All meetings of the St. Louis Park City Council will be conducted by telephone or other electronic means starting March 30, 2020, and until further notice. This is in accordance with a local emergency declaration issued by the city council, in response to the coronavirus (COVID-19) pandemic and Governor Walz's “Stay Safe MN” executive order 20-056. The chief administrator has determined that in-person council or commission/committee meetings are not feasible at this time due to the pandemic.

**EDA meeting is cancelled.**; **Regular city council meeting at 6:30 p.m.**

All members of the St. Louis Park City Council will participate in the Monday, Nov. 16 city council/EDA meeting by electronic device or telephone rather than by being personally present at the city council's regular meeting place at 5005 Minnetonka Blvd. Visit bit.ly/slpccagendas to view the agenda and reports.

Members of the public can monitor the meeting at by video and audio at bit.ly/watchslpcouncil and on local cable (Comcast SD channel 17 and HD channel 859, or CenturyLink SD channel 8117 and HD channel 8617) For audio only call +1.312.535.8110 and use access code 372 106 61.

Members of the public who want to address the city council during the regular meeting about items on the agenda should call the number noted below next to the corresponding item. Call when the meeting starts at 6:30 p.m. and follow instructions provided. Comments will be taken during each item in the order they are received and must relate to an item on the current city council agenda.

- 952.562.2886 – consent agenda items 4a-4i
- 952.562.2888 – item 6a – Public hearing for Nordic Ware easement vacation
- 952.562.2888 – item 8a – Nordic Ware special permit amendment and first reading of easement vacation ordinance
- 952.562.2887 – item 8b – TS 742 – Adjusting timed parking restrictions on Xylon Ave and Minnetonka Blvd

6:30 p.m.  CITY COUNCIL MEETING

1. Call to order
   1a. Pledge of allegiance
   1b. Roll call

2. Presentations -- None

3. Approval of minutes
   3a. Study session minutes Sept. 29, 2020
   3b. City council meeting minutes Oct. 5, 2020
   3c. Study session minutes Oct. 12, 2020
   3d. City council meeting minutes Oct. 19, 2020
4. **Approval of agenda and items on consent calendar**

   **Recommended action:** Motion to approve the agenda as presented and items listed on the consent calendar; and to waive reading of all resolutions and ordinances. *(Alternatively: Motion to add or remove items from the agenda, or move items from consent calendar to regular agenda for discussion.)*

   4a. Approve second reading and adopt Ordinance amending the zoning ordinance text to create a new mixed-use division with two mixed-use zoning districts: MX-1 and MX-2, including all associated zoning code amendments and adopt the design guidelines as a supporting document to the MX-2 district, and approve the Summary Ordinance for publication *(requires 4 affirmative votes); and*
   
   • Approve second reading and adopt Ordinance amending the zoning map to rename the MX district to MX-1 and rezone all of Historic Walker Lake to MX-2, and approve the Summary Ordinance for publication *(requires 5 affirmative votes).*

   4b. Approve second reading and adopt Ordinance to amend the city code by adding section 8-337 requiring rental property owners to provide seven days written notice to tenants prior to initiating an eviction action for non-payment of rent or other financial obligations and authorize publication of summary ordinance.

   4c. I. Adopt Resolution setting the 2021 Special Service District No. 1 budget and property owner service charges, accepting a contribution from Parkshores Senior Campus and directing staff to certify the annual service charges to Hennepin County.

   II. Adopt Resolution setting the 2021 Special Service District No. 2 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

   III. Adopt Resolution setting the 2021 Special Service District No. 3 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

   IV. Adopt Resolution setting the 2021 Special Service District No. 4 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

   V. Adopt Resolution setting the 2021 Special Service District No. 5 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

   VI. Adopt Resolution setting the 2021 Special Service District No. 6 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

   4d. Approve an extension until June 15, 2022, for Frauenshuh to act upon the conditional use permit (CUP) for Bremer Bank at 7924 Highway 7.

   4e. Adopt Resolution approving issuance of a premises permit for lawful gambling to be conducted by Hopkins Raspberry Festival at The Block, 7007 Walker Street in St. Louis Park.

   4f. Approve application from Lunds & Byerlys to continue using their on-sale intoxicating liquor license under their parent company Lund Food Holding, Inc.

   4g. Adopt Resolution authorizing the Hennepin County Grant Agreement to fund the city’s residential curbside recycling and organics recycling programs.

   4h. Designate Viking Industrial Painting the lowest responsible bidder and authorize execution of a contract with the contractor in the amount of $1,463,000.00 for Park Glen Water Tower Rehabilitation – project No. 4021-5000.

   4i. Authorize a professional services contract with Short Elliot Hendrickson, Inc. (SEH) in the amount of $161,321 for the final design and construction staking for the Beltline Blvd SWLRT Pedestrian Improvements – (4022-2000).

5. **Boards and commissions -- None**
6. Public hearings
   6a. Public hearing for Nordic Ware easement vacation
       Recommended action: Mayor to open the public hearing, take testimony, and then
       close the public hearing. The recommended action to vacate the portion of public
       drainage and utility easement is included later in the meeting under agenda item 8a.

7. Requests, petitions, and communications from the public – None

8. Resolutions, ordinances, motions and discussion items
   8a. Nordic Ware special permit amendment and first reading of easement vacation ordinance
       Recommended action:
       • Motion to approve First Reading of Ordinance vacating a portion of a public drainage
         and utility easement and set Second Reading for Dec. 7, 2020 \textcolor{red}{(requires five affirmative votes)}; and
       • Motion to adopt Resolution approving the amendment to a special permit.
   8b. Traffic study 742 – Adjusting timed parking restrictions on Xylon Ave south of Minnetonka Blvd.
       Recommended action: Motion to adopt Resolution extending timed parking restrictions
       on Xylon Avenue south of Minnetonka Boulevard.

9. Communications – None

**NOTE:** The consent calendar lists those items of business which are considered to be routine and/or
which need no discussion. Consent items are acted upon by one motion. If discussion is desired by either
a councilmember or a member of the public, that item may be moved to an appropriate section of the
regular agenda for discussion.

St. Louis Park Economic Development Authority and regular city council meetings are carried live on civic TV cable channel 17
and replays are frequent; check \textcolor{red}{www.parktv.org} for the schedule. The meetings are also streamed live on the internet at
\textcolor{red}{www.parktv.org}, and saved for video on demand replays. During the COVID-19 pandemic, agendas will be posted on Fridays on
the entrance doors to city hall and on the text display on civic TV cable channel 17. The agenda and full packet are available after
noon on Friday on the city’s website.

\textcolor{red}{If you need special accommodations or have questions about the meeting, please call 952-924-2525.}
The meeting convened at 6:30 p.m.

Councilmembers present: Mayor Jake Spano, Tim Brausen, Rachel Harris, Larry Kraft, Anne Mavity, Nadia Mohamed, and Margaret Rog

Councilmembers absent: none

Staff present: City Manager (Mr. Harmening), Director of Operations and Recreation (Ms. Walsh), City Attorney (Mr. Mattick), Deputy City Manager/Human Resources Director (Ms. Deno), Director of Community Development (Ms. Barton), Housing Supervisor/Deputy Community Development Director (Ms. Schnitker), Assistant Housing Supervisor (Ms. Olson), Police Chief Harcey, Deputy Chief Kruelle, Racial Equity Manager (Mx. Sojourner), Senior Management Analyst (Ms. Solano)

Guests: Shawn Sorrell, consultant

1. Notice of eviction

Ms. Schnitker presented the report.

Councilmember Mavity stated the council is close to finalizing this. She thanked staff and the community for their work and involvement. She stated the staff recommendation has come forward as a 7-day notice and noted this is important, essential, fair, and still gives landlords rights to use eviction as needed. She added it hits the right balance on this issue. She asked if the information from the city attorney will be put on the website and also if the city will proceed with an ordinance for 7-day notice. Mr. Mattick stated the information will be privileged. He added the council can proceed with an ordinance.

Councilmember Mavity stated moving forward on this seems to agree with the city’s values and to ensure our renters have adequate protections for evictions on their records. She stated it is time to move forward on this issue.

Councilmember Kraft asked if this is the first ordinance like this in the state. Ms. Schnitker stated yes.

Councilmember Kraft asked if Minneapolis was looking to do this and what their outcome was. He added this makes sense to him. Ms. Schnitker stated Minneapolis did implement several housing policies, but did not implement a notice of eviction.

Councilmember Kraft asked Mr. Mattick about moving forward with the ordinance. Mr. Mattick stated there is a path forward with this ordinance and the council can discuss further. He stated...
usually there are not oppositions to rental licensing, but there is no specific statute or case law on an ordinance such as this, adding it can be challengeable.

Councilmember Mohamed stated this seems like an extra layer of protection for tenants, and it makes sense. She stated she was surprised the city did not already have this, and added she supports this.

Councilmember Brausen asked if a court challenge comes, will the Minnesota League of Cities pay the court costs. Mr. Mattick stated there would be some coverage, but there are fees the city would also pay, as it does depend on how the city might be sued. Councilmember Brausen stated he is not concerned about the city being sued, and he will support it as a measure to protect tenants.

Councilmember Rog stated she is also supportive. She asked about unintended consequences the council might not be seeing. She stated it seems most landlords do provide this to tenants. Ms. Schnitker stated staff did hear from owners and landlords that they would send a notice to tenants right away to cover the 7 days, so they could file an eviction at the end of the 7 days. Ms. Schnitker added this would formalize the process in some cases and added this process typically is governed by the lease.

Councilmember Rog asked if there is a way to monitor the ordinance to ensure it is working. Mr. Mattick stated if passed and a landlord does not follow the ordinance, but follows state law, the city could look at the city licensing if needed.

Mayor Spano asked if this creates additional work for city staff. Ms. Schnitker stated there will be work on the front end to educate managers, owners, and landlords, but there are newsletters and meetings in place for this. She added the rental community works with STEP also, as the city does not have emergency funds itself, and so staff would potentially be making more referrals.

Ms. Barton added if tenants contact staff about notices, staff will make referrals, and contact landlords as well.

Ms. Schnitker stated when the city has a role, there is higher expectation on the part of tenants that the city does something, so there may be an uptick in this work.

Mayor Spano asked if there were any implications with race issues on this. Ms. Schnitker stated there is a significant number of people of color that are renters in the city and there is a disparity in the percentage of persons of color that rent, so this does add some added protection for the rental community. She added most landlords are doing this already.

Mayor Spano stated 44% of those living in St. Louis Park are renters and part of the BIPOC community and this has implications. He asked staff to consider this when updating reports to council.

Councilmember Harris asked what problem council is trying to solve, when most landlords already provide a process to help tenants pay rent. She asked how many in the community deal
with an eviction problem. She stated she supports tenant protection but wanted to hear more about this. Ms. Schnitker stated staff has heard from tenant protection groups that this is a problem, and from what staff knows, for the most part, the city has good landlords. She stated landlords want to keep buildings rented and to collect rents, so it’s in their best interest to work with tenants. She added this is not an issue that has come to the city from tenants themselves, but from the housing rental advocate groups.

Councilmember Harris stated unintended consequences might be increased fees or higher security deposits. She stated this feels like an issue. She is open to this but is not convinced it is solving a wide problem.

Councilmember Mavity stated she is glad Ms. Schnitker stated this is done across the country and that Minnesota is in the minority of states that does not have a policy like this and this might be a good place to begin this conversation with local and state leaders. She pointed to the smoking ban and organics collection as areas where St. Louis Park has led in the past. She stated most landlords do the right thing and work with their tenants. She added this is for tenants without protections and this is a simple, easy way to help rebalance and cure issues before eviction happens and so that eviction is not on a renter’s record.

Councilmember Rog stated she looked at the Hennepin County evictions in St Louis Park zip codes. There were 166 filings and 72 evictions in 2019. She stated she does agree strongly there is value in formalizing city processes in this way, even if it only helps a few. She added it is very important that when creating a new ordinance, we do everything we can to ensure there are real remedies for folks, and adequately supporting rental housing through STEP and other organizations. She stated two of the plaintiffs on the Hennepin County website show large property owners in St. Louis Park, adding it might behoove the city to work with these owners on eviction issues.

Councilmember Kraft asked why the council decided to do this and what was the rationale. He asked if it wasn’t a problem in St. Louis Park, why do it. Ms. Schnitker stated tenant groups said there were concerns that tenants did not understand the eviction process, so this was brought forward as an additional policy.

Councilmember Kraft asked if staff could look more into what happened with Minneapolis on evictions before council votes on this.

Councilmember Mohamed asked if the eviction ordinance is something the council may see some push back on. Ms. Schnitker stated there are concerns in the multi-family areas that they are being regulated more, adding there could be some push back from landlords and owners.

2. Policing discussion- continued

Mr. Harmening stated staff will provide data to the council this evening. Mr. Sorrell, Chief Harcey and Deputy Kruelle will provide additional information and facilitate a conversation about the issues, concerns, and potential next steps related to city policing.
Councilmember Kraft noted several key areas. He noted there seems to be a racial bias—intended or unintended—within the St. Louis Park police force, and if there is, how is it being addressed. He pointed out in 2018 and 2019 there was a 50% use of force incidents by police involved with people of color in St. Louis Park. He added 8% of the city’s residents are people of color. Chief Harcey stated he can break down the incidents by race further, and noted it shows some trends.

Councilmember Kraft asked about this and noted it’s a flag and asked why that is, adding he would like data on this. Chief Harcey stated this reflects systematic racism, the issue is more than a policing issue and is related to affordable housing, food stability, and educational opportunities. Chief Harcey noted the city’s police are very transparent on reporting. The police department tracks all use of force anything beyond standard handcuffing. He pointed out other agencies do not report all levels of use of force, and some do not report data at all. He noted St. Louis Park police have been very transparent and the data is also on the city’s website as of today, adding the only others that he is aware of that do report this data on their website are Minneapolis, St. Paul, and Richfield.

Mr. Harmening added each use of force issue would need to be looked at deeper and it would be helpful to understand the context of what was happening at that time. Chief Harcey agreed, noting the incident data has been broken down within racial groups and could be made available to council.

Councilmember Kraft stated he appreciates this transparency, adding he is looking for further analysis and data breakdown within racial groups.

Mx. Sojourner pointed out the police do not only serve our residents, but also folks who come here, work here, play here, and St. Louis Park does bump up to other cities as well.

Councilmember Brausen stated he agrees with Councilmember Kraft and appreciates the data around this. He noted the injury incidents were low, but of the 120 incidents, over half involved were black. He added he wants to see context around this to understand this better.

Councilmember Mavity added the questions on data and transparency are helpful and as policy makers the trend lines are clear in terms of the racial disparities.

Councilmember Rog appreciated the data shared. She stated she shares the same thoughts as other councilmembers. She noted 21st century policing is called community policing, and explained what critics and proponents believe about it. She asked why the community policing model was implemented in St. Louis Park. Chief Harcey stated it was implemented over 20 years ago and was done to build trust and partnerships and legitimacy within the community to solve problems. Some of the issues were at the Meadowbrook complex, which was one of the biggest reasons for moving to community policing.

Councilmember Rog asked if community policing has reduced crime and restored trust in St. Louis Park, do we know, and how do we know. Chief Harcey stated he believes it has built trust and legitimacy in the community.
Councilmember Rog asked if these problems still exist and are there unintended consequences that warrant council surveillance and looking at police problems that are actually more social problems.

Councilmember Mohamed stated this data was good to have. She was surprised to see how many black people were stopped, adding this seemed like a red flag, but noted the comments from Mx. Sojourner about how many folks travel in and out of St. Louis Park helped her to understand this better. She asked what is next and stated she is looking forward to future conversations about this data.

Councilmember Harris noted the de-escalation and mental health data as it relates to use of force and asked how staff is trained in escalation or de-escalation. Deputy Chief Kruelle stated the training mandates are being reviewed and updated now. He added crisis intervention training is part of this, which has been done for years. Additionally, this is tracked, and outcomes broken out to see how often crisis training is used in de-escalation.

Councilmember Harris stated given the changing needs with policing, does staff feel they have the resources needed to focus on de-escalation, mental health, and reduction of force. Chief Harcey stated the force has the correct number of officers currently, and funding is available right now as well. He added with the police reform act, the force is still evaluating actions needed which may require additional training funds.

Mayor Spano asked if the police have considered something less formal to help facilitate trust building. Chief Harcey agreed that events like National Night Out and working with neighborhood groups are great opportunities to do this. He added listening sessions with the community are great opportunities as well.

Deputy Chief Kruelle stated sometimes things that don’t show up in community policing are the best work of the police and are important aspects of what the city and police do. He noted this includes work with the school resource officers who help to identify students that need help or are struggling.

Mayor Spano noted a conversation he recently had with an older gentleman and his son about beat cops and how they interacted with residents years ago. He added community policing seems to be the 21st century attempt of doing this and building long-term relationships with the community. He stated opportunities for this work should be focused on.

Councilmember Mavity added community policing is what we should be doing, and she agrees with this. However, she added it is difficult to have this conversation as it seems a critique of the police force. She noted the conversation does need to happen though, due to systemic racism. She asked if the city’s community policing can be improved with substantial changes. Chief Harcey stated systemic racism goes back a long time, and the police force has been working on this for a long time. He noted the city’s work on racial equity and added it’s not only a policing issue, but it’s a community issue.

Chief Harcey gave an update on the use of force policy workgroup. He noted the recent legislation stated all Minnesota police forces must update their use of force policies to meet the
state requirements by December 15, 2020. He stated the police department has met with the HRC, PAC and the MAC to provide information on our use of force policies and the committees helped develop a subgroup. The workgroups first meeting was September 22 in which the group examined the current policy and the model policy and provided input on updating the city’s policy. He stated the next meeting of the workgroup is Oct. 27 and the hope is to continue moving forward on these policy updates.

Mr. Sorrell discussed systems thinking with the council. He asked the council for information they would like to take a deeper dive into that align with the city’s strategic priorities.

Items shared by the council included:

- Examine purpose behind having police officers with guns in certain situations
- Design a system where there are more civilian workers in the community
- Examine purpose of school officers
- Include ourselves (council and residents) in model of service delivery
- Include origins of data – account for race bias for those asking for service from police
- Evaluate why more African Americans are involved with use of force-disparities
- Construct training for police relating to racial impact of policies
- Convey statistics of resident and non-resident in use of force calls and de-escalation
- Evaluate neighborhood patrol system – how to know we are successful
- Uncover why apparent racial disparities in use of force
- Determine ideal mental health outcomes and evaluate how best to achieve them
- Reframe conversation to be about community safety more broadly, including but not limited to police
- Remain open to possibility that 21st century policing might not be best way to achieve our goals
- Shift conversation to making changes as chief noted in community safety that is outside of police department
- While we need to continue to gather data, we should not get lost in data, see trends in St. Louis Park, region and across country and need to make changes now
- Evaluate effectiveness of DARE program
- Determine how to measure achievement of PDs objectives
- Ensure implementation of 8 Can’t Wait
- Evaluate mental health social worker in lieu of public safety

The council discussed the above concepts in detail and worked to develop a draft action plan regarding policy considerations that align with the city’s strategic priorities.

It was the consensus of the council to prioritize columns 1, 2 and 4 of the policy considerations. Mr. Harmening stated staff will pull the information together and distribute to council for further discussion in the near future.

3. Future study session agenda planning and prioritization
Mayor Spano stated the budget, capital planning discussion and Ward 2 councilmember appointment are the topics for the next study session. Ms. Solano stated so far, 4 applications have been received for the councilmember seat.

Councilmember Brausen stated he is supportive of the Platia Place TIF district as noted in the written report.

Councilmember Kraft commented on the financial report and noted he wants different data included, specifically in the written commentary. He asked for more information at a glance relative to revenue and expenses and also where we are vs. where we thought we would be, especially in light of the upcoming budget discussion. Mr. Harmening stated staff is working on an updated approach for the financial report, as it is presented to council.

Councilmember Rog referenced the SWLRT pedestrian improvements and commended staff on the excellent job they have done on community engagement, especially during COVID. She added she is excited about these pedestrian and bikeway improvements, and based on community input, there may be different outcomes.

Communications/meeting check-in (verbal)

Councilmember Kraft asked about doing a retreat sooner vs. later, especially with the appointment of the Ward 2 councilmember seat. Mayor Spano agreed but was not sure it could happen in November or December.

Mr. Harmening stated he will be sending a communication on staff interaction with city council related to the city’s governance model and the charter.

The meeting adjourned at 9:30 p.m.

Written Reports provided and documented for recording purposes only:

4 August 2020 monthly financial report
5. Palatia Place project update

Melissa Kennedy, city clerk
Jake Spano, mayor
1. Call to order

Mayor Spano called the meeting to order at 6:30 p.m.

1a. Pledge of allegiance
1b. Roll call

Councilmembers present: Mayor Jake Spano, Tim Brausen, Rachel Harris, Larry Kraft, Anne Mavity, Nadia Mohamed, and Margaret Rog

Councilmembers absent: None

Staff present: City Manager (Mr. Harmening), Community Development Director (Ms. Barton), City Attorney (Mr. Mattick), Building and Energy Director (Mr. Hoffman), Engineering Director (Ms. Heiser), Assistant Zoning Administrator (Ms. Morrison), Planning and Zoning Supervisor (Mr. Walther), Associate Planner (Ms. Kramer), Transportation Engineer (Mr. Manibog), Senior Management Analyst (Ms. Solano), and Recording Secretary (Ms. Pappas)

Guests: Rita Trapp, consultant

2. Presentations

2a. Recognition of Donors

Mayor Spano recognized the following donations:

- $2,200 donation from Howard and Marla Solender for the purchase of a memorial bench near George Haun trail
- $2,200 donation from Krishna and Savitri Seeley for the purchase of a memorial bench at Lamplighter Park in honor of Krishna and Savitri Seeley
- $2,200 donation from Paul Thorson for the purchase of a memorial bench in Wolfe Park in honor of Joan Larson Thorson

3. Approval of minutes

3a. City council meeting minutes of Sept. 8, 2020

Councilmember Brausen noted on page 6, first paragraph, it should read, “...2.9 million federal grant...”

*It was moved by Councilmember Mavity, seconded by Councilmember Brausen, to approve the Sept. 8, 2020 city council meeting minutes as amended.*
The motion passed 7-0.

### 3b. Study session meeting minutes of Sept. 8, 2020

*It was moved by Councilmember Rog, seconded by Councilmember Kraft, to approve the Sept. 8, 2020 study session meeting minutes as presented.*

The motion passed 7-0.

### 4. Approval of agenda and items on consent calendar


4b. Adopt Resolution No. 20-138 approving the modification of the tax increment financing plan for the Shoreham TIF District to allow for additional pooling for eligible rental housing.

4c. Adopt Resolution No. 20-139 approving the modification of the tax increment financing plan for the Eliot Park TIF District to allow for additional pooling for eligible rental housing.

4d. Authorize an amendment of the professional services contract 144-18 with SRF Consulting Group, Inc. in the amount of $178,610 for the final design of the Monterey Drive-Beltline Blvd-36th Street bikeway and street improvements projects nos. 4020-1101 and 4021-2000. *(This item was removed from the consent calendar and considered as regular agenda as item 8d.)*

4e. Adopt Resolution No. 20-140 authorizing the special assessment for the repair of the sewer service line at 1600 Hampshire Avenue South, St. Louis Park, MN. P.I.D. 05-117-21-43-0004.

4f. Adopt Resolution No. 20-141 approving acceptance of a $2,200 donation from Howard and Marla Solender for the purchase of a memorial bench near George Haun trail, a $2,200 donation from Krishna and Savitri Seeley for the purchase of a memorial bench at Lamplighter Park in honor of Krishna and Savitri Seeley and a $2,200 donation from Paul Thorson for the purchase of a memorial bench in Wolfe Park in honor of Joan Larson Thorson.

4g. Adopt Resolution No. 20-142 appointing election judges for the Nov. 3, 2020 state general election.


Councilmember Rog requested that consent calendar item 4d be removed and placed on the Regular Agenda to 8d.

*It was moved by Councilmember Brausen, seconded by Councilmember Mavity, to approve the agenda and items listed on the consent calendar as amended to move consent calendar item 4d to the regular agenda as item 8d; and to waive reading of all resolutions and ordinances.*
The motion passed 7-0.

5. Boards and commissions - none

6. Public hearings

6a. Beltline Blvd. SWLRT pedestrian improvements

Mr. Manibog presented the staff report.

Mayor Spano opened the public hearing.

Jolene Wallace, 3028 Ottawa Ave. S., asked about existing retaining walls within the pedestrian improvements project and if they would be damaged or removed when the new sidewalk is put into place. She noted 4-8 homes that have retaining walls in the area. Mr. Manibog stated staff is aware of the retaining walls and more information will be provided in the next report.

Ron Hobson, 4156 Alabama Ave., stated he supports the project, adding it is a needed connection for the Green Line station. He added he likes what is being done on Ottawa and Beltline with the larger trail, noting the process feels inclusive and he appreciated the feedback from residents being incorporated. He stated the crosswalk added at 35th Street and the northwest corner of the frontage road will help cars slow down and improve safety there.

Mayor Spano closed the public hearing.

Councilmember Rog asked about potential increase in engineering costs with the hiring of a consultant for the project and for clarification on that. Ms. Heiser stated due to current staffing levels and the workload perspective, in order to move ahead with the project, there was a need to hire a consultant.

Mr. Harmening added staff requested the consultant as part of the 2021 budget, but if council decides to downsize the capital plan, this could have a bearing on a consultant position.

Councilmember Rog commended staff and Mr. Manibog for facilitating good public meetings online for this project and led to a responsive plan.

Councilmember Harris added her thanks to staff on public engagement and attendance of 50 persons each time for the online meetings, stating this was a tremendous turnout. She stated in future she hopes staff will continue to supplement in-person engagement with online participation as well, adding this is a valuable addition to the city’s suite of engagement tools.
Councilmember Harris asked about the bird’s eye view photograph in the report. Mr. Manibog stated the consultant was able to take photos from the street and utilize a drone.

Councilmember Harris stated she will not be at the council meeting on Oct. 19, 2020 but will relay her comments to Mayor Spano and Mr. Harmening to be read into the record that evening.

Councilmember Kraft asked if this will be a multi-use trail for both pedestrians and bicyclists. Mr. Manibog stated yes.

Councilmember Kraft asked if the Beltline project, outside of this area, is a separate project. Mr. Manibog stated yes, adding this project includes installations on the west side, and the other Beltline project involves restriping. He noted the latter project was already approved by council in 2019.

There is no action required by the council on this item tonight and final action will be taken on Oct. 19, 2020.

7. Requests, petitions, and communications from the public – none

8. Resolutions, ordinances, motions and discussion items

8a. First reading of ordinance allowing accessory dwelling units

Ms. Trapp, planning consultant, presented the staff report.

Clayton Keim, 2837 Quentin Ave., noted he had ADU roof pitch concerns. He stated if an ADU is built on top of a garage, it makes sense to have a higher pitched roof on the garage to match any of the roof pitches of the house. He asked the council to take this into consideration, adding he would like to build a garage with a half bath, but would not use it as an ADU.

Karen Dorn, 2817 Quentin Ave., stated she is concerned about the statement in the presentation that a similar amount of parking would be required of properties with an ADU and asked what that means. She also has concerns about absentee landlords and would prefer to have these be owner-occupied homes. She asked what happens if a landlord occupies a home long enough to build an ADU structure and then it becomes a rental home, adding this concerns her. She stated she is also concerned if this will be looked at as affordable housing, noting she can’t think of additional structures in people’s back yards. She stated it might be reasonable to add to the top of a garage, but not put an additional structure in a back yard. She noted in the Minneapolis Longfellow neighborhood, a second-story garage ADU costs $210,000, adding this was not using high end materials. She stated this is not affordable housing, and it is curious how this can fit in. She stated she has a lot of questions about the wisdom of doing this, noting St. Louis Park does not have large lots and has a lot of on-street parking already.
She stated this is not a cost-effective way to care for folks vs. a nursing home, and she asked the council to carefully consider this.

Councilmember Mavity thanked staff for this work adding it is a great step forward. However, she noted this will not solve all of the city’s affordable housing problems, but it does show how we can be smarter about how land is used. She asked about the guidance in the comprehensive plan allowing homeowners to use their properties for more than one unit and how staff sees additional units working with ADUs and the timing of this.

Mr. Walther stated currently the ADU ordinance permits only single-family properties to have an ADU, so a duplex could not have one. He added the comprehensive plan did adjust the low-density residential category and the allowed density was increased as well. He stated the city could approach allowing duplexes in low density residential areas in the future, and staff would likely begin with a review of the R3 district standards, where duplexes are allowed, and then also look back at the city’s rules from the past which would likely align with the way properties have been subdivided in the city.

Councilmember Mavity stated she is very supportive of this and in general giving folks the ability to use their own property in this way is helpful. She recommended moving forward at a good pace and implement other elements of the comprehensive plan as well.

Councilmember Mavity asked regarding the rental issue, if someone constructs an ADU, it must be owner occupied, but if afterward the owner goes into assisted living, can the property continue as an ADU. Mr. Walther stated yes.

Councilmember Mavity noted also that family housing fund support for ADU with guidelines would be helpful.

Councilmember Rog asked if most cities do require owner occupancy and how it is done in Minneapolis and St. Paul. Mr. Walther stated according to family housing fund research, most cities in the metro area do require owner occupancy, including Minneapolis and St. Paul.

Councilmember Rog stated she is concerned home flippers will come in and create two rental properties. She prefers to start with owner-occupied requirements like most cities and then go from there.

Councilmember Rog asked about the roof pitch requirement that ADUs match the primary roof pitch and where the planning commission stood on this.

Ms. Trapp stated the planning commission didn’t have a strong feeling about this and decided to maintain the current requirement to use the primary pitch as a starting point, with the intention to try to match that. She stated this is open to a change from the council, adding that roof pitch becomes a factor when the detached ADU will be
taller than 15 feet. She stated if the principle dwelling has a lesser pitch, there is then no room to do an ADU, so it usually follows the primary roof pitch.

Mr. Walther added the general approach to developing the ordinance was to allow ADUs without changing current policies related to houses and detached accessory buildings. This approach would help ensure ADUs fit with what is allowed currently for houses and garages. He stated the planning commission was neutral on this issue and it remains a policy question for the council.

Councilmember Rog asked if there are any downsides in allowing primary or secondary rooflines being part of an ADU plan. Mr. Walther stated no and added the height of the detached accessory building is still limited to being taller than the principle building and might invite people to make small changes to the principal building and take advantage of a secondary roof pitch for ADU. He added it would provide more flexibility.

Councilmember Rog asked about the 300 square foot minimum, and if 200 square feet could be the minimum.

Ms. Walther stated the planning commission felt 300 square feet was appropriate, which is the size of the smallest studio apartment in St. Louis Park.

Councilmember Rog stated she is concerned about smaller lots in the community, with setbacks, a 300 square foot requirement, and affordability. She noted the smaller square foot size may be more affordable and could be a tiny living option.

Councilmember Rog added she hopes to incentivize green space and solar power and provide low interest loans and assistance as it relates to roof pitch and owner occupancy.

Councilmember Kraft stated he would also support going down to a 200 square foot requirement, adding there is much innovation at the low end of the tiny home market. He asked what the reason is for being so strict on roof pitches. Mr. Walther stated this was initially adopted when the city allowed detached garages to be taller than 15 feet in order to allow roof pitches that matched the house. He added the present rule is the roof pitch must match the primary roof pitch of the principal building, but added if the council made a change to allow for secondary roof pitch, staff would also propose the change for detached garages and not only for ADUs.

Councilmember Kraft stated he would prefer to lean to more flexibility on the owner occupancy issue. Mr. Walther stated the planning commission recommended owner occupied only to initially establish the ADU ordinance. He continued, afterwards if the property were sold, this would no longer be required.

Councilmember Kraft stated if it becomes an issue, it can be addressed in the future.
Mayor Spano asked if council proceeds with the staff recommendation, and then finds that no one is building ADUs, would council have the flexibility to change this requirement. Mr. Walther stated yes council could change this rule later.

Councilmember Kraft stated he would be comfortable with moving forward with the planning commission recommendations.

Councilmember Brausen stated he will support the ordinance as proposed but added he does have misgivings on owner-occupancy if the goal and intention is to develop as many ADUs and housing options as possible. He asked why we would restrict this to homeowners that could afford to build ADUs only. He added he would be willing to adopt this and see how it works. He stated he does not like to stigmatize renters and this restriction only allows rich homeowners to build. He stated he will support this today but wants to revisit it in one year and open it to all single-family homes and possibly duplexes as well.

Councilmember Harris stated she supports and celebrates this undertaking and noted as a community the city is expanding its views of what housing looks like in the first ring suburbs.

Councilmember Harris asked about the sizes of a single and double garage and if the 300 square foot minimum is close to a double garage size. Mr. Walther stated a small double garage is usually 400 square feet and a larger double can be up to 550 square feet.

Councilmember Harris asked if an ADU could be built on top of a single stall garage. Mr. Walther stated yes, but it is unlikely because of the type of foundation existing detached garages are typically built upon. He added in that situation it is more likely that a new one-car garage would be built and then an ADU attached.

Councilmember Harris asked if ADUs typically have a separate entrance. Mr. Walther stated yes.

Councilmember Harris asked if staff could develop a map where ADUs can be built in the city, similar to the city’s map on solar panels. She asked also how much a typical ADU costs to build. Mr. Walther stated he had seen estimates that construction costs are $200,000-400,000 in Minneapolis. He stated it is basically the same cost of building a new home, but without having to purchase the land, so it’s not inexpensive. He added it is affordable housing in a non-traditional sense, as many ADUs are rented for low-cost or free to relatives. He stated for the individual renter(s) it is affordable, otherwise an ADU would garner typical market rents of an apartment or house.

Councilmember Harris stated she does not see this as a source of affordable housing and wonders if it is a valid goal. She wondered if there are unintended consequences by allowing ADUs, which although are another housing type, can be cost prohibitive. She stated most will not have the money to invest in building an ADU for a family member or rent out. She added she is in favor of allowing flexibility for owner-occupied when the
ADU is built and then removing that requirement when allowing for more rentals. She stated she supports the ordinance as proposed.

Councilmember Mohamed agreed with points mentioned by the councilmembers, adding she is supportive of the recommended action. She added in order to accomplish this goal, there should be less restriction and she favors revisiting this again in one year to make adjustments. She added this would be cost prohibitive for large families such as her own adding, however, she does not want perfect to be the enemy of good.

Mayor Spano stated he is interested in allowing smaller units and is not concerned about the roof pitch issue. He stated if staff needs to be flexible to make this more workable, he supports that recommendation, and revisiting it later if they see ADUs not being built. He stated the city has tools to enforce neighborhood safety and security, and if going with smaller units and roof pitch makes a project more affordable, then he is also fine with that.

Councilmember Mavity stated there are about 150 ADUs in Minneapolis since this ordinance was enacted there in 2014, adding this is merely one tool for housing in St. Louis Park. She asked what the city’s assumption is behind owner occupancy and stated if put into policy, would be discriminatory.

Councilmember Kraft asked what the minimum square footage is for Minneapolis ADUs. Mr. Walther stated it is a 300-square-foot minimum.

Councilmember Kraft stated tiny houses are not costly, take less green space and are more energy efficient.

*It was moved by Councilmember Kraft, seconded by Councilmember Rog, to approve the staff recommendation with changes to allow ADUs at 200 square feet and also roof pitch flexibility to primary or secondary roof pitch.*

After further discussion, Councilmembers Kraft and Rog withdrew their motion.

*It was moved by Councilmember Kraft, seconded by Councilmember Rog, to approve the first reading of an ordinance amending Chapter 36 of the city code to allow accessory dwelling units as amended to modify the minimum size of an ADU to be more than 200 square feet and set the second reading for Oct. 19, 2020.*

The motion passed 7-0.

*It was moved by Councilmember Kraft, seconded by Councilmember Rog, to direct staff to amend the ordinance to allow flexibility to match the primary or secondary roof pitch when building an ADU.*

The motion passed 6-1 (Councilmember Brausen opposed).
Councilmember Rog pointed out she is concerned about stigmatizing renters, adding that rental arrangements benefit property owners and her interest is for families to have the incentive to be owners. She added her concern is if this is opened to developers and flippers, they will buy up properties and build ADUs, which then reduces the opportunity for home ownership. She stated she sees this as a potential threat to home ownership, adding it is better to start restrictive vs. loose and then go back and make changes at a later date.

8b. First reading of ordinance pertaining to painted signs

Mr. Morrison presented the staff report.

Councilmember Harris stated she appreciates this, adding painted signs require less resources and environmental impacts and could potentially be less expensive, while encouraging small business owners and entrepreneurs in the community. She thanked Councilmember Rog for bringing this forward.

*It was moved by Councilmember Rog, seconded by Councilmember Harris, to approve first reading of ordinance amending section 36-362 pertaining to painted signs and set second reading for Oct. 19, 2020.*

*The motion passed 7-0.*

8c. First reading of ordinance pertaining to architectural materials

Ms. Morrison presented the staff report.

Councilmember Mavity stated she was surprised this had not been updated since 1990, adding this will help facilitate more creative design and avoid monotony in design, allowing for more creativity. She wanted to confirm this ordinance will not change the hard work completed on the transparency and glass ordinance. Mr. Morrison stated the transparency and glass ordinance will remain the same.

Councilmember Brausen stated he supports this and appreciates the hard work of the planning commission and their willingness to do an in-depth dive. The council values their work and recommendations, as well as staff’s.

Councilmember Harris stated she is also glad to see this update on materials and asked if the city will allow exceptions to developers that propose a higher-class material than what is in the code. She asked if this revision will prevent those requests from being brought forward in the future. She stated she will support this. Mr. Morrison stated no, requests can still come forward from developers.

Councilmember Rog stated she appreciated the links in the report and Councilmember Mavity’s comments about sameness in developments. She added she has heard comments about the Shoreham apartments, and concerns about sameness here also, adding she hopes this change is communicated to those projects currently in process.
Mr. Morrison stated this can be communicated, but staff will also need to watch dates.

*It was moved by Councilmember Mavity, seconded by Councilmember Brausen, to approve the first reading of ordinance amending Section 36-366 pertaining to architectural design and set second reading for Oct. 19, 2020.*

*The motion passed 7-0.*

8d. **Authorize an amendment of the professional services contract 144-18 with SRF Consulting Group, Inc. in the amount of $178,610 for the final design of the Monterey Drive-Beltline Boulevard-36th Street bikeway and street improvements projects nos. 4020-1101 and 4021-2000**

*It was moved by Councilmember Rog, seconded by Councilmember Brausen, to approve the amendment as stated.*

*The motion passed 7-0.*

9. **Communications**

Councilmember Kraft reminded citizens to vote and either drop off their ballots at city hall or vote early in person.

Mayor Spano thanked Ms. Kennedy and the elections staff for their work on the election, noting the set up at city hall is wonderful. He added if voting by mail to check the secretary of state website to see when your vote has been counted.

Mr. Harmening also thanked Ms. Kennedy and staff for their work on elections. He stated council will receive an email from Ms. Solano regarding the application and interview process for the council seat being vacated by Councilmember Mavity.

Councilmember Mohamed stated aftereffects of the recent ballot harvesting story in Minneapolis has caused the Somali community to be afraid to vote. She encouraged community members to please go out and vote, adding that state officials are also working to get the word out for all to vote.

10. **Adjournment**

The meeting adjourned at 8:42 p.m.

______________________________________  ____________________________________
Melissa Kennedy, city clerk                     Jake Spano, mayor
The meeting convened at 6:30 p.m.

Councilmembers present: Mayor Jake Spano, Tim Brausen, Rachel Harris, Larry Kraft, Anne Mavity, Nadia Mohamed, and Margaret Rog.

Councilmembers absent: none.

Staff present: City Manager (Mr. Harmening), Director of Operations and Recreation (Ms. Walsh), Building and Energy Director (Ms. Hoffman), Engineering Director (Ms. Heiser), CFO (Ms. Lammers), Deputy City Manager/Human Resources Director (Ms. Deno), City Assessor (Mr. Bultema), Police Chief Harcey, Director of Community Development (Ms. Barton), Fire Chief Koering, Communications Manager (Ms. Smith), Senior Management Analyst (Ms. Solano), and Recording Secretary (Ms. Pappas).

Guests: Stacy Kvilvang, Liz Diaz; Ehlers

1. **2021 budget, updated CIP, utility rates, and LRFMP**

Mr. Harmening stated the primary drivers of a levy increase would come from capital plans, roads, bridges and Connect the Park. He added a 4.5-5% levy increase would go a long way to meeting goals and achieving funding needs. Additionally, he noted there is a need to increase franchise fees to $1.25 for residential and $2 for commercial.

