

Department of Community Planning and Economic Development
Conditional Use Permit, Variances and Site Plan Review
BZZ-6166

Date: August 26, 2013

Applicant: Charles R.E. Johnson, Turnstone Group LLC

Address of Property: 19 8th Street N

Project Name: Hampton Inn and Suites

Contact Person and Phone: Nate Gundrum, Moretenson Development, (763) 287-5431

CPED Staff and Phone: Kimberly Holien, (612) 673-2402

Date Application Deemed Complete: August 1, 2013

End of 60-Day Decision Period: September 30, 2013

Ward: 7 Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Existing Zoning: B4S-2, Downtown Service district and DP, Downtown Parking Overly district

Proposed Zoning: Not applicable for this development

Zoning Plate Number: 13

Lot area: 20,440 square feet

Legal Description: Except the South 1.48 feet of Lot 2, Aud. Subd. No 97 Lying Immediately to the North of the South Line of Said Lot The North Line of Which Strip, Hennepin County, Minnesota.

Proposed Use: Construction of a 9-story hotel with 224 guest rooms.

Concurrent Review:

- Conditional use permit to allow two wall signs notwithstanding the height and area limits for signs in the Downtown Districts. One of the wall signs will be approximately 168 square feet in area and 108'11" feet in height. The other wall sign will be approximately 126 square feet in area and 98 feet in height.
- Variance to allow a wall sign to be placed on a non-primary building wall.
- Variance to increase the size of a sign on a non-primary building wall from zero square feet to 126 square feet.
- Site plan review for a 224-room hotel.

Applicable zoning code provisions: Chapter 525 Article V11, Conditional Use Permits; Chapter 525 Article IX, Variances, specifically Section 525.520(21) “to vary the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs,” and Chapter 530 Site Plan Review.

Background: The development site is located in the southeast corner of the intersection of 8th Street N and 1st Avenue N (also known as Hawthorne Avenue N and 9th Street N in this location). For purposes of this report said street will be referred to as 1st Avenue N. The site is comprised of a single parcel that currently contains a large surface parking lot and has a skyway running overhead. Said skyway connects from the Hawthorne Parking Ramp to the adjacent building at 800 Hennepin Avenue. The applicant is proposing to construct a nine-story, limited service hotel with 224 guest rooms. The existing skyway will be deconstructed and a new skyway connection will be incorporated into the proposed building. The new skyway will maintain connections to the Hawthorne Parking Ramp and the building at 800 Hennepin Avenue.

The lobby and main entrance are located in the center of the building facing 8th Street N. Other functions on the first floor include a 1,900 square foot breakfast room at the corner of 8th Street N and 1st Avenue N and employee facilities, a food preparation area and pantry fronting along 1st Avenue N. A meeting room in the center of the building opens to 700 square foot outdoor courtyard. Other administrative functions are located in the southeast corner of the building. The proposed skyway is located on the second floor and secure access from the skyway into the hotel will be provided for guests and employees. The second floor also includes an exercise room and guest rooms. Floors three through nine contain guest rooms.

Parking for the use will be contracted in the Hawthorne Parking Ramp, which will be connected to the hotel via skyway. A final contract for this parking has not been approved to date, but the applicant is in discussions with the City regarding this issue as the City owns the ramp. The hotel will offer valet parking services as well as a self-park option in the Hawthorne Ramp. A curbside drop-off area is proposed off of 8th Street N, in front of the main entrance. The drop-off area is subject to Public Works approval.

The applicant is proposing two wall signs at the top of the building, each bearing “Hampton Inn and Suites.” The proposed signs include: (1) a 168 square foot sign that is 108’11” in height at the corner of 8th Street N and 1st Avenue N; (2) a 126 square foot sign that is 98 feet in height and located on the south elevation. The maximum height for wall signage is 28 feet in the B4S-2 Downtown Service District. Both signs exceed the maximum height for signage permitted in the B4S-2 District. The zoning code authorizes a conditional use permit to increase the maximum height for structures exceeding 6 stories or 84 feet, subject to section 543.470(b) which states:

543.470. (b) *Exception.* Recognizing that certain buildings or uses may have unique identification needs, notwithstanding the height and area limits of Tables 543-2, Specific Standards for Signs in the OR2, OR3 and Commercial Districts, 543-3, Specific Standards for Signs in the Downtown Districts, and 543-4, Specific Standards for Signs in the Industrial Districts, a conditional use permit may be applied for, as provided in Chapter 525, Administration and Enforcement, to allow not more than two (2) additional wall signs identifying the name or logo of a building or use in a building that exceeds six (6) stories or eighty-four (84) feet in height, subject to the following:

- (1) Signs shall be limited to individual letters or elements permanently affixed to the building wall.
- (2) Signs shall not exceed three (3) square feet of sign area for each one (1) foot of building wall to which such sign is attached or three hundred (300) square feet, whichever is less.
- (3) Not more than one (1) sign shall be located on a building wall.
- (4) The vertical dimension of such sign shall not exceed fourteen (14) feet.

