1. Call to order – Roll Call

2. Approval of Minutes: November 6, 2019

3. Hearings

   A. Rezoning C-2 General Commercial properties to C-1 Neighborhood Commercial
      Applicant: City of St. Louis Park
      Case No.: 19-26-ZA

   B. Parking ordinance amendment – Historic Walker Lake
      Applicant: City of St. Louis Park
      Case No.: 19-32-ZA

4. Other Business

5. Communications

6. Adjournment

STUDY SESSION

1. Zoning amendment – Accessory dwelling units (60 min.)

If you cannot attend the meeting, please call the Community Development office, 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.
MEMBERS PRESENT: Jim Beneke, Lynette Dumalag, Matt Eckholm, Courtney Erwin, Claudia Johnston-Madison, Jessica Kraft, Carl Robertson.

MEMBERS ABSENT: None

STAFF PRESENT: Jennifer Monson, Gary Morrison, Sean Walther

1. Call to Order – Roll Call

2. Approval of Minutes of August 21, September 18 and October 16, 2019

Commissioner Robertson made a motion to approve all three sets of minutes. Commissioner Johnston-Madison seconded the motion, and the motion passed on a vote of 7-0.

3. Public Hearings

   A. Planned unit development major amendment to Section 36-268-PUD 9

      Applicant: Place E-Generation One, LLC
      Location: 5950 West 36th Street
      Case Nos: 19-21-PUD

Jennifer Monson, planner, presented the staff report. The applicant requests to reduce the number of residential units from 81 to 50, to move parking underground and to a surface ramp, and to rearrange approved uses with the site.

Ms. Monson noted the site is 1.68 acres at the corner of 36th Street and Wooddale Avenue, adjacent to the future light rail transit station.

Ms. Monson outlined the 2017 approvals, and noted the changes tonight are for the south site only. She added the hotel and residential would be flip-flopped to provide an active frontage along Wooddale Avenue with artists’ studios versus the hotel façade. Overall access has not changed to the site with emergency access and large trucks for trash or delivery remaining as originally noted.
Ms. Monson stated the placemaking plaza will remain with pedestrians and bicycles included, and landscaping will remain as originally designed. The coffee shop will further down from Wooddale Avenue in order to discourage short term stopping near the light rail stop.

Ms. Monson stated the live/work space will be maintained but the studio space would now move to the first floor instead of being within the residence. She added the hotel will remain at 110 rooms with no changes.

Ms. Monson stated staff has received one comment from the public, asking that the units remain a mix of affordable and market rate.

Commissioner Robertson asked how these live/work are different within the city.

Ms. Monson said all residential units within the city allow for a home occupation and these would be no different. Additionally, these units allow for extra space, with taller ceilings and for a more creative studio space, and for visits. A home occupation is not supposed to generate anything that would suggest a home occupation exists there. There is also a registration of land use to make sure it adheres to the code.

Commissioner Erwin asked if any of the ground floor spaces will be used as living spaces or purely for studio space.

Ms. Monson stated purely for work space. She added while each studio is assigned to an apartment within the building, no studios provide living or apartment space.

Ms. Monson added there is gallery space for artists to show their wares.

Commissioner Johnston-Madison noted the city council will hold a first reading with the developer on November 18, 2019 and asked if there are any other meetings coming up with the developer.

Ms. Monson stated there is a study session and a meeting for the planned unit development ordinance, but at this time she did not know if there were any other meetings scheduled.

Commissioner Johnston-Madison asked if there is an agenda yet for the November 18, 2019, study session.
Ms. Monson stated there will be a discussion of the 6th amendment with the EDA.

Commissioner Johnston-Madison asked why this change was made by the developer.

Ms. Monson stated the developer changed architects and with that changed their development plans.

Commissioner Johnston-Madison asked if the project will start in February 2020 and on what staff is basing this on.

Ms. Monson stated the developer must have a complete set of building plans ready to go and January 31, 2020 is their hard deadline for finalization of financing, and then start construction.

Commissioner Johnston-Madison asked if the developer has financing or not, and if they will ask for another extension.

Ms. Monson stated the EDA reviews that, but as far as staff is aware, the developers financing for the apartment buildings should be ready, and the hotel financing is in process.

Commissioner Beneke asked if the commercial parking is reserved just for the hotel or for the coffee shop also.

Ms. Monson stated the commercial parking lot will be for the hotel guest registration and coffee shop as well, adding that overnight guests and residents will all have reserved parking in the underground garage.

Commissioner Kraft asked about the change with market rate housing and why that change was made.

Ms. Monson referred the question to the developer to answer.

Commissioner Robertson asked if there has been any feedback from building officials on permitting.

Ms. Monson stated yes there has been discussion on this.

Commissioner Erwin asked if there is direct access from the site to the LRT station.
Ms. Monson said yes there is direct access on the sidewalk and it is the same elevation as the plaza.

Commissioner Johnston-Madison asked if there are bathrooms in the studios.

Ms. Monson stated the studios are not living units, so do not have bathrooms in them. There are shared restrooms on the second floor.

Commissioner Johnston-Madison asked where the elevators are in the building and Ms. Monson pointed them out on the design.

Chris Velasco, PLACE, the developer made himself available for questions.

Commissioner Johnston-Madison asked Mr. Velasco if he has financing for the project.