Ms. Kvilvang agreed that capital plans and borrowing needs are the main drivers for tax levy increases, pointing out the tax levy for 2021 could go to 4.1-4.5% and meet city goals. She also pointed out a lower 2021 levy will result in a higher 2022 levy increase to make up for the differential and meet needs for 2022. Ms. Kvilvang added the council may want to consider a local option sales tax to help meet goals and added the fund balances for EDA that would be used for any projects that come up or are needed.

Councilmember Harris asked if franchise fees will be raised this year. Ms. Kvilvang stated yes, this year for 2021 and then plan to review and increase again in 2023.

Councilmember Harris noted last year the council contemplated a local option sales tax as they did anticipate an increase in capital projects and were seeking ways to finance this. She stated she remembered several information sessions with council. She stated she appreciated the refresh on that.

Councilmember Brausen asked if the city share is the total dollars of taxes created and is that the portion going into the housing trust fund. Ms. Kvilvang stated 35% of this is eligible for the housing trust fund.
Councilmember Kraft asked if the total amount of TIF in 2021 will be split between the city, county and school. Ms. Kvilvang stated yes.

Councilmember Kraft asked where the $339,000 city portion goes. Ms. Kvilvang stated into the capital equipment fund.

Councilmember Kraft asked if these funds would go into the affordable housing fund. Ms. Kvilvang stated it would go into the general fund.

Councilmember Kraft asked if these funds go into the general fund because funding is needed there. He also asked if not, would the levy need to be increased. Ms. Kvilvang stated both are correct.

Councilmember Mohamed asked if the TIF districts noted in the staff report are all the TIF districts the city has. Ms. Kvilvang stated the city has more than noted in the report and they come off the list as the TIF districts are paid off.

Councilmember Brausen asked if TIF districts are kept in existence after the note is paid in order to use those funds in affordable housing. Ms. Kvilvang stated the housing rehab fund and affordable housing trust fund pay for all affordable housing projects, adding these two funds could be combined into one fund with affordable housing being a portion of the overall housing fund.

Councilmember Mavity noted if both funds are combined into one fund, there will need to be priorities created for the affordable housing trust fund so it will not get lost in the broader housing fund. Ms. Kvilvang stated the goal is to be sure both funds are unrestricted, and have programs set within to align them with the funding goals of the council for housing.

Councilmember Mavity asked staff to be sure not to create an issue down the line should the legislature choose to fund this.

Councilmember Rog stated she shares the same concerns as Councilmember Mavity and is proud of the priorities of the city’s affordable housing fund. She asked how it would be beneficial if both funds are set up as one. Ms. Kvilvang stated it would only mean the city is keeping all housing funds under one umbrella to make it easier to see all the funding for housing.

Councilmember Kraft asked if funds in the housing rehab fund can be used for affordable housing items. Ms. Kvilvang stated the HRA portion of the tax levy can be used on any affordable housing programs. She added the fund could be looked at as a pie, with pieces going to various programs on affordable housing, some to staffing, some to rent assistance and some to housing rehab.

Mr. Harmening added the housing rehab fund currently funds affordable housing activities and has been doing so for many years. He added having both funds can be confusing, so staff
thought it would be better to merge both and then be diligent about how the funds are used within the fund.

Councilmember Kraft asked if the fund had $6 million within it and $1 million was used for affordable housing, could the funds be restricted within the fund. Ms. Kvilvang stated yes.

Councilmember Kraft asked if the city has $20 million in the fund balance, and wanted to do a $5 million project, over what time period would it take to replenish the development fund. Ms. Kvilvang stated land can be sold to get the proceeds back over a 5-year time period. Mr. Harmening added $20 million is just a recommendation for a minimum amount place holder in the fund balance.

Councilmember Kraft asked if there should be a policy around this minimum fund balance that states it is acceptable to go below the minimum level. He asked if the fund could be replenished in 1 year, especially right now during financially challenging times. Ms. Kvilvang stated the fund can be replenished, over time, but not in 1 year. She stated that it would be council policy to decide to go below any minimum if they determine to do so, and then plan to get back to the levels desired in the fund. Management is important to maintain the Standard & Poor’s AAA rating also.

Mayor Spano stated a 5% tax levy would require $83,000 out of the general fund balance. He asked what the fund balance would be if this was the case. Ms. Kvilvang stated the total funds do not have to come out of the fund balance, and capital projects can be cut back on if needed, and the council could choose to not do some larger projects.

Councilmember Harris asked what the projected timeframe is to reach a $1 million fund balance in capital replacement. Ms. Kvilvang stated the estimate, with the current plan would be by 2024.

Councilmember Harris asked if the city has had a policy on fund balances in the past. Mr. Harmening stated this policy only exists on the general fund, and staff feels its best practice to have a target for each fund as a minimum fund balance.

Councilmember Harris stated with tight funding and a 4.5 – 5% tax levy, is there also merit in a goal fund balance within 3 years. Mr. Harmening stated that would depend on the council to raise revenue to do that, either through property taxes or issuing debt or a combination of these two. He stated staff felt feathering this in over time was the prudent thing to do versus doing it all at once.

Councilmember Rog asked why the Louisiana Bridge must be done in 2021. Ms. Heiser stated this is the bridge over Minnehaha Creek which has been scheduled for replacement since 2018. The bridge has structural instability and is being checked every 6 months, and has been downgraded, so it must be replaced due to its poor condition.

Councilmember Rog asked if the city has secured external funding for the bridge project. Ms. Heiser stated the city has $800,000 for the project, but the legislature did not pass any additional bridge funding, and the city cannot put this off any longer.
Councilmember Rog asked what the additional $122,000 is for related to the Dakota Bridge. Ms. Heiser stated this is another bridge being monitored and must be replaced for safety reasons. Ms. Walsh added part of the funding for this bridge will come from stormwater and part from the park fund.

Mr. Harmening discussed park dedication fees and stated in the fall staff brings to council a fee schedule to adopt for an assortment of fees, adding this would be the time to change fees for park dedication.

Councilmember Rog asked if the fees are mandated by the state. Mr. Harmening stated no; however, developers have pushed back about the size of the fees. It is important when setting fees that the reasoning is to cover business expenses or a planned program.

Councilmember Rog asked why it is too late this fall to review the park dedication fee. Ms. Lammers stated the first reading is October 19, so there is not enough time to review in the cycle this year. Mr. Harmening also noted, however, the fees can always come back to the council at a future date to adopt a new or revised fee.

Councilmember Rog stated she is still concerned about the housing rehab fund and the affordable housing fund, adding it feels risky to funnel money from one fund to the other. She added she shares Councilmember Mavity’s concerns about potential legislature matching funds that are set aside as well.

Ms. Barton assured Councilmember Mavity the affordable housing trust fund is under the umbrella of the affordable housing fund and will still be its own fund, adding the funds will not be co-mingled. She stressed the funds are dedicated and under policies and noted if anything does come available from the state, that can also still be added to the affordable housing fund.

Councilmember Rog stated when looking at street rehab costs over 10 years, the range is $6-12 million per year. She asked if this is an appropriate range. Ms. Kvilvang stated yes, while Mr. Harmening added given the scope of all street improvement needs, especially MSA streets, this is not a surprising cost.

Ms. Heiser added the entire cost is $7 million and includes not only street replacement, but water main, sanitary sewer, and new sidewalks.

Councilmember Rog stated she sees this as a major cost driver, adding she can count on one hand how many times a resident has asked her to fix their street in her 3 years on the council. She stated this feels like it is department driven and not community driven adding she hopes the council can be open-minded about having an outcome-based budget that reflects the city’s commitment to biking, walking, and mass transit and eases up on pavement management. She stated she wants to know what the city spends each year on streets themselves and look at how to pull back on that.

Councilmember Brausen stated in Ward 4 he hears about fixing Cedar Lake Road all the time. He noted this project has been deferred the last 4 years, and Louisiana Avenue to Highway 394
has also been deferred. He stated roadways do matter and major roadways have to be maintained especially since much of the city’s infrastructure is 50-75 years old.

Councilmember Brausen also asked for clarification and confirmation on the start of the housing rehab fund, asking if it was started by excess fees from certain housing projects. Mr. Harmening clarified it was started by fees from activity revenue bonds, adding these fees can be used for any lawful government expenditure.

Councilmember Brausen stated the EDA fund is around $20 million and asked if prior expenditures were for development around the light rail station. Mr. Harmening stated that was certainly the goal. He stated in 1997 the fund had over $30 million in it and in the years that followed, the city used it for projects it was not able to recoup but were worthwhile. He stated the fund started to erode, so a fund balance policy will be important.

Councilmember Brausen stated it is worthwhile to have these funds on hand and to make strategic decisions while controlling development projects. Councilmember Brausen asked if within the 4.5-5% proposed tax levy, there is a presumed 2% average wage increase for staff. Ms. Kvilvang stated the 4.5-5% will give flexibility for labor negotiations. Mr. Harmening added one labor contract was settled pre-COVID, but 4 more are open for 2021 and staff will need to negotiate in good faith with those bargaining units. He stated this percentage amount will allow some room to settle union contracts.

Councilmember Brausen stated the city’s policy has been to treat staff increases the same as union contract. Mr. Harmening agreed adding the size of the increase and benefit package are usually similar with minor differences and variations depending on the bargaining unit.

Councilmember Mavity stated she appreciated Councilmember Rog’s comments but wanted to clarify while all these funds are together as one big pie on housing related activities, she asked if the affordable housing trust fund as adopted by council, meets state rules. Ms. Barton stated yes. Councilmember Mavity added one of the advantages of the trust fund is that is has been predictable and the development world relies on that.

Councilmember Mavity also addressed Councilmember Rog’s comments on outcome-based budgeting stating what the city does on roads is outcome based and is one of the reasons council does not get complaints because the city has been so methodical in doing roads so very effectively and well. She stated roads are part of the city’s core services as is water and sewer, and there are no pothole jokes in St. Louis Park for a reason. Councilmember Mavity continued, the blending of MSA funds and pavement management funds will not create future problems; however, by blending these funds she wants to be sure future problems will not be created.

Ms. Heiser stated MSA funds can only be used for MSA roads, such as Louisiana Avenue. She stated the design of MSA roads meet standards and the city cannot risk this for the future, adding it will be important to make sure the pavement management fund is more flexible.

Councilmember Mavity noted the bonding and rating concern, and asked if the AAA rating were lost, is there a huge financial cost to the city in terms of interest paid on bonds. Ms. Kvilvang stated that depends on the year it happens. She stated currently it would not be significant, but
in 10 years it could be, adding it depends on the economy. She added the city would never want the lowering of the rating to be a headline in the community, noting the city attained the AAA bond rating 12 years ago and it is a big deal as many cities in MN have not achieved that.

Councilmember Mavity stated while she won’t be on the council for the final vote, she prefers the tax rate increase of 4.5-5% which is no more than $10 per year for the average homeowner. She encouraged the council to go with this rate stating the collective gain will put the city in a better position for next year’s hit, while being able to do the projects and priorities residents have been asking for.

Councilmember Brausen agreed adding he continues to support the 4.5-5% levy. He added delays have more long-term consequences, and he doesn’t want to see staff tasked with the job of performing at high levels during a pandemic and be shouldered with more burdens next year. He stated the council has to ask residents to help address the economic issues that might happen next year, adding this levy will provide resources to make adjustments as needed, while addressing increases. He stated he would support up to a 6% levy increase even though he has concerns on the impacts to lower value home residents who have enjoyed the most appreciation. He stated they will unfortunately have a higher tax burden, and some will sell and will then realize values and other will carry the burden.

Councilmember Brausen added there will be tax impacts on renters and rental property owners will have higher increases vs. single family homeowners, noting this is reflective of their properties not having increased in value as much. He stated, however, there will not be a direct correlation between a tax increase and rent increases necessarily.

Councilmember Harris stated she is fine with the franchise fees which are a sound approach for paying a fair share for the use of roads. She added she is in favor of the fund balance policy but would delay it for 3 years. She stated the levy will impact expenditures for next year, adding it is up to the council to figure out how to maintain city infrastructure and it is a difficult choice. Councilmember Harris added she is cognizant of residents that live in Ward 3, which includes everything from kids on free lunches all the way to million-dollar homes on Minnehaha Creek. She agreed the city has a collective power and everyone can help one another. She stated she is more concerned about what is coming next year adding the higher levy will help mitigate financial problems next year. She stated she is leaning toward the 5% levy.

Councilmember Kraft asked on the general fund, where the city is now and what the forecast will be by the end of the year for the 1%. Ms. Lammers stated the general fund is on track to where it was budgeted; however, the last quarter of the year will have large expenditures and we don’t know where revenues will come in. She added barring no issues with tax payments, which is an unknown, she would have to run a calculation for the 1% fund balance figure.

Councilmember Kraft asked if the city is on track to be a 45% at the end of the year. Ms. Lammers stated the city is within the budget set last year. Mr. Harmening stated the budget looks strong and in terms of expenditures and revenues, it could be above 45%, so monies could be reapportioned to other funds. He also added, however, the big unknown is the 2nd tax settlement in December.
Councilmember Kraft asked if there was a cost reduction on pavement management from 70 to 60 rating, what that would mean in terms of road quality. Ms. Heiser stated she would have to calculate that and get back to him.

Councilmember Kraft stated related to the $250,000 in the budget for climate action, will this amount come out every year from the development fund. Ms. Kvilvang stated this is for 2021.

Councilmember Kraft asked why it is only $250,000 for climate action. Mr. Harmening stated this amount was viewed as substantive and that it could be built on and would not have a detrimental effect to the budget. The funds would be set aside in 2021 in the development fund and support programs to be developed.

Councilmember Kraft stated he prefers formalizing a fund balance target in a policy and then there are expectations for what happens if it goes below or above. He added because of the way the property tax is set up, the tax levy will fall disproportionately at lower and higher value properties and rentals at the C level. He stated this trend is the same over the last 5 years and added social security projected increase next year is in the 1% range. He stated he favors the 3% levy increase, and to address the economic downturn.

Councilmember Kraft added he is not satisfied with the $250,000 climate action budget, adding this is a top priority, a crisis, and is as important as COVID and racial equity. He stated the city needs to treat climate change as a crisis, and added he wants to see a plan to actually do it and address this crisis as a crisis. He noted he appreciates the work being done but stated the city cannot pat itself on the back and has to address what is true and necessary.

Councilmember Rog stated in her mind this is money coming out of folks’ bank accounts and while $1 may not be a lot, the $85 per year in franchise and utility fees will have bigger impacts. She added discussions on road expenditures and how we will pay for it is worth more discussion. She added at this time she cannot answer if she supports a 3, 4 or 5% tax levy, adding she wants to look at franchise fees and pavement management more.

Councilmember Mohamed asked if council wants residents to pay less now and more later. She stated council knows what is happening this year, and that it might get worse or better in the future. She added there is some belt tightening happening and she appreciates that, noting the maximum she would agree to is a 4.5-5% tax levy. She stated this is doable and she is comfortable here.

Mayor Spano stated he is interested in a 5% levy right now. He stated as a practice the city has done its best to make increases and decreases gradual and less abrupt, adding this only delays a more aggressive and severe response down the road. He stated he appreciates staff’s work on franchise fees to take burdens from residents, adding this system was designed so a percentage increase was small and residents could adapt to it, noting this is the whole nature of the entire idea of pooling tax revenue to invest in the community.

Mayor Spano added he does hear one of the things the city does really well, from residents, is core services. He added the fact the city does those well allows us to do other things better than other cities, such as road conditions and he stated the city cannot get behind and start...
Mayor Spano stated the council was in agreement on roads last year and added if the city wants to see climate change and race equity initiatives go away, the community will not support them if core services are allowed to decline.

Mayor Spano stated he does not want to do a bigger ask of the community next year by shaving one-half of a percent this year, so he prefers a 5% tax levy or higher.

Mr. Harmening stated the council has a tentative date to meet in later November for more discussion on financials, adding they can meet again also if needed before the public hearing.

Councilmember Mavity left the meeting.

2. **Review interview process for filing ward 2 seat**

Ms. Solano stated 8 eligible people applied for the Ward 2 seat, and noted Monday, Oct. 26, will be the interviews staring at 5:30 p.m. She added, the 30-minute interviews will go until 9:45 p.m. and then discussion and a final decision will be made. Ms. Solano stated staff recommends providing the questions in advance to the candidates to have a thoughtful interview session.

The council discussed the questions to be asked, and Ms. Solano noted the whole process including interviews and discussion will all be a public meeting.

The council decided to use ranked choice voting and come up with the top 3 candidates for council discussion. Ms. Solano stated the decision will need to be made by October 28 if the council wishes to appoint on Nov. 2.

Mr. Harmening noted, however, the appointment may happen later in Nov. if the council needs more time to discuss the top 3 candidates. Ms. Solano added the process is totally up to the council’s decision.

The council agreed this is a hard decision, to choose a Ward 2 councilmember to serve for 1 year, and had concerns about supplanting temporarily the electorate, but ultimately agreed they need to make this decision.

Mayor Spano stated he would like clarity on the process in advance.

Councilmember Kraft added he would prefer no discussion and only ranking in order to get to the top 3 candidates.

The council agreed they would not like to do a second round of voting or discussion. Instead, the council will send their top 3 choices to Ms. Solano by Wednesday, October 28. The ward 2 seat will then be selected using a ranked choice vote of the council.

3. **Future study session agenda planning and prioritization**

The Oct. 26, 2020 study session will be the Ward 2 council interviews.
Councilmember Rog asked if the plus signs on the calendar indicate these topics will have time on the calendar. Ms. Solano stated yes, noting these items are being worked on by departments and will get scheduled soon.

Councilmember Kraft asked if topics are being scheduled while taking into consideration that COVID is the new normal. Ms. Solano stated yes and noted she will get back to council on these topic prioritizations.

Councilmember Kraft stated he is interested in having a joint meeting with the school board. Mayor Spano stated this meeting occurs twice a year in the fall and spring but pointed out the school board has a lot of work right now. Mr. Harmening stated he would reach out to the superintendent and board chair about a meeting in the spring.

The meeting adjourned at 10:00 p.m.

Written Reports provided and documented for recording purposes only:

4. Acquisition of 6211 Cedar Lake Road

____________________________________  ______________________________________
Melissa Kennedy, city clerk                Jake Spano, mayor
1. **Call to order**

Mayor Spano called the meeting to order at 6:30 p.m.

1a. **Pledge of allegiance**
1b. **Roll call**

Councilmembers present: Mayor Jake Spano, Tim Brausen, Larry Kraft, Anne Mavity, Nadia Mohamed, and Margaret Rog

Councilmembers absent: Rachel Harris

Staff present: City Manager (Mr. Harmening), Deputy City Manager/Human Resources Director (Ms. Deno), CFO (Ms. Lammers), Director of Community Development (Ms. Barton), Planning and Zoning Supervisor (Mr. Walther), Transportation Engineer (Mr. Manibog), Finance Manager (Ms. Sledge), Associate Planner (Ms. Kramer), Senior Management Analyst (Ms. Solano), and Recording Secretary (Ms. Pappas)

Guests: Liz Diaz, Ehlers

2. **Presentations**

2a. **Community Media Day**

Mayor Spano read the proclamation stating that Community Media Day is Oct. 20, 2020, and adding on behalf of the council, he appreciates the work of the city's media team who are especially important during this time of COVID, when virtual meetings are so important to the council, staff, and community.

2b. **Recognition of Councilmember Anne Mavity**

Mayor Spano stated after 10-11 years on the council, Councilmember Mavity will be leaving St. Louis Park and moving to Minneapolis. He stated she has been dedicated to serving the City of St. Louis Park, and she will be missed.

Councilmember Rog stated she and Councilmember Mavity have known each other through their connections in the community for a long time. She added when she was running for council, she met with Councilmember Mavity who encouraged her, answered her questions, and rode a bike to the meeting – which Councilmember Rog admired. Councilmember Rog said Councilmember Mavity gave her good advice and also said “it’s a lot of work.” Councilmember Rog stated she often hears these words,
knowing she was warned by someone who knows well the work that goes into being a councilmember.

Councilmember Rog stated Councilmember Mavity’s capacity to give feedback is not couched in an apology, similar to what many women do, and added Councilmember Mavity has forced her to develop more clarity and develop a better case and become a better councilmember. She stated we did not always agree – but that kept it interesting. Councilmember Rog thanked Councilmember Mavity for her work on Connect the Park, Excelsior Boulevard, affordable housing and housing policies, and wished her well.

Councilmember Kraft stated he ran for office because previous councils have done a good job and laid a strong foundation, adding Councilmember Mavity has been such a big part of that. He stated he is indebted to her for what she has done and others before her. He appreciates the context and guidance and strength of vision she provided, adding she made it happen with Connect the Park and affordable housing. He stated these are things to be proud of and he appreciates how sharp Councilmember Mavity is, her strong opinions, and not being afraid to stand up for what is right. He stated they will all miss her and wished her well.

Councilmember Mohamed agreed with her fellow councilmembers and thanked Councilmember Mavity for her instruction on Connect the Park and for also inviting her to her home and hosting a house party for her. She stated Councilmember Mavity is always sharp and knows what she is talking about, adding she has learned a lot from her, and while she will miss her, Councilmember Mohamed stated she wishes Councilmember Mavity all the luck in the world.

Councilmember Brausen stated Councilmember Mavity was his neighbor over 20 years ago on Virginia Circle, and then later moved across the city. He stated he was pleasantly surprised when she came on the council, and then also when she reached out to him to run for council because of his background in racial equity and affordable housing. Councilmember Brausen stated he appreciated the opportunity to work with and learn from Councilmember Mavity and also occasionally disagree with her. He added she modeled how to handle issues with constituents and how to do it professionally. He stated this is the city’s loss and he will miss Councilmember Mavity, but he understands.

Mr. Harmening added he worked with Councilmember Mavity for the past 11 years adding she has been active in the League of MN Cites and in policy making and has interacted with other city managers. He stated other city managers would ask him what it is like to work with Councilmember Mavity and he would say “it’s a ride, and you have to be ready and not get off until she stops the ride.” He added Councilmember Mavity is a very passionate, smart, energetic, enthusiastic, creative, articulate, and a principled person. He stated he learned much from her and she has made a big difference in the community in many ways and her mark here is evident.

Mayor Spano added he echoes what the other councilmembers have said, stating the council are 7 individuals who make the best possible decisions as they see fit. He added individually they all have their own perspective on things and don’t always agree, but
that’s a good thing and makes each position stronger. He stated he has not met anyone who is a more strategic thinker than Councilmember Mavity. He stated Councilmember Mavity played a huge role in moving SWLRT ahead, as well as Connect the Park, and affordable housing initiatives. He thanked Councilmember Mavity on behalf of the council.

Councilmember Mavity thanked the councilmembers for all their kind words, adding she will miss her job very much as it allows her to be in the space she enjoys the most. She stated it has been a privilege to work with the council, staff and residents. She added the city has amazing residents, and a great staff and council as well.

Councilmember Mavity stated she learned lessons through this work, and has disagreed with folks along the way, but she knows everyone loves their community and they are so engaged and want the best for the city. She added the community has also helped the council sharpen the city’s vision. Councilmember Mavity thanked staff, which she called amazing, and Mr. Harmening, who she stated is an incredible city manager. She also thanked the engineering staff and Ms. Heiser and her team.

Councilmember Mavity stated her new home is literally 100 yards away from St. Louis Park adding she will continue to be engaged in the city. She stated this is a good time to pass the baton to someone who will bring fresh vision and continue to do great work. She added it’s been a privilege to live and serve in St. Louis Park.

3. Approval of minutes

3a. Study session meeting minutes of Sept. 14, 2020

Councilmember Kraft stated on page 5, 6th paragraph, last sentence should read, “… would prefer the 3% level but would support the 4.5% level…” He continued on page 9, 2nd to the last paragraph, it should read, “…internet content.racial equity analysis.”

Councilmember Rog stated on page 7, 3rd paragraph down it should read, “Councilmember Rog, in reference to Councilmember Brausen’s statement that 85% in the city are working, noted that 50% of blacks in MN have filed for unemployment benefits since March and it’s important not to assume…”

_It was moved by Councilmember Mohamed, seconded by Councilmember Brausen, to approve the Sept. 14, 2020 study session meeting minutes as revised._

_The motion passed 6-0 (Councilmember Harris absent)._ 

3b. City council meeting minutes of Sept. 21, 2020

Councilmember Kraft noted on page 7, 3rd paragraph it should read, “…was part of moving to 6.11%.” and on page 9, 5th paragraph it should read, “…negotiations with only one union, our smallest…” and on Page 9, last sentence, it should read “…argument…”
Councilmember Rog noted on page 7, 3\textsuperscript{rd} paragraph, it should read, “...she read two of the emails she received on the topic to the council...”

*It was moved by Councilmember Rog, seconded by Councilmember Kraft, to approve the Sept. 21, 2020 city council meeting minutes as revised.*

*The motion passed 6-0 (Councilmember Harris absent).*

3. **Approval of agenda and items on consent calendar**

4a. Approve the second reading and adopt Ordinance amending Section 36 of the City Code to allow accessory dwelling units and approve the summary ordinance for publication. *(This item was removed from the consent calendar and considered as regular agenda as item 8c.)*

4b. Approve the second reading and adopt **Ordinance No. 2594-20** amending Section 36-362 pertaining to painted signs and approve summary ordinance for publication.

4c. Approve the second reading and adopt **Ordinance No. 2595-20** amending Section 36-366 pertaining to architectural design and approve summary ordinance for publication.

4d. **Adopt Resolution No. 20-143** authorizing the special assessment for the repair of the water service line at 2915 Huntington Avenue South, St. Louis Park, MN. P.I.D. 31-029-24-44-0023.

4e. **Adopt Resolution No. 20-144** authorizing yield signs on Alabama Avenue at 35th Street.

4f. **Adopt Resolution No. 20-145** authorizing stop signs on Hampshire Avenue at 33rd Street.

4g. **Adopt Resolution No. 20-146** authorizing stop signs on Maryland Avenue at Franklin Avenue.

4h. **Adopt Resolution No. 20-147** authorizing a yield sign on Wyoming Avenue at 33rd Street.

4i. **Adopt Resolution No. 20-148** authorizing a yield sign on 18th Street at Hillsboro Avenue.

4j. Approve an amendment to the cooperative agreement between Hennepin County and City of St. Louis Park to further the goals of the Southwest Light Rail Transit / Green Line Extension (SWLRT) and the Southwest Community Works Investment Framework.

4k. **Approve the 2021 Acceptable Materials and Exemptions list and Administrative Rules.**

4l. **Adopt Resolutions Nos. 20-149, 20-150, and 20-151** to recognize Electrical Inspector Bernie Riley and Part Time Firefighters Nancy Weiman-Schmelzle and Mark Flumerfelt for their years of service.

4m. **Adopt Resolution No. 20-152** establishing the employer contribution for benefits in 2021.


Councilmember Rog requested that consent calendar item 4a be removed and placed on the Regular Agenda to 8c.

_It was moved by Councilmember Brausen, seconded by Councilmember Mavity, to approve the agenda and items listed on the consent calendar as amended to move consent calendar item 4a to the regular agenda as item 8c; and to waive reading of all resolutions and ordinances._

_The motion passed 6-0 (Councilmember Harris absent)._  

5. **Boards and commissions**

5a. **Appointment of youth representatives to boards and commissions**

Councilmember Kraft stated Councilmembers Rog, Mohamed, and he interviewed a great group and were impressed with each candidate. He added a youth member was head of the HRC, and James Stephens while on the ESC, began the climate action plan a few years ago. He stated the youth hold us accountable and he wants to see youth expanded on commissions, while adding he wants to discuss this further at a future study session.

Councilmember Rog agreed with Councilmember Kraft adding it was valuable spending time with the youth and the decision to interview them was a good one and she hopes this will continue.

Mayor Spano agreed adding the city needs more youth voices and he is very interested in this study session conversation.

_It was moved by Councilmember Kraft, seconded by Councilmember Brausen, to approve the appointment of the youth representatives to boards and commissions as listed in exhibit A._

_The motion passed 6-0 (Councilmember Harris absent)._  

6. **Public hearings**

6a. **Public hearing to consider first reading of 2021 fee ordinance**

Ms. Sledge presented the staff report.

Mayor Spano opened the public hearing. No speakers were present. Mayor Spano closed the public hearing.

Councilmember Brausen asked staff if the council has authority to amend the fee schedule during the year, if they want to make a correction. Mr. Harmening stated yes.
Councilmember Rog asked when park and recreation and pool fees are reviewed by council. Mr. Harmening stated the park and rec staff have a good handle on costs associated with the various programs of the city, as well as looking at what other communities are charging to make sure St. Louis Park stays competitive. He added the city has a program in place for families that cannot afford enrolling in a park program and the city underwrites that as well.

Ms. Deno added that certain fees are set administratively by the city manager, and the fees being set this evening are fees the council has authority to set, adding that those fees are reviewed each year as well.

Councilmember Rog asked if the installation for a permanent sign without footings noted on page 5 of the staff report, applies to the painted sign ordinance. Ms. Sledge stated she would have to verify that with the community development department and get back to Councilmember Rog.

Councilmember Rog asked about temporary private use of public property and why the fee was increased from $550 to $750. Ms. Heiser stated the application is for encroachment agreements and right of way or an easement.

*It was moved by Councilmember Brausen, seconded by Councilmember Rog, to approve the first reading of an ordinance adopting fees for 2021 and set second reading scheduled for Nov. 2, 2020.*

*The motion passed 6-0 (Councilmember Harris absent).*

6b. Assessment of delinquent charges

Ms. Sledge stated 1,283 letters were sent to residents in order to collect delinquent fees. She stated staff will continue to collect payments and anything collected after the due date will be certified to Hennepin County.

Mayor Spano opened public hearing.

Jessica Freeman, 1641 Utah Ave. S., stated she had two false alarm fees from one year ago, and noted she had set off the alarms in error when she was suffering from postpartum depression, after the birth of her third child. She stated she hopes the city will consider her condition at the time and hers and her children’s wellness and forgo the fees. She added she is a good upstanding citizen in St. Louis Park and hoped the council would waive the fees.

Mayor Spano stated he assumed staff will have a conversation with Ms. Freeman before the final vote of council on Nov. 2.

Joy Geislinger, 2853 Louisiana Ave. S., stated she received a notice of a past due fee of $125 with the description of mowing. She asked if this could be dismissed, adding she
had tried calling staff in the past to discuss, but never could connect with them. She asked that the fee be dismissed, noting she is an upstanding citizen of St. Louis Park.

Mayor Spano closed the public hearing.

Councilmember Brausen stated he is self-employed and received a green letter at home, which he took care of. He thanked staff for sending out these notices on bright colored paper and hoped this works for others as well.

Councilmember Rog asked in this year of financial distress, what is staff’s takeaway that fee payments are better this year vs. other years. Ms. Sledge stated the city has not been charging the late penalties since March of this year, it may have helped residents to pay off their balances.

Councilmember Rog stated perhaps in the future, this should continue. She asked what the protocol is if a resident asks for a fee dismissal. Ms. Deno stated staff will contact the resident and try to resolve the issue.

Mayor Spano asked what the most common delinquent fee is. Ms. Sledge stated utilities.

Councilmember Mavity added the State of Minnesota has provided $100 million for housing assistance so if residents are stressed due to Covid-related situation, and are struggling to pay, they can apply to the state for help.

No further action was taken by the council tonight, and approval of the resolution will take place at the Nov 2, 2020 meeting.

7. Requests, petitions, and communications from the public – none

8. Resolutions, ordinances, motions and discussion items

8a. Beltline Blvd. SWLRT pedestrian improvement – (4022-2000). Resolution No. 20-153

Mr. Manibog presented the staff report.

Councilmember Mavity stated it is exciting to be at this point in the process of approvals and thanked staff for working on this project for a long time, stating staff has done an excellent job of engaging residents and getting input. She added the changes here have been positive and allows access to businesses and future developments to have access to parks and the SWLRT.

Councilmember Rog added she is very appreciative of Councilmember Mavity’s efforts on this city-wide network and staff’s efforts also. She stated she is pleased with including the multi-use trail in the improvements as well as with the public meetings and the 400 responses to the online survey. She added she hopes to see more multiuse
trails in the future to help the concerned biker and appreciated this also along Ottawa Ave. as well.

Councilmember Rog asked staff why the first information session had many who attended and was robust, the second one did not have the same level of participation, and what staff learned from this. Mr. Manibog stated staff did not know why there was a difference in attendance but added there is always more outreach to do and staff will continue to work on this.

Councilmember Kraft stated this was a great project and a great job. He noted the 20% contingency built into construction costs and asked how that is determined and where the actual costs will come out.

Mr. Manibog stated contingency is one process that is developed between staff and the consultant for items not yet completed or things that come up unexpectedly. He noted the percentage comes down the more staff learns about the project design process.

Councilmember Kraft asked if staff aims for 50% contingency and then it goes above or below that. Ms. Heiser stated staff would like to go below, but it is what the contractors charge. She added staff continues to work on this, and the other concern is that the city sets utility rates based on estimates of costs, so staff continues to work on finding a balance.

Councilmember Brausen stated the bidding environment has been so hard to predict and the Dakota pedestrian bridge is a good example of that. He stated with all the city’s polluted soil and construction costs accelerating, the contingency should be larger. He stated he will support this plan and noted this is an example of working through a process over time to come up with best possible solution.

Councilmember Rog asked about the $150,000 consultant costs and if the engineering position will not be added this year, if this will be an additional cost. Mr. Harmening stated not necessarily, noting staff is looking at delays of other capital projects and perhaps managing this project without having extensive consultant costs. He stated staff will talk more to council on this issue at the November study session.

Councilmember Mohamed noted she is generally in support of this.

_It was moved by Councilmember Mavity, seconded by Councilmember Rog, to adopt Resolution No. 20-153, accepting the project report, establishing improvement project no. 4022-2000, approving staff recommended concept designs and authorizing the design of final plans._

_The motion passed 6-0 (Councilmember Harris absent)._  

8b. **Traffic Study 734 – Authorize yield signs on Vallacher Avenue at Quentin Avenue and Princeton Avenue. Resolution No. 20-154**
Mr. Manibog presented the staff report. He noted the traffic committee recommends this item.

Councilmember Mavity stated she understands why staff is recommending yield signs here; however, the comments from neighbors about stop signs being more definitive is what she prefers also. She added stop signs provide a level of safety to pedestrians, while they also provide traffic calming measures. She states she appreciated the comments and concerns of residents noted in the report.

Councilmember Mavity stated in this whole area, every intersection impacts the other and a remaining intersection that will need attention is Raleigh and Wooddale, where it meets Browndale Avenue. She stated this intersection is difficult with children walking to the park there, and while it is not on the agenda tonight, this is an important crossing that will need better safety measures.

Councilmember Kraft asked why there is no yield on Princeton instead of Vallacher. Mr. Manibog stated traffic flow is considered when a yield sign is recommended, and here when looking southbound, traffic is on a shorter block. He added these two intersections were looked at in tandem and the traffic committee developed this recommendation.

It was moved by Councilmember Mavity, seconded by Councilmember Rog, to adopt Resolution No. 20-154 authorizing yield signs on Vallacher Avenue at Quentin Avenue and Princeton Avenue.

The motion passed 6-0 (Councilmember Harris absent).

8c. Ordinance amending section 36 of the city code to allow ADU’s. Ordinance No. 2596-20

Councilmember Rog stated she would like to discuss this issue before final approval. She stated she is supportive of the ADU ordinance and is pleased to provide this form of housing in the community for the benefit of residents.

Councilmember Rog asked Mr. Walther where the planning commission stood on owner occupancy and why they recommended the owner must own the property to build an ADU and then both units can be available for rent. Mr. Walther stated the best practice to promote production of more ADUs is not to require owner occupancy, and initially the planning commission did not include the owner occupancy requirement. He added they were concerned an outside investment group might acquire multiple properties to build ADUs, maximize the rental rates, and that may make properties less attainable for other traditional homebuyers.

Councilmember Rog stated the challenge here is there are multiple valid perspectives. She added she does not understand how this is a break for developers. She stated she is concerned in this community where the highest demand is for the most modest homes, the concern is if these ADUs become investment properties for absent landlords, the
city will lose home ownership, and homeownership is recognized as addressing the wealth gap.

Councilmember Rog added focusing on housing low income or BIPOC residents is always about rentals and she is tired of that. She stated the council can do better here and this is one example of where they can do better for these families.

Councilmember Mavity stated she appreciates Councilmember Rog’s focus on race equity and home ownership as a tool to advance that and agreed that generational wealth is accrued through home ownership. She added, however, the city does do this for first-time homeowners and will continue to do so but added she does not support limitations. She stated she supports the proposal as drafted, adding this will be a good way to help folks stay in their homes longer and have rental income to help with upkeep.

Councilmember Mavity added the restriction of only home ownership suddenly dramatically reduces who the home can be sold to and the city should not play that role. She stated she understands about absentee landlords but doesn’t want to lose sight that this will double single-family homes from one to two families and that needs to be leveraged.

Councilmember Mavity added she is also concerned about the idea that somehow being a renter is something folks do not want to do. She stated she is concerned about devaluation of community members if they are renters vs. being a homeowner. She stated even if this is not the city’s intent, it could send that message.

Councilmember Mohamed added home ownership is important for generational wealth, but St. Louis Park is different in that it is all built out. She stated, however, this is worth doing even if it brings community members one step closer to addressing housing issues. She agreed with Councilmember Mavity that this is helpful for older residents who want to rent out their home and gain income.

Councilmember Brausen agreed with Councilmembers Mavity and Mohamed and will support the recommendation. He stated he wants to create additional housing units in the community, and he is fine with the owner occupant creating the unit; however, he might want to limit the number of units they can create.

Councilmember Brausen added he also worries about if this is made permanent owner occupancy, the burden is on staff to monitor this and deed restrictions will be required, and then lenders will start backing off.

Councilmember Kraft stated he will support the motion, adding that rents are growing fastest at the lower end of the market, and the city will need to be creative and allow ADUs to be one tool in the toolbox. He added he has concerns with permanent owner occupancy requirements, which might require eviction if the owner needs to sell the home.
Councilmember Kraft added the core issue is allowing more housing as this will make it easier for home ownership and the council should spend more time discussing this. He encouraged staff to bring this to council with zoning related changes on single-family properties around the city.

Councilmember Rog stated this all depends on the lens you are looking through adding her lens is on home ownership. She added if ADUs are created with absentee landlords, it will work against this. She stated she will support the ADU ordinance and hopes there will not be a lot of absentee investment that takes us away from where we want to go as a community.

Mayor Spano agreed Councilmember Rog is right in raising this issue, especially about how to increase home ownership in the BIPOC community. He stated Minneapolis has created approximately 140 ADUs and Minneapolis has home ownership requirements. He stated in St. Louis Park, this would be about 3 – 3.5 ADUs per year and this policy will increase housing options and housing stock, while keeping them more affordable.

Mayor Spano pointed to a study done in Seattle and noted no matter how this is structured, it will help white middle class people disproportionately, noting that the council will want to discuss this as well as all of the city housing policies to drive BIPOC ownerships. He stated he will support this but does appreciate this conversation.

Councilmember Mavity added the city has not been tracking first-time home ownership by race, and this will need to happen to see the impacts here.

*It was moved by Councilmember Mavity, seconded by Councilmember Mohamed, to approve second reading and adopt Ordinance No. 2596-20 amending Section 36 of the City Code to allow accessory dwelling units and approve the summary ordinance for publication.*

*The motion passed 6-0 (Councilmember Harris absent).*

### 9. Communications

### 10. Adjournment

The meeting adjourned at 8:50 p.m.

____________________________________
Melissa Kennedy, city clerk

____________________________________
Jake Spano, mayor
Executive summary

Title: Comprehensive plan and zoning amendments to allow for a new zoning district for Historic Walker Lake

Recommended action:
- Motion to approve second reading and adopt Ordinance amending the zoning ordinance text to create a new mixed-use division with two mixed-use zoning districts: MX-1 and MX-2, including all associated zoning code amendments and adopt the design guidelines as a supporting document to the MX-2 district, and approve the Summary Ordinance for publication (requires 4 affirmative votes); and
- Motion to approve second reading and adopt Ordinance amending the zoning map to rename the MX district to MX-1 and rezone all of Historic Walker Lake to MX-2, and approve the Summary Ordinance for publication (requires 5 affirmative votes).

Policy consideration: Does the council support the changes for Historic Walker Lake (HWL)?

Summary: The city adopted the Historic Walker Lake Revitalization Plan in January 2020. One of the plan’s key recommendations is to create a new zoning district specific to the HWL area with a supplemental design guideline document. The planning commission held a public hearing on Oct. 21, 2020 and voted 7 to 0 to recommend approval of several amendments to the 2040 comprehensive plan, an amendment to the 2040 future land use map to re-guide portions of HWL to mixed-use, amendments to the zoning ordinance to update the mixed-use division within the code and establish two mixed-use zoning districts, MX-1 vertical mixed-use and MX-2 neighborhood mixed use, and all associated code updates, and an amendment to the zoning map to rename the MX district to MX-1 vertical mixed-use and rezone HWL to MX-2.

