

MINUTES OF THE ZONING COMMITTEE
Thursday, February 25, 2021 - 3:30 p.m.

PRESENT: Baker, DeJoy, Grill, Hood, Rangel Morales, Reilly, Syed, and Taghioff
STAFF: Kady Dadlez, Sonja Butler, Allan Torstenson, and Peter Warner

The meeting was chaired by Commissioner Baker. He stated that the chair of the Planning Commission had determined that due to the COVID-19 pandemic it is neither practical nor prudent for the Zoning Committee to meet in person, and therefore the meeting was being conducted remotely, with all members of the Zoning Committee attending the meeting remotely. The public is also able to join the meeting remotely and can speak during the public hearing portion or submit comments by noon on the day before the meeting.

1509 MARSHALL CUP - 21-236-483 - Conditional use permit to increase maximum height at the rear property line from 25' to 38', 1509 Marshall Avenue, between Pascal Street and Asbury Street.

Kady Dadlez presented the staff report with a recommendation of approval with a condition for the conditional use permit. She said District 13 recommended approval, and there were no letters in support, and 2 letters in opposition.

In response to Commissioner Rangel Morales, Ms. Dadlez said that the applicant did not combine the variance with the conditional use permit (CUP) because they did not know they needed a CUP until they went through site plan review process. They obtained the variance and applied for site plan review and that is where the need for the CUP was identified. The CUP relates to how the building height is calculated using the average existing grade.

In response to Commissioner Taghioff, Mr. Torstenson said footnote 66.331(e) in the Zoning Code states what is allowed without a conditional use permit. The conditional use permit provision allows for greater height but requires closer scrutiny and a public hearing in which we can look at the specifics of the site and determine whether the additional height is appropriate at the location. The staff report notes that there is a small portion of the building that extends northward, and it ends up being only a small portion of the fourth floor that is the part that has triggered the height CUP. The question before the Committee is if that is a reasonable height given this location and context.

In response to Commissioner Baker, Ms. Dadlez said the applicant took the project to the District Council to seek their support for the variance and to present the project. Once the need for a CUP was identified the applicant was in communication with the District Council to seek their support for that component of the project as well.

Matt Borowy, Bright Pixel Design, 802 Lower Johnson Circle, St. Peter, said he did meet with the District Council several times. At the first meeting the District Council identified their concerns regarding traffic and because of that he reworked the site plan. They also brought up the idea of a solar study. There is a person across the alley who has solar panels so because of that he flipped the building so they would have access to natural light. He is interested in the comments submitted by Michelle Besky and Ramona Peter and he is hoping that the staff report and sunshade study that was submitted helps to alleviate their concerns.

In response to Commissioner Baker, Mr. Borowy said he would call their one-bedroom units micros because there is a separation between the bedroom and living area. They only have four studios and they are spacious. The two-bedrooms he would consider small, but not micro.

In response to Commission Hood, Mr. Borowy explained the 4-story blank wall in the north elevation. He said three-unit types are repeated throughout the building. On this north elevation side is the side of units that have bathrooms and laundry areas that do not require natural light. He thought that because the building is a higher elevation if windows were here, they would be gazing into the backyard and by not having windows it provides more privacy for the homes located across the alley. There are windows facing the north in the section of the building that is further away from the alley.

Mike Scott, 1514 Iglehart Avenue, spoke in opposition. He said he was concerned about the traffic through the alley. The alley is narrow, and he would like to see traffic move in a one-way direction.

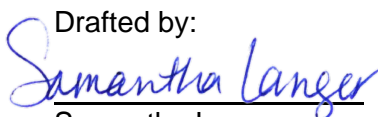
Mr. Borowy said that the traffic in the alley did come up in discussions with city staff during site plan review. They have reworked the site to have the primary traffic come from Marshall. The only alley traffic should be overflow parking that includes seven parking stalls along the north side and that is located four feet away from the existing alleyway. In that section the alley will be four feet wider than it is currently. He also provided the square footage for each unit type. The studios are 485 sq. ft., one-bedroom units are 490 sq. ft. and the two-bedroom units are 723 sq. ft.

No one spoke in support. The public hearing was closed.

Commissioner Reilly moved approval with a condition of the conditional use permit. Commissioner Grill seconded the motion.

The motion passed by a vote of 7-0-1.

Adopted Yeas - 7 Nays - 0 Abstained - 1 (Rangel Morales)

Drafted by:

Samantha Langer
Recording Secretary

Submitted by:

Kady Dadlez (Mar 12, 2021 09:34 CST)
Kady Dadlez
City Planner

Approved by:

Cedrick Baker (Mar 12, 2021 10:28 CST)
Cedrick Baker
Chair









21-236-483 1509 Marshall CUP minutes KDedits

Final Audit Report

2021-03-12

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