Mr. Velasco stated the project is $50 million all in and there is a final bit of equity to raise to finish the project and they are hoping to finalize this week. He stated this refers to the equity for the hotel.

Chair Eckholm asked why the hotel and residence are being switched.

Mr. Velasco stated the 2017 tax bill eliminated all of their financing temporarily, so this caused a big delay, and then tax-exempt financing was struck for a time also. He stated in the delay they changed architects and started looking at the project with Marriott, and the entrance into the hotel area, which they felt was awkward. Mr. Velasco stated when the south side became the affordable area, this allowed for the switch and allows the hotel entrance to be accessed easier.

Commissioner Johnston-Madison asked about ownership of the structure.

Mr. Velasco stated the non-profit PLACE will own the entire structure, and there is a reserve account to ensure the affordable housing will be taken care of over time. He added the hotel is the builder of the building and the residents are leasing from the hotel, as it is all one connected building, and the Marriott hotel then will take care of the building very well.

Commissioner Dumalag asked what the agreement terms are with the Marriott.

Ms. Velasco stated the term is 20 years.
Commissioner Erwin asked what the phasing is of the whole project and if the reduction in these units will affect the phasing of how the project will be built.

Mr. Velasco stated this second phase will be completed as one building, and with a 12-month construction schedule, it should be completed in Feb 2021 without any additional phasing.

Commissioner Erwin asked if this includes the north side of the project as well.

Mr. Velasco stated the north side will be delayed as the new architect submits plans. He stated the project is larger and will take longer, but within 2021.

Commissioner Robertson stated this project is very ambitious and unique, and provides a nice mix in opportunities, and asked about the market rate live/work part of the project that was removed from the south side -- and why this has occurred.

Mr. Velasco stated their financing group would not lend PLACE the money to do the market rate live/work part of the project because it has not been done before, while the affordable rate live/work projects have been successful. He added the north side market rate live/work will still be done, however with only six units included there.

Commissioner Johnston-Madison asked what happened when a resident in the affordable live/work area begins to make more money beyond the AMI cap, and if they would need to move into another affordable unit.

Mr. Velasco stated the line is 140% of AMI if a resident moves beyond that, a market rate unit would be turned into an affordable unit, so as to maintain the same rate of units.

Commissioner Erwin asked can someone else move into an affordable unit even if they don’t need the studio space.

Mr. Velasco stated since the studio space is free to the resident and is included, it most likely will be used. He added the resident applicant would also need to prove they will use the studio space for its intended use.

Commissioner Johnston-Madison asked who will own the building. Mr. Velasco stated PLACE – the non-profit- will own the building and lease it. He stated the renter pays utilities for their apartment and studio. He noted the
utility rates are calculated up-front and modeled and is a cost included in the master lease.

Commissioner Dumalag asked if a third party is managing the lease.

Mr. Velasco stated they are third party managing this through Metro Plains, which is managing the whole complex.

Chair Eckholm opened the public hearing.

Roger Onken, 3600 Wooddale Ave. S., #212, which is kitty-corner from the project. He noted the traffic management report from 2017 was not favorable and asked if another traffic management report would be forthcoming from the city. He also stated he has concerns about the 100% of below market rate all concentrated in one area of the complex, and he has concerns about multiple families moving into one unit and upkeep of the property, if this happens.

Meghan Phimister, 3451 Zarthan Ave. S., stated she has lived in St. Louis Park for over 30 years and has been following this project for 4 years. She stated residents in the area were told the north side of the project would have started in March or April, and she is now concerned about the full south side moving to all affordable housing and there are only 6 units on the north side. She is concerned about the 100% affordable housing on the south side, adding this project has not even started and is not even financed yet. She added she is tired of looking at a giant pile of dirt on Highway 7. It should be opened for other bids, its dragging, and she is not in favor of the changes being asked for.

Kim Anderson, 3248 Yosemite Ave. S., stated she has a question about financing and if the financing that is in place is still solid if the project does not become 100% affordable housing.

Mr. Velasco stated no, it is not.

Ms. Anderson stated we are still at a phase with PLACE that the model as presented is not sustainable as presented. She stated this was a non-competitive project and now we are at the 6th amendment. This develop has not been able to attain any foundation support within the community either and added she would like to know why. She has been cautiously optimistic, and she is really concerned. She stated Mr. Velasco has a great vision but asked can we afford to deprive people who need affordable housing right now, and asked that someone ask the tough questions now.
The Chair closed the public hearing.

Ms. Monson answered questions of those who spoke at the public hearing.

She noted the traffic analysis did include some mitigations at Wooddale and at the Wooddale Bridge, and the frontage road at Hwy 7. She stated with the improvements from SWLRT, it was shown the traffic would improve in this area.

Ms. Monson stated the timeline and market rate questions related to the north side. She noted there are 66 market units there, and not 6 units, adding it is a broad base of units within the development. She stated the new plans for the north side will be submitted next Tuesday and will be reviewed and approved prior to the end of the year, with the new architect’s plans. She added the north site should begin construction in January and phase 2 should begin in February.

Ms. Monson stated Mr. Velasco was correct in stating that financing was removed from the south side of the project, if market rate housing was included. She added that is why the south side is not all affordable units.

Commissioner Johnston-Madison stated she is concerned about the free studio and feels this is risky and would vote against this.

