Please be advised that the regular meeting location is City Hall Council Chambers located at 125 3rd Ave. N., South St. Paul, but pursuant to Minn. Stat. 13D.021, under the current emergency declaration due to the COVID-19 health pandemic, some or all of the Planning Commission members may participate in remote locations using WebEx. Please be advised that City Hall is closed to the public, therefore, any member of the public wishing to monitor the meeting or participate in the public hearing may do so electronically by logging in as follows:

**WebEx Meeting**
For the Public
Join by phone: 1-312-535-8110
Access Code: 807 981 304

**Roll Call**

1. **Agenda**

2. **Minutes**
   A. March 4, 2020

3. **New Business**
   None

4. **Public Hearings**
   A. *Public Hearing for an Ordinance Amendment to Establish Formal Zoning Standards for Reception Halls and Allow Reception Halls in Historic Buildings in Residential Districts*

5. **Other Business**
   A. *Update on Hardman Triangle Plan and Concord Street Mixed-Use Districts*

6. **Adjournment**

Next Planning Commission Meeting: June 3, 2020
MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISISON
March 4, 2020

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

Present:
Stephanie Yendell
Angela DesMarais
Tim Felton
Justin Humenik
Ruth Krueger
Matthew Thompson
Michael Healy, City Planner
Monika Mann, Community Development Support Specialist

Absent: Jason Frankot

1) APPROVAL OF AGENDA – Motion to approve the agenda as presented –DesMarais/Thompson (6-0)

2) APPROVAL OF MINUTES – January 8, 2020 – Motion to approve the minutes as presented – Huminek/ Krueger (6-0)

3) NEW BUSINESS

A) Rules of Order

Motion to adopt Planning Commission Resolution 2020-03 approving the Planning Commission Rules of Order -Thompson/Huminek (6-0).

B) Election of Officers

Chair Yendell invited nominations for the Office of Chairperson. Commissioner Kruger nominated Stephanie Yendell. After three successive calls and no further nominations came from the floor a unanimous ballot was cast for Stephanie Yendell for the Office of Chairperson (6-0).

Chair Yendell invited nominations for the Office of Vice Chairperson. Commissioner DesMarais nominated Commissioner Krueger. Commissioner Krueger nominated Commissioner DesMarais. Commissioner Krueger declined the nomination for Vice Chair. Commissioner DesMarais accepted to nomination for Vice Chair. After three successive calls and no further nominations came from the floor a unanimous ballot was cast for Angela DesMarais for the Office of Vice Chairperson (6-0).

4) PUBLIC HEARINGS

A) PC Case #2020-08: Twin City Hide/Twin City Tanning- Site Plan Review and PUD Amendment- 491-501 Malden Street.

Mr. Healy provided background on Twin City Hide/Twin City Tanning. Twin City Hide/ Twin City Tanning received a Planned Unit Development (PUD) approval in 2015 to overhaul the site. The PUD has allowed the businesses to upgrade their facilities one building at a time while still continuing to operate. A PUD extension
was granted in 2019 to allow the business an additional three years to complete the development. Phases 1 and 2 have already been completed. The applicant is seeking site plan review for Phase 3. The applicant is also requesting amendments to their original PUD approval to allow roof-mounted mechanical equipment, to remove the sidewalk requirement, to reduce landscaping requirements and to change the orientation of one of the buildings.

The applicant has proposed a 45,626 square foot processing facility. The proposed building will be located roughly 20 feet away from the existing processing building until the old processing facility is demolished. The proposed warehouse will be 50 feet in height, which is the maximum allowable height in the Industrial District. The applicant proposed placing a large piece of mechanical equipment on the roof which would exceed the maximum allowable height and will require a PUD amendment.

According to code, the project is required to have 49 overstory trees on the site. The property has been landscaped on the streets surrounding the parking lots and by the detached warehouse. The property does not have room for additional landscaping. The required number of overstory trees can be modified based on the soil conditions or other conditions beyond the control of the owner with approval from the Planning Commission and City Council. Additionally, the applicant is requesting the City wave the requirement that the cost of the landscaping onsite be equal to at least 20% of the total project cost. The City Council is allowed to do so when a project is valued at more than $1 million. The applicant’s project is valued at over $5 million.

Chair Yendell asked if there was precedent in the City Code for landscaping on impervious surfaces such as roofs. Mr. Healy stated there was not. Chair Yendell asked about the potential for green roofs to help mitigate the urban heat island effects and manage stormwater runoff. Mr. Healy explained that the property met the landscaping requirements, but the roof would not be an acceptable space for the required overstory trees. Mr. Healy further explained the property has a proposed stormwater pond which would take care of stormwater requirements for the site.

