BOARD OF ZONING APPEALS (BOZA)

1. Call to order – Roll Call

2. Approval of Minutes

3. Public Hearings

   3a. 7627 North Street Variance
       Applicant: Heinen Contracting Inc., on behalf of Casey Cunningham
       Location: 7627 North Street
       Case No.: 19-12-VAR

4. Old Business

5. New Business

   5a. Board of Zoning Appeals bylaws

6. Communications

7. Adjournment

PLANNING COMMISSION (begins immediately following BOZA meeting)

1. Call to order – Roll Call

2. Approval of Minutes

   2a. May 15, 2019

3. Hearings

   3a. Comprehensive plan related zoning map amendments
       Applicant: City of St. Louis Park
       Case No.: 19-09-ZA

4. Old Business

5. New Business

6. Communications
7. Adjournment

**PLANNING COMMISSION STUDY SESSION** (begins immediately following regular meeting)

1. Zoning guidelines for ground floor street facing transparency requirements (45 minutes)

If you cannot attend the meeting, you may call the Community Development office at 952.924.2575.

Auxiliary aids for individuals with disabilities are available upon request. To make arrangements, please call the administration department at 952/924-2525 (TDD 952/924-2518) at least 96 hours in advance of meeting.
3A. Variance to allow an accessory building in the front yard.

Location: 7627 North Street
Applicant: Heinen Contracting, Inc., on behalf of Casey Cunningham
Case No.: 19-12-VAR

Recommended Actions: Chair to open the public hearing, take public testimony, and close the public hearing.

Motion to Adopt Resolution approving a variance to allow a detached garage in front of the home at 7627 North Street.

REQUEST:
The Applicant requests a variance to allow a detached garage to be constructed in the front yard.

LOCATION:
BACKGROUND:

Comprehensive Plan: Low Density Residential (RL)
Zoning: R-2 Single-Family Residence

Proposal: The applicant would like to construct a detached garage in the front yard. Drawings of the proposal are attached for review. The proposed garage would be 22 feet wide by 24 feet long. The garage would be built the same distance from the street as the existing homes on North Street. The garage door will face the alley and windows will face North Street. The garage would be accessed by a driveway from the alley that would be paved during the construction of the detached garage. The garage is intentionally being built five feet from the side property line, which is more than the minimum side yard setback for detached garages, and consistent with the setbacks required for a house.

Existing Conditions: The property is 6,400 square feet in area, and is 50 feet wide. The house was constructed in 1948 with 576 square feet of living space over a two-car garage, and essentially as a carriage house. The garage was converted to living space in 1995. The building is five feet from the rear lot line, which does not leave sufficient space for a detached garage to be constructed anywhere on the property, except the front yard, which for accessory buildings is defined as the area between the house and the front lot line.
Applicable Zoning Regulations: The following definitions that apply to this request, and the section of the city code that is the subject of the variance, include:

**City Code Section 36-162(b) Definitions.** For the purpose of subsections (d) and (e) of this section, the listed terms are defined as follows:

*Back yard* means the area between a line created by extending the rear face of the principal building and the rear lot line.

*Front yard* means the area between a line created by extending the front face of the principal building and the street in front of the house.

*Side yard* means area between the front and back building walls and the side lot line.

**City Code Section 36-162(d)(1)a**
Accessory buildings shall be erected or located within the back yard as defined in subsection (b) above, except that an accessory building designed and used as a garage may be located within a side yard unless it abuts a street. No accessory building shall be located in the front yard as defined in subsection (b) above.

In this case, the principal building is five feet from the rear lot line, so for this property, the back yard measures five feet long by 50 feet wide.

**ANALYSIS:** As required by City Code, the Board of Zoning Appeals (BOZA) considers the following standards and provisions when ruling on a variance. Staff provided an analysis of each point below, and the Applicant also provided an analysis of each point in the attached letter.

1. **The effect of the proposed variance upon the health, safety, and welfare of the community.** The garage is proposed to be located in line with neighboring homes, so its front yard will be consistent with the existing front yards of the other homes on the block. Additionally, the garage will be located five feet from the side lot line, which is consistent with the required side yard for houses in this neighborhood.

   Staff find the proposal does not significantly impact the health, safety and welfare of the community.

2. **Whether or not the request is in harmony with the general purposes and intent of the Zoning Ordinance.** The intent of this variance request is to discourage accessory buildings from being constructed between the house and the street, thus preserving the views along the front yards of all the houses on the block, and ensuring that the front face of the house is visible to the street. This code assumes that the house is constructed at, or near, the required front yard setback. The existing house, however, is located five feet from the rear property line, leaving 96 feet from the front face of the house to the front lot line and making it impossible to locate a two-car garage in the back yard.
While the garage is proposed to be constructed in front of the house, it is also proposed to be in line with the other houses on the block, so the views along the front yards will be preserved. Additionally, the overhead garage door will face the alley, the driveway will connect from the alley to the detached garage, and the garage will have windows that face the street; all of which will reduce the visual impact of the garage being located in front of the house.

The above design elements are all important to mitigating the impacts of the detached garage. Staff recommend including these elements as conditions of approval.

3. **Whether or not the request is consistent with the Comprehensive Plan.** It is a goal of the Comprehensive Plan to “Promote and facilitate the expansion of existing homes through remodeling projects which add more bedrooms and more bathrooms, 2+ car garages and other amenities.” The Comprehensive Plan calls for the city to explore how zoning requirements for setbacks, lot coverage, and building height can be made more flexible to allow expansions of existing single-family homes.

Staff find the Comprehensive Plan supports the requested variance. The plan provides a two-car garage, and detached garages are a common and legal accessory use for a residential property.

4. **Whether or not the applicant establishes that there are practical difficulties in complying with the Zoning Ordinance.** Practical difficulty means:
   a. The proposed use is permitted in the zoning district in which the land is located. A variance can be requested for dimensional items only. Single-family houses and detached garages are permitted uses in the R-2 Single-Family Residence district.
   
   b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner. Staff find the property owner has a plight that justifies granting a variance. The property owner cannot legally construct a two-car attached or detached garage in the back yard due to the house being five feet off the property line. Furthermore, the current owner purchased the property in 2004 and did not create these unique circumstances. A previous owner converted the garage on the first level of the principal building to living space.

   c. The variance, if granted, will not alter the essential character of the locality. The proposed garage is built in alignment with the other homes on the street. Staff find it will not alter the character of the area.

   d. Economic considerations alone do not constitute practical difficulties. Economic considerations are not considered as part of this application.
e. **Practical difficulties include inadequate access to direct sunlight for solar energy systems.** This is not applicable to the application.