On Nov. 2, 2020, city council voted 6 to 0 to approve the resolutions amending the comprehensive plan, the first reading of the ordinances renaming the existing MX district to MX-1 vertical mixed use and establishing a new MX-2 district neighborhood mixed use and associated zoning text amendments and rezoning Historic Walker Lake to MX-2.

Financial or budget considerations: Not applicable

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents:
- Discussion
- Ordinances and ordinance summaries for publication
- Draft planning commission minutes from Oct. 21, 2020
- Design guidelines

Prepared by: Jennifer Monson, senior planner
Reviewed by: Sean Walther, planning and zoning supervisor
Karen Barton, community development director

Approved by: Nancy Deno, deputy city manager/HR director
Discussion

**Background**: The Historic Walker Lake commercial district in St. Louis Park is in the middle of a renaissance with both private and public reinvestment occurring. In October 2018, the city started work on a revitalization plan for the Historic Walker Lake commercial district to promote and guide reinvestment that preserves the character and scale of the district. The revitalization plan process involved robust public participation with the community, local businesses and commercial property owners. These efforts are documented and available on the city’s website. The *Historic Walker Lake: District Revitalization Plan* (HWL Plan) was completed in May 2019 and officially approved by the city in January 2020. The plan encourages revitalization and placemaking within the district, while preserving the character and scale of the area. In addition, the city is investing in the area’s infrastructure by updating the street design, adding sidewalks, bike lanes, enhancing parking areas and rebuilding two alleys.

One of the plan’s key recommendations is to create a new zoning district specific to the Historic Walker lake area with a supplemental design guideline document. In study sessions the planning commission discussed changes to the zoning ordinance, including a new zoning district that addresses building form and uses, and a design guideline document to provide guidance on the desired character and appearance of future infill development and reinvestment within the district.

The ordinance and design guidelines were created directly from the recommendations of the revitalization plan. The draft ordinance and design guidelines are also supported by the newly formed Historic Walker Lake business association.

The city council approved an amendment to the zoning ordinance to update the parking requirements in Historic Walker Lake in late 2019 and has discussed the revitalization plan at numerous study sessions and regular meetings. The city council has previously voiced support for the establishment updated zoning regulations for the area, that implement the community’s vision and recommendations of the revitalization plans.

Linked below are agendas and minutes from previous city council discussions and actions regarding the Historic Walker Lake revitalization plan and associated zoning code amendments:

- May 28, 2019 agenda (page 18) and minutes (page 2)
- December 2, 2019 agenda (page 160) and minutes (page 7)
- February 3, 2020 agenda (page 114)

Since the acceptance by city council of the HWL Plan, city staff and the planning commission analyzed how best to implement the recommendations of the plan. One of the plan’s key recommendations is to create a new overlay district specific to the Historic Walker Lake area. However, implementing an overlay district that adequately addresses parking, uses, building form and public realm improvements while still relating to underlying zoning districts would be very complicated and difficult to implement. Instead, the unique features and needs of the Historic Walker Lake area make the establishment of a new zoning district and a supplemental design guideline document the preferred alternative.
The HWL Plan recommends that the implementation of the zoning district focus on building form, public realm, uses and parking. Particular building design elements are not specifically required, but promoted through a guidance document covering entrance design, articulation, roof design, balconies, materials, colors, awnings and landscaping.

**Site information:** Historic Walker Lake District

![Map of Historic Walker Lake District]

**Site area (acres):** 83.65 acres

**Current 2040 land use guidance**
- COM - commercial
- IND - industrial

**Current zoning**
- C-2 general commercial
- I-P industrial park
- R-4 multiple-family residence

**Proposed 2040 land use guidance**
- MX - mixed use

**Proposed zoning**
- MX-2 mixed use 2

**Present considerations:** City council is asked to adopt two ordinances.
1. Amendment to the zoning ordinance to create a new mixed-use division with two mixed-use zoning districts: MX-1 and MX-2 and all associated zoning code amendments and adopt the design guidelines as a supporting document to the MX-2 district.
2. Amendment to the zoning map to rezone all Historic Walker Lake to MX-2, and to rename the existing MX district to MX-1.
**Zoning district:** The planning commission met with city staff and a planning consultant from HKGi on March 4, 2020 to review the recommended approach to the district (report; minutes). The commission was in favor of renaming and rearranging the zoning code text of the existing mixed-use zoning district, which will now be called the MX-1 vertical mixed-use district (MX-1) district and incorporating a new Historic Walker Lake District, called MX-2 neighborhood mixed-use district (MX-2) to create a mixed-use division within the zoning ordinance. These changes would allow the division to expand as additional mixed-use districts are created, including any transit-oriented development (TOD) districts that are later established.

The mixed-use division is organized similar to the other zoning divisions within the city’s zoning code with general division performance standards placed at the division level and specific requirements for height, setbacks, and uses within the district level.

The new mixed-use division will replace in its entirety the existing mixed-use section of city code. The new mixed-use division is arranged so the performance standards for the districts, which are the same for MX-1 and MX-2 and which were established as part of the adoption of the original mixed-use district (now MX-1), are at the beginning of the ordinance. Uses, dimensional standards, and any special provisions are established within each individual district.

In addition to the mixed-use division, several sections of the zoning code need to be updated to include references to the new zoning district. These amendments are detailed in the attached draft ordinance amendment and include:

- Section 36-4 Definitions to update the definition of a shopping center to include vendor markets (i.e. farmers markets or a food hall).
- Section 36-82(b)(7) Authorized temporary uses
- Section 36-111 Use districts established
- Table 36-115D Open space requirements
- Section 36-361 Off-street parking areas, paved areas, and loading spaces
- Section 36-361(l) Design requirements for parking yards
- Section 36-362 Signs
- Section 36-366(b) building design shadow requirements

**Design guidelines:** The commission and council voiced support for creating a separate design guideline document for MX-2 (Historic Walker Lake). The document provides guidance for the desired character of future infill development in the district, without being overly prescriptive. It is designed to be handed out to property owners and potential developers.

**Community outreach:** The draft zoning ordinance and design guidelines were presented to the Historic Walker Lake Business Association on August 26, 2020.

A virtual neighborhood meeting was held on October 6, 2020. Notices were sent to all properties within the district as well as all property owners within 350 feet of the district. 12 people attended, and their questions focused on changing uses, parking requirements for two and three-story buildings and the future of the city’s parking lot on Gorham Avenue. Community members voiced support for the ordinance and design guidelines and are excited about the changes happening within the district.
Staff presented the ordinance and the design guidelines to the St. Louis Park Business Council on November 5, 2020. Several business and property owners from Historic Walker Lake joined the meeting and were supportive of the direction the city is taking to implement the recommendations of the HWL Plan.

**Planning commission**: The planning commission held a public hearing on October 21, 2020 and no comments were made. The commission voted 7 to 0 to recommend approval of all land use and zoning changes.

**Next steps**: The comprehensive plan amendment that was approved by city council on November 2 will be submitted to the Metropolitan Council for their acceptance. Once the amendment is placed into effect, the rezoning will become effective and staff will work with existing and future property owners and businesses to share the design guidelines. Staff will also create a packet with the design guidelines that building owners can share with tenants in instances where there are multi-tenant buildings.
Ordinance No. _____-20

Ordinance relating to the mixed-use division, including MX-1 and MX-2, and related definitions, land use, parking, sign and architectural design requirements.

The City of St. Louis Park does ordain:

Whereas, the City of St. Louis Park conducted a planning revitalization study of the Historic Walker Lake District, which was adopted by the City Council in January 2020; and

Whereas, the revitalization study recommended several zoning code revisions to achieve the community’s goals of preservation and revitalization within the district which facilitates an update to said Plan.

Section 1. The city council has considered the advice and recommendations of the planning commission (Case No. 20-20-ZA).

Section 2. Chapter 36 Division 9. M-X Mixed Use District of the Code of Ordinances, City of St. Louis Park, Minnesota, is hereby amended and replaced in its entirety to read as follows:

DIVISION 9. MIXED USE DISTRICTS REGULATIONS

Sec. 36-261. Purpose of division.

The provisions of this division address the areas in the city where a mix of uses in the same building, on the same parcel, or in the same neighborhood are strongly encouraged or required.

Sec. 36-262. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Building Height to Street Width Ratio means the percentage of the building height at the street frontage compared to the adjacent street width, measured from the centerline of the street. The “street width” measurement includes all sidewalks, easements and street yard. The “building height” measurement does not include any upper stories that utilize a stepback.
Build-to Zone means the minimum and maximum distance a structure may be placed from a lot line.

Build-to Zone, Primary means the build-to zone along a lot’s primary street frontage.

Build-to Zone, Secondary means the build-to zone along a lot’s secondary street frontage.

Commuter Bicycle Facilities means bike lockers or bike storage room(s), on-site showers, and a bicycle repair station.

Courtyard means an outdoor area enclosed by a building facade on at least 3 sides and open to the sky.

Impervious Site Coverage means the percentage of a lot developed with principal structures, accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.
**Inclusionary Commercial Space** means a specified reduction of commercial rent only for small local businesses, based on the fair market commercial rents for the building.

**Lot Line Coverage** means the minimum percentage of the lot line that must have a building façade located within the build-to zone.

**Micro Store Front** means a commercial or industrial space a maximum of 1,500 square feet in size only for a small local business.

**Occupied Space** means an interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

**Pedestrianway** means an open and available pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block’s perimeter.

**Small Local Business** means a local, independently owned, non-franchised business. Local means located in the Twin Cities Metro Area.

**Story, Ground** (also referred to as ground floor) means the first story of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.

**Story, Half** means a story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

**Story, Upper** (also referred to as upper floor) means the stories located above the ground story of a building.

**Street Face** means the facade of a building that faces a street right-of-way.

**Street Frontage** means the building and yard area facing and directly adjacent to a street right-of-way line.

**Street Frontage, Primary** means the street frontage that receives priority over other street frontages, defining a higher level of pedestrian orientation. The primary street frontage is classified in the Comprehensive Plan as a collector or arterial. If there are two primary streets, or no primary streets, the Zoning Administrator shall determine the most appropriate street frontage to serve as the primary street frontage. Orientation of other parcels along the street shall be considered.

**Street Frontage, Secondary** means a street frontage that is secondary to the primary street frontage, requiring lower lot line coverage and transparency levels, and permitting more interruptions by driveways. Secondary street frontages are all frontages not identified as a primary street frontage, and are categorized as a side yard abutting a street.
Visible Basement means a half story partially below grade and partially exposed above with required transparency on the street facade.

Yard. Yard is defined in Section 36-4 Definitions. For the purposes of this division, the following definitions shall supplement and, where inconsistent, supersede the definitions of Section 36-4:

Side and Rear Yards Abutting Other Lots, an Alley, or a Rail Right-of-Way means a property located in an area designated as a mixed use district, only yards abutting a lot, an alley, or a rail right-of-way at the lot line, and not a street, waterway or other primary or secondary street frontage, are considered side or rear yards.

Yard, Front. Refer to Yard, Street.

Yard, Side Abutting a Street. Refer to Yard, Street.

Yard, Parking Rear means the space on a lot between the rear façade(s) of the building and the minimum rear setback line, and extends to street yards and/or side parking yards. If the building extends to the minimum rear setback line, no rear parking yard will exist.

Yard, Parking Side means the space on a lot between the side façade(s) of the building and the minimum side setback line, and extends to street yards and/or side minimum side or rear setback lines. If the building extends to the minimum side setback line, no side parking yard will exist.

Yard, Street means the space on a lot between the principal structure and the primary and secondary street frontage lot lines and extending to any minimum side or rear yard line.

Zoning Administrator means the zoning administrator or designee.

Sec. 36-263. Mixed use division restrictions and performance standards.

(a) Buildings

(1) More than one principal building may be placed on one lot.

(2) Each individual business on the ground floor of a building shall have a direct and primary access facing the street frontage or an interior arcade and the access shall remain open during business hours.

(b) Non-vehicular access

(1) A separate pedestrian access shall connect the principal building to the public street or a public trail, on all sides of the lot which front on a public right-of-way or public trail.

(2) On-site pedestrian/bicycle facilities shall be provided as logical connections to off-site uses.

(3) Pedestrian/bicycle accesses shall be separated from parking areas by curbed, landscaped islands which have a minimum width of 20 feet inclusive of sidewalk.

(4) If an existing transit stop is located on any adjacent public street, pedestrian/bicycle access shall be located convenient to that transit stop.
(5) Developments located on a public transit route shall work with the transit authority and accommodate a transit stop that conveniently serves the development, if needed for the transit route.

(6) Sidewalks shall be provided along all sides of the lot that abut a public or private street.

(c) **Vehicular access**

1. All delivery service entrances to a building shall be from a public alley, service-alley, off-street parking lot; deliveries not able to be made from a public alley, service-alley or off-street parking lot shall be made from the curb in a manner that does not obstruct drive lanes or on-street parking spaces.

2. Vehicular driveway access is managed through alleys, primary and secondary street frontages. The order of access is as follows:
   a. An alley permits unlimited access.
   b. If no alley exists, one driveway per secondary street frontage is permitted.
   c. If no other option exists, one driveway is permitted off the primary street frontage and shared access with abutting properties is encouraged.

3. Driveways shall be no greater than 22 feet in width at the right-of-way line.

4. Shared driveways are encouraged.

5. When two or more parking lots have adjacent rear property lines and each lot contains the same street frontage type, the parking lots shall be connected with a drive perpendicularly crossing the minimum rear yards.

6. Designated pedestrian routes, including sidewalks and driveway crossings, shall be provided to connect each parking space to the front sidewalk (and front entrance) or a rear public entrance. Driveways shall not be utilized as designated pedestrian routes.

7. There shall be no vehicular access within 50 feet of the intersection of the projection of the nearest curblines of any public streets to a parcel on which a commercial use is operated.

(d) **Exterior uses**

1. **Parking Location.**
   a. Street Yard. Parking is not permitted in any street yard.
   b. Rear Parking Yard. Parking may be permitted in the rear of the lot, but shall not be closer than five (5) feet to property zoned R-1 or R-2 in the rear or side yard and shall be fully screened from the front by the building. Refer to the *Street and Parking Yards* illustration. Note that accessory parking structures within each district have separate side and rear yard standards.
c. Limited Side Parking Yard. Parking may be permitted with the following:

1. Location. The parking is permitted only in the side parking yard of the building (refer to the Street and Parking Yards illustration) but shall not be closer than five (5) feet to property zoned R-1 or R-2 in the rear or side yard.

2. Limited Width. Up to one double-loaded bay of surface parking is permitted with a maximum width of 65 feet.

3. Perpendicular to the Street. The parking lot shall be located perpendicular to the street with the centerline of the drive aisle perpendicular to the centerline of the street.

4. Accessory Parking Structure. An accessory parking structure is not permitted in the side yard of a primary street frontage.

d. Garage Entrances. Vehicular entrances to structured parking garages within the building generally shall be limited to locations on the rear façade that face the rear parking yard; except such entrances may be located on the side façade, facing the limited side parking yard, if the following is met:

1. The location may not be closer to the street than the maximum of the build-to zone.

(2) All rear and side yards that do not contain parking lots or ramps shall consist only of landscaped area, designed outdoor recreation area, and/or sidewalk space.

(3) Vehicle storage or display, mechanical equipment, refuse and recycling containers, and loading areas shall not be located within any street yard, build-to zone, or minimum side/rear yard.

(4) All refuse/recycling and loading areas shall be screened from view within a waste enclosure which shall be constructed of complementary materials to the principal building.

(5) Outdoor storage shall be prohibited except when specifically permitted elsewhere in this chapter.

(6) New structures and structures which expand their gross square footage by more than 50 percent shall be required to place all utility service lines underground. Any new utility services to an existing building shall be placed underground.
Sec. 36-264. MX-1 vertical mixed use district.

(a) Purpose and effect.

The purposes of the vertical mixed-use district are to:

1. Provide appropriate areas for and facilitate quality mixed-use development in activity centers that are consistent with the Comprehensive Plan’s land use and transportation goals and strategies;

2. Provide a variety of residential housing types and densities to assure activity and support a mix of uses, and enhance the housing choices of city residents;

3. Integrate new mixed-use development with its surroundings by encouraging connections for pedestrians, bicyclists, and vehicles and by assuring sensitive, compatible use, scale, and operational transitions to neighborhood uses;

4. Encourage reductions in impervious surface by minimizing surface parking and retain open space by encouraging taller buildings for high density uses; and

5. Promote high quality architectural design, materials, and innovative site design.

(b) MX-1 district restrictions and performance standards.

1. All buildings shall have a vertical mix of land uses, such as residential and commercial, with a strong pedestrian orientation. A use on the ground floor must be different from a use on an upper floor. The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors.

2. Business uses, except for off-street vehicular parking and off-street loading, shall be conducted wholly within an enclosed structure except as specifically permitted elsewhere in this chapter.

3. At least 75 percent of the building along the primary street frontage must be designed for non-residential uses on the ground floor. Lobbies and amenity areas serving a residential use or a hotel shall not count as a non-residential use.

4. The first 30 feet behind the building façade on each street frontage shall contain permitted uses, excluding accessory parking, break rooms, storage areas, and utility closets/rooms. Beyond the first 30 feet behind the building facade, any permitted principal and accessory use is allowed on any floor.

5. A development agreement is required as part of the development approval and shall address, at a minimum, approved site and building design criteria, approved sign locations and design criteria, construction phasing, density bonuses, specifications for inclusionary commercial space, cash escrow or letter of credit for construction of on-site and off-site improvements generated by the development, and maintenance.
The development shall comply with all other applicable chapter provisions unless specifically modified by subsections (1) through (6) of this section.

(c) **Uses, generally.**

(1) **Permitted uses (P).** Uses listed in Table 36-263(b) with a “P” symbol are permitted by-right in the street frontage types in which they are listed.

(2) **Uses permitted in limited stories (PL).** Uses listed in Table 36-263(b) with a “PL” symbol are permitted by-right in the street frontage types in which they are listed, provided that the uses are located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use.

(3) **Uses permitted with conditions (PC).** Uses listed in Table 36-263(b) with a “PC” symbol are permitted provided compliance with the listed conditions and requirements.

(4) **Uses permitted by conditional use permit (CUP).** Uses listed in Table 36-263(b) with a “CUP” symbol require a Conditional Use Permit; refer to 36-33 Conditional Use Permits.

### Table 36-263(b) Mixed Use District Uses

<table>
<thead>
<tr>
<th>RESIDENTIAL AND LODGING USES</th>
<th>Primary Street Frontage</th>
<th>Secondary Street Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multifamily residential</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Live-work unit</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Roominghouse</td>
<td>PL</td>
<td>PL</td>
</tr>
<tr>
<td>State-licensed residential facility</td>
<td>PL</td>
<td>PL</td>
</tr>
<tr>
<td>Group home/non-statutory</td>
<td>PL</td>
<td>PL</td>
</tr>
<tr>
<td>Nursing home</td>
<td>PL</td>
<td>PL</td>
</tr>
<tr>
<td>Hotel/motel</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>CIVIC AND INSTITUTIONAL USES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education/academic</td>
<td>PL</td>
<td>P</td>
</tr>
<tr>
<td>Museum/library category</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Police/fire station</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>COMMERCIAL USES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brewery</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Business/trade school/college</td>
<td>PL</td>
<td>P</td>
</tr>
<tr>
<td>Dental office</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Food service</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Grocery store</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Liquor store</td>
<td>CUP</td>
<td>CUP</td>
</tr>
<tr>
<td>Medical office</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Micro-distillery</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Offices</td>
<td>PL</td>
<td>P</td>
</tr>
<tr>
<td>Private entertainment (indoor)</td>
<td>CUP</td>
<td>CUP</td>
</tr>
<tr>
<td>Research and development</td>
<td>PL</td>
<td>P</td>
</tr>
<tr>
<td>Retail, less than 8,000 square feet</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Primary Street Frontage</td>
<td>Secondary Street Frontage</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Retail, 8,000 square feet or larger</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Retail, large item</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Restaurants with or without intoxicating liquor license</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Service facilities, less than 8,000 square feet</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Service facilities, 8,000 square feet or larger</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Studios</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td><strong>INDUSTRIAL USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Catering</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Printing process/supply</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td>Showrooms</td>
<td>PC</td>
<td>PC</td>
</tr>
<tr>
<td><strong>TRANSPORTATION AND INFRASTRUCTURE USES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communication antennas</td>
<td>CUP</td>
<td>CUP</td>
</tr>
<tr>
<td>Transit stations</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

(d) **Uses permitted with conditions (PC).**

(1) *Multifamily residential category.*

   a. Shall be located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use, or on a secondary, rear, or side facade.

   b. Dwelling unit entrances are not required to be internal to the building, and individual exterior entrances are encourage for ground floor units.

   c. Balconies shall serve a single dwelling unit.

   d. Buildings are discouraged from being massive in scale or institutional in appearance.

   e. Use may include leasing and/or property management offices, gym or other fitness facilities for tenants, and meeting rooms as accessory uses.

(2) *Live-work unit.*

   a. The units shall only be located on a street frontage.

(3) *Hotel/motel.*

   a. Shall be located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use.

   b. Rooms shall be accessed from the interior of the building.

   c. Secondary service uses may also be provided, such as food service, meeting rooms, pools, and fitness rooms as accessory uses.
d. A lobby and secondary service uses serving the hotel/motel may be provided along 25 percent of the primary frontage. The remaining 75 percent of the primary frontage shall be non-residential uses.

(4) Police/fire station.

a. Garage doors are permitted on the front facade.

b. Stations are exempt from maximum driveway widths.

(5) Brewery

a. The brewery shall not produce more than 20,000 barrels of malt liquor per year.

b. The maximum overall gross floor area is limited to 20,000 square feet.

c. A taproom and/or retail outlet is required and shall be located in the Primary Street storefront of the building.

d. The taproom and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.

e. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions

f. This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.

(6) Grocery store.

a. When the grocery store is part of a mixed-use development with residential or office uses above the grocery, the following applies:

1. No activity results in any noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties.

2. Hours of operation, including deliveries, shall be limited to 6 a.m. to 12 a.m.

(7) Micro-distillery.

a. The maximum overall gross floor area is limited to 20,000 square feet.

b. A cocktail room and/or retail outlet is required and shall be located in the primary street frontage of the building.

c. The cocktail room and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.

d. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions
e. This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.

(8) *Retail, 8,000 square feet or larger.*

   a. The retail space shall be located at a corner of the building or near a primary building entrance.

   b. The retail space shall not occupy more than 25 percent of the gross floor area of the ground floor.

(9) *Retail, large item.*

   a. The establishment shall be less than 20,000 square feet in size.

(10) *Service facilities, 8,000 square feet or larger.*

   a. The service space shall be located at a corner of the building or near a primary building entrance.

   b. The service space shall not occupy more than 25 percent of the gross floor area of the ground floor.

(11) *Catering; studio; printing process/supply; showrooms.*

   a. This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.

   b. The maximum overall gross floor area is limited to 12,000 square feet.

   c. A showroom or retail outlet is permitted.

   d. If located on a secondary street frontage the following additional conditions apply:

      1. The use is permitted only in specifically designated live/workspaces on the ground floor and with its own exterior entrance.

      2. Distribution shall be from a designated loading area only.

   e. If located on a primary street frontage, the following additional conditions apply:

      1. A showroom and/or retail outlet is required and shall be located in the primary street frontage of the building.

      2. The showroom and/or retail outlet shall occupy a minimum of 25 percent of the gross floor area.

(e) **Uses permitted by conditional use permit (CUP).**

Uses listed in Table 36-263(b) with a “CUP” symbol require a Conditional Use Permit; refer to 36-33 Conditional Use Permits.
(1) **Liquor store.**
   a. The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. The distance shall be measured from the portion of the center or building occupied by the liquor store.

(2) **Private entertainment (indoor).**
   a. No activity results in any noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties.

(3) **Communication antennas.**
   a. Shall be developed in accordance with 36-368 Communication (Towers and antennas Antennas), except that communication antennas located in the MX-1 district shall be co-located atop a permitted building.

(f) **Accessory uses.**

The following uses shall be permitted accessory uses in any MX-1 district.

(1) **Off-street parking.** The following are types of accessory parking permitted:
   a. **Parking lot.**
   b. **Parking ramp.**
      1. Parking ramps shall be located only behind the rear of the building.
      2. Parking ramps located on the secondary street frontage shall have principal uses on the ground floor.
      3. Parking ramps shall meet the façade requirements for the principal building.
   c. **Building interior parking.**
      1. Parking is permitted fully in any basement and in the rear portion of any building, beyond the first 30 feet behind the building facade.
      2. Interior parking shall meet the façade requirements of the building.
      3. Entrances to the interior parking are permitted from the rear or side building facades only, unless otherwise noted per the street frontage type.

(2) **Incidental repair or processing** which is necessary to conduct a permitted use and not to exceed 10 percent of the gross floor area of the associated permitted use.

(3) **Outdoor seating and service of food and beverage,** subject to the following conditions:
   a. Shall be directly adjacent to the structure containing the associated use;
   b. No speakers or other electronic devices which emit sound are permitted if the use is located within 500 feet of a residential use;
c. The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if the use is located within 500 feet of a residential use; and

d. Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or ten percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or ten percent of the gross building area, whichever is less.

(4) Bar, if accessory to a restaurant, hotel or private entertainment (indoor).

(5) Catering, if accessory to a restaurant, food service, delicatessen, grocery store or retail bakery.

(6) Break rooms, if accessory to a non-residential use and are not located along the primary street frontage.

(7) Visitor lodging associated with residential care facilities.

(8) Warehouse/storage which is necessary for a permitted use and not to exceed 20 percent of the gross floor area of the associated permitted use.

(9) Home occupations complying with all of the conditions in the R-C district.

(10) Outdoor sales are permitted only as accessory uses with garden and nursery sales.

(11) Public transit stops/shelters.

(12) Community gardens.

(13) Accessory utility structures including:

a. Small wind energy conversion system, as defined in 36-4 Definitions.

b. Solar energy systems. A solar energy system with a supporting framework that is either placed on, or anchored in, the ground and that is independent of any building or other structure; or that is affixed to or an integral part of a principal or accessory building, including but not limited to photovoltaic or hot water solar energy systems which are contained within roofing materials, windows, skylights, and awnings.

c. Cisterns and rainwater collection systems. A container or series of containers for the collection and reuse of rainwater. A cistern may be exempted from inclusion in the Site Impervious Area calculation.

d. Where accessory utility structures are permitted with conditions, the following apply:

1. Accessory use. The equipment shall be located on a lot with a building and is a secondary use for the lot.
2. Roof mounted location. Roof mounted equipment shall be located per one of the following:
   a. Pitched roof. Locate the equipment on a rear facing surface of the roof, if feasible for communication purposes.
   b. Flat roof. Locate the equipment towards the rear portion of the roof, where visibility is limited from the street to the maximum extent possible.

3. Ground mounted location. Ground mounted equipment is limited to the rear yard. Equipment may be located in the side yard if the equipment is screened from the street with an opaque wall, of the same or similar material of the street facade of the building.

4. Height. The height of the equipment is either a maximum of 12 feet or the maximum that is not visible from any street sidewalk, whichever is greater.

5. Performance standards. When noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties, including truck traffic, will be generated by this accessory use above any generated by the principal use, a Conditional Use Permit is required. Refer to 36-33 Conditional Use Permits.

6. Freestanding wind energy conversion systems (WECS). Refer to Sec. 36-369, with the exception of the following requirements which shall replace the provisions of Table 36-369 A for all projects within the MX-1 District:
   a. Height Limit: 110 feet
   b. Maximum Number of WECS per lot: 2
   c. Minimum Lot Size: 1.5 acres

(g) **Dimensional standards/densities.**

Notwithstanding the provisions of Section 36-32, the following standards and requirements cannot be modified or waived except as specifically stated:

(1) The maximum nonresidential density is 1.5 FAR and the maximum residential density is 50 units per acre. In determining density, the total nonresidential floor area or number of residential units shall be divided by the land associated with each use, including building coverage and parking areas associated with the use and a proportion of the on-site usable open space. Stormwater ponds and public/private streets and alleys shall be excluded from land calculations. Maximum residential densities may be increased by up to 50 percent based on Table 36-263(f)(1).
Table 36-263(f)(1)

<table>
<thead>
<tr>
<th>Points</th>
<th>Increase in Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>10% increase in density</td>
</tr>
<tr>
<td>6</td>
<td>20% increase in density</td>
</tr>
<tr>
<td>9</td>
<td>30% increase in density</td>
</tr>
<tr>
<td>12</td>
<td>40% increase in density</td>
</tr>
<tr>
<td>15</td>
<td>50% increase in density</td>
</tr>
</tbody>
</table>

a. Inclusionary housing (maximum 6 points may be earned)

1. Provide affordable housing at the levels required in the city’s Inclusionary Housing Policy, as amended from time to time, whether or not the development includes city financial assistance (6 points);

b. Environmental, energy, and water resources (maximum 8 points may be earned)

1. Meet the requirements of the city’s Green Building Policy as amended from time to time, whether or not the development includes city financial assistance (5 points);

2. Provide 0.5 W of on-site renewable energy per gross square foot of building area (3 points)

c. Inclusionary commercial (maximum 4 points may be earned)

1. Inclusionary commercial space for retail and service less than 8,000 square feet, food service, and restaurant uses (4 points):

   a. 10 percent of total commercial space provided at 80 percent fair market rent for 10 years; or

   b. 20 percent of total commercial space provided 90 percent fair market rent for 10 years.

2. Provide 20 percent or up to 5,000 square feet, whichever is less, of the total commercial space as micro storefronts (4 points)

d. Travel demand management (maximum 2 points may be earned)

1. Complete a travel demand management plan and implement all recommended strategies (1 points).

2. Commuter bicycle facilities provided on-site (1 points)

   a. In addition to the bicycle parking requirements in Section 36-361, an additional 10 percent of the required bicycle parking facilities shall be provided as bike lockers, on-site showers shall
be available for building occupants, and a bicycle repair station shall be provided.

ey. Gathering spaces (maximum 2 points may be earned)

1. Provide and maintain a publicly accessible space which may include a plaza, courtyard, or community room (1 points)

2. Provide and maintain a publicly accessible community garden (1 points)

(2) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

(3) Building shall be constructed to the form requirements specific to the street frontage type in Table 36-263(f)(3).
### Table 36-263(f)(3)

<table>
<thead>
<tr>
<th>Building Siting</th>
<th>Primary Street Frontage</th>
<th>Secondary Street Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Line Coverage</td>
<td>80%&lt;sup&gt;a&lt;/sup&gt;</td>
<td>50%&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>Build-to Zone</td>
<td>10’ to 15'&lt;sup&gt;b&lt;/sup&gt;</td>
<td>10’ to 20'&lt;sup&gt;b&lt;/sup&gt;</td>
</tr>
<tr>
<td>Maximum Building Length</td>
<td></td>
<td>200 feet&lt;sup&gt;c&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

### Height

| Building to Street Width Minimum         | 60%                      | 60%                      |
| Building to Street Width Maximum         | 100%                     | 200%                    |
| Minimum Height                          | 2 stories                | 2 stories               |
| Maximum Height                          | 6 stories<sup>d</sup> or 75’, whichever is less |
| Primary Ground Story Height             | 12’ to 20’               |
| All Other Stories Height                | 10’ to 15’               |

### Façade

| Entrance Elevation                      | Each street entrance shall be within 30” of adjacent street sidewalk average grade |

<sup>a</sup> Minimum Lot Line Coverage, the following exceptions may apply:
- Courtyards. A courtyard up to 35% of the width of the front façade is permitted and may contribute to the minimum lot line coverage.
- Driveways. When a driveway is located at a primary street frontage and side yard parking is not utilized, a driveway width of 22’ may be deducted from the width of the build-to zone and is not included in the calculation of the minimum lot line coverage.

<sup>b</sup> Build-to Zone:
- Encroachments. Awnings and signage are permitted to encroach beyond the build-to zone toward the lot line.
- Intersection of two build-to zones.
  - All buildings located on corner lots shall be built to the corner of the build-to zone unless otherwise stated.
  - The corner is defined as the intersection of the two build-to zones. Courtyards, per definition, cannot be located in this area.

<sup>c</sup> Maximum Building Length:
- May be increased up to 50% if a pedestrianway is provided.
- These pedestrianways can be pedestrian easements and pathways or exterior through-building linkages at least every 200’.

<sup>d</sup> Step-backed stories: all stories that exceed the maximum building to street width shall be stepped back from the front façade a minimum of 10 feet and a maximum of 30 feet.

<sup>e</sup> Tall stories: 18’ or more in floor-to-floor ground story height counts as two stories toward maximum building height.
(4) Side and rear yards:
   
a. Buildings with side or rear property lines adjacent to R-1 or R-2 zoned and used districts shall have a maximum building height of 40 feet, and minimum side and rear yards of 15 feet.

b. Buildings may exceed 40 feet in height if the portion of the building above 40 feet is stepped back from the side and rear property lines a distance equal to the additional height.

(h) Special provisions.

(1) Signage shall be allowed with the following conditions:
   
a. Pylon signs are prohibited;

b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian, bicycle or automobile circulation and visibility.

c. Maximum allowable number, sizes, heights and yards for signs shall be regulated by Section 36-362, MX division requirements.

d. Wall signs of non-residential uses shall only be placed on the ground floor and exterior walls of the occupied tenant lease space, and/or a monument sign.

e. Wall signs shall not be included in calculating the aggregate sign area on the lot if they meet the following outlined conditions:

   1. Non-residential wall signs permitted by this section that do not exceed seven percent of the exterior wall area of the ground floor tenant lease space.

   2. The sign is located on the exterior wall of the ground floor tenant lease space from which the seven percent sign area was derived.

   3. No individual wall sign shall exceed 100 square feet in area.

f. Pedestrian scale signs visible from public sidewalks shall be encouraged. Such signs shall be no more than three feet in vertical dimension unless flush with the building wall.

(2) Architectural Design. The standards established in Sec. 36-366 shall apply, with the following additional standards:
   
a. Façade Transparency

   1. Each upper story façade shall have a minimum transparency of 20% for primary and secondary street frontages.

b. Building Entrances
1. The principal entrance to the building shall be required on the primary street frontage of the building.

2. Each street entrance shall be within 30” of adjacent street sidewalk average grade.

Sec. 36-265. MX-2 neighborhood mixed use district.

(a) Purpose and effect.

The purposes of the neighborhood mixed use district are to:

1. Promote investment and infill development within the district by allowing flexibility of uses and a mix of uses;

2. Integrate new development with its surroundings by encouraging connections for pedestrians, bicyclists, and vehicles and by considering sensitive, compatible use, scale, and operational transitions to neighborhood uses;

3. Promote shared parking and optimization of existing parking areas; and

4. Promote high quality architectural design and materials, and innovative site design

(b) MX-2 district restrictions and performance standards.

1. Fences.

   a. All fences shall comply with the standards established in Sec. 36-74.

   b. Fences in the street yards are prohibited, unless they meet the following standards:

      1. Maximum height: three feet.

      2. Maximum opacity: 50%.

(c) Uses, generally.

1. Permitted uses (P). Uses listed in Table 36-264(b) with a “P” symbol are permitted by-right.

2. Uses permitted with conditions (PC). Uses listed in Table 36-264(b) with a “PC” symbol are permitted provided compliance with the listed conditions and requirements.

3. Uses permitted by conditional use permit (CUP). Uses listed in Table 36-264(b) with a “CUP” symbol require a Conditional Use Permit; refer to 36-33 Conditional Use Permits.
### Table 36-264(b) Neighborhood Mixed Use District Uses

<table>
<thead>
<tr>
<th>Principal Use</th>
<th>Primary and Secondary Street Frontages</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RESIDENTIAL AND LODGING USES</strong></td>
<td></td>
</tr>
<tr>
<td>Residential dwellings (including multifamily housing, - and roominghouses)</td>
<td>PC (up to 8 units) / CUP (up to 30 u/a)</td>
</tr>
<tr>
<td>Live-work unit</td>
<td>P</td>
</tr>
<tr>
<td><strong>CIVIC AND INSTITUTIONAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td>P</td>
</tr>
<tr>
<td>Museum</td>
<td>P</td>
</tr>
<tr>
<td>Parks/open space</td>
<td>P</td>
</tr>
<tr>
<td>Parks/recreation</td>
<td>PC</td>
</tr>
<tr>
<td>Police/fire station</td>
<td>P</td>
</tr>
<tr>
<td>Places of Assembly</td>
<td>CUP</td>
</tr>
<tr>
<td><strong>COMMERCIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Adult day care</td>
<td>PC</td>
</tr>
<tr>
<td>Animal handling</td>
<td>PC</td>
</tr>
<tr>
<td>Appliance, small engine and bicycle repair</td>
<td>PC</td>
</tr>
<tr>
<td>Bank</td>
<td>PC</td>
</tr>
<tr>
<td>Brewery</td>
<td>PC</td>
</tr>
<tr>
<td>Food service</td>
<td>PC</td>
</tr>
<tr>
<td>Group day care/nursery school</td>
<td>PC</td>
</tr>
<tr>
<td>Liquor store</td>
<td>PC</td>
</tr>
<tr>
<td>Medical/dental office</td>
<td>P</td>
</tr>
<tr>
<td>Micro-distillery</td>
<td>PC</td>
</tr>
<tr>
<td>Office</td>
<td>P</td>
</tr>
<tr>
<td>Post office customer service</td>
<td>PC</td>
</tr>
<tr>
<td>Private entertainment (indoor)</td>
<td>PC</td>
</tr>
<tr>
<td>Restaurant</td>
<td>PC</td>
</tr>
<tr>
<td>Retail, less than 7,500 square feet</td>
<td>P</td>
</tr>
<tr>
<td>Retail, large item, less than 7,500 square feet</td>
<td>P</td>
</tr>
<tr>
<td>Service, less than 7,500 square feet</td>
<td>PC</td>
</tr>
<tr>
<td>Shopping center</td>
<td>P</td>
</tr>
<tr>
<td>Vendor market</td>
<td>PC</td>
</tr>
<tr>
<td><strong>INDUSTRIAL USES</strong></td>
<td></td>
</tr>
<tr>
<td>Light assembly or low impact manufacturing and processing</td>
<td>PC</td>
</tr>
<tr>
<td>Medical, optical and dental laboratories</td>
<td>PC</td>
</tr>
<tr>
<td>Printing process/supply</td>
<td>P</td>
</tr>
<tr>
<td>Research and development</td>
<td>PC</td>
</tr>
<tr>
<td>Showrooms</td>
<td>P</td>
</tr>
<tr>
<td>Studio</td>
<td>PC</td>
</tr>
<tr>
<td><strong>TRANSPORTATION AND INFRASTRUCTURE USES</strong></td>
<td></td>
</tr>
<tr>
<td>Antenna and communication tower</td>
<td>PC (less than 45’) / CUP (between 45’ and 75’)</td>
</tr>
<tr>
<td>Parking lot as principal use</td>
<td>PC</td>
</tr>
</tbody>
</table>
### Principal Use

<table>
<thead>
<tr>
<th>Principal Use</th>
<th>Primary and Secondary Street Frontages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking ramp as principal use</td>
<td>PC</td>
</tr>
<tr>
<td>Public service structure</td>
<td>PC</td>
</tr>
<tr>
<td>Utility substation</td>
<td>PC</td>
</tr>
</tbody>
</table>

(d) **Uses permitted with conditions (PC).**

A structure or land in the MX-2 district may be used for one or more of the following uses with conditions established below:

1. **Adult day care.**
   a. The condition for adult day care is at least 12% of the lot area shall be developed as designed outdoor recreation area.

2. **Animal handling.**
   a. No animals or pens shall be kept outside the building or cause offensive odor or noise discernible at the property line of the lot on which the activity is conducted.
   b. Where animals are boarded, the facility shall be located a minimum of 100 feet from any parcel that is zoned residential and used for residential.

3. **Appliance, small engine and bicycle repair.**
   a. Engines shall not be operated or tested outside of a structure if the use is located within 300 feet of any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.

4. **Banks.**
   a. In-vehicle sales or services are prohibited.
   b. Self-service machines shall be located inside the building

5. **Brewery.**
   a. The brewery shall not produce more than 20,000 barrels of malt liquor per year.
   b. A taproom and/or retail outlet is required and shall be located in the Primary Street storefront of the building.
   c. The taproom and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
   d. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions

6. **Communication towers** that are 45 feet or less in height, subject to the provisions of Section 368 (Communication Towers and Antennas).

7. **Food service.**
a. In-vehicle sales or services are prohibited.

(8) **Group care nursery school.**
   a. An off-street passenger loading area shall be provided in order to maintain vehicular and pedestrian safety.
   
   b. Ground level outdoor play areas:
      1. Shall be at least 1,500 square feet in total area and provide at least 75 square feet of area per child in the area at any given time.
         a. An off-site park meeting these standards may meet this requirement, if the park is within 2,000 feet of the school
      2. Shall be located a minimum of 200 feet from any roadway defined on the Comprehensive Plan as a principal arterial.