The south elevation is a non-primary building wall and additional applications are required for this particular sign. A primary building wall is an exterior building wall that faces a street or an exterior building wall that faces an accessory parking area and contains a public entrance. When the exterior building walls are not parallel to a street, they shall be assigned to the street frontage to which they are most oriented. The south elevation, while visible from 1st Avenue N, is not facing a street or an accessory parking area. Further, the zoning code regulates the size of a sign based on the length of the primary building. The proposed sign is not located on a primary building wall, therefore, no sign allotment is granted. Therefore, the applicant has requested variances to allow for a sign located on a non-primary building wall and to increase the maximum area of said sign from 0 square feet to approximately 98 square feet.

Staff received a letter from the Downtown Minneapolis Neighborhood Association dated June 17, 2013 recommending approval of the project. Said letter has been attached for reference.

CONDITIONAL USE PERMIT: (to allow two wall signs greater than 28 feet in height)

Findings as required by the Minneapolis Zoning Code: The Community Planning and Economic Development Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The proposed signs will not be detrimental to or endanger the public health, safety, comfort or general welfare. The maximum height limit for wall signs in the B4S-2 district is 28 feet. The applicant is proposing two wall signs, each bearing “Hampton Inn and Suites” at the top of the building, including: (1) a 168 square foot sign that is 108’ 11” in height at the corner of 8th Street N and 1st Avenue N; (2) a 126 square foot sign that is 98 feet in height and located on the south elevation. The zoning code recognizes that certain buildings have unique identification needs and authorizes a conditional use permit to increase the maximum height for structures exceeding 6 stories or 84 feet. The proposed nine story building qualifies for this exception. Section 543.470 of the zoning code allows these taller buildings to have two wall identification signs that exceed the normal height limitations of the district in which they are located, subject to the following standards:

- (1) Signs shall be limited to individual letters or elements permanently affixed to the building wall.

Staff comment: The signs consist of individual letters that will be affixed to the building wall.

- (2) Signs shall not exceed three (3) square feet of sign area for each one (1) foot of building wall to which such sign is attached or three hundred (300) square feet, whichever is less.

Staff comment: The wall to which the sign at the corner of 8th Street N and 1st Avenue N is affixed is 143 feet in length, allowing a sign up to 300 square feet in area. The sign proposed in this location is 168 square feet in area. The south-facing wall to which the second sign is affixed is 57 feet in length, permitting a sign up to 171 square feet in area. The sign proposed on this wall is 126 square feet in area. Because this is a non-primary building wall, variances to the sign area and location have been applied for and are evaluated below.

- (3) Not more than one (1) sign shall be located on a building wall.

Staff comment: This condition is met.

- (4) The vertical dimension of such sign shall not exceed fourteen (14) feet.

Staff comment: The vertical dimension of the sign at the corner is approximately eight feet and the vertical dimension of the sign on the south wall is seven feet.

The proposed signs meet all of the standards required per Section 543.470. The height of the signs is intended for wayfinding and identification purposes, which is especially important for a hotel use catering to out of town guests. The only other sign proposed as part of the project is an additional wall sign above the main entrance.

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 proposed signage will not impede the normal or orderly development of the surrounding area nor will it be injurious to the use and enjoyment of other property in the vicinity. The surrounding area of this portion of downtown consists of office, transportation, and commercial uses. Other buildings in the immediate area have taller signs, including a sign at the top of the A Ramp and a projecting Greyhound Bus sign at the top of the Hawthorne Ramp. Several other downtown hotels also have signs at the top of their respective buildings. Staff finds that the proposed signage is in scale with the building and surrounding development. The height of the signs is not out of character with the surrounding area or the proposed building itself. Further, the sign should not have any adverse impact on the parcel to the south should that surface parking lot be developed in the future.

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

The utilities, access, drainage, and other measures are existing and adequate. The addition of two wall signs will have no impact on these items.

