1. Call to order – Roll Call

2. Approval of Minutes – February 5, 2020

3. Hearings
   3a. Cedarwood Dachis Addition preliminary and final plat
       Applicant: Toni Dachis
       Case No.: 19-39-S, 19-40-VAR
   3b. High school artificial turf field CUP withdrawn
       Applicant: Thomas Bravo
       Case No.: 19-33-CUP

4. Other Business

5. Communications

6. Adjournment

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.
UNOFFICIAL MINUTES
PLANNING COMMISSION
ST. LOUIS PARK, MINNESOTA
February 5, 2020 – 6:00 p.m.
COUNCIL CHAMBERS

MEMBERS PRESENT: Jim Beneke, Lynette Dumalag, Courtney Erwin, Claudia Johnston-Madison, Jessica Kraft, Carl Robertson

MEMBERS ABSENT: Matt Eckholm

STAFF PRESENT: Jacquelyn Kramer, Sean Walther

1. Call to Order – Roll Call


   Commissioner Beneke made a motion to approve the minutes. Commissioner Robertson seconded the motion, and the motion passed on a vote of 6-0.

3. Public Hearings

   A. Zoning ordinance amendment allowing dogs on patios
      Applicant: City of St. Louis Park
      Case Nos: 20-01-ZA

      Sean Walther, planning and zoning supervisor, stated the city attorney has advised this issue should be handled in the city licensing code rather than the zoning code; therefore, staff recommend the item be tabled indefinitely and proceed to the city council for a public hearing.

      Commissioner Robertson made a motion, Commissioner Beneke seconded, recommending tabling the item.

      The motion passed on a vote of 6-0.

   B. Cedar Place development (The Quentin)
      Applicant: Patrick Crowe, Crowe Companies LLC
      Case Nos: 19-36-CP, 19-37-PUD, 19-38-S

      Jacquelyn Kramer, associate planner, presented the staff report.
The applicant requests a comprehensive plan amendment, preliminary and final plat and preliminary and final planned unit development (PUD) subject to conditions recommended by staff.

Ms. Kramer stated the area is at the intersection of Cedar Lake Road, Old Cedar Lake Road and Quentin Avenue South east of Highway 100. She noted the proposal is The Quentin with 79 dwelling units, including a mix of studio, one, one + den and two-bedroom units, two-levels of structured parking, vehicular access off Cedar Lake Road, and a new trail connection.

Ms. Kramer stated that because tax increment financing (TIF), comprehensive plan amendment and planned unit development are being requested, the development would include 10% of units affordable at 50% of area median income (AMI) in compliance with the city's inclusionary housing policy. She noted the upper floor of the parking structure have been designed so they could, at a later date, be transformed into retail space or additional housing units, if parking demands decrease and/or the city ever allows higher residential densities in this area in the future.

Ms. Kramer stated the first request tonight is to change the future land use classification of 5005 Old Cedar Lake Road from office to high density residential. Ms. Kramer explained comprehensive plan goals that are met by this development, including residential land goals, housing goals and affordable housing, and meets green standards. She stated the amendment is one step in the approval process.

Ms. Kramer stated the second request is for a preliminary and final plat. She explained that the applicant proposes combining three parcels into one. Ms. Kramer explained the new parcel will contain standard drainage and utility easements, sidewalks in the area will be preserved and a new ten-foot sidewalk/bike trail will be added. Staff recommend the city collect park and trail dedication fees in lieu of park land. The parks and recreation advisory commission will review this issue.

Ms. Kramer explained the final request is for a preliminary and final planned unit development or PUD. A PUD is both a zoning map amendment and a zoning text amendment that establish the regulations for a specific property. The site is currently zoned R-C high-density multiple-family residence, and the applicant requests to create a new PUD zoning district. The site does not currently meet the 2-acre minimum for a PUD request. The city council may waive this requirement. Ms. Kramer explained staff support the use of a PUD zoning for this
property as it allows for conditions and requirements that fit the context and character of the individual site and advances the city’s climate action goals. The applicant also requests allowing the use of more fiber cement panel (Nichiha) for the exterior of the building than the code currently allows. This material is currently classified as class II per the zoning ordinance and it is limited to 40% per building elevation. However, this material has been approved in greater amounts for other PUDs in the city including PLACE’s Via Sol development. Ms. Kramer explained staff recommends allowing >5/8” fiber cement panel as a class I material for this development.

The project meets the city’s parking requirements, including the electric vehicle service equipment and bike parking requirements. The plan includes 84 trees, pollinator, grass and native grass plantings, and provides 13% of the land area as designed outdoor recreation area (DORA).

