

**OFFICIAL MINUTES OF NOVEMBER 27, 2018
BOARD OF ZONING APPEALS
CITY OF ST. LOUIS PARK**

Members present: Anthony Howard, Justin Kaufman, Henry Solmer

Members absent: James Gainsley, Paul Roberts

Staff present: Jennifer Monson, Planner
Gary Morrison, Assistant Zoning Administrator

1. Call to Order – Roll Call

Chair Kaufman called the meeting to order at 6:00 p.m.

2. Approval of Minutes of May 24, 2018

Mr. Solmer recommended approval of the May 24, 2018 minutes. Mr. Howard seconded the motion, and the motion passed on a vote of 3-0.

3. Consent Agenda: None

4. Public Hearings

- A. Variances: Texa-Tonka Shopping Center
Location: 8000 Minnetonka Blvd.
Applicant: Paster Properties, Mike Sturdivant
Case Nos.: 18-61-VAR, 18-62-VAR

Jennifer Monson, Planner, presented the staff report. The variance requests are to allow a setback of 12 feet from residential properties for restaurants with intoxicating liquor licenses and to allow 160 parking spaces instead of the required 251 spaces.

Ms. Monson stated the applicant has a purchase agreement to buy the Texa-Tonka Shopping Center. The applicant wishes to update the site and façade and reduce the size of the shopping center to accommodate an outdoor gathering space and landscaping.

Ms. Monson presented analysis of the criteria for both variance requests.

Ms. Monson stated that a neighborhood meeting was held on November 15, 2018 to introduce Paster Properties to the neighborhood and to inform the community regarding the reinvestment planned for the shopping center. She said those in

attendance voiced overwhelming support for the project. She noted that several comments were made that there has not been a parking issue on site for over 30 years.

The chair opened the public hearing.

The applicant, Mike Sturdivant, introduced himself.

Mr. Solmer said it was great the property was going to be redeveloped. He said he was concerned about the cut through and noise getting through the opening to the neighborhood. He asked if the applicant would consider leaving a wall across the back for a noise barrier.

Mike Gordon, AWH Architects, discussed the sectional variation design which should help buffer some sound. He said they are also proposing planter boxes within the courtyard area along with a vegetated landscape screen that will also buffer noise. He said they are also leaving the existing structure in place, removing the roof and materials around it but leaving the beams and structural supports and on top of that proposing a solar ray. The ray won't be open, it will be closed, and hopefully that will help keep noise from escaping. The solar canopy will be over the seated area.

Mr. Solmer asked the applicant about similar projects they have done and how they worked out regarding noise.

The applicant discussed a similar project in south Minneapolis. The solar structure has helped create an enclosure and reduce noise.

Mr. Solmer spoke about the history of the property and parking. He discussed vacancies and low frequency use over the years. He said a restaurant will attract more drivers. He spoke about overflow parking which was available on the east side of Texas in the past. He said he wondered if it would be a good idea if the applicant would operate for a year before removing parking spaces.

Ms. Monson said staff never found anything in city records regarding required or allowed parking for this site with any of the other adjacent parking lots. She said the proposed resolution includes a stipulation that if there are any parking issues when a new business applies the city will not approve an occupancy until parking issues are resolved.

Mr. Sturdivant said they own and manage several shopping centers throughout the Twin Cities. The project is very neighborhood centered and they will do their best to bring in uses that are complimentary from a parking perspective. He discussed bike parking, bike lanes and transit that will be available to patrons.

Mr. Solmer said if the business is successful they will need more parking.

Chair Kaufman asked about restaurant hours.

Gary Morrison, assistant zoning administrator, stated there are no hour limitations in C-2.

Susan Bloyer, 2935 Pennsylvania Ave. S., member of Texa-Tonka neighborhood association, said she supports the variances as submitted. She said the neighborhood likes the idea of the open area. She said shrubbery tends to be a better noise blocker than wood or other retaining walls. She said she has lived in the neighborhood for 30 years. She said she's seen times of successful, large commercial uses and has never seen full parking at the site. She said the parking spot across the street has never been used. She spoke about the shrubbery and landscaping being an improvement for water management on the site.

Scott Kosloski, 2845 Rhode Island, Texa-Tonka neighborhood association chair, said the association board supports approval of the variances. They feel the redevelopment will be a great benefit to the community. He said several residents at the neighborhood meeting have lived there for many years and they are not concerned about parking issues.

Joe Smith, 2941 TexaTonka, said he would be next to the open air seating area. He said he has concerns. He said in the past he had problems with the restaurants and the alley. He said the alley doesn't seem conducive to the open area. He wondered if the solar panels would reflect back at his space. He is concerned about noise. What can he do about noise? He's enjoyed his patio for 17 years.

Mr. Sturdivant said the alley will continue to be used by the restaurant. They will be cleaning up the alley.

Mr. Gordon discussed site lighting improvements to discourage lingering. He said the solar panels will be south facing.

There was a discussion about grade changes at the opening.

Mr. Sturdivant spoke about a similar restaurant with a patio that they operate in Lakeville and there have been no neighborhood concerns. He said they want to be good neighbors and address any concerns.

The Chair asked staff how the city addresses neighborhood complaints about a business.

Ms. Monson discussed the city noise ordinance and the ways the city works with property owners regarding issues. She said the city's liquor license requires barriers for outdoor seating if alcohol is served.

Mr. Sturdivant said their intent is not to have patrons in the alley.

As no one else was present wishing to speak the Chair closed the public hearing.

Mr. Solmer asked the applicant if they were aware of any drainage issues on the site.

Mr. Sturdivant said they are trying to stay under the threshold that would require a storm management plan.

Mr. Solmer made a motion to recommend approval of the variance requests with conditions as recommended by staff. Mr. Howard seconded the motion, and the motion was approved on a vote of 3-0.

B. Variance: Variance to required minimum parking spaces
 Location: 6538 Lake Street
 Applicant: Alex Brose
 Case No.: 18-66-VAR

Gary Morrison, assistant zoning administrator, presented the staff report. The applicant requests to allow two parking spaces instead of the required 21 spaces for a proposed Herbalife store at 6538 Lake Street. He explained that there are no on-site parking spaces, and there are 12 on-street parking spaces located adjacent to the property that can count toward the parking requirement. The 12 spaces count toward all uses in the property, not just the applicant's use.

Mr. Morrison discussed the Walker Lake parking study which will be completed next summer.

Mr. Morrison reviewed criteria for granting of the variance.

Mr. Solmer asked about current utilization of the on-street parking.

Mr. Morrison responded that about less than half of on-street parking on Lake Street is utilized. He commented that the block functions like a strip mall so parking might not be directly across from a use.

Alex Brose discussed the project and said they are very excited about the Walker Lake revitalization and the revitalization of the London Square building.

Mr. Solmer made a motion to approve the variance to allow two parking spaces instead of the required 21 spaces. The motion was approved on a vote of 3-0.

5. Unfinished Business: None
6. New Business: None
7. Communications: None
8. Adjournment

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Nancy Sells
Recording Secretary