

OFFICIAL MINUTES
PLANNING COMMISSION
ST. LOUIS PARK, MINNESOTA
January 16, 2019 – 6:00 p.m.
COUNCIL CHAMBERS

MEMBERS PRESENT: Lynne Carper, Matt Eckholm, Jessica Kraft,
Lisa Peilen, Carl Robertson,
Joe Tatalovich, Alanna Franklin (youth member)

MEMBERS ABSENT: Claudia Johnston-Madison

STAFF PRESENT: Jennifer Monson, Sean Walther

1. Call to Order – Roll Call
2. Approval of Minutes of December 19, 2018

Commissioner Tatalovich made a motion to approve the December 19, 2018 minutes. Commissioner Peilen seconded the motion, and the motion passed on a vote of 6-0.

3. Public Hearings

- A. Zoning Ordinance – window transparency on ground floor street facing facades
Applicant: City of St. Louis Park
Case No.: 18-70-ZA

Jennifer Monson, Planner, presented the staff report.

Commissioner Peilen asked about businesses on Minnetonka that cover their windows with brown paper and asked if the proposed ordinance would require the business to remove the paper.

Ms. Monson said that the proposed ordinance would require the removal of paper coverings.

Commissioner Peilen asked about a separate part of the ordinance dealing with directional signage on parking ramps. Discussion followed.

Mr. Walther said that directional signage on parking ramps would be allowed under the sign code, and is not prohibited by the architectural ordinance. He suggested the planning commission review this item at a later time as it is not part of the proposed ordinance.

Commissioner Carper agreed.

Commissioner Kraft asked about signage for unleased space.

Mr. Walther said the city limits the square footage for leasing signs under the sign code.

Ms. Monson said she agreed with Mr. Walther and said the proposed ordinance is for occupied spaces. Leasing signs would still have to meet the sign code.

Commissioner Carper asked a question relating to the window coverage. He discussed Trader Joe's and their inward facing store front. He stated that Trader Joe's uses signs on the back of their shelving against the windows. He said CVS is another example. He asked how the ordinance would apply to Lunds & Byerlys.

Ms. Monson explained that Trader Joe's signage is approved under a plan unit development and has its own specific signage regulations and requirements. She said she would have to double check to see what the code says. As for Lunds and Byerly's, staff would have to research what is considered the front façade of the building. It's a large lot surrounded by streets.

Mr. Carper asked about the TexaTonka Shopping Center.

Ms. Monson said the Texa-Tonka center has a lot of window signage. There are no opaque or mirrored windows. There is a lot of window signage which is easier and more affordable to take down versus replacing windows.

Commissioner Carper asked if the city is deciding what a window looks like in terms of the display or what is placed within the three feet of depth.

Ms. Monson said that as long as it's visible within the first three feet of the space, we don't care what is placed there.

Commissioner Carpers asked Ms. Monson if the ordinance prohibits anything within the three feet from being displayed.

Ms. Monson clarified that displays are permitted, as long as you can see past the merchandise for the first three feet into the commercial space.

Commissioner Carper asked what kind of percentage of that view into the space is being discussed.

Ms. Monson said ten percent of the window area is allowed to be blocked. The remaining 90 percent would need to remain open for the first three feet.

Commissioner Peilen asked a few follow up questions regarding parking ramp signage, ensuring the ordinance does not preclude directional parking signs.

Chair Robertson said he does see all those as directional signage.

Commissioner Peilen asked how the ordinance addresses temporary signs.

Ms. Monson responded that temporary signs are allowed as long as they follow the temporary sign code requirements.

Commissioner Carper asked if staff researched other city's transparency ordinances.

Ms. Monson explained that staff researched many other ordinances both local and across the country including Minneapolis, St. Paul, Seattle, Boulder, Denver, and Cincinnati, including examples from developments in St. Louis Park.

Commissioner Carper asked Ms. Monson if she consulted with any professional such as architects who are designing the buildings, store planners who plan the inside of them and even potential business who may want to move into the community but could change their mind due to the nature of this ordinance.

Ms. Monson explained they have discussed the ordinance with the planning commission which has a variety of people from different backgrounds including several architects. She stated that staff reached out to St. Paul as they have adopted similar standards for the Grand Ave corridor. St. Paul never responded, but staff took into consideration the standards St. Paul and other cities adopted when crafting the ordinance.

Commissioner Carper explained that with his extensive history in retail he's a bit uncomfortable with the ordinance. He asked Ms. Monson if other window transparency ordinances were studied in areas of high pedestrian activity, and stated downtown Hopkins and 50th and France as examples.

Ms. Monson explained that staff researched many other ordinances both local and across the country. She stated that each treat it a bit differently, and that Minneapolis uses pedestrian overlay zones.

Chair Robertson asked if anyone had further questions for staff. Seeing none, he opened the public hearing. No one was present to speak so he closed the public hearing, and brought the discussion back to the commission.

Chair Robertson explained that planning commission has had several discussions about transparency and that he is still uncomfortable with this ordinance though he understands the intent. He stated that he believes you cannot design by formula. It can make buildings very monotonous as everything looks the same. He would prefer to see transparency as a set of guidelines rather than an ordinance. Chair Robertson said the ordinance does not give the architect enough freedom and is very limiting. He does not believe it will work.