Ms. Kramer stated the building will adhere to the city’s green policies and will include the following sustainability features: a rooftop solar array, green roof, local and sustainable materials, and energy efficient building systems.

The applicant held a neighborhood meeting and a summary of the meeting was provided in the staff report, including concerns with parking and traffic.

Ms. Kramer stated that staff recommends the chair open the public hearing, take testimony, then close the public hearing. Staff also recommend approval of the comprehensive plan amendment, preliminary and final plat and preliminary and final PUD.

Commissioner Johnston-Madison asked if the 10% of units at 50% AMI was a reduction.

Ms. Kramer stated it’s not a reduction, because the inclusionary policy provides flexibility to developers to provide 20% of units at 60% AMI, 10% of units at 50% AMI, or 5% of units at 30% AMI. So, it is an issue of how the pro-forma is working out and how the developer would like to comply with the policy.

Commissioner Roberson asked about the additional right-of-way at Cedar Lake Road and the history behind that.

Ms. Kramer explained all the parcels in this development are unplatted, and it is common for unplatted parcels to include area in right of way. The affected portion of the property is already encumbered with an easement for the roadway.
Commissioner Erwin asked where the trash would be located on the site.

Ms. Kramer stated the trash room is on the lower floor of the parking and pointed this out on the site plan. She stated trash bins would be taken to the curb cut on Cedar Lake Road, and the turnaround area in the surface parking lot is designed to allow for a wide turn there.

Commissioner Beneke asked if parking demand would be lesser in the future.

Ms. Kramer said there are no immediate plans in the next few years to convert the parking structure to other uses. It is simply a long-range strategy to provide an adaptable building.

Chair Kraft opened the public hearing.

Gail Linsk, 4412 Cedar Lake Road #1, has concerns about traffic on Cedar Lake Road, which is a condensed area. She is concerned about making a left turn there into the development form Cedar Lake Road and if car waiting to turn into the development will make traffic back up into the intersection and create traffic congestion. She added there is not a lot of parking on Cedar Lake Road, so she has concerns about overflow parking. She asked if Old Cedar Lake Road could have a driveway that might allow for entrances and exits.

Craig Aizman, 4225 West 25th Street, stated he grew up in St. Louis Park and has seen a lot of growth in this area. He stated this area has been a blighted area the past few years, so it will be good to see this development go in and he is happy this area will be rejuvenated.

Jessica Duplessi, 1632 Princeton Avenue, has concerns about traffic with the frontage road and the West End area. She is concerned about the small number of guest parking spots and asked where folks will park. She stated her street is adjacent to the property and will be where overflow from visitors would park. She added the taller buildings are in the West End area, and this six-story high rise will not fit with the other buildings in the Cedarhurst neighborhood and should be in the West End area.

Evan Sundquist, 1632 Princeton Avenue, has concerns about the tall height of the building in a neighborhood of two-story homes. He is also concerned about traffic and asked if the report is based on present or future traffic. He noted 1,500 units within the West End vicinity, excluding the new development being discussed tonight, and 3,000 units in the adjacent area have recently been built.
He is concerned about traffic exiting onto Hwy 100 and safety in the neighborhood.

Roger McCabe, 1620 Princeton Avenue, has been in the neighborhood for 30 years. He has concerns about the extra traffic proposed in the area, and this site is also adjacent to Benilde St. Margaret’s entrance. He has concerns for the safety of children in the neighborhood and traffic back-ups. He would like to see the city come up with a policy to restrict traffic from passing through the area.

Robert Lazear, 1519 Natchez Avenue, Golden Valley, stated they have lived here since 1987, and they hope to stay there. He added they are used to growth and change in the area, adding there was not good communication about this project, which is blocks from their home. They found out about the meeting tonight on Nextdoor. He stated they would like more time to look at this plan. He added this area is triangular and cars come off Hwy 100 very fast and this five-story building is being shoehorned here. He stated he did not see a coherent traffic study in the report. His neighborhood is landlocked and his concern is this development does not meet the two-acre requirement and it will loom over his neighborhood and there are only five visitor parking spots. He urged the commission to stop this project and to visit the site and ask if this makes sense for the city. He stated it is far too large of a project for this small site.

Jess Anderson, 1345 Natchez Avenue South, Golden Valley, shared she is not against development and has lived in this area since the West End was developed. She stated this feels too large and invasive, and over 50% of the traffic in our area is speeding. She said it feels like the development will create a danger in her neighborhood, and it should be redone to fit the neighborhood. It will be at the end of her block and she asked the commission to think about this, adding she only found out about the project a few days ago. She asked if there is a way to keep the traffic out of the neighborhood, and have the developer create something more appropriate to the neighborhood.

