



CITY OF SOUTH ST. PAUL MEETING AGENDA

PLANNING COMMISSION

Council Chambers
125 3rd Avenue North
South St. Paul, MN 55075

Wednesday, February 5, 2025
7:00 PM

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. MINUTES:**
 - A. January 8th Planning Commission Meeting Minutes
- 4. NEW BUSINESS:**
- 5. PUBLIC HEARINGS:**
 - A. Conditional Use Permit for an Adult Daycare in the Southview Shopping Center
 - B. Ordinance Updating Parking Requirements for Residential and Mixed-Use Properties
 - C. **Withdrawn by applicant - Conditional Use Permit Amendment for Illuminated Awning Signs at 116 Concord Exchange South**
- 6. OTHER BUSINESS:**
- 7. STAFF UPDATES:**
- 8. ADJOURNMENT**

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
JANUARY 8, 2025**

MEETING CALLED TO ORDER BY CHAIR FELTON AT 7:00 P.M.

Present: Tim Felton
 Tyler Fehrman
 James Hart
 Andrew Hoffman
 Ruth Krueger
 Brianne Miller
 Michael Healy, Planning Manager
 Monika Miller, Associate Planner

Absent: Geoff Fournier

- 1) APPROVAL OF AGENDA - Motion to approve as presented– Fehrman/ Miller, Hoffman (6-0).
- 2) APPROVAL OF MINUTES – November 6, 2024 – Motion to approve as presented– Hoffman/
Fehrman (6-0).

- 3) NEW BUSINESS

None

- 4) PUBLIC HEARINGS

A. Ordinance to Clarify Intent and Make Minor Adjustment to the Zoning Code

Ms. Miller presented the staff report. The City is requesting to make some minor adjustments to the zoning code that will improve its usability and clarify the intent of certain zoning provisions.

Change 1: Correcting responsibilities of the City Engineer. The City Code would be updated to distinguish the current responsibilities of the City Engineer from those of the Building Official and Zoning Administrator.

Change 2: Clarifying acceptable building materials. The list of allowable siding materials in Mixed Markets and Makers (MMM) District would be updated to include architectural metal siding. Additionally, resin would be added to the list of allowable materials for accessory structures that are 200 square feet in area or less. Finally, language would be added to clarify that only “unfinished” or “corrugated” galvanized metal roofing and siding is prohibited from being used for accessory structures.

Change 3: Removing outdated uses from the I, Industrial District. A use that expired in 2009 would be removed as well as language that references allowing metal buildings with a Conditional Use Permit despite that the architectural standards would not allow this.

Change 4: Correcting list of districts that allow exterior storage. Section 118-240 would be corrected to state that the C-1 district does not allow exterior storage while the I-I district allows exterior storage with a conditional use permit.

Change 5: Changes to Sign Ordinance. Signage allowances would be added for the Railroad Transportation (RT) and Mobile Home (MH) districts. The RT district would get the same signage allowance as the I and I-I districts while the MH district would get the same signage allowance as the R-4 district. Illuminated awing and canopy signs would be allowed in all districts that allow illuminated wall signs. An error would be corrected to clarify the number of real estate signs that can be installed on a property at one time.

Change 6: Miscellaneous. Changes would be made to the definitions for garage and tavern. The term “zoning administrator” would be added as a new definition.

Staff recommended the Planning Commission recommend approval of the proposed ordinance. If approved by the Planning Commission, the first reading for the ordinance would be on January 21, 2025 and the second reading would be on February 3, 2025.

No questions were asked by the Commissioners.

Chair Felton opened the public hearing.

No correspondence had been received prior to the meeting and no one was in attendance to speak on the matter.

Chair Felton closed the public hearing.

Motion to recommend approval of an ordinance to clarify intent and make minor adjustments to the zoning code- Fehrman/Hoffman (6-0).

5) OTHER BUSINESS

A. Discussion On Ordinance Updating Parking Requirements for Residential Properties.

Mr. Healy presented the staff report. This ordinance was a continuation of the previous updates that had been made to the parking rules. The ordinance would effectively make the parking requirements for the MMM Mixed Markets and Makers District apply city-wide. Under the ordinance, single-family homes would require at least 2 off-street parking stalls. Two-family homes would require at least 3 off-street parking stalls and three-family homes would require at least 4 off-street parking stalls. Multifamily properties and mixed-use properties would require at least 1 off-street parking stall per unit for studio/one-bedroom units and at least 2 off-street parking stalls for larger units. There would also be special provisions to encourage mixed-use development in walkable commercial areas that are near transit lines and to keep the MMM district as an innovation district where there is additional parking flexibility to allow the market to shape development. The Planning Commission and City Council have frequently already been utilizing the proposed standards via variances and the PUD process. The change in parking standards would improve the City Code and make it possible to develop the Hardman Triangle without parking variances. Staff views the proposed ordinance as the minimum that is required to align the City Code with market forces. Mr. Healy welcomed questions and comments from the Commissioners.

Chair Felton asked the Commissioners if they have any questions or comments for staff

Commissioner Fehrman shared his support for the proposal. Commissioner Fehrman noted that South St. Paul struggles with a lack of development so anything that can be done to cut red tape and attract businesses is a positive thing.

Commissioner Hoffman echoed the need to be business-friendly. He added that as a business owner, he would think about the high costs associated with a large parking lot such as plowing and the extra maintenance that is required.

Chair Felton asked the Commissioners if there were any other questions.

Mr. Healy stated he would bring the ordinance back to the next meeting for a public hearing.

6) STAFF UPDATES

None.

Commissioner Fehrman asked Chair Felton if he could share an update. Chair Felton gave Commissioner Fehrman the floor. Commissioner Fehrman shared that applications for boards and commissions were open and would be due on February 7th. Commissioner Fehrman shared his positive experience serving on the Planning Commission and stated that serving on a board or commission is a great way to get involved at the local level.

Commissioner Krueger echoed Commissioner Fehrman's sentiment and stated she had enjoyed serving for the last 10 years. Commissioner Krueger asked about the resignation process and if someone would be assigned to take her place. Mr. Healy states that once he had received Commissioner Krueger's resignation letter, the process to fill her position would start. Mr. Healy shared that someone would be appointed in March to serve out the rest of her term.

7) ADJOURNMENT

Motion to adjourn- Fehrman/ Miller (6-0).



PLANNING COMMISSION AGENDA REPORT

DATE:

February 5, 2025

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

5.A.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Conditional Use Permit for an Adult Daycare in the Southview Shopping Center

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

A motion recommending approval or denial of a conditional use permit for an adult daycare in the Southview Shopping Center.

OVERVIEW

Application

The Applicant, Emadeldin Ibrahim, is seeking to operate an adult day care facility in a commercial suite in the 5th Avenue Plaza Shopping Center which has the address 1205 Southview Boulevard.

Review Timeline

Application Submittal: December 30, 2024

Planning Commission: February 5, 2025

Tentative City Council Meeting: February 17, 2025

60-Day Review Deadline: February 28, 2025

Background

The Southview Shopping Center is a two-building multi-tenant retail shopping center with 55,914 square feet of rentable space. The 4,644 square foot suite that is directly adjacent to Southview Boulevard has been vacant for several years since the departure of Anytime Fitness. This suite has the address 1205 Southview Boulevard. The Applicant is proposing to convert this vacant suite into a State-licensed adult daycare that can accommodate up to 86 participants.

Applicant's Proposed Business Model

The Applicant has supplied the following information about their business model:

- The Applicant currently owns Mercy Adult Daycare at 814 White Bear Avenue in Saint Paul. The Applicant will operate the proposed adult daycare in the Southview Shopping Center with support from Ashley Kendrick who is the current assistant director at Mercy Adult Daycare.
- This facility will not provide special care to individuals with significant medical needs. It is designed “to support adults who are generally independent but benefit from socialization, structured activities, and a safe environment during the day.”
- They are looking to operate a program that can accommodate up to 86 individuals.
- There is no commercial kitchen in the space. All food will be prepared elsewhere and brought in.
- They anticipate operating between 8 AM on 8 PM.

Zoning and Comprehensive Plan Guidance

The subject property is zoned C-1 Retail Business and guided “commercial” in the 2040 Comprehensive Plan. In this zoning district, “Adult day care facility” is a conditional use and requires a conditional use permit.

Prior to 2020, the City Code did not contain zoning rules for day cares. The Planning Commission and City Council approved several child daycare and adult daycare businesses prior to 2020 by adopting a finding that they were similar to a school and approving a conditional use permit for an “other use that is deemed by the city council to be similar in purpose and character” as a use that is allowed in the zoning district. In 2020, the City Code was updated to officially list daycare uses in the City Code. Adult daycares were added as a conditional use in all of the City’s commercial zoning districts and industrial zoning districts.