Commissioner Eckholm said his first reaction would be to disagree with Commissioner Robertson, but remembered attending a downtown Minneapolis meeting where they were discussing the new YMCA on Nicollet. He said there was difficulty meeting Minneapolis' zoning and the innovative concept that the developer came up with, was still not approved.

Ms. Monson said the ordinance realizes that not everyone can or should meet this ordinance. That there is flexibility in the ordinance for staff, city council, or planning commission to alter the requirements.

Chair Robertson said this is a thought, but it's still not clear what is allowed and how well it will be received.

Commissioner Carper explained he is uncomfortable with the ordinance and doesn't think all businesses can get a planned unit development like Trader Joe's. He also expressed concerns about restricting the floor space within the building by three feet.

Ms. Monson explained staff feels the ordinance can be easily met and that Trader Joe's and Cub Foods signage and art would be considered alternate pedestrian amenities under the code.

Commissioner Peilen expressed concerns that the ordinance is a response to a problem with a couple buildings but it goes far into regulating.

Chair Robertson responded that zoning codes increase cost and understands that there are good reasons to it. He believes we need to also focus on affordable commercial space.

Commissioner Kraft believed the intent of the ordinance is great, but believes there are other ways to make a more active and inviting streetscape. She suggested ways to equally prioritize different options; transparency is one option another is art along with other multitude creative solution to better meet the intent of what were after.

Commissioner Carper said he agrees with spirit and intent of the ordinance but feels this may need more work. He suggested breaking the ordinance into parts.

Chair Robertson asked Mr. Walther if the commission should vote on the ordinance and take the chance it wouldn't pass or to table it and see it brought back again soon.

Mr. Walther said there is no specific direction. This was a city generated request by council and they would like to see it come to them at some stage for their action. They are looking for Planning Commission's input.

Chair Robertson said there was good conversation and feels some of things that were troubling don't seem to be addressed far enough. He stated that he would like to make sure City Council has enough information on where the Planning Commission stands. His preference would be to go forward with the vote.

Commissioner Carper clarified that city council can choose to act on this ordinance in any matter they choose, so a yes and no by the planning commission does not guarantee anything.

Commissioner Carper moved that the Planning Commission approve the zoning ordinance on window transparency on the ground-floor street facing facades.

Commissioner Peilen seconded the motion.

Chair Robertson said the motion does not carry on a vote of 0-6 against the motion.

Mr. Walther said the vote needs to have an affirmative motion to recommend denial of the ordinance.

Chair Robertson requested a second motion.

Commissioner Carper made a second motion to recommend denial of the zoning ordinance for window transparency on the ground-floor street facing facades.

Commissioner Tatalovich seconded the motion, and the motion passed on a vote of 6-0.

4. Other Business
5. Communications
6. Adjournment

The meeting was adjourned at 7:30pm and was followed by a study session.

STUDY SESSION

Density bonuses in the mixed-use zoning district draft ordinance.

Ms. Monson highlighted the 2040 comprehensive plan definition for mix use. She said the mixed use land use category allows density from 20 units per acre to 75 units per acre. She said that all of the land that is being re-guided as mixed use in the comprehensive plan is already zoned C-2 which allows mixed use buildings with up to 50 units per acre with a conditional use permit. Therefore, 50 units per acre is being used a starting point for the mixed use ordinance. However, if the site is rezoned to mixed use there is a potential for a higher level of density. She said staff is looking for commission's input on items that would allow higher density, including affordable commercial space, affordable housing, green building policy, and other site amenities.

Commissioner Peilen asked a question pertaining to a previous mixed use building where one commissioner thought there wasn't mixed use enough and therefore did not support it and refers back to the slide where it talks about percentages. She asked if that building would have met the new mixed-use standards.

Ms. Monson referred to the full draft of the ordinance and stated that 25% of the primary façade on the ground floor could be used for a residential management office but cannot be used for residential amenities while the rest of the ground floor primary façade has to be a non-residential use.

Mr. Walther clarified the purpose of the definition in the comprehensive plan is to give some indication for the city's long term infrastructure planning and the metropolitan council. The definition is only a guidance and offers flexibility.

Commissioner Kraft asked for clarification on the city's Green Building policy as it seems close to the Renewable Energy resource policy.

Ms. Monson agreed the two policies overlap. She stated the Green Building policy requires developers to follow a green building system like LEED or B3, as well as meet SB2030.

Mr. Walther explained how tax increment financing works within the city as it relates to the Green Building policy.

Commissioner Eckholm suggested a density bonus option relating to the renewable energy sources. He suggested a bonus for using a battery backup system versus a diesel backup.

Chair Robertson suggested density points for a transit stop.

Commissioner Carper suggested density points for public meeting space for groups.

Mr. Walther mentioned that a lot of definition still needs to happen on the density bonus piece, and asked if the commission would be comfortable moving ahead with the remainder of the ordinance if it takes longer to figure out the density bonus options.

2. 2019 Commission Work Plan

Jacquelyn Kramer, Associate Planner, presented the planning commission 2019 work plan report and asked if anyone had questions or anything to add.

Commissioners agreed that if there are additional items they want to bring to council, they will bring them at a later time.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Elena Roberts
Office Assistant