Daon Karpan, 1400 Natchez Avenue South, Golden Valley, has lived here for 25 years. She stated they found out about this project through Nextdoor and that is a concern. With the West End project, there was major notification and ample opportunities to give feedback. She stated the size and scale does not fit the area, and she noted a 50% traffic increase to 500 cars per day on Natchez since 2015 and speed in the neighborhood is already a problem. Additionally, she has concerns about noise. She added she is concerned this is one of many projects to be introduced in the neighborhood.
Ron Hongell, 4345 Sussex Road, Golden Valley, has traffic concerns here and back-ups during rush hour. He added the attitude there will be public transportation used here will be limited, compared to the number of cars, and having five spots for guest parking is too limited. He stated there is no commuter information about how to get to the West End and the continuation of the trail does not lead to anything.

Doug Broad, 1631 Princeton Avenue, Golden Valley, stated he found out about this meeting on Nextdoor and notification has been woefully inadequate. He stated parking and traffic are major concerns, along with five guest parking spots, and is terribly short-sighted. He stated during rush hour it is a nightmare, and Benilde students speed in this area. He invited the commission and the developers to stand there at 8 a.m. to see for themselves the traffic concerns.

Jeff Geodort, 2537 Inglewood Avenue South, stated his concern is in seeing something much larger, like the Verge, going up, which is not pleasing or with thoughtful landscaping. He would like to see something in this space be well-thought out, and he stated he was happy with the plans presented tonight.

Mark Brinkman, 4327 Alabama Avenue South, understands the concerns about traffic. He stated the area is blighted and he would like to see something in that space. He is supportive of the project.

Chelsey Sondeland, 1636 Princeton Avenue, stated this is not the right project. Traffic is already a problem. Her son rides the school bus and catches the bus on the corner, with no sidewalks or stop signs, and it’s very dangerous in the dark morning, weaving between parked cars. She stated she asks drivers to not come through their area which is so overcrowded already. If it must go in then there will need to be sidewalks, lighting, signage, and a bike path that goes somewhere. She added she cannot walk to West End because it is not safe with traffic, and noted this development is not safe either.

Stacy Pompiu, 1520 Natchez, Golden Valley, stated the lack of notification was disgraceful for the neighbors in this area. She is disappointed Golden Valley is not on par with this development yet, and they are one block from the area. She stated this is not the West End and is the east side of Hwy 100 adding this project is completely inappropriate for their neighborhood. She stated traffic will be awful on Natchez and will continue to be if this project is approved. She asked the commission to scale this back and go to the site and view it during the times of most concern. She also noted the city should partner with Golden Valley on this.
Zack Locker, 4648 Cedar Lake Road, stated he is in support of this project, although does see the traffic concerns. He does not think there will be additional traffic in the area, but there should be traffic calming on Natchez. He stated five spots might be too little, but stated it is not unreasonable for folks to park on Cedar Lake Road.

Karen Dorn, 2817 Quentin, stated she travels through this area quite often and feels the five-story building is out of place there, with single-family dwellings. Traffic is also a concern, stating there would be up to 125 people living there, each with their own car. She added we think folks will use bikes, but in Minnesota, we use cars, so rethink this. She stated grasses and perennials don’t do well in the winter and we have a lot of winter here, so shrubs might be better. She agreed it is a blighted area.

Jon Kuskie, 1660 Princeton Avenue South, thanked city staff for their quick communication when answering his questions about the project. He stated he will live in the shadow of this project. He stated his concern is this is a residential neighborhood with one-story homes, and he will be right in the shadow of this five-story building. He implored the commission to rethink this and consider something else on this site.

A letter from Claris Hanson, 1628 Princeton Avenue South, was read into the record.

Four additional emails will be forwarded to the city.

Patrick Crow stated he lives in St. Louis Park and is the owner/developer. He felt the area was blighted and he wanted to help the area. He explained guests will have access to additional parking spots inside the parking garage through special temporary key fobs, which will reduce the issues with parking, as well as street parking in the area.

He added they have set the driveway as far back from the intersection as possible, to allow for as much stacking as possible. He stated he did not know about the issues with Natchez Avenue. He pointed out there are many trees they are trying to save on the site, and will also bring in native plantings where possible, as well as green space.