Relevant City Code

The following code sections are relevant to this review:

- Section 118-40 of the City Code governs Conditional Use Permits.
- Section 118-126 of the City Code governs the C-1 Retail Business zoning district

Statewide Regulations for Adult Day Cares

Adult day cares are licensed at the State level by the Department of Human Services and many rules for these licenses are laid out in State Statute (see links below for more information):

- There are basic training requirements for employees: [9555.9680 - MN Rules Part](#)
- There are staffing ratio requirements which are tied to the functionality level of the participants: [9555.9690 - MN Rules Part](#)
- There are service and program requirements: [9555.9710 - MN Rules Part](#)
- There are safety requirements: [9555.9720 - MN Rules Part](#)
- There are limits on how many adults can be served in an adult daycare center and these limits are tied to the size and configuration of the space: [9555.9730 - MN Rules Part](#)

In addition to licensing requirements, all new daycares must comply with State Building Code requirements. The State Building Code requires at least 35 square feet of space per daycare participant. The architect who is handling the conversion of 1205 Southview Boulevard into a daycare space provided the City with a code analysis. The project architect is stating that the space can accommodate 86 daycare participants under the State Building Code with the way it is proposed to be configured.

Tenant Mix in Southview Shopping Center

The existing tenant mix in the shopping center is eclectic and includes a grocery store, multiple restaurants, a dog training facility, a comic book shop, a dollar store, and a nail salon.

Surrounding Land Uses

North: Gas station that is zoned C-1 Retail Business

East: Bank that is zoned C-1 Retail Business

South: There are single-family homes with R-2 Single-and-Two Family Residence zoning to the south of the Shopping Center. These homes are over 500 feet away from the suite that would contain the proposed adult daycare.

West: A dog groomer that is zoned C-1 Retail Business

CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permits should be reviewed through the lens of the criteria outlined in the City Code:

- (1) That the conditional use, with such conditions as the commission shall determine and attach, conforms to the general purpose and intent of this chapter.
- (2) If the application is based on the conditional use provision in this chapter that the issuance conforms to the general characteristics of the district of which it will become a part.
- (3) That the conditional use will not impede the normal and orderly development and improvement of property in the neighborhood for uses permitted in the district or districts affected.
- (4) That adequate utilities, access roads, streets, drainage, and other necessary facilities have been or will be provided.
- (5) That adequate measures have been or will be taken to provide ingress and egress in such a manner as to minimize traffic congestion and hazards in the public streets.
- (6) *In Business districts.* Certain uses are considered, as a rule, unsuitable in commercial areas because of inherent characteristics (e.g., traffic hazards, noise, light glare), proximity to residential areas, the fact that they tend not to serve nearby residential areas, or may adversely affect nearby permitted business uses.

COMMENTS FROM OTHER DEPARTMENTS

Police Department and Fire Department

Police Chief Brian Wicke and Fire Marshal Terry Johnson provided comments on a different proposed adult daycare in November of 2024 and they continue to have the same comments/concerns:

- There are some county and state licensed facilities in town that draw a disproportionately large number of resources from the Police Department and Fire Department.
- A well-run adult daycare should not cause any problems and could be an asset to the community. If the center is not well-run, however, the top concerns would be understaffing, under-trained staff members, staff members who did not pass a background check, and an undue number of medical responses by the Fire Department if the facility is taking on clients who are more challenging than what they are prepared to handle.
- The City should structure this conditional use permit in such a way that we have options to review the conditional use permit at the local level and revoke the permit if there are problems that cannot be resolved through the State licensing program.

DISCUSSION

The City can attach reasonable case by case conditions to a Conditional Use Permit to regulate the use and ensure harmony with surrounding land uses. Conditional Use Permits run with the land forever and transfer if the property changes hands. A conditional use permit typically can only be terminated if a condition is violated, and the City Council votes to revoke the conditional use permit.

City Staff certainly hopes that this daycare is a great new business which will provide a valuable care option for families living in the community. The Planning Department worked with the Police Department, the Fire Department, and the City Attorney's office to draft a set of approval conditions that should provide the City with adequate protections if there are problems with the business. Specifically:

- The City only wants to see a State-licensed adult daycare center in this location and does not want to allow any type of unregulated quasi-daycare business that does not have a State license. The daycare will not be allowed to begin operations until the Planning Department has been provided with a copy of the State license.
- The project architect has indicated that the space can safely accommodate 86 daycare participants. A conditional use permit amendment (and probably a building permit) will be needed if the Applicant wants to reconfigure the space in the future and/or expand into another adjacent suite in the building to further grow the size of the program.

- The Applicant needs to adhere to any staffing ratio requirements, training requirements, staff background requirements, and limits on the number of program participants that are imposed by their license or State Statute.
- The Applicant needs to comply with the noise ordinance and cannot create a public nuisance.
- The suite does not have a commercial kitchen, and the Applicant has indicated all food will be catered. The Applicant must comply with any requirements imposed by the Minnesota Department of Health and/or Minnesota Department of Agriculture regarding food preparation.

Some of these conditions of approval are going to be redundant with approval conditions that are part of the State license from the Department of Human Services. The benefit of placing the conditions directly in the conditional use permit is that the City will have a degree of local control and can revoke the conditional use permit if there are violations. The City does not control the State license and only has the ability to report license violations to the State and request an investigation.

STAFF RECOMMENDATION

Staff recommends approval of the conditional use permit with the following conditions:

1. **Approved Plans.** The conditions of this approval are based on the following plans:

a. Application (Emadeldin Ibrahim)	dated 12/30/2024
b. Narrative (Ashley Kendrick)	dated 12/27/2024
c. Interior Remodeling Plans (Jim Mackey Architect)	dated 12/26/2024
2. **Compliance with Building Code and Fire Code Requirements.** The Applicant shall comply with any applicable requirements in the State Building Code and State Fire Code for this type of use. A building permit is required to establish this use in the Suite addressed 1205 Southview Boulevard in the Southview Shopping Center.
3. **State License Required.** The Applicant is required to acquire and maintain a State license for an adult daycare operation from the Minnesota Department of Human Services. A copy of this license must be provided to the Zoning Administrator before daycare operations may begin. In future years, the Applicant must provide the Zoning

Administrator with an updated copy of the license upon request.

4. **Maximum Number of Participants.** The total number of daycare participants served shall not exceed what is permitted under the State license. Additionally, a conditional use permit amendment shall be required if the total number of daycare participants is proposed to exceed 86 adults, which is the maximum number of the participants that the project architect's code analysis shows that the Applicant's space can support under the State Building Code with its proposed floorplan.
5. **Staffing Requirements.** The Applicant shall adhere to any staffing ratio requirements, staff training requirements, and staff background requirements imposed by the Minnesota Department of Human Services and/or State Statute.
6. **Compliance with Food Preparation Requirements.** The Applicant shall comply with whatever requirements are imposed by the Minnesota Department of Health and Minnesota Department of Agriculture for food preparation. The catering kitchen must be upgraded to a full commercial kitchen if the Applicant wishes to use it in such a way where Building Code or Fire Code requirements would require such an upgrade.
7. **No overnight accommodations.** There shall be no overnight accommodations provided at the adult daycare. The business may only operate between the hours of 5 AM and 10 PM.
8. **Compliance with Noise and Nuisance Ordinances.** The adult daycare must not violate the City Code's noise ordinance or in any other way be a public nuisance.
9. **Scope of Conditional Use Permit.** This conditional use permit for an adult daycare shall only apply to the specific suite in the Southview Shopping Center that is being proposed for use as an adult daycare by the Applicant.
10. **Termination of the Conditional Use Permit.** The Conditional Use Permit will terminate if improvements have not substantially begun within one year from the date of approval. The violation of any condition of approval in the conditional use permit may terminate

the conditional use permit(s), following a hearing by the City Council.

Action Requested

The Planning Commission has the following actions available on the proposed application:

1. Approval. If the Planning Commission wishes to recommend approval of the conditional use permit, the following action should be taken:

A. Motion to recommend approval of a conditional use permit for an adult day care in the Southview Shopping Center.

2. Denial. If the Planning Commission wishes to recommend denial of the conditional use permit, the following action should be taken:

B. Motion to recommend denial of a conditional use permit for an adult day care in the Southview Shopping Center.

If the Planning Commission wants to recommend denial, it will require a finding that the conditional use permit request is not consistent with one of more parts of the CUP criteria.

SOURCE OF FUNDS

NA

ATTACHMENTS

1. Site Location Map
2. Applicant's Narrative
3. Interior Remodel Plans
4. Public Hearing Notice

ATTACHMENT 1
SITE LOCATION MAP



**ATTACHMENT 2
APPLICANT'S NARRATIVE**

12/27/2024

City Council Members

City of South St. Paul

125 3rd Ave N

South St.Paul, MN 55075

Dear Honorable City Council Members,

I hope this letter finds you well. My name is Ashley Kendrick, and I am writing to you today regarding an exciting new business venture I am seeking to establish within South St. Paul. I am in the process of opening an Adult Day Care facility, and I am requesting your support and approval for a building permit to operate this facility at 1205 Southview Blvd South Saint Paul, MN. The purpose of this proposal is to provide clarity on the planned use of the space, as well as to demonstrate how this facility will positively impact our community.

Purpose and Scope of the Adult Day Care Facility

The Adult Day Care facility will cater to up to 86 clients and will operate on a daily schedule from 8:00AM to 8:00 PM, Monday through Saturday. It is important to note that this facility will not provide special care for individuals with significant medical needs, such as those requiring nursing or intensive medical attention. Rather, it is designed to support adults who are generally independent but benefit from socialization, structured activities, and a safe environment during the day.