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

Parking for the use will be provided off-site, in the city-owned Hawthorne Parking Ramp across 1st Avenue N. Self-park and valet parking options will be available to hotel guests. A curbside loading bay is proposed in front of the main entrance, subject to Public Works approval. Hotel guests are also expected to take advantage of public transportation, including light-rail from the Minneapolis-St. Paul International Airport. The addition of two wall signs at the proposed height and area will have no impact on traffic in the public streets.

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

The Minneapolis Plan for Sustainable Growth states the following about signs. “Sign design needs to balance the desire to convey information with a need to maintain visual aesthetics so signage is not intrusive. The scale of signage should be geared toward the pedestrian and less to the automobile. Unique signage that incorporates unusual materials or designs is encouraged.”

The Minneapolis Plan for Sustainable Growth has the following policies for signs:

Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

10.20.2 Master sign plans shall be submitted for multi-tenant buildings to ensure a complementary relationship between signage and the architecture of a building.

10.20.3 Develop incentives for exceptional sign design and style, including a special review process to ensure appropriate location, size, height and compatible design to the architecture of the building and other signage.

10.20.4 Develop a consistent, city-wide wayfinding signage design and maintenance plan for neighborhoods, trails, etc.

Policy 10.21: Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood.

10.21.1 Supporting the regional draw of Downtown entertainment areas, larger scale signage shall be allowed in appropriate places (such as the Hennepin Avenue Downtown Entertainment Area and Nicollet Mall Overlay District).

10.21.2 To promote street life and activity, signs should be located and sized to be viewed by people on foot (not vehicles) in order to preserve and encourage the pedestrian character of commercial areas that have traditional urban form.

10.21.3 Encourage effective signage that is appropriate to the character of the city's historic districts and landmarks, and preserves the integrity of historic structures.

The proposed signs meet the location, type, area and the specific standards for wall identification signs on buildings over six stories or 84 feet in height. The overall sign plan is also in conformance with all zoning code regulations and does not exceed the applicable standards. The signs are not out of scale with the building, site, or area. The proposed signs are in conformance with the above policies of the comprehensive plan.

6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this conditional use permit.

With the approval of the conditional use permit and variances, the proposed signs will conform to the applicable district regulations. The signs meet all of the standards for wall identifications signs for buildings over six stories or 84 feet listed in Section 543.470(b) of the zoning code. The variance to allow the sign on the south wall to be located on a non-primary building wall is evaluated below.

In addition to the conditional use standards contained in Chapter 525 and this article, the City Planning Commission shall consider, but not be limited to, the following factors when determining sign variances or conditional use permits:

- 1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

The proposed signage meets the location, area, height, and the specific standards for wall identification signs on buildings that exceed six stories or 84 feet. With the exception of the sign proposed on a non-primary building wall, the overall sign plan is also in conformance with all zoning code regulations and does not exceed the applicable standards. The addition of these signs will not lead to sign clutter or be inconsistent with taller buildings located in this area of downtown.

- 2. The sign adjustment will allow a sign that relates in size shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

The signs will be professionally constructed and installed. Both signs will be internally illuminated. The signage is not out of scale with the size or design of the building, site, or surrounding area.

VARIANCES: (to allow for a sign located on a non-primary building wall and to increase the maximum area from 0 square feet to approximately 126 square feet.)

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

Both variances: The south elevation is a non-primary building wall and additional applications are required for said sign. A primary building wall primary is an exterior building wall that faces a street or an exterior building wall that faces an accessory parking area and contains a public entrance. When the exterior building walls are not parallel to a street, they shall be assigned to the street frontage to which they are most oriented. The south elevation, while visible from 1st Avenue, is not facing a street or accessory parking area. Further, the zoning code regulates the size of a sign based on the length of the primary building. The proposed sign is not located on a primary building wall, therefore, no sign allotment is granted. Therefore, the applicant has requested variances to allow for a sign located on a non-primary building wall and to increase the maximum area of said sign from 0 square feet to approximately 98 square feet.

