Ordinance No. ___-18

An interim ordinance establishing a moratorium on the use and development of the building and lands located at 3745 Louisiana Avenue South

The City of St. Louis Park does ordain:

Section 1. Background.

1.01. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4., the City of St. Louis Park is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning consultant is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. The city declares that this Interim Ordinance is established pursuant to the aforementioned statute.

1.02. Comprehensive Plan Update. The city has drafted an update to its comprehensive plan that has been circulated to surrounding jurisdictions, and is available to the public, for review and comments. The city will schedule a public hearing to occur after a six-month review period. The draft comprehensive plan update includes a proposal to change the future land use designation for the 13-acre property and vacant 150,637-square-foot building located at 3745 Louisiana Avenue South, St. Louis Park, Hennepin County, Minnesota (“Subject Property”) from Commercial to Business Park.

Section 2. Findings and Purpose.

2.01. There are substantial concerns that the city’s official comprehensive plan future land use map and zoning ordinance provisions relating to the Subject Property do not adequately address issues relating to the present use, future land use, development or redevelopment of this vacant property.

2.02. The city’s concerns include, and are not limited to, compatibility with existing uses, recent public improvements, planned future land uses, and the planned light rail transit station in the area surrounding the Subject Property.

2.03. As a result of the important land use and zoning issues cited above the city council finds that it is necessary to conduct a study to address the types of developments and land uses that are appropriate on the Subject Property. The study may also identify appropriate changes, if any, that should be made to the city’s official land use controls, including but not limited to the city’s zoning ordinance and comprehensive plan.

2.04. The city council directs the planning and zoning division staff to conduct a study for the purpose of consideration of possible amendments to the city’s official controls to address the issues concerning the subject property.
2.05 The city finds that this interim ordinance must be adopted to protect the planning process and the health, safety and welfare of the citizens.

Section 3. Prohibition

3.01. In accordance with the findings set forth in Section 2 and pursuant to the authority of Minnesota Statutes, Section 462.355, subd. 4, there is hereby established a moratorium on the Subject Property.

3.02. To ensure that use and development does not occur within the Subject Property that might be inconsistent with any potential changes in the city’s updated comprehensive plan and official controls resulting from the study referenced in Section 2.03 above, the city council finds that the moratorium established by this ordinance should apply to all land use and zoning applications for the Subject Property.

3.03 During the effective period of this interim ordinance, applications for a registration of land use, subdivision, preliminary plat, planned unit development, zoning map amendment, conditional use permit, variance, or comprehensive plan amendment for the Subject Property shall not be accepted, considered or approved by the City. This Ordinance prohibits the further consideration and approval of any pending application for the Subject Property.

SECTION 4. Exceptions to prohibition.

4.01. The city exempts from the prohibitions listed in Section 3 above any permits for basic maintenance and repair of the existing building and grounds.

4.02. The city exempts from the prohibitions listed in Section 3 above the development of the Subject Property for office, medical office, dental office, business/trade school/college, medical and dental laboratories; provided the development of the site for these uses meet all city code requirements and results in building(s) not less than four stories tall and floor area ratio(s) not less than 1.0.

SECTION 5. Enforcement. The City may enforce this Ordinance by injunction or any other appropriate civil remedy in any court of competent jurisdiction.

SECTION 6. Separability. Every section, provision or part of this Ordinance is declared separable from every section, provision or part of this Ordinance. If any section, provision or part of this Ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this Ordinance.

SECTION 7. Duration. This Ordinance shall take effect fifteen days after its publication and shall remain in effect for up to twelve (12) months.

| First Reading       | August 20, 2018 |
| Second Reading      | August 27, 2018 |
Date of Publication | August 30, 2018
Date Ordinance takes effect | September 14, 2018

Reviewed for administration: | Adopted by the City Council (date)

Thomas K. Harmening, City Manager | Jake Spano, Mayor
Attest: | Approved as to form and execution:

Melissa Kennedy, City Clerk | Soren Mattick, City Attorney

DRAFT