Chair Yendell asked if there was precedent in the City Code for landscaping on impervious surfaces such as roofs. Mr. Healy stated there was not. Chair Yendell asked about the potential for green roofs to help mitigate the urban heat island effects and manage stormwater runoff. Mr. Healy explained that the property met the landscaping requirements, but the roof would not be an acceptable space for the required overstory trees. Mr. Healy further explained the property has a proposed stormwater pond which would take care of stormwater requirements for the site.

Mr. Healy stated the site will need nine (9) additional stalls in Phase V or the applicant will need to obtain a shared parking agreement or request a PUD amendment for reduced parking requirements. An easement is required for the site in case the two business every separated. The proposed building is in the Floodplain District. This district has additional height requirements in case of flooding, however since it is a redevelopment site that is not possible. The City Engineer has reviewed the Applicant’s proposal and believes the plan should be approved so long as the Applicant ensures that the finished floor of their building is at least at the 705 elevation.

Several items were identified during the site plan review which require a PUD amendment in order to move forward. The items include the proposed roof-mounted mechanical equipment, the pedestrian circulation plan, and the orientation of the Phase III building. Staff recommended approval of the site plan and PUD approval subject to conditions of approval laid out in the staff report.

Chair Yendell provided background on the pedestrian circulation plan requirement. The Commissioners had concerns about workers’ safety as they made their way from the parking area to the rest of the facility. To ease concerns, the condition for a pedestrian circulation plan was added to the PUD approval. Commissioner Huminek explained the vagueness of the pedestrian circulation plan was a result of the vague project designs that were presented at the time of the PUD approval.

Chair Yendell asked about the result of the odor monitoring. Ms. Mann explained the site is monitored for Hydrogen Sulfide and the site stays within acceptable levels. Mr. Healy explained that the site is required to submit an odor mitigation plan which would be approved by the odor consultant.
Commissioner Huminek asked for clarification about the flood barrier requirements for the property according to the flood fringe requirements. Mr. Healy explained that cities get their floodplain ordinance from the Department of Natural Resources (DNR) which is based on best practices.

Paul Rogosheske of Rogosheske, Rogosheske & Atkins, Dick Gunderson of Gunderson Construction and Doug Baker of Twin City Hide came forward to speak to the application.

Chair Yendell asked where the employee entrance was located. Mr. Gunderson explained the location was on the west side of the building. The employees at the Tannery enter from the sidewalks at the south of the Property. The employees at the existing processing building (Twin City Hide) walk over to the building from the parking lot. Commissioner Yendell asked if semis would cross the path where pedestrian would walk. Mr. Gunderson confirmed they would because of the location of the loading docks. Chair Yendell asked about pedestrian control. Mr. Gunderson suggested pedestrian striping could be added to the lot. Mr. Healy confirmed the condition would state that the applicant must paint the parking lot to create a pedestrian way.

Commissioner Krueger raised concerns about the proposed pedestrian walk being covered when it snows. Mr. Gunderson explained the entire lot is shoveled when it snows because the facility is open 24-hours a day.

Mr. Gunderson added that the roof of the building was designed to pond water until it can be slowly released into the holding pond. The new processing building can hold rainwater which will be used for hide processing.

Commissioner Krueger asked if it would be possible to add trees to the holding pond area. Mr. Gunderson explained there is not area to add trees to the holding pond area because trees would interfere with the stormwater utilities that lead to the pond.

Commissioner Thompson asked what the distance between the railroad tracks and the proposed building was. Mr. Gunderson explained the railroad tracks follow the property line at the east side of the property.

Chair Yendell asked for clarification on whether the 20-foot gap between buildings would be an issue because the new section of the building had already been constructed. Mr. Gunderson explained there would not be an issue when the new facility is built and the snow load would be properly distributed.

Commissioner Huminek asked for the diameter of the roof-mounted mechanical equipment. Mr. Gunderson stated it would be 24 inches. Mr. Gunderson stated that the 20-foot high stack is a worst-case scenario for odor mitigation but it could be lower due to the decreased amount of open water processing in the new facility.

Chair Yendell opened the public hearing

No one was present to speak on the item and no correspondence had been received.

Chair Yendell closed the public hearing.

Commissioner Thompson stated his support for not requiring additional landscaping.