Our primary goal is to offer a safe, welcoming space for older adults who may be seeking companionship, mental stimulation, or assistance with light daily activities. The services we provide will include:

- Social interaction through group activities, games, and discussions
- Recreational activities to promote physical and mental wellness
- Healthy meal services for clients during operating hours
- Transportation services to and from the facility, if necessary

Location and Facility Details

The location of the proposed Adult Day Care is situated at 1205 Southview Blvd in South St. Paul. The building is well-suited for this purpose, with ample space to accommodate our

planned client base of 86 individuals. We will be leasing the building, and we seek to ensure that it meets all zoning and safety requirements for its intended use as an Adult Day Care.

We understand that a permit is required to change the designated use of the building to an Adult Day Care facility, and we are committed to complying with all local zoning laws, health, and safety regulations. We will work closely with the city to ensure that all necessary building code modifications and safety protocols are met.

Community Impact

We strongly believe that this facility will be a valuable addition to the South St. Paul community, offering numerous benefits to both clients and the surrounding neighborhood. These include:

1. **Support for Families:** The facility will provide respite for family members who may be primary caregivers, allowing them to continue working or attend to personal matters while knowing their loved ones are in a safe and stimulating environment.
2. **Economic Benefit:** The adult day care will create local jobs, including care providers, activity coordinators, kitchen staff, and administrative personnel. This will contribute to the local economy and provide new employment opportunities.
3. **No Major Traffic Disruptions:** The adult day care will operate during standard weekday hours (8 AM - 8 PM) and is not expected to generate significant traffic or disturbances. We have made provisions for transportation services to ensure clients are safely transported to and from the facility, minimizing any impact on local traffic.
4. **Safe and Healthy Environment:** We are dedicated to providing a well-maintained, clean, and accessible space that meets all safety and accessibility guidelines, ensuring the health and well-being of all individuals who come to the center.

Conclusion

In conclusion, I respectfully ask the City Council to grant us the necessary permit to operate our Adult Day Care facility at 1205 Southview Blvd South Saint Paul. We are committed to following all regulations and working in close partnership with the city to ensure the space is safe, accessible, and beneficial to the residents of South St. Paul. We believe this facility will be a great asset to the community, helping to improve the lives of seniors and providing invaluable support to their families.

Thank you for your time and consideration. I am happy to answer any questions you may have and provide further details regarding our plans for the facility. We look forward to the opportunity to contribute positively to South St. Paul and work with you in making this vision a reality.

Sincerely,

Ashley Kendrick

651-666-9438

ATTACHMENT 3
INTERIOR REMODEL PLANS

Adult Day Center

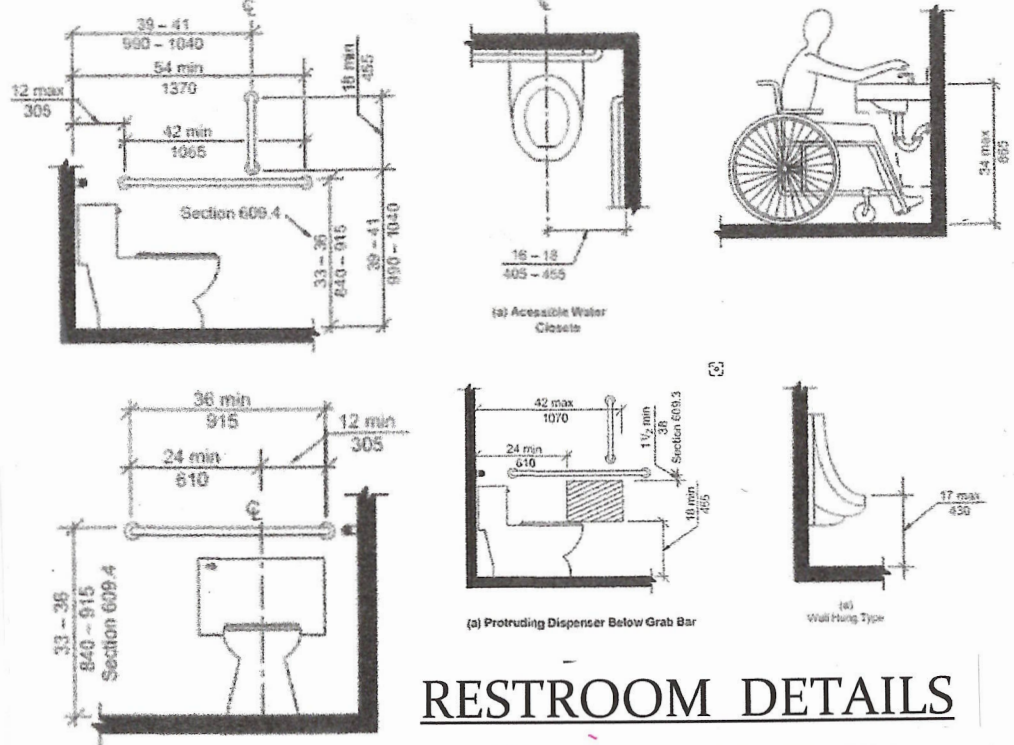
Interior Remodeling
1205 Southview Blvd
South St. Paul , MN

CODE SUMMARY

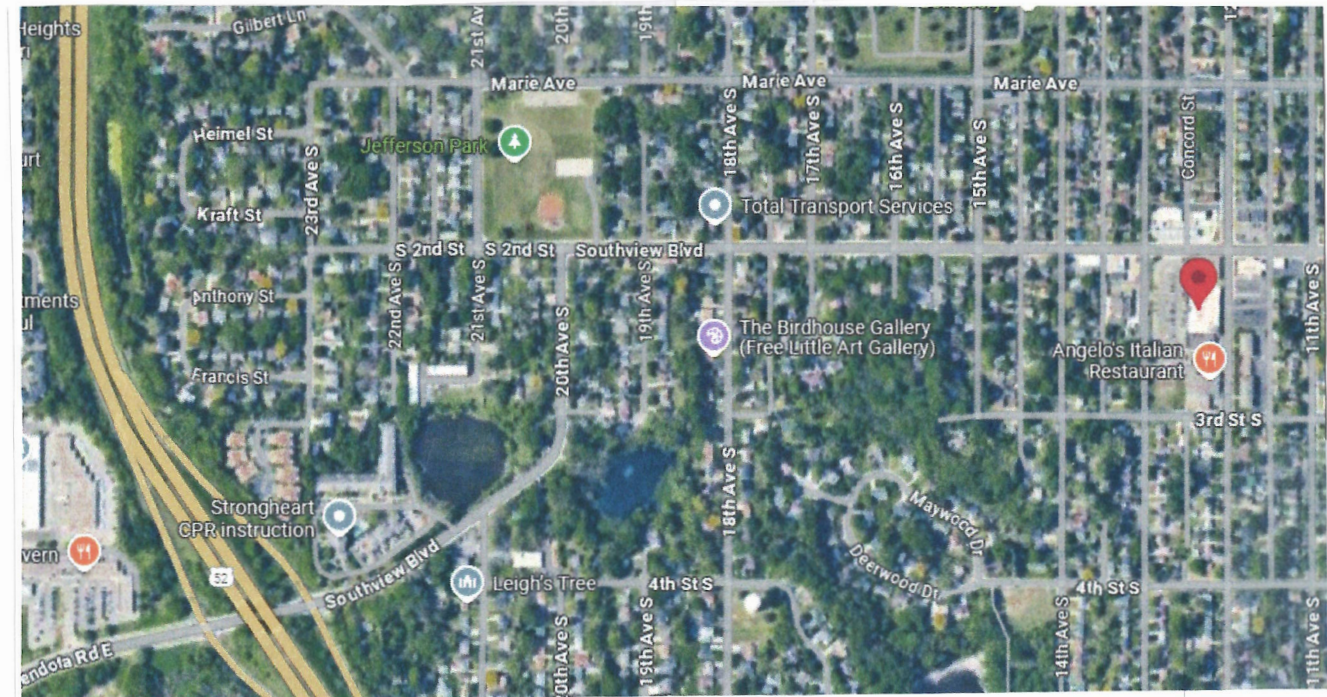
SCOPE OF WORK:	CHANGE OF USE FROM FITNESS CENTER [B] TO AN ADULT CAY CENTER [E] / ADD SMALL FOOD PREP [NO COOKING]
APPLICABLE CODES:	2020 MINNESOTA BUILDING CODE 2020 MINNESOTA BUILDING CONSERVATION CODE 2020 MINNESOTA ACCESSIBILITY CODE CHAPTER 1341 2020 MINNESOTA STATE MECHANICAL AND FUEL GAS CODE 2020 MINNESOTA STATE FIRE CODE 2020 MINNESOTA STATE PLUMBING CODE 2023 NATIONAL ELECTRIC CODE
OCCUPANCY TYPE:	E (MBC SECTION 305)
CONSTRUCTION TYPE:	II-B - S1 @ LOWER LEVEL (MBC TABLE 506.2) EXISTING MASONRY BUILDING
OCCUPANT LOAD:	OPEN AREA: 3000 SF / 35 = 86 OCCUPANTS OFFICES: 110 SF X 2 = 220 / 150 = 2 OCCUPANTS FOOD PREP: 108 SF / 200 = 1 OCCUPANT STAFF: 6 OCCUPANTS TOTAL: 95 OCCUPANTS
FIRE SEPARATION:	EXISTING 1 HOUR FIRE RATED WALLS IN CORRIDORS - ASSUME METAL STUDS WITH 5/8" TYPE 'X' GYPSUM BOARD EACH SIDE - EXTENDED TO UNDERSIDE OF DECK ABOVE - FIELD VERIFY
SIGNAGE:	PROVIDE TACTILE SIGNAGE AT NEW RESTROOMS PER THE MINNESOTA STATE BUILDING CODE.
EXIT LIGHTING:	EXISTING LED TYPE EXIT/EMERGENCY LIGHTS.
AUTOMATIC FIRE SPRINKLER:	EXISTING INSTALLED THROUGHOUT
TRAVEL DISTANCE:	MAXIMUM ALLOWED: 200' (MBC TABLE 1017.2) PROPOSED: 100'
PLUMBING FIXTURES:	FIXTURES REQUIRED: 1 WC / 1 LAV PER SEX (MBC TABLE 2902.1) FIXTURES PROVIDED: 1 WC / 1 LAV PER SEX + SERVICE SINK
GROSS FLOOR AREA:	4644 SQ. FT. (TENANT SPACE)
BUILDING HEIGHT:	EXISTING 1 STORY