Commissioner Dumalag also stated she is concerned how this will be managed and is concerned about how it will look 10-15 years from now after the tax credits are gone, or the Marriott leaves.

Commissioner Robertson stated he is split. He said it is a good vision, but the artist studios changes it and he feels some of the mix has been lost. For successful affordable housing, it should blend into the fabric and not be noticeable, and he has concerns about this reduction and is not comfortable with the changes.

Chair Eckholm stated he has seen this type of project be successful in other places. He stated he is struggling in that this is a good vision, but there are concerns in how the vision will be executed. He stated he is comfortable supporting it.

Commissioner Johnston-Madison stated if this is not approved tonight, it would not affect the north side.
Ms. Monson stated this is an overall concept and yet the north can function without the south side and the city has already sold the north side to the developer.

Commissioner Kraft stated she is coming into this without knowing the full history, and thinks of this as a complete project, and will feel a mix with the SWLRT bringing this together along with the woneruf. She stated she will support this.

Commissioner Kraft made a motion, Commissioner Beneke seconded, recommending approval of the planned unit development major amendment to Section 36-268-PUD 9.

The motion passed on a vote of 5-2 (Robertson, Johnston-Madison against).

B. Benilde-St. Margaret’s – Major amendment to special permit

- **Applicant:** Paul May on behalf of Benilde-St. Margaret’s
- **Location:** 2501 State Highway 100
- **Case Nos:** 19-31-CUP

Gary Morrison, assistant zoning administrator, presented the staff report. The applicant is requesting a major amendment to special permit and replacement of the equipment shed.

Mr. Morrison showed the plans which include a civic space/flex space and classroom space remodel with a raised ceiling visible from Highway 100.

Mr. Morrison noted the proposed garage size will be increased and the timeline extension for the garage only will be 2-5 years.

Mr. Morrison stated that staff recommends approval of the amendment.

Commissioner Robertson asked if there are any images of the proposed garage.

Mr. Monson stated there are no images as yet, but noted it will be residential in nature.

Natalie Ramer, financial officer at Benilde St. Margaret’s. She stated their intent is to build the garage within two years, but it was recommended by their builder that they have the flexibility of 5 years maximum. She stated the new space within the school will be a collaborative, mixed use space, which they are excited about.
Commissioner Johnston-Madison stated she liked the way they have used the space within the courtyard.

Commissioner Kraft asked if there is a capital campaign in place at the school for this project.

Ms. Ramer stated yes adding that two-thirds of the funding is already in place, and they are hoping to get all in place this year. She added they do have funding for the storage garage in place already.

Commissioner Beneke asked if they hope to enroll more students with the improvements.

Ms. Ramer stated they are full right now, and don’t anticipate adding more at this time.

Chair Eckholm opened the public hearing.

Chair Eckholm closed the public hearing.

Chair Eckholm added the use of space here is great and the flexibility to what is coming next is good to have.

Commissioner Johnston-Madison made a motion, Commissioner Kraft seconded, recommending approval of the Benilde St. Margaret’s major amendment to special permit to allow building expansion and storage structure.

The motion passed on a vote of 7-0.

4. Other Business

5. Communications

Mr. Walther stated the next meeting will be Nov. 20 and meeting agenda items will include rezoning 78 parcels from C2 to C1, parking ordinance amendment for the Historic Walker Lake district, and a study session on accessory dwelling units.

6. Adjournment

The meeting was adjourned at 7:22 p.m.
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3a Rezoning C-2 General Commercial properties to C-1 Neighborhood Commercial

Case Number: 19-26-ZA

Applicant: City of St. Louis Park

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

Recommend approval of an ordinance amending the zoning map as recommended by staff.

Summary of request: The city proposes to rezone 78 properties from C-2 General Commercial to C-1 Neighborhood Commercial.

Background: On February 20, 2018, the city council directed staff to consider options for limiting the size of businesses within commercial districts. The intent is to avoid big box and junior box stores in certain areas where they would be out of scale with the surrounding neighborhood, and to promote smaller businesses. Since then, staff conducted several discussions in study session with the planning commission and city council which resulted in the following steps to be taken:

1. Rezone several properties from the C-2 General Commercial district to another zoning district to be consistent with the approved 2040 Comprehensive Plan. This step was completed on August 19, 2019.

2. Process an amendment to the C-1 Neighborhood Commercial district to establish maximum size limits for retail and service uses. The amendment allows staff to approve retail and service uses up to 7,500 square feet. It also allows a property to have up to 10,000 square feet of cumulative retail and service uses. This amendment was completed on September 16, 2019, and it is now in effect.

3. Rezone 78 properties from the C-2 General Commercial district to the C-1 Neighborhood Commercial district. This is the proposal that is currently under consideration.

Staff presented the recommended zoning map changes to the planning commission in a study session on October 16, 2019. The planning commission indicated support for staff to staff to hold a neighborhood information meeting regarding the proposal for all these properties.

The neighborhood meeting was conducted on November 7, 2019. Notices were mailed to the subject property owners and to property owners within 350 feet of the subject properties. People from 23 households and 4 commercial properties attended. Generally speaking, residents were in favor of the changes, and commercial property owners asked questions without stating their opinions on the proposal.