Commissioner Krueger acknowledged the scale of the landscaping work that had already been completed at the site.

Chair Yendell clarified she was satisfied with the earlier green roof answer.
Chair Yendell asked for comments from the Commissioners on the roof-mounted mechanical equipment. Commissioner Krueger spoke in favor of the equipment, particularly because of its purpose to reduce odor. Commissioner Huminek also shared his support for the roof-mounted equipment.

Commissioner Thompson asked about the height I-494 in relation to the Twin City Hide and Twin City Tanning buildings. Mr. Healy stated that the highway is the high spot to the north of the building. Twin City Hide and Twin City Tanning would need to do their best to screen the equipment regardless of the fact that the highway is above the building.

Chair Yendell asked for comments on the building’s orientation and the flood fringe ordinance requirements. No one spoke on the items. Chair Yendell asked if there were any additional pedestrian improvements the commissioners would want to see on the property. No one spoke to the item.

The Commissioners recommended approval of the site plan and Planned Unit Development amendments with the condition of striping the parking lot pavement for pedestrians.

Motion to approve as presented- Thompson/DesMarais (6-0)

B) PC Case #2020-09: Rayme and Katherine Tindell – 140 2nd Avenue South – Consider three variances for the conversion of a single-family home into a duplex.

Ms. Mann provided background on the property. The existing house at 140 2nd Avenue South was built in 1907 on a 5,000 square foot lot. Despite the property being structurally a duplex with an upstairs unit and a downstairs unit, the property is considered to be a single-family home according to the property tax assessor. While the property may have previously been grandfathered as a duplex, the property lost its grandfathered status when the property became classified as a single-family home. The property would need three variance in order to be converted: a 2,500 square foot lot size variance, a 20-foot lot width variance and an off-street parking space variance. Staff found practical difficulties in complying with the lot size and lot width requirements but did not find the same for the off-street parking space variance because the site had room to create a fourth off-street parking space if part of fence, a shed and a few small trees were removed.

Commissioner Felton asked what the practical difficulties were for the lot size and lot width variances. Ms. Mann walked the commissioners through the practical difficulties test that was applied to the case. Mr. Healy added there were multiple duplexes in the neighborhood also on 40-foot wide lots. Commissioner Felton asked if the other houses were grandfathered. Mr. Healy confirmed that the other duplexes were never converted to single-family homes and were therefore still grandfathered. Commissioner Felton asked if any property on a 40-foot wide lot could claim practical difficulties. Mr. Healy explained that this scenario is unique because of how the property was setup. Commissioner Felton stated that he did not see any practical difficulties.

Commissioner Krueger stated she had a hard time seeing how the driveway and garage could be used for a duplex without removing the trees, fence and shed.

Mr. Healy clarified that the property had an interior staircase, but it does not connect the two units. The property has one downstairs unit located off the entry way and a separate upstairs unit which is accessed by an internal staircase.
The applicant, Rayme and Katherine Tindell, came forward to speak on the request. Mr. Tindell explained they purchased the house from his grandparents who had purchased the home as a duplex. The owners shared the safety concerns they had while living in the single-family home that was set up as a duplex.

Commissioner Huminek asked about the applicant’s objection to creating an off-street parking space. Mr. Tindell stated he was not totally adverse to the idea but he would need time in order to create a fourth parking space.

Chair Yendell open the public hearing.

Staff received correspondence from two residents. Brian Engle, 147 2nd Avenue South, stated in an email that he had an issue with the off-street parking variance. He also shared concerns about the property having out-of-state landlords. He stated in the email that the request should be denied. Mr. Healy received a call from Tony Zaworski at 128 2nd Avenue South. Mr. Zaworki stated he had lived on the block since 1967 and that 140 2nd Avenue South had not been rented out as duplex since the late 1960s. Mr. Zarworski stated he is opposed to the applicant’s request because of the parking variance. He also stated concerns about the landlords living out-of-state and the potentially resulting lack of maintenance.

Ted Thompsen, 109 3rd Avenue South, shared his frustrations with the state of parking in the neighborhood and specifically his frustrations with the parking situation at a converted duplex property adjacent to his property.

Brian Engle, 147 2nd Avenue South, reiterated his concerns with the parking variance and his desire to feel safe in the neighborhood.

Ira Longen, 140 7th Avenue South, stated he was in support of the variances as long as the owners brought the property up to code.

Chair Yendell closed the public hearing.