Mr. Crow added there were questions on shading, but for spring, summer and fall, the shadowing will be less as it is pushed back and meets the city code requirements.
Commissioner Johnston-Madison asked the developer if Golden Valley had contacted him.

Mr. Crow explained he had spoken with Golden Valley city staff and they discussed the trails, and a connection from the West End and Golden Valley for easier access for pedestrians. He stated his goal would be to think about the future and allowing for connectivity for bikers going to the lakes or commuting. He added there is a bus stop in the front of the building as well.

Commissioner Dumalag asked about the change in affordable housing and asked him to comment on it.

Mr. Crow stated it was an economic decision and added the units offered will be indistinguishable from the others. He stated there will be a representative mix of units throughout the building and an even distribution. He added affordable housing is important to him and he will try to meet all the goals and the intentions of the city.

Commissioner Robertson appreciated Mr. Crow waited until after the public comments to make his comments. He added this is a well-thought out project and design, the orientation is fine and architecture is nice, however added it is a difficult site with existing traffic issues.

Commissioner Robertson stated there will be increase in traffic on Natchez, but they won’t be big changes, and he trusts staff’s traffic analysis.

Commissioner Johnston-Madison stated she is very familiar with this area and it can be very crazy with traffic. She stated this is a good project and it enhances that area which has looked sick for a long time. She stated it is not the project per se, whether in St. Louis Park or Golden Valley. She stated the traffic issues over time are not good but could be affecting how the residents are looking at the project. She also stated the developer connected with Golden Valley over one month ago, so the responsibility was on Golden Valley to connect with their residents.

Commissioner Johnston-Madison stated we don’t stop to wait for traffic studies to arrive, adding there may be a need for more conversations about traffic in the area.

Mr. Walther stated the city is required to mail notices to all property owners within 500 feet and that was followed, and if that extends into Golden Valley those residents are also notified. Notice was also published in the Sun Sailor and
a large sign was posted on the property announcing there was a proposed development for at least 10 days before the public hearing. The city also posts notice on Nextdoor to affected neighborhoods and contacts neighborhood leaders in organized neighborhoods in St. Louis Park. He added the efforts that went into the West End development in 2006 and 2007 went way beyond the typical area because of the massive scale of that project. He stated this is a smaller scale project, and did not rise to the level to justify a third-party consultant to conduct a traffic study. Traffic generation estimates and review was completed by the city engineering and community development staff.

Commissioner Robertson stated the proposal combines the three lots in an area planned for high density residential, and there is not a lot of change with this project. He asked if anything was relaxed under the PUD process under the high-density residential zoning.

Ms. Kramer stated all three parcels already allow high-density residential and if there was not a PUD, the project would have needed variances for setbacks from property lines. She noted the distance between the road and building is substantial due to the wide public right of way. In exchange for flexibility on the setback requirements, the PUD allows the city to ask for more from the developer, including compliance with the green building policy and inclusionary housing policy.

Chair Kraft added this lot has been identified for higher density development, so it seems appropriate. She added the concerns about the traffic are independent of this project, and should be looked at, but this project might not be the one to use to solve the traffic concerns.

Commissioner Dumalag thanked Mr. Walther for his explanation of the notification process and she is in support of the project. She stated she has some concern on ingress and egress of the project and this might be a challenge but can be up for further discussion, as well.

Commissioner Erwin stated she would be interested in seeing more traffic study here, and would be interested if there could be a left-turn-only egress or ingress to help with traffic issues from the site. She added it is relevant to study traffic now and in the future in this area.

Commissioner Robertson stated the commission has heard the residents’ comments, and this will not be the last action on this project; it will continue to the city council for final decision.
Chair Kraft closed the public hearing.

Commissioner Robertson made a motion, Commissioner Johnston-Madison seconded, recommending approval of the comprehensive plan amendment, the preliminary and final plat and the preliminary and final planned unit development (PUD) subject to the conditions recommended by staff, and with more traffic studies of this area.

The motion passed on a vote of 6-0.

Ms. Kramer stated this will be presented to city council on April 6, 2020.

4. Other Business

Commissioner Robertson moved that Commissioner Kraft be nominated to be chair, and Commissioner Dumalag be nominated to be vice chair of the commission. Commissioner Johnston-Madison seconded. The motion passed 6-0.