One letter was received from a commercial property owner and it is attached.
Zoning Analysis: Below is the purpose of the C-1 Neighborhood Commercial districts and the C-2 General Commercial districts as stated in the ordinance:

**C-1 Neighborhood Commercial district:**
The purpose of this C-1 Neighborhood Commercial district is to provide for low-intensity, service-oriented commercial uses for surrounding residential neighborhoods. Limits will be placed on the type, size, and intensity of commercial uses in this district to ensure and protect compatibility with adjacent residential areas.

**C-2 General Commercial district.**
The purposes of the C-2 General Commercial district are to:

1. Allow the concentration of general commercial development for convenience of the public and mutually beneficial relationship to each other in those areas located away from residential areas designated by the comprehensive plan;
2. Provide space for community facilities and institutions that appropriately may be located in commercial areas;
3. Provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading areas;
4. Minimize traffic congestion; and
5. Carefully regulate the intensity of commercial development as it refers to both internal site factors and external impacts.

The properties selected for rezoning to C-1 fit the purpose of the C-1 district.
1. They are directly adjacent to residential properties.
2. They are small properties, generally the lots are 3,000 to 60,000 square feet in area. The average is approximately 15,000 square feet. There is one property that is 116,000 square feet.
3. The businesses are small, and with a few exceptions, meet the 10,000 square foot maximum requirement of the C-1 district.

**Legal non-conformities resulting from the change.** Staff identified the following non-conformities that would result from the rezoning:

The C-1 district limits retail and service business size to 10,000 square feet, and would therefore result in the following non-conformities:

- 7200 Cedar Lake Rd – Walgreens is approximately 11,000 square feet.
- 8225 Highway 7 – Commercial mall corner of Highway 7 and Blake Road is approximately 19,000 square feet.
- 5825 Excelsior Blvd – Commercial multi-tenant building is approximately 50,000 square feet ground floor area. Portions of the building are two stories.
- 4320 Excelsior Blvd – Opitz Outlet is approximately 12,000 square feet.
- 4140 Excelsior Blvd – Slumberland is approximately 11,000 square feet.
- 5825 Excelsior Blvd – This building is over 116,000 square feet and contains a mix of uses. It would become legally non-conforming because the cumulative size of the retail and service tenants exceeds 10,000 square feet. Party City is approximately 12,000 square feet, and Midwest Supplies is approximately 23,000 square feet. Another retail
use would not be permitted in this building unless one of the other retail uses downsized to accommodate it.

Liquor stores are not permitted in the C-1 district, and would therefore result in the following non-conforming uses:
- 7924 Highway 7 – Knollwood Liquors.
- 8240 Minnetonka Blvd – Texa Tonka Liquors.

Motor vehicle repair is not permitted in the C-1 district, and would therefore result in the following non-conformities:
- 4200 Excelsior Blvd - Midas.
- 5608 Excelsior Blvd – Autosurf Café.
- 5925 Excelsior Blvd – Youngstedts.
- 8001 Minnetonka Blvd – D & D auto repair.

City code and state statute define the rights of legal non-conformities. In summary, the legal non-conforming uses would be able to:
1. Continue to operate as is.
2. Perform maintenance on the use and buildings.
3. Improve the use and buildings without increasing the size of the uses.
4. Sell the business. A new owner could continue to operate the business as is.
5. Replace the use with a similar use. For example, an 11,000 square foot shoe store can be replaced by an 11,000 square foot apparel store.

The legal non-conforming use cannot:
1. Increase in size.
2. Increase in intensity. For example, a non-conforming retail use cannot be replaced by another retail use that would significantly increase traffic.
3. Return to a previous non-conforming use if the use converts to a use complies with code. For example:
   - If an 11,000 square foot retail use reduces its size to 10,000 square feet, it would not be able to go back to 11,000 square feet.
   - If a liquor store or auto repair use stops operating and is replaced by another use that meets code, then the liquor store or auto repair shop cannot be re-established in the future.
**Split-zoned property.** One parcel is split zoned, meaning it lies within two zoning districts. The parcel identified below is zoned R-4 Multiple-Family Residence on the west half, and C-2 General Commercial on the east half. The property is improved with a small office building. The proposal is to rezone the entire property C-1 Neighborhood Commercial.

**Recommendation:** Staff requests the planning commission recommend approval of the zoning map amendments as proposed. The planning commission may, however, make a recommendation that does not include specific properties. The planning commission may not add properties to the proposal without restarting the process because only those properties identified in this rezoning request were served formal notice.

**Next step:** Staff intends to present the planning commission recommendation to the city council on December 2, 2019 for a first reading.

**Attachments:** Property exhibits
Property owner letter

**Prepared by:** Gary Morrison, Assistant Zoning Administrator
**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
Proposed Rezoning from C-2 to C-1

Legend
- Rezone C2 to C1
- POS Park and Open Space
- R-1 Single-Family Residence
- R-2 Single-Family Residence
- R-3 Two-Family Residence
- R-4 Multiple-Family Residence
- R-C High-Density Multiple-Family Residence
- M-X Mixed Use
- C-1 Neighborhood Commercial
- C-2 General Commercial
- BP Business Park
- O Office
- I-P Industrial Park
- I-G General Industrial
- PUD Planned Unit Development

Areas highlighted on the map show the proposed rezoning from C-2 to C-1.
11/7/2019

Dear Mr. Gary Morrison,

My name is David Kvasnik and I represent the owners of 6001-6009 Excelsior Boulevard. KVK Enterprises Inc. is a small family owned business that has owned 6001-6009 Excelsior for many years. KVK is owned by my parents, Ted and Elaine Kvasnik, who used to own the Sew What and Midway Cleaners stores that were housed at that location. They sold the Sew What stores in 2001 but they retained all of the real estate including the property on Excelsior Boulevard.