Practical difficulties exist in complying with the ordinance due to the street alignment in this location and the manner in which the building will be situated on the lot due to existing lot lines. The subject parcel has frontage on 1st Avenue N, which curves to the west directly in front of the site. The curvature of the road makes the south elevation very visible from the

street. The applicant states that the sign is also critical for wayfinding for vehicles traveling to the site on 1st Avenue N. The size of the sign would otherwise be allowed under the conditional use permit if not for the fact that it is located on a non-primary building wall. The size of the sign is in scale with the proposed building. These circumstances are unique to the parcel and have not been created by the applicant.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

Both variances: The regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare. The subject property is zoned B4S-2 and is located within downtown. The proposed signage would be in keeping with the spirit and intent of the ordinance. Although the wall sign faces an adjacent property, it is visible from northbound 1st Avenue N. As stated above, the sign is of a size that would be permitted under the conditional use permit if it were proposed on a primary building wall. The proposed sign location and size are reasonable and in keeping with the spirit and intent of the ordinance.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

Both variances: The proposed signage will not alter the essential character or be injurious to the use or enjoyment of property in the vicinity. The sign is located at the top of the building, at a height of 98 feet, which is allowed per the conditional use permit. The signage will be visible from 1st Avenue N and is critical for wayfinding purposes due to the use of the building as a hotel. The sign will contain the name of the hotel and will be internally illuminated. The sign will not be overly imposing or intrusive. Therefore, granting the sign variance would not be detrimental to health, safety or welfare of the general public.

Findings Required by the Minneapolis Zoning Code for a sign adjustment:

- 1. The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

Both variances: The applicant has provided a sign plan that includes the proposed signage for the structure, which will be occupied by one tenant. This nine-story building will have three total signs, all on separate building walls. The proposed sign on the non-primary building wall is scaled appropriately for the building and will be highly visible from 1st

Avenue N. The sign will not lead to sign clutter nor will it be inconsistent with signage on other buildings in the downtown districts.

2. **The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

Both variances: The proposed signs will relate in size, shape, material, color, illumination and character of the proposed building on the property. The sign will be professionally applied to the building with quality materials, permanently affixed to the building wall and internally illuminated.

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 DESIGN:

- 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.

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- 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.

- Ground floor active functions:

Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
- 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 building is primarily located up to the north and west property lines adjacent to 1st Avenue N and 8th Street N. However, there are several sections of building wall that are recessed more than eight feet from these property lines. The primary entrance is recessed 16

feet from the property line adjacent to 8th Street N. This recess allows for a covered entry point for guests entering the building with luggage and other items. The upper floors extend out to the property line in this location. The portion of the building that is located at the corner of 8th Street N and 1st Avenue N is recessed up to 18 feet from the property line to allow for outdoor seating in this location. The outdoor seating will be an extension of the breakfast room. The center of the west building wall, facing 1st Avenue N, is recessed 13 feet to allow for landscaping between the building wall and the street in this location. This landscaped area was the result of conversations between the applicant and the City Planning Commission at Committee of the Whole. Alternative compliance is requested for these increased setbacks and staff recommends granting alternative compliance due to the amenities that are provided to activate these increased setback areas.

The primary entrance is located on the north side of the building, facing 8th Street N. This entrance is recessed 16 feet and emphasized with a canopy, signage, and a significant amount of glass. The recessed area is intended to provide a covered entry point for guests.

No on-site parking or loading spaces are proposed as part of the project.

The first floor of southwest elevation contains two sections of blank wall that extend from the west property line to the landscaped area in the center of the site. Alternative compliance is required to allow a blank wall in excess of 25 feet at these locations. Staff recommends granting alternative compliance in these instances. The horizontal banding on the first floor in this location is consistent throughout the entire building and, aesthetically, a material change would interrupt the banding in a manner that would not be complementary to the rest of the building. A second blank wall is proposed on floors 2-9 in this same general area. The angled wall on the southwest elevation is blank for 64 feet for these eight stories. Staff does not recommend granting alternative compliance for the upper floors. This wall will be visible from adjacent properties and will have some visibility from 1st Avenue N. As a condition of approval, the applicant shall be required to provide a material change, recess, projection or other architectural element to break up the length of this wall and provide visual interest.

Plain face concrete block is not proposed as an exterior material.

The primary exterior materials would be durable and include brick, cast stone, glass, metal panel and stucco. The first two floors of the building will be primarily cast stone and brick. The skyway will be primarily glass flanked by horizontal bands of cast stone. The upper floors are a combination of stucco and metal panel. The southwest elevation, which is highly visible from 1st Avenue N, is entirely comprised of stucco in two different colors. The Site Plan Review chapter calls for the exterior materials and appearance of the rear and side walls of any building to be similar to and compatible with the front of the building. In order to accomplish this, staff recommends that the dark stucco bands on the south elevation be replaced with metal panel. This material change will be required as a condition of approval. Please note, exterior material changes at a later date would require review by the Planning Commission and an amendment to the site plan review.