5. **Whether or not there are circumstances unique to the shape, topography, water conditions, or other physical conditions of the property.** There is a unique situation for the property. The existing location of the home being only five feet from the rear property line. This limited back yard space does not allow room for a garage in the back yard. There is also limited space on the side yards with 15.9 feet between the house and the property line on the west side and 4.5 feet on the east side.

6. **Whether or not the granting of the variance is necessary for the preservation and enjoyment of a substantial property right.** The BOZA has historically considered a two-car garage to be a substantial property right. As a result, the BOZA has granted variances to accommodate them when there are no practical legal alternatives. As noted earlier, the property owner currently does not have a two-car garage and cannot build one without a variance.

7. **Whether or not the granting of the variance will impair light and air to the surrounding properties, unreasonably increase congestion, increase the danger of fire, or endanger public safety.** As noted above, the proposed garage will meet the minimum setbacks required for a house, thereby reducing the impact on the adjacent properties, and preserving access to sunlight and air flow. It will also maintain safe distances between the structures to reduce the risk of fire spreading from one to another.

8. **Whether or not the granting of the variance will merely serve as a convenience or is it necessary to alleviate a practical difficulty.** Staff find this has been met. As noted above, the variance alleviates a practical difficulty.

**RECOMMENDATION:** Staff find the proposed application for a variance to allow a two-car garage in the front yard meets the standards and provisions required for granting a variance. Therefore, staff recommend adoption of the attached resolution approving the requested two-car garage in the front yard, subject to the conditions recommended by staff.

**PREPARED BY:** Gary Morrison, Assistant Zoning Administrator  
Akua Y. Opoku, Community Development Intern

**REVIEWED BY:** Sean Walther, Planning & Zoning Supervisor

**ATTACHMENTS:**
- Aerial photograph
- Proposed resolution
- Letter from applicant
- Project plans
Agenda Item 3a.

AERIAL PHOTO

[Image of aerial photo with marked areas labeled Alley and North Street]
BOZA Resolution No. ______

Resolution approving a variance to allow a detached garage to be constructed in the front yard at 7627 North Street

Whereas, on May 3, 2019, Heinen Contracting, Inc, on behalf of the property owner Casey Cunningham applied for a variance from the requirements of Zoning Code Section 36-162(d)(1)a to allow a detached garage to be constructed in the front yard.

Whereas, the property is located at 7627 North Street and legally described below as follows, to wit:

Lots 13 and 14, Block 141, Rearrangement of St Louis Park; Hennepin County, Minnesota.

Whereas, the property is zoned R-2 single-family residence.

Whereas, the Board of Zoning Appeals reviewed variance application Case No. 19-12-VAR on June 19, 2019.

Whereas, based on the testimony, evidence presented, and files and records, the Board of Zoning Appeals determined that the requested variance meets the standards and provisions of Section 36-34(a)(2) of the zoning code necessary for the Board of Zoning Appeals to grant variances, and makes the following findings:

a. There are factors related to the shape, size or other extraordinary conditions on the lot which prevent the construction of a two-car garage. The existing house is constructed five feet from the rear lot line, and 4.5 and 15.9 feet from the side lot lines, making it difficult and impractical to construct a two-car garage without a variance.

b. Granting the requested variance is necessary for the preservation and enjoyment of a substantial property right. Allowing a two-car garage is a substantial property right and a detached garage cannot be constructed without a variance.

c. The location of the house creates a demonstrable or undue hardships or practical difficulties under the terms of the zoning ordinance or Minnesota Statue.

d. The proposed location of the garage, together with the proposed locations of the garage doors and windows will not adversely impact the character of the neighborhood.
e. The contents of the Board of Zoning Appeals Case File 19-12-VAR are hereby entered into and made part of the public hearing record and the record of decision for this case.

Now therefore be it resolved by the Board of Zoning Appeals of St. Louis Park, Minnesota, that the requested variance to construct a detached two-car garage in the front yard at the property located at 7627 North Street is hereby approved with the following conditions:

1. The garage shall be constructed in accordance to the following exhibits:
   a. Exhibit A – Survey showing location of the proposed garage
   b. Exhibit B – Building elevations showing the size and height of the garage.
2. Windows shall be installed on the wall of the detached garage facing North Street.
3. Vehicular access to the garage (overhead garage doors) shall face the alley and be accessed by a driveway from the alley.
4. The detached garage shall not be expanded or added onto unless this variance is amended to reflect the proposed change.
5. The variance is automatically revoked and canceled if construction of the proposed garage is not substantially completed within two years as outlined in city code section 36-38(a)(9).

Adopted by the Board of Zoning Appeals: June 19, 2019
Effective date of the ordinance: July 1, 2019

Matt Eckholm, Chairperson

ATTEST:

_______________________________________
Gary Morrison, Assistant Zoning Administrator
Letter from the Applicant

7627 North Street Variance Request

1. The effect of the proposed variance will not affect the health or welfare of the community either positively or negatively. It will improve the safety of the community by allowing the homeowner to park their vehicles and store other recreational items, bicycles, lawn machinery, seasonal items, and tools inside the garage rather than to leave them exposed, thereby encouraging theft or vandalism.

2. The request is in harmony with the general purposes and intent of the zoning ordinance in that it will create a more uniform appearance for this property and allow the subject property to conform to the neighborhoods standard of having an accessory structure for each dwelling unit.

3. The request is consistent with the comprehensive plan as it will bring this property up to the standard of the neighborhood.

4. This property is a legally nonconforming property in which the primary dwelling is in the rear of the lot with a setback of five feet from the rear lot line. It is impossible to put a garage anywhere but in the front of the existing dwelling. To allow the garage to be built where proposed will actually create a greater conformity with the neighboring homes, in that the positioning of the proposed structure will be at around the same front setback as the existing neighboring homes on the street. Proposed structure will have windows on the street facing side, creating uniformity with the look of the neighboring homes. The proposed structure will not alter, but enhance the essential character of the locality.

5. The shape, topography, and water conditions on the property are not an issue. The physical condition of the location of the existing dwelling creates an infeasibility of placing an accessory structure to the rear of said dwelling.

6. The granting of the variance is necessary for the preservation and enjoyment of the owners right to safely park their vehicles, store outdoor items and seasonal items. The existing dwelling does not have a basement, creating an even greater necessity for an accessory building.
7. The granting of the variance will not impair light and air to the surrounding properties, unreasonably increase congestion, increase the danger of fire or endanger public safety in any way.

