner Starling moved approval of with conditions of variances 1, 2, and 4. Commissioner Syed seconded. The motion passed 6-0.

Commissioner Ochoa moved approval with conditions of variance 3 with an additional condition that the developer is encouraged to consider an accessible curb along the entire length of the hotel driveway's drop zone. Commissioner Grill seconded. After discussion the motion failed 3-3 (Hood, Syed, and Taghioff).

Commissioner Grill moved to approve variance 3 with conditions listed in the staff report. Commissioner Syed seconded.

Commissioner Taghioff said he doesn't believe that Findings 6(a) and 6(d) have been met.

The motion passed 5-1 (Taghioff).

Commissioner Syed moved approval with conditions of variance 5. Commissioner Starling seconded. After discussion the motion failed 3-3 (Ochoa, Grill, and Taghioff)

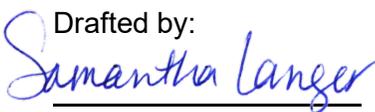
After discussion based on their concerns to the lack of window and door openings on the west façade, Commissioner Ochoa moved approval with conditions of variance 5, including a condition that additional openings shall be added to the west façade of the hotel building on floors 3 through 7. Commissioner Grill seconded the motion. The motion passed 4-2 (Hood, Syed).

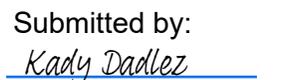
Commissioner Grill moved approval with conditions of variances 7 and 8. Commissioner Hood seconded. The motion passed 6-0.

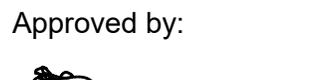
Commissioner Starling moved approval with conditions of variance 6 with an additional condition that that a connection shall be provided between the ground level retail space in the parking garage and the open green space to the west to activate the open green space and that the adequacy of the connection is to be determined by the Zoning Administrator during review of the site plan. Commissioner Ochoa seconded the motion.

Commissioner Taghioff said he doesn't believe Findings 9(a), 9(b), 9(c), and 9(d) have been met.

The motion passed 5-1 (Taghioff).

Drafted by:

Samantha Langer
Recording Secretary

Submitted by:

Kady Dadlez
City Planner

Approved by:

Simon Taghioff
Chair

APPLICATION TYPE	APPLICATION PURPOSE	Move approval/ 2nd	FINAL ZONING RECOMMENDATION
Conditional Use Permit – 66.331(h) - 75' height limit. Additional height may be permitted with conditional use permit.	Conditional use permit to permit building height of 90'.	Grill, Hood	Approval with conditions (6-0)
Variations related to building placement – Variations #1 to #4			
1. Variance - 66.331(h) - Structures shall be stepped back 1' from all setback lines for every 2½' of height over 75'.	Variance to permit building to be stepped back 1' on the Asbury side; 6' required and 1' proposed for a variance of 5'.	Starling, Syed	Approval with conditions (6-0)
2. Variance – 66.331 – Maximum front yard setback of 10'.	Variance to permit a 44.4' front yard setback; 10' maximum setback required for a variance of 34.4'.	Starling, Syed	Approval with conditions (6-0)
3. Variance – 66.342(a)(2) – Entrance drives may occupy no more than 60 feet of total lot frontage.	Variance to permit an entrance drive of 322'; 60' maximum for a variance of 262'.	Grill, Syed	Approval with conditions (5-1) (Taghioff)
4. Variance - 66.343(b)(6) – Buildings anchor the corner.	Variance to permit building to be setback and not anchor the corners at University & Asbury and University & Simpson.	Starling, Syed	Approval with conditions (6-0)
Variations related to window and door openings and building façade articulation. - #5 to #8			
5. Variance – 63.110(b) Above grade window and door openings shall comprise at least 15% of the total area of exterior walls facing a public street or sidewalk.	Variance to permit 8% window and door openings on the west façade ; 15% required for a variance of 7% (have 1,036 sf, need 1,934 sf for a variance of 848 sf).	Ochoa, Grill	Approval with conditions (4-2) (Hood, Syed)
6. Variance – City Council RES 23-1442 - Window and door openings at ground floor shall comprise at least 50% of the length and at least 30% of the area of the ground floor.	Variance to permit window and door openings to comprise 6% of length (50% required) and 9% of the area (30% required) on the west façade ; (have 10 linear feet, need 88, for a variance of 78 linear feet for the length requirement and have 100 sf, need 338 sf, for a variance of 238 sf for the area requirement).	Starling, Ochoa	Approval with conditions (5-1) (Taghioff)
7. Variance – City Council RES 23-1442 - Window and door openings at ground floor shall comprise at least 50% of the length and at least 30% of the area of the ground floor.	Variance to permit window and door openings to comprise 31% of length (50% required) and 16% of the area (30% required) on the east façade ; (have 54 linear feet, need 88, for a variance of 34 linear feet for the length requirement and have 433 sf, need 792 sf, for a variance of 359 sf for the area requirement).	Grill, Hood	Approval with conditions (6-0)
8. Variance – 66.323(b)(9) <i>Building facade articulation.</i> The bottom twenty-five (25) feet of buildings shall include elements that relate to the human scale. These should include doors and windows, texture, projections, awnings and canopies, ornament, etc.	Variance to allow the east façade as planned without additional building façade articulation elements.	Grill, Hood	Approval with conditions (6-0)