GENERAL NOTES

- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL DIMENSIONS AND EXISTING CONDITIONS.
- SIMILAR MATERIALS INDICATED ON DIFFERENT PLANS, SECTIONS AND DETAILS, AND ANNOTATED ON ONE OR MORE PLAN, SECTION OR DETAIL SHALL BE CONSIDERED ANNOTATED, NOTED OR LABELED COMPLETELY ON ALL PLANS, SECTIONS AND DETAILS.
- IN THE CASE OF AMBIGUITIES, DISCREPANCIES OR IRREGULARITIES IN THE DRAWINGS, SPECIFICATIONS, MANUFACTURING INSTRUCTIONS, SITE CONDITIONS OR APPLICABLE CODES AND STANDARDS, REQUEST CLARIFICATION FROM THE ARCHITECT OR ENGINEER BEFORE PROCEEDING. THE COST OF CORRECTING WORK DONE AS A RESULT OF PROCEEDING WITHOUT OBTAINING CLARIFICATION WILL BE BORNE SOLELY BY THE CONTRACTOR.
- THE CONTRACTOR AND/OR OWNER MUST VERIFY AND CHECK ALL NOTES, FLOOR PLANS, ELEVATIONS, SECTIONS AND DETAILS AND NOTIFY THE ARCHITECT OF ANY ERRORS OR OMISSIONS FOR POSSIBLE CORRECTION PRIOR TO START OF CONSTRUCTION.
- ELECTRICAL, MECHANICAL PLUMBING AND SPRINKLER MODIFICATION PLANS (IF REQUIRED) SHALL BE SUPPLIED BY THE CONTRACTORS PERFORMING THE WORK.
- ALL WORK SHALL COMPLY WITH ALL LOCAL AND STATE BUILDING CODES & ORDINANCES.
- SEE CONSTRUCTION PLANS FOR ADDITIONAL INFORMATION.



RESTROOM DETAILS



ROOM FINISH SCHEDULE

RM#	ROOM NAME	FLOOR & BASE	WALLS	CEILING	CLG.HT	REMARKS
100	ENTRANCE	TILE	EXIST-PAINT	EXPOSED	12-0 +/-	
101	OFFICE	VCT	EXIST-PAINT	EXISTING	9-0	
102	OFFICE	VCT	EXIST-PAINT	EXISTING	9-0	
103	OPEN AREA	VCT	EXIST-PAINT	EXPOSED	12-0 +/-	
104	FOOD PREP	QUARRY TILE	FRP	PLASTIC FACE TILE	9-0	COVE BASE
105	UTILITY	CONCRETE	FRP	EXISTING	9-0	
106	EXIST MEN	EXIST TILE	EXIST-PAINT	EXISTING	9-0	
107	EXIST WOMEN	EXIST TILE	EXIST-PAINT	EXISTING	9-0	

NOTES

- ALL FINISHES SELECTED/VERIFIED WITH THE TENANT.
- FIELD VERIFY ALL EXISTING CONDITIONS INCLUDING CEILING HEIGHTS.

DOOR INFORMATION

- ALL DOORS ARE EXISTING TO REMAIN.
- VERIFY PANIC HARDWARE AND CLOSER AT EXTERIOR DOORS.
- VERIFY THAT ALL DOORS HAVE LEVER HANDLES. REPLACE AS NECESSARY.

JIM MACKIE
ARCHITECT
HOUSES • LAKEHOMIE • COMMERCIAL
1723 LAFOND AVENUE
SAINT PAUL, MN 55104
OFFICE 651-644-0869
MOBILE 651-353-8210
E-MAIL jim.mack@q.com

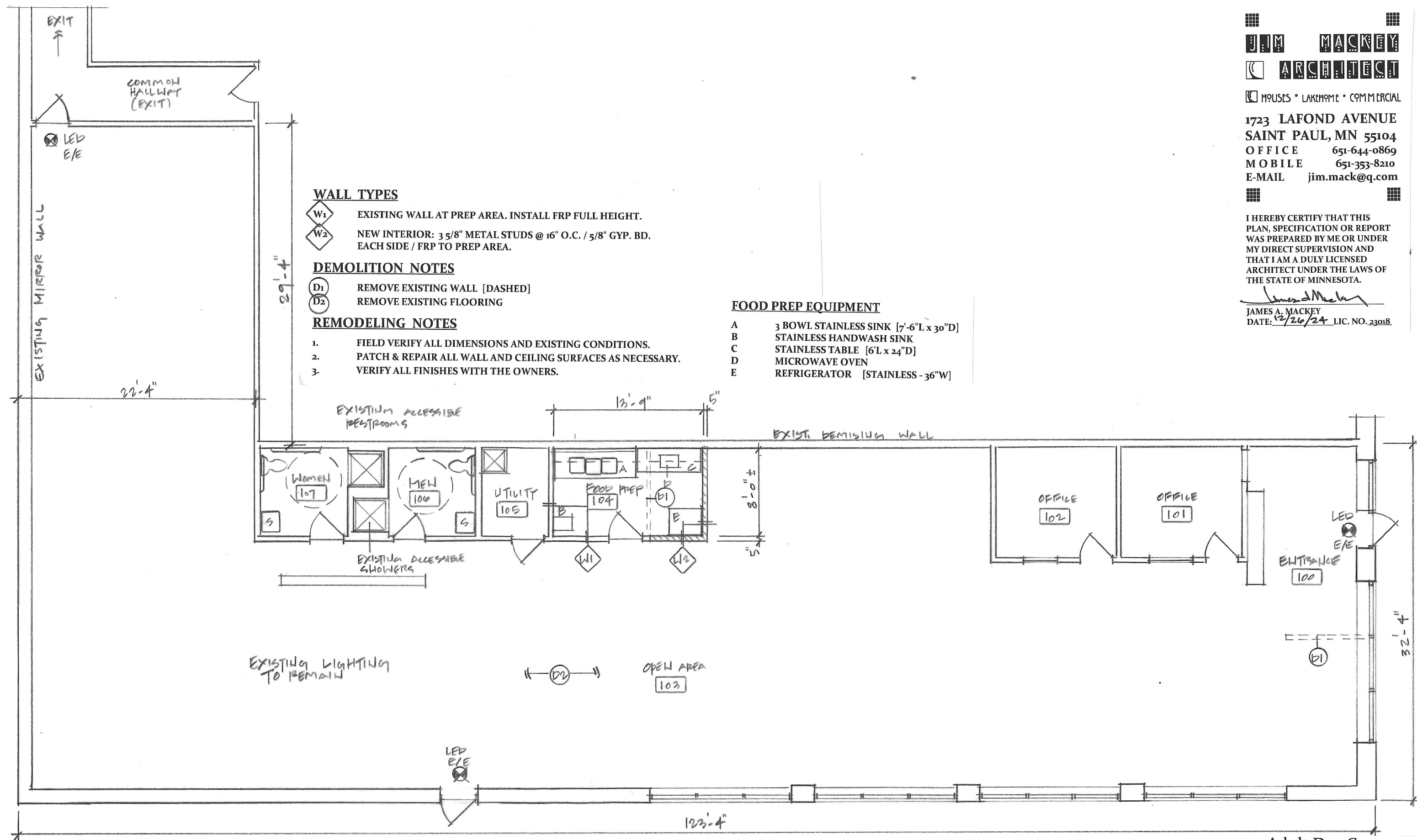
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
JAMES A. MACKIE
DATE: 12/26/24 LIC. NO. 23018

Adult Day Center
1205 Southview Blvd
South St. Paul , MN

A1

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

James A. Mackay
JAMES A. MACKAY
DATE: 12/26/24 LIC. NO. 23018



REMODELING FLOOR PLAN

1/8" = 1' - 0"