8. The granting of the variance will not merely serve as a convenience but is necessary to alleviate the practical difficulty of parking, storage of garbage and recycling containers, bicycles, lawn equipment, seasonal furniture, and other items which cannot be stored outside without danger of theft or exposure to the elements. The proposed accessory dwelling will create a more orderly appearance of the property.
LEGAL DESCRIPTION:
Lots 13 and 14, Block 141, Rearrangement of St Louis Park, Hennepin County, Minnesota.

SCHEME OF WORK & LIMITATIONS:
1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. While we show a proposed location for this garage, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.
6. This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.

STANDARD SYMBOLS & CONVENTIONS:
"●" Denotes iron survey marker, found, unless otherwise noted.
Estimate Id: 81599

*** Here are the wall configurations for your design.
Illustration May Not Depict All Options Selected

Street Side

Gable Front View
(2) - SINGLE HUNG (GOOD) 30X36

Gable Back View
(1) - GARAGE DOOR 16X7 WHITE INSUL RAISEDPNL EZSETTORSN

Alley Side

Eave Front View
(1) - E-1 DOUBLE E-1 DOUBLE DOOR PH SB 60X80 RH SPCORD

Eave Back View

Sandstone vinyl siding

Building Size: 22 feet wide X 24 feet long X 8 feet high
Approximate Peak Height: 12 feet 0 inches (144 inches)
NOTE: Overhead doors may need to be "Wind Code Rated" depending on your building location.
Confirm the door requirements with your local zoning official before construction.

Menards-provided material estimates are intended as a general construction aid and have been calculated using typical construction methods. Because of the wide variability in codes and site restrictions, all final plans and material lists must be verified with your local zoning office. Menards is a supplier of construction materials and does not assume liability for design, engineering or the completeness of any material lists provided. Underground electrical, phone and gas lines should be located and marked before your building plans are finalized. Remember to use safety equipment including dust masks and sight and hearing protection during construction to ensure a positive building experience.
Building Size: 22 feet wide X 24 feet long X 8 feet high

Note: Wall construction is 2x4 @ 16" on center
3b. Board of zoning appeals bylaws

**Recommended Action:** Motion to approve the attached board of zoning appeals bylaws, as amended.

**Background:** A few housekeeping updates to the bylaws are proposed for the board of zoning appeals (BOZA). Some of these are the direct result of the change to having planning commissioners serve as the BOZA, and all these changes were discussed at a study session on May 15, 2019. Attached to this report is a redlined copy of the BOZA by-laws for your review.

Please note that staff is aware that board of zoning appeals would like the city to consider allowing the youth commissioner to vote on applications. Staff shared this interest with the administration department. A temporary AmeriCorps staff person will be working with the city in 2019 on a variety of youth issues. It is recommended that board’s request be researched further and explored by this staff person in the context of other city policies, ordinances, all boards and commissions, and other initiatives.

**Attachment:** Board of zoning appeals bylaws (redlined)

**Prepared by:** Gary Morrison, Assistant Zoning Administrator

**Reviewed by:** Sean Walther, Planning & Zoning Supervisor
BYLAWS OF THE ST. LOUIS PARK
BOARD OF ZONING APPEALS

Article I — The Board

1.1 Name of Board. The name shall be, THE BOARD OF ZONING APPEALS, ("Board" or "BOZA").

1.2 Powers. The powers of the Board shall be vested in the Board members ("Members" or "Commissioners").

Article II — Officers

2.1 Officers. The officers of the Board shall be Chair and Vice Chair.

2.2 Chair. The Chair shall preside at all meetings of the Board. The Chair shall have the same voting rights as any other Member and may take an active role in the debate of all matters, except where such matters involve the Chair.

2.3 Vice Chair. The Vice Chair shall perform the duties of the Chair in the absence, incapacity, or resignation of the Chair, who shall serve until the Board elects a new Chair. In the event that the Board elects the Vice Chair to serve as Chair, the Board shall then elect a Member to fill the Vice Chair vacancy.

2.4 Absence. In the absence of the Chair, and Vice Chair, meetings shall be conducted by the most senior Member present in terms of service.

2.5 Staff Liaison. A Staff Liaison ("Liaison") to the Board shall be appointed by the City Manager and shall be subject to the Administrative Rules and Regulations of the City. The Liaison may facilitate or assist in the meetings and shall be responsible for recording attendance of Board members. The Liaison is responsible for keeping the City Manager informed regarding the business of the Board and shall communicate to the City Manager any problems or issues that may arise. The Liaison shall also be responsible for assisting the Board in considering their financial needs and, if deemed necessary by the Board, shall request appropriate funding from the City Council through the annual budget process.

2.6 Delegation of Duties. Officers may delegate their respective duties imposed under these Bylaws to other personnel as the Board may from time to time deem appropriate.
Article III — Election of Officers

3.1 Election of Officers. The Chair and Vice Chair shall be automatically appointed to the persons actively serving as the Chair and Vice Chair of the Planning Commission elected from the Board by its Members at the regular meeting in December of each year, or as shortly thereafter as possible. Nomination of officers shall be made from the floor at the annual organizational meeting, and the elections shall follow immediately thereafter.

3.2 Terms of Office. The Chair and Vice Chair shall take office immediately following their election. Terms of office shall be for one (1) year and shall run from January 1st through December 31st of each year, or until a duly elected successor takes office. Persons holding the position of the Chair and Vice-Chair cannot be reelected to the same position until the election next following the election marking the end of their current term.

3.3 Vacancies. Should the office of Chair or Vice-Chair become vacant, the Board shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office.

Article IV — Meetings

4.1 Meetings. All meetings of the Board shall be conducted in accordance with the Minnesota Open Meeting Law. The proceedings of the meetings shall be conducted using the then current edition as may have been revised of the Sturgis Code of Parliamentary Procedure.

4.2 Annual Meeting. The annual meeting of the Board shall be the regular meeting in December at which time elections will be held and the schedule of regular meetings for the following year will be considered.