We are highly opposed to the idea of rezoning the building to C-1 Neighborhood. Rezoning the property limits its potential uses and removes part of the “bundle of rights” that were included with the property when we purchased it long ago. Removing some of those rights drastically reduces the value of the property. Most notably, the height limit for future development is greatly reduced and the potential tenant base for possible uses is diminished as well.

We had always hoped and dreamed of the day when a developer would make their way down to our corner and offer us the opportunity to be bought out or become part of a larger development. Essentially, we have a very large bank account sitting on the ground at Brookside and Excelsior and we do not want the city to reduce its value by limiting its potential. Rezoning 6001-6009 Excelsior Boulevard would be very disappointing to us and we hope the city will reconsider how it affects the values of our family investment that was made many years ago.

Sincerely,

David Kvasnik

KVK Enterprises Inc.
3b Parking ordinance amendment - Historic Walker Lake

Case Number: 19-32-ZA

Recommended motions:
- Chair to open the public hearing, take public testimony, and close the public hearing.
- Recommend approval of the proposed amendment to create parking standards for the Historic Walker Lake area and additional miscellaneous amendments.

Summary of request: Staff propose an amendment to the parking ordinance that would create regulations specific to the Historic Walker Lake (HWL) business area, and additional regulations that would apply to all properties in the city.

Background: The proposed regulations that are specific to the HWL have been a part of the discussions with area businesses, the city council and planning commission as part of the development of the Historic Walker Lake small area plan.

While the branding and planning for HWL have already resulted in significant public and private improvements and investments in the area, work continues on the development of a new zoning district that will further implement the recommendations of the Historic Walker Lake small area plan. It is anticipated that this work will take until the second quarter of 2020 to complete.

Updating parking regulations, however, continues to be an immediate need. Therefore, staff propose to proceed with a parking ordinance first, and for land use regulations and other performance standards to follow. The new parking regulations could be adopted by the end of the year.

Zoning analysis: The proposed HWL parking regulations would:

1. **Remove minimum parking requirements for any uses occupying an existing building.**
   If approved, the HWL would be the first area in the city to have no minimum parking requirements for existing buildings. This regulation would allow uses to occupy an existing building without having to meet a minimum requirement for number of parking spaces. The use would still have to meet all other relevant code requirements including zoning, building and health codes.

   The ability to remove the minimum parking requirements is unique to the HWL because of the availability of on-street parking and municipal parking lots located within the HWL. This change further supports the goal of reuse and revitalization of the existing buildings in the district.

2. **Require a minimum and maximum number of parking spaces for new construction and building expansions.**
   a. A new table would establish minimum parking requirements for uses located in the HWL...
area. The availability of public parking in the HWL supports the minimum number of required off-street parking to be less than the city would require for similar uses located elsewhere in the city.

b. The new table would also establish the maximum number of parking spaces allowed for certain uses. This provision reduces the potential size of parking lots, encouraging businesses to, in part, rely on the available public parking and promote alternate modes of transportation.

3. **Require properties to maintain the number of existing parking spaces.** The number of parking spaces that exist when this ordinance is adopted cannot be reduced. The reduction in required parking is made possible in the HWL because of the availability of public and private parking spaces. Therefore, the ordinance prohibits the reduction of existing on-site parking spaces. The spaces can be relocated or replaced in a permanent manner that meets code, such as permanent easement over spaces on another property, but the number of spaces cannot be reduced.

The proposed ordinance also includes regulations that apply to all properties in the city, including the HWL area. The intent is to ensure parking lots are being utilized for customer and employee parking as required by code. These provisions require parking lots to be used in a safe manner and as intended by the parking section of the zoning ordinance.

1. Prohibit using drive aisles and driveways for any purpose that prevents vehicle access to parking spaces or inhibit emergency service response.
2. Require all parking spaces open directly to an aisle or driveway so that the use of the spaces will be unimpeded.
3. Require parking spaces be marked with painted lines, or similar markings.

**Next steps:** Staff has the ordinance tentatively scheduled for consideration by the city council on December 2, 2019, pending a recommendation from the planning commission.

**Recommendations:** Recommend approval of the proposed amendment to the parking ordinance to create parking standards for the Historic Walker Lake area and additional miscellaneous amendments.

**Supporting documents:** Draft ordinance

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

**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
Ordinance No. ___-19

An ordinance regarding parking standards

The City of St. Louis Park does ordain:

Section 1. Chapter 36 of the St. Louis Park City Code is hereby amended by adding underscored text and deleting the strikethrough text. Section breaks are represented by ***.

Sec. 36-361. Off-street parking areas, paved areas, and loading spaces.

***

(c) Required quantity.