Adult Day Center
1205 Southview Blvd
South St. Paul, MN

ATTACHMENT 4
Public Hearing Notice



**City of South
St. Paul**

125 Third Avenue North
South St. Paul, MN 55075

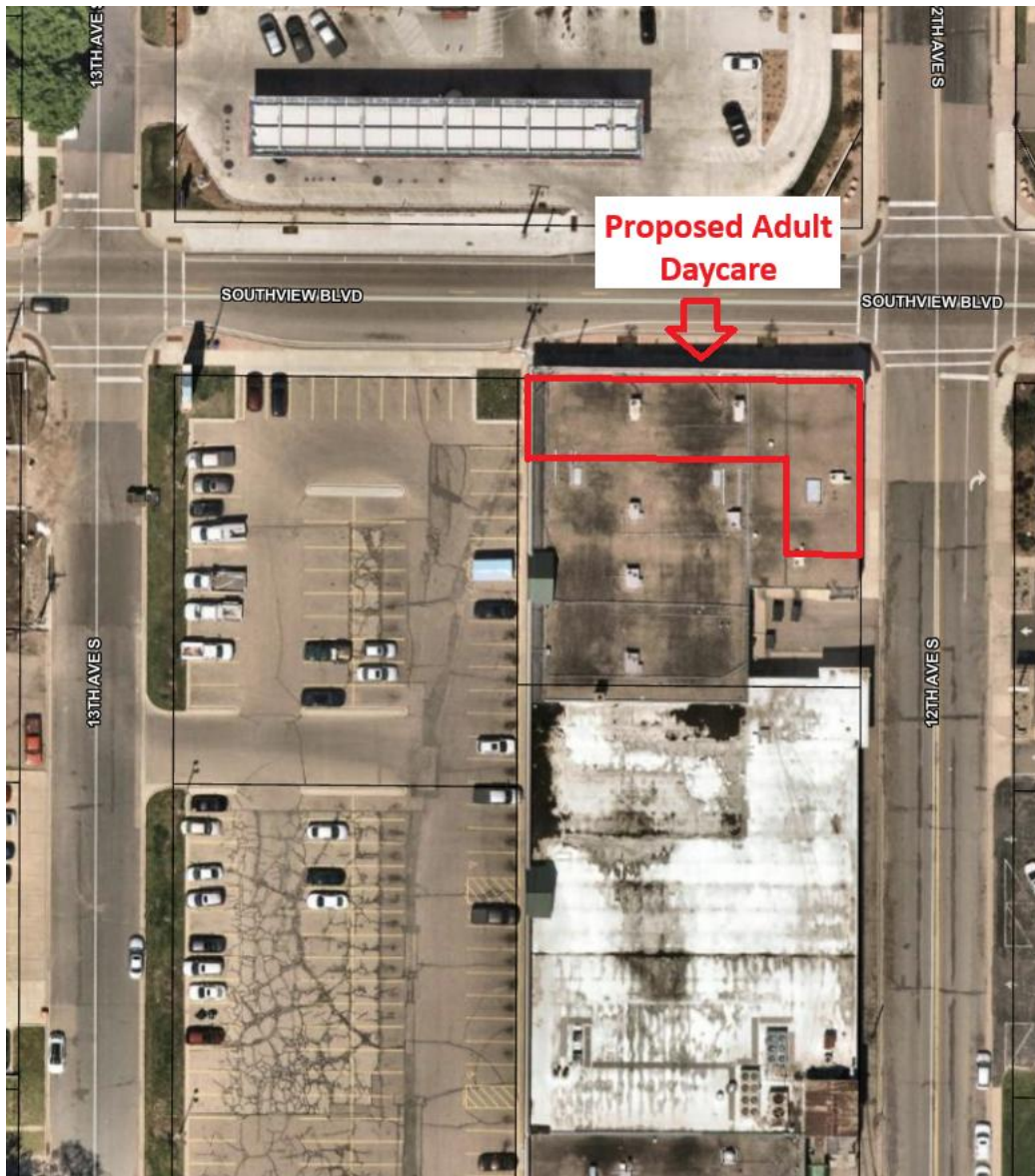
www.southstpaul.org

**Notice of Public
Hearing**

Applicant(s):	Emadeldin Ibrahim
Request:	The Applicant is seeking a conditional use permit to operate an adult daycare business out of Suite "1205 Southview Boulevard" in the Southview Shopping Center. The property is zoned C-1 Retail Business, and the use is allowed with a conditional use permit.
Subject Property	1205 Southview Boulevard (vacant suite previously occupied by Anytime Fitness)
Public Hearing Time and Location:	City Hall, Council Chambers, 125 Third Avenue North, South St. Paul Wednesday, February 5, 2025 at 7:00 P.M. Or as soon thereafter as the matter can be heard. All those interested are encouraged to attend and will be given an opportunity to be heard.
Questions or Comments, Please Contact:	The Planning Commission will also consider oral and written comments that are received prior to the meeting. You can submit your comments: By mail: City of South St. Paul, Attn: City Planner 125 Third Avenue North South St. Paul, MN 55075 By phone: (651) 554-3217 By fax: (651) 554-3271 By e-mail: mhealy@southstpaul.org <u>All written, faxed, or e-mailed comments must be received by the City Planner no later than Noon on Wednesday, February 5th to be considered by the Planning Commission as part of the public hearing*.</u> <i>*Please include your name and address as well as the project address</i>

A staff memo analyzing the request will be posted to the City's website by Friday, January 31st as part of the Planning Commission packet. It can be accessed using the following link:

<https://www.southstpaul.org/926/Agendas-Minutes>



Maps Showing the Approximate Location of the Proposed Adult Daycare at the Southview Shopping Center



PLANNING COMMISSION AGENDA REPORT

DATE:

February 5, 2025

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

5.B.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Ordinance Updating Parking Requirements for Residential and Mixed-Use Properties

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

A motion recommending approval or denial of an ordinance updating parking regulations for residential and mixed-use properties.

OVERVIEW

Purpose of Proposed Ordinance

In 2019, the City began a multi-step update of its parking ordinance because the old requirements were making it difficult for the City to attract new investment. Additionally, the old requirements made it illegal to build infill development that matched South St. Paul's existing walkable small-town character. Most of SSP's existing buildings were "grandfathered" but if a building burned down and lost its grandfather rights, it could not be rebuilt because all new buildings required a very large parking lot which would not fit on a standard-sized parcel. The City adopted new parking rules for non-residential properties in 2022 which legalized SSP's existing commercial areas and made it possible to build infill development that matched the character of these areas. The City still needs to update its parking rules for residential properties and mixed-use properties as this was not addressed in the 2022 update.

The current parking rules for residential buildings and mixed-use buildings do not align with market conditions. Consequently, almost every significant residential development that has been approved in recent decades has involved a parking variance or Planned Unit Development (PUD) flexibility that has greatly reduced the overall parking requirement. This approach introduces uncertainty into the development process because variances and PUD flexibility can become politicized and divide the community. The City Council and the South St. Paul Economic Development Authority (EDA) have been laying the groundwork for the past decade to redevelop the northeast corner of Grand Avenue and Concord Boulevard into a mixed-use neighborhood known as the Hardman Triangle. A link to the Hardman Triangle Redevelopment Plan is included at the end of this memo. It will be much more difficult for the redevelopment of the Hardman Triangle to move forward if the City does not update its code to align with market

conditions with modern parking standards for residential projects.

The Planning Commission discussed a draft of the proposed ordinance at their meeting on January 8, 2025. They were supportive of the proposed ordinance and directed Staff to refine the ordinance and bring it back in February for a public hearing and official review.

Background

Like many communities in Minnesota, South St. Paul adopted a new parking ordinance in the 1950's that took away landowners' ability to make their own decisions about how large their parking facilities would be. Instead, City Staff would decide the minimum size of each parking facility using a set of formulas related to the size and use of each building. The City Code was written to incorporate a peak demand approach, meaning that each new building was required to have an oversized parking lot that could handle 100% of the cars that might show up on the busiest day of the year. Church parking lots needed to be sized to handle all cars that might show up on Christmas Sunday. Retail parking lots needed to be sized to handle all cars that might show up on Black Friday. It was also made generally illegal to move a new type of business into an existing commercial building without expanding its parking lot to meet the new requirements. South St. Paul is a fully built out community so expanding a parking lot typically means demolishing a neighboring building.

Interestingly, the City Code's parking requirements were never really enforced. The Planning Commission and the City Council have long understood that the rules were not well-calibrated and have been extremely generous with large parking variances and PUD flexibility to allow projects to move forward. Unfortunately, many businesses and developers fear the uncertainty of the variance process and avoid investing in cities where a parking variance is needed for most projects. South St. Paul is a walkable community and parking lots do not need to be quite as large as they are in outer ring suburbs because not everybody uses a car for all trips and off-street parking lots are not the only parking option. Most roads in SSP have on-street parking which can be used for special events and short-term guest parking. The City Council recently had Concord Street and Concord Exchange reconstructed and added extra-wide parking lanes and some new angled parking to make it even easier for customers to park on the street. On-street parking in SSP is intended to have frequent turnover and is not supposed to be used for long-term storage of vehicles. The City Code prohibits a car from being parked in the same spot on any public street for longer than 20 hours.