Chair Yendell asked staff if the owners had already obtained a rental license. Ms. Mann confirmed they had not. Chair Yendell asked if the owners could be apply for a rental license after a decision had been made about the variances. Ms. Mann confirmed that was the case. Mr. Healy added that the Commissioners had the ability to add a condition that the owners cannot apply for a rental license until the property owners create a parking stall or put up a cash escrow to guarantee the building of the parking stall.

Commissioner Huminek asked how long rental licenses were valid for. Ms. Mann stated rental licenses need to be renewed annually.

Chair Yendell asked how an additional parking space would affect the lot coverage percentage. Ms. Mann stated the site would not exceed the allowable lot coverage if a parking stall were added at the rear of the property. Mr. Healy explained that the lot coverage requirement is a maximum of 75% lot coverage for the whole property and 25% coverage of the required front yard.

Commissioner Krueger stated that the house was a duplex and it had been used a duplex which led her to support the variance.

Chair Yendell asked staff what year the property lost its duplex status. Mr. Healy stated staff did not have that information. Chair Yendell asked if there was a tax advantage for selling the property as a single-family home. Mr. Healy stated there might have been an advantage by the tax.
Commissioner Felton stated that the site requires multiple variances and the commission should not go backward to allow something that is clearly not allowed.

Commissioner Huminek stated he is in favor of allowing the property to be a duplex provided parking is added to the property. Commissioner Huminek asked the applicants if there was a plan for local property maintenance. Mrs. Tindell stated they planned on using a management company as well as paying for lawn services from a local provider.

Chair Yendell shared her support for the lot size and lot width variance because the property was built as a duplex. She also stated she would require a fourth off-street parking space, if not immediately then in a timely manner.

Commissioner Felton asked if the approval would set a precedent for other cases where the owners want to convert a single-family on a 40-foot lot into a duplex. The commissioners discussed the practical difficulties of the site.

Mr. Healy stated that this case would not set a precedent and previous approvals of this type had been made by the City Council when the approval is consistent with the neighborhood. Mr. Healy also explained the change to the test that is used for variance approvals from an undue hardship to a practical difficulty.

Commissioner Huminek shared that building code protects from owners purchasing a single-family home to turn into a duplex.

Commissioner Huminek made a motion to approve the lot size and lot width variances, while denying the off-street parking variance, upon the condition that a fourth off-street parking space must be added by November of 2020.

Commissioner Felton asked for clarification if the owner could get a rental license before they created the off-street parking stall. Mr. Healy explained that the condition was currently worded so that the owners must build an off-street parking space or put up a cash escrow equal to the cost of building a parking space as a way to require the space gets built.

Commissioner Thompson asked about the accountability of the parking space being built. Mr. Healy explained that the cash escrow creates accountability if the applicants want the money back.

Motion to approve the lot size and lot width variance while denying the off-street parking variance, upon the condition that a fourth off-street parking space must be added by November of 2020. – Huminek/ DesMarais (5-1)

C) PC Case #2020-10: Farmers’ Market Interim Use Permit- 1151 Southview Boulevard- A request for an Interim Use Permit (IUP) for seasonal farmers’ market.

Ms. Mann presented the request for an Interim Use Permit (IUP) for a seasonal farmers’ market at 1151 Southview Boulevard. South St. Paul has held its farmers’ market in the parking lot behind Wakota Federal Credit Union for the past 7 years. Based on the success of the market and the willingness of Wakota Federal Credit Union to host the market again, staff have requested a 5-year IUP for a seasonal farmers’ market at the site. The market would be on Wednesdays from 2:00 PM until 6:00 PM from June to October each year.
Chair Yendell asked if the city had received any complaints about the farmers’ market. Ms. Mann shared an email from Nathan Corbin, 1115 Southview Boulevard, who stated that farmers’ market vendors and customers were illegally parking on his lot. Mr. Healy stated staff had suggested to Mr. Corbin that he could put up “no parking”, “customer parking only” or “no farmers’ market parking” signs to prevent this from happening.

Commissioner DesMarais stated she was all for the farmers’ market.

Chair Yendell opened the public hearing.

No additional correspondence had been received and no one was in attendance to speak on the item.

Chair Yendell closed the public hearing.

Motion to approve as presented- DesMarais/Thompson (6-0)

5) OTHER BUSINESS

Chair Yendell welcomed Commissioner Thompson to the Planning Commission. Mr. Healy stated that the Planning Commission had two new commissioners which were appointed on March 2, 2020. Commissioner Frankot would be joining the Planning Commission in April.