4.3 Regular Meetings. The Board shall hold regular meetings on the first and third Wednesday of each month at 6pm. The Board may, by a majority vote, change the regular meeting dates for any reason provided proper public notice of the changed meeting is provided to the public. All regular meetings are held on the fourth (4) Thursday of every month at 6:00 p.m. All regular meetings of the Board shall be held in the City Hall of the City or other public building as noticed.
4.34 **Holidays.** The Board shall hold regular meetings as set forth in Section 4.23. Provided however, that when the day fixed for any regular meeting of the Commission falls upon any of the council approved holidays, following holidays: Ash Wednesday, Hanukkah, Christmas, Veterans Day, Independence Day, Thanksgiving Day, President’s Day, Martin Luther King Jr. Day, New Year’s Day, Passover (first two nights), Rosh Hashanah, and Yom Kippur, such meeting shall be held at the same hour on the next succeeding Tuesday not a holiday. (For Hanukkah, Christmas, Passover, Rosh Hashanah and Yom Kippur, the holiday includes the evening before the holiday.) All regular meetings of the Board shall be held in the City Hall of the City or other public building as noticed.

4.45 **Special Meetings.** Special meetings of the Board may be called by the Chair or two (2) Board members, or by the City Council, for the purpose of transacting any business designated in the call. The call for special meeting shall be delivered in compliance with state law. The Liaison must deliver to the Board at least three (3) days prior to the meeting a notice of the date, time, place and purpose of the special meeting. If however, all Board members attend and participate in the meeting at which the special meeting was called these notice requirements are not necessary. The presence of a Board member at the meeting at which the special meeting was called shall constitute a waiver of any formal notice unless the Board member appeared for the special purpose of objecting to the holding of the special meeting. Notice of the date, time, place and purpose of a special meeting must also be posted by the Liaison on the principal bulletin board at the city hall at least three (3) days prior to the date of the meeting.

4.56 **Emergency Meetings.** An emergency meeting may be called by the Chair due to circumstances which require immediate consideration. The Liaison shall notify Board members by any means available. A good faith effort shall be made to provide notice of the meeting to any news medium that has filed a written request for notice of meetings. The notice shall include the purpose of the meeting.

4.67 **Quorum.** The presence of a majority of all currently appointed Members of the Board eligible to vote on matters before the Board shall constitute a quorum for the purpose of conducting business, exercising its powers and for all other purposes. In the event a quorum is not present, a smaller number of Members may meet informally to discuss the business of the Board and make informal recommendations, but, the only formal action that shall be taken is to adjourn the meeting.

4.78 **Voting.** Voting shall be by voice or hand and must be recorded. Voting by proxy is not permitted.
Article V — Hearings

5.1 Authority to Conduct Hearings. In addition to those required by law, the Board may at its discretion hold public hearings when it declares such hearings will be in the public interest.

5.2 Publication of Notice. In the event of a public hearing, notice of such hearing shall be published in the official newspaper of the municipality not less than ten days before.

5.3 Meeting Notice. Notice to the applicant or directly affected parties, by mail, shall be given not less than five days prior to the date of the hearing.

5.4 Presenting the Case. The case before the Board shall be presented in summary by the appropriate City Staff person or a designated Member of the Board and parties in interest shall have privilege of the floor thereafter.

5.5 Postpone/Continue Hearing. The Board may postpone any case or continue any case for further study and information until the next regular meeting or until a special meeting designated for this purpose.

Article VI — Agenda and Records of Proceedings

6.1 Agenda Preparation. The agenda for regular and special meetings of the Board shall be prepared by the Liaison. Items to be placed on the agenda may be proposed by the Chair, a Board member, the Liaison or at the request of the City Council. Residents, businesses, or other interested parties may contact individual board members or the Liaison to request that an item be placed on the agenda for consideration. All agenda topics presented by the City Council will be placed on an appropriate agenda; requests from other parties will be placed on an appropriate future agenda at the discretion of the Board.

6.2 Order of Business. The order of business shall be as follows:
1. Roll Call
2. Approval of Minutes
3. Consent Agenda
4. Public Hearing
5. Old Business
6. New Business
7. Communications
8. Miscellaneous
9. Adjournment

6.3 Modifying Approval of the Agenda. Unless objection is made by motion of the Board, the Presiding Officer may modify the foregoing order
of business in order to accommodate citizens present or to expedite the business of the Board. The agenda shall be approved at each meeting prior to discussion of any item on the agenda. At the time of agenda approval, items may be removed and the order of business may be modified by a majority vote of members present at the meeting. Prior to adjournment, members present may communicate items recommended for inclusion on future agendas.

6.4 **Addressing the Board.** Each person addressing the Board shall, if requested by the Presiding Officer, step up in front of the podium provided for such purpose, shall give his/her name and address in an audible tone for the records, and unless further time is granted by the Presiding Officer, shall limit his remarks to five minutes. At the discretion of the Presiding Officer, those addressing the Board may be allowed to position themselves in other areas of the room. All remarks should be addressed to the Board as a body and not to any member thereof. No person, other than the Board and the person having the floor, shall be permitted to enter into any discussion, either director or through a member of the Board, without the permission of the Presiding Officer. No question shall be asked of a Board member except through the Presiding Officer.

6.5 **Record of Proceedings.** All minutes and resolutions shall be in writing and shall be copied in the journal of the proceedings of the Board. Records shall be kept in accordance with Minnesota Statutes and Rules regarding preservation of public records and the Minnesota Data Privacy Act.

**Article VII — Attendance and Performance of Duties**

7.1 **Attendance.** Regular attendance at meetings is a requirement for continued membership. Members are expected to attend regular and special Board meetings and assigned committee meetings. Planned absences communicated to the Board Chair, Vice Chair and/or Liaison in advance of the meeting will be deemed excused. Any other absence will be deemed unexcused. The Board will approve and record the approval of all excused and unexcused absences.

7.2 **Reporting.** Council will be informed if a Member receives three unexcused absences in any calendar year. Members may be removed with or without cause by City Council.

7.3 **Performance of Duties.** Members are expected to adequately prepare for meetings. Members unable to complete an assigned task should notify the Board Chair as soon as possible. The Board may ask the Council to review a Member's appointment based upon its assessment of significant non-performance of duties.
7.4 **Resignation.** When a Member resigns, the Liaison shall contact the Administrative Services Department and forward a copy of any correspondence that may have been received. Administrative Services will then initiate recruitment to fill the vacant position. A Member may continue to serve beyond their expiration date until a successor is appointed.

**Article VIII — Board Activities**

8.1 **City Council Annual Report.** The Board will submit an annual report to the City Council summarizing the activities for the past year. The report may highlight issues of concern and other information the Board feels appropriate to convey to the City Council.

8.1a The Liaison will prepare the report for approval by the Board. Members may submit signed addenda presenting alternative conclusions or perspectives.