In 2019, the City launched a project to update its parking requirements. At their October 2nd meeting in 2019, the Planning Commission unanimously recommended approval of an ordinance that would update parking requirements for both nonresidential developments and residential developments. The City Council was supportive of the proposed ordinance, but they tabled it during the second reading and requested an additional Worksession discussion to talk about parking requirements for schools. Unfortunately, the parking ordinance update was then paused due to staff turnover and the onset of the Covid-19 pandemic.

In 2021, the City completed a corridor study and created the new MMM-Mixed Markets and Makers mixed use district on Concord Street North. The MMM district was envisioned as an

innovation corridor with a market-driven approach to development. Nonresidential uses were given flexibility to work with the Planning Commission and City Council to design their parking facility instead of being assigned a strict minimum parking stall count by City Staff. Residential projects were given a reduced minimum parking requirement so the market can help guide how much parking is built. In 2022, the parking ordinance was updated to implement the MMM district's business-friendly approach in all the City's commercial districts when it comes to nonresidential uses. The 2022 update also established a new collaborative process for reviewing and approving parking plans for institutional uses such as churches and schools when they are in residential neighborhoods. The 2022 update did not include any changes to parking regulations for residential projects or dwelling units in mixed-use buildings which is why another code update is needed.

2040 Comprehensive Plan and Master Housing Strategy Guidance

The Economic Development, Housing, and Land Use chapters of the 2040 Comprehensive Plan all call for updating the City Code's parking requirements to promote the efficient use of land, grow the tax base, and protect community character from the negative impacts that can be caused by excessively large surface parking lots.

The City Council adopted a Master Housing Strategy in June of 2020 which includes the following statement:

"Based on feedback received from developers, South St. Paul's zoning code creates a number of barriers to townhomes and apartment developments. The most problematic sections of the code include Section 118-267- Multifamily residential, townhouses and cluster developments and Section 118-354 - Off-street parking requirements. Changes to these sections could alleviate red tape for future townhomes or apartment developments."

A link to the full text of the Master Housing Strategy and its supporting documents is included at the end of this memo.

Summary of Existing Parking Ordinance

The current minimum parking requirements for residential developments are as follows:

- In all zoning districts except for the MMM district, the City Code requires two parking stalls for each residential dwelling unit. This requirement applies to single-family homes, units in a duplex, and all apartment units including studio and 1-bedroom units. The only exception to this requirement is that senior housing only requires one parking stall per unit.
- The MMM district has different requirements than the other zoning districts:
 - Single family homes require at least 2 parking stalls.
 - Two-family homes require 3 parking stalls.

- Three-family homes require 4 parking stalls.
 - Multifamily units in large residential buildings and mixed-use buildings require 1 parking stall if they are a studio or 1-bedroom unit. All other units require 2 parking stalls.
- In residential zoning districts, each unit in a townhome development is also required to provide an extra 1½ off-street parking stalls for guest parking. *This requirement may make sense in townhome developments with narrow private roads that have no on-street parking for guests. As written, however, the requirement also applies to townhome buildings constructed on normal public streets where ample on-street parking is available.*

Summary of Proposed Ordinance

The proposed ordinance would apply the current MMM minimum parking requirements to residential buildings citywide. Staff believes that this is the minimum that it would take to align the City Code with market conditions and reduce the need for every housing project to obtain a parking variance or PUD flexibility.

The proposed ordinance would also do several other things that could have a positive impact on economic development efforts citywide and help support SSP's traditional neighborhood character:

1. The requirement that townhome developments must provide an extra 1½ stalls of guest parking for each unit would be modified to only apply to townhome buildings that are on private roads where there is no on-street parking. The requirement would be set at 1 guest parking stall per unit.
2. The MMM district on Concord Street North is intended to be an innovation district that is very sensitive to market conditions and can adjust quickly if the market changes. The corridor has significant topographical challenges and has struggled with decades of disinvestment so the City has made a concerted effort to remove zoning barriers that could stand in the way of new investments. In keeping with the zoning district's purpose and intent, Staff is proposing to have the parking requirement for dwelling units in the MMM district be a flat "at least 1 parking stall is required for each dwelling unit."
3. Residents have made it clear that they want to see more retail and restaurant activity in SSP and would like to see the City encourage mixed-use residential developments that include a commercial component. It can be very difficult for mixed-use developments to

pencil out and it is often impossible to develop a functional floorplan for a mixed-use development if extra off-street parking is required. The extra parking eats up space within the building that might otherwise be turned into a ground floor commercial space. Staff would propose adding two new rules to the City Code that would support mixed-use developments in areas that are within ¼ mile of a fixed transit line (Metro Transit Route 68 and Route 71) where it is possible to live comfortably without a car or with just one car per household:

- a. The first four dwelling units in a mixed-use building would not require dedicated parking stalls if the ground floor contains a commercial space that is at least 50% of the footprint of the building or 5,000 square feet in size, whichever is less. Each additional unit beyond the first four units would require one dedicated parking stall per unit.

This is inspired by an approach that the City of Winona has taken to encourage the development of small mixed-use buildings where there is a retail store or restaurant on the ground floor with a few apartment units above it. These buildings greatly add to the architectural character of a mixed-use area and adding just a few rentable dwelling units can help a small infill project pencil out. Residents living in these buildings may not have a car, they may park on the street, or they may lease a space in a parking facility on a nearby property. There are already several small mixed-use buildings like this on Marie Avenue and Southview Boulevard which do not have on-site parking facilities.

- b. In the C-1 Retail Business district, residential buildings that are co-located on the same parcel as a commercial building would not require dedicated parking stalls for the first four units. One parking stall must be provided for each additional unit. The C-1 district zoning rules would be updated to establish a conditional use permit process for constructing a commercial building on a corner lot that already has a residential building taking up part of the property, but this would be limited to Southview Boulevard.

Due to development decisions that were made in the late 1800's, the land along Southview Boulevard is laid out in a challenging way that makes it difficult to get the type of commercial-retail development that the City wants to see. Most of the platted lots are oriented towards the side streets instead of being oriented towards Southview Boulevard. The platted lots are 40-feet wide and 125-feet deep, but the long side is parallel to Southview. This means that only 40-foot-deep commercial buildings can be accommodated unless a developer acquires multiple lots and demolishes existing houses on the side streets to create a deeper parcel through lot combination.

For much of SSP's existence, people who owned corner lots with frontage on Southview Boulevard found a creative solution to realize the "highest and best use" of their property. Many people built a home at one end of the lot and then built a commercial building at the other end of the lot. This approach is part of what gives Southview Boulevard its unique

architectural character and there are several examples of surviving buildings with this setup- Pounce and Fetch sits on the same lot as a fourplex, D & G Jamaican Restaurant (formerly Wellness Café) sits on the same lot as a single-family home, and The Coop restaurant sits on the same lot as a single-family home.

The City Code does not currently allow corner lots with C-1 zoning to have a commercial building and residential building co-located on the same parcel. The three properties that already have this setup are lawful nonconforming (“grandfathered”) and cannot be expanded without variances or rebuilt if they burn down and lose their grandfather rights. Staff believes that there could be an opportunity here for creative economic development that could give Southview Boulevard a better street life with more storefronts. If the City Code were updated to allow co-location of buildings with a conditional use permit in the C-1 district, that would allow corner lot homeowners whose houses have C-1 Retail Business zoning to turn their yards into new commercial buildings that could house small businesses and make Southview Boulevard a more visually interesting streetscape. Currently, these homeowners must demolish their house if they want to add a commercial building to their C-1 zoned property and this makes it much more difficult, if not impossible, for small infill projects to pencil out.

Discussion

City Staff feels very strongly that the proposed ordinance will improve the City Code, benefit the local community, and help South St. Paul attract the type of investment that it wants to attract. The Planning Commission and City Council have already been using the variance and PUD process to attract investment using roughly the same standards that are now being proposed. The proposed ordinance will make it possible to develop the Hardman Triangle without every project needing a parking variance.

Staff wants to provide the Planning Commission with some food for thought to emphasize how important this type of local zoning reform is to the long-term health of the community:

- There is substantial evidence that the private sector does a better job of right-sizing parking facilities than local government ever can. Local parking ordinances are usually only updated every few decades and therefore fail to account for development trends and changes in consumer behavior. Political disagreements and a lack of staff capacity often make it difficult to update these ordinances even when it is clear that the standards are out of date. Case in point, many cities still require retailers to build parking lots that can accommodate a Black Friday sales event that would have taken place in the 1990’s before the rise of online shopping. Black Friday sales events are nowhere near as busy as they were 30 years ago so a parking lot built with that size will be mostly empty even on Black Friday and is a waste of developable land.
- Developers are still free to build extra parking beyond what the code requires if they believe that is what they need for their project to be successful. They can take factors into account like topography and whether the development is in a walkable area or close to

bike trails and transit lines. In cities that have taken a market-driven approach and reduced their City-mandated minimum parking minimums, many developers and business owners will still decide to build significantly more parking stalls than the new minimums require.