(9) **Light assembly or low impact manufacturing and processing.**
   a. A showroom and/or retail outlet is required and shall be located in the primary street frontage of the building.
   
   b. The showroom and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
   
   c. All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned residential and used residential.

(10) **Liquor stores.**
   a. The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center of multi-use building, the distance shall be measured from the portion of the center or building occupied by the liquor store.

(11) **Medical, optical and dental laboratories.**
   a. The use shall not generate any fumes or odors which are detectable at the property lines of the parcel on which the use is located.

(12) **Micro-distillery.**
   a. A cocktail room and/or retail outlet is required and shall be located in the primary street frontage of the building.
   
   b. The cocktail room and/or retail outlet shall occupy a minimum of 20 percent of the gross floor area with no maximum limit.
   
   c. Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions

(13) **Parking lots as principal use.**
   a. Shall be owned by the municipal government.

(14) **Parking ramps as principal use.**
a. Shall be owned by the municipal government.

b. The height of any parking ramp located within 200 feet of any parcel that is zoned residential and used for residential may not penetrate the height of a line commencing at and perpendicular to said parcel line and extending upward away from said parcel at a slope of five horizontal feet for each vertical foot.

c. The minimum yard requirement for any parking ramp located within 200 feet of a parcel that is zoned residential and used for residential shall be 50 feet.

d. Access shall be from a roadway identified in the Comprehensive Plan as a collector or arterial or otherwise located so that access can be provided without conducting significant traffic on local residential streets.

e. The parking ramp shall be screened from view from any abutting property located within an R district. The screening shall include a six foot berm if the parking ramp is above ground.

f. If the parking ramp is located within 400 feet of any parcel that is zoned residential and used for residential, all light sources on the top deck of a parking ramp shall be below the sight lines drawn from a point one foot above the light source to any point within said parcel ten feet lower than the maximum structure height of that use district at a distance of 400 feet from the wall of the parking ramp nearest to said parcel.

g. A minimum of 40% of the street level frontage of a parking ramp located adjacent to a street designated as a collector or arterial in the Comprehensive Plan shall be dedicated to non-parking uses.

h. Parking ramp shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.

i. Snow storage areas shall not be located in the front yard or side yard abutting a street.

(15) Parks/recreation.

a. The principal structure shall be located a minimum of 50 feet from a lot in an R district.

b. Areas designated for group activities shall be located a minimum of 25 feet from a lot in an R district.

c. Swimming pools shall be located a minimum of 50 feet from any lot line and a minimum of 12 feet from any other structure on the same lot.

d. Screening shall be installed along the property line when the use abuts property residentially used or in one of the R districts. This screening shall include a berm or fence which shall be adequately maintained. Application of this provision shall not require a fence within the required front yard.

e. Facilities which serve a community wide or regional function shall be located with primary vehicular access on a collector or arterial street.
(16) *Post office customer service.*

a. The use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service and safety of adjacent streets and intersections.

b. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.

c. In-vehicle sales or services prohibited.

d. Storage of vehicles is prohibited.

e. Outdoor mailboxes intended for in vehicle service shall be located to allow in vehicle mail drop off by the vehicle’s driver.

f. Screening shall be provided along the lot line between the drive through facilities and stacking areas and adjacent streets and properties and shall not interfere with visibility at the intersection of the exit drive and adjacent street as required by section 36-76.

(17) *Private entertainment (indoor) with or without intoxicating liquor license.*

a. In-vehicle sales or services prohibited.

b. Not permitted in a building with residential uses.

(18) *Public service structures.*

a. All exterior faces of all buildings shall meet the provisions of Article V of this chapter.

b. All structures shall be located a minimum of 15 feet from any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions and community centers.

c. All service drives shall be paved.

(19) *Restaurants with or without intoxicating liquor license.*

a. In-vehicle sales or services prohibited.

(20) *Residential dwellings.*

a. The residential use is part of a mixed use building with non-residential uses on the ground floor; the non-residential uses on the ground floor may include structured parking, however, structured parking may not occupy the first 30 feet in depth of the ground floor of the primary street frontage.

b. The building design and placement provide a desirable residential environment.

c. Access to open space, plazas, and pedestrian ways is provided.

d. The housing is located above the ground floor.
e. The total number of units provided on an individual parcel does not exceed eight units.

(21) Service, less than 7,500 square feet.
   a. In-vehicle sales and services are prohibited.

(22) Studio.
   a. Not permitted in a building with residential uses.

(23) Utility substation.
   a. No structure shall be located within 25 feet of any property line.
   b. No structures shall be located within 200 feet of any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.
   c. No impact noise shall be audible from any property located in an R district.

(24) Vendor market.
   a. In-vehicle sales or services prohibited.
   b. Not permitted in a building with residential uses.
   c. In multi-tenant buildings, noise shall be contained within that space dedicated to the place of vendor/food hall. No noise shall be audible within common areas or in adjacent units.
   d. In multi-tenant buildings, the vendor market shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.

(e) Uses permitted by conditional use permit (CUP).

No structure or land in the MX-2 district shall be used for the following uses except by conditional use permit:

(1) Communication towers more than 45 feet in height but not to exceed 70 feet in height, subject to the provisions of Section 368 (Communication Towers and Antennas).

(2) Educational (academic).
   a. Pickup/drop-off areas shall not conflict with other on-site or abutting land uses and shall not create congestion on public streets. Buses shall not be permitted to use an alley for pickup and drop-off of students.
   b. The size of the school shall be limited to 20 students.
   c. In multitenant buildings, the school shall have at least one separate building entrance or shall have an interior entrance that is within 50 feet of a common building entrance.

(3) Places of assembly with or without intoxicating liquor.
a. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.

b. Not permitted in a building with residential uses.

c. Seating capacity shall be limited to 150 persons.

d. Parking shall meet zoning code requirements, unless it is a religious or other institution that requires walking because of a religious tenet or other rule, then one space per every eight seats shall be required.

e. In multi-tenant buildings, noise shall be contained within that space dedicated to the place of assembly use. No noise shall be audible within common areas or in adjacent units.

f. In multi-tenant buildings, the place of assembly shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.

4) Residential dwellings.

a. The residential use is part of a mixed-use building with non-residential uses on the ground floor; the non-residential uses on the ground floor may include structured parking, however, structured parking may not occupy the first 30 feet in depth of the ground floor of the primary street frontage.

b. The building design and placement provide a desirable residential environment.

c. Access to off-site parks, open space, plazas and pedestrianways is provided.

d. The housing is located above the ground floor.

e. The total number of units provided on an individual parcel does not exceed a density of 30 units per acre.

f. The use is in conformance with the comprehensive plan including any provisions of the redevelopment chapter and the plan by neighborhood policies for the neighborhood in which it is located, and conditions of approval may be added as a means of satisfying this requirement.

g. Ground floor multi-family dwellings in existence on December 11, 2020 shall be considered a conforming use.

(f) Accessory uses.

The following uses shall be permitted accessory uses in the MX-2 district when meeting the standards below:

(1) **Catering** if accessory to a restaurant, food service, delicatessen, grocery store or retail bakery.

(2) **Food service** where food service is an accessory use to other uses).

(3) **Home occupations**.

a. All material or equipment shall be stored within an enclosed structure.
b. Operation of the home occupation is not apparent from the public right-of-way.

c. The activity does not involve warehousing, distribution, or retail sales of merchandise produced off the site.

d. No light or vibration originating from the business operation is discernible at the property line, or adjacent dwelling unit.

e. Only equipment, machinery, and materials which are normally found in the home are used in the conduct of the home occupation.

f. Space within the dwelling devoted to the home occupation does not exceed one room or ten percent of the floor area, whichever is greater.

g. No portion of the home occupation is permitted within any attached or detached accessory building.

h. The structure housing the home occupation conforms to the building code. If there are any customers or students coming to the site, then the home occupation has received a certificate of occupancy for the business.

(4) Incidental repair or processing which is necessary to conduct a permitted principal use shall not exceed 40 percent of the gross floor area or 40 percent of the labor hours required to conduct the principal permitted use.

(5) Outdoor seating and service of food and beverages.

a. The use shall not be located in the interior side or back yard if the use is adjacent to a parcel that is occupied by a residential dwelling. This provision will not apply if the first floor of the building located on the adjacent parcel is not occupied by a residential dwelling or if a residential dwelling is located above the principal use.

b. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a parcel that is zoned residential and used for residential.

c. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a parcel that is zoned residential and used for residential.

d. Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or ten percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or ten percent of the gross building area, whichever is less.

(6) Parking lots.

(7) Parking ramps.

a. Parking ramps shall be located only behind the rear of the building.

b. Parking ramps located on the secondary street frontage shall have principal uses on the ground floor.

c. Parking ramps shall meet the façade requirements for the principal building.
d. The height of any parking ramp located within 200 feet of any parcel that is zoned residential and used for residential may not penetrate the height of a line commencing at and perpendicular to said parcel line and extending upward away from said parcel at a slope of five horizontal feet for each vertical foot.

e. The minimum yard requirement for any parking ramp located within 200 feet of a parcel that is zoned residential and used for residential shall be 50 feet.

f. Access shall be from a roadway identified in the Comprehensive Plan as a collector or arterial or otherwise located so that access can be provided without conducting significant traffic on local residential streets.

g. If the parking ramp is located within 400 feet of any parcel that is zoned residential and used for residential, all light sources on the top deck of a parking ramp shall be below the sight lines drawn from a point one foot above the light source to any point within said parcel ten feet lower than the maximum structure height of that use district at a distance of 400 feet from the wall of the parking ramp nearest to said parcel.

h. The parking ramp shall be screened from view from any abutting property located within an R district. The screening shall include a six foot berm if the parking ramp is above ground.

i. A minimum of 40% of the street level frontage of a parking ramp located adjacent to a street designated as a collector or arterial in the Comprehensive Plan shall be dedicated to non-parking uses.

j. Parking ramp shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.

k. Snow storage areas shall not be located in the front yard or side yard abutting a street.

(8) Building interior parking. Parking is permitted fully in any basement and within the building, except on the primary street frontage. Interior parking shall meet the façade requirements of the building. Entrances to the interior parking are permitted from the rear or side building façades only, unless otherwise noted per the street frontage type.

(9) Warehouse/storage provided that the storage does not occupy more than 40 percent of the gross floor area of the site. No warehouse/storage area shall exceed 20,000 square feet.

(g) Dimensional standards.

(1) Buildings shall be constructed to meet the form requirements of each applicable street frontage type in Table 36-264(f)(1).
Table 36-264(f)(1)

<table>
<thead>
<tr>
<th>BUILDING SITING</th>
<th>Primary Street Frontage</th>
<th>Secondary Street Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Line Coverage</td>
<td>80%&lt;sup&gt;a&lt;/sup&gt;</td>
<td>50%&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>Build-to-Zone</td>
<td>10’ to 15’&lt;sup&gt;b&lt;/sup&gt;</td>
<td>10’ to 20’&lt;sup&gt;b&lt;/sup&gt;</td>
</tr>
<tr>
<td>Maximum Building Length</td>
<td>130’</td>
<td></td>
</tr>
</tbody>
</table>

**HEIGHT**

| Minimum Height                                       | 2 stories               | 2 stories               |
| Maximum Height                                       | 3 stories               |                           |
| Ground Story Height                                  | 14’ to 18’<sup>c</sup>  |                           |
| All Other Stories Height                             | 10’ to 15’              |                           |

<sup>a</sup>Minimum Lot Line Coverage, the following exceptions may apply:
- Courtyards. A courtyard up to 35% of the width of the front facade is permitted and may contribute
to the minimum lot line coverage.
- Driveways. When a driveway is located on a primary street frontage and side yard parking is not
  utilized, a driveway width of 22’ may be deducted from the width of the build-to zone and is not
  included in the calculation of the minimum lot line coverage.

<sup>b</sup>Build-to-Zone:
- Minimum is 10’ or the smallest setback of the existing buildings on the block front, whichever is
  greater.
- Encroachments. Awnings and signage are permitted to encroach beyond the build-to zone, towards
  the lot line.
- Intersection of two build-to zones.
  - All buildings located on corner lots shall be built to the corner of the build-to zone unless
    otherwise stated.
  - The corner is defined as the intersection of the two build-to zones. Courtyards, per definition,
    cannot be located in this area.

<sup>c</sup>Tall stories: 18’ or more in floor-to-floor ground story height counts as two stories toward maximum
building height.

(2) Side and Rear Yards:

a. Buildings with side or rear property lines adjacent to R-1 or R-2 zoned and used
districts shall have a minimum side yard of 10 feet and rear yard of 15 feet.

b. Accessory parking structures shall have minimum side yard and rear yard
setbacks of 15 feet.

(h) Special provisions.

(1) Generally. The design of lots and uses in the MX-2 district that fall within the
Historic Walker Lake area should substantially conform with the guidelines
established in the *Historic Walker Lake Area Design Guidelines*, adopted by the City

(2) Off-Street Parking Areas. Specific standards for the neighborhood mixed use district
established in Sec. 36-362 shall apply.

(3) Sign Regulations. The standards established in Sec. 36-363 shall apply, with the
following additional standards:
a. Signage shall be allowed with the following conditions:
   1. Pylon signs are prohibited.
   2. Freestanding monument signs are prohibited.
   3. Pedestrian scale signs visible from public sidewalks shall be encouraged. Such signs shall be no more than three feet in vertical dimension unless flush with the building wall.

(4) Outdoor Lighting. The standards established in Sec. 36-364 shall apply.

(5) Landscaping. The standards established in Sec. 36-365 shall apply.

(6) Architectural Design. The standards established in Sec. 36-366 shall apply, with the following additional standards:
   a. Façade Transparency
      1. Each upper story façade shall have a minimum transparency of 20% for primary and secondary street frontages.
   b. Building Entrances
      1. The principal entrance to the building shall be required on the primary street frontage of the building.
      2. Each street entrance shall be within 30” of adjacent street sidewalk average grade.

Section 3. Sections of Chapter 36 of the St. Louis Park City Code are hereby amended by adding underscored text and deleting strikethrough text. Section breaks are represented by ***.

Sec. 36-4. Definitions.

***

Shopping Center means a group of commercial uses planned, owned and managed as a unit that has common parking facilities. Shopping centers may include more than one building and more than one contiguous property and owner if approved under a single conditional use permit or planned unit development. This use includes vendor markets.

***

Sec. 36-82(b)(7) Authorized temporary uses

***

(7) Same—Up to six months. The sale of agricultural commodities, including seasonal farmers' markets, greenhouses, and gardening supplies, which are offered for sale directly from the grower/producer, shall be allowed as a temporary use provided the following standards are satisfied:
   a. A site plan must be submitted to the city.
   b. The temporary use shall be located in the C-1 district, C-2 district, M-X district, PUD C, MX, and PUD districts, in a public park or closed right-of-way as approved by the city.
Sec. 36-111 Use districts established

(4) **Office district.** O office district, see section 36-223.

(5) **Business Park district.** BP business park district, see section 36-231.

(5)(6) **Industrial districts.**

   a. I-P industrial park district, see section 36-243.

   b. I-G general industrial district, see section 36-244.

(6)(7) **Mixed use districts.** M-X mixed use district, see sections 36-261 through 36-266.

   a. MX-1 vertical mixed use district, see section 36-264.

   b. MX-2 neighborhood mixed use district, see section 36-265

(7)(8) **Planned Unit Development (PUD) District,** See Section 36-32.

***

**TABLE 36-115D Open Space Requirements**

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Single Family</th>
<th>Cluster Housing</th>
<th>Multi-Family</th>
<th>Elderly Housing</th>
<th>Nursing Home</th>
<th>Group Home</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1-Single Family Residential</td>
<td>600/OLA</td>
<td>400/OLA or 12%DORA</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
</tr>
<tr>
<td>R2-Single Family Residential</td>
<td>400/OLA</td>
<td>400/OLA or 12%DORA</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
</tr>
<tr>
<td>R3-Two-Family Residential</td>
<td>400/OLA</td>
<td>400/OLA or 12%DORA</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
</tr>
<tr>
<td>R4-Multi-Family Residential</td>
<td>400/OLA</td>
<td>400/OLA or 12%DORA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>12% DORA</td>
</tr>
<tr>
<td>RC-Multi-Family Residential</td>
<td>NA</td>
<td>400/OLA or 12%DORA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>12% DORA</td>
</tr>
<tr>
<td>C1-Neighborhood Commercial</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>C2-General Commercial</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>O-Office</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>MX-1 Vertical Mixed Use</td>
<td>NA</td>
<td>NA</td>
<td>12% DORA</td>
<td>12% DORA</td>
<td>NA 12% DORA</td>
<td>NA 12% DORA</td>
</tr>
</tbody>
</table>

Reductions may be allowed via the PUD process, if the development meets certain criteria.

OLA = Open Lot Area          DORA = Designed Outdoor Recreation Area
Sec. 36-361. Off-street parking areas, paved areas, and loading spaces.

***

(c) Required quantity.

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.

1. 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.

2. The number provided for required parking spaces shall be the minimum requirement listed in Table 36-361(a), 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 MX-2 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 MX-2 district shall be subject to the minimum and maximum parking requirements specified in Table 36-361(b).

   b. Structures on January 10, 2020 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.
Sec. 36-361(l) Design Requirements

***

(10) Yards. Required parking areas shall be subject to the following requirements:

a. In the R-4 and R-C districts, parking areas shall be subject to the requirements for front yards and side yards abutting a street.

b. In the C-2, O, I-P and I-G districts, parking areas shall be permitted in the front yard and side yards abutting a street, provided that the yard shall not be reduced to less than five feet. (Ord. No. 2466-15, 5-18-2015)

c. In the C-1 district and MX districts:

i. Parking spaces and drive aisles shall not be located between a building and a street, except that a through lot may have parking between the building and less prominent street, as determined by the Zoning Administrator.
ii. The minimum yard requirement for parking spaces and drive aisles shall be zero (0.0) when located adjacent to a non-residential district.

iii. The minimum yard requirement for parking spaces and drive aisles shall be eight feet when abutting a residentially zoned property.

iv. The minimum yard requirement for parking spaces shall be five feet when adjacent to a street.

Sec. 36-362(f) General provisions

***

(2) Required yards. Sign shall maintain a 10 foot minimum yard to property line unless exempted below:

a. In the C-1, C-2, BP, and MX MX-1 and MX-2 districts the required yard for any sign less than 200 square feet in sign area shall be 5 feet.

b. In the C-1, C-2 and MX districts MX-1 and MX-2 districts, a blade sign may project into the required front yard if the sign meets the following requirements:

***

Table 36-362A Sign Area and Height

<table>
<thead>
<tr>
<th>Use District &amp; Lot Size (sq ft)</th>
<th>Maximum Sign Height (feet)</th>
<th>PERMANENT SIGNAGE</th>
<th>TEMPORARY SIGNAGE</th>
<th>REAL ESTATE SIGNAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Maximum Total Area (sq ft)</td>
<td>Maximum Size of Sign Face (sq ft)</td>
<td>Maximum Total Area (sq ft)</td>
<td>Maximum Total Area (sq ft)</td>
</tr>
<tr>
<td>R-1</td>
<td>6</td>
<td>2</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>R-2</td>
<td>6</td>
<td>2</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>R-3</td>
<td>6</td>
<td>2</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>0-15,000</td>
<td>6</td>
<td>2</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Over 15,000</td>
<td>6</td>
<td>25</td>
<td>25</td>
<td>60</td>
</tr>
<tr>
<td>R-4</td>
<td>10</td>
<td>40</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>0-30,000</td>
<td>10</td>
<td>60</td>
<td>60</td>
<td>25</td>
</tr>
<tr>
<td>Over 30,000</td>
<td>10</td>
<td>60</td>
<td>60</td>
<td>25</td>
</tr>
<tr>
<td>R-C</td>
<td>0-30,000</td>
<td>15</td>
<td>60</td>
<td>25</td>
</tr>
<tr>
<td>0 - 30,000</td>
<td>15</td>
<td>60</td>
<td>60</td>
<td>25</td>
</tr>
<tr>
<td>Over 30,000</td>
<td>15</td>
<td>100</td>
<td>60</td>
<td>25</td>
</tr>
<tr>
<td>C-1</td>
<td>0 - 10,000</td>
<td>25</td>
<td>100</td>
<td>75</td>
</tr>
<tr>
<td>10,000 - 20,000</td>
<td>25</td>
<td>150</td>
<td>100</td>
<td>80</td>
</tr>
<tr>
<td>Over 20,000</td>
<td>25</td>
<td>200</td>
<td>150</td>
<td>80</td>
</tr>
<tr>
<td>Use District &amp; Lot Size (sq ft)</td>
<td>Maximum PERMANENT SIGNAGE</td>
<td>TEMPORARY SIGNAGE</td>
<td>REAL ESTATE SIGNAGE</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------------------</td>
<td>------------------</td>
<td>-------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum Sign Height (feet)</td>
<td>Maximum Total Area (sq ft)</td>
<td>Maximum Size of Sign Face (sq ft)</td>
<td>Maximum Total Area (sq ft)</td>
</tr>
<tr>
<td>C-2 / MX-1 / MX-2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 - 10,000</td>
<td>25</td>
<td>100</td>
<td>75</td>
<td>80</td>
</tr>
<tr>
<td>10,000 - 20,000</td>
<td>25</td>
<td>200</td>
<td>100</td>
<td>80</td>
</tr>
<tr>
<td>20,000 - 50,000</td>
<td>25</td>
<td>250</td>
<td>150</td>
<td>80</td>
</tr>
<tr>
<td>50,000 - 200,000</td>
<td>25</td>
<td>300</td>
<td>150</td>
<td>80</td>
</tr>
<tr>
<td>Over 200,000</td>
<td>25</td>
<td>400</td>
<td>300</td>
<td>80</td>
</tr>
<tr>
<td>O</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 - 20,000</td>
<td>25</td>
<td>100</td>
<td>100</td>
<td>80</td>
</tr>
<tr>
<td>20,000 - 50,000</td>
<td>25</td>
<td>200</td>
<td>100</td>
<td>80</td>
</tr>
<tr>
<td>50,000 - 100,000</td>
<td>25</td>
<td>300</td>
<td>150</td>
<td>80</td>
</tr>
<tr>
<td>Over 100,000</td>
<td>25</td>
<td>500</td>
<td>300</td>
<td>80</td>
</tr>
<tr>
<td>I-P / I-G / BP</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 - 20,000</td>
<td>25</td>
<td>100</td>
<td>75</td>
<td>80</td>
</tr>
<tr>
<td>20,000 - 50,000</td>
<td>25</td>
<td>200</td>
<td>100</td>
<td>80</td>
</tr>
<tr>
<td>50,000 – 100,000</td>
<td>25</td>
<td>250</td>
<td>150</td>
<td>80</td>
</tr>
<tr>
<td>100,000 – 200,000</td>
<td>25</td>
<td>300</td>
<td>300</td>
<td>80</td>
</tr>
<tr>
<td>Over 200,000</td>
<td>25</td>
<td>400</td>
<td>300</td>
<td>80</td>
</tr>
<tr>
<td>POS</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 - 30 acres</td>
<td>15</td>
<td>80</td>
<td>60</td>
<td>80</td>
</tr>
<tr>
<td>Over 30 acres</td>
<td>25</td>
<td>450</td>
<td>150</td>
<td>80</td>
</tr>
</tbody>
</table>

***

Sec. 36-362(g) Adjustments to table

***

(4) In the C-1, C-2, O, BP, MX-1, MX-2, PUD, I-G and I-P districts, the total area of all wall signs on a building which meets the following outlined conditions shall not be included in calculating the aggregate sign area on a lot:

a. The building shall be a shopping center, a building containing multiple tenants, or a single-tenant building located on a single lot with other principal buildings and is part of an approved CUP or planned unit development.

b. The tenants are located on the ground floor of the building and have a direct and primary access to the outside of the building.

c. The sign area of all wall, blade, canopy, or awning signs permitted by this section shall not exceed seven percent of the exterior wall area of the space occupied by the tenant.

d. The sign is located on the exterior wall of the space occupied by the tenant from which the seven percent sign area was derived.
e. No individual wall sign shall exceed 150 square feet in area, except in the C-1, MX-1, and MX-2 and MX-X districts where the maximum area of any individual sign shall not exceed 100 square feet.

***

Sec. 36-362(h) Special provisions

***

(4) Decorative banners. Decorative banners are allowed in the R-C, C-2, and O and MX-X districts and are regulated as follows:

***

Sec. 36-366 (b) Standards

***

(6). All developments shall consider the effect of sun angles and shade patterns on other principal buildings. All new multiple-family and nonresidential buildings and additions thereto shall be located so that the structure does not cast a shadow that covers more than 50 percent of another principal building wall for a period greater than two hours between 9:00 a.m. and 3:00 p.m. for more than 60 days of the year. This section will not prohibit shading of buildings in an industrial use district, mixed-use district two or more buildings on the same lot in the MX Mixed Use zoning district, or as approved for buildings covered by the same PUD, CUP, or Special Permit. Shading of existing public spaces and outdoor employee break areas shall be minimized to the extent reasonable and possible.

***

Section 4. This ordinance shall take effect (Dec. 11, 2020)

<table>
<thead>
<tr>
<th>First reading</th>
<th>Nov. 2, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second reading</td>
<td>Nov. 16, 2020</td>
</tr>
<tr>
<td>Date of publication</td>
<td>Nov. 26, 2020</td>
</tr>
<tr>
<td>Date ordinance takes effect</td>
<td>Dec. 11, 2020</td>
</tr>
</tbody>
</table>

Reviewed for administration: Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest: Approved as to form and execution:

Melissa Kennedy, city clerk Soren Mattick, city attorney
SUMMARY FOR PUBLICATION

Ordinance No. ____-20

An ordinance relating to the mixed-use district including MX-1 and MX-2 and related land use, parking, sign, and architectural design requirements

This ordinance amends Division 9. M-X Mixed Use Zoning District, including amendments to rename the MX, mixed use district to MX-1, vertical mixed use and create MX-2 neighborhood mixed use. Additional amendments relating to the MX districts are proposed to definitions, land use, parking regulations, sign regulations, and architectural design. (Sections 36-4, 36-82, 36-111, 36-115D, 36-262, 36-361, 36-362, and 36-366).

This ordinance shall take effect 15 days after publication.

Adopted by the City Council November 16, 2020

Jake Spano /s/
Mayor

A copy of the full text of this ordinance is available for inspection with the City Clerk.

Published in St. Louis Park Sailor: November 26, 2020
### Ordinance No. _____-20

**Ordinance amending the St. Louis Park ordinance code changing boundaries of zoning districts and adding a new zoning district, MX-2 neighborhood mixed-use**

The City of St. Louis Park does ordain:

**Whereas**, the City of St. Louis Park conducted a planning revitalization study of the Historic Walker Lake District, which was adopted by the City Council in January 2020; and

**Whereas**, the revitalization study recommended several zoning code revisions to achieve the community’s goals of preservation and revitalization within the district which facilitates an update to the zoning ordinance.

**Section 1.** The planning commission held a public hearing and recommended adoption of amendments to the zoning map on October 21, 2020.

**Section 2.** The city council has considered the advice and recommendations of the planning commission (Case No. 20-20-ZA).

**Section 3.** The Official Zoning Map for the City of St. Louis Park, Minnesota, is hereby amended to rename the MX District to MX-1, vertical mixed use and rezone all of Historic Walker Lake to MX-2, neighborhood mixed use as shown in the Attachments.

**Section 4.** The rezoning of parcels to MX-2 shall take effect upon Metropolitan Council authorization of the associated comprehensive plan amendment approved by City Council Resolution 20-163, and no sooner than Dec. 11, 2020.

**Section 5.** This ordinance shall take effect (Dec. 11, 2020).

<table>
<thead>
<tr>
<th>First reading</th>
<th>Nov. 2, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second reading</td>
<td>Nov. 16, 2020</td>
</tr>
<tr>
<td>Date of publication</td>
<td>Nov. 26, 2020</td>
</tr>
<tr>
<td>Date ordinance takes effect</td>
<td>No sooner than Dec. 11, 2020. Sections 4 &amp; 5 explain further</td>
</tr>
</tbody>
</table>

Reviewed for administration: Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager

Attest:

Melissa Kennedy, city clerk

Approved as to form and execution:

Jake Spano, mayor

Soren Mattick, city attorney
Proposed Zoning Map Amendment: MX-1 and MX-2

Official Zoning Map

Zoning Districts
- ROS: 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
- MX-1: Vertical Mixed Use
- MX-2: Neighborhood Mixed Use
- G-1: Neighborhood Commercial
- C-2: General Commercial
- BP: Business Park
- O: Office
- I-P: Industrial Park
- I-D: General Industrial
- PUD: Planned Unit Development
- Floodplain
- Flood fringe
- Floodway
- Travel Demand Management Boundary

Proposed Zoning Map: Nov 2, 2020

Prepared by the City of St. Louis Park Community Development Department
Proposed Historic Walker Lake District
SUMMARY FOR PUBLICATION

Ordinance No. ____-20

Ordinance amending the St. Louis Park ordinance code changing boundaries of zoning districts and adding a new zoning district, MX-2 neighborhood mixed-use

This ordinance amends the Official Zoning Map to rename the MX mixed use district to MX-1 vertical mixed use, and to rezone Historic Walker Lake as MX-2 neighborhood mixed use.

This ordinance shall take effect no sooner than December 11, 2020.

Adopted by the City Council November 16, 2020

Jake Spano /s/
Mayor

A copy of the full text of this ordinance is available for inspection with the City Clerk.

Published in St. Louis Park Sailor: November 26, 2020
1. Call to Order – Roll Call

2. Approval of Minutes of Sept. 16, 2020

Commissioner Weber made a motion to approve the minutes. Commissioner Dumalag seconded the motion, and the motion passed on a vote of 7-0.

3. Public Hearings

A. Comprehensive plan and zoning amendments to allow for a new zoning district for the Historic Walker Lake district.

   Applicant: City of St. Louis Park
   Case Nos: 20-19-CP; 20-20-ZA

Laura Chamberlain, consultant from HGKI presented the staff report. She gave a history of the area, and the revitalization plan intended to revitalize and preserve the area. The plan was accepted earlier this year with input from businesses and residents in the area. The guidance includes parking, mix of uses, building form and public realm. With this guidance the city prepared a new zoning district paired with design guidelines, used as guidance vs. requirements, for the area. A comprehensive plan amendment is needed for the new zoning district.

She explained the amendment in detail to the planning commission. She noted the public outreach included a presentation to the Walker Lake Business Association, and a virtual neighborhood meeting, with overall support.

Commissioner Beneke asked for review on the vertical mixed-use requirement. He asked if both MX1 and MX2 mixed use areas can both have businesses. Ms. Monson stated that non-residential uses are required on the ground floor for street facing facades in both districts. She explained that the MX1 district requires another use above the ground floor use, but that MX2 does not.
Commissioner Beneke asked for a summary of the parking requirements. Ms. Monson stated the parking requirements have already been approved by city council, and the new requirements now require much less parking in the district, because of the presence of ample public parking.

Commissioner Weber asked if there are any other development anticipated that might fall into MX2 in the future. Ms. Monson stated there are none at this time, but could easily expand if needed at a future time and be more specific to each area within the city.

Chair Kraft opened the public hearing.

There were no callers on the line.

The Chair closed the public hearing.

Commissioner Beneke made a motion, Commissioner Dumalag seconded, recommending all staff recommendations approving the comprehensive plan and zoning amendments to allow for a new zoning district for the Historic Walker Lake district.

The motion passed on a vote of 7-0.
The purpose of the Historic Walker Lake Area Design Guidelines is to provide property owners and developers additional guidance regarding redevelopment, infill, and new development within the Historic Walker Lake Area in central St. Louis Park, covered by the MX-2 zoning district.

- These guidelines are meant to be used alongside the standards established in Sec. 36-365 MX-2 Mixed Use district of the city code.
- They also further implement the guidance established within the Historic Walker Lake District Revitalization Plan (2019).
- Finally, these guidelines are established to ensure infill, redevelopment, and enhancements complement the area’s existing unique character while promoting a stronger sense of place and increased investment.
1. Historic buildings should be replicated in form, but not necessarily in design. This means building form, such as height and setbacks, should be similar, but design, such as materials or window shapes, can be different and modern; the architectural style is open.
   » Infill buildings should replicate the form and size of adjacent buildings, but can use updated building design.
   » Facades should replicate form features such as spacing of entrances and transparency, but design can be different.
   » New buildings should not have “historic” detailing just to match adjacent buildings.
2. Lighting and design should highlight the historic features of older buildings while introducing updated materials and uses.
3. Architecture and design should be used to create street frontages that are visually interesting, especially at a pedestrian scale.
1. The primary entrance should be visually distinct from the rest of the façade. This could be accomplished through:
   » Utilizing different materials or cap/canopy.
   » Installing sidelight and transom windows around entrances.
   » Extending the articulation of the entrance to the second floor.
   » Recessing entrances to achieve articulation and visual interest.

2. In order to design to a pedestrian scale, entrances along primary frontages should be repeated at least every 65 feet.

3. A majority of entrances on the primary frontage should be close to the same elevation of the sidewalk to provide ease of access to pedestrians.
Street Façade Articulation

1. Horizontal articulation of new buildings is encouraged. This can be accomplished through the use of:
   - Cornice
   - Molding
   - Belt course
   - Other continuous horizontal ornamentation

2. Vertical divisions are encouraged, especially on the ground floor, to create visual interest. This can be accomplished through the use of:
   - Column
   - Other continuous vertical ornamentation
   - Pilaster

3. Façade variety along primary and secondary frontages is encouraged. Variety can be accomplished through:
   - Change in façade materials or colors
   - Inclusion of courtyards along the façade
   - Vertical recess or projection of walls

4. Design Elements to add further interest:
   - Awnings on the façade of the ground floor.
     - These elements provide shelter and shade for pedestrians.
     - Should have a clearance of at least ten feet over any walkway.
   - Balconies on upper floor façade.
     - These elements provide outdoor space and upper story activation.
     - Should be at least four feet in depth.
   - Shutters, when used, should complement the windows they surround in scale, materials, and placement.
Awnings/Canopy

1. If awnings are used or installed, they should project over individual window and door openings but should not extend between window and door openings.
2. Awnings should be mounted on the frame of a window or door opening rather than the wall surrounding the opening.
3. Retractable, open-ended shed awnings, with no side panels, are the preferred style. Shed awnings are more traditional in appearance than closed/box awnings and domed awnings, which are usually not appropriate. Shed awnings are more transparent, allow increased views into storefront windows, don’t obscure building architectural features, and are visually lighter and simpler in appearance.
4. Awnings with a front valance or skirt, which hangs down from the awning’s front edge, are the preferred style. Awnings should be usually be located on the front valance, so that the signage is visible whether the awning is extended out or retracted against the building’s façade.
5. Canvas, canvas blend, and acrylics that resemble canvas are appropriate materials for awnings and canopies; vinyl, metal, glass and shiny materials are generally not appropriate.
6. Awnings/canopies should have a minimum clearance height of eight (8) feet above the ground.
1. Architectural innovation is encouraged through the use of both contemporary and traditional materials.

2. Dominant façade should consist of high quality, durable, finish materials. The following are encouraged dominant facade materials:
   » Stone
   » Cement-based stucco
   » Brick
   » Architectural metal panels

3. The color of materials should generally fit within historic palettes from any major paint manufacturer. Other colors may be utilized for details and accents.

4. In addition to the dominant façade materials, the following can be used as facade accents:
   » Fiber cement trim pieces.
   » Metal for beams, lintels, trim, and ornamentation.
   » Burnished, glazed, or honed concrete masonry units (CMU) or block for trim and details, but not surfaces.
   » Split-face, honed, or glazed concrete masonry units with minimal height for surfaces less than 10 percent of the facade.
   » Cast stone concrete elements.
1. A projecting sign is the preferred style; wall signs are also appropriate but should be oriented to pedestrians in scale and design.

2. Projecting and wall signs should be placed and sized so that they do not obscure building architectural features and fit the scale of the building façade.

3. The style, colors, and materials of projecting and wall signs should be complementary with the character of the building and other signage.

4. Where feasible, projecting and wall signs should be placed to align with other signs on that building and other buildings on the same block face.

5. Projecting signs should usually be mounted near the storefront entrance, just above the door, or just to the side of it.

6. Projecting signs should generally be oriented to visibility by pedestrians and placed so that they do not obscure other signs, both projecting and wall signs.

7. Projecting signs intended for visibility by automobile traffic should be mounted higher on the building façade or positioned at the building corner.

8. If a storefront has awnings, the projecting sign should be placed above the awnings.

9. Projecting signs should have a minimum clearance height of eight (8) feet above the ground.
1. Accent lighting should be limited to indirect lighting of specific signage, architectural and landscape features only; lighting should not exhibit or advertise the building itself.
2. Signs, including wall, projecting, awning and window, should not be internally illuminated.
3. Signage lighting should be provided by an external light source that is directed at the sign.
4. Signage lighting fixtures should be relatively simple and unobtrusive in appearance and size and should not obscure visibility of the sign.
5. External lighting sources should be shielded so that the light source is not visible by pedestrians.

**Lighting**
1. Yards and open spaces should provide an opportunity for outdoor “active” areas.
2. Seating, shade, art, and events are encouraged within open spaces, especially along the street frontage.
3. Cafe seating and open transitions from indoor uses are also encouraged.
4. Site design should prioritize pedestrians, transit users, and bicyclists and creating pleasant open spaces for those users to gather and move through.
5. Non-conventional gathering spots, such as former loading areas and unused alleyways are encouraged to be activated as open spaces.
6. These areas are also encouraged for temporary activation, such as food-truck festivals or other local events.
Landscaping

Because of limitations of existing sites, it may be difficult to meet city’s traditional landscaping standards. Alternative elements to improve the landscaping/public realm may include:
1. Rain gardens, creative stormwater retention, and landscaping islands
2. Raised Planters
3. Sidewalk activities
   » Temporary Seating (café seating)
   » Temporary Signs
4. Street furniture (perhaps through a sponsorship)
   » Benches
   » Bike racks
   » Waste and recycle bins
5. Public art
6. Creative lighting integrated into landscaping/public art

For more information, contact the City of St. Louis Park Community Development Department
Phone: 952.924.2575
https://www.stlouispark.org/government/departments-divisions/community-development
Executive summary

Title: Notice of eviction

Recommended action: Motion to approve second reading and adopt Ordinance to amend the city code by adding section 8-337 requiring rental property owners to provide seven days written notice to tenants prior to initiating an eviction action for non-payment of rent or other financial obligations and authorize publication of summary ordinance.

Policy consideration: Does the council support the tenant protection policy as proposed requiring owners to provide a seven-day notice to tenants prior to initiating an eviction action for nonpayment of rent or other financial obligation in violation of the lease?

Summary: Adoption of a notice of eviction ordinance would require rental property owners/managers to provide a notice to tenants prior to initiating an eviction action for nonpayment of rent or other financial obligations. The notice is meant to ensure that tenants are informed and aware of the consequences of unresolved financial obligations to the property owner that are in violation of the lease. The policy was first reviewed with council at study sessions on March 25, 2019 and again Oct. 28, 2019. At the study session on Jan. 27, 2020, staff recommended that the proposed notice period be reduced from 14 days to seven days based on the input received from the rental owners and managers as part of a public outreach process that was conducted. At the same time, the council was considering implementation of the notice policy, a bill was introduced at the 2020 state legislative session that would implement a similar notice requirement. Further action on the local policy was deferred to allow the legislature to consider the bill.

With a failure to act on the bill at the state level, the council revisited the policy at the study session on Sept. 29, 2020. Following discussion, the council directed staff to work with the city’s legal counsel to draft an ordinance reflecting a seven-day notice requirement for council’s consideration. Council approved the first reading of the ordinance at the Nov. 2, 2020 city council meeting and authorized the second reading for Nov. 16, 2020.

Financial or budget considerations: Implementation and ongoing management and monitoring of this policy will require additional city staff time, as well as direct costs related to educating rental property owners of the new requirement.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion
- Draft ordinance
- Ordinance summary for publication

Prepared by: Michele Schnitker, community development deputy dir. and housing supv.
Reviewed by: Karen Barton, community development director
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

**Background:** In 2019 and early 2020, council discussed adopting a local policy that would require a notice be provided to tenants prior to initiating an eviction action for non-payment of rent or any unpaid financial obligation in violation of the lease. The notice is meant to ensure that residents are informed and aware of the consequences of unresolved financial obligations to the property owner that are in violation of the lease. Since the policy was similar to a bill presented for consideration at the 2020 state legislative session, the council deferred further action on a local ordinance pending the outcome at the legislature. The 2020 legislature did not act on the bill and the local policy was reintroduced for council consideration at the study session on Sept. 29, 2020. At the November 16, 2020 council meeting, council directed staff to amend the policy to clarify delivery of the notice. The policy being proposed is as follows:

(a) **Notice of eviction policy/St. Louis Park:** Before bringing an eviction action alleging a material breach of the lease for nonpayment of rent or other unpaid financial obligations, a property owner must provide written notice to the residential tenant. The written notice would specify the allegations of non-payment of rent or other unpaid financial obligations and must state the total amount due along with specific accounting of the total amount. The notice must be delivered personally or mailed to the residential tenant at the address of the leased premises. If the tenant has agreed in writing, notice may be delivered by email to the residential tenant at the residential tenant’s email address on file with owner. If the alleged rent delinquency or other financial obligation breach of the lease is not corrected within seven days of the delivery or mailing of the notice, the property owner may proceed with filing a complaint based on any allegations in the notice.