(1) Parking Spaces. Parking space requirements are established in Table 36-361(a) and (b). For uses not listed, the off-street parking requirements shall be established by the Zoning Administrator based upon the characteristics and functional similarities between uses including, but not limited to: the size of building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles. For structures containing multiple uses, each shall be calculated separately. The requirements may be revised upward or downward by the City Council as part of an application for a Conditional Use Permit or Planned Unit Development based on verifiable information pertaining to parking.

(2) Required parking spaces must be located on the same lot as the principal use, unless shared parking or off-site parking is approved for the use.

(3) The number provided for required parking spaces shall be the minimum requirement, except where otherwise noted. Parking space requirements are as follows:

***

(3) Historic Walker Lake District. The boundary of the Historic Walker Lake district is illustrated in Figure A. The parking minimum and maximum requirements in Table 36-361(b) are applicable to the Historic Walker Lake District instead of those listed in Table 36-361(a) in the following manner:

a. All new structures or the expansion of an existing structure located in the Historic Walker Lake District shall be subject to the minimum and maximum parking requirements specified in Table 36-361(b).

b. Existing structures are not subject to the minimum and maximum parking requirements specified in Table 36-361(a) or Table 36-361(b). However, the number of parking spaces that exist on the property cannot be reduced unless the parking spaces are relocated to another property in accordance with the shared parking requirements located within this section.
Table 36-361 (b)

<table>
<thead>
<tr>
<th>Current Land Use Category</th>
<th>Proposed Required Off-Street Minimum</th>
<th>Proposed Required Off-Street Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily</td>
<td>1 space/dwelling unit</td>
<td>2 spaces/dwelling unit</td>
</tr>
<tr>
<td>Elderly Housing</td>
<td>1 space/dwelling unit</td>
<td>2 spaces/dwelling unit</td>
</tr>
<tr>
<td>Human Care Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult day care</td>
<td>1 space/employee on largest shift OR 1 space/500 sq. ft. of GFA, which ever is largest</td>
<td>1 space/employee on largest shift OR 1 space/200 sq. ft. of GFA, which ever is largest</td>
</tr>
<tr>
<td>Use</td>
<td>Requirements</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Group day care, nursery school</td>
<td>1 space/employee on largest shift OR 1 space per 500 sq. ft. of GFA, which ever is largest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space per 200 sq. ft. of GFA, which ever is largest</td>
<td></td>
</tr>
<tr>
<td>Group homes</td>
<td>1 space/4 beds</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space per 2 beds</td>
<td></td>
</tr>
<tr>
<td>Medical or dental office</td>
<td>1 space/500 sq. ft. FA in excess of 4,000 sq. ft. (min. 4 spaces)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/200 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td>Nursing home</td>
<td>1 space/employee on largest shift +1 space/6 beds</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/employee on largest shift plus 1 space/3 beds</td>
<td></td>
</tr>
<tr>
<td>Institutional Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community center</td>
<td>Parking requirement based on uses within the building.</td>
<td></td>
</tr>
<tr>
<td>Libraries, museums, art</td>
<td>1 space/450 sq. ft. floor area in principal structure.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/each 300 sq. ft. floor area in principal structure.</td>
<td></td>
</tr>
<tr>
<td>High school and post-secondary schools</td>
<td>1 space/classroom + 1 space per 5 students of legal driving age based on the maximum number of students attending classes at any one time</td>
<td>2 spaces/ classroom + 1 space per 3 students of legal driving age based on the maximum number of students attending classes at any one (1) time</td>
</tr>
<tr>
<td>Commercial Uses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bank</td>
<td>1 space/250 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/200 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td>Catering</td>
<td>1 space/500 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/500 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td>Coffee Shop</td>
<td>1 space/200 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/100 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td>Food Service or Bakeries</td>
<td>1 space/300 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/150 sq. ft. floor area</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>1 space/3 guest rooms + parking equal to 10% of the capacity of persons for an affiliated use on site (i.e., dining or meeting rooms)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/guest room + parking equal to 30% of the capacity of persons for an affiliated use on site (i.e., dining or meeting rooms)</td>
<td></td>
</tr>
<tr>
<td>Offices or medical and dental labs</td>
<td>1 space/500 sq. ft. FA in excess of 4,000 sq. ft.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/250 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td>Bowling alley</td>
<td>1 space/250 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/100 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td>Pool hall or video arcade</td>
<td>1 space/250 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/100 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td>Sport/health club, studio, pool</td>
<td>1 space/500 sq. ft. FA in excess of 4,000 sq. ft. (minimum of 4 spaces)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/200 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td>Theatre, auditorium, assembly halls</td>
<td>1 space/4 attendees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.5 spaces/4 attendees</td>
<td></td>
</tr>
<tr>
<td>Restaurants - fast casual</td>
<td>1 space/300 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/75 sq. ft. of FA</td>
<td></td>
</tr>
<tr>
<td>Restaurants - standard sit down</td>
<td>1 space/300 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/75 sq. ft. of FA</td>
<td></td>
</tr>
<tr>
<td>Brewery/Food Hall</td>
<td>1 space/150 sq. ft. FA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 space/75 sq. ft. FA</td>
<td></td>
</tr>
</tbody>
</table>
Retail store, grocery, and service establishment where > 25% gross floor area is customer area

1 space/400 sq. ft. floor area.
1 space/400 sq. ft. FA

Retail where < 25% gross floor area is customer area

1 space/250 sq. ft. floor area.
1 space/150 sq. ft. FA

Studios

1 space per 400 sq. ft. FA
1 space per 200 sq. ft. FA

Industrial Uses

Manufacturing, fabrication, or processing

1 space/ employee on largest shift or 1 space/1,200 sq. ft. FA whichever is greater +1 space/vehicle normally stored or parked on the site

1 space/500 sq. ft. FA +1 space/vehicle normally stored or parked on the site

Showrooms

1 space/500 sq. ft.
1 space/200 sq. ft.