The window requirement for the first floor of this non-residential building is 30 percent for the elevations that face a public street or on-site parking lot. The window requirement for the upper floors is 10 percent. This requirement applies to the 8th Street N (north east) elevation and the 1st Avenue N (north west) elevation. Glass is provided for approximately 57.7 percent of the first floor of the north elevation (including the angled wall facing northwest), as measured between two feet and ten feet above grade. The skyway level on the north elevation is predominantly glass, comprising 80.9 percent of the total wall area. Floors three through nine on the north elevation contain windows for 27.1 percent of total wall area. On the west elevation, facing 1st Avenue N, glass is only provided for 26 percent of the total wall area as measured between two feet and ten feet. Alternative compliance is requested and staff does not recommending granting alternative compliance in this instance. Approximately 100 square feet of additional glazing will be required on the first floor as a condition of approval. On the second floor of this elevation, glass is provided for 15 percent of the total wall area. Floors three through nine contain glass for 19 percent of the wall area.

The windows are more or less evenly distributed and vertical in proportion.

The first floor of the building contains active functions for more than 70 percent of each street-facing elevation.

The proposed roofline is flat and consistent with other commercial buildings in the area.

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 primary building entrance will open directly to the public sidewalk adjacent to 8th Street N. There is a secondary entrance from the breakfast room onto the outdoor dining area that also opens directly to the public sidewalk adjacent to 1st Avenue N. The other non-primary entrances are service entrances that again will open directly to the public sidewalk where facing the street.

No transit shelters are existing or proposed adjacent to the site.

All parking for the proposed use will be provided off site, via contract parking in the Hawthorne Ramp across the street. A loading/drop-off area is proposed in front of the primary entrance for guest drop-off, loading and unloading. A loading space for hotel deliveries is proposed within the right-of-way along 1st Avenue N. Both the loading space and drop-off bay are subject to Public Works approval.

All building entrances are connected directly to the public sidewalk. The primary entrance is recessed to provide a covered area for guest loading and unloading.

The applicant is proposing a significant amount of landscaping to minimize the amount of impervious surface on site. While there is no landscaping requirement for buildings of this size in the downtown districts, 3,238 square feet of landscaping is proposed on site. This is a significant improvement over the existing surface parking lot which is 100 percent impervious.

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.**

Any building containing fifty thousand (50,000) square feet or more of gross floor area located in the Downtown districts shall be exempt from the general landscaping and screening requirements. The parking and loading landscaping and screening requirements shall apply. The proposed building is 128,120 square feet in area and therefore not subject to the landscaping requirements. There is no parking or loading proposed on site.

While no landscaping is required, the applicant is proposing 3,238 square feet of landscaping on site. The majority of the landscaping is located on the interior of the site, adjacent to the

courtyard. This area includes six ornamental trees and a number of perennials and ornamental grasses. The applicant is also proposing 13 canopy trees within the right-of-way along 1st Avenue N and 8th Street N. An 8-foot wide landscaped area is proposed between the building and the public sidewalk adjacent to 1st Avenue N. Ornamental grasses are proposed within this landscaped area.

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.**
- **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.**

No parking areas or driveways are provided on site. Public Works reviewed the site as it related to provisions for stormwater as part of the PDR process. The PDR report has been attached for review.

The building should not impede any views of important elements of the city. While the building is nine stories in height, it is consistent with the height of other building in downtown. The building directly east of the site is eight stories in height and the parking ramps across 1st Avenue are each six stories in height. There are no city designated landmarks or important views of the City that would be impacted by the proposed building height.

There are no adjacent public spaces that would be impacted by shadowing. While adjacent properties experience some shadowing impacts from the proposed building, the height of the building is not out of context with the height of other buildings in this area of downtown. Shadow studies have been provided and have been attached for reference.

The building walls are articulated in a manner such that wind currents should not be a major concern. Along 1st Avenue N, the center portion of the building is recessed up to 13 feet. Along 8th Street N, the ground floor of the building is recessed 16 feet and the upper floors extend out to the property line.

The development would include crime prevention through environmental design. The applicant has provided a significant amount of window coverage facing the adjacent streets to provide opportunities for tenants and patrons to observe adjacent spaces. Staff is recommending additional windows on the ground floor facing 1st Avenue N to further facilitate the CPTED principles. The breakfast room has been located at the corner of 8th Street N and 1st Avenue N to activate this part of the site. Outdoor seating is also proposed in front of the breakfast room to provide for additional activity adjacent to the public sidewalk.

