

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit for a Planned Unit Development
BZZ – 1787

Date: August 9, 2004

Applicant: LeMeridien Hotel

Address of Property: 601 – 1st Ave. N.

Project Name: LeMeridien Hotel

Contact Person and Phone: Scott Huston, (612) 221-3379

Planning Staff and Phone: Jason Wittenberg, (612) 673-2297

Date Application Deemed Complete: July 14, 2004

End of 60-Day Decision Period: September 12, 2004

Ward: 5 Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Existing Zoning: B4S-2

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 19

Legal Description: Not applicable for this application

Proposed Use: Traffic control gate system for existing hotel in a planned unit development

Concurrent Review:

Conditional Use Permit for a Planned Unit Development: Amend an existing planned unit development to allow a traffic control gate system

Applicable zoning code provisions:
537.90.

Background: The City Planning Commission approved a planned unit development for Block E in May of 2000. The developer of the project returned to the City Planning Commission to amend the project in June of 2002. Le Meridien Hotel intends to add a traffic control gate to the on-site driveway located along 1st Avenue North.

CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT -

Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit for a Planned Unit Development:

Findings As Required By The Minneapolis Zoning Code For The Conditional Use Permit for a Planned Unit Development:

- 1. Will be detrimental to or endanger the public health, safety, comfort or general welfare.**

Planning and Public Works staff are concerned that the gate system could result in vehicles queuing on the public sidewalk. Further, if vehicles are not allowed to enter the driveway after stopping at the gate, backing vehicles across the public sidewalk and onto 1st Avenue would be a public safety hazard.

- 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 gate system would likely not be injurious to normal use and development of other properties in the vicinity unless the system would result in a substantial amount of traffic back-up on 1st Avenue.

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

The development was constructed with an on-site access road along 1st Avenue. The proposed gate system would likely impede the normal flow of traffic through this area and would affect pedestrian travel on the public sidewalk and would potentially prove dangerous for vehicular traffic on 1st Avenue. Thus, the existing access road would no longer be adequate in terms of allowing safe and efficient movement of pedestrians and vehicles.

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

As noted above, Planning Department and Public Works Department staff are concerned that the gate system, if approved, will cause an undesirable and unsafe situation related to congestion and conflicts on the public sidewalk and 1st Avenue North.

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

By capitalizing on and improving pedestrian environments with a special emphasis on high volume pedestrian areas such as downtown Minneapolis...developments in these areas and other locations in the city can significantly enhance the existing pedestrian environments.” As noted above, staff is concerned that operation of the proposed gate system would result in vehicles queuing on the public sidewalk and backing over the public sidewalk in a high volume pedestrian area. This would not be consistent with the goal of providing a high quality pedestrian environment in downtown Minneapolis.

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, and site plan review and variance.**

The proposed gate system would not violate the regulations of the B4S District.

Additional Findings Required For Planned Unit Developments:

In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

1. **That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:**
 - a. **The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.**

The character of the uses in the planned unit development will not be altered based on whether the proposed gate system is installed.

- b. **The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access, parking and loading areas, pedestrian access and availability of transit alternatives.**

An on-site access drive was constructed principally to allow for loading and unloading of hotel guests. The following summarizes staff concerns about gating the existing access drive:

- Having more than one vehicle waiting at the gate would result in obstruction of pedestrians on the public sidewalk.
- Having more than two vehicles waiting at the gate would result in obstruction of traffic flow on 1st Avenue.

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- If a vehicle were not allowed to enter through the gate or if a driver coming into the driveway sees the gate and realizes that they should not be driving there, vehicles would back across the public sidewalk and onto 1st Avenue, creating a hazard for pedestrians and drivers. Public Works staff has indicated that if the gate is installed, the City would likely have to enforce parking restrictions on the parking spaces just “upstream” from the access point on 1st Avenue.

Possible solutions to the problems being encountered by the applicant include:

- Since the drive is on private property, the applicant can create and enforce parking restrictions in the drive. This can include posting their own restrictions in the access drive.

c. The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.

Staff is concerned that the proposed gate system would create visual clutter adjacent to the area that is meant to be an outdoor amenity.

d. The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.

The gate system would not affect the appearance of the building.

e. The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.

The Public Works Department reviewed the project for the adequacy of public facilities. The gate system would not affect those facilities but would affect travel on the adjacent public sidewalk and public street.

2. That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.

The property was replatted as part of the previous development approval process.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Conditional Use Permit for a Planned Unit Development:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **deny** the application to amend an existing Planned Unit Development located at 601 – 1st Avenue North .

Attachments:

1. Applicant’s statements
2. Zoning map
3. Site plan
4. Proposed valet gate layout
5. Elevations and photo of proposed attendant booth
6. Photos of existing site