**Summary of public input comments:** 84 comments were received from the public on the proposed Notice of Eviction policy. The online comments are available in their entirety in the study session report of Jan. 27, 2020.

At the November 2, 2020 city council meeting, the council approved the first reading of the ordinance and authorized the second reading for November 16, 2020.

**Next steps:** The next step in the revision of the ordinance is the publication of the ordinance on November 26, 2020. The ordinance will take effect on January 1, 2021.

This ordinance shall take effect January 1, 2021.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>First reading</td>
<td>November 2, 2020</td>
</tr>
<tr>
<td>Second reading</td>
<td>November 16, 2020</td>
</tr>
<tr>
<td>Date of publication</td>
<td>November 26, 2020</td>
</tr>
<tr>
<td>Date ordinance takes effect</td>
<td>January 1, 2021</td>
</tr>
</tbody>
</table>
Ordinance No. _____-20

City of St. Louis Park
Hennepin County, Minnesota

An ordinance amending the St. Louis Park City Code by adding Section 8-337 requiring seven days written notice to tenant prior to owner initiating eviction proceedings

The City of St. Louis Park Does Ordain:

Section 1. The St. Louis Park City Code is amended by adding Chapter 8, Section 8-337 as follows:

Sec. 8-337. Notice Required Prior to Initiating Eviction Proceedings.

(b) At least seven days before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligations in violation of the lease, an Owner must provide written notice to the residential tenant specifying the basis for future eviction action.

(c) For an allegation of nonpayment of rent or other unpaid financial obligations in violation of the lease, the Owner must include the following in the written notice:

(1) The total amount due;

(2) A specific accounting of the amount of the total due that is comprised of unpaid rents, late fees, or other charges under the lease; and

(3) The name and address of the person authorized to receive rent and fees on behalf of the Owner.

(d) A notice provided under this section must:

(1) provide a description of how to access legal and financial assistance through information posted on the city’s website.

(2) state that the Owner may bring an eviction action following expiration of the seven-day notice period if the tenant fails to pay the total amount due or fails to vacate.

(e) The Owner or an agent of the Owner must deliver the notice personally or by first class mail to the address of the leased premises. If the tenant has agreed in writing, notice may be delivered by email to the residential tenant at the residential tenant’s email address on file with Owner.
(f) If the tenant fails to correct the rent delinquency within seven days of delivery or mailing of the notice, or fails to vacate, the Owner may bring an eviction action under Minn. Stat. § 504B.321.

Section 2. This Ordinance shall take effect January 1, 2021.

Adopted this ______ day of ________________, 2020, by the City Council of the City of St. Louis Park.

<table>
<thead>
<tr>
<th>First Reading</th>
<th>November 2, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second Reading</td>
<td>November 16, 2020</td>
</tr>
<tr>
<td>Date of Publication</td>
<td>November 26, 2020</td>
</tr>
<tr>
<td>Date Ordinance takes effect</td>
<td>January 1, 2021</td>
</tr>
</tbody>
</table>

Reviewed for Administration
Adopted by City Council Nov. 16, 2020

Thomas K. Harmening, City manager

Jake Spano, mayor

Attest:
Approved as to Form and Execution:

Melissa Kennedy, city clerk
Soren Mattick, city attorney
SUMMARY FOR PUBLICATION

Ordinance No.20-___

An ordinance relating to rental housing

The ordinance would establish a requirement that seven days written notice be given to tenant prior to owner initiating eviction proceedings.

The ordinance shall take effect January 1, 2021

Adopted by the City Council November 16, 2020

Jake Spano /s/
Mayor

A copy of the full text of this ordinance is available for inspection with the City Clerk.

Published in St. Louis Park Sailor: November 26, 2020
Executive summary

Title: 2021 budget and property owner service charges for Special Service District No. 1

Recommended action: Motion to adopt Resolution setting the 2021 Special Service District No. 1 budget and property owner service charges, accepting a contribution from Parkshores Senior Campus and directing staff to certify the annual service charges to Hennepin County.

Policy consideration: Does the city council wish to approve Special Service District No. 1 budget and property owner service charges?

Summary: On Nov. 2, 2020, a public hearing was held where staff presented information relating to the proposed 2021 budget and service charges. Council then opened the meeting up for public input (none was provided).

The 2021 proposed budgets and service charges remain unchanged from last year. Staff have reached out to the property owners in Special Service District No. 1, held public education meetings and received support for approving the 2021 budget and service charges.

The proposed 2021 budget/services charges and location map are attached.

Financial or budget considerations: The parks maintenance budget will incur a service charge for the city-owned property located within this district at 3700 Monterey Drive (Recreation Center/Wolfe Park). The proposed service charge for 2021 is $25,308.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Discussion
Resolution
Attachment “A” proposed 2021 budget
Attachment “B” proposed 2021 service charges
Attachment “C” map

Prepared by: Mike Okey, public works services manager
Reviewed by: Mark Hanson, public works superintendent
Cynthia S. Walsh, director of operations and recreation
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

Background: On Oct. 17, 2016, the city council approved a resolution imposing a multi-year service charge for Special Service District No. 1 (this district is located along Excelsior Boulevard from Quentin Avenue to Highway 100 and along Park Center Boulevard and Monterey Drive). Annually, the city council must set a service charge for the district following a public hearing on the proposed charge. The Special Service District property owners approved the proposed 2020 budget and service charge. The notice of public hearing, held on Nov. 2, 2020, was published on the city’s website and in the Sun Sailor on Oct. 15 and Oct. 29, 2020. The public hearing notice was sent to all property owners within the district.

Special Service District No. 1 Financial Position
Special Service District No. 1 has an anticipated 2020 year-end fund balance of approximately $30,507.

Proposed 2020 Budget and Service Charges
The property owners recommended approval of the following:

- 2021 budget amount of $106,672; no change from 2020.
- 2020 service charge amount of $96,672; no change from 2020.
- An annual contribution of $1,993 from Parkshores Senior Campus, LLC, in recognition of the benefits received as a residential property located within the service district.
- In general, expenses do not typically reach 100% of budget. The expected unused budget amount along with the service charges is anticipated to allow the district to achieve the goal of a 75% fund balance which staff and board agreed should be maintained.

The proposed resolution was reviewed by City Attorney Soren Mattick.

Present considerations: The special service districts are a benefit to the businesses and city as they help maintain the improvements made in the district, promote a positive image of the business corridor and attract customers to the area.

Next steps: In November, the city certifies the 2021 assessments (service charges) to Hennepin County.
Resolution No. 20-___

2021 budget and service charges for Special Service District No. 1

Whereas, pursuant to Ordinance No. 2067-96, the city council created Special Service District No. 1 (the “District”). The specific properties located within the district are identified on attachment “B” attached hereto; and

Whereas, pursuant to Resolution No. 16-130, the city council is authorized to impose service charges within the district on a multi-year basis through and including the year 2026 for taxes payable in said year; and

Whereas, pursuant to Section 3 of Resolution No. 16-130, the maximum budget to be imposed in any year will be subject to adjustment calculations based on Consumer Price Index (CPI) data for the Minneapolis/St. Paul metropolitan area; and

Whereas, pursuant to Section 4 of Resolution No. 16-130, the service charges shall be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes; and

Whereas, the city is required by statute to certify assessments to the County by December 1, 2020.

Now therefore be it resolved by the City Council of the City of St. Louis Park as follows:

1. The 2021 Budget for Special Service District No. 1 of $106,672 is hereby approved as recommended by the Special Service District No. 1 property owners.

2. The authorized 2021 service charge for Special Service District No. 1 is $96,672 in the amounts and against the properties specified on attachment “B” attached to this resolution.

3. An annual contribution of $1,933 will be accepted from Parkshores Senior Campus, LLC, in recognition of the benefits received as a residential property located within the service district.

Reviewed for administration: Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
### Attachment A

**CITY OF ST. LOUIS PARK**  
Special Service District #1

<table>
<thead>
<tr>
<th>Account</th>
<th>Subsidiary</th>
<th>Proposed Budget 2021</th>
<th>Adopted Budget 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>6212 - GENERAL SUPPLIES</td>
<td></td>
<td>$238</td>
<td>$238</td>
</tr>
<tr>
<td>6221 - SSD'S - IRRIGATION MATERIALS</td>
<td>715 - SSD'S - IRRIGATION MATERIALS</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6224 - LANDSCAPING MATERIALS</td>
<td></td>
<td>$5,900</td>
<td>$5,900</td>
</tr>
<tr>
<td>6303 - OTHER</td>
<td></td>
<td>$300</td>
<td>$300</td>
</tr>
<tr>
<td>6303 - SSD-Banner replacements</td>
<td>680 - SSD-Banner replacements</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>6410 - SSD Mgmt Services</td>
<td>678 - SSD Mgmt Services</td>
<td>$4,500</td>
<td>$4,500</td>
</tr>
<tr>
<td>6550 - Civil</td>
<td>750 - Civil</td>
<td>$150</td>
<td>$150</td>
</tr>
<tr>
<td>6630 - OTHER CONTRACTUAL SERVICES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6630 - SSD - snow removal</td>
<td>772 - SSD - snow removal</td>
<td>$43,000</td>
<td>$43,000</td>
</tr>
<tr>
<td>6630 - SSD - Banner install/removal</td>
<td>774 - SSD - Banner install/removal</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>6630 - SSD - Irrigation services</td>
<td>775 - SSD - Irrigation services</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>6630 - SSD decorative install/maint</td>
<td>776 - SSD decorative install/maint</td>
<td>$8,000</td>
<td>$8,000</td>
</tr>
<tr>
<td>6630 - SSD - Landscape services</td>
<td>777 - SSD - Landscape services</td>
<td>$31,000</td>
<td>$31,000</td>
</tr>
<tr>
<td>6950 - LEGAL NOTICES</td>
<td></td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>7106 - PUBLIC LIABILITY INSURANCE</td>
<td></td>
<td>$134</td>
<td>$134</td>
</tr>
<tr>
<td>7207 - SSD infrastructure repair</td>
<td>880 - Infrastructure Repair-Internal</td>
<td>$4,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>7301 - ELECTRIC SERVICE</td>
<td></td>
<td>$2,350</td>
<td>$2,350</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td></td>
<td><strong>$106,672</strong></td>
<td><strong>$106,672</strong></td>
</tr>
</tbody>
</table>
## Proposed 2021 Service Charges

<table>
<thead>
<tr>
<th>LINE</th>
<th>PID NO.</th>
<th>ADDRESS</th>
<th>OWNER</th>
<th>BUSINESS</th>
<th>PROPOSED 2021 SERVICE CHARGE</th>
<th>ACTUAL 2020 SERVICE CHARGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>06-028-24-33-0015</td>
<td>3601 State Hwy No 100 South</td>
<td>Target Corporation I-026U</td>
<td>Target Corporation</td>
<td>$10,537</td>
<td>$10,537</td>
</tr>
<tr>
<td>3</td>
<td>06-028-24-34-0022</td>
<td>3700 Monterey Drive</td>
<td>City of St. Louis Park Rec Center</td>
<td></td>
<td>$25,308</td>
<td>$25,308</td>
</tr>
<tr>
<td>4</td>
<td>06-028-24-33-0014</td>
<td>3777 Park Center Boulevard</td>
<td>Lund Food Holdings</td>
<td>Lund Food Holdings</td>
<td>$10,593</td>
<td>$10,593</td>
</tr>
<tr>
<td>5</td>
<td>07-028-24-22-0031</td>
<td>3800 Park Nicollet Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$6,811</td>
<td>$6,811</td>
</tr>
<tr>
<td>6</td>
<td>07-028-24-22-0035</td>
<td>3600 Park Nicollet Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$5,533</td>
<td>$5,533</td>
</tr>
<tr>
<td>7</td>
<td>07-028-24-21-0094</td>
<td>4016 Excelsior Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$1,698</td>
<td>$1,698</td>
</tr>
<tr>
<td>8</td>
<td>07-028-24-21-0095</td>
<td>4020 Excelsior Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$476</td>
<td>$476</td>
</tr>
<tr>
<td>9</td>
<td>07-028-24-21-0096</td>
<td>4050 Excelsior Boulevard</td>
<td>Zip Printing</td>
<td>Zip Printing</td>
<td>$561</td>
<td>$561</td>
</tr>
<tr>
<td>10</td>
<td>07-028-24-21-0612</td>
<td>4851 Excelsior Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$1,504</td>
<td>$1,504</td>
</tr>
<tr>
<td>11</td>
<td>07-028-24-21-0513</td>
<td>4959 Excelsior Boulevard</td>
<td>InterCity Investments, Inc.</td>
<td>Miracle Mile</td>
<td>$1,205</td>
<td>$1,205</td>
</tr>
<tr>
<td>12</td>
<td>07-028-24-22-0023</td>
<td>4961 Excelsior Boulevard</td>
<td>InterCity Investments, Inc.</td>
<td>Miracle Mile</td>
<td>$611</td>
<td>$611</td>
</tr>
<tr>
<td>13</td>
<td>07-028-24-22-0024</td>
<td>4995 Excelsior Boulevard</td>
<td>InterCity Investments, Inc.</td>
<td>Miracle Mile</td>
<td>$804</td>
<td>$804</td>
</tr>
<tr>
<td>14</td>
<td>07-028-24-22-0032</td>
<td>5000 Excelsior Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$586</td>
<td>$586</td>
</tr>
<tr>
<td>15</td>
<td>07-028-24-22-0025</td>
<td>5001 Excelsior Boulevard</td>
<td>InterCity Investments, Inc.</td>
<td>Miracle Mile</td>
<td>$577</td>
<td>$577</td>
</tr>
<tr>
<td>16</td>
<td>07-028-24-22-0033</td>
<td>5050 Excelsior Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$3,394</td>
<td>$3,394</td>
</tr>
<tr>
<td>17</td>
<td>07-028-24-22-0034</td>
<td>5100 Excelsior Boulevard</td>
<td>Park Nicollet Health Services</td>
<td>PNHS</td>
<td>$1,437</td>
<td>$1,437</td>
</tr>
<tr>
<td>18</td>
<td>07-028-24-22-0037</td>
<td>5200 Excelsior Boulevard</td>
<td>LD Foods</td>
<td>LD Foods</td>
<td>$1,658</td>
<td>$1,658</td>
</tr>
<tr>
<td>19</td>
<td>07-028-24-22-0026</td>
<td>5201 Excelsior Boulevard</td>
<td>InterCity Investments, Inc.</td>
<td>Miracle Mile</td>
<td>$8,425</td>
<td>$8,425</td>
</tr>
<tr>
<td>20</td>
<td>07-028-24-22-0030</td>
<td>5300 Excelsior Boulevard</td>
<td>Fraunhofer Companies AAA</td>
<td>Fraunhofer Co.</td>
<td>$5,979</td>
<td>$5,979</td>
</tr>
<tr>
<td>21</td>
<td>07-028-24-22-0004</td>
<td>5400 Auto Club Way</td>
<td>Minneapolis</td>
<td>AAA</td>
<td>$5,304</td>
<td>$5,304</td>
</tr>
</tbody>
</table>

**Notes:**
1. The proposed 2021 budget is $106,672, but the service charge is only $96,672 because $10,000 was transferred from reserves to maintain the proper fund balance.
2. For 2021, the proposed budget remains the same as in 2020.
3. The proposed 2021 service charge calculations are based upon the same methodology used for the initial service charge collection.
   a) Commercial sidewalk snow removal charges are on a front footage basis.
   b) All other service charges are based on the parcel’s square foot area basis.
Attachment C

Special Service District No. 1
West 36th Street, Park Center Boulevard, and Excelsior Boulevard

[Map of Special Service District No. 1]

- Streetscape area covered by SSD 1
- Properties within SSD 1
Executive summary

Title: 2021 budget and property owner service charges for Special Service District No. 2

Recommended action: Motion to adopt Resolution setting the 2021 Special Service District No. 2 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

Policy consideration: Does the city council wish to approve Special Service District No. 2 budget and property owner service charges?

Summary: On Nov. 2, 2020, a public hearing was held where staff presented information relating to the proposed 2021 budget and service charges. Council then opened the meeting up for public input (none was provided).

The 2021 proposed budgets and service charges remain unchanged from last year. Staff have reached out to the property owners in Special Service District No. 2, held public education meetings and received support for approving the 2021 budget and service charges.

The proposed 2021 budget/services charges and location map are attached.

Financial or budget considerations: The public works operations division budget will incur a service charge for the city-owned property located within this district at 3929 Excelsior Boulevard (bus shelter). The proposed service charge for 2021 is $37.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Discussion
Resolution
Attachment “A” proposed 2021 budget
Attachment “B” proposed 2021 service charges
Attachment “C” map

Prepared by: Mike Okey, public works services manager
Reviewed by: Mark Hanson, public works superintendent
                    Cynthia S. Walsh, director of operations and recreation
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

Background: On October 1, 2018, the city council approved a resolution imposing a multi-year service charge for Special Service District No. 2 (this district is located along Excelsior Boulevard from Monterey Drive/38th Street to France Avenue). Annually, the city council must set a service charge for the district following a public hearing on the proposed charge. The Special Service District property owners approved the proposed 2021 budget and service charge. The notice of public hearing, held on Nov. 2, 2020, was published on the city’s website and in the Sun Sailor on Oct. 15 and Oct. 29, 2020. The public hearing notice was sent to all property owners within the district.

Special Service District No. 2 financial position
Special Service District No. 2 has an anticipated 2020 year-end fund balance of approximately $42,289.

Proposed 2021 budget and service charges
The property owners recommended approval of the following:

- 2021 budget amount of $47,462; no change from 2020.
- 2021 service charge amount of $33,462; no change from 2020.
- In general, expenses do not typically reach 100% of budget. The expected unused budget amount along with the service charges is anticipated to allow the district to achieve the goal of a 75% fund balance which staff and board agreed should be maintained.

The proposed resolution was reviewed by City Attorney Soren Mattick.

Present considerations: The special service districts are a benefit to the businesses and city as they help maintain the improvements made in the district, promote a positive image of the business corridor and attract customers to the area.

Next steps: In November, the city certifies the 2021 assessments (service charges) to Hennepin County.
Resolution No. 20-____

2021 budget and service charges for Special Service District No. 2

Whereas, pursuant to Ordinance No. 2093-97, the city council created Special Service District No. 2 (the “District”). The specific properties located within the district are identified on attachment “B” attached hereto; and

Whereas, pursuant to Resolution No. 18-147, the city council is authorized to impose service charges within the district on a multi-year basis through and including the year 2028 for taxes payable in said year; and

Whereas, pursuant to Section 3 of Resolution No. 18-147, the maximum budget to be imposed in any year will be subject to adjustment calculations based on Consumer Price Index (CPI) data for the Minneapolis/St. Paul metropolitan area; and

Whereas, pursuant to Section 4 of Resolution No. 18-147, the service charges shall be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes; and

Whereas, the city is required by statute to certify assessments to the County by December 1, 2020.

Now therefore be it resolved by the City Council of the City of St. Louis Park as follows:

1. The 2021 Budget for Special Service District No. 2 of $47,462 is hereby approved as recommended by the Special Service District No. 2 property owners.

2. The authorized 2021 service charge for Special Service District No. 1 is $33,462 in the amounts and against the properties specified on attachment “B” attached to this resolution.

Reviewed for administration:                       Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager               Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
### CITY OF ST. LOUIS PARK
#### Special Service District #2

#### SSD#2 Budget

<table>
<thead>
<tr>
<th>Account</th>
<th>Subsidiary</th>
<th>Proposed Budget 2021</th>
<th>Adopted Budget 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>6212 - GENERAL SUPPLIES</td>
<td></td>
<td>$204</td>
<td>$204</td>
</tr>
<tr>
<td>6221 - SSD’S - IRRIGATION MATERIALS</td>
<td>715 - SSD’S - IRRIGATION MATERIALS</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>6224 - LANDSCAPING MATERIALS</td>
<td></td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>6303 - OTHER</td>
<td></td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>6303 - SSD-Banner replacements</td>
<td>680 - SSD - Banner replacements</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6410 - SSD Mgmt Services</td>
<td>678 - SSD Mgmt Services</td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>6550 - Civil</td>
<td>750 - Civil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6630 - OTHER CONTRACTUAL SERVICES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6630 - SSD Site Maintenance</td>
<td>773 - SSD Site Maintenance</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>6630 - SSD - Banner install/removal</td>
<td>774 - SSD - Banner install/removal</td>
<td>$800</td>
<td>$800</td>
</tr>
<tr>
<td>6630 - SSD - Irrigation services</td>
<td>775 - SSD - Irrigation services</td>
<td>$4,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>6630 - SSD decorative install/maint</td>
<td>776 - SSD decorative install/maint</td>
<td>$9,400</td>
<td>$9,400</td>
</tr>
<tr>
<td>6630 - SSD - Landscape services</td>
<td>777 - SSD - Landscape services</td>
<td>$23,000</td>
<td>$23,000</td>
</tr>
<tr>
<td>7106 - PUBLIC LIABILITY INSURANCE</td>
<td></td>
<td>$58</td>
<td>$58</td>
</tr>
<tr>
<td>7207 - SSD infrastructure repair</td>
<td>880 - Infrastructure Repair-Internal</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>7301 - ELECTRIC SERVICE</td>
<td></td>
<td>$2,300</td>
<td>$2,300</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td></td>
<td><strong>$47,462</strong></td>
<td><strong>$47,462</strong></td>
</tr>
</tbody>
</table>
### Proposed 2021 Service Charges

<table>
<thead>
<tr>
<th>LINE NO.</th>
<th>PID NO.</th>
<th>ADDRESS</th>
<th>OWNER</th>
<th>PROPOSED 2021 SERVICE CHARGE</th>
<th>ACTUAL 2020 SERVICE CHARGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>06-228-24-41-0075</td>
<td>3900 Excelior Blvd</td>
<td>Ellipse on Excelior LLC</td>
<td>$5,353</td>
<td>$5,353</td>
</tr>
<tr>
<td>2</td>
<td>06-228-24-41-0077</td>
<td>3901 Excelior Blvd</td>
<td>Alberto Properties LLP</td>
<td>$1,581</td>
<td>$1,581</td>
</tr>
<tr>
<td>3</td>
<td>06-228-24-41-0076</td>
<td>3924 Excelior Blvd</td>
<td>Ellipse II LLC</td>
<td>$1,924</td>
<td>$1,924</td>
</tr>
<tr>
<td>4</td>
<td>06-228-24-41-0068</td>
<td>3925 Excelior Blvd</td>
<td>A &amp; A Agency Inc.</td>
<td>$620</td>
<td>$620</td>
</tr>
<tr>
<td>5</td>
<td>06-228-24-41-0067</td>
<td>3929 Excelior Blvd</td>
<td>City of St. Louis Park</td>
<td>$37</td>
<td>$37</td>
</tr>
<tr>
<td>6</td>
<td>06-228-24-41-0014</td>
<td>3939 Excelior Blvd</td>
<td>Sara Son LLC</td>
<td>$900</td>
<td>$900</td>
</tr>
<tr>
<td>7</td>
<td>06-228-24-41-0070</td>
<td>3947 Excelior Blvd</td>
<td>Wallack Properties LLC</td>
<td>$1,514</td>
<td>$1,514</td>
</tr>
<tr>
<td>8</td>
<td>06-228-24-41-0080</td>
<td>4100 Excelior Blvd</td>
<td>Star Roofing &amp; Remodeling</td>
<td>$1,096</td>
<td>$1,096</td>
</tr>
<tr>
<td>9</td>
<td>06-228-24-41-0099</td>
<td>4120 Excelior Blvd</td>
<td>Albyus Business Development Properties</td>
<td>$1,071</td>
<td>$1,071</td>
</tr>
<tr>
<td>10</td>
<td>06-228-24-44-0001</td>
<td>4140 Excelior Blvd</td>
<td>Larson Enterprises/Slumberfield</td>
<td>$1,853</td>
<td>$1,853</td>
</tr>
<tr>
<td>11</td>
<td>06-228-24-44-0176</td>
<td>4170 Excelior Blvd</td>
<td>4150 Excelior Blvd, Partnership</td>
<td>$1,407</td>
<td>$1,407</td>
</tr>
<tr>
<td>12</td>
<td>06-228-24-44-0175</td>
<td>4260 Excelior Blvd</td>
<td>Strain Bros R/E LLC</td>
<td>$1,199</td>
<td>$1,199</td>
</tr>
<tr>
<td>13</td>
<td>06-228-24-44-0173</td>
<td>4201 Excelior Blvd</td>
<td>AMF Properties LLC/Life Medical</td>
<td>$1,799</td>
<td>$1,799</td>
</tr>
<tr>
<td>14</td>
<td>06-228-24-44-0068</td>
<td>4221 Excelior Blvd</td>
<td>Prima Investments LLC</td>
<td>$253</td>
<td>$253</td>
</tr>
<tr>
<td>15</td>
<td>06-228-24-43-0011</td>
<td>4500 Excelior Blvd</td>
<td>Lyndy F Optz &amp; Assoc</td>
<td>$525</td>
<td>$525</td>
</tr>
<tr>
<td>16</td>
<td>06-228-24-43-0020</td>
<td>4301 Excelior Blvd</td>
<td>S &amp; S Investments</td>
<td>$1,106</td>
<td>$1,106</td>
</tr>
<tr>
<td>17</td>
<td>06-228-24-43-0018</td>
<td>4306 Excelior Blvd</td>
<td>Lyndy F Optz &amp; Assoc</td>
<td>$403</td>
<td>$403</td>
</tr>
<tr>
<td>18</td>
<td>06-228-24-43-0019</td>
<td>4308 Excelior Blvd</td>
<td>Lyndy F Optz &amp; Assoc</td>
<td>$537</td>
<td>$537</td>
</tr>
<tr>
<td>19</td>
<td>06-228-24-43-0021</td>
<td>4317 Excelior Blvd</td>
<td>Habitation Furnishing &amp; Design</td>
<td>$668</td>
<td>$668</td>
</tr>
<tr>
<td>20</td>
<td>06-228-24-43-0186</td>
<td>4320 Excelior Blvd</td>
<td>Lyndy F Optz &amp; Assoc</td>
<td>$1,860</td>
<td>$1,650</td>
</tr>
<tr>
<td>21</td>
<td>06-228-24-43-0051</td>
<td>4331 Excelior Blvd</td>
<td>Bell Nelson Furniture</td>
<td>$909</td>
<td>$909</td>
</tr>
<tr>
<td>22</td>
<td>06-228-24-43-0392</td>
<td>4400 Excelior Blvd</td>
<td>Bridgewater Bancshares Inc</td>
<td>$3,796</td>
<td>$3,796</td>
</tr>
<tr>
<td>23</td>
<td>06-228-24-43-0040</td>
<td>4409 Excelior Blvd</td>
<td>Samson Real Estate Inc</td>
<td>$633</td>
<td>$633</td>
</tr>
<tr>
<td>24</td>
<td>06-228-24-43-0041</td>
<td>4415 Excelior Blvd</td>
<td>Automotive Accessories LLC</td>
<td>$522</td>
<td>$522</td>
</tr>
<tr>
<td>25</td>
<td>06-228-24-43-0042</td>
<td>4419 Excelior Blvd</td>
<td>Celina Properties LLC</td>
<td>$1,149</td>
<td>$1,149</td>
</tr>
<tr>
<td>26</td>
<td>06-228-24-43-0391</td>
<td>4424 Excelior Blvd</td>
<td>Bridgewater Bank</td>
<td>$957</td>
<td>$957</td>
</tr>
</tbody>
</table>

**Notes:**

1. The proposed 2021 budget is $47,462, but the service charge is only $33,462 because $14,000 was transferred from reserves to maintain the proper fund balance.
2. For 2021, the proposed budget remains the same as in 2020.
3. The proposed 2021 service charge calculations are based upon the same methodology used for the initial service charge collection.
4. All service charges are based on the parcel's square foot area basis.
Executive summary

**Title:** 2021 Budget and property owner service charges for Special Service District No. 3

**Recommended action:** Motion to adopt Resolution setting the 2021 Special Service District No. 3 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

**Policy consideration:** Does the city council wish to approve Special Service District No. 3 budget and property owner service charges?

**Summary:** On Nov. 2, 2020, a public hearing was held where staff presented information relating to the proposed 2021 budget and service charges. Council then opened the meeting up for public input (none was provided).

The 2021 proposed budgets and service charges remain unchanged from last year. Staff have reached out to the property owners in Special Service District No. 3, held public education meetings and received support for approving the 2021 budget and service charges.

The proposed 2021 budget/services charges and location map are attached.

**Financial or budget considerations:** None. There are no city owned properties within this district.

**Strategic priority consideration:** St. Louis Park is committed to creating opportunities to build social capital through community engagement.

**Supporting documents:**
- Discussion
- Resolution
- Attachment “A” proposed 2021 budget
- Attachment “B” proposed 2021 service charges
- Attachment “C” map

**Prepared by:** Mike Okey, public works services manager

**Reviewed by:** Mark Hanson, public works superintendent
Cynthia S. Walsh, director of operations and recreation

**Approved by:** Nancy Deno, deputy city manager/HR director
Discussion

Background: On Oct. 15, 2012, the city council approved a resolution imposing a service charge for Special Service District No. 3 (located along Excelsior Boulevard from Quentin Avenue to Monterey Drive/W. 38th Street). Annually, the city council must set a service charge for the district following a public hearing on the proposed charge. The Special Service District property owners approved the proposed 2021 budget and service charge. The notice of public hearing, held on Nov. 2, 2020, was published on the city’s website and in the *Sun Sailor* on Oct. 15 and Oct. 29, 2020. The public hearing notice was sent to all property owners within the district.

Special Service District No. 3 financial position
Special Service District No. 3 has an anticipated 2020 year-end fund balance of approximately $16,734.

Proposed 2021 budget and service charges
The property owners recommended approval of the following:
- 2021 budget amount of $51,597; no change from 2020.
- 2021 service charge amount of $41,597; no change from 2020.
- In general, expenses do not typically reach 100% of budget. The expected unused budget amount along with the service charges is anticipated to allow the district to achieve the goal of a 75% fund balance which staff and board agreed should be maintained.

The proposed resolution was reviewed by City Attorney Soren Mattick.

Present considerations: The special service districts are a benefit to the businesses and city as they help maintain the improvements made in the district, promote a positive image of the business corridor and attract customers to the area.

Next steps: In November, the city certifies the 2021 assessments (service charges) to Hennepin County.
Resolution No. 20-____

2021 budget and service charges for Special Service District No. 3

Whereas, pursuant to Ordinance No. 2224-02, the city council created Special Service District No. 3 (the “District”). The specific properties located within the district are identified on attachment “B” attached hereto; and

Whereas, pursuant to Resolution No. 12-149, the city council is authorized to impose service charges within the district on a multi-year basis through and including the year 2022 for taxes payable in said year; and

Whereas, pursuant to Section 3 of Resolution No. 12-149, the maximum budget to be imposed in any year will be subject to adjustment calculations based on Consumer Price Index (CPI) data for the Minneapolis/St. Paul Metropolitan area; and

Whereas, pursuant to section 4 of Resolution No. 12-149, the service charges shall be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes; and

Whereas, the city is required by statute to certify assessments to the County by December 1, 2020.

Now therefore be it resolved by the City Council of the City of St. Louis Park as follows:

1. The 2021 budget for Special Service District No. 3 of $51,597 is hereby approved as recommended by the Special Service District No. 3 property owners.

2. The authorized 2021 service charge for Special Service District No. 3 is $41,597 in the amounts and against the properties specified on attachment “B” attached to this resolution.

Reviewed for administration: Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
### SSD #3 Budget

<table>
<thead>
<tr>
<th>Account</th>
<th>Subsidiary</th>
<th>Proposed Budget 2021</th>
<th>Adopted Budget 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>6212 - GENERAL SUPPLIES</td>
<td></td>
<td>$430</td>
<td>$430</td>
</tr>
<tr>
<td>6221 - SSD'S - IRRIGATION MATERIALS</td>
<td>715 - SSD'S - IRRIGATION MATERIALS</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>6224 - LANDSCAPING MATERIALS</td>
<td></td>
<td>$3,500</td>
<td>$3,500</td>
</tr>
<tr>
<td>6303 - OTHER</td>
<td></td>
<td>$1,500</td>
<td>$1,500</td>
</tr>
<tr>
<td>6303 - SSD-Banner replacements</td>
<td>680 - SSD -Banner replacements</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6410 - SSD Mgmt Services</td>
<td>678 - SSD Mgmt Services</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>6630 - OTHER CONTRACTUAL SERVICES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6630 - SSD - snow removal</td>
<td>772 - SSD - snow removal</td>
<td>$18,000</td>
<td>$18,000</td>
</tr>
<tr>
<td>6630 - SSD - Banner install/removal</td>
<td>774 - SSD - Banner install/removal</td>
<td>$600</td>
<td>$600</td>
</tr>
<tr>
<td>6630 - SSD - Irrigation services</td>
<td>775 - SSD - Irrigation services</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>6630 - SSD decorative instal/maint</td>
<td>776 - SSD decorative instal/maint</td>
<td>$7,000</td>
<td>$7,000</td>
</tr>
<tr>
<td>6630 - SSD - Landscape services</td>
<td>777 - SSD - Landscape services</td>
<td>$12,000</td>
<td>$12,000</td>
</tr>
<tr>
<td>7106 - PUBLIC LIABILITY INSURANCE</td>
<td></td>
<td>$67</td>
<td>$67</td>
</tr>
<tr>
<td>7207 - SSD infrastructure repair</td>
<td>880 - Infrastructure Repair-Internal</td>
<td>$1,700</td>
<td>$1,700</td>
</tr>
<tr>
<td>7301 - ELECTRIC SERVICE</td>
<td></td>
<td>$1,100</td>
<td>$1,100</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td></td>
<td><strong>$51,597</strong></td>
<td><strong>$51,597</strong></td>
</tr>
</tbody>
</table>
## Proposed 2021 Service Charges

<table>
<thead>
<tr>
<th>LINE NO.</th>
<th>PID No.</th>
<th>Address</th>
<th>Business</th>
<th>Owner</th>
<th>Proposed 2021 Service Charge</th>
<th>Actual 2020 Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>06-028-24-43-0191</td>
<td>4500 Exx Blvd</td>
<td>Retail/housing</td>
<td>Limnill Properties, Inc.</td>
<td>$3,638</td>
<td>$3,638</td>
</tr>
<tr>
<td>2</td>
<td>07-028-24-12-0047</td>
<td>4501 Exx Blvd</td>
<td>S &amp; D Cleaners</td>
<td>Laurel Properties</td>
<td>$952</td>
<td>$952</td>
</tr>
<tr>
<td>3</td>
<td>07-028-24-12-0048</td>
<td>4509 Exx Blvd</td>
<td>Lang Nelson Office</td>
<td>Park Blvd LLP</td>
<td>$1,694</td>
<td>$1,694</td>
</tr>
<tr>
<td>4</td>
<td>06-028-24-43-0192</td>
<td>4590 Exx Blvd</td>
<td>Retail/housing Park</td>
<td>Limnill Properties, Inc.</td>
<td>$747</td>
<td>$747</td>
</tr>
<tr>
<td>5</td>
<td>07-028-24-12-0049</td>
<td>4601 Exx Blvd</td>
<td>Blvd Office Bldg</td>
<td>Park Blvd LLP</td>
<td>$2,392</td>
<td>$2,392</td>
</tr>
<tr>
<td>7</td>
<td>07-028-24-12-0050</td>
<td>4611 Exx Blvd</td>
<td>Core Power Yoga</td>
<td>D4611 Excelsior Blvd LLC</td>
<td>$1,154</td>
<td>$1,154</td>
</tr>
<tr>
<td>8</td>
<td>07-028-24-12-0051</td>
<td>4815 Exx Blvd</td>
<td>Judith McGann &amp; Friends</td>
<td>Judith McGann</td>
<td>$396</td>
<td>$396</td>
</tr>
<tr>
<td>9</td>
<td>07-028-24-12-0052</td>
<td>4617 Exx Blvd</td>
<td>Flower Fair</td>
<td>4617 Excelsior Blvd LLC</td>
<td>$1,298</td>
<td>$1,298</td>
</tr>
<tr>
<td>10</td>
<td>07-028-24-12-0175</td>
<td>4539 Exx Blvd</td>
<td>Retail/housing</td>
<td>Exceior &amp; Grand LLC</td>
<td>$5,865</td>
<td>$5,865</td>
</tr>
<tr>
<td>11</td>
<td>07-028-24-12-0009</td>
<td>4531 Exx Blvd</td>
<td>Functional Training</td>
<td>4531 Excelsior Blvd LLC</td>
<td>$1,329</td>
<td>$1,329</td>
</tr>
<tr>
<td>12</td>
<td>07-028-24-11-0011</td>
<td>4701 Exx Blvd</td>
<td>Excelsior BP</td>
<td>Mason Properties, LLC</td>
<td>$2,111</td>
<td>$2,111</td>
</tr>
<tr>
<td>13</td>
<td>07-028-24-11-0012</td>
<td>4725 Exx Blvd</td>
<td>Excelsior Office Bldg</td>
<td>Excelsior Investments LLC</td>
<td>$2,766</td>
<td>$2,766</td>
</tr>
<tr>
<td>14</td>
<td>07-028-24-11-0013</td>
<td>4730 Exx Blvd</td>
<td>Retail/housing</td>
<td>Excelsior &amp; Grand LLC</td>
<td>$6,874</td>
<td>$6,874</td>
</tr>
<tr>
<td>15</td>
<td>07-028-24-11-0514</td>
<td>4800 Exx Blvd</td>
<td>Fresh Thyme Grocery</td>
<td>4800 Excelsior Arts</td>
<td>$4,139</td>
<td>$4,139</td>
</tr>
<tr>
<td>16</td>
<td>07-028-24-11-0522</td>
<td>4801 Exx Blvd</td>
<td>Lofthagen Insurance</td>
<td>Gregory Lofthagen</td>
<td>$1,312</td>
<td>$1,312</td>
</tr>
<tr>
<td>17</td>
<td>07-028-24-11-0015</td>
<td>4811 Exx Blvd</td>
<td>Latitudes Laundromat</td>
<td>Fine Brothers</td>
<td>$1,187</td>
<td>$1,187</td>
</tr>
<tr>
<td>18</td>
<td>07-028-24-11-0016</td>
<td>4821 Exx Blvd</td>
<td>German AutoWorks</td>
<td>Eastwood Properties LLC</td>
<td>$549</td>
<td>$549</td>
</tr>
<tr>
<td>19</td>
<td>07-028-24-11-0017</td>
<td>4825 Exx Blvd</td>
<td>German AutoWorks</td>
<td>Eastwood Properties LLC</td>
<td>$546</td>
<td>$546</td>
</tr>
<tr>
<td>20</td>
<td>07-028-24-11-0031</td>
<td>4901 Exx Blvd</td>
<td>Margolis Law Firm</td>
<td>DNM Holdings</td>
<td>$569</td>
<td>$569</td>
</tr>
<tr>
<td>21</td>
<td>07-028-24-11-0032</td>
<td>4907 Exx Blvd</td>
<td>Vogue Furniture Oak</td>
<td>4907 Excelsior Blvd LLC.</td>
<td>$580</td>
<td>$580</td>
</tr>
<tr>
<td>22</td>
<td>07-028-24-11-0033</td>
<td>4911 Exx Blvd</td>
<td>World Antiques</td>
<td>MKT Property LLC</td>
<td>$503</td>
<td>$503</td>
</tr>
</tbody>
</table>

Total | $41,587 | $41,587 |

Notes:
1) The proposed 2021 budget is $51,567, but the service charge is only $41,597 because $10,000 was transferred from reserves to maintain the proper fund balance.
2) For 2021, the proposed budget remains the same as in 2020.
3) The proposed 2021 service charge calculations are based upon the same methodology used for the initial service charge collection.
   a) Commercial sidewalk snow removal charges are based on the square foot of sidewalk in front of the property.
   b) All other services charges are based on the property's front footage.
Executive summary

**Title:** 2021 budget and property owner service charges for Special Service District No. 4

**Recommended action:** Motion to adopt Resolution setting the 2021 Special Service District No. 4 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

**Policy consideration:** Does the city council wish to approve Special Service District No. 4 budget and property owner service charges?