8.1b The report shall be submitted by February 1 or as soon thereafter as possible.

**Article IX — Bylaws and Rules**

9.1 **Amendments.** These Bylaws may be amended at any regular or special meeting by a majority vote of the quorum or Members present after notices, in writing, containing the form of the section as it will appear if amended as proposed, shall have been given at least five (5) days prior to the meeting at which such vote will be taken. Such Bylaws and any amendments shall be deemed to be approved by the City Council unless the City Council takes action to modify such Bylaws or amendments within 30 days after submission. Amendments to these procedures can only be considered at a regular meeting.

9.2 **City Council’s Rules and Procedures for Boards and Commissions.** These Bylaws are subject to the City Council’s then current Rules and Procedures for Boards and Commissions and the then current Chapter 2, Administration, the St. Louis Park City Code.
STUDY SESSION

1. Historic Walker Lake

Zakcq Lockrem, planning consultant with Asakura Robinson, presented the draft Historic Walker Lake Revitalization Plan, including overall existing conditions, previous planning work that has already been done, and the community’s desire to maintain the area’s character and walkability while allowing for more vibrancy.

Mr. Lockrem reviewed the plan recommendations including public realm standards; massing, scale, and architectural recommendations for private sites; parking regulation changes; proposed and prohibited uses; wayfinding and public art; and placemaking items that could be implemented through a merchant’s association.

Commissioners discussed the current parking available in the area and potential ideas for future parking; while encouraging walking and biking to the area or future use of the light rail.

Commissioner Carper expressed a desire for additional benches throughout the district to help facilitate walking.

Commissioner Johnston-Madison asked whether the plan also recommends prohibiting drive-thru traffic. Discussion followed and the commission agreed the plan should recommend that drive-thru businesses be prohibited.

Mr. Lockrem stated that area businesses are already looking to establish a merchant’s association for the area, which could take place in the next few months and would be the first merchant’s association in St. Louis Park. Their first goal is to focus on marketing to promote events and special deals being offered.
by the stores within the merchant’s association and coordinate sales and other events such as open streets. Grants are currently being applied for to fund public art to make the area more vibrant.

Commissioners raised several questions during and following the presentation. The impacts of planned street improvements projects in the area were the focus of most of the questions.

Commissioner Johnston-Madison asked if bike lanes or narrowing the street is proposed and if this will eliminate on-street parking or is the road wide enough for it to have both?

Ms. Monson stated that the upcoming street work will eliminate parking on the stadium side of Lake Street and during the re-build of Walker Street and Library Lane parking will be added to recover much of the on-street parking counts in the area.

Mr. Walther stated that more details about the project are available on the city’s websites under the construction projects and the Connect the Park pages. The city is implementing a 10-year plan to complete its network of bike lanes or trails every ½ mile and its pedestrian network of sidewalks or trails every ¼ mile. The city is in the sixth year of that 10-year effort. If commissioners would like a presentation with more details of the project, planning division staff could invite the engineering department staff to a future study session.

There were also some statements that there is a perceived parking shortage and that allowing more restaurants in the area could exacerbate the problem. It was also asked what role the merchant’s association have when it comes to parking, and especially the retail businesses in the area.

Mr. Lockrem stated that there are opportunities for the city and the association to contribute toward better parking signage to direct visitors to available parking, there are opportunities for property owners to make shared parking arrangement among private properties, and in the future, there may be other opportunities for the association to even more actively manage parking or increase the parking supply in the area if there is enough demand to justify such investment.

2. Board of Zoning Appeals (BOZA)

Mr. Walther explained the reason for BOZA, what to expect moving forward in the future including the number of meetings expected to take place.
The commissioners agreed that the current planning commission chairs should also chair BOZA, and maintain the 6:00 p.m. start time.

Commissioners requested that a copy of the planning commission bylaws be emailed as well as the BOZA bylaws to compare the two documents. Commissioners will also be provided with an updated contact form of the commissioner’s address/numbers/emails as soon as they are available.

Mr. Walther reminded everyone to review and read through the by-laws and see if there are any other changes that should be discussed at a future study session.

Mr. Walther invited commissioners to the State of the Community event that is scheduled for May 30 from 6:00 - 7:30 p.m. at the ROC. There will be a table setup to provide information about the planning commission.

The study session ended at 7:30 p.m.
3a. **Comprehensive plan related zoning map amendments**

**Case number:** 19-09-CaseZ

**Recommended action:**
Chair to open the public hearing, take public testimony, and close the public hearing.
Motion to recommend approval of an ordinance amending the zoning map.

**Background:** The *St. Louis Park 2040* comprehensive plan sets out goals, strategies and direction to carry out the city’s vision for its future. It includes land use, housing, mobility, parks, water resources, racial equity, climate and energy, community health and other elements required by state law. Planning commission made formal recommendations to city council on December 5, 2018, and council authorized submittal of the plan to the Metropolitan Council for review on December 17, 2018. Metropolitan Council is scheduled to act on the plan on July 10, 2019, at which point the city places it into effect.

Notable land use changes included in the comprehensive plan include:
1. Increasing the density allowed in low density residential areas to explore allowing accessory housing units and duplexes through changes to the zoning ordinance.
2. Allowing more residential density in high density residential, mixed use, and office areas.
3. Adding a new land use category for transit-oriented development and allowing the highest density development in areas near the future Southwest Light Rail Transit (Green Line Extension) stations.
4. Changing the future land use designation/guidance for more than 100 properties around the community.

Items 3 and 4 above resulted in a number of parcels throughout the city with a mismatch between their new land use guidance and their existing zoning district. Now that city council has approved the 2040 Comprehensive Plan and the Metropolitan Council action is eminent, staff recommend rezoning these parcels to bring their zoning districts into alliance with their land use guidance.

**Proposed zoning changes:** There are 72 parcels located in 12 different areas of the city that are proposed to be rezoned through this comprehensive rezoning process. Attached to the report is a citywide zoning map showing the proposed zoning and providing an index of the 12 areas. Also attached are additional illustrations showing the twelve areas in more detail and comparing side by side the existing and proposed zoning. Parcels to be rezoned have the lot lines shown in thick black lines, compared to the thinner grey lot lines of all other parcels. The zoning of the parcels that are changing are also labeled in the more detailed illustrations.