Warehouse

1 space/2 employees on largest shift or 1 space/ 1,500 sq. ft. FA whichever is greater

1 space/500 sq. ft. FA

***

(h) Parking Area Use. Required parking spaces and the driveways providing access to them shall not be utilized for the following:

***

(5) Aisles and driveways shall not be used for any purpose that would for any period of time prevent vehicle access to parking spaces or inhibit circulation or emergency service response.

***

(k) Design Requirements

***

PARKING LOT DIMENSIONS

Table 36-361 (bc)

<table>
<thead>
<tr>
<th>Stall Angle (degrees)</th>
<th>Curb Length (feet)</th>
<th>Vehicle Projection (feet)</th>
<th>Aisle Width (feet)</th>
<th>Total Width (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
<td>Standard Compact</td>
<td>12.0</td>
<td>18.5</td>
<td>13.0*</td>
</tr>
<tr>
<td></td>
<td>Compact</td>
<td>11.5</td>
<td>17.0</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Standard Compact</td>
<td>10.0</td>
<td>20.0</td>
<td>15.0*</td>
</tr>
<tr>
<td></td>
<td>Compact</td>
<td>9.5</td>
<td>18.0</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>Standard Compact</td>
<td>9.0</td>
<td>20.5</td>
<td>18.0*</td>
</tr>
<tr>
<td></td>
<td>Compact</td>
<td>8.5</td>
<td>17.5</td>
<td></td>
</tr>
<tr>
<td>90***</td>
<td>Standard Compact</td>
<td>8.5</td>
<td>18.0</td>
<td>24.0</td>
</tr>
<tr>
<td></td>
<td>Compact</td>
<td>8.0</td>
<td>16.0</td>
<td></td>
</tr>
</tbody>
</table>
One-way aisles only.

** When parking is provided within a parking ramp, the total bay width may be reduced to 58 feet.

*** In a C-1 district the minimum aisle width may be reduced to 22.0 feet and a minimum total width of 58.0 feet, with the condition that aisles less than 24.0 feet wide shall provide a minimum curb length of 9.0 feet.

***

(12) Each parking space shall open directly to an aisle or driveway. Tandem parking spaces, however, may be established for residential uses provided that residential uses with five or more dwelling units may count only the parking spaces that open directly to a parking aisle toward compliance with a minimum off-street parking requirement.

(Im) Maintenance. All off-street parking areas shall be maintained in good repair.

(1) All parking areas containing four (4) or more parking spaces or containing angled parking shall have the parking spaces clearly marked on the pavement, using minimum four-inch wide painted lines or other marking devices approved by the city engineer. Such markings shall conform to the approved parking plan and shall be maintained in a clearly legible condition. No parking facilities shall be marked in a manner that reduces the number of parking stalls to less than the number required by this zoning ordinance.

(mn) Off-street loading facilities.

Section 2. This ordinance shall take effect fifteen days after its publication.

<table>
<thead>
<tr>
<th>First Reading</th>
<th>December 2, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Reading</td>
<td>December 16, 2019</td>
</tr>
<tr>
<td>Date of Publication</td>
<td>Date Ordinance takes effect</td>
</tr>
</tbody>
</table>

Reviewed for administration: Adopted by the City Council

Thomas K. Harmening, City Manager Jake Spano, Mayor

Attest: Approved as to form and execution:

Melissa Kennedy, City Clerk Soren Mattick, City Attorney
[This page left blank intentionally]
1. **Accessory dwelling units**

**Recommended Action:** No action at this time. Provide feedback to staff on the policy questions.

**Background:** Over the last month staff has been using the discussion from the October planning commission meeting to develop a draft ordinance to allow for accessory dwelling units (ADUs). In developing the ordinance staff identified a few policy areas where additional discussion would be beneficial.

**Policy Direction:**

1. **Detached accessory structure regulations.** Determining appropriate regulations for detached accessory structures is challenging given typical lot sizes and other, existing regulations. Staff recommends that accessory dwelling units be held to the same standards as accessory structures with a few possible additional requirements. For reference, Section 36-162 (d) regarding accessory building regulations has been included for your information. Potential additional regulations we may discuss, for example, include requiring balconies or decks above the ground floor to be facing away from the nearest side lot line and the rear lot line if it is not on an alley.

   In preparing the regulations, staff noted that there currently is a provision for accessory structures that prohibits the placement of an accessory structure in side yards unless it is a garage adjacent to a street. Staff would like to revisit whether this requirement is appropriate for accessory structures as well as ADUs.

2. **Parking.** Staff suggests no additional parking be required in order to support the development of ADUs. Property owners would be allowed to provide additional parking as long as it is enclosed or meets the maximum number of vehicles that can be parked outside an enclosed building. Staff is not proposing a change to the current maximum of three vehicles for single-family and six vehicles for a duplex that can be parked outside. In preparing the draft ordinance Staff noted that currently the code requires one additional parking space if a single-family dwelling has a boarder. To be consistent, it is recommended that this requirement for boarders also be removed.