6) ADJOURNMENT

Motion to adjourn- DesMarais/ Felton (6-0).
A motion recommending approval of the proposed ordinance amendment to establish formal zoning standards for reception halls and allow reception halls as a conditional use in buildings listed on the National Register of Historic Places in residential zoning districts.

BACKGROUND/DISCUSSION
Application

The Applicant, the City of South St. Paul, has initiated the review of an ordinance amendment that would:

1. Establish clear standards for “reception or meeting halls” in the City’s commercial zoning districts. 
   *Currently, this type of business operates in a gray area and has historically been allowed through the issuance of a Conditional Use Permit for a “similar use.”*

2. Allow buildings that are listed on the National Register of Historic Places to be operated as for-profit reception or meeting halls with a Conditional Use Permit even if they are located in residential zoning districts. *Staff was instructed by the City Council to explore making this change in response to a proposal to turn the Serbian Home, a historic building located at 404 3rd Avenue South, into a for-profit reception hall. Churches, schools, and non-profit organizations are already allowed to operate reception halls in residential neighborhoods.*

Please note that no specific project is being reviewed or approved at this time. ONLY an ordinance amendment is currently under consideration, not a Conditional Use Permit for the Serbian Home or any other reception or meeting hall.

Review Timeline

60-Day Review Deadline: Not Applicable since the City is the Applicant.
Tentative Date for 1st Reading: May 18, 2020
Tentative Date for 2nd Reading: June 1, 2020
What is a Reception Hall and Why is This Being Reviewed?

A reception or meeting hall is a space that is rented out for private events. Many businesses and institutions have reception halls as a part of their operation. One will find reception halls at many churches, schools, hotels, clubs/lodges, museums, transit stations, restaurants, and country clubs. In all of those cases, the reception hall is considered an incidental accessory use and may or may not be subject to direct regulation under the zoning code (it depends on the business). Most zoning codes, including South St. Paul’s, contain language broadly allowing “uses that are customary and incidental to listed permitted uses” in commercial zoning districts.

What South St. Paul’s zoning code does not currently address is situations where a reception hall is the sole principal use of a building or property and is not a part of some larger operation like a church or restaurant. In the past, the City has granted Conditional Use Permits to standalone reception halls in commercial zoning districts by saying that the use is “similar to” what the zoning code calls “Amusement or Entertainment.” An “Amusement or Entertainment” use can be allowed in many commercial and mixed-use zoning districts with a Conditional Use Permit. The zoning code has a long list of business types that are considered “Amusement or Entertainment” and that list includes such things as auditoriums, recreational buildings, pool halls, dance studios, movie theaters, video game arcades, and other similar uses. The list does not currently include standalone reception halls but the City has historically allowed reception halls to apply for “Amusement or Entertainment” CUP’s. One such CUP was just issued in December for a “special event space” at 1519 5th Avenue South.

Because the City is currently operating in a “gray area,” Staff and the City Attorney believe that it would be beneficial to clarify what the rules are for standalone reception halls. Since the City has historically allowed them in commercial zoning districts with a CUP, it makes sense to clarify that they are definitely allowed with a simple revision to the zoning code to amend the list of uses that are considered “Amusement or Entertainment.” This code fix ties into a related discussion that the City Council recently had regarding the Serbian Home, a historic building located in a residential zoning district, and its potential to be used as a standalone reception hall.

Background on Serbian Home and Proposed Historic Building Ordinance

At their January 13, 2020 worksession meeting, the City Council discussed a proposal to establish a privately owned and operated for-profit reception hall at the Serbian Home, a historic building located at 404 3rd Avenue South (the City Council worksession memo is included as Attachment B). The owner of the Serbian Home would like to rent out the building for private events such as wedding receptions, birthday parties, family reunions, etc. The Serbian Home was constructed in 1924 and was one of several ethnic community halls located in South St. Paul that were built by communities of immigrants to serve as their cultural hubs. The Croatian Hall (“the Cro”) would be another local example of an ethnic community hall. These halls were cultural rather than religious and, although some halls may have had relationships with nearby ethnic churches, the halls themselves are not part of church properties.