**Transit oriented development (TOD) zoning district:** The *St. Louis Park 2040* comprehensive plan created a new land use category called transit oriented development (TOD). The goal of this designation is to facilitate pedestrian-scale development within a 10-minute walk of future
Southwest Light Rail (SWLRT) stations. This land use allows a mix of commercial, office, residential, civic and park/open space uses. The focus of the designation is on block sizes, lot sizes, and building forms that create a pedestrian-rich environment, rather than a specific mix of uses.

In order to meet all the goals of this new land use designation, it is expected that new zoning district(s) will need to be created. Staff anticipate a form-based code will be utilized around the SWLRT stations. However, in the interim, staff recommend rezoning these parcels to one of the city’s present zoning categories in order to more closely match the mix of uses desired in these areas and that are more closely tied to the TOD land use designation. These TOD guided parcels are located in areas 7-11 shown in the attached maps. Staff anticipate reintroducing the form-based code to planning commission in the third or fourth quarter of 2019.

**Previous action:** Planning commission discussed the proposed changes to the zoning map at an April 3, 2019 study session.

Staff held an open house on the proposed comprehensive rezoning on May 8, 2019. Invitations were mailed to all the owners of properties to be rezoned, plus all property owners within 350 feet of those parcels. Social media and email invitations to the city’s general lists and neighborhood leaders were also used. Ten community members attended, and no one in attendance objected to the proposed changes.

The public hearing notice was published in the legal notices of the *Sun Sailor* newspaper, and mailed out to the owners of all properties whose land is included in the rezoning.

The above notices meet, and exceed, the procedural requirements of Minnesota state statutes and the city code.

Also, there was a great deal of public process and input that helped the city arrive at the *St. Louis Park 2040* comprehensive plan future land use designation changes that prompted these zoning changes.

**Next steps:** If planning commission recommends approval of the changes to the zoning map, staff will bring the proposed changes and draft zoning ordinance to the city council for a first reading of the ordinance on July 15. The rezoning will require 5 affirmative votes of the city council to be adopted. A second reading will also be required, and it is planned for August 5, 2019. On this tentative schedule, the ordinance would be effective by August 30, 2019.

**Attachments:** Map of comprehensive plan related zoning map amendments
Area maps showing existing and proposed zoning
Draft zoning ordinance
Proposed list of properties to be rezoned
Excerpt of April 3, 2019 planning commission minutes
*St. Louis Park 2040* Comprehensive Plan Proposed Future Land Use Map

**Prepared by:** Jacquelyn Kramer, Associate Planner
**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
Comprehensive plan related zoning map amendments
Meeting of June 19, 2019
Subject: Comprehensive plan related zoning map amendments

Area 1

Existing zoning: C-1 Neighborhood Commercial & C-2 General Commercial
Proposed zoning: O Office

Area 2

Existing zoning: C-2 General Commercial
Proposed zoning: O Office

Area 3

Existing zoning: I-P Industrial Park
Proposed zoning: BP Business Park
Meeting of June 19, 2019
Subject: Comprehensive plan related zoning map amendments

Area 4
Existing zoning: C-1 Neighborhood Commercial & C-2 General Commercial
Proposed zoning: MX Mixed Use

Area 5
Existing zoning: C-2 General Commercial
Proposed zoning: MX Mixed Use

Area 6
Existing zoning: R-1 Single-Family Residence
Proposed zoning: POS Park and Open Space
Areas 7, 8, 9

Existing zoning: I-P Industrial Park, I-G General Industrial & BP Business Park

Areas 7, 8, 9

Proposed zoning: R-4 Multiple-Family Residence, BP Business Park, & MX Mixed Use
Meeting of June 19, 2019
Subject: Comprehensive plan related zoning map amendments

**Area 10**

Existing zoning: I-P Industrial Park, C-2 General Commercial, & MX Mixed Use

Proposed zoning: R-C High-Density Multiple-Family Residence, MX Mixed Use, & POS Park and Open Space

**Area 11**

Existing zoning: I-G General Industrial C2 General Commercial

Proposed zoning: BP Business Park

**Area 12**

Existing zoning: C-2 General Commercial

Proposed zoning: R-2 Single-Family Residence
Ordinance No. ___-19

Ordinance amending the St. Louis Park official zoning map

The City of St. Louis Park does ordain:

Section 1. The city council has considered the advice and recommendation of the planning commission (Case No. 19-09-Z).

Section 2. The St. Louis Park official zoning map is hereby amended by changing the zoning district boundaries to reclassify 72 parcels as indicated in the attached list.

Section 3. This ordinance shall take effect fifteen days after its publication.

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<tr>
<td>Second Reading</td>
<td>August 5, 2019</td>
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<td>Date of Publication</td>
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Reviewed for administration: Adopted by the City Council August 5, 2019

Thomas K. Harmening, City Manager

Jake Spano, Mayor

Attest: Approved as to form and execution:

Melissa Kennedy, City Clerk

Soren Mattick, City Attorney
Table 1: Proposed list of parcels to be rezoned

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### Subject: Comprehensive plan related zoning map amendments

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STUDY SESSION

1. Comprehensive plan related zoning map amendments

Ms. Kramer summarized the comprehensive plan and explained that the re-guiding of the parcels resulted in about 72 of the properties with a mismatch between the new land use guidance and the existing zoning.

Ms. Kramer and the commissioners discussed options on the best strategy to make affected property owners and neighbors aware of the comprehensive rezoning process.

Staff proposed an open house-style meeting to answer questions from residents and property owners. Advertising for the open house would be mailed to all properties within 350 feet of a parcel that is proposed to be rezoned and through the city’s social media. By hosting this open house, staff hope to gauge interest in the future public hearing with the Planning Commission.

Commissioners agreed on staff hosting an open house for the public. The meeting is planned for May and the public hearing would occur sometime in June.

Ms. Kramer reviewed the zoning map and presented all the proposed zoning changes.

Mr. Walther and commissioners discussed a potential transit oriented development (TOD) zoning district that is needed as a result of the new land use guidance. Architectural standards, housing density, and inclusionary housing requirements were included in the discussion. The commission agreed that until a TOD district is established, staff should rezone parcels guided for TOD to one of the city’s current zoning district categories, such as mixed use, business park, office, high density residential or general commercial.

The study session adjourned at 7:52 p.m.
Meeting of June 19, 2019
Subject: Comprehensive plan related zoning map amendments
1. **Zoning guidelines for ground floor street facing transparency requirements**

   **Case No.:** 18-70-ZA
   
   **Recommended Action:** Discuss the proposed ordinance for ground floor street facing transparency requirements.

   **Request:** Discuss the proposed ordinance for ground floor street facing transparency requirements, and provide feedback to staff for suggested ordinance changes.