3. **Occupancy.** For simplicity and to ensure that ADUs are truly accessory to a principal dwelling, Staff is recommending that ADUs be limited to two people. The draft ordinance sets the floor area of a detached ADU to between 300 and 800 square feet. An attached or internal ADU would also be required to be at least 300 square feet in floor area, but would be limited to a maximum size of no more than 40% of the ground floor area of the principal dwelling. Given the proposed size of the ADUs, a maximum of two people seems appropriate and is consistent with the city’s limit on the number of boarders.
4. **Prohibit short term vacation rentals.** At this time staff recommends clarifying the city’s current interpretation of the zoning code to include language that specifically prohibits short term vacation rentals city-wide, which would also apply to ADUs. The only exceptions would be hotels, motels, hostels and bed and breakfast operations. Of these exceptions, only bed and breakfast operations are currently allowed in low density residential areas.

**Technical issues:** Planning and building division staff will be meeting in advance of the meeting to discuss technical issues, such as building code classification, utilities, and rental licenses. Staff will also present what is learned from that discussion at the study session.

**Next steps:** Staff will use the direction discussed to prepare a complete draft ordinance for planning commission review and consideration.

**Attachment:** Accessory structures portion of Section 36-162 of the zoning code.

**Prepared by:** Rita Trapp, HKGi
Jacquelyn Kramer, Associate Planner

**Reviewed by:** Sean Walther, Planning and Zoning Supervisor
ARTICLE IV. ZONING DISTRICTS

DIVISION 4. RESIDENTIAL DISTRICT REGULATIONS

Sec. 36-162. Restrictions and performance standards.

...  

(d) **Accessory structures.** Accessory structures shall comply with the following regulations:

1. **Location.**
   
   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.

   b. Accessory buildings located within the back yard shall meet the following provisions:

      1. Accessory buildings shall be located a minimum of two feet from any lot line.

      2. Eaves, overhangs, gutters or other extensions from the roof shall be located a minimum of 16 inches from any property line abutting a right-of-way and two feet from all other property lines.

   c. Accessory buildings on through lots shall be subject to the front and side yard requirements of the principal building if the accessory building is located within 60 feet of the rear lot line.

   d. Detached garages when located in the side yard must conform to the side yard requirements of the principal building.

   e. No accessory building or permanent structure shall be located in a drainage or utility easement without first obtaining approval of an encroachment agreement.

2. **Size.**

   a. The total cumulative ground floor area of all accessory buildings on single-family lots and on non-conforming two-family lots in the R-1, R-2 and R-3 Districts shall not exceed the smaller of 800 square feet or 25 percent of the back yard. This provision shall not prohibit the construction of a detached garage that is no greater than 576 square feet in area provided there are no other accessory buildings.
b. Accessory buildings on conforming two-family lots in the R-3 or R-4 District:

1. The total cumulative ground floor area of all accessory buildings shall not exceed 25 percent of the area between the principal structure and rear lot line.

2. No single accessory building may exceed 800 square feet in total area and the cumulative area of all accessory buildings shall not exceed 1,200 square feet unless approved as a conditional use.

c. The total cumulative ground floor area of all accessory buildings shall be smaller than the ground floor area of the principal building on the lot.

(3) Height.

a. Accessory buildings - Shall not exceed 15 feet in height. The maximum height may be increased to twenty four feet where the primary exterior materials of the accessory building match the primary exterior materials of the principal building and the roof pitch matches the primary roof pitch of the principal building, and provided the wall height shall not exceed 9 feet from the floor to the top plate.

b. Parking ramps--Height is regulated by sections 36-166 and 36-167.

c. Accessory structures shall not exceed 15 feet in height.

d. The height of all accessory buildings and structures shall be lower than the highest roof line of the principal building.

(4) Design.

a. All detached garages and other accessory buildings shall be compatible in design and materials to the principal building on the parcel.

b. No plumbing for kitchen or bathroom facilities (including but not limited to toilets and showers) is allowed in any detached garage or other accessory building. Hose bibs and utility sinks are allowed.

c. Floor drains in garages and other accessory buildings must be connected to sanitary sewer as approved by the city.

d. Windows, doors, and similar openings may be located in the second story of an accessory building if the wall or dormer in which it is located faces a lot line that abuts a public right-of-way or is at least 15 feet from any property that is zoned residential and used or subdivided for residential use.
e. Accessory buildings shall not be used for dwelling purposes.

(5) Accessory buildings as part of the principal buildings--Accessory buildings located less than six feet from a principal building on the same lot shall be considered part of the principal building for the purpose of applying provisions of this chapter.

(6) Garages below grade level--Where the natural grade of a lot at the building line of a house is eight feet or more above the established curb level, a private garage may be erected within any yard provided one-half or more of its height is below grade level and it is located a minimum of ten feet from any street line and five feet from any side lot line.

(7) Permit required. All accessory buildings (including accessory buildings 200 square feet or less in area) shall obtain a zoning or building permit prior to installation and must be anchored in a manner approved by the city. (Ord. No. 2498-16, 9-6-16)