The site is not historically designated nor is it located within a historic district.

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 – Hotels are permitted in the B4S-2 district.

Off-Street Parking and Loading:

Minimum automobile parking requirement: The use is not subject to a minimum parking requirement because it is located with the B4S-2 district. The applicant estimates that parking demand for the use will be approximately 30 percent of the room count, or 67 spaces. Parking will be contracted off site in the Hawthorne Parking Ramp, just west of the property. Valet and self-park options will be available to guests.

Maximum automobile parking requirement: There is no maximum parking requirement for hotel uses in the B4S-2 district. Surface parking lots in the DP, Downtown Parking Overlay district are limited to a maximum of 20 spaces. No parking is proposed as part of the project.

Bicycle parking requirement: There is no minimum bicycle parking requirement for hotel uses in the downtown districts.

Loading: Hotels have a medium loading requirement. The applicant discussed loading needs for this limited service hotel with Public Works, and the result of those conversations is that the required loading is proposed in the 1st Avenue N right-of-way on the west side of the building. This loading space is subject to final approval by Public Works.

Dumpster screening: Section 535.80. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The refuse storage will be accommodated within the building.

Signs: A conditional use permit and variances for signs have been requested for this use. Staff is recommending approval of the sign applications, as evaluated above. A third sign is

located above the main entrance and will be approximately 120 square feet in area. This sign meets zoning code regulations.

Lighting: 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 Chapter 535 of the zoning code and Planning Staff shall review the details of the fixtures in the final review prior to permit issuance.

Maximum Floor Area: The maximum floor area ratio for uses in the B4S-2 district is 8.0. The applicant is proposing a 128,120 square foot building on a 20,440 square foot site, equating to a floor area ratio of 6.2.

Minimum Lot Area: There is no minimum lot area requirement for the use.

Dwelling Units per Acre: There are no dwelling units proposed as part of the project.

Height: There is no maximum height limitation in the B4S-2 district.

Yard Requirements: There are no applicable yard requirements for hotels except where windows face rear or interior side lot lines. In that case, a yard equal to $5 + 2x$ where "x" equals the number of stories above the first floor is requirement, with a maximum setback requirement of 15 feet. Walls with windows facing interior or rear property lines are setback a minimum of 140 feet in this development.

Building coverage: Not applicable.

Impervious surface area: Not applicable.

Mechanical screening: Screening of mechanical equipment is regulated by Section 535.70 of the zoning code, which reads as follows:

(a) In general. All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

(1) Screened by another structure. Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:

- a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
- b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
- c. Off-premise advertising signs and billboards shall not be considered required screening.

(2) Screened by vegetation. Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.

(3) Screened by the structure it serves. Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.

(4) Designed as an integral part of the structure. If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

(b) Exceptions. The following mechanical equipment shall be exempt from the screening requirements of this section:

(1) Minor equipment not exceeding one (1) foot in height.

(2) Mechanical equipment accessory to a single or two-family dwelling.

(3) Mechanical equipment located in an I2 or I3 District not less than three hundred (300) feet from a residence or office residence district.

The applicant is proposing a transformer in the southwest corner of the site, adjacent to 1st Avenue N. The plans indicate that the transformer will be screened, but no detail of the proposed screening has been provided. Staff recommends that a decorative metal screen be provided around the transformer to provide visual interest in this highly visible location. All other roof-mounted, building-mounted and freestanding mechanical equipment shall be screening in accordance with the standards above.

Specific Development standards: There are no specific development standards for hotels in downtown districts.

MINNEAPOLIS PLAN

The site is designated as mixed use on the future land use map in *The Minneapolis Plan for Sustainable Growth*. It is also located within the boundaries of an activity center and downtown is a designated growth center. The following policies of the comprehensive plan apply to this proposal:

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

1.1.4 Support context-sensitive regulations for development and land use, such as overlay districts, in order to promote additional land use objectives.

- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Policy 1.4: Develop and maintain strong and successful commercial and mixed use areas with a wide range of character and functions to serve the needs of current and future users.

- 1.4.1 Support a variety of commercial districts and corridors of varying size, intensity of development, mix of uses, and market served.
- 1.4.4 Continue to encourage principles of traditional urban design including site layout that screens off-street parking and loading, buildings that reinforce the street wall, principal entrances that face the public sidewalks, and windows that provide “eyes on the street”.

Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.

- 1.12.1 Encourage a variety of commercial and residential uses that generate activity all day long and into the evening.
- 1.12.2 Encourage mixed use buildings, with commercial uses located on the ground floor and secure entrances for residential uses.
- 1.12.5 Encourage a height of at least two stories for new buildings in Activity Centers, in keeping with neighborhood character.
- 1.12.6 Encourage the development of high- to very-high density housing within the boundaries of Activity Centers.

Land Use Policy 1.15: Support development of Growth Centers as locations for concentration of jobs and housing, and supporting services.

1.15.3 Encourage the development of high- to very high-density housing within Growth Centers.

Urban Design Policy 10.1: Promote building designs and heights that enhance and complement the image and form of the Downtown skyline, provide transition to the edges of Downtown and protect the scale and quality in areas of distinctive physical or historical character.

10.1.1 Concentrate the tallest buildings in the Downtown core.

10.1.2 Building placement should preserve and enhance public view corridors that focus attention on natural or built features, such as landmark buildings, significant open spaces or water bodies.

10.1.3 Building placement should allow light and air into the site and surrounding properties.

Urban Design Policy 10.2: Integrate pedestrian scale design features into Downtown site and building designs and infrastructure improvements.

10.2.1 The ground floor of buildings should be occupied by active uses with direct connections to the sidewalk.

10.2.2 The street level of buildings should have windows to allow for clear views into and out of the building.

10.2.3 Ensure that buildings incorporate design elements that eliminate long stretches of blank, inactive building walls such as windows, green walls, architectural details, and murals.

10.2.4 Integrate components in building designs that offer protection to pedestrians, such as awnings and canopies, as a means to encourage pedestrian activity along the street.

10.2.5 Locate access to and egress from parking ramps mid-block and at right angles to minimize disruptions to pedestrian flow at the street level.

10.2.6 Arrange buildings within a site in order to minimize the generation of wind currents at ground level.

10.2.7 Locate buildings so that shadowing on public spaces and adjacent properties is minimized.

10.2.8 Coordinate site designs and public right-of-way improvements to provide adequate

sidewalk space for pedestrian movement, street trees, landscaping, street furniture, sidewalk cafes and other elements of active pedestrian areas.

Urban Design Policy 10.3: Use skyways to connect buildings Downtown.

- 10.3.1 Provide maximum transparency of skyway walls in order to provide views to the outside that help users orient themselves.
- 10.3.2 Maintain uniform skyway hours of operation wherever possible.
- 10.3.3 Provide consistent and uniform directional signage and accessible skyway system maps near skyway entrances, particularly along primary transit and pedestrian routes.
- 10.3.4 Provide convenient and easily accessible vertical connections between the skyway system and the public sidewalks, particularly along primary transit and pedestrian routes.
- 10.3.5 Maintain functional links in the skyway system while adjoining properties undergo redevelopment or renovation.
- 10.3.6 Limit skyway expansion to the downtown core and at other key sites with high-intensity uses in order to minimize low-usage skyways and maximize street-level pedestrian activity in growing downtown neighborhoods and historic areas.

The proposed 9-story hotel building will bring increased activity to a property that is currently underutilized and is entirely occupied by surface parking. The applicant is proposing to maintain skyway access with a new connection through the proposed building. With the conditions of approval recommended by staff, the property will be consistent with the above policies of the comprehensive plan.

SMALL AREA PLANS

The site is within the study area of the *North Loop Master Plan*. This plan identifies the site as being located in the West Hennepin District. This district is primarily outside of the North Loop and there are no specific recommendations for the site other than a future land use designation as mixed use. The plan states the following about the West Hennepin District:

As one of the original Land Use Districts from the Downtown East/North Loop Plan, the West Hennepin District is mostly outside of the North Loop neighborhood. The West Hennepin district will continue to encourage development that is medium-intensity and mixed-use, with a scale similar to the existing buildings. New or rehabbed development should maintain and enhance the historic character of the Warehouse District, perpetuate the theater and entertainment uses, and include new commercial and residential options with increased street-level retail. Emphasis for development is on several surface

parking lot infill sites near the Warehouse District transit station which offer an opportunity to intensify and fill in the neighborhood.

The proposed hotel will be at a scale that is similar to existing buildings in the area and on this block. The proposed building materials and architectural massing is intended to incorporate both historic (warehouse) and contemporary design elements.