- Each parking stall that is added to a housing development increases the cost of the development (more land acquisition, more site preparation, higher construction costs, and ongoing maintenance costs). One recent national study found that each underground parking stall adds at least \$50,000 to the cost of an apartment project. These costs are passed on directly to tenants in the form of higher monthly rents. If a City requires every studio apartment to have two parking stalls even if the second stall is almost never used, that is going to increase the monthly rent on every studio apartment without providing the tenant with a benefit.
- Many of the classic multifamily housing styles that are beloved in older communities because of their architectural character are almost impossible to build if more than one off-street parking stall is required for each unit. Most of the old brownstones, row houses, and classic small apartment buildings in SSP and throughout the metro have no more than one parking stall per unit because it is usually not possible have this type of building design with a larger parking facility. If the parking facility gets too large, the project will no longer fit on a standard-sized parcel. Instead, a developer needs to acquire multiple parcels and can only make this work financially if they abandon their plans to build a small multifamily building and instead build a large multifamily building that no longer fits with the character of the neighborhood but does meet zoning requirements.
- Many US states have housing shortages, and a lot of blame is being placed on local governments for stifling housing development with expensive and project-killing zoning requirements such as 2-stall-per-unit minimum parking requirements. State legislatures across the country have recently begun punishing cities for this behavior by taking away local zoning authority and imposing new statewide zoning rules. This has happened in Republican-controlled states (i.e. Montana), Democrat-controlled states (i.e. California), and states with a mix of politics (i.e. Maine and Oregon). In Minnesota, there was a bipartisan effort during the 2024 legislative session to limit local zoning authority and enact new statewide zoning rules. The Minnesota effort had the support of a large coalition of liberal and conservative political action groups, homebuilders, realtors, and environmentalists. One of the statewide zoning rules that the Minnesota State Legislature was considering in 2024 was a rule that municipalities cannot require more than 1 off-street parking stall for each housing unit. Local government leaders throughout Minnesota banded together to oppose the 2024 efforts to enact statewide zoning rules and argued that zoning reform should take place at the local level. The statewide zoning reform effort was temporarily defeated in 2024, but it will likely resurface in upcoming

legislative sessions. It is important that South St. Paul and other communities implement local zoning reforms if there is truly a desire to fix zoning issues at the local level to avoid a heavy-handed intervention by the Minnesota State Legislature.

Action Needed

A motion recommending approval or denial of an ordinance amendment updating the zoning code's parking regulations for residential and mixed-use properties.

Links

1. Hardman Triangle Redevelopment Plan
(2020): <https://www.southstpaul.org/DocumentCenter/View/7618/Hardman-Triangle-Study>
2. Master Housing Assessment and Strategy (2020): <https://www.southstpaul.org/776/Master-Housing-Assessment-and-Strategy>
3. Council Packet with Staff Memo for 2022 Parking Ordinance Update:
https://www.southstpaul.org/AgendaCenter/ViewFile/Agenda/_02072022-1091

SOURCE OF FUNDS

NA

ATTACHMENTS

1. Zoning Map
2. "Grandfathered" Traditional Multifamily Buildings and Parking Counts
3. Southview Blvd. Properties with Co-Located Commercial and Residential Buildings
4. Proposed Ordinance

City of South St Paul Zoning Map



City of South St Paul Planning Department
<https://www.southstpaul.org/>

ATTACHMENT 1 ZONING MAP

Zoning Designations

Residential		
R1 - Single Family	617.54	21.4%
R2 - Single and Two Family Residence District	795.46	27.5%
R3 - General Residence	31.88	1.1%
R4 - Multifamily Residential District	90.19	3.1%
Commercial		
C1 - Retail Business District	44.63	1.5%
GB - General Business District	145.71	5.0%
CGMU1 - Concord Gateway Mixed Use District 1	54.68	1.9%
CGMU2 - Concord Gateway Mixed Use District 2	11.09	.4%
MMM1 - Mixed Markets and Makers District 1	6.09	.2%
MMM2 - Mixed Markets and Makers District 2	27.54	1.0%
MMM3 - Mixed Markets and Makers District 3	6.39	.2%
MMM4 - Mixed Markets and Makers District 4	10.80	.4%
Industrial		
I - Industrial District	584.06	20.2%
I-1 - Light Industrial District	241.32	8.4%
Other		
NRDD - North Riverfront Development District	126.14	4.4%
MH - Mobile Home	3.43	.1%
RT- Rail Transportation District	91.28	3.2%
ROW - Right of Way		
WAT - Water		
MRCCA - Mississippi River Corridor Critical Area		
Airport Safety Zone A		
Airport Safety Zone B		
Airport Safety Zone C		
Primary Surface		
PUD - Planned Unit Development		
Shoreland District Overlay		

This Zoning map is a representation of various maps and ordinances that make up the City of South St. Paul zoning code. Percentage of Acreage is calculated from county parcel data. Results are representational and not to be used for purposes other than zoning. For detail information pertaining to a specific property or zoning district, please contact the City of South St. Paul Planning Department at <http://www.southstpaul.org/>

MRCCA districts can be found on a separate PDF.

Print Date: Friday, January 17, 2025
Last Updated: September 8, 2023
Prepared by: South St Paul GIS

ATTACHMENT 2

“GRANDFATHERED” TRADITIONAL SMALL MULTIFAMILY BUILDINGS WITH PARKING COUNTS

Address: 814 Marie Avenue

Property Size: .17 acres (7,563 square feet)

Unit Count: 4

Parking spaces: 5



Address: 822 Marie Avenue

Property Size: .17 acres (7,563 square feet)

Unit Count: 5

Parking spaces: 5



Address: 826 Marie Avenue

Property Size: .17 acres (7,563 square feet)

Unit Count: 4

Parking spaces: 4



Address: 315 3rd Street north

Property Size: .29 acres (12,473 square feet)

Unit Count: 17

Parking spaces: Roughly 21. *The City does not have a floorplan for the underground parking garage but it is 60 feet wide by 74 feet deep and can accommodate 19 stalls at most. There are also two surface parking stalls at the property.*



Address: 1201 Marie Avenue

Property Size: .23 acres (9,917 square feet)

Unit Count: 11

Parking spaces: 9

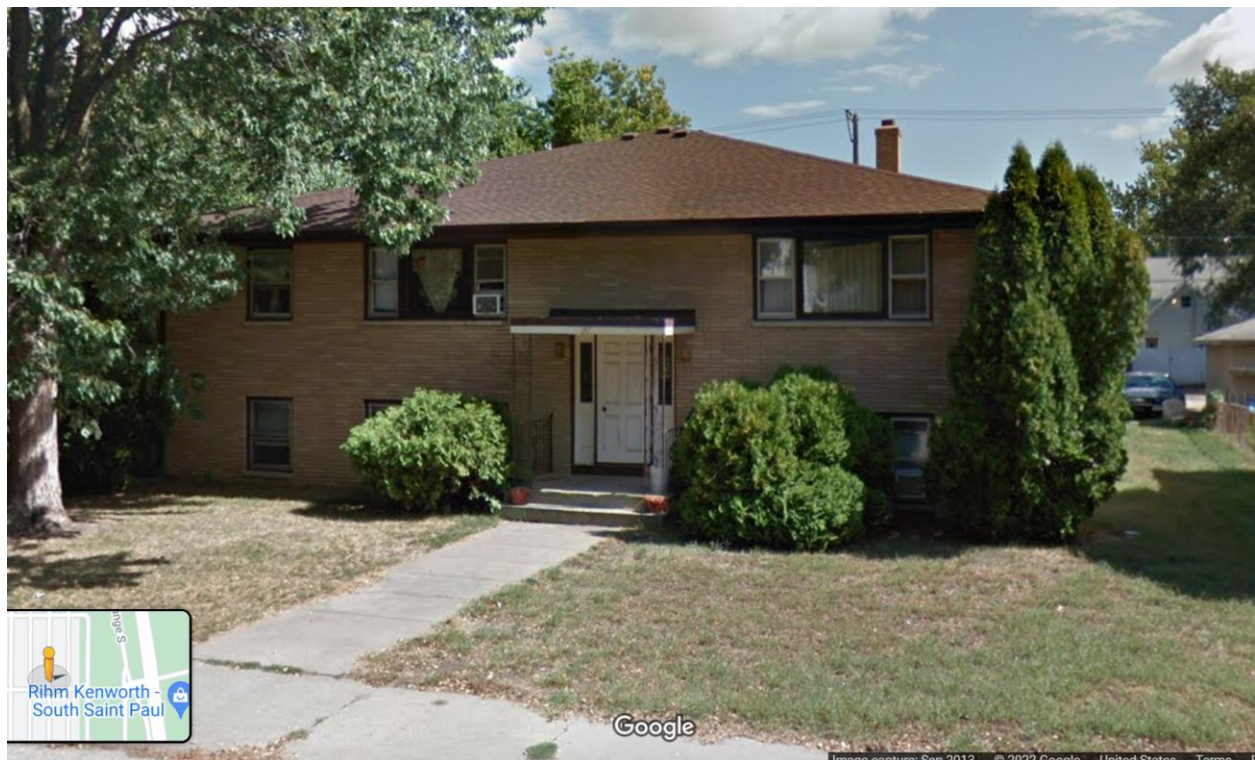


Address: 247 2nd Avenue South

Property Size: .23 acres (10,000 square feet)

Unit Count: 6

Parking spaces: 8



Address: 141 5th Avenue North

Property Size: .22 acres (9,599 square feet)

Unit Count: 10

Parking spaces: 5



ATTACHMENT 3

SOUTHVIEW BLVD. PROPERTIES WITH CO-LOCATED COMMERCIAL AND RESIDENTIAL BUILDINGS

“The Coop” at 157 3rd Avenue South

- 5,000 square foot (125' x 40' lot) with two buildings on it
 - Mixed-Use Building with a restaurant and 3 apartment units
 - Single-Family Home
- Owner also controls the adjacent lot which has a 4-car garage and a small parking lot on it.