   **Background:** In summer 2018, city council directed staff and the planning commission to consider zoning standards for ground floor window transparency to increase vibrancy along the city’s commercial streets.

   After several months of reviewing ground floor transparency requirements, the planning commission voted 6 to 0 to recommend denial of the ground floor transparency ordinance draft. The vote was based on concerns about lack of flexibility both externally and internally for retail and commercial spaces, and placing undue burden on businesses.

   The city has used similar standards to increase the amount of ground floor transparency in planned unit developments since the 2001 to increase the interaction between the internal spaces of a building and the public realm. However, planning commission members were concerned about requiring prescriptive amounts of transparency along ground floor street facing facades, as well as restricting the first three feet of space within the building. They were also hesitant to strictly limit the sign area in windows, and they were not convinced the flexibility afforded in the ordinance could be administered both consistently (fairly) and as broadly as businesses may need.

   City council met with planning commissioners on April 8, 2019 to discuss the commission’s recommendation of denial. During this study session, commissioners expressed their concerns, and told council that they were close to coming up with an ordinance they could support. City council then requested the planning commission further review the draft ordinance, and send something back to city council they felt comfortable recommending. The minutes for the April 8, 2019 study session are available online and are attached to this report.

   The intent of the attached draft ordinance responds to original feedback from the planning commission and city council. The ordinance is designed to be flexible, especially for small businesses and existing buildings, yet provide for a safe and active pedestrian realm and vibrant streets. However, based on the previous recommendation of denial, additional changes to the ordinance are needed.

   The ordinance is drafted so the limitations on window paintings and signage that are included in the ordinance would be applied to all businesses, existing and new in the C-1 and C-2 Districts, and retail, service, and restaurant uses in O and BP Districts. The remainder of the...
ordinance will be applied when upgrades and renovations to buildings in the previously listed districts occur. The regulations establishing a minimum percentage of transparency on the front and side street facing facades does not apply to existing buildings. This requirement will be enforced on all new buildings and buildings which expand the gross square footage of the building by more than 50 percent.

**Attachments:** Ground floor transparency ordinance draft
City council study session minutes April 8, 2019

**Prepared by:** Jennifer Monson, Planner
**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
Meeting of June 19, 2019
Subject: Ground floor street-facing transparency requirements

Section 36-4 Definitions

************

Ground Floor Transparency means the measurement of the percentage of a facade that has highly transparent, low reflectance windows at the pedestrian level, measured between 2’ and 8’ above grade.

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36-366 Architectural design

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(b) Standards.

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(3) Ground floor transparency:

a. The following façade design guidelines shall be applicable to all ground floor street-facing facades in the C-1 and C-2 Districts, and retail, service, and restaurant uses in O and BP Districts:

   i. Window paintings and signage shall cover no more than 10 percent of the total window and door area.

   ii. Visibility into the space shall be maintained for a minimum depth of three (3) feet. Display of merchandise is allowed within this three (3) feet.

   iii. Interior storage areas, utility closets and trash areas shall not be visible from the exterior of the building.

   iv. No more than 10 percent of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signs. The remaining 90 percent of window and door area shall be highly transparent, low reflectance windows with a minimum 60 percent transmittance factor and a reflectance factor of not greater than 0.25.

   v. For all new buildings constructed after January 1, 2019, and existing buildings which expand the gross square footage of the building by more than 50 percent, the minimum ground floor transparency shall be 65 percent on the front façade, and 20 percent on all other ground floor street facing facades.

   vi. The city acknowledges a degree of flexibility may be necessary to adjust to unique situations. Alternatives that provide an increase in pedestrian vibrancy and street safety including but not limited to public art and pedestrian scale amenities may be considered and may be approved by the Zoning Administrator, unless the development application requires approval by City Council, in which case the City Council shall approve the alternate transparency plan.

(3)(4) Additions and accessory structures. The exterior wall surface materials, roof treatment, colors, textures, major divisions, proportion, rhythm of openings, and general architectural character, including horizontal or vertical emphasis, scale, stylistic features of additions, exterior alterations, and new accessory buildings shall address and respect the original architectural design and general appearance of the principal buildings on the site and shall comply with the requirements of this section.
Meeting of June 19, 2019
Subject: Ground floor street-facing transparency requirements

Screening.

a. The visual impact of rooftop equipment shall be minimized using one of the following methods. Where rooftop equipment is located on buildings and is visible within 400 feet from property in an R district, only the items listed in subsections 1 and 2 shall be used.

1. A parapet wall.
2. A fence the height of which extends at least one foot above the top of the rooftop equipment and incorporates the architectural features of the building.
3. The rooftop equipment shall be painted to match the roof or the sky, whichever is most effective.

b. Utility service structures (such as utility meters, utility lines, transformers, aboveground tanks); refuse handling; loading docks; maintenance structures; and other ancillary equipment must be inside a building or be entirely screened from off-site views utilizing a privacy fence or wall that is at least six feet in height. A chain link fence with slats shall not be accepted as screening.

c. All utility services shall be underground except as provided elsewhere in this chapter.

Parking ramps. All new parking ramps shall meet the following design standards:

a. Parking ramp facades that are visible from off the site shall display an integration of building materials, building form, textures, architectural motif, and building colors with the principal building.

b. No signs other than directional signs shall be permitted on parking ramp facades.

c. If the parking ramp is located within 20 feet of a street right-of-way or recreational trail, the facade facing the street shall be subject to the same requirements for exterior surface materials as for buildings.

Awnings and canopies.

a. Awnings and Canopies.

1. Construction. Awnings and canopies shall have noncombustible frames. If an awning can be collapsed, retracted or folded, the design shall be such that the awning does not block any required exit.

2. Projection. Awnings and canopies less than 25 feet in width may extend up to two feet from the face of the nearest curb line measured horizontally.

3. Clearance. All portions of any awning and canopy shall provide at least eight feet of clearance or any walkway and twelve feet of clearance over any driveway or roadway.

4. Supports. Canopy posts or other supports located within a public right-of-way or easement shall be placed in a location approved by the city engineer.

b. Permit required. A building permit shall be issued prior to the installation of any awning or canopy. In addition to the building permit, an encroachment agreement shall be issued by the city engineer prior to the installation of any awning or canopy that extends into, upon or over any street or alley right-of-way, park or other public property. The encroachment agreement shall include provisions that hold the owner of the awning or canopy liable to the city for any damage which may result to any person or property by reason of such encroachment or the removal of such encroachment. Additional conditions may be imposed on encroachment permits to protect the health, safety or
welfare of the public or to protect nearby property owners from hardship or damage or to protect other public interests as determined by the city engineer.

c. Submission requirements. The following information shall be submitted prior to the installation of an awning or canopy.