5. Communications

a. Next meeting agenda, February 19, we have two planned public hearings on the regular meeting agenda.
   i. Cedarwood Dachis Addition (plat). Proposal to subdivide the single-family lot at 4000 25th Street West into three lots
   ii. CUP for St. Louis Park High School to replace the existing track and field west of the school building with a synthetic turf field. The CUP is for the import and export of materials on the site
   iii. Study session: Staff will update commissioners on several upcoming development proposals.

b. February 24 boards and commissions annual meeting.

c. March 4 meeting will be a study session. Topics will include:
   i. Review the draft Historic Walker Lake ordinance, 6-7 p.m. We plan to hold the first part of the meeting in the Westwood Room.

      ii. Race equity and inclusion 101 training, 7-8:30 p.m., in the council chambers. This will be a joint meeting/training with the housing authority and environment and sustainability commission.
d. Joint study session with city council. Potential dates are March 9, May 26 or June 8. We will indicate a preference for March 9.

6. Adjournment

The meeting was adjourned at 7:30 p.m.
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3a  Cedarwood Dachis Addition – preliminary and final plat and variance

Location:  4000 25th Street West
Case Number:  19-39-S; 19-40-VAR
Applicant:  Toni Dachis
Review Deadline:  60 days: February 17, 2020  120 days: April 17, 2020

Recommended motions:  Chair to close the public hearing.
Motion to recommend approval of the preliminary and final plat of Cedarwood Dachis Addition, and the variance to allow an accessory structure in the side yard subject to the conditions recommended by staff.

Summary of request:  Toni Dachis applied for a preliminary and final plat and a zoning variance for property she owns at 4000 25th Street West. The plat proposes to subdivide one lot into three lots. The existing home would remain on one of the lots and two new buildable single-family residential lots would be created along France Avenue South. The variance would allow the existing pool house to remain in its current location. City code requires the pool house to be located in the rear yard, however, as a result of the subdivision, the orientation of the yards in relation to the house will change and the pool house will be located in the side yard. Therefore, a variance is required to allow it in the side yard.

Site information:
Site area:
80,608 square feet (1.85 acres)

Current use:
Single-family residential

Surrounding land uses:
North: Single-family residential
East: Single-family residential
South: Single-family residential
West: Single-family residential

Neighborhood: Fern Hill

Current 2040 land use guidance
RL - low density residential

Current zoning
R-1 single-family residence

Background: The existing house was constructed in 1952, and the pool house was constructed in 2002. The front of the house faces France Avenue South, and the driveway accesses 25th Street West.

Present considerations: The applicant requests that the city:
1. Approve a preliminary and final plat to subdivide the property into three lots.
2. Approve a variance to allow the pool house to remain in the side yard of the proposed Lot 1, Block 1, Cedarwood Dachis Addition.

Subdivision: City staff reviewed the proposed subdivision and staff find it meets all the subdivision requirements as summarized below.

Minimum lot size. The R-1 single-family residence district requires each lot to have at least 9,000 square feet of lot area. All three proposed lots are greater than 9,000 square feet.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1</td>
<td>44,975 square feet</td>
</tr>
<tr>
<td>Lot 2</td>
<td>17,808 square feet</td>
</tr>
<tr>
<td>Lot 3</td>
<td>17,825 square feet</td>
</tr>
</tbody>
</table>

Minimum lot width. The R-1 single-family residence district requires each lot to have at least 75 feet of lot frontage. The subdivision ordinance requires an additional 10 feet of frontage be added to the lot frontage for the corner lot. Each lot exceeds the minimum required lot frontage.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1</td>
<td>241 feet</td>
</tr>
<tr>
<td>Lot 2</td>
<td>166 feet</td>
</tr>
<tr>
<td>Lot 3 corner lot</td>
<td>168 feet</td>
</tr>
</tbody>
</table>

Front lot line. The front lot line is defined as the lot line that abuts a street. For corner lots, the front lot line is the shorter of the two lot lines abutting the two streets. The street adjacent to the front lot lines of the three lots are indicated in the table.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Front Lot Line</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1</td>
<td>25th St W</td>
</tr>
<tr>
<td>Lot 2</td>
<td>France Ave S</td>
</tr>
<tr>
<td>Lot 3 corner lot</td>
<td>25th St W</td>
</tr>
</tbody>
</table>

Yard requirements. The yard requirement is the minimum distance structures are required to be located from a lot line. The front lot line is used to determine where the yard requirements are located. The front yard is measured from the front lot line. The rear yard is measured from...
the rear lot line which is opposite the front lot line. The side yards are measured from the side lot lines which intersect with the front lot line. Below is an illustration of the yards required for the lots in the proposed subdivision. The size of the yards are listed and illustrated below. There are, however, some exceptions to the yard requirements. For example, the swimming pool is allowed to be five feet from the rear lot line, and the pool house is allowed to be two feet from the side lot line.