“Pounce and Fetch” Adoption House at 512 Southview Boulevard

- 5,000 square foot (125' x 40' lot) with two buildings on it
 - Commercial building
 - Fourplex



D & G Jamaican Restaurant (Formerly Wellness Café) at 1025 Southview Boulevard

- Roughly 4,712 square foot lot (124' x 38' lot) with two buildings on it
 - Commercial building
 - Single-family home



**City of South St. Paul
Dakota County, Minnesota**

Ordinance No. 14XX

**AN ORDINANCE AMENDMENT UPDATING THE ZONING CODE'S PARKING
REGULATIONS FOR RESIDENTIAL AND MIXED-USE PROPERTIES**

The City Council of the City of South St. Paul does ordain:

SECTION 1. AMENDMENT. South St. Paul City Code Section 118-126 is hereby amended as follows:

Sec. 118-126. C-1, retail business district.

(b) *Uses by conditional use permit.* The following uses shall require a conditional use permit:

- (16) Residential dwelling units in a building that contains a ground-floor nonresidential use, subject to the following standards:
 - a. For new buildings, at least 90 percent of any building façade facing a public street shall be Class I, Class II, or Class III materials as defined in section 118-9. In addition to the listed materials, finished wood siding and engineered wood siding may also be used. For additions onto existing buildings, the addition must be architecturally consistent with the existing building.
 - b. For new buildings, exterior building walls facing a public street shall not exceed 50 feet in length without including at least two of the following: change in plane, change in texture or masonry pattern, windows, or an equivalent element that subdivides the wall into human scale proportions. Additions onto existing buildings shall follow this requirement as much as is practical.
 - c. To be eligible for the conditional use permit, the property must be guided "mixed use" in the comprehensive plan.
 - d. No individual mixed-use building may contain more than 12 dwelling units. No mixed-use development shall be permitted to exceed the maximum density established in the comprehensive plan.
- (17) Body art establishment that offers body art procedures other than micropigmentation and cosmetic tattooing (defined and regulated by section 118-276).
- (18) A commercial or mixed-use building that is located a corner lot with frontage on Southview Boulevard and is on the same lot as an existing residential building, subject to the following standards:

- a. The building must be oriented towards Southview Boulevard and shall have a maximum setback of 10 feet from the property line along Southview Boulevard.
- b. Each building shall have its own separate sewer and water utility connection.

(19) Lot Split of a commercial or mixed-use building that is located on a corner lot with frontage on Southview Boulevard and is on the same lot as a residential building, provided that each parcel has at least 30 feet of street frontage, each building has its own separate sewer and water utility connection, and all building code requirements are met.

SECTION 2. AMENDMENT. South St. Paul City Code Section 118-127 is hereby amended as follows:

Sec. 118-127. – MMM, Mixed Markets & Makers District.

(e) *Design and development standards.*

(10) *Parking.*

- d. The site design requirements for the parking facilities of single-family dwellings, two-family dwellings, and three-family dwellings in the MMM1 sub-district shall be the site design requirements that are in place for two-family dwellings in the R-2 district.

~~e. *Parking minimums, residential.*~~

- ~~1. *A minimum of two spaces is required for a single family dwelling.*~~
- ~~2. *A minimum of three spaces is required for a two family dwelling.*~~
- ~~3. *A minimum of four spaces is required for a three family dwelling.*~~

~~f. *Parking minimums, multi-family.* In multi-family buildings, one-bedroom and efficiency units shall provide at least one parking space per unit. All units with more than one bedroom shall provide at least two parking spaces. Dens, libraries, and other extra rooms within dwelling units that can be converted to a legal bedroom shall each count as one bedroom.~~

~~e. *Parking minimums, residential.* At least one parking space shall be provided for each dwelling unit. In a mixed-use building that includes a commercial space that occupies at least 50% of the ground floor level or 5,000 square feet, whichever is less, there shall be no minimum parking requirement for the first four dwelling units.~~

~~f-g. *Parking minimums, nonresidential uses.* See section 118-352.~~

~~g.h.~~ All provisions of article vii of the zoning ordinance, which regulates off-street parking and loading, shall be in effect in the MMM districts unless explicitly stated otherwise in this section. In situations where there is a conflict between the MMM ordinance and article VII, the provisions of the MMM ordinance shall prevail.

~~h.i.~~ *Screening on public street frontage.* Where parking fronts a public ROW it shall be screened with an edge planting, decorative fence, wall, or a combination of these elements to a minimum height of three feet. The maximum height of fences and walls is regulated by section 118-199. The screening shall also include one overstory tree per 30 feet, on center, of lot perimeter unless this requirement is waived or modified by the city engineer in situations where the parking setback area is not sufficiently wide to allow the planting of overstory trees without damaging adjacent infrastructure. The graphic below shows an example of screening that could be employed to satisfy this requirement.

SECTION 3. AMENDMENT. South St. Paul City Code Section 118-267 is hereby amended as follows:

Except in the case of planned unit developments, as provided for herein, not more than one principal building shall be located on a single lot unless a zoning provision explicitly allows for the co-location of multiple principal buildings on one lot by conditional use permit.

SECTION 3. AMENDMENT. South St. Paul City Code Section 118-267 is hereby amended as follows:

Sec. 118-267. Multifamily residential, townhouses, and cluster developments.

(j) *Townhouses.* Townhouse developments and twin houses ~~developments~~ consist of the placing of common wall residential dwelling units in compact groupings. Townhouse developments and twin houses ~~developments~~ shall be permitted in such residential districts as permit multiple dwellings of comparable size and number.

g. Each dwelling unit which contains two or more bedrooms shall be provided at least two off-street parking spaces, at least one of which shall be fully enclosed. Each dwelling unit that contains just one bedroom must provide at least one parking space which shall be fully enclosed. If a townhouse development is built with units that front private roads which are not wide enough to accommodate on-street parking for guests, each of these units shall be provided with at least one additional stall of off-street parking for guests. Each required guest parking stall shall be located within 100 feet of the applicable dwelling unit. ~~and an additional 1½ off-street parking spaces for guests. Guest parking shall be located within 100 feet of each dwelling unit.~~

SECTION 4. AMENDMENT. South St. Paul City Code Section 118-353 is hereby amended as follows:

Sec. 118-353. Design and maintenance of off-street parking areas.

- (l) *Minimum distance from building.* In any zoning district other than for one-family, ~~and~~ two-family, and three-family homes, no parking space shall be closer than five feet to any building, except for garage parking.

SECTION 5. AMENDMENT. South St. Paul City Code Section 118-354, and 118-355 are hereby amended as follows:

Sec. 118-354. Off-street parking spaces required.

Under section 118-352, some land uses in certain zoning districts do not have a set parking requirement and certain other land uses may secure a modified parking requirement with the approval of the city council. Unless a land use is granted a modified parking requirement under section 118-352, the default off-street parking spaces required by various land uses shall be as follows:

- (1) Single-family, two-family, and three-family dwellings: One family and two family residences: Two spaces per dwelling unit.
 - a. A minimum of two spaces is required for a single-family dwelling.
 - b. A minimum of three spaces is required for a two-family dwelling.
 - c. A minimum of four spaces is required for a three-family dwelling.
- (2) Multiple dwellings: Two spaces per dwelling unit. Multifamily buildings with four or more dwelling units, townhouse developments, and residential dwelling units that are part of a mixed-use development:
 - a. One-bedroom and efficiency units shall provide at least one parking space per unit
 - b. All units with more than one bedroom shall provide at least two parking spaces.
 - c. The following exceptions to these requirements shall be provided for properties with commercial or mixed-use zoning that are within ¼ mile of a stop on a fixed-route transit line, measured from the transit stop to the nearest property line of the parcel:
 - (1) Mixed-use buildings that include a commercial space which occupies at least 50% of the ground floor level or 5,000 square feet, whichever is less. There shall be no minimum parking requirement for the first four dwelling units. At least one parking stall shall be provided for each additional dwelling unit.
 - (2) Residential buildings that are co-located on a parcel that also contains a commercial or mixed-use building in the C-1 Retail Business zoning district. There shall be no minimum parking requirement for the first four dwelling units that are

located on these parcels. At least one parking stall shall be provided for each additional dwelling unit.

SECTION 6. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance modifies parking requirements for residential buildings and residential dwelling units within mixed-use buildings. It also establishes a conditional use permit process for co-locating a commercial building with a residential building in the C-1 Retail Business zoning district.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: _____

Published: _____

Deanna Werner, City Clerk