**Summary:** On Nov. 2, 2020, a public hearing was held where staff presented information relating to the proposed 2021 budget and service charges. Council then opened the meeting up for public input (none was provided).

The 2021 proposed budgets and service charges remain unchanged from last year. Staff have reached out to the property owners in Special Service District No. 4, held public education meetings and received support for approving the 2021 budget and service charges.

The proposed 2021 budget/services charges and location map are attached.

**Financial or budget considerations:** None. There are no city owned properties within this district.

**Strategic priority consideration:** St. Louis Park is committed to creating opportunities to build social capital through community engagement.

**Supporting documents:** Discussion
Resolution
Attachment “A” proposed 2021 budget
Attachment “B” proposed 2021 service charges
Attachment “C” map

**Prepared by:** Mike Okey, public works services manager

**Reviewed by:** Mark Hanson, public works superintendent
Cynthia S. Walsh, director of operations and recreation

**Approved by:** Nancy Deno, deputy city manager/HR director
Discussion

**Background:** On October 5, 2015, the city council approved a resolution imposing a service charge for Special Service District No. 4 (located along Excelsior Boulevard west of Highway 100 to Louisiana Avenue). Annually, the city council must set a service charge for the district following a public hearing on the proposed charge. The Special Service District property owners approved the proposed 2021 budget and service charges. The notice of public hearing, held on Nov. 2, 2020, was published on the city’s website and in the *Sun Sailor* on Oct. 15 and Oct. 29, 2020. The public hearing notice was sent to all property owners within the district.

**Special Service District No. 4 financial position**
Special Service District No. 4 has an anticipated 2020 year-end fund balance of approximately $476.

**Proposed 2021 budget and service charges**
The property owners recommended approval of the following:

- 2021 budget amount of $26,935; no change from 2020.
- 2021 service charge amount of $22,935; no change from 2020.
- In general, expenses do not typically reach 100% of budget. The expected unused budget amount along with the service charges is anticipated to allow the district to achieve the goal of a 75% fund balance which staff and board agreed should be maintained.

The proposed resolution was reviewed by City Attorney Soren Mattick.

**Present considerations:** The special service districts are a benefit to the businesses and city as they help maintain the improvements made in the district, promote a positive image of the business corridor and attract customers to the area.

**Next steps:** In November, the city certifies the 2021 assessments (service charges) to Hennepin County.
Resolution No. 20-______

2021 budget and service charges for Special Service District No. 4

Whereas, pursuant to Ordinance No. 2298-05, the city council created Special Service District No. 4 (the "district"). The specific properties located within the district are identified on attachment "B" attached hereto; and

Whereas, pursuant to Resolution No. 15-148, the city council is authorized to impose service charges within the district on a multi-year basis through and including the year 2025 for taxes payable in said year; and

Whereas, pursuant to Section 2 of Resolution No. 15-148, the maximum budget to be imposed in any year will be subject to adjustment calculations based on Consumer Price Index (CPI) data for the Minneapolis/St. Paul Metropolitan area; and

Whereas, pursuant to Section 3 of Resolution No. 15-148, the service charges shall be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes; and

Whereas, the city is required by statute to certify assessments to the County by December 1, 2020.

Now therefore be it resolved by the City Council of the City of St. Louis Park as follows:

1. The 2021 budget for Special Service District No. 4 of $26,935 is hereby approved as recommended by the Special Service District No. 4 property owners.

2. The authorized 2021 service charge for Special Service District No. 4 is $22,935 in the amounts and against the properties specified on attachment "B" attached to this resolution.

Reviewed for administration: Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
# Attachment A

## CITY OF ST. LOUIS PARK
Special Service District #4

<table>
<thead>
<tr>
<th>Account</th>
<th>Subsidiary</th>
<th>Proposed Budget 2021</th>
<th>Adopted Budget 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>6212 - GENERAL SUPPLIES</td>
<td></td>
<td>$152</td>
<td>$152</td>
</tr>
<tr>
<td>6221 - SSD’S - IRRIGATION MATERIALS</td>
<td>715 - SSD’S - IRRIGATION MATERIALS</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>6224 - LANDSCAPING MATERIALS</td>
<td></td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>6303 - OTHER</td>
<td></td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6303 - SSD-Banner replacements</td>
<td>680 - SSD-Banner replacements</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6410 - SSD Mgmt Services</td>
<td>678 - SSD Mgmt Services</td>
<td>$1,250</td>
<td>$1,250</td>
</tr>
<tr>
<td>6630 - OTHER CONTRACTUAL SERVICES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6630 - SSD - Banner install/removal</td>
<td>774 - SSD - Banner install/removal</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6630 - SSD - Irrigation services</td>
<td>775 - SSD - Irrigation services</td>
<td>$3,500</td>
<td>$3,500</td>
</tr>
<tr>
<td>6630 - SSD decorative install/maint</td>
<td>776 - SSD decorative install/maint</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>6630 - SSD - Landscape services</td>
<td>777 - SSD - Landscape services</td>
<td>$11,000</td>
<td>$11,000</td>
</tr>
<tr>
<td>6950 - LEGAL NOTICES</td>
<td></td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>7106 - PUBLIC LIABILITY INSURANCE</td>
<td></td>
<td>$33</td>
<td>$33</td>
</tr>
<tr>
<td>7207 - SSD infrastructure repair</td>
<td>880 - Infrastructure Repair-Internal</td>
<td>$1,800</td>
<td>$1,800</td>
</tr>
<tr>
<td>7301 - ELECTRIC SERVICE</td>
<td></td>
<td>$2,400</td>
<td>$2,400</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td></td>
<td><strong>$26,935</strong></td>
<td><strong>$26,935</strong></td>
</tr>
</tbody>
</table>
### Proposed 2021 Service Charges

<table>
<thead>
<tr>
<th>PAR NO.</th>
<th>PID #</th>
<th>Address</th>
<th>Business Owner</th>
<th>Business Charge 2021</th>
<th>Business Charge 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>21-117-21-24-0019</td>
<td>5600 Excelsior Blvd</td>
<td>Finished Basement Company</td>
<td>$858</td>
<td>$858</td>
</tr>
<tr>
<td>2</td>
<td>21-117-21-24-0020</td>
<td>5608 Excelsior Blvd</td>
<td>Helmut Mauer</td>
<td>$850</td>
<td>$850</td>
</tr>
<tr>
<td>3</td>
<td>21-117-21-24-0141</td>
<td>5707 Excelsior Blvd</td>
<td>New Concepts Mgmt Group</td>
<td>$873</td>
<td>$873</td>
</tr>
<tr>
<td>4</td>
<td>21-117-21-24-0193</td>
<td>5717 Excelsior Blvd</td>
<td>LMC, Inc</td>
<td>$754</td>
<td>$754</td>
</tr>
<tr>
<td>5</td>
<td>21-117-21-24-0064</td>
<td>5720 Excelsior Blvd</td>
<td>Holiday Station Stores Inc.</td>
<td>$641</td>
<td>$641</td>
</tr>
<tr>
<td>6</td>
<td>21-117-21-24-0161</td>
<td>5801 Excelsior Blvd</td>
<td>Premier RE LLC</td>
<td>$434</td>
<td>$434</td>
</tr>
<tr>
<td>7</td>
<td>21-117-21-24-0066</td>
<td>5804 Excelsior Blvd</td>
<td>5804 Excelsior Blvd, LLC</td>
<td>$533</td>
<td>$533</td>
</tr>
<tr>
<td>8</td>
<td>21-117-21-24-0020</td>
<td>5809 Excelsior Blvd</td>
<td>C.B.S. Real Estate Prop II LLP</td>
<td>$426</td>
<td>$426</td>
</tr>
<tr>
<td>9</td>
<td>21-117-21-24-0067</td>
<td>5810 Excelsior Blvd</td>
<td>5812 Excelsior Blvd, Co</td>
<td>$611</td>
<td>$611</td>
</tr>
<tr>
<td>10</td>
<td>21-117-21-24-0015</td>
<td>5825 Excelsior Blvd</td>
<td>Kh-Ben Excelsior, LLC</td>
<td>$1,122</td>
<td>$1,122</td>
</tr>
<tr>
<td>11</td>
<td>21-117-21-24-0083</td>
<td>5900 Excelsior Blvd</td>
<td>Realty Income Props 3 LLC</td>
<td>$702</td>
<td>$702</td>
</tr>
<tr>
<td>12</td>
<td>21-117-21-23-0156</td>
<td>5916 Excelsior Blvd</td>
<td>Rucker &amp; Rucker</td>
<td>$851</td>
<td>$851</td>
</tr>
<tr>
<td>13</td>
<td>21-117-21-23-0040</td>
<td>5922 Excelsior Blvd</td>
<td>Muriel B. Frederick</td>
<td>$507</td>
<td>$507</td>
</tr>
<tr>
<td>14</td>
<td>21-117-21-23-0054</td>
<td>5925 Excelsior Blvd</td>
<td>Sunlight Commercial Realty</td>
<td>$1,164</td>
<td>$1,164</td>
</tr>
<tr>
<td>15</td>
<td>21-117-21-23-0011</td>
<td>5930 Excelsior Blvd</td>
<td>Leonard C Riley</td>
<td>$263</td>
<td>$263</td>
</tr>
<tr>
<td>16</td>
<td>21-117-21-23-0097</td>
<td>6001 Excelsior Blvd</td>
<td>Sew What Corporation</td>
<td>$415</td>
<td>$415</td>
</tr>
<tr>
<td>17</td>
<td>21-117-21-23-0127</td>
<td>6002 Excelsior Blvd</td>
<td>Fitz Inc</td>
<td>$468</td>
<td>$468</td>
</tr>
<tr>
<td>18</td>
<td>21-117-21-23-0128</td>
<td>6006 Excelsior Blvd</td>
<td>RRK LLC</td>
<td>$241</td>
<td>$241</td>
</tr>
<tr>
<td>19</td>
<td>21-117-21-23-0100</td>
<td>6011 Excelsior Blvd</td>
<td>Ward Properties</td>
<td>$620</td>
<td>$620</td>
</tr>
<tr>
<td>20</td>
<td>21-117-21-23-0155</td>
<td>6100 Excelsior Blvd</td>
<td>Moose Properties II, LLC</td>
<td>$324</td>
<td>$324</td>
</tr>
<tr>
<td>21</td>
<td>21-117-21-23-0008</td>
<td>6111 Excelsior Blvd</td>
<td>Excelsior 6111, LLC</td>
<td>$580</td>
<td>$580</td>
</tr>
<tr>
<td>22</td>
<td>21-117-21-23-0130</td>
<td>6112 Excelsior Blvd</td>
<td>Snyder Electric Co.</td>
<td>$483</td>
<td>$483</td>
</tr>
<tr>
<td>23</td>
<td>21-117-21-32-0021</td>
<td>6121 Excelsior Blvd</td>
<td>Hung LLC</td>
<td>$519</td>
<td>$519</td>
</tr>
<tr>
<td>24</td>
<td>21-117-21-32-0022</td>
<td>6127 Excelsior Blvd</td>
<td>Gregory White</td>
<td>$350</td>
<td>$350</td>
</tr>
<tr>
<td>25</td>
<td>6200</td>
<td>6200 &amp; 6250 Excelsior Blvd</td>
<td></td>
<td>$2,457</td>
<td>$2,457</td>
</tr>
<tr>
<td>26</td>
<td>20-117-21-14-0028</td>
<td>6500 Excelsior Blvd</td>
<td>Methodist Hospital</td>
<td>$1,006</td>
<td>$1,006</td>
</tr>
<tr>
<td>27</td>
<td>20-117-21-14-0009</td>
<td>6500 Excelsior Blvd</td>
<td>Methodist Hospital</td>
<td>$3,071</td>
<td>$3,071</td>
</tr>
<tr>
<td>28</td>
<td></td>
<td>City of St. Louis Park</td>
<td>Methodist Hospital</td>
<td>$678</td>
<td>$678</td>
</tr>
</tbody>
</table>

**$22,935**  

---

**Notes**

* Denotes properties with a single street address but have sub-units that are independently owned.
1. The proposed 2021 budget is $26,935, but the service charge is only $22,935 because $4,000 was transferred from reserves to maintain the proper fund balance.
2. For 2021, the proposed budget and service charge remain the same as in 2020.
3. The proposed 2021 service charge calculations are based upon the same methodology used for the initial service charge collection.
Special Service District No. 4
Excelsior Boulevard

Legend
300 4 Parcels
Executive summary

Title: 2021 budget and property owner service charges for Special Service District No. 5

Recommended action: Motion to adopt Resolution setting the 2021 Special Service District No. 5 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

Policy consideration: Does the city council wish to approve Special District No. 5 budget and property owner service charges?

Summary: On Nov. 2, 2020, a public hearing was held where staff presented information relating to the proposed 2021 budget and service charges. Council then opened the meeting up for public input (none was provided).

The 2021 proposed budgets and service charges remain unchanged from last year. Staff have reached out to the property owners in Special Service District No. 5, held public education meetings and received support for approving the 2021 budget, and service charges.

The proposed 2021 budget/services charges and location map are attached.

Financial or budget considerations: None. There are no city owned properties within this district.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Discussion
Resolution
Attachment “A” proposed 2021 budget
Attachment “B” proposed 2021 service charges
Attachment “C” map

Prepared by: Mike Okey, public works services manager
Reviewed by: Mark Hanson, public works superintendent
Cynthia S. Walsh, director of operations and recreation
Approved by: Nancy Deno, deputy city manager/HR director
**Discussion**

**Background:** On Feb. 2, 2009, the city council approved a resolution imposing a service charge for Special Service District No. 5 (located along Park Place Boulevard between I-394 and Cedar Lake Road). Annually, the city council must set a service charge for the district following a public hearing on the proposed charge. The Special Service District property owners approved the proposed 2021 budget and service charges. The notice of public hearing, held on November 2, 2020, was published on the city’s website and in the *Sun Sailor* on Oct. 15 and Oct. 29, 2020. The public hearing notice was sent to all property owners within the district.

**Special Service District No. 5 financial position**
Special Service District No. 5 has an anticipated 2020 year-end fund balance of approximately $3,269.

**Proposed 2021 budget and service charges**
The property owners recommended approval of the following:
- 2021 budget amount of $32,655; no change from 2020.
- 2021 service charge amount of $30,655; no change from 2020.
- In general, expenses do not typically reach 100% of budget. The expected unused budget amount along with the service charges is anticipated to allow the district to achieve the goal of a 75% fund balance which staff and board agreed should be maintained.

The proposed resolution was reviewed by City Attorney Soren Mattick.

**Present considerations:** The special service districts are a benefit to the businesses and city as they help maintain the improvements made in the district, promote a positive image of the business corridor and attract customers to the area.

**Next steps:** In November, the city certifies the 2021 assessments (service charges) to Hennepin County.
Resolution No. 20-____

2021 budget and service charges for Special Service District No. 5

Whereas, pursuant to Ordinance No. 2371-09, the city council created Special Service District No. 5 (the “district”). The specific properties located within the district are identified on attachment “B” attached hereto; and

Whereas, pursuant to Resolution No. 19-132, the city council is authorized to impose service charges within the district on a multi-year basis through and including the year 2029 for taxes payable in said year; and

Whereas, pursuant to Section 2 of Resolution No. 19-132, the maximum budget to be imposed in any year will be subject to adjustment calculations based on Consumer Price Index (CPI) data for the Minneapolis/St. Paul Metropolitan area; and

Whereas, pursuant to Section 3 of Resolution No. 19-132, the service charges shall be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes; and

Whereas, the city is required by statute to certify assessments to the County by December 1, 2020.

Now therefore be it resolved by the City Council of the City of St. Louis Park as follows:

1. The 2021 budget for Special Service District No. 5 of $32,655 is hereby approved as recommended by the Special Service District No. 4 property owners.

2. The authorized 2021 service charge for Special Service District No. 5 is $30,655 in the amounts and against the properties specified on attachment “B” attached to this resolution.

Reviewed for administration: Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
<table>
<thead>
<tr>
<th>Account</th>
<th>Subsidiary</th>
<th>Proposed Budget 2021</th>
<th>Adopted Budget 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>6212 - GENERAL SUPPLIES</td>
<td></td>
<td>$222</td>
<td>$222</td>
</tr>
<tr>
<td>6221 - SSD’S - IRRIGATION MATERIALS</td>
<td>715 - SSD’S - IRRIGATION MATERIALS</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>6224 - LANDSCAPING MATERIALS</td>
<td></td>
<td>$4,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>6303 - SSD-Banner replacements</td>
<td>680 - SSD-Banner replacements</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>6410 - SSD Mgmt Services</td>
<td>678 - SSD Mgmt Services</td>
<td>$1,500</td>
<td>$1,500</td>
</tr>
<tr>
<td>6630 - OTHER CONTRACTUAL SERVICES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6630 - SSD - Banner install/removal</td>
<td>774 - SSD - Banner install/removal</td>
<td>$1,600</td>
<td>$1,600</td>
</tr>
<tr>
<td>6630 - SSD - Irrigation services</td>
<td>775 - SSD - Irrigation services</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>6630 - SSD decorative install/maint</td>
<td>776 - SSD decorative install/maint</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>6630 - SSD - Landscape services</td>
<td>777 - SSD - Landscape services</td>
<td>$15,100</td>
<td>$15,100</td>
</tr>
<tr>
<td>7106 - PUBLIC LIABILITY INSURANCE</td>
<td></td>
<td>$33</td>
<td>$33</td>
</tr>
<tr>
<td>7207 - SSD infrastructure repair</td>
<td>880 - Infrastructure Repair-Internal</td>
<td>$1,500</td>
<td>$1,500</td>
</tr>
<tr>
<td>7301 - ELECTRIC SERVICE</td>
<td></td>
<td>$1,500</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td></td>
<td><strong>$32,655</strong></td>
<td><strong>$32,655</strong></td>
</tr>
</tbody>
</table>
## Proposed 2021 Service Charges

<table>
<thead>
<tr>
<th>PID</th>
<th>Address</th>
<th>Owner</th>
<th>Business</th>
<th>Proposed 2021 Service Charge</th>
<th>Actual 2020 Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-117-21-31-0019</td>
<td>1500 Park Place Blvd</td>
<td>Doubletree Hotel</td>
<td>Doubletree Hotel</td>
<td>$5,371</td>
<td>$5,371</td>
</tr>
<tr>
<td>30-029-24-33-0031</td>
<td>1600 West End Blvd</td>
<td>Shops at West End</td>
<td>Shoppes at West End</td>
<td>$5,306</td>
<td>$5,306</td>
</tr>
<tr>
<td>04-117-21-34-0046</td>
<td>1620 Park Place Blvd</td>
<td>PK Investment Associates</td>
<td>Roit &amp; Leann Chin</td>
<td>$1,220</td>
<td>$1,220</td>
</tr>
<tr>
<td>04-117-21-34-0045</td>
<td>1690 Park Place Blvd</td>
<td>PK Investment Associates</td>
<td>Inland Commercial</td>
<td>$1,439</td>
<td>$1,439</td>
</tr>
<tr>
<td>04-117-21-34-0044</td>
<td>1690 Park Place Blvd</td>
<td>Inspire Brands</td>
<td>Arby's</td>
<td>$1,081</td>
<td>$1,081</td>
</tr>
<tr>
<td>04-117-21-34-0049</td>
<td>1700 Park Place Blvd</td>
<td>Costco Wholesale Corp.</td>
<td>Fueling Station only</td>
<td>$966</td>
<td>$966</td>
</tr>
<tr>
<td>30-029-24-32-0022</td>
<td>5820 16th St W</td>
<td>Cub</td>
<td>Cub Foods</td>
<td>$2,141</td>
<td>$2,141</td>
</tr>
<tr>
<td>30-029-24-32-0026</td>
<td>5353 Wayzata Blvd</td>
<td>Northco Commercial Real Estate</td>
<td>Park National Bank</td>
<td>$2,206</td>
<td>$2,206</td>
</tr>
<tr>
<td>30-029-24-33-0011</td>
<td>5401 Gamble Dr</td>
<td>BOF II MN W END PK LLC</td>
<td>Parkdale I - MEPC</td>
<td>$3,856</td>
<td>$3,856</td>
</tr>
<tr>
<td>30-029-24-33-0015</td>
<td>5402 Parkdale Dr</td>
<td>BOF II MN W END PK LLC</td>
<td>Parkdale II - MEPC</td>
<td>$1,303</td>
<td>$1,303</td>
</tr>
<tr>
<td>04-117-21-34-0043</td>
<td>5600 Cedar Lake Rd</td>
<td>PK Investment Associates</td>
<td>Office/Copy Max &amp; Postmark</td>
<td>$2,482</td>
<td>$2,482</td>
</tr>
<tr>
<td>04-117-21-34-0030</td>
<td>5601 16th St W</td>
<td>PK Investment Associates</td>
<td>Stormwater Pond</td>
<td>$930</td>
<td>$930</td>
</tr>
<tr>
<td>04-117-21-31-0018</td>
<td>5657 Wayzata Blvd</td>
<td>Kk Corporation</td>
<td>Park Place Restaurants</td>
<td>$1,145</td>
<td>$1,145</td>
</tr>
<tr>
<td>04-117-21-34-0047</td>
<td>5699 16th St W</td>
<td>PK Investment Associates</td>
<td>Lakeshore Learning Center</td>
<td>$1,221</td>
<td>$1,221</td>
</tr>
</tbody>
</table>

**Total:** $30,855

**Notes:**

1. The proposed 2021 budget is $32,655, but the service charge is only $30,855 because $2,000 was transferred from reserves to maintain the proper fund balance.
2. The proposed 2021 service charge calculations are based upon the same methodology used for the initial service charge collection.
Executive summary

Title: 2021 budget and property owner service charges for Special Service District No. 6

Recommended action: Motion to adopt Resolution setting the 2021 Special Service District No. 6 budget and property owner service charges and directing staff to certify the annual service charges to Hennepin County.

Policy consideration: Does the city council wish to approve Special District No. 6 budget and property owner service charges?

Summary: On Nov. 2, 2020, a public hearing was held where staff presented information relating to the proposed 2021 budget / service charges. Council then opened the meeting up for public input (none was provided).

The 2021 proposed budgets and service charges remain unchanged from last year. Staff have reached out to the property owners in Special Service District No. 6, held public education meetings and received support for approving the 2021 budget and service charges.

The proposed 2021 budget/services charges and location map are attached.

Financial or budget considerations: The TIF / Admin budget will incur a service charge for the city-owned undeveloped property located within this district. The proposed service charge for 2021 is $1,869.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Discussion
Resolution
Attachment “A” proposed 2021 budget
Attachment “B” proposed 2021 service charges
Attachment “C” map

Prepared by: Mike Okey, public works services manager
Reviewed by: Mark Hanson, public works superintendent
                 Cynthia S. Walsh, director of operations and recreation
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

Background: On June 15, 2009, the city council approved a resolution imposing a service charge for Special Service District No. 6 (located along 36th Street W. from Wooddale Avenue to Highway 100). Annually, the city council must set a service charge for the district following a public hearing on the proposed charge. The Special Service District property owners approved the proposed 2021 budget and service charges. The notice of public hearing, held on Nov. 2, 2020, was published on the city’s website and in the *Sun Sailor* on Oct. 15 and Oct. 29, 2020. The public hearing notice was sent to all property owners within the district.

Special Service District No. 6 financial position
Special Service District No. 6 has an anticipated 2020 year-end fund balance of approximately $30,507.

Proposed 2021 budget and service charges
The property owners recommended approval of the following:
- 2021 budget amount of $27,400; no change from 2020.
- 2021 service charge amount of $20,400; no change 2020.
- In general, expenses do not typically reach 100% of budget. The expected unused budget amount along with the service charges is anticipated to allow the district to achieve the goal of a 75% fund balance which staff and board agreed should be maintained.

The proposed resolution was reviewed by City Attorney Soren Mattick.

Present considerations: The special service districts are a benefit to the businesses and city as they help maintain the improvements made in the district, promote a positive image of the business corridor and attract customers to the area.

Next steps: In November, the city certifies the 2021 assessments (service charges) to Hennepin County.
Resolution No. 20-____

2021 budget and service charges for Special Service District No. 6

Whereas, pursuant to Ordinance No. 2374-09, the city council created Special Service District No. 6 (the “district”). The specific properties located within the district are identified on attachment “B” attached hereto; and

Whereas, pursuant to Resolution No. 19-133, the city council is authorized to impose service charges within the district on a multi-year basis through and including the year 2029 for taxes payable in said year; and

Whereas, pursuant to Section 2 of Resolution No. 19-133, the maximum budget to be imposed in any year will be subject to adjustment calculations based on Consumer Price Index (CPI) data for the Minneapolis/St. Paul Metropolitan area; and

Whereas, pursuant to Section 3 of Resolution No. 19-133, the service charges shall be payable and collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes; and

Whereas, the city is required by statute to certify assessments to the County by December 1, 2020.

Now therefore be it resolved by the City Council of the City of St. Louis Park as follows:

1. The 2021 budget for Special Service District No. 4 of $27,400 is hereby approved as recommended by the Special Service District No. 4 property owners.

2. The authorized 2021 service charge for Special Service District No. 4 is $20,400 in the amounts and against the properties specified on attachment “B” attached to this resolution.

Reviewed for administration:                                  Adopted by the City Council Nov. 16, 2020

Thomas K. Harmening, city manager                        Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
## Attachment A

### CITY OF ST. LOUIS PARK
Special Service District #6

<table>
<thead>
<tr>
<th>Account</th>
<th>Subsidiary</th>
<th>Proposed Budget 2021</th>
<th>Adopted Budget 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>6212 - GENERAL SUPPLIES</td>
<td></td>
<td>$217</td>
<td>$217</td>
</tr>
<tr>
<td>6221 - SSD'S - IRRIGATION MATERIALS</td>
<td>715 - SSD'S - IRRIGATION MATERIALS</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6224 - LANDSCAPING MATERIALS</td>
<td></td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>6303 - OTHER</td>
<td></td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>6410 - SSD Mgmt Services</td>
<td>678 - SSD Mgmt Services</td>
<td>$1,250</td>
<td>$1,250</td>
</tr>
<tr>
<td>6630 - SSD Site Maintenance</td>
<td>773 - SSD Site Maintenance</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>6630 - SSD - Irrigation services</td>
<td>775 - SSD - Irrigation services</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>6630 - SSD - Landscape services</td>
<td>777 - SSD - Landscape services</td>
<td>$12,250</td>
<td>$12,250</td>
</tr>
<tr>
<td>6950 - LEGAL NOTICES</td>
<td></td>
<td>$150</td>
<td>$150</td>
</tr>
<tr>
<td>7106 - PUBLIC LIABILITY INSURANCE</td>
<td></td>
<td>$33</td>
<td>$33</td>
</tr>
<tr>
<td>7106 - SSD infrastructure repair</td>
<td>880 - Infrastructure Repair-Internal</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>7301 - ELECTRIC SERVICE</td>
<td></td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>TOTAL EXPENDITURES</strong></td>
<td></td>
<td><strong>$27,400</strong></td>
<td><strong>$27,400</strong></td>
</tr>
</tbody>
</table>
## Proposed 2021 Service Charges

<table>
<thead>
<tr>
<th>PID</th>
<th>Address</th>
<th>Owner</th>
<th>Proposed 2021 Service Charge</th>
<th>Actual 2020 Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>16-117-21-34-0607</td>
<td>3601 Wooddale Ave</td>
<td>TowerLight Senior Living</td>
<td>$3,531</td>
<td>$3,531</td>
</tr>
<tr>
<td>16-117-21-34-0015</td>
<td>5500 36th St. W</td>
<td>SLMB LLC</td>
<td>$453</td>
<td>$453</td>
</tr>
<tr>
<td>16-117-21-34-0355</td>
<td>5600 36th St W</td>
<td>Tammy Medina c/o KAMI Inc</td>
<td>$3,304</td>
<td>$3,304</td>
</tr>
<tr>
<td>16-117-21-34-0611</td>
<td>5605 36th St W</td>
<td>36th Street LLC</td>
<td>$3,144</td>
<td>$3,144</td>
</tr>
<tr>
<td>16-117-21-34-0072</td>
<td>5701 36th St W</td>
<td>M A Lerner &amp; S O Lerner</td>
<td>$1,180</td>
<td>$1,180</td>
</tr>
<tr>
<td>16-117-21-34-0640</td>
<td>5708 36th St W</td>
<td>Standal Properties Inc</td>
<td>$1,899</td>
<td>$1,899</td>
</tr>
<tr>
<td>16-117-21-34-0071</td>
<td>5718 36th St W</td>
<td>M A Lerner &amp; S O Lerner</td>
<td>$823</td>
<td>$823</td>
</tr>
<tr>
<td>16-117-21-34-0077</td>
<td>5721 36th St W</td>
<td>Evan Johnson c/o Thermo Products</td>
<td>$1,312</td>
<td>$1,312</td>
</tr>
<tr>
<td>16-117-21-34-0038</td>
<td>5724 36th St W</td>
<td>LRJ of Minnesota Ltd Partnership</td>
<td>$823</td>
<td>$823</td>
</tr>
<tr>
<td>16-117-21-34-0046</td>
<td>5727 36th St W</td>
<td>R &amp; SA Investment LLC</td>
<td>$823</td>
<td>$823</td>
</tr>
<tr>
<td>16-117-21-34-0068</td>
<td>5802 36th St W</td>
<td>Standal Properties Inc</td>
<td>$1,899</td>
<td>$1,899</td>
</tr>
<tr>
<td>16-117-21-31-0610</td>
<td>5900 36th St W</td>
<td>City of St. Louis Park</td>
<td>$1,899</td>
<td>$1,899</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>$20,400</td>
<td>$20,400</td>
</tr>
</tbody>
</table>

### Notes:
1. The proposed 2021 budget is $27,400, but the service charge is only $20,400 because $7,000 was transferred from reserves to maintain the proper fund balance.
2. For 2021, the proposed budget remained the same.
3. The proposed 2021 service charge calculations are based upon the same methodology used for the initial service charge collection.
Attachment C

Special Service District No. 6
West 36th Street
Executive summary

**Title:** Bremer Bank conditional use permit time extension

**Recommended action:** Motion to approve an extension until June 15, 2022, for Frauenshuh to act upon the conditional use permit (CUP) for Bremer Bank at 7924 Highway 7.

**Policy consideration:** Does the council wish to allow Frauenshuh an additional year to act upon the approved CUP for the Bremer Bank project?

**Summary:** Per the city code, Frauenshuh must act upon the CUP within one year of receiving city council approval on June 15, 2020 (Resolution No. 20-098). The city received a written request from Frauenshuh for an extension to begin construction on the project until June 15, 2022. Frauenshuh requests additional time to relocate the existing tenants on the site. Staff recommend approval of a one-year extension to act upon the CUP, which would expire on June 15, 2022.

**Financial or budget considerations:** None

**Strategic priority consideration:** St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

**Supporting documents:** Extension request letter

**Prepared by:** Jacquelyn Kramer, associate planner

**Reviewed by:** Sean Walther, planning and zoning supervisor
Karen Barton, community development director

**Approved by:** Nancy Deno, deputy city manager/HR director
October 15, 2020

Via email only to: jkramer@stlouispark.org

Jacquelyn Kramer
Planner
City of St. Louis Park
5005 Minnetonka Boulevard
St. Louis Park, MN

RE: 7924 Hwy. 7; Redevelopment – CUP Extension
    Case No. 20-07-CUP

Dear Jacquelyn,

This letter pertains to the conditional use permit (CUP) approved for the property at 7924 Hwy. No 7, for the development of a bank with in-vehicle sales, on the subject property.

We are requesting an extension of the CUP for one (1) year from June 15, 2021 to June 15, 2022. The reason for the request is to permit additional time for the existing property tenants to vacate/relocate and the existing building to be removed and site construction to begin.

We will continue to remain in close contact with you on the status of the project and any adjustments to the schedule permitting an earlier start, or any additional extensions, if needed.

We appreciate working with you and the City of St. Louis Park to bring new investment and economic development to the community.

Best Regards,

David M. Anderson
Senior Vice President
Title: Gambling premises permit – The Block

Recommended action: Motion to adopt Resolution approving issuance of a premises permit for lawful gambling to be conducted by Hopkins Raspberry Festival at The Block, 7007 Walker Street in St. Louis Park.

Policy consideration: Does council wish to approve a gambling premises permit for Hopkins Raspberry Festival to operate pull tabs at The Block in St. Louis Park?

Summary: Hopkins Raspberry Festival has applied for a gambling premises permit to conduct lawful gambling at The Block, 7007 Walker Street. The lawful gambling operations will consist of paper pull-tabs with dispensing device as well as electronic pull-tabs. The Hopkins Raspberry Festival will have no booth or employees working directly at this location, but are working with The Block staff to ensure all gambling regulations are being followed.

Hopkins Raspberry Festival is a non-profit organization and provides lawful gambling to several other establishments in St. Louis Park and the surrounding community. Sue Normandin, Gaming Manager with Hopkins Raspberry Festival will be overseeing the gambling operations at the Block and has been involved in charitable gambling since 2002.

The police department has conducted a background investigation on the organization along with related personnel and found no concerns. If the city council approved the application the resolution of approval will be forwarded to the State Gambling Control Board, who is responsible for issuing the gambling premises permit.

Financial or budget considerations: Not applicable.

Strategic priority consideration: Not applicable.

Supporting documents: Resolution

Prepared by: Chase Peterson-Etem, office assistant
Reviewed by: Melissa Kennedy, city clerk
Approved by: Nancy Deno, deputy city manager/HR director
Resolution No. 20-____

Resolution approving issuance of a premises permit for lawful gambling to be conducted by Hopkins Raspberry Festival at The Block
7007 Walker Street in St. Louis Park

Whereas, Minnesota Statutes Chapter 349 and St. Louis Park ordinance code chapter 15 provide for lawful gambling licensing by the State Gambling Control Board; and

Whereas, a licensed organization conducting gambling on a premises with the City of St. Louis Park must expend 90 percent of its lawful purpose expenditures on lawful purposes conducted or located within the trade area; and

Whereas, a licensed organization may not conduct lawful gambling at any site unless it has first obtained from the State Gambling Control Board a premise permit for the site; and

Whereas, the Board may not issue a premises permit unless the organization submits a resolution from the City Council approving the premises permit; therefore,

Now therefore be it resolved by the City of St. Louis Park City Council that the applicant listed above meets the criteria necessary to receive a premises permit, and the application is hereby approved.

Reviewed for administration:                Adopted by the City Council November 16, 2020

Thomas K. Harmening, city manager                Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
Executive summary

Title: Lund Food Holdings, Inc. dba Lunds & Byerlys on-sale intoxicating liquor license

Recommended action: Motion to approve application from Lunds & Byerlys to continue using their on-sale intoxicating liquor license under their parent company Lund Food Holding, Inc.

Policy consideration: Does the applicant meet the requirements for the issuance of an on-sale intoxicating liquor license for Lund Food Holdings, Inc?

Summary: Lund Food Holdings, Inc. dba Lunds & Byerlys has submitted application with intent to transition Byerly’s, Inc. to their parent company Lund Food Holdings, Inc. This corporate restructuring will not result in any change of ownership or interest and will still be doing business as Lunds and Byerlys. Likewise, no changes will be made to the store manager, hours, or operations. State law requires approval and issuance of a new license when changes are made to the licensee, even if it is in name only.

Russell Lund III and Von Martin will continue to be officers and Ross Huseby will remain as general manager in charge of the day to day sale of alcohol. They are currently licensed through March 1, 2021 and this update will coincide with that date. Renewal for Lund Food Holdings, Inc. will be included in the city’s annual liquor license renewal process.

Financial or budget considerations: Fees include $8,750 for an on-sale intoxicating liquor license and an additional $200 for on-sale Sunday. This fee was previously paid for the 2020-2021 license period. The licensee will pay 2021-2022 fees at the time of renewal.

Strategic priority consideration: Not applicable.

Prepared by: Chase Peterson-Etem, office assistant
Reviewed by: Melissa Kennedy, city clerk
Approved by: Nancy Deno, deputy city manager/HR director
Executive summary

Title: Hennepin County Residential Recycling Grant Agreement

Recommended action: Motion to adopt Resolution authorizing the Hennepin County Grant Agreement to fund the city’s residential curbside recycling and organics recycling programs.

Policy consideration: Does the council wish to receive assistance from the county to help pay for our recycling and organics programs?

Summary: Annually in February the city submits a grant report and application for SCORE funding. SCORE (Select Committee On Recycling and the Environment) was established by Governor Perpich to provide a funding source for solid waste programs throughout Minnesota. SCORE funds are derived from a 6.5% tax on residential garbage collection and disposal fees. These funds are distributed to counties for solid waste programs, particularly recycling collection. Since 1988 the city has received annual grants from Hennepin County as an aid in supporting the residential curbside recycling and organics programs that serve all single family through four-plex residential structures. The county’s share of SCORE funds is divided between cities on a proportional basis by the number of households.

The county’s current funding policy (grant program) covers the period from Jan. 1, 2017 through Dec. 31, 2020 and is being extended through Dec. 31, 2021. The agreement provides for the proportional distribution of SCORE funds, which the county receives from the State of Minnesota. The grant program splits funds between traditional recycling and organics recycling.

This report and request are based on a Hennepin County requirement to provide a council resolution authorizing each agreement. This particular resolution covers the Municipal Recycling Grant Agreement extension which will terminate on Dec. 31, 2021. The amount received under the current agreement, for the year 2020 was $63,451.06 for recycling and $111,316 for organics. The terms of this agreement extension are essentially the same as in the past agreements.

Financial or budget consideration: The funding from this grant program is used to help pay for the city’s recycling and organics recycling programs.

Strategic priority consideration: St. Louis Park is committed to continue to lead in environmental stewardship.

Supporting documents: Resolution
  Amendment No. 1
  Revised funding policy (Attachment A)

Prepared by: Kala Fisher, solid waste manager
Reviewed by: Mark Hanson, public works superintendent
  Cynthia S. Walsh, director of operations and recreation
Approved by: Nancy Deno, Deputy City Manager/HR Director
Resolution No. 20 - ___

Resolution authorizing amendment to residential recycling grant agreement between the City of St. Louis Park and Hennepin County

Whereas, pursuant to Minnesota Statute 115A.552, counties shall ensure that residents have an opportunity to recycle; and

Whereas, Hennepin County Ordinance 13 requires each city to implement a recycling program to enable the county to meet its recycling and organics recycling goals; and

Whereas, the county has adopted a resolution to amend the Hennepin County Residential Recycling Funding Policy funding to extend the contract period of the Residential Recycling Funding Policy from December 31, 2020 to December 31, 2021; and

Whereas, in order to receive grant funds, the city must sign the agreement;

Now therefore be it resolved by the City Council of the City of St. Louis Park, Minnesota, that the city council accepts the agreement as proposed.

It is further resolved that the city council authorizes the mayor, city administrator or his designee to execute such Residential Recycling Grant Agreement with the county.

Reviewed for Administration: Adopted by the City Council November 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
AMENDMENT NO. 1 TO AGREEMENT A166424

This Agreement is between the COUNTY OF HENNEPIN, STATE OF MINNESOTA, A-2300 Government Center, Minneapolis, Minnesota 55487 (“COUNTY”), on behalf of the Hennepin County Environment and Energy Department, 701 Fourth Avenue South, Minneapolis, Minnesota 55415-1600 (“DEPARTMENT”) and the CITY OF ST. LOUIS PARK, 7305 Oxford Street, Saint Louis Park, Minnesota 55426 (“CITY”).

WHEREAS, the COUNTY and the CITY entered into a four-year Residential Recycling Grant Agreement, Contract No. A166424 (“Agreement”), for a residential recycling grant commencing on January 1, 2017; and

WHEREAS, the County Board, by Resolution No. 20-0197 adopted on June 2, 2020, amended the Hennepin County Residential Recycling Funding Policy to extend the contract period to December 31, 2021, allocate 2021 funds using the same methodology as 2020, allow organics recycling funds to be used for organics drop-off sites, and authorized grant funding for municipal recycling programs consistent with said policy; and

WHEREAS, the parties desire to amend the Agreement to extend the term and incorporate other changes;

NOW, THEREFORE, the parties agree that Agreement A166424 is amended as follows:

1. Section 1, TERM AND COST OF THE AGREEMENT, shall be amended to read as follows:

This Agreement shall commence upon execution and terminate on December 31, 2021, unless cancelled or terminated earlier in accordance with the provisions herein.

2. Section 2, SERVICES TO BE PROVIDED, shall be amended to read as follows:

The CITY shall operate its recycling program in accordance with the requirements described in the County’s amended Residential Recycling Funding Policy (“Policy”), attached as Attachment A and incorporated by this reference, and fulfill the responsibilities of the Policy.

3. Section 3, ALLOCATION OF FUNDS, shall be amended to read as follows:

The COUNTY will distribute SCORE funds as described in the Policy. The CITY shall follow the requirements for use of funds described in the Policy.