<table>
<thead>
<tr>
<th>Yard</th>
<th>Yard Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>Match the existing front yards on the block</td>
</tr>
<tr>
<td>Rear</td>
<td>25 feet</td>
</tr>
<tr>
<td>Interior sides</td>
<td>Six feet</td>
</tr>
<tr>
<td>Side abutting a street</td>
<td>15 feet (lot 3 along France Ave S)</td>
</tr>
</tbody>
</table>

Comprehensive plan amendment:
The applicant requests a change to the future land use designation of portions of the development site from RM – Medium Density Residential to RH – High Density Residential for Site 1 and Site 3. Below is an excerpt from the Comprehensive Plan Land Use Map.

A request for amending the city's land use plan and zoning map should be evaluated from the perspective of land use planning principles and community goals. These reflect the community’s long-range vision and broad goals about what kind of community it wants to be and what makes strong neighborhoods.

This amendment request is driven by a specific proposal for development. The request is for residential development at a density of approximately 75 units per acre, which is considered High Density (RH) in the Comprehensive Plan. The amendment may be evaluated independently of the development proposal against the goals of the Comprehensive Plan for the subject properties. The amendment itself does not permit the proposed development but is one step in the approvals process.

General Consistency with the Comprehensive Plan
The city's land use plan should reflect the broad goals, policies and implementation strategies
Tree replacement. The city requires trees removed as a result of the development to be replaced according to a formula listed in the zoning ordinance. The proposed subdivision requires few changes to the property, except some minimal grading to construct a sidewalk along 25th Street West. Therefore, trees will not be removed until building permits are submitted for the two new houses, and we will not know which trees will be removed until then. Staff proposes that the tree replacement be calculated for each individual lot at the time the building permit is submitted. The homeowner will have the option of planting the trees on-site or contributing tree replacement funds into the city tree fund according to a formula established in the zoning ordinance.

- Lot access. Access for each lot is proposed as follows: Lot 1 currently has access to 25th Street West, and that access will remain unchanged.
- Lot 2 will have access to France Avenue South.
- Lot 3 can have access to either France Avenue South or 25th Street West, however, the engineering department shall review and approve the proposed driveway access.

Staff recommends requiring driveways that access France Avenue South to have a built-in turnaround on the private property so vehicles leaving the lots do not have to back onto France Avenue South.

Sidewalk. The subdivision ordinance requires sidewalks be constructed along all street frontages. A six-foot wide sidewalk is proposed along the north side of 25th Street West to the western property line, where it will dead end. A sidewalk already exists along France Avenue South.

Park dedication. The parks and recreation advisory commission (PRAC) will review the park and trail dedications for the proposed development on March 18. Staff recommends accepting park and trail dedication fees in lieu of land. The 2020 fee schedule sets the residential park dedication fee at $1,500 per dwelling unit and the residential trail dedication fee at $225 per dwelling unit.

Variance: The requested variance is to section 36-162(d)(1)a which requires accessory structures to be located in the rear yard. As a result of the subdivision, the yards for the existing home will be reoriented, and the pool house will be located in the side yard of the proposed Lot 1. A variance is required for the pool house to remain in its current location.

Existing conditions: The property as it currently exists today is a corner lot with frontage on both France Avenue South and 25th Street West. As noted above, for corner lots, the shorter lot line adjacent to a street is the front lot line. The lot line along France Avenue South is shorter than the lot line along 25th Street West. Therefore, the front yard is along France Avenue South, and the rear yard is along the west property line. When the pool house was constructed in 2002, it was built in accordance with city code, because it was built in the rear yard.

Proposed conditions: The subdivision, however, will result in the yards for proposed Lot 1 to reorient to 25th Street West causing the pool house to be located in the side yard instead of the rear yard as required by code. Below is an illustration of the yards as they currently exist compared to how they would exist if the subdivision is approved.
The term “yards” has a different definition when applied to accessory buildings. In this case, yards are defined as the area between the lot line and the principal building (house). For example, front yard is the area bound by the side lot lines between the front lot line and the elevation of the house facing the street.

Variance analysis: Staff reviewed the proposed variance and staff recommend approval based on the following findings:

1. *The effect of the proposed variance upon the health, safety and welfare of the community.*
   The pool house was constructed in 2002, and has been utilized in this location since then without any known problems or complaints. The reorientation of the yards resulting from the subdivision will not alter the physical location of the pool house, and will not increase its impact on adjacent properties. Therefore, staff find the variance will not negatively impact the health, safety and welfare of the community.

