

REPORT TO THE CITY COUNCIL FROM
ZONING & PLANNING COMMITTEE
STANDING COMMITTEE OF THE MINNEAPOLIS CITY COUNCIL
March 3, 2016

A regular meeting of the committee was convened at 9:34 a.m. on this date.

Members Present: Council Members Lisa Bender (Chair), Lisa Goodman, Barbara Johnson, Kevin Reich, Abdi Warsame

Members Absent: Council Member Andrew Johnson

Matters listed below are hereby submitted with the following recommendations, to-wit:

1. Front yard setback variance appeal: Moxy Uptown, 1121 W Lake St and 3005 Emerson Ave S (16-00287)

Considering an appeal submitted by Ben Graves of Graves Hospitality, regarding the City Planning Commission decision denying a variance (BZZ-7544) of the front yard setback requirement along Emerson Ave S from 15 feet to zero feet, for a new six-story hotel with 123 rooms for the property located at 1121 W Lake St and 3005 Emerson Ave S.

Staff presentation by Kimberly Holien.

The public hearing was opened and the following persons spoke.

1. Ben Graves
2. Thomas Johnson, Gray, Plant, Mooty, Mooty & Bennett, P.A.
3. Philip Qualy, 3120 Emerson
4. Saralyn Romanishan, 2111 Aldrich Ave S
5. Clark Olsen, 3029 Emerson Ave
6. Joan Marks, 3020 Emerson Ave
7. Aaron Rubenstein, 3248 Emerson Ave
8. Cathleen Baucoup, 3309 Dupont Ave S
9. Julie Vessel, 4824 W Sunnyslope
10. Paul Pirner, 3229 Holmes Ave S
11. Ashok Dhariwal, 4548 Vincent Ave S
12. Sally Ableintner, 3636 Grand Ave S
13. Troy Wenck, 1620 W. Lake
14. Rudyard Dyer, 2436 Irving Ave S
15. Claudette Guillemo, 1426 W 31st
16. Alex Cecchini, 3525 Fremont Ave
17. Alex Cecchini, 3525 Fremont Ave
18. Anna Matthes, 3121 Dupont Ave

Seeing no further persons wishing to speak, the public hearing was closed.

On motion by Bender, carried on voice vote, the appeal was granted and staff findings were adopted.

2. Conditional use permit and variances appeal: Moxy Uptown, 1121 W Lake St and 3005 Emerson Ave S (16-00288)

Considering an appeal submitted by Philip Qualy, et al, regarding the following City Planning Commission decisions approving applications (BZZ-7544) for a new six-story hotel with 123 rooms for the property located at 1121 W Lake St and 3005 Emerson Ave S:

1. A conditional use permit to increase height in the C3A district from 4 stories, or 56 feet, to 6 stories, 72.5 feet, subject to conditions.
2. A variance to increase the maximum floor area ratio from 2.7 to 3.78.
3. A variance to reduce the east rear yard setback requirement from 15 feet to zero, subject to conditions.
4. A variance to reduce the minimum loading requirement from one large space to zero.

Staff presentation by Kimberly Holien.

The public hearing was opened and the following persons spoke.

1. Ben Graves
2. Thomas Johnson, Gray, Plant, Mooty, Mooty & Bennett, P.A.
3. Philip Qualy, 3120 Emerson
4. Saralyn Romanishan, 2111 Aldrich Ave S
5. Clark Olsen, 3029 Emerson Ave
6. Joan Marks, 3020 Emerson Ave
7. Aaron Rubenstein, 3248 Emerson Ave
8. Cathleen Baucoup, 3309 Dupont Ave S
9. Julie Vessel, 4824 W Sunnyslope
10. Paul Pirner, 3229 Holmes Ave S
11. Ashok Dhariwal, 4548 Vincent Ave S
12. Sally Ableintner, 3636 Grand Ave S
13. Troy Wenck, 1620 W. Lake
14. Rudyard Dyer, 2436 Irving Ave S
15. Claudette Guillemo, 1426 W 31st
16. Alex Cecchini, 3525 Fremont Ave
17. Alex Cecchini, 3525 Fremont Ave
18. Anna Matthes, 3121 Dupont Ave

Seeing no further persons wishing to speak, the public hearing was closed.

On motion by Bender, carried on voice vote, the appeal was denied, staff findings were adopted, and the committee modified the project's conditions of approval by adding the following: The applicant shall ensure that the Travel Demand Management plan reflects the location of valet parking and its associated vehicle circulation. The valet parking shall comply with Chapter 541 of the zoning ordinance. The applicant shall obtain approval of the TDM plan from CPED and Public Works prior to the issuance of a building permit for the development.

3. Vacation and alley easement agreement, vacation, and easement acquisition: Portions of Main St NE and 30th Ave N (16-00273)
 1. Approving the Street Vacation and Alley Easement Agreement as outlined in the CPED staff report.
 2. Approving an application submitted by BNSF Railway Company to vacate the right-of-way of Main St NE from 29th Ave NE to 31st Ave NE and the right-of-way of 30th Ave NE, west of Main St NE; and adopting staff findings.
 3. Approving the acquisition of the alley easement, consistent with the Comprehensive Plan.
 4. Passage of Resolution approving Vac-1634.

On motion by Bender, carried on voice vote, the matter was approved.

4. Rezoning: Kevin Aldwaik, 1701 44th Ave N (16-00272)

Denying an application submitted by Kevin Aldwaik to rezone (BZZ-7515) the property located at 1701 44th Ave N, from the C1/Neighborhood Commercial District to the C2/Neighborhood Corridor Commercial District, to allow for a convenience store with tobacco sales.

On motion by Bender, carried on voice vote, the matter was postponed two cycles to the April 7, 2016, Zoning & Planning Committee meeting.

5. Preservation Regulations ordinance (15-01431)

Passage of ordinance amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations, to simplify the required findings for Certificate of Appropriateness applications.

On motion by Bender, carried on voice vote, the matter was approved.

6. Linden Hills Zoning Overlay District ordinance (15-01366)

1. Approving the Linden Hills Rezoning Study and adopting staff findings, including the finding that obtaining consent signatures for the rezoning of properties from residential to commercial in the Linden Hills Rezoning Study would be impractical.
2. Passage of Ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, revising the Linden Hills Overlay District and Pedestrian Oriented Overlay District:
 1. Chapter 521 Zoning Districts and Maps Generally.
 2. Chapter 551 relating to Overlay Districts.
3. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally, amending the zoning map as part of a rezoning study consistent with the guidance of the Linden Hills Small Area Plan.

Staff presentation by Brian Schaffer.

On motion by Bender, carried on voice vote, the matter was approved with the following amendment to Title 20, Chapter 521, Section 551.175(a)(3)(a), as follows: The top floor of a building of three (3) or more stories shall be stepped back not less than ten (10) feet from any building wall below it abutting R1, R1A, R2, or R2B zoned property, or the entire building of three (3) or more stories shall be set back not less than ten (10) feet from the applicable interior side or rear yard setback required from abutting R1, R1A, R2, or R2B zoned property.

7. Rezoning: Ben Graves, 1121 W Lake St and 3005 Emerson Ave S (16-00289)
 1. Approving an application submitted by Ben Graves to rezone (BZZ-7544) the properties located at 1121 W Lake St and 3005 Emerson Ave S.
 2. Passage of Ordinance amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

Staff presentation by Kimberly Holien.

On motion by Bender, carried on voice vote, the matter was approved and staff findings were adopted.

Seeing no further business to transact, the meeting adjourned at 11:15 a.m.

Reported by Diana Armstrong, Council Committee Coordinator