Except as amended, the terms, conditions and provisions of this Agreement shall remain in full force and effect.
Hennepin County Residential Recycling Funding Policy

January 1, 2017 – December 31, 2021

Board Adopted: June 2, 2020

Public Works
Environment and Energy Department
I. Policy Description

A. Background

The Hennepin County Board of Commissioners has determined that curbside collection of recyclables and organics from Hennepin County residents is an effective strategy to reduce reliance on landfills, prevent pollution, conserve natural resources and energy, improve public health, support the economy, and reduce greenhouse gases. Therefore, the county adopted the goals established in State Statute and by the Minnesota Pollution Control Agency (MPCA) in its Metropolitan Solid Waste Management Policy Plan and developed a Residential Recycling Funding Policy to help reach a 75% recycling rate by 2030.

The county will distribute all Select Committee on Recycling and the Environment (SCORE) funds received from the state to cities for curbside collection of residential recyclables and organics. If cities form a joint powers organization responsible for managing a comprehensive recycling and waste education system for the residents of those cities, the county will distribute recycling and organics grants to that organization. Cities are expected to fulfill the conditions of the policy.

B. Term of the Policy

Hennepin County is committed to implement this policy and continue distributing all SCORE funds received from the state for the purpose of funding curbside residential recycling and organics programs from January 1, 2017 through December 31, 2020. The county may revise this policy if it determines changes are needed to assure compliance with state law and MPCA goals established for metropolitan counties. In the event that SCORE funds are eliminated from the state budget or significantly reduced, the county will consult with municipalities at that time and develop a subsequent recommendation to the board on continuation of this policy and future funding of curbside recycling and organics programs.

C. Grant Agreements

Each municipality seeking funding under the terms of the Residential Recycling Funding Policy must enter into a recycling grant agreement with the county for a term concurrent with the expiration of this policy, December 31, 2020. The grant agreement must be accompanied by a resolution authorizing the city to enter into such an agreement.

D. Fund Distribution

The county will distribute to Hennepin County municipalities 100% of SCORE funds that the county receives from the state. SCORE funds will be dedicated to two different purposes: 1)
curbside recycling and 2) curbside organics recycling. SCORE funds are based on revenue received by the State of Minnesota from the solid waste management (SWM) tax on garbage services. SCORE funds are subject to change based on the SWM tax revenue received by the state and funds allocated by the legislature. Funds distributed to municipalities for the current calendar year will be based on SCORE funds received by the county in the state’s corresponding fiscal year.

II. Recycling

A. Allocation of Funds

The following formula will be utilized to determine a city’s recycling SCORE grant each year.

Percent of SCORE funds allocated to curbside recycling:

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>80%</td>
</tr>
<tr>
<td>2018</td>
<td>70%</td>
</tr>
<tr>
<td>2019</td>
<td>60%</td>
</tr>
<tr>
<td>2020</td>
<td>50%</td>
</tr>
<tr>
<td>2021</td>
<td>50%</td>
</tr>
</tbody>
</table>

City recycling grant calculation:

\[
\text{Recycling grant amount available to the city} = \frac{\text{Number of households with curbside recycling in city}}{\text{Total number of households with curbside recycling in county}} \times \text{Total SCORE Funds available for recycling}
\]

Eligible residential households are defined as single family through eight-plex residential buildings or other residential buildings where each housing unit sets out its own recycling container for curbside collection. The number of eligible households will be determined by counting the number of eligible households on January 1 of each funding year. The city will report the number in its application for funding.

B. Application for Funding

Each municipality must complete an annual grant application by February 15 to receive funding for that year. The application consists of a web-based report and a planning document provided
by the county. The web-based report asks for contract, program, tonnage, and financial information. The participation rate for the curbside recycling program must also be included in the web-based report. The municipality must calculate its participation rate during the month of October. The methodology for measuring participation must be provided to the county upon request. The planning document asks for a description of activities the city will implement to increase recycling and make progress toward county objectives.

C. Use of Funds

The following requirements apply to the use of recycling funds:

1. All grant funds accepted from the county must be used for waste reduction and recycling capital and operating expenses in the year granted. The county will not reimburse any funds in excess of actual expenses.

2. A municipality or joint powers organization may not charge its residents through property tax, utility fees, or any other method for the portion of its recycling program costs that are funded by county grant funds.

3. Municipalities must establish a separate accounting mechanism, such as a project number, activity number, or fund that will separate recycling revenues and expenditures from other municipal activities, including solid waste and yard waste activities.

4. Recycling and waste reduction activities, revenues, and expenditures are subject to audit.

5. Municipalities that do not contract for curbside recycling services will receive grant funds provided that at least 90% of the grant funds are credited back to residents and the city meets all minimum program requirements. The additional 10% may be used for waste reduction and recycling expenses. The county may waive this requirement if the city negotiates a recycling improvement plan with the county.

D. City Requirements

1. Materials Accepted

At a minimum, the following materials must be collected curbside:

- Metal food and beverage cans;
- Glass food and beverage containers;
- Cardboard boxes;
- Newspaper and inserts;
• Mail, office and school papers;
• Cereal, cracker, pasta, cake mix, shoe, gift, and electronics boxes;
• Boxes from toothpaste, medications and other toiletries;
• Magazines and catalogs;
• Aseptic and gable-topped containers; and
• Plastic bottles and containers, #1 – Polyethylene Terephthalate (PET, PETE), #2 High Density Polyethylene (HDPE), #4 – Low Density Polyethylene (LDPE) and #5 – Polypropylene (PP) plastic bottles, except those that previously contained hazardous materials or motor oil.

The county may add materials to this list and require municipalities to begin collection within one year of receiving notification from the county. Municipalities will notify the county if materials not found on this list will be collected.

2. Education and Outreach

The partnership between the county and municipalities has been highly effective in educating residents and motivating behavior change. In order to continue this partnership and increase these efforts, program activities of municipalities must be coordinated with county and regional efforts. Municipalities must adhere to the following requirements:

a. Use county terminology when describing recycling guidelines, including the description of materials accepted and not accepted, preparation guidelines, and promotional materials;

b. Use images provided by the county or the Solid Waste Management Coordinating Board (SWMCB) if using images of recyclables;

c. Provide recycling information on the city’s website, including materials accepted and not accepted, a recycling calendar, and links to county resources;

d. Mail a recycling guide to residents each year using a template developed jointly with the county. The county will design and print the guide. If a municipality does not use the template produced by the county, the municipality may develop its own guide at the municipality’s expense, but it must be approved by the county. If the municipality relies on the hauler to provide the recycling guide, this guide requires approval by the county.

e. Complete two educational activities from a menu of options developed by the county.
Any print material that communicates residential recycling guidelines that were not provided by the county template will require county approval. This does not apply to waste reduction and reuse, articles on recycling that do not include guidelines, or social media posts. The county will respond within five business days to any communication piece submitted.

3. Recycling Performance

On an annual basis, municipal recycling programs must demonstrate that a reasonable effort has been made to maintain and increase the pounds of recyclables per household collected from their residential recycling programs.

If a municipality does not demonstrate measurable progress, a recycling improvement plan must be submitted by the municipality within 90 days of being notified by the county. The recycling improvement plan must be negotiated with the county and specify the efforts that will be undertaken by the municipality to improve its recycling program to yield the results necessary to achieve county objectives.

In cooperation with the county, the municipality may be required to participate in waste and recycling sorts to identify recovery levels of various recyclables in its community. Based on the results of the study, the county and municipality will collaborate to increase the recovery of select recyclable materials being discarded in significant quantities.

E. Grant Payments

The county will make two equal payments to the municipality. One payment will be made after the county receives the application, which consists of the web-based report and the planning document. A second payment will be made after basic program requirements, education and outreach requirements, and recycling performance have been confirmed and approved. If the municipality meets the county requirements, both payments will be made during the same calendar year. Funding will be withheld until the municipality meets the requirements of this policy.

III. Organics Recycling

A. Allocation of Funds

The following formula will be utilized to determine a city’s organics recycling SCORE grant each year:
Percent of SCORE funds allocated to curbside organics recycling:

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>20%</td>
</tr>
<tr>
<td>2018</td>
<td>30%</td>
</tr>
<tr>
<td>2019</td>
<td>40%</td>
</tr>
<tr>
<td>2020</td>
<td>50%</td>
</tr>
<tr>
<td>2021</td>
<td>50%</td>
</tr>
</tbody>
</table>

City organics recycling grant calculation:

\[
\text{Number of households with curbside organics in city} \times \frac{\text{Total SCORE funds available for organics}}{\text{Total number of households with curbside organics in county}} = \text{Organics grant amount available to the city}
\]

If the formula above results in cities receiving grants where the dollar amount per participating household is greater than $25 per year, then a cap will apply. The funding cap per participating household is $25 per year. The most the county will grant a city is $25 per participating household per year. If funds are left over because of the cap, those funds will carry over into the following year’s SCORE funds.

Eligible residential households are defined as single family through eight-plex residential buildings or other residential buildings where the household is signed up for organics service and the household sets out its own container with organics for curbside collection. The number of eligible households will be determined by counting the number of eligible households on September 1 of each funding year. The city will report the number in the application for funding.

B. Application for Funds

Each municipality must complete an annual application provided by the county by September 1 to receive funding. As a part of the application, a city must submit the number of households signed up for and receiving curbside organics service.

C. Use of Funds

The grant funds may be used for program expenses, including the following:
- Discount to new customers
- Discount to existing customers
• Referral incentives
• City contract costs
• Education and outreach
• Compostable bags
• Kitchen containers
• Carts
• Organics drop-off sites

Program administration is not an eligible expense. Yard waste expenses are not eligible. If organics are co-collected with other waste, the organics expenses must be tracked separately. If a city passes funds through to a hauler, 100% of those funds must be credited to residents’ bills.

In addition, the following requirements apply:
• All grant funds must be used during the term of the agreement. Funds not spent must be returned to the county.
• Funds must be expended on eligible activities per Minnesota State Statute 115A.557.
• A municipality or joint powers organization may not charge its residents through property tax, utility fees, or any other method for the portion of its organics program costs that are funded by county grant funds.
• Municipalities must account for organics expenditures separately upon request by the county. Expenditures are subject to audit.

D. Education and Outreach Requirements

The partnership between the county and municipalities has been highly effective in educating residents and motivating behavior change. In order to continue this partnership and increase these efforts, program activities of municipalities must be coordinated with county and regional efforts. The following requirements apply:

1. Use county terminology when describing organics recycling guidelines, including the description of materials accepted and not accepted, preparation guidelines, and promotional materials;

2. Use images provided by the county or the SWMCB if using images of organic materials;

3. Provide organics recycling information on the city’s website, including material accepted and not accepted, service options, and links to county resources;

4. Work with the county to develop promotional resources to increase participation.
E. Reporting

A report on the city’s organics program must be submitted electronically to the county by February 15 following each year. The report must include, but is not limited to, the following:

Basic Program Information
- Hauler(s)
- Collection method
- Where organics were delivered to and processed
- Is service opt-in or opt-out
- Cost of service to residents; contract cost for city
- How the service was billed
- Items included in service, such as curbside collection, cart, compostable bags, etc.

Results
- Tons
- Number of households signed up
- Average pounds per household per year
- Participation (set-out rate on pickup day)
- Program costs
- How funds were used

F. Grant Payment

The county will make one organics grant payment to a municipality each year. The payment will be made after the county receives the application and confirms that the municipality meets the requirements of this policy.
Executive summary

Title: Bid tabulation: Park Glen Water Tower Rehabilitation - project no. 4021-5000

Recommended action: Motion to designate Viking Industrial Painting the lowest responsible bidder and authorize execution of a contract with the contractor in the amount of $1,463,000.00 for Park Glen Water Tower Rehabilitation – project No. 4021-5000.

Policy consideration: Does the city council wish to continue to move forward with making these necessary improvements to the city’s water system?

Summary: A total of six bids were received for this project. Please see bid results below.

<table>
<thead>
<tr>
<th>CONTRACTOR</th>
<th>Schedule No.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Viking Industrial Painting</td>
<td>$1,126,320</td>
</tr>
<tr>
<td>G&amp;L Tank Sandblasting and Coatings, Inc.</td>
<td>$1,200,975</td>
</tr>
<tr>
<td>Osseo Construction Co., LLC</td>
<td>$1,249,600</td>
</tr>
<tr>
<td>Classic Protective Coatings, Inc.</td>
<td>$1,384,950</td>
</tr>
<tr>
<td>Seven Brothers Painting</td>
<td>$1,491,605</td>
</tr>
<tr>
<td>TMI Coating, Inc.</td>
<td>$2,109,000</td>
</tr>
</tbody>
</table>

The project includes the cleaning, repairing and painting of an existing 1,000,000-gallon fluted column water tower, including structural modifications, surface repairs, interior abrasive blast and coatings, and exterior blast and coating and containment.

A review of the bids indicates Viking Industrial Painting submitted the lowest base bid.

In reviewing the qualifications of Viking Industrial Painting, staff determined the contractor meets the requirements of the specifications and are qualified to do the work in the proposal. Therefore, staff recommends that a contract be awarded to Viking Industrial Painting in the amount of $1,126,320.

Financial or budget considerations: This project was planned for and included in the city’s Capital Improvement Program (CIP) for 2021. This project will be paid for using water utility funds.

Strategic priority consideration: Not applicable.

Supporting documents: Discussion
Contract award recommendation letter

Prepared by: Aaron Wiesen, project engineer
Reviewed by: Debra Heiser, engineering director
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

Background: Bids were received on Oct. 29, 2020 for the Park Glen Water Tower Rehabilitation project. This water tower is located at 5100 Park Glen Road.

The existing coating on the tank was installed in 1994 and is no longer effective. A full reconditioning of the interior and exterior of the tank is required to replace the existing coating and bring it into compliance with current requirements.

Water tank coatings are expected to last 20 to 25 years with minor maintenance. The existing coating on the tank has not received major work for 26 years. An inspection completed revealed that the coating is failing and needs replacement. Replacing the coating at this time will extend the life of the water tower.

An advertisement for bids was published in the St. Louis Park Sun-Sailor on Oct. 15, 2020. In addition, plans and specifications are made available electronically via the internet by our vendor QuestCDN.com.

Fourteen (14) contractors/vendors obtained plan sets, including one (1) Disadvantaged Business Enterprise (DBE), three (3) Women Business Enterprises (WBE) and two (2) Small Business Enterprises (SBE). Six contractors submitted bids on the project.

Present considerations: Staff has analyzed the bids and determined that Viking Industrial Painting is a qualified contractor that can complete this work per the contract documents. The low bid is 19.5% lower than the CIP. Based on the low bid received, cost details are as follows; this project is paid for using water utility funds:

<table>
<thead>
<tr>
<th></th>
<th>CIP</th>
<th>Low Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Cost</td>
<td>$1,400,000.00</td>
<td>$1,126,320.00</td>
</tr>
<tr>
<td>Engineering &amp; Administration</td>
<td>$140,000.00</td>
<td>$112,632.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,540,000.00</td>
<td>$1,238,952.00</td>
</tr>
</tbody>
</table>

Due to the nature of our construction projects, unexpected costs do come up. To address this, past practice has been to show a contingency for all aspects of the project. What follows is a table that shows this 10% contingency and how this would affect the project costs. These contingency costs do not exceed the CIP funding. As a result, if overruns occur, there are adequate funds to cover these costs.

<table>
<thead>
<tr>
<th></th>
<th>Low Bid</th>
<th>Contingency (10%)</th>
<th>Engineering (10%)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water utility</td>
<td>$1,126,320.00</td>
<td>$112,632.00</td>
<td>$112,632.00</td>
<td>$1,351,584.00</td>
</tr>
</tbody>
</table>

Next steps: Construction is anticipated to begin in April 2021 and should be completed by September of 2021.
October 29, 2020

Honorable Mayor and City Council
City of St. Louis Park
5005 Minnetonka Boulevard
St. Louis Park, MN 55416

Re: Park Glen Road Water Tower Rehabilitation
City of St. Louis Park
City Project No. 4021-5000
WSB Project No. 016750-000
BSI Project No. WI 1516

Dear Mayor and Council Members:

Bids were received for the above-referenced project on Thursday, October 29, 2020, and were opened and read aloud. Six bids were received. The bids were checked for mathematical accuracy. Please find enclosed the bid summary indicating the low bid as submitted by Viking Painting, Omaha, Nebraska in the amount of $1,126,320.00. The Engineer’s Estimate was $1,463,000.00.

We recommend that the City Council consider these bids and award a contract in the amount of $1,126,320.00 to Viking Painting based on the results of the bids received.

Sincerely,

WSB

Greg Johnson
Director of Water/Wastewater

Attachments

kkp
# BID TABULATION SUMMARY

**PROJECT:**
Park Glen Road Water Tower Rehabilitation  
City Project No. 4021-5000

**OWNER:**
City of St. Louis Park

**WSB PROJECT NO.:**
016750-000

**Bids Opened:** Thursday, October 29, 2020, at 11:00 am

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Security (5%)</th>
<th>Grand Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Viking Industrial Painting</td>
<td>X</td>
<td>$1,126,320.00</td>
</tr>
<tr>
<td>2 G&amp;L Tank Sandblasting and Coatings, LLC</td>
<td>X</td>
<td>$1,200,975.00</td>
</tr>
<tr>
<td>3 Osseo Construction Co., LLC</td>
<td>X</td>
<td>$1,249,600.00</td>
</tr>
<tr>
<td>4 Classic Protective Coatings, Inc.</td>
<td>X</td>
<td>$1,384,950.00</td>
</tr>
<tr>
<td>5 Seven Brothers Painting</td>
<td>X</td>
<td>$1,491,605.00</td>
</tr>
<tr>
<td>6 TMI Coating, Inc.</td>
<td>X</td>
<td>$2,109,000.00</td>
</tr>
</tbody>
</table>

Engineer's Opinion of Cost  
$1,463,000.00

I hereby certify that this is a true and correct tabulation of the bids as received on October 29, 2020.

Greg Johnson, PE Project Manager

Denotes corrected figure
## Bid Tabulations

**City of St. Louis Park Project No. 4021-5000**

### Opening
- **Bid Opening:** Thursday, October 29, 2020 @ 11:00 AM CDT

### Bid Tabulations

<table>
<thead>
<tr>
<th>Bid Tabulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Park Glen Road Water Tower Rehabilitation (#7348031)</strong></td>
</tr>
<tr>
<td><strong>City of St. Louis Park Project No. 4021-5000</strong></td>
</tr>
<tr>
<td><strong>WSB Project No. 016750-000</strong></td>
</tr>
<tr>
<td><strong>Bid Opening:</strong> Thursday, October 29, 2020 @ 11:00 AM CDT</td>
</tr>
</tbody>
</table>

### Bid Tabulations

<table>
<thead>
<tr>
<th>Line #</th>
<th>Item Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Weld drain plug, install new 4&quot; drain valve, connection to overflow pipe and install hand-hole in drywell tube</td>
</tr>
<tr>
<td>2</td>
<td>Remove existing vent, furnish and install new 24-inch vent</td>
</tr>
<tr>
<td>3</td>
<td>Install roof manways</td>
</tr>
<tr>
<td>4</td>
<td>Install roof cable brackets</td>
</tr>
<tr>
<td>5</td>
<td>Replace 30-inch manway gasket</td>
</tr>
<tr>
<td>6</td>
<td>Install manway in bottom of drywell tube</td>
</tr>
<tr>
<td>7</td>
<td>Weld stainless steel penetrations and repair openings</td>
</tr>
<tr>
<td>8</td>
<td>Remove and store inlet/outlet pipe insulation and aluminum covering</td>
</tr>
<tr>
<td>9</td>
<td>Furnish and install bowl manway</td>
</tr>
<tr>
<td>10</td>
<td>Remove and replace all four (4) expanded metal vent screens on the exterior side of the lower fluted column vents</td>
</tr>
<tr>
<td>11</td>
<td>Remove and replace pedestrian door</td>
</tr>
<tr>
<td>12</td>
<td>Repair exterior concrete grout</td>
</tr>
<tr>
<td>13</td>
<td>Exterior Deep Spot Abrasive Blast and Coating</td>
</tr>
<tr>
<td>14</td>
<td>Interior Wet Abrasive Blast and Coating</td>
</tr>
<tr>
<td>15</td>
<td>Compress blast the entire electroplated pipe including all hanger brackets to an SSPC-SP10 or near white metal blast</td>
</tr>
<tr>
<td>16</td>
<td>Mobilization</td>
</tr>
</tbody>
</table>

### Base Bid Total

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit of Measure</th>
<th>Base Bid Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base Bid Total:</strong></td>
<td></td>
<td>$1,126,320.00</td>
</tr>
</tbody>
</table>

---

I hereby certify that this is an exact reproduction of the bids received.

Certified By: [Signature]

License No.: 26430

Date: October 29, 2020
Executive summary

Title: Approve consultant contract for Beltline Blvd SWLRT Pedestrian Improvements – Proj. No. 4022-2000

Recommended action: Motion to authorize a professional services contract with Short Elliot Hendrickson, Inc. (SEH) in the amount of $161,321 for the final design and construction staking for the Beltline Blvd SWLRT Pedestrian Improvements – (4022-2000).

Policy consideration: Does the city council wish to continue with the Beltline Blvd SWLRT Pedestrian Improvements project?

Summary: On Oct. 19, 2020, the city council approved the preliminary layouts and authorized the development of final plans for the Beltline Blvd SWLRT Pedestrian Improvements project. Given workload demands and their expertise in federally funded projects, the city engaged the consulting firm Short Elliot Hendrickson, Inc. (SEH) to complete the final design for these improvements.

Staff solicited a professional services proposal from SEH to complete the final design of this project. The proposal from SEH is thorough and shows they have a clear understanding of the scope. The consultant fee of $161,321 covers all final design aspects of the project and construction staking. City staff will be responsible for construction observation and administration. SEH had previously completed the preliminary plans, community engagement, and right of way services for the Beltline Blvd SWLRT Pedestrian Improvements project.

Financial or budget considerations: This project is planned for and included in the city’s adopted Capital Improvement Plan and will be funded by federal funds and general obligation bonds. The total cost estimate for the project is $2.04 million. The federal funding in the amount of $560,000 will be used to offset a portion of the construction costs.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Discussion
- Location map
- Contract proposal
  - Contract amendment report – Aug. 3, 2020 (pgs. 70 – 75)
  - Council decision report – Oct. 19, 2020 (pgs. 139 – 147)

Prepared by: Ben Manibog, transportation engineer
Reviewed by: Debra Heiser, engineering director
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

Background: The city council approved the preliminary layout and authorized the design of final plans for the Beltline Blvd SWLRT Pedestrian Improvements project on Oct. 19, 2020. Given workload demands and their expertise in federally funded projects, the city engaged the consulting firm Short Elliot Hendrickson, Inc. (SEH) to complete the final design for these improvements.

An additional consultant (Henning Professional Services) is assisting SEH in the completion of this project. Henning is responsible for easement acquisition, and that contract amendment was approved by council on Aug. 3, 2020.

Present considerations: Staff solicited a professional services proposal from SEH to complete the final design of this project. The proposal from SEH is thorough and shows they have a clear understanding of the scope. Staff has reviewed the cost provided by SEH and believes it is consistent with prior proposals and is reasonable given the scope of services.

The consultant fee of $161,321 covers all final design aspects of the project and construction staking. City staff will be responsible for the construction observation and administration. SEH had previously completed the preliminary plans, community engagement, and right of way services for the Beltline Blvd SWLRT Pedestrian Improvements project.

Financial considerations: The project is planned for and included in the city’s adopted Capital Improvement Plan and will be paid for using federal funds and general obligation bonds. The total cost estimate for the project is $2.04 million with $560,000 in federal funding. The proposed consultant contract fees are included in the overall project cost estimate.

Proposed schedule: The following is the proposed project schedule:

<table>
<thead>
<tr>
<th>Event</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final plans approved and authorize ad for bid</td>
<td>February 2021</td>
</tr>
<tr>
<td>Bid project</td>
<td>April/May 2021</td>
</tr>
<tr>
<td>Construction</td>
<td>June – October 2021</td>
</tr>
</tbody>
</table>
City council meeting of November 16, 2020 (Item No. 4i)
Title: Approve consultant contract for Beltline Blvd SWLRT Pedestrian Improvements – Proj. No. 4022-2000
November 5, 2020

Ben A. Manibog Jr.
Transportation Engineer
City of St. Louis Park
5005 Minnetonka Boulevard
St. Louis Park, MN 55416

Dear Ben:

Short Elliott Hendrickson Inc. (SEH®) thanks you for the opportunity to continue to assist the City of St. Louis Park (City) with final design for the pedestrian improvements at CSAH 25 & Beltline Boulevard, see attached Figure 1. We are excited to work on this project and look forward to collaborating with you and your staff to create a project team that is focused on achieving results and project milestones. Below you will find our understanding of the scope of work and key assumptions we have made for this project.

BACKGROUND / PROJECT UNDERSTANDING
The proposed project includes adding sidewalks to the following streets: Ottawa Avenue South, Lynn Avenue South, and Beltline Boulevard. The preliminary design involved the following tasks: Public Engagement, Survey, Traffic Study, Parking Study, Project Memorandum, Utility Coordination, Preliminary Design, Modified Phase I Environmental Site Inventory.

The final concepts were approved by the City Council on October 19 and are attached to this proposal.

SCOPE OF WORK
We are proposing the following tasks for this work:
1. Project Management
2. Project Memorandum – Wrap up
3. Data Collection / Surveying – verification and possible prestaking of trails for utility relocates
4. Civil Engineering
5. Water Resources
6. Geotechnical Engineering
7. Construction Staking

The following sections outline the services we will provide based on our understanding of the scope of work and includes key assumptions as well as deliverables for the task.

Task 1 - Project Management
Proactively manage the project team in accordance with the agreed upon schedule and budget to achieve project goals and objectives identified above in the final concepts. This task includes meetings with City...
staff along with other agencies such as Hennepin County Public Works, Minnehaha Creek Watershed District, SWLRT, and private and public utilities.

**Task 1 Deliverables:**
- Project schedule – updated as need be
- Monthly invoicing
- Staff and Agency meeting agendas, materials, and minutes
  - Bi-weekly project team meetings
- Materials for City project website
- Communications Plan update

**Task 2 – Project Memorandum – Wrap up**
SEH has prepared a draft project memorandum that is currently being reviewed. This task will provide any updates required to finalize and acquire approval of the memorandum.

**Task 2 Deliverables:**
- Approved Project Memorandum

**Task 3 – Data Collection / Surveying**
This task will provide any verification of the existing traffic signal systems at Ottawa Avenue and Minnetonka Boulevard and at Ottawa Avenue and CSAH 25. The task also accounts for any coordination with private utilities such as locating the trail along Beltline Blvd.

**Task 3 Deliverables:**
- Reviewing signal operations
- Locating new trail and facilities

**Task 4 – Civil Engineering:**
Approximately 30% of the design of the facilities were completed in the preliminary design phase. The trail, sidewalks, and partial roadway work will be refined, and the following work will be included:

1. Final alignments, profile, and geometrics
2. Cross sections using Federal, State Aid, and City design rules
3. Provide list and identify on plans any known impacts to public and private utilities, such as catch basin, fire hydrants, etc.
4. Provide final plan set and specifications using Federal, State Aid, and City design rules
   - Will be submitted to Federal and State Aid for approval to be bid
5. Landscape Architecture (LA) requirements will be minimal and will include tree selection along Beltline Boulevard and any vegetation required for the BMP’s.
6. Provide Engineer’s Estimate of probable cost
7. Prepare permit and or agreement to work within Hennepin County right-of-way
   - Assuming that the service roads at Lynn and Ottawa Avenue are within Hennepin County ROW.
8. Bid assistance – will provide assistance through bidding phase

**Task 4 Deliverables:**
- Provide 60% review set for review by City
- Provide 90% bidding documents and cost estimate
- Final plan set and specifications to include:
  - Tabulations, Details, Removal Sheets, Construction plan and profile sheets, pedestrian curb ramp and intersection details, signal modification sheets, erosion control and turf establishment sheets, coordination of existing private utility relocations, storm sewer sheets, traffic control sheets, signage and striping, and cross-sections.
  - All MnDOT and City front-end documents
  - All MnDOT Standard Specifications for Construction, 2018 Edition
• Bidding assistance – answering design related questions from contractors, addenda development, attend pre-bid meeting, analysis of bids if requested
• Final cost estimate to include any cost splits pertaining to Federal Aid, County (if applicable), and City and other funding sources.

Task 5 – Water Resources
SEH will continue to work with the watershed district to develop a plan to holistically accommodate surface water runoff from the pedestrian improvements. The overall plan will include the accepted BMP’s.

Task 5 Deliverables:
• Temporary erosion and sediment control plan
• Permanent BMP Details if required
• SWWP
• NPDES Construction Stormwater Permit
• Specifications and Special Provisions
• Final quantities and cost estimate will be incorporated within the Engineer’s Estimate of Cost
• Submit for permit approvals for Minnehaha Creek Watershed District.

Task 6 Geotechnical Engineering:
SEH will review the site and 30% plans and determine the number of borings required for the improvements. The anticipated geotechnical drilling/testing scope will be developed in general accordance with requirements found in the MnDOT Geotechnical Manual. The following borings will be drilled by Braun Intertec:
  a. 3 – SPT borings to 10 feet for retaining walls and trail subgrade
  b. 6 - Hand Auger borings to 6 feet under power lines for trail subgrade
  c. 4 – SPT borings to 6 feet for trail / sidewalk subgrade
  d. 4 – SPT borings to 14.5 feet for infiltration requirements

SEH will then evaluate and analyze the borings for:
  1. Existing trail subgrade for potential cut, fill, and potential soil corrections. Relate laboratory testing and soil classification to confirm typical sections of trail with City’s typical trail section.
  2. Evaluate retaining wall foundations for bearing capacity, stability, and settlement
  3. Prepare design details for MSE and gravity modular block retaining walls as shown on the 30% plans

A QA/QC review of the results and calculation of the evaluations will be performed for accuracy and consistency. The reports will include recommendations for any trail subgrade corrections or embankment treatments and recommendations for retaining wall details. Assumptions for this work include:
• Minimum of 500-foot boring spacing for trail
• Retaining walls with exposed height of 4 feet and shorter will not need 4-foot bury for foundation depth
• Trail will need to support general cleaning and maintenance vehicles

Task 6 Deliverables:
• Prepare a geotechnical report with trail subgrade and retaining wall foundation recommendations

Task 7 Construction Staking
This task will provide construction staking for the project – this includes staking the new sidewalks, trails, retaining walls, intersection reconstruction, construction limits, and material removal limits. We will provide minimal ADA reference points as the contractor is responsible for constructing acceptable grades.

Task 7 Deliverables:
• Construction Staking
## SCHEDULE
Below is an anticipated schedule for this project.

<table>
<thead>
<tr>
<th>Item</th>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2-Mar-20</td>
<td>City of St. Louis Park approve agreement with SEH for preliminary design services</td>
</tr>
<tr>
<td>2</td>
<td>Mar-20</td>
<td>Approve Stakeholder Consultation Plan</td>
</tr>
<tr>
<td>3</td>
<td>March / April 2020</td>
<td>Topographic Survey of Corridors</td>
</tr>
<tr>
<td>4</td>
<td>March / April 2020</td>
<td>Parking Survey</td>
</tr>
<tr>
<td>5</td>
<td>Jun-20</td>
<td>Open House 1</td>
</tr>
<tr>
<td>6</td>
<td>July / August 2020</td>
<td>Develop Concept Plans for City Review</td>
</tr>
<tr>
<td>7</td>
<td>Jun-20</td>
<td>Send out early notification letters for Project Memo</td>
</tr>
<tr>
<td>8</td>
<td>Sep-20</td>
<td>Open House 2: Capture public input on concept plans</td>
</tr>
<tr>
<td>9</td>
<td>October</td>
<td>City to authorize MnDOT as agent to accept federal aid</td>
</tr>
<tr>
<td>10</td>
<td>July thru October 2020</td>
<td>Meet with Agencies – County, Watershed Districts, and SWLRT SPO</td>
</tr>
<tr>
<td>11</td>
<td>Oct-20</td>
<td>City Council adopts final concepts</td>
</tr>
<tr>
<td>12</td>
<td>November 4, 2020</td>
<td>Submit 30% Plans to City for review</td>
</tr>
<tr>
<td>13</td>
<td>November 16, 2020</td>
<td>Submit final Project Memorandum to City for Final Approval / Signature</td>
</tr>
<tr>
<td>14</td>
<td>November 13, 2020</td>
<td>Submit 30% Plans to MnDOT for review</td>
</tr>
<tr>
<td>15</td>
<td>November 25, 2020</td>
<td>Submit final Project Memorandum to MnDOT</td>
</tr>
<tr>
<td>16</td>
<td>December 4, 2020</td>
<td>Submit 60% Plans to City, other agencies, and MnDOT for review</td>
</tr>
<tr>
<td>17</td>
<td>December 23, 2020</td>
<td>Submit application for watershed permit to MCWD</td>
</tr>
<tr>
<td>18</td>
<td>January 5, 2021</td>
<td>Submit 95% Plans to City, other agencies, and MnDOT for review</td>
</tr>
<tr>
<td>19</td>
<td>January 25, 2021</td>
<td>Submit Final Plans to City for February 1st City Council approval and authorize ad for bid</td>
</tr>
<tr>
<td>20</td>
<td>January 28, 2021</td>
<td>Watershed Permit approved by MCWD Board</td>
</tr>
<tr>
<td>21</td>
<td>February 1, 2021</td>
<td>City Council approves final plans and authorizes the ad for bid</td>
</tr>
<tr>
<td>22</td>
<td>February 12, 2021</td>
<td>Submit final plans to MnDOT for final approval (need to be submitted March 18)</td>
</tr>
<tr>
<td>23</td>
<td>March 12, 2021</td>
<td>Submit ROW Certificate to MnDOT (needs to be submitted by April 1)</td>
</tr>
<tr>
<td>24</td>
<td>March 15, 2021</td>
<td>Obtain final approval to bid project from MnDOT</td>
</tr>
<tr>
<td>25</td>
<td>April / May 2021</td>
<td>Bid project</td>
</tr>
<tr>
<td>26</td>
<td>Jun-21</td>
<td>Construction Start</td>
</tr>
</tbody>
</table>

## COST
We anticipate the cost for the above services to be a not-to-exceed fee of $161,320.48, this amount includes reimbursable expenses. We will bill the City monthly for reimbursable expenses and on an hourly basis for labor.
<table>
<thead>
<tr>
<th>PROJECT TASKS</th>
<th>COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0  Project Management</td>
<td>$17,787.27</td>
</tr>
<tr>
<td>2.0  Project Memorandum Wrap-up</td>
<td>$1,204.93</td>
</tr>
<tr>
<td>3.0  Data Collection/Survey</td>
<td>$3,821.73</td>
</tr>
<tr>
<td>4.0  Civil Engineering</td>
<td>$71,127.41</td>
</tr>
<tr>
<td>5.0  Water Resources</td>
<td>$19,391.82</td>
</tr>
<tr>
<td>6.0  Geotechnical Engineering</td>
<td>$32,136.73</td>
</tr>
<tr>
<td>7.0  Construction Staking</td>
<td>$15,850.60</td>
</tr>
<tr>
<td><strong>TOTAL PROJECT COST FINAL DESIGN SERVICES:</strong></td>
<td><strong>$161,320.48</strong></td>
</tr>
</tbody>
</table>

### PROJECT TEAM

Our project team includes the following staff:

1. Wayne Houle will be the Project Manager and will lead the team through the process. Wayne will be responsible for delivering the project as his over 29 years of experience of delivering pedestrian, trail and roadway projects gives him the experience in leading federally aided projects.

2. Sam Turrentine prepared the preliminary project memorandum and will finalize the memorandum.

3. John Gray will lead the signal system analysis. John has over 30 years of planning, design, construction assistance and operational conception of traffic signal systems.

4. Kelsey Montebello will be the Project Designer and will develop the final plans for this project. Kelsey developed the preliminary design of this project.

5. Emily Jennings will be the Storm Water Engineer on the project. Emily has led many storm water designs for both state and federally aided projects.

6. Wayne Wambold will provide the geotechnical analysis for the project. Wayne has led many federal and state aid geotechnical analysis.

7. Brian Lenzen will provide the construction staking for the project. Brian is familiar with the City as he provided construction staking for the Wooddale Avenue Bridge Expansion Project.

We thank you for choosing SEH to deliver these services and we expect to deliver them to your complete satisfaction. Please contact me if you have any questions about the content of our proposal or SEH’s qualifications to successfully complete this project for you. Thank you again for the opportunity to submit this proposal and we look forward to working on another project in the City of Saint Louis Park!

At your service,

SHORT ELLIOTT HENDRICKSON INC.

Wayne D. Houle, PE  
Project Manager  
952.292.7727  
whoule@sehinc.com

Enclosures – Concept Plans for Ottawa Ave, Lynn Ave, and Beltline Blvd  
Task Hour Budget  
\text{x:\pt\stlou\155416\1-gen\10-setup-cont\03-proposal\final design\20201014 beltline blvd final design proposal seh to bm.docx}
NEW TRAFFIC SIGNAL AND CROSSWALK TO BE CONSTRUCTED WITH SOUTHWEST LIGHT RAIL TRANSIT PROJECT

8.5' SIDEWALK
8' PARKING LANE
10' TRAVEL LANE
6' SIDEWALK

NEW TRAIL ALONG SOUTH FRONTAGE ROAD TO BE CONSTRUCTED WITH SOUTHWEST LIGHT RAIL TRANSIT PROJECT

LYNN AVE. TRAFFIC DATA:
DAILY BICYCLE COUNT - 2 (2017 - COUNTED AT MINNETONKA BLVD.)
DAILY PEDESTRIAN COUNT - 50 (2017 - COUNTED AT MINNETONKA BLVD.)