1. Application form and fee. A separate fee shall be required for the building permit and encroachment agreement.

2. Dimensioned and scaled site plan and building elevations.

3. Four sets of drawings for each awning or canopy proposed.

d. Projections to be safe. All such projections over public property shall be structurally safe, shall be kept in a safe condition and state of repair consistent with the design thereof and repaired when necessary in the opinion of the city engineer or building official by and at the expense of the person having ownership or control of the building from which they project.

e. Removal upon order. The owner of an awning or canopy, any part of which projects into, upon, over or under any public property shall upon being ordered to do so by the city engineer remove at once any part or all of such encroachment and shall restore the right-of-way to a safe condition. Such removal and restoration of the right-of-way will be at the sole expense of the property owner. The city may, upon failure of the property owner to remove the encroachment as ordered, remove the encroachment, and the reasonable costs of removing such encroachment incurred by the city shall be billed and levied against the property as a special assessment.
3. Zoning regulations for ground floor transparency requirements

Ms. Monson stated after several months of reviewing ground floor transparency requirements, the planning commission voted 6-0 to recommend denial of the ground floor transparency ordinance draft. She stated the vote was based on concerns about lack of flexibility both externally and internally for retail and commercial spaces, and placing undue burdens on businesses.

Councilmember Mavity stated this is about a philosophical framework, adding the council outlined visibility and walkability as a directive, and this decision is a big change drawn from the comprehensive plan, where the city prioritizes people first, then bikes, and then cars. She added this directive helps create balance between pedestrians and cars.

Mayor Spano added the planning commission’s decision is a stark difference from the staff recommendation, and asked the commission to explain.

Commissioner Kraft stated she agrees with the nice pedestrian environment, but felt the ordinance limits business and architects and developers on their designs.

Commissioner Robertson agreed, adding while the concept of the ordinance is good, there is a place where you draw the line. He stated the ordinance is too limiting, and he disagrees that a blank wall is a bad thing, especially when design can juxtapose and include artwork on the wall. He added 65% transparency is not a lot of flexibility, and while the intent is correct, the ordinance feels too limiting. He also stated that 65% minimum transparency could conflict with building energy goals and the climate action plan.

Commissioner Carper stated he drove all over the city, viewing different businesses, noting that 25% of businesses in the West End, Excelsior and Grand, and on Lake Street are vacant. He stated the city needs to help businesses run their business, and noted some shops cover their windows from the sunlight, so it won’t fade their goods. He stated the ordinance is limiting and government interference with business operations will drive business out of St. Louis Park.
Commissioner Johnson agreed with her fellow commissioners.

Councilmember Miller stated he agrees with the planning commission on this case, and noted the differences between destination businesses and shopping stores, and the size of stores in the city’s C1 districts being all around 5,000-10,000 square feet. He added no windows are typically found in destination stores, so smaller stores are needed in walkable areas, where windows will be included.

Councilmember Hallfin stated this seems logical to him as well, and thanked Councilmember Miller for his tutorial on destination vs. shopping stores. He added, however, the one window that bothers him is the breakroom area window on Excelsior Avenue.

Councilmember Rog stated it is good to hear from the planning commission on this topic, adding she struggles going against the staff recommendation on this. She added the city has all kinds of requirements, as do other cities, on transparency and for walkability, and this is a reasonable requirement for the outcome the council is seeking. She added, however, she is still sorting out where she falls on this issue.

Councilmember Harris stated there are some grocery stores in Minneapolis that have windows and transparency, which inspires curiosity about what is inside. She added these stores are in walkable, retail areas that are nice. She asked the planning commission what they would recommend to create walkable experiences in St. Louis Park.

Commissioner Robertson stated every project is unique, and not one size fits all. He noted at Louisiana Avenue and Cedar Lake Road there are six shops, and it is half a block long. He added it’s a small area and it needs to be walkable, but it’s not a 10-block long area where folks can walk a long way in front of the shops. He said let each development design appropriately for the site and businesses that are there.

Councilmember Harris stated for the ordinance under consideration, she would like to table the discussion and give greater consideration to the problem that is to be solved.

Councilmember Mavity stated the council and planning commission have a different perspective on this, but no matter what, there are guidelines to follow, adding we have to land somewhere along the continuum. She noted staff recommends 65% transparency, which is within the norm.

Councilmember Mavity added the council’s job is to actually create the environment outside those buildings, for folks walking by. She noted not every business is appropriate for every area, but stated we don’t need to let the market figure this out, noting we are building toward the next 100 years, not only for what is in front of us.

Councilmember Mavity stated this ordinance is the appropriate tool, and creating walkability and a safe place to walk, while it may not be perfect, it is a tool that the city has to use. She added the city gives developers a lot, and it’s okay for the city to ask for something back that fulfills the ideals of the city. She stated we are building to a future of what the city wants to see, and this needs to move forward now, before more development comes into the city.
Councilmember Brausen agreed with Councilmember Mavity, adding he is supportive of the staff recommendation on this.

Commissioner Carper stated when considering walkability, he would like to also see benches added to these areas, especially in the Excelsior and Grand area, and up to Bridgewater. He added there are those who can’t walk long distances so there needs to be more spaces to sit down and reflect.

Councilmember Mavity agreed, adding there is nothing at Excelsior and Grand that prevents driving either. She asked about other cities, such as Denver and Cincinnati and their transparency and walkability.

Commissioner Robertson stated these cities are bigger than St. Louis Park which is more limited; however, he does agree the city needs to have a minimum transparency.

Mayor Spano stated the council also needs to be careful about comparisons with other cities. He agrees in principle with Councilmember Mavity, but added we are missing a discussion of ways to look at walkability, and this should go back to staff for further review. Mayor Spano added the entire planning commission is at odds with the staff recommendations, and he is worried about that.

Councilmember Miller stated he finds it odd the council is discussing this very small bowl item, adding they should be looking at the C1 guidelines vs. discussing one offs and changing that for the goal of walkability.

Councilmember Mavity stated the council needs to be careful about how big of a scope this issue is for staff, adding the application clearly is not working here, with what the council intended.

It was the consensus of the city council to have the planning commission meet with staff to revise the ordinance, and then bring the ordinance back for city council’s consideration.