South St. Paul has two surviving fully intact ethnic halls, the Croatian Hall and the Serbian Home. A third ethnic hall that served the Polish community was torn down several decades ago although the basement bar that was located beneath the Polish hall continues to operate as a “grandfathered” legal-nonconforming use. The Croatian Hall is grandfathered to operate as a bar and event center. The Serbian Home is the only one of the ethnic halls that does not contain a “grandfathered” use as it lost its liquor license in the 1960’s (the hall operators forgot to renew it and it lapsed) and it stopped being used as an event center in the
1980’s. The Serbian Home was most recently used as an ethnic/cultural museum which opened in 1996 and was operated by a nonprofit but the museum closed in 2018 after struggling financially for several years.

All three (3) of the aforementioned ethnic halls are located in a neighborhood that is currently zoned “R-2 Single and Two-Family Residence District.” This district allows single-family homes and duplexes as well a number of institutional uses such as churches, schools, hospitals, and philanthropic and charitable institutions. All of the institutional uses aside from churches currently require a Conditional Use Permit.

As previously mentioned, reception halls would generally be considered an allowable incidental accessory use so churches, schools, and philanthropic and charitable organizations located within the R-2 zoning district would potentially be allowed to rent out reception halls as a part of their operation (those uses that require a CUP would need to have the CUP set up in such a way that it allowed large private events). If the owner of the Serbian Home were proposing to use the hall as a philanthropic or charitable institution (i.e. a museum like what was there before), he would have the opportunity to apply for a CUP to have a reception hall be a component of that non-profit charitable operation. Because he is proposing to operate the Serbian Home as a for-profit business, however, the Zoning Code does not currently provide an avenue for its being used as a reception hall.

At their January 13th meeting, the City Council indicated that they were broadly supportive of the proposal to convert the Serbian Home into a reception hall and wanted Staff to formulate a code amendment that would allow the use without “opening the floodgates” and allowing unwanted uses in residential zoning districts. Per the City Council, the focus should be on finding ways to allow buildings that are listed on the National Register of Historic Places to be used creatively to ensure their preservation. The City Council was generally not supportive of allowing the Serbian Home to be turned into a bar or any type of business that would be open to the walk-ins or the general public. They wanted Staff to ensure that the ordinance limits the use of reception halls to private events. There may be liquor service at some of these private events (if a wedding caterer had a liquor license, for instance) but alcohol would not be available for sale to the general public.

**Comprehensive Plan Guidance**

Chapter 4 “Land Use” of the draft 2040 comprehensive plan emphasizes the need for zoning flexibility when it comes to historic buildings that are located in low density residential neighborhoods. The comprehensive plan notes that these historic buildings are generally too large or oddly configured to be suitable for conversion into a single-family home. The draft comprehensive plan puts forward one possible means of preserving these buildings which is their conversion into high-density residential apartment buildings even if they are located in neighborhoods that generally would not allow new apartment buildings. The ordinance being discussed would provide a second means of preserving historic buildings by allowing them to be used as reception halls even if they are not part of a church or other institution that is normally permitted to operate in residential neighborhoods.

**Summary of Ordinance Updates**

The proposed ordinance amendment would do the following:

- It would add a definition of “reception or meeting hall” to the Zoning Code’s ‘rules and definitions’ section. Staff is proposing that we utilize the same definition currently employed by the City of Minneapolis which is as follows:
Reception or Meeting hall: Also known as a rental hall or a banquet hall. A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event or function, that is not open to the general public, whether or not a fee is charged.

- Add “Reception or Meeting halls that are not part of a church, school, charitable organization, or other allowed use when contained within an existing building that is listed on the National Register of Historic Places” as a Conditional Use in the City’s R-1, R-2, R-3, and R-4 zoning districts.

- Add “reception or meeting hall that is not accessory to an allowed use” to the City Code rules for “Entertainment and Amusement.” This would allow reception halls in all of the City’s commercial districts which already allow entertainment and amusement.

- The GB-General Business Zoning District currently lists “Public Hall” as a conditional use but does not define what this means. Change this to “Reception or meeting hall” to better align with the rest of the Code.

- Add parking requirements for reception or meeting halls. Staff believes it makes sense to add “reception or meeting halls” to the existing requirement for places of assembly such as churches, theaters, auditoriums, and funeral homes. This requirement is “one space for each three seats or for five feet of pew length based upon maximum design capacity.”

How Many Properties are Listed on the National Register of Historic Places?

At present, there are only three (3) buildings in South St. Paul that are listed on the National Register of Historic Places:

1. The Concord Exchange Building at 200 Concord Exchange North (zoned CGMU mixed-use)
2. The Serbian Home at 404 3rd Avenue South (zoned R-2 Single and Two Family Residential)
3. St. Stefan’s Romanian Orthodox Church at 350 5th Avenue North (zoned R-1 Single Family)

There are several additional properties in South St. Paul, such as the Croatian Hall, that could potentially be eligible for listing on the National Register of Historic Places but have not sought out that designation at this time.