Lynn Ave One-Way (Southbound) Option - 9/18/2020
City of St. Louis Park
Hennepin County, MN
Ottawa Ave. - Existing

Data show: 21' Parking lane
10' Drive lane
5' Sidewalk

Ottawa Ave. - Proposed

Data show: 11' Multi-use Trail
11' Drive lane
11' Drive lane
5' Sidewalk

City council meeting of November 16, 2020 (Item No. 4i)
Title: Approve consultant contract for Beltline Blvd SWLRT Pedestrian Improvements – Proj. No. 4022-2000

Ottawa Ave. Trail Option - 7/8/2020

City of St. Louis Park
Hennepin County, MN
PROPOSED 10' MULTI-USE TRAIL
EXISTING 9' MULTI-USE TRAIL

METRO TRANSIT ROUTE 17F
CROSSING TO EAST TRAIL
ALL STRIPING NOT PART OF THIS PROJECT

BASS LAKE PRESERVE

City of St. Louis Park
Hennepin County, MN

Preliminary Concept - Not for Construction
## Project Management and Coordination

### Task 1 Hours Summary

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Bauer</th>
<th>Montebello</th>
<th>Kienitz</th>
<th>Annibus</th>
<th>Horn</th>
<th>Gray</th>
<th>Turrentine</th>
<th>Wambold</th>
<th>Jennings</th>
<th>Luger</th>
<th>B Lempak</th>
<th>Knutson</th>
<th>Andersen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>63</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>8</td>
<td>2</td>
<td>N/A</td>
<td>50</td>
</tr>
</tbody>
</table>

**Subtotal Hours:** 63

**Subtotal Fees:** $14,269.25

### Task 1 Fee Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Hours</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Administration and General Management Duties</td>
<td>63</td>
<td>$14,269.25</td>
</tr>
</tbody>
</table>

**Total:** $14,269.25

---

## Project Memorandum

### Task 2 Hours Summary

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Kienitz</th>
<th>Annibus</th>
<th>Horn</th>
<th>Gray</th>
<th>TURRENTINE</th>
<th>Wambold</th>
<th>Jennings</th>
<th>Luger</th>
<th>B Lempak</th>
<th>N/A</th>
<th>Andersen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>2</td>
<td>8</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>26</td>
<td>26</td>
<td>9</td>
<td>9</td>
<td>N/A</td>
<td>9</td>
</tr>
</tbody>
</table>

**Subtotal Hours:** 126

**Subtotal Fees:** $25,953.90

### Task 2 Fee Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Hours</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Memorandum</td>
<td>2</td>
<td>$226.50</td>
</tr>
</tbody>
</table>

**Total:** $226.50

---

## Data Collection / Survey

### Task 3 Hours Summary

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Bauer</th>
<th>Montebello</th>
<th>Kienitz</th>
<th>Annibus</th>
<th>Horn</th>
<th>Gray</th>
<th>TURRENTINE</th>
<th>Wambold</th>
<th>Jennings</th>
<th>Luger</th>
<th>B Lempak</th>
<th>Knutson</th>
<th>Andersen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>2</td>
<td>8</td>
<td>16</td>
<td>16</td>
<td>16</td>
<td>26</td>
<td>26</td>
<td>9</td>
<td>9</td>
<td>N/A</td>
<td>9</td>
<td>N/A</td>
<td>50</td>
</tr>
</tbody>
</table>

**Subtotal Hours:** 63

**Subtotal Fees:** $226.50

### Task 3 Fee Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Hours</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data Collection / Survey and Base Mapping</td>
<td>2</td>
<td>$226.50</td>
</tr>
</tbody>
</table>

**Total:** $226.50

---

## Civil Engineering

### Task 4 Hours Summary

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Bauer</th>
<th>Montebello</th>
<th>Kienitz</th>
<th>Annibus</th>
<th>Horn</th>
<th>Gray</th>
<th>TURRENTINE</th>
<th>Wambold</th>
<th>Jennings</th>
<th>Luger</th>
<th>B Lempak</th>
<th>Knutson</th>
<th>Andersen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>8</td>
<td>11</td>
<td>312</td>
<td>2</td>
<td>6</td>
<td>32</td>
<td>8</td>
<td>4</td>
<td>12</td>
<td>16</td>
<td>9</td>
<td>N/A</td>
<td>385</td>
</tr>
</tbody>
</table>

**Subtotal Hours:** 63

**Subtotal Fees:** $18,846.72

### Task 4 Fee Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Hours</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Design</td>
<td>8</td>
<td>$226.50</td>
</tr>
</tbody>
</table>

**Total:** $226.50

---

## Water Resources

### Task 5 Hours Summary

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Bauer</th>
<th>Montebello</th>
<th>Kienitz</th>
<th>Annibus</th>
<th>Horn</th>
<th>Gray</th>
<th>TURRENTINE</th>
<th>Wambold</th>
<th>Jennings</th>
<th>Luger</th>
<th>B Lempak</th>
<th>Knutson</th>
<th>Andersen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>50</td>
<td>16</td>
<td>416</td>
<td>3</td>
<td>54</td>
<td>30</td>
<td>8</td>
<td>4</td>
<td>12</td>
<td>18</td>
<td>4</td>
<td>N/A</td>
<td>55</td>
</tr>
</tbody>
</table>

**Subtotal Hours:** 63

**Subtotal Fees:** $18,846.72

### Task 5 Fee Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Hours</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Facilities Layout</td>
<td>50</td>
<td>$11,324.80</td>
</tr>
</tbody>
</table>

**Total:** $11,324.80

---

## Geotechnical Engineering

### Task 6 Hours Summary

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Bauer</th>
<th>Montebello</th>
<th>Kienitz</th>
<th>Annibus</th>
<th>Horn</th>
<th>Gray</th>
<th>TURRENTINE</th>
<th>Wambold</th>
<th>Jennings</th>
<th>Luger</th>
<th>B Lempak</th>
<th>Knutson</th>
<th>Andersen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours</td>
<td>1</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
<td>164</td>
</tr>
</tbody>
</table>

**Subtotal Hours:** 63

**Subtotal Fees:** $18,846.72

### Task 6 Fee Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Hours</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geotechnical Investigation</td>
<td>1</td>
<td>$18,846.72</td>
</tr>
</tbody>
</table>

**Total:** $18,846.72

---

### Notes

- **Prepared by:** Wayne Houle
- **Reviewed By:** Kelsey Montebello
- **Prepared on:** October 28, 2020
- **Reviewed on:** October 28, 2020

---

**Subtotal Hours**

**Subtotal Fees**

**Subtotal Hours**

**Subtotal Fees**

---

**City Council Meeting of November 16, 2020 (Item No. 4i)**

Title: Approve consultant contract for Beltline Blvd SWLRT Pedestrian Improvements – Proj. No. 4022-2000

Page 12
# Belt Line Boulevard Pedestrian Improvements - Final Design

**Prepared By:** Wayne Houle  
**Reviewed By:** Kelsey Montebello  
**St. Louis Park, MN**

<table>
<thead>
<tr>
<th>Billing Title</th>
<th>CSMP/PE</th>
<th>PE Grad Eng</th>
<th>PE Grad Eng</th>
<th>LA</th>
<th>PE</th>
<th>Specialist</th>
<th>PE</th>
<th>PE</th>
<th>LA</th>
<th>Survey Crew Chief</th>
<th>Accounting Rep</th>
<th>Admin Tech</th>
<th>Expense</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subtotal Fees</td>
<td>Houle</td>
<td>Bauer</td>
<td>Montebello</td>
<td>Kienitz</td>
<td>Annibus</td>
<td>Horn</td>
<td>Gray</td>
<td>Turrentine</td>
<td>Knutson</td>
<td>Jennings</td>
<td>Luger</td>
<td>B Lensen</td>
<td>Revenson</td>
<td>Andersen</td>
</tr>
<tr>
<td>Task 6 Hours Summary</td>
<td>104</td>
<td>107</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Task 6 Fee Summary</td>
<td>$226.50</td>
<td>$20,520.45</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Task 7 - Construction Staking**

| Subtotal Hours | 100 |
| Subtotal Fees | $11,401.60 |
| Task 7 Hours Summary | N/A | 40 |
| Task 7 Fee Summary | $11,401.60 | $4,449.00 | $15,850.60 |

**Project Summary**

| Project Hours Summary | 116 | 17 | 416 | 4 | 15 | 33 | 17 | 9 | 109 | 157 | 10 | 116 | 8 | 15 | N/A | 976 |
| Project Fee Summary | $28,273.54 | $2,556.26 | $44,274.56 | $608.06 | $1,742.40 | $4,433.09 | $3,897.57 | $1,993.74 | $21,587.01 | $20,546.16 | $2,222.76 | $13,325.86 | $823.81 | $1,664.16 | $16,442.50 | $161,320.48 |

**Project Hours Summary**

**Project Fee Summary**

**City council meeting of November 16, 2020 (Item No. 4i)**

Title: Approve consultant contract for Beltline Blvd SWLRT Pedestrian Improvements – Proj. No. 4022-2000
Executive summary

**Title:** Public hearing for Nordic Ware easement vacation

**Recommended action:** Mayor to open the public hearing, take testimony, and then close the public hearing. The recommended action to vacate the portion of public drainage and utility easement is included later in the meeting under agenda item 8a.

**Policy consideration:** Is the portion of public drainage and utility easement needed for public purposes?

**Summary:** Dalquist Properties, the owner of the Nordic Ware campus at 5005 Highway 7 requests a vacation of a portion of a public drainage and utility easement over an existing watermain that runs north-south through the middle of the site. Dalquist Properties is the only property owner adjacent to the easement. This request is associated with an application to amend a special permit on the site in order to allow the construction of a building addition and surface parking lot. For more context about the project, as well as the proposed ordinance and action to vacate the portion of easement, please refer to item 8a on tonight’s city council agenda.

As part of the proposed project, the existing watermain would be relocated to the east. The applicant has agreed to record a new easement farther to the east to maintain a total of 20 feet of easement over the relocated watermain. Once the watermain is relocated and the new easement is created, there will be no public purpose to retaining the portion of easement requested to be vacated. City staff support this vacation request.

**Financial or budget considerations:** None.

**Strategic priority consideration:** St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

**Supporting documents:** Easement vacation exhibit

**Prepared by:** Jacquelyn Kramer, associate planner
**Reviewed by:** Sean Walther, planning and zoning supervisor
   Karen Barton, community development director
**Approved by:** Nancy Deno, deputy city manager/HR director
Easement vacation exhibit:

That part of the Drainage and Utility Easement dedicated in Lot 1, Block 1, DALQUIST INDUSTRIAL PARK 2ND ADDITION, Hennepin County, Minnesota, lying 16.50 feet east of the following described line:

Commencing at a northeast corner of said Lot 1, located along the west right of way line of Quentin Avenue South; thence on an assumed bearing South 0 degrees 17 minutes 37 seconds West, along an east line of said Lot 1, a distance of 74.77 feet to a corner of said Lot 1; thence continue South 0 degrees 17 minutes 37 seconds West, along a west line of said Drainage and Utility Easement, 62.13 feet to the point of beginning of said line to be described; thence continuing South 0 degrees 17 minutes 37 seconds West, along said west line, 178.83 feet and said line there terminating.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Max L. Stanislokiwski - PLS  
License No. 48988  
Date  

Loucks Project No. 04120F
Executive summary

Title: Nordic Ware special permit amendment and first reading of easement vacation ordinance

Recommended actions:
- Motion to approve First Reading of Ordinance vacating a portion of a public drainage and utility easement and set Second Reading for Dec. 7, 2020 (requires five affirmative votes); and
- Motion to adopt Resolution approving the amendment to a special permit.

Policy consideration: Does the project meet the requirements for an amendment to a special permit? Is the council supportive of vacating a portion of the drainage and utility easement?

Summary: Dalquist Properties proposes a 21,850 square foot building addition, new loading dock, new 51-space surface parking lot and relocating an existing watermain at the Nordic Ware campus at 5005 Highway 7 (County Road 25). They request a vacation of a portion of a public drainage utility easement and an amendment to a special permit in order to proceed with the project.

The planning commission held a public hearing regarding the special permit amendment on October 21, 2020 and no member of the public spoke. The commission voted 7 to 0 to recommend approval of the amendment to a special permit. City council is scheduled to hold the public hearing for the vacation earlier in the agenda on November 16, 2020.

Financial or budget considerations: Not applicable.

Strategic priority consideration: St. Louis Park is committed to providing a broad range of housing and neighborhood oriented development.

Supporting documents: Discussion
Aerial of project site
Ordinance
Resolution
Development plans

Prepared by: Jacquelyn Kramer, associate planner
Reviewed by: Sean Walther, planning and zoning supervisor
Karen Barton, community development director
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

**Background:** The applicant proposes a 21,850 square foot, two-story expansion of the manufacturing and warehouse operations at the Nordic Ware campus at 5005 Highway 7. A new 51-space surface parking lot and second loading dock are also proposed as part of this project. Part of the existing building and a nine-space surface parking lot would be demolished.

**Sustainability features:** The proposed project is not subject to the city’s green building policy but has sustainability features in the site and building design. A portion of the parking lot is proposed as pervious pavement, which aids in stormwater retention and reduces the impervious surface. The larger island in the parking lot is built with curb cuts and raingardens to capture the runoff as a bioretention area before catch basins within the island carry the runoff to the underground filtration system. The building addition features daylighting design with skylights and windows, particularly on the upper fulfillment floor; an emphasis on efficient ventilation strategies through the window openings and incorporating the new ventilation system with the existing building layout; and LED lighting to reduce energy demand. Nordic Ware is currently evaluating a proposal to install solar panels on the south wall of the existing building, facing the rail corridor.

**Water main relocation:** An existing watermain runs north-south through the project area and loops through the site to the west. City staff determined that the water main serves an ongoing public interest; the water main is necessary for fire suppression purposes and circulation and water use for more than one property in the looped system. In order to maintain maintenance access and protect the foundation of the new addition, the plans provide a fifteen-foot distance between the watermain and the proposed building wall. The applicant proposes relocating the watermain to the east and reconnecting with the rest of the loop. The applicant will also provide a public easement over the relocated water main in order to maintain a 20-foot wide easement over the relocated water main.

**Access road:** The segment of Quentin Avenue South that dead ends into the site is currently operated and maintained by the city. This was a holdover from when the site that is now the Nordic Ware factory store was a separate lot and vet clinic use. That parcel has since been acquired by Nordic Ware and combined with the larger parcel. Because of this change, this pavement no longer provides access to more than one property owner and serves as a private driveway on public right-of-way. The addition of the new parking lot reinforces this single private use. The city does not support vacating the right-of-way; however, the city also should not continue to perform maintenance on the pavement located in the Quentin Avenue South right-of-way south of the South CSAH 25 Frontage road curb line. This includes patching, snow removal, sweeping or repaving. It will be considered a private driveway on public right-of-way. Staff recommend a condition of approval stating Nordic Ware must maintain this access road at their expense.

**Encroachment agreement:** The proposed surface parking lot encroaches onto city right-of-way. The applicant has agreed to enter into an encroachment agreement with the city to allow the approximately 1,196 square feet of temporary private use of public land.
Stormwater management: Per the Minnehaha Creek Watershed District requirements, the project will be required to treat the new impervious surface area for rate, volume and phosphorous. The applicant proposes an underground filtration system to meet both the watershed and city requirements. A permit from the watershed district will be required before the city issues building permits.

Construction and staging: If council approves the applications, the project would start construction in winter 2020/2021. Construction would take five to seven months. Staff recommend that construction and staging information be submitted to staff for review and approval before building permits are issued.

Previous city approvals: City council approved a special permit on the site on August 6, 1990, (Resolution No. 90-105) to allow construction of the manufacturing and warehouse facility. Since then the campus has undergone numerous building expansions and site improvements. Council most recently approved an amendment to the special permit on December 15, 2008 (Resolution No. 08-160) in order to construct a building addition.

Present considerations: The applicant requests an amendment to the special permit and vacation of a portion of the platted drainage and utility easement over the water main that will be relocated.

Amendment to special permit: The proposed building expansion requires an additional amendment to the special permit. The project must meet certain general review requirements for the amendment to the special permit to be approved per city code. Those requirements, the staff and planning commission findings in support of the request, and recommended conditions of approval are outlined in detail in the special permit amendment resolution of approval attached at the end of this report.

The proposed manufacturing and warehouse uses are allowed in the I-G zoning district. Planning commission and city staff find the project meets or exceeds all zoning requirements in this district including use, building height, architectural design, vehicular and bicycle parking, landscaping, and building setbacks.

Vacation of portion of drainage and utility easement: The current plat for the Nordic Ware campus includes a 30-foot wide drainage and utility easement over the watermain. As part of this project, the applicant proposes vacating a portion of the north-south easement, and dedicating additional easement to the east, to provide a 20-foot wide easement over the relocated watermain. Planning commission and city staff support vacating the requested portion of utility easement, as it will not be needed to serve any current or future public purpose once the watermain is relocated and a new easement is provided.

Planning commission: The planning commission held a public hearing on October 21, 2020 and no member of the public spoke. The commission voted 7 to 0 to recommend approval of the amendment to a special permit.

Next steps: If approved, the city council would hold a second reading of the Ordinance on December 7, 2020, regarding the easement vacation.
Aerial photograph of the project site:
Ordinance No. ____-20

An ordinance vacating part of a public drainage and utility easement

The City of St. Louis Park does ordain:

Section 1. The petition to vacate part of a public drainage and utility easement was initiated by Dalquist Properties LLP. The notice of said petition has been published in the St. Louis Park Sailor on November 5, 2020, and the City Council has conducted a public hearing upon said petition and has determined that the easement is not needed for public purpose, and that it is for the best interest of the public that said easement be vacated.

Section 2. The portion of a public drainage and utility easement as now dedicated and laid out within the corporate limits of the City of St. Louis Park and shown in Attachment A, is vacated:

That part of the Drainage and Utility Easement dedicated in Lot 1, Block 1, DALQUIST INDUSTRIAL PARK 2ND ADDITION, Hennepin County, Minnesota, lying 16.50 feet east of the following described line: Commencing at a northeast corner of said Lot 1, located along the west right of way line of Quentin Avenue South; thence on an assumed bearing South 0 degrees 17 minutes 37 seconds West, along an east line of said Lot 1, a distance of 74.77 feet to a corner of said Lot 1; thence continue South 0 degrees 17 minutes 37 seconds West, along a west line of said Drainage and Utility Easement, 62.13 feet to the point of beginning of said line to be described; thence continuing South 0 degrees 17 minutes 37 seconds West, along said west line, 178.83 feet and said line there terminating.

Section 3. The City Clerk is instructed to record certified copies of this ordinance in the Office of the Hennepin County Register of Deeds or Registrar of Titles as the case may be, and to publish the Summary Ordinance in the official newspaper ordinance upon receipt of evidence that a new drainage and utility easement has been recorded to provide a full 20-feet wide public easement over the relocated water main.

Section 4. This ordinance shall take effect fifteen days after its publication.

<table>
<thead>
<tr>
<th>First reading</th>
<th>November 16, 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Second reading</td>
<td>December 7, 2020</td>
</tr>
<tr>
<td>Date of publication</td>
<td>TBD</td>
</tr>
<tr>
<td>Date ordinance takes effect</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Reviewed for administration: Adopted by the City Council December 7, 2020

Thomas K. Harmening, city manager

Attest:

Melissa Kennedy, city clerk

Approved as to form and execution:

Jake Spano, mayor

Soren Mattick, city attorney
EXHIBIT

That part of the Drainage and Utility Easement dedicated in Lot 1, Block 1, DALQUIST INDUSTRIAL PARK 2ND ADDITION, Hennepin County, Minnesota, lying 16.50 feet east of the following described line:

Commencing at a northeast corner of said Lot 1, located along the west right of way line of Quentin Avenue South; thence on an assumed bearing South 0 degrees 17 minutes 37 seconds West, along an east line of said Lot 1, a distance of 74.77 feet to a corner of said Lot 1; thence continue South 0 degrees 17 minutes 37 seconds West, along a west line of said Drainage and Utility Easement, 62.13 feet to the point of beginning of said line to be described; thence continuing South 0 degrees 17 minutes 37 seconds West, along said west line, 178.83 feet and said line there terminating.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Max L. Stanisowski - PLS License No. 48988

Date 11/05/20

Loucks Project No. 04120F
Resolution No. 20-____

Amends and Restates Resolution No. 90-105

Resolution amending and restating Resolution No. 90-105 adopted on August 6, 1990, and granting amendment to existing special permit under section 36-67 of the St. Louis Park zoning ordinance code to allow an expansion of the warehouse facilities at 5005 Highway 7

Whereas, Nordic Ware (Dalquist Properties, LLP) has made application to the City of St. Louis Park City Council for an amendment to an existing special permit under Section 36-67 of the St. Louis Park Ordinance Code to allow an expansion of the warehouse facilities at 5005 Highway 7 within the I-G General Industrial zoning district having the following legal description:

Lot 1, Block 1, Dalquist Industrial Park 2nd Addition

Whereas, the City Council has considered the information related Planning Case no. 20-23-SP and the effect of the proposed expansion of warehouse facilities on the health, safety, and welfare of the occupants of the surrounding lands, existing and anticipated traffic conditions, the effect on the value of properties in the surrounding area and the effect of the use on the Comprehensive Plan, and compliance with the intent of the Zoning Ordinance; and

Whereas, a special permit was issued regarding the subject property pursuant to Resolution No. 90-105 of the St. Louis Park City Council dated August 6, 1990 which contained conditions applicable to said property; and

Whereas, an amendment to the special permit to allow a building expansion was approved pursuant to Resolution No. 08-160 of the St. Louis Park City Council dated December 15, 2008 which contained conditions applicable to said property; and

Whereas, due to changed circumstances, amendments to those conditions are now necessary, requiring the amendment of that special permit; and

Whereas, it is the intent of this resolution to continue and restate the conditions of the permit granted by Resolution Nos. 90-105 and 08-160, to add the amendments now required, and to consolidate all conditions applicable to the subject property in this resolution;

Whereas, the contents of Case No. 20-23-SP are hereby entered into and made part of the public hearing record and the record of decision for this case.

Now therefore be it resolved that Resolution No. 90-105 is hereby restated and amended by this resolution which continues and amends a special permit to the subject property for the purposes of permitting the expansion of warehouse facilities within the I-G General Industrial Zoning District at the location described above based on the following conditions:

1. That the site shall be developed, used and maintained in accordance with Exhibit A — Plat; Exhibit C — General Drainage Plan; Exhibit E — Northland Aluminum Co.
Warehouse Floor Plan and Elevation Plan; Exhibit F — Maid of Scandinavia Site Plan — Landscape Plan; Exhibit G — Maid of Scandinavia Elevation Plan; Exhibit H — Maid of Scandinavia Garage Plan as modified on June 2, 1982 by the Planning Department; Exhibit J — Site Plan; Exhibit K — Elevation Plan; Exhibit M — Elevation Plan; Exhibit N — Mezzanine Plan; Exhibit P — 1981 Construction Phase; and Exhibit Q — Office — Warehouse Elevation Plan. (Exhibit J replaced with Exhibit U by Condition No. 15).

2. All electric, gas, water, sanitary sewer, telephone and other utilities shall be placed underground.

3. The private roadway with a minimum width of 24 feet shall have a poured-in-place concrete curb at least 6 inches high. Said road and curb shall be constructed at standards acceptable to the City Engineer. Said road shall be designated as a fire lane, shall not be used for parking, and shall be kept clean and free from potholes and maintained thereafter.

4. Signs shall be limited to name plate signs, symbols, logos and architectural features that identify a particular business, service or good which is provided on the site. All the signs shall meet the following conditions:
   a. Billboards are hereby prohibited.
   b. All new signs are to be integrated with the architecture of the buildings and there shall be no more than one free standing sign per lot and said sign shall not exceed 200 square feet in total sign area and 25 feet in height. The pylon (elevator) is excluded from this requirement.
   c. Lighting for signs shall be interior or indirect so that light rays are not directly visible beyond the lot lines.

5. New buildings in the development and any major alterations or modifications to the existing building shall be done so that the architectural treatment of the exterior of the building is equal in standard or exceeds the standard set by the existing building on Lot 2 and the proposed building on Lot 1.

6. The City shall be given the necessary easement for a north-south pedestrian walkway at least 30 feet wide in the vicinity of Ottawa extended or east within 60 days after the specific location is approved by the City Council.

7. There shall be no outside storage of equipment, raw materials, chemicals or waste with the exception of the trash container between Buildings 2 and 5.

8. All rooftop equipment shall be painted a light blue and maintained in that fashion.

9. Parking lot striping shall be completed by October 1, 1983.

10. No additional building permits shall be issued until the outside storage of materials on the west side of Building 5 is discontinued.

11. The office-warehouse addition shall be completed by October 30, 1984.

12. The metal building on the east end of the property shall be removed by October 30, 1988.

13. That a building to house an outer marker beacon is hereby permitted, subject to the following:
   a. That an outer marker beacon facility consisting of a building and antenna partly enclosed by a decorative fence no more than 6 feet high without barbed wire and landscaping consisting of deciduous and coniferous trees and shrubs shall be permitted at the east end of the property in accordance with Exhibit R - Outer Marker Beacon Plan, Exhibit S - Outer Marker Beacon Plan.
Landscape Plan and Exhibit T - Outer Marker Beacon Elevation Plan. Said exhibits are applicable only for the outer marker beacon area.

b. Said improvements including decorative fence and landscaping shall be completed by May 15, 1988.

14. That a building addition housing a two-way forklift corridor between building one and building three is hereby permitted to be constructed over the existing utility easement.

15. That Exhibit J referred to in Condition 1 be replaced with Exhibit U, Site Plan.

16. That all existing utilities to be located under the building addition, as described under condition number 14 above, be protected by placing them in an approved casing extending a minimum of 8 feet beyond the building on both the east and west sides.

17. That construction plans for the building and utility casing be approved and signed by a structural engineer registered in the State of Minnesota and that structural plans must be approved by the City Engineering Department prior to issuance of a building permit.

18. That an agreement acceptable to the City be entered into by the City Manager on behalf of the City and the landowner identifying the conditions under which the building may be constructed over the easement and holds the City harmless prior to issuance of a building permit.

19. That, prior to issuance of Certificate of Occupancy, an agreement be reached between the applicant and the Fire Department to eliminate the fire hazard within the complex.

20. The special permit shall be amended on December 15, 2008 to incorporate all of the preceding conditions and add the following conditions:
   a. Approval is granted for a 60,000 square foot expansion of warehouse space on the site.
   b. The site shall be developed, used and maintained in accordance with exhibits incorporated by reference herein.
   c. Prior to starting any site work, the following conditions shall be met:
      i. A pre-excavation conference shall be held with the appropriate development, construction and city representatives.
      ii. All necessary erosion control permits shall be installed.
      iii. All necessary permits must be obtained.
      iv. The Plat of DALQUIST INDUSTRIAL PARK 2ND ADDITION, approved on April 9, 2007 shall be filed.
      v. The site plan shall be revised to include a fence and vegetative screening of the east loading docks from the trail to the south.
      vi. The site plan shall be revised to include landscape islands as required by the Zoning Ordinance in the east parking lot.
   d. The applicant shall comply with the following conditions during construction:
      i. All City noise ordinances shall be complied with, including that there be no construction activity between the hours of 10 p.m. and 7 a.m. on weekdays and 10:00 p.m. and 9:00 a.m. on weekends.
      ii. The site shall be kept free of dust and debris that could blow onto neighboring properties.
      iii. Public streets shall be maintained free of dirt and shall be cleaned as necessary.
iv. The Zoning Administrator may impose additional conditions if it becomes necessary in order to mitigate the impact of excavation on surrounding properties.

e. Fire lanes shall be signed in accordance with the Official Exhibits and the requirements of the Fire Marshal.

f. Following construction of the warehouse expansion, outdoor storage, including the storage of semi-truck trailers, shall be prohibited, except that incidental, temporary outdoor storage shall be permitted for a time period not to exceed 24 hours.

g. On-site signage shall at all times comply with the requirements of the Zoning Ordinance.

21. The special permit shall be amended on November 16, 2020 to incorporate all of the preceding conditions and add the following conditions:

a. The site shall be developed, used and maintained in accordance with the conditions of this ordinance, approved Official Exhibits, and City Code.

b. Subject to city council approval of the partial easement vacation, relocating the water main, and providing additional public drainage and utility easement over the relocated water main.

c. Construction and staging information will be provided to staff for review and approval before building permits are issued.

d. All utility service structures shall be buried. If any utility service structure cannot be buried (i.e. electric transformer), it shall be integrated into the building design and 100% screened from off-site with materials consistent with the primary façade materials.

e. The property owner will be responsible for performing maintenance on the access located in the Quentin Avenue South right-of-way south of the South CSAH 25 Frontage road curb line. This includes patching, snow removal, sweeping, repaving, general repair and replacement. It will be considered a private driveway on public right-of-way.

f. Prior to starting any land disturbing activities, except demolition, the following conditions shall be met:
   i. The owner shall sign the city's assent form and the official exhibits.
   ii. Construction and staging information will be provided to staff for review and approval.
   iii. A preconstruction meeting shall be held with the appropriate development, construction, private utility, and city representatives.
   iv. All necessary permits shall be obtained.

g. Prior to issuance of building permits, the following conditions shall be met:
   i. The developer shall sign the city's assent form and the official exhibits.
   ii. Final construction plans for all public improvements and private stormwater system shall be signed by a registered engineer and approved by the city Engineer.
   iii. A performance guarantee in the form of cash escrow or irrevocable letter of credit shall be provided to the City of St. Louis Park in the amount of 125% of the cost for all public improvements (street, sidewalks, utility, etc.) and landscaping.
iv. The property owner enters into an encroachment agreement with the city to allow the parking lot to encroach onto city right-of-way.

v. Record the new easement over the relocated water main, resulting in a 20-wide easement centered on the location of the new water main.

vi. Building material samples, including physical samples and product specifications, will be reviewed and approved by city staff.

h. The developer shall comply with the following conditions during construction:

i. All city noise ordinances shall be complied with, including that there be no construction activity between the hours of 10 p.m. and 7 a.m. Monday through Friday, and between 10 p.m. and 9 a.m. on weekends and holidays.

ii. The site shall be kept free of dust and debris that could blow onto neighboring properties.

iii. Public streets shall be maintained free of dirt and shall be cleaned as necessary.

iv. The City shall be contacted a minimum of 72 hours prior to any work in a public street.

v. Work in a public street shall take place only upon the determination by the city engineer (or designee) that appropriate safety measures have been taken to ensure motorist and pedestrian safety.

vi. The developer shall install and maintain chain link security fencing that is at least six feet tall along the perimeter of the site. All gates and access points shall be locked during non-working hours.

vii. Temporary electric power connections shall not adversely impact surrounding neighborhood service.

i. Prior to the issuance of any permanent certificate of occupancy permit the public improvements, private utilities, site landscaping and irrigation, and storm water management system shall be installed in accordance with the official exhibits and the required 20-foot wide public drainage and utility easement is provided over the new water main.

j. In addition to any other remedies, the developer or owner shall pay an administrative fee of $750 per violation of any condition of this approval.

k. The special permit shall be revoked and cancelled if the building or structure for which the special permit is granted is removed.

The City Clerk is instructed to record certified copies of this resolution in the Office of the Hennepin County Register of Deeds or Registrar of Titles as the case may be.

Reviewed for administration: Adopted by the City Council November 16, 2020

______________________________
Thomas K. Harmening, city manager

______________________________
Jake Spano, mayor

Attest:

______________________________
Melissa Kennedy, city clerk
PROJECT BENCHMARK

Benchmark: AMOEBA intersection (P103), located on N. Ivy road, 0.1 mile north of the junction of Highway 7 and Wyuka Highway. 100 m, in the southeast corner of Sambos Road at latitude number 44°47’27” N. at Wyuka Highway. 100 m, in the southeast corner of Sambos Road.

The Benchmark is approximately 25 feet out of the highway located 100 miles south of location Chicago Ave, north of the maintenance building. Elevations at 907.61 NAVD 92.

UTILITY NOTES
1. ALL SANITARY SEWER, STORM SEWER, AND WATER MAINS SHALL BE PLACED UNDER THE BORROWED MATERIALS OR BY THE PROPOSED NEW WATER MAINS. ALL UTILITIES SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CIVIL ENGINEER REPORT.
2. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CIVIL ENGINEER REPORT.
3. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE GEOTECHNICAL REPORT.
4. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
5. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
6. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
7. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
8. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
9. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
10. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
11. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
12. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
13. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
14. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
15. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
16. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
17. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
18. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
19. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.
20. ALL CONSTRUCTION SHALL BE PLACED UNDER THE REQUIREMENTS OF THE CITY.

UTILITY PLAN

C4-1
PROPOSED PARKING

PROPOSED BUILDING EXPANSION

PROPERTY BOUNDARY

LEGEND

X18 (POOR CONDITION)
X19 (POOR CONDITION)
X10
X6

SIGNIFICANT TREE TO BE SAVED
SIGNIFICANT TREE TO BE REMOVED
SIGNIFICANT TREE TO BE PROTECTED

SIGNIFICANT TREE TABLE

<table>
<thead>
<tr>
<th>TREE #</th>
<th>DISPOSITION</th>
<th>COND</th>
<th>DIAM</th>
<th>TOTAL REPLACEMENT TREES PROPOSED (SEE SHEET L2-1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SAVED</td>
<td>GOOD</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>SAVED</td>
<td>GOOD</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>SAVED</td>
<td>GOOD</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>SAVED</td>
<td>GOOD</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>SAVED</td>
<td>GOOD</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>SAVED</td>
<td>GOOD</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>SAVED</td>
<td>GOOD</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>SAVED</td>
<td>GOOD</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>SAVED</td>
<td>GOOD</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>SAVED</td>
<td>GOOD</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>SAVED</td>
<td>GOOD</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

TREE REPLACEMENT REQUIREMENTS

<table>
<thead>
<tr>
<th>TREE #</th>
<th>TREE REPLACEMENT REQUIREMENTS</th>
<th>COND</th>
<th>DIAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>18</td>
</tr>
<tr>
<td>2</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>17</td>
</tr>
<tr>
<td>4</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>14</td>
</tr>
<tr>
<td>5</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>13</td>
</tr>
<tr>
<td>6</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>12</td>
</tr>
<tr>
<td>7</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>6</td>
</tr>
<tr>
<td>9</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>4</td>
</tr>
<tr>
<td>10</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>2</td>
</tr>
<tr>
<td>11</td>
<td>2 TREES</td>
<td>GOOD</td>
<td>1</td>
</tr>
</tbody>
</table>

TREE PROTECTION NOTE:
INSTALL SNOW FENCE AROUND EACH TREE TO BE PROTECTED PRIOR TO GRAADING. FENCE SHALL BE NO LESS THAN 4' IN HEIGHT AND 2" X 4" IN SIZE. SNOW FENCE SHALL BE INDICATED AT ALL TIMES DURING CONSTRUCTION ACTIVITY AND SHALL BE REMOVED AT ALL TIMES TO ALLOW WORKERS TO VIEW TREE TRUNKS. ALL TREES TO BE PROTECTED SHALL BE PROTECTED FROM EROSION AND CHANGES IN CHEMISTRY FROM CONCRETE OR OTHER MATERIALS SUCH AS FUELS AND PAINTS. THE CONTRACTOR SHALL HAVE "TREE PAINT" ON SITE AT ALL TIMES. IF AN OAK IS WOUNDED TOXIC MATERIALS SUCH AS FUELS AND PAINTS. THE CONTRACTOR MUST IMMEDIATELY APPLY PAINT TO THE WOUND IN ORDER TO PREVENT OAK WILT. ALL DAMAGE TO TREES TO BE PROTECTED SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT.
GENERAL NOTE

CONTRACTOR SHALL VISIT SITE PRIOR TO SUBMITTING BID. HE SHALL INSPECT SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE URBAN AREAS OF THE SITE AN EXACT COPY OF THIS BID DOCUMENT A COPY OF THIS PROJECT SPECIFICATIONS. CONTRACTOR IS RESPONSIBLE FOR UNDERGROUND UTILITIES TO BE LOCATED PRIOR TO BID SUBMISSION. CONTRACTOR SHALL Verifying ALL UNDERGROUND UTILITIES TO PROVIDE THE NECESSARY PROTECTIONS FOR EXISTING UTILITIES IDENTIFIED IN SECTION 2 OF THIS SPECIFICATION. CONTRACTOR SHALL VERIFY AL SUBDIDENCES PRIOR TO CONSTRUCTION AND NOTIFY LANDSCAPE ARCHITECT."N."

PLANT SCHEDULE

<table>
<thead>
<tr>
<th>SCHEDULE TYP</th>
<th>POSITION</th>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>CONT SIZE</th>
<th>CAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBDIDENCES TREE</td>
<td>1.5&quot; CAL</td>
<td>1</td>
<td>2</td>
<td>18%</td>
<td></td>
</tr>
<tr>
<td>PROPOSED CANOPY TREE</td>
<td>2.5&quot; CAL</td>
<td>1</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PROPOSED EVERGREEN TREE</td>
<td>3&quot; CAL</td>
<td>1</td>
<td>15</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOLL FREE: 1-800-252-1166

WARNING:

THE ALIGNMENT AND GRADES OF THE PROPOSED WALKS, TRAILS AND/OR ROADS, SHALL BE IN ACCORDANCE WITH THE ALIGNMENT AND GRADING SPECIFICATIONS PROVIDED BY THE LANDSCAPE ARCHITECT. CONTRACTOR SHALL VERIFY ANY AND ALL DISCREPANCIES PRIOR TO BID SUBMISSION AND NOTIFY LANDSCAPE ARCHITECT OF SAME.

OTHERS. CONTRACTOR SHALL VERIFY ANY AND ALL DISCREPANCIES PRIOR TO BID SUBMISSION AND NOTIFY LANDSCAPE ARCHITECT OF SAME.

THE ALIGNMENT AND GRADES OF THE PROPOSED WALKS, TRAILS AND/OR ROADS, SHALL BE IN ACCORDANCE WITH THE ALIGNMENT AND GRADES SPECIFICATIONS PROVIDED BY THE LANDSCAPE ARCHITECT. CONTRACTOR SHALL VERIFY ANY AND ALL DISCREPANCIES PRIOR TO BID SUBMISSION AND NOTIFY LANDSCAPE ARCHITECT OF SAME.
Executive summary

Title: Traffic study 742 – Adjusting timed parking restrictions on Xylon Ave south of Minnetonka Blvd.

Recommended action: Motion to adopt Resolution extending timed parking restrictions on Xylon Avenue south of Minnetonka Boulevard.

Policy consideration: The installation of parking restrictions is allowed per the city’s established regulatory authority.

Summary: In September 2020, staff received a request from Aquila Elementary School to evaluate timed parking restrictions on Xylon Avenue adjacent to the school (between Minnetonka Boulevard and 31st Street). The school district changed the starting times for elementary schools in Spring 2020.

In October 2020, the traffic committee reviewed the request to adjust the timed parking restrictions. The committee recommended extending the timed parking restrictions an hour earlier to accommodate the time change.

In October 2020, a letter was sent to the surrounding area looking for comments and concerns regarding the proposed timed parking changes. One comment was received in support of the recommendations. The letter was sent to 599 addresses.

At the Nov. 2, 2020 council meeting, the city council tabled this request to better understand a new piece of community feedback received the day of the meeting. That comment is provided in this report and did not change the traffic committee’s original recommendation.

Financial or budget considerations: The cost of enacting these controls is estimated to be $100 and will come out of the general operating budget. Signs are expected to last about 10 years.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Discussion
Resolution
Location map

Prepared by: Ben Manibog, transportation engineer
Reviewed by: Debra Heiser, engineering director
Approved by: Nancy Deno, deputy city manager/HR director
Discussion

Background: Staff received a request to evaluate timed parking restrictions on Xylon Avenue between Minnetonka Boulevard and 31st Street in September 2020. This request was brought to the city’s traffic committee by Aquila Elementary School.

The traffic committee is an internal employee workgroup made up of the engineering, operations, police, and community development departments. The group meets monthly to discuss traffic requests from across the city and makes recommendations on possible changes. Any official changes to traffic controls or parking restrictions are ultimately approved by the city council.

The traffic committee discussed this item at the October 2020 committee meeting and recommended extending the timed parking restrictions to 7 a.m. – 4 p.m. from 8 a.m. – 4 p.m. during school days.

The timed parking restrictions on Xylon Avenue adjacent to Aquila Elementary School last from 8 a.m. – 4 p.m. during school days. The restrictions were installed to accommodate bus maneuverability and other school activities.

In Spring 2020, the St. Louis Park School District adjusted the starting times for all schools. For elementary schools, start times were moved to an earlier 7:45 a.m. The traffic committee recommends extending the timed parking restrictions to accommodate for the new start times.

At the Nov. 2, 2020 council meeting, the city council tabled this request to better understand a new piece of community feedback received the day of the meeting. That comment is included in this report and did not change the traffic committee’s original recommendation.

Community feedback: In October 2020, a letter was sent to the surrounding area (599 addresses) asking for comments and feedback on the recommended permit parking restriction removal. Staff received two comments from community members:

- “I would be in favor of the adjustment to 7am-4pm for the school day restrictions along Xylon Ave. Being one of the 'essentials' with General Mills, I actually need to go up to 1 GM Blvd once or twice a week still and knowing cars won't be on the West side of Xylon (#winteriscoming) will make my mind a little easier as I head up to my very spacious department space the 1st day of my work week”. – Joseph Miatech, 3100 Virginia Ave

- “As a resident at Aquila Court apartments I am frustrated at the suggested future, and even the current, parking restrictions on Xylon Ave S. I moved in to these apartments across from Aquila Elementary school 3 years ago and had assumed that the parking restrictions were to accommodate buses that dropped off and picked up the kids at the school. After living here for these 3 years, I have seen that the buses actually drop off and pick up kids on 31st St in front of the school every day. Xylon Ave S has never been used for anything school-related, but rather for resident parking. As a resident I have a permit for our limited-space parking lot. We do not have enough spaces to accommodate the residents' cars that live in our three buildings. Other multi-unit buildings appear to have the same problem as there is always crowded parking on the
streets around our neighborhood. As a resident I have had to park across the street from my own building on Xylon Ave on occasion, and have received two parking tickets on two occasions where I forgot to move my car "on time". I do not believe people should receive parking tickets for parking in front of their homes. When the city decided to build these multi-housing units, parking concerns should have been factored in. As a teacher's aid at another school, I also do not believe parking restrictions should be in place to accommodate school employees over neighboring residents, which is what appears to be the possible case at Aquila Elementary. I would ask that these parking restrictions not be implemented, and in fact would ask that they be removed altogether”. – Stephanie Dietsche, 3033 Xylon Ave, #21
Resolution No. 20-____

Adjusting timed parking restrictions on Xylon Ave south of Minnetonka Blvd.

Whereas, the City of St. Louis Park received a request from the school district to evaluate timed parking restrictions on Xylon Ave adjacent to Aquila Elementary School; and,

Whereas, in Spring 2020, the school district changed the starting time of elementary schools to earlier in the morning; and,

Whereas, the traffic committee has reviewed the request and recommended extending the existing timed parking restrictions to accommodate the new school start time; and,

Whereas, St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely, and reliably.

Now therefore be it resolved by the City Council of the City of St. Louis Park, Minnesota, that the engineering director is hereby authorized to:

1. Install “NO PARKING 7 AM – 4 PM SCHOOL DAYS” parking restrictions on the west side of Xylon Avenue from the south right of way line of Minnetonka Blvd to the north right of way line of 31st Street.

Reviewed for administration: Adopted by the City Council November 16, 2020

Thomas K. Harmening, city manager Jake Spano, mayor

Attest:

Melissa Kennedy, city clerk
Title: Traffic study 742 – Adjusting timed parking restrictions on Xylon Ave south of Minnetonka Blvd.