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 requested by the applicant to meet the following standards:

The building is primarily located up to the north and west property lines, the only two property lines that face a public street. However, there are several sections of building wall that are recessed more than eight feet from these property lines. The primary entrance is recessed 16 feet from the property line adjacent to 8th Street N. This recess allows for a covered entry point for guests entering the building with luggage and other items. The upper floors extend out to the property line. The portion of the building that is located at the corner of 8th Street N and 1st Avenue N is recessed up to 18 feet from the property line to allow for outdoor seating in this location. The center of the building wall that faces 1st Avenue N is recessed 13 feet to allow for landscaping between the building wall and the street in this location. Alternative compliance is requested for these increased setbacks and staff recommends granting alternative compliance due to the amenities that are provided to activate these increased setback areas.

The first floor of southwest elevation contains two sections of blank wall that extend from the west property line to the landscaped area in the center of the site. Alternative compliance is required to allow a blank wall in excess of 25 feet in this location. Staff recommends

granting alternative compliance in this instance. The horizontal banding on the first floor is consistent through the entire building and, aesthetically, a material change would interrupt this horizontal detail in a manner that would not be complimentary to the rest of the building. A second blank wall is proposed on floors 2-9 in this same general area. The angled wall on the southwest elevation is blank for 64 feet. Staff does not recommend granting alternative compliance for the upper floors to allow the blank wall. This wall will be visible from adjacent properties and will have some visibility from 1st Avenue N. As a condition of approval, the applicant shall be required to provide a material change, recess, projection or other architectural element to break up the length of this wall and provide visual interest.

The window requirement for the first floor of a building facing a public street, public pathway or on-site parking lot is 30 percent. On the west elevation, facing 1st Avenue N, glass is only provided for 26 percent of the total wall area as measured between two feet and ten feet. Alternative compliance is requested and staff does not recommending granting alternative compliance in this instance. The minimum window requirements are essential in providing opportunities for tenants and patrons to observe adjacent public spaces and to activate the first floor of the building. Approximately 100 square feet of additional glazing will be required on the first floor as a condition of approval.

RECOMMENDATIONS:

Recommendation of the Community Planning and Economic Development Department for the conditional use permit:

The Community Planning and Economic Development Department recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit to increase the height of one wall sign from 28 feet to 108'11" feet and to increase the height of a second wall sign from 28 feet to 98 feet for property located at 19 8th Street N, subject to the following condition:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

Recommendation of the Department of Community Planning and Economic Development for a sign variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the staff findings and **approve** of the variance to allow for a new wall sign located on a non-primary building wall for the property located at 19 8th Street N, subject to the following condition of approval:

1. Approval of the sign permit by the Department of Community Planning and Economic Development.

Recommendation of the Department of Community Planning and Economic Development for a sign variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the staff findings and **approve** of the variance to increase the maximum area of a new wall sign from 0 square feet to approximately 126 square feet for the property located at 19 8th Street N, subject to the following condition of approval:

1. Approval of the sign permit by the Department of Community Planning and Economic Development.

Recommendation of the Department of Community Planning and Economic Development for the site plan review:

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the site plan review application for a hotel with 224 rooms on the property at 19 8th Street N, subject to the following conditions:

1. All site improvements shall be completed by August 26, 2015, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
2. CPED Staff shall review and approve the final site, elevation, landscaping and lighting plans before building permits may be issued.
3. No shelving, signage, merchandise, newspaper racks or other similar fixtures shall be placed in front of the required ground level transparent windows.
4. Floors 2-9 of the southwest elevation shall be revised to include a material change, recess, projection or other architectural element to eliminate any blank walls in excess of 25 feet, in compliance with Section 530.120 of the zoning code.
5. The dark stucco bands on the southwest elevation shall be replaced with metal panel so that this side wall is similar to and compatible with the front elevation, in compliance with Section 530.120 of the zoning code.
6. Windows shall be provided for a minimum of 30 percent of the ground floor of the west elevation, in compliance with Section 530.120 (2) of the zoning code.
7. A decorative metal screen shall be placed around the transformer that complies with the standards in Section 535.70 of the zoning code.

Department of Community Planning and Economic Development
BZZ-6166

Attachments:

1. Statement of findings and project description
2. PDR report
3. Letter from DMNA dated June 17, 2013
4. Correspondence
5. Zoning map
6. Rezoning matrix
7. Site plan, floor plans and elevations
8. Photos