Rules for “Amusement or Entertainment” Uses in Commercial Zoning Districts

The following existing section of the zoning code regulates amusement and entertainment uses in the City’s commercial zoning districts (with the proposed new text added in red). Please note that this section will have no bearing on the proposal to allow reception halls in historic buildings in residential zoning districts:

Sec. 118-268. - Amusement or entertainment.

Amusement and entertainment uses shall include, but are not limited to, auditorium or recreational building, reception or meeting hall that is not accessory to an allowed use, billiard parlor, pool hall, bowling alley, dance studio, health club, moving picture theater, swimming pool, reading room, professional fine arts, photography, music, drama or dance studio, video game
room, mechanical amusement game room, video tape rental, and similar uses. Said uses shall not be permitted unless they meet the following criteria:

(1) The use is desirable to the public convenience and welfare;
(2) The use is not detrimental or injurious to the public health, peace, or safety;
(3) The use is not detrimental or injurious to the character or value of surrounding properties;
(4) The use has adequate off-street parking facilities;
(5) The use is served, or can be served, by adequate utility services;
(6) The hours of operation of the proposed use will not be detrimental to nearby residential uses;
(7) The use will not stimulate the gathering of large numbers of persons outside the building within which the use is located.

Discussion

Staff views the addition of “reception and meeting hall” to the definition of “Amusement or Entertainment” as largely a cleanup that needs little discussion. As previously stated, the City has already been allowing this use in commercial districts by granting Conditional Use Permits and stating that reception halls are a similar use.

The discussion of allowing standalone reception halls in historic buildings in residential districts is more nuanced. Staff spent a significant amount of time reviewing potential approaches and discussing the pros and cons of various approaches with the City Attorney. Staff feels that the proposed approach is ideal as it is narrowly tailored to allow only reception halls for private events and only in buildings that have received historic designation from a very reputable source, the National Register of Historic Places. The Conditional Use Permit requirement will allow the City to attach conditions to any proposed reception hall on a case-by-case basis depending on what the specifics are with each proposal.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission pass a motion recommending approval of the proposed ordinance amendment. The Planning Commission also has the option of recommending modifications to the proposed ordinance or advising the City Council not to move forward with the proposed ordinance.

Staff would note that this ordinance amendment was initiated by the City Council and they have expressed preliminary support for the “policy” aspect of this amendment. They would like to find a zoning “way forward” to allow the Serbian Home (and other historic buildings meriting preservation) to be used as reception halls even when located in residential zoning districts. They want this “way forward” to be as narrowly defined as possible so non-historic buildings in residential areas are not eligible and so that the City has the ability to attach “case by case” conditions to each approval. The Planning Commission has been tasked with assisting Staff with developing an ordinance that would meet the City Council’s policy goals.

ATTACHMENTS

A- Draft Ordinance Amendment
B- City Council Worksession Memo on the Serbian Home
AN ORDINANCE AMENDING SOUTH ST. PAUL CITY CODE TO ESTABLISH ZONING REGULATIONS FOR RECEPTION HALLS AND TO ALLOW RECEPTION HALLS IN HISTORIC BUILDINGS IN RESIDENTIAL ZONING DISTRICTS

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

SECTION 1. AMENDMENT. South St. Paul City Code Section 118-8, 118-121, 118-128,118-268, and 118-354 are hereby amended as follows:

Sec. 118-8. - Lots, distances, and definitions.

   *Racetrack* means any area where one or more animals or power-driven vehicles are raced for profit or pleasure.

   *Reception or Meeting hall* (also known as a rental hall or a banquet hall) means a building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event or function, that is not open to the general public, whether or not a fee is charged.

   *Recreation equipment* means play apparatus such as swing sets and slides, sandboxes, poles for nets, unoccupied boats and trailers not exceeding 25 feet in length, picnic tables, lawn chairs, barbecue stands, and similar equipment or structures, but not including tree houses, swimming pools, playhouses exceeding 25 square feet in floor area, or sheds utilized for storage of equipment.

Sec. 118-121. - R-1, single-family district.

(b)  *Uses by conditional use permit.* Within the R-1 district, the following uses shall be by conditional use permit only:

   (1)  Accessory buildings that exceed the height or size requirements in city code section 118-208.