2. *The request is in harmony with the general purposes and intent of the zoning ordinance.*
   When the pool house was constructed in 2002, it met code by being located in the rear yard. While the subdivision is reorienting the yards, the pool house is still located behind the house when considering the physical layout of the house.

3. *The request is consistent with the comprehensive plan.* The property is being utilized for single-family residential, which is consistent with the RL-low density residential designation.

4. *The applicant establishes that there are practical difficulties in complying with the zoning ordinance. This means that:*
   a. The proposed use is permitted in the zoning district in which the land is located. A variance can be requested for dimensional items.
b. The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
c. The variance, if granted, will not alter the essential character of the locality.
d. Economic considerations alone do not constitute practical difficulties.
e. Practical difficulties include inadequate access to direct sunlight for solar energy systems.

The pool house is allowed in the zoning district as an accessory use to the home. It was constructed in its current location in 2002 and fits the character of the home and neighborhood.

5. There are circumstances unique to the shape, topography, water conditions or other physical conditions of the property. The property has a very small rear yard. Most of the rear yard is occupied by the pool. The only open areas available in the backyard are impacted by grade change and retaining walls in the northwest corner and the pool equipment located to the east of the pool. Both options would be costly to relocate the pool house if the variance is not granted. If the variance is not granted, the most likely action would be to remove the pool house.

6. The granting of the variance is necessary for the preservation and enjoyment of a substantial property right. While the pool house is not a substantial property right, it currently exists and has been a part of the home and area for 18 years.

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. As noted above, the pool house has been in its current location for 18 years. The adjacent property to the west is single-family residential, with its attached garage being the closest part of the structure to the pool house.

8. The granting of the variance will not merely serve as a convenience but is necessary to alleviate a practical difficulty. The practical difficulty is that the pool house was constructed in 2002. Therefore, the request for a variance is not for a new structure, but to preserve an existing structure that has been serving the residents for 18 years.

Climate action plan: The subdivision will result in two new buildable single-family lots, which will be constructed to current energy efficiency codes. Efforts will be made to preserve the existing trees on the site. Trees removed for the construction of the homes will be replaced in accordance to the tree replacement formulas established by the zoning ordinance. If it is not practical to plant the new trees on the lots, fees will be paid to the city for tree plantings on public property in other parts of the city.

Neighborhood meeting: The applicant held a neighborhood meeting on February 4, 2020. Two people attended and voiced support for the subdivision and variance. The city received one letter of support from a person that could not attend the meeting.
Regular meeting meeting of February 19, 2020 (Item No. 3a)
Title: Cedarwood Dachis Addition – preliminary and final plat and variance

Recommendations:

Cedarwood Dachis Addition preliminary and final plat. Staff recommends approval of the requested preliminary and final plat of Cedarwood Dachis Addition with the following conditions:

1. The site shall be developed, used and maintained in accordance with the conditions of this resolution, approved official exhibits, and city code.

2. A six-foot wide sidewalk be constructed along 25th Street West as shown on the grading plan with pedestrian ramps as required by the city engineering department.

3. Prior to the city signing and releasing the final plat for filing with Hennepin County:
   a. A financial security in the form of a cash escrow or letter of credit in the amount of $1,000 shall be submitted to the city to ensure that a signed mylar copy of the final plat is provided to the city.
   b. Assent form and official exhibits shall be signed by the applicant and property owner.
   c. The developer shall pay to the city the park dedication fee of $3,000.
   d. The developer shall pay to the city the park dedication fee of $450.

4. Prior to starting any land disturbing activities, the following conditions shall be met:
   a. Proof of recording the final plat shall be submitted to the city.
   b. Assent Form and official exhibits shall be signed by the applicant and property owner.
   c. All necessary permits shall be obtained.
   d. A performance guarantee in the form of cash escrow or irrevocable letter of credit shall be provided to the City of St. Louis Park for all public improvements (street, sidewalks, boulevards, utility, streetlights, landscaping, etc.).

5. Prior to issuance of a building permit for a new principle building on any lot within the subdivision, the following conditions shall be met:
   a. A tree replacement calculation shall be made for the lot upon which the principal building will be built upon. Trees shall be replaced on-site, or a fee in-lieu paid to the city as allowed per the zoning ordinance.
   b. Driveway access for both lots 2 and 3 shall be reviewed and approved by the city engineering department. Changes to the driveway and access shall be made as required by the city engineer.