   (2)  Hospitals or sanatoriums, philanthropic and charitable institutions, except correctional institutions and animal hospitals. Any building permitted to be used shall have an appearance that shall be in appropriate harmony with the residential character of the area.

   (3)  Essential services (public utility and municipal services).

   (4)  Elementary, junior, and senior high schools and incidental and accessory uses, when situated on the same site or unit of property.

   (5)  Cemeteries.

   (6)  Home occupations.

   (7)  A PWS antenna mounted on the outside of an institutional building or structure of any height, as defined in section 118-207, and any governmental building or structure.
(8) A small wireless facility, as defined in section 54-402, that is located in the right-of-way, as long as all provisions of sections 54-400—54-429 have been met.

(9) A detached garage when the principal dwelling already has an attached garage. No more than one detached garage shall be allowed per lot or per property under single ownership.

(10) A Reception or Meeting hall that is not part of a church, school, charitable organization, or other allowed use when contained within an existing building that is listed on the National Register of Historic Places.

Sec. 118-128. - GB, general business district.

(b) Uses by conditional use permit. Within the GB district, the following uses may be allowed only by conditional use permit:

(1) Armories, skating rinks, convention halls, and similar uses.

(2) Auditorium or recreational building.

(3) Automobile and truck service uses.

(4) Automobile car wash.

(5) Boat, marine, trailer, farm equipment, automobile, truck, and similar sales.

(6) Bottling works.

(7) Bowling alley.

(8) Carpet or rug cleaning.

(9) Church.

(10) Commercial recreation and equipment storage.

(11) Contractor, if open storage is utilized.

(12) Dance and other commercial schools.

(13) Drive-in business of all types.

(14) Dry cleaning.

(15) Dwelling units in any building.

(16) Equipment and vehicle rental.

(17) Essential services.

(18) Existing use in an adjacent existing business district that is not a permitted use or a specified use by conditional use permit.

(19) Exterior storage, open sales lots.

(20) Food locker plant.

(21) Laundry.

(22) Lumber yard.

(23) Manufacturing as permitted in the I district.

(24) Medical uses (human and animal).

(25) On-sale and off-sale liquor sales, including 3.2 percent beer.

(26) Other uses deemed by the city council to be similar in purpose and character to those set forth in this subsection and in subsection (a) of this section.
Parking garage.

Public hall.

PWS antennas.

PWS tower.

Reception or Meeting Hall

Seasonal business.

Spur tracks.

Supper club.

Structures exceeding 45 feet in height.

Body art establishment; provided, however, that the building in which the body art establishment is located shall not be closer than:

a. Three hundred feet from the nearest part of a residential building located within a residential district, as referenced in section 118-8; and

b. One-half mile from the nearest part of a building in which another body art establishment is located.

Theater.

Wholesaling.

Alternative financial establishment, subject to the supplemental regulations in section 118-275.

Sec. 118-268. - Amusement or entertainment.

Amusement and entertainment uses shall include, but are not limited to, auditorium or recreational building, reception or meeting hall that is not accessory to an allowed use, billiard parlor, pool hall, bowling alley, dance studio, health club, moving picture theater, swimming pool, reading room, professional fine arts, photography, music, drama or dance studio, video game room, mechanical amusement game room, video tape rental, and similar uses. Said uses shall not be permitted unless they meet the following criteria:

1. The use is desirable to the public convenience and welfare;
2. The use is not detrimental or injurious to the public health, peace, or safety;
3. The use is not detrimental or injurious to the character or value of surrounding properties;
4. The use has adequate off-street parking facilities;
5. The use is served, or can be served, by adequate utility services;
6. The hours of operation of the proposed use will not be detrimental to nearby residential uses;
7. The use will not stimulate the gathering of large numbers of persons outside the building within which the use is located.

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

Off-street parking spaces required by land uses generating the need for parking shall be as follows:

1. One-family and two-family residences: Two spaces per dwelling unit, but not to exceed four per dwelling unit.
2. Multiple dwellings: Two spaces per dwelling unit.
(3) Elderly (senior citizen) housing: Reservation of parking space adequate for one space per dwelling unit. Initial development, however, shall require only one-half space per dwelling unit with additional spaces provided if and when needed as determined by the city council.

(4) Churches, theaters, auditoriums, funeral homes, reception or meeting halls, and other places of assembly: One space for each three seats or for each five feet of pew length based upon maximum design capacity.

SECTION 2. 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 proposed ordinance would establish zoning standards for standalone reception halls that