6. The developer or owner shall pay an administrative fee of $750 per violation of any condition of this approval.

Variance for accessory structure. Staff recommends approval of the variance to allow the existing pool house to remain in the side yard of Lot 1, Block 1, Cedarwood Dachis Addition subject to the following conditions:
1. The accessory building shall be used as a pool house, hobby space or accessory shed only.
2. The accessory building shall not be expanded unless an amendment to this variance is approved.
3. The accessory building shall be located as shown in the attached exhibit A-site plan.

Supporting documents: Letter from applicant; letter of support; official exhibits

Prepared by: Gary Morrison, assistant zoning administrator
Reviewed by: Sean Walther, planning and zoning supervisor
Letter from applicant

Variance Request
Toni Dachis
4000 West 25th St.

Explanation of Request:

I, Toni Dachis, the applicant, am requesting a variance for a side yard / back yard set back. This is in relationship to the subdivision application of the land the house currently stands on. There is an existing pool house in the back yard, which after the subdivision will become a side yard structure. The pool house has been there since 2002.

The proposed variance will not alter the essential character of the neighborhood.

I wish to keep the integrity of the existing house and the neighborhood intact and feel it is very possible as laid out in the subdivision application. By granting the variance, nothing will have to change from what exists. The next-door neighbor to the pool house moved in after the pool house was built, so nothing will change for them or any other neighbors regarding the visual or physical impact of the pool house variance approval.

The existing house sits on 1.75 acres and is for sale. By subdividing the land it will make it a more desirable piece of land and create more possibilities for additional single family housing yet keeping with aesthetics of the neighborhood and other surrounding homes. I have purposely subdivided into 3 lots instead of 4, so the size of possible new homes would be comparable to the homes in the immediate neighborhood.

The proposed variance will be in harmony with the general purposes and intent of the zoning ordinance.

I have lived in St. Louis Park my entire life. My children were raised in St. Louis Park, and I am currently building a new home 2 doors from where I grew up on Cedar Lake Road. My father was an architect, I am an artist. I chose not to sell the current property to a developer who would have torn down the existing house to build 5 homes on the property. The aesthetics of this project and how it affects the city is important to me. I feel the plan I am submitting meets the city's, neighbor's and personal requirements.

There currently are not building plans for the additional 2 lots at this time. If 1 or 2 homes are built on the subdivided land, it will provide housing in a highly desired area, contribute to the local tax base and will maintain the zoning for single family dwellings.
The proposed variance will relieve practical difficulties in complying with the zoning ordinance.

The proposed use is permitted in the zoning district in which the land is located.

The pool house is integral to the use of the existing house. To move or tear down the pool house would not make economic sense. To move it would be impossible to meet the “back yard” requirements, as the pool sits in that position.

Leaving the pool house in its existing location will have no detrimental effect. It does not change lighting, water conditions, topography or other physical conditions as nothing changes from the existing environment.
Letter of support

nancy.tellet.
to me

Hi Toni,

Jeff and I (2517 Huntington) will be out of town next week so we can’t join you for the neighborhood meeting.

We’ve looked at your plan and it looks fine to us. Best of luck...

Nancy (Tellet-Royce)

Sent from my iPhone

Toni Dachis
to Nancy

Thank you so much for taking the time and to respond. It matters greatly to me to keep the integrity of the neighborhood intact.

Toni

...
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CEDARWOOD DACHIS ADDITION

R.T. DOC. NO. ____________________________

The undersigned, a duly appointed, the owner of the following described property, do hereby convey to the City of

City of Pelo, being the recorder of the City of Pelo, the following described property:

Located in the City of Pelo, County of Pelo, State of Iowa, being a parcel of land, more or less, bounded as follows:

The conveyance is subject to all easements, restrictions, and covenants recorded in the property.

Dated this ______ day of ________, ________.

[Signature]

Notary Public

County of Pelo

State of Iowa

The conveyance is acknowledged by the __________________, ________, ________.

[Signature]

Notary Public

County of Pelo

State of Iowa

[Signature]

County of Pelo

State of Iowa

[Signature]

Notary Public

County of Pelo

State of Iowa

[Signature]

Notary Public

County of Pelo

State of Iowa
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February 12, 2020

Jacquelyn Kramer, Associate Planner  
City of St. Louis Park  
5005 Minnetonka Blvd.  
St. Louis Park, MN 55416

Re: Application for a Conditional Use Permit

Dear Ms. Kramer,

I am writing to formally withdraw application 19-33-CUP regarding the conditional use permit for infill/export of soil at St. Louis Park High School.

Sincerely,

[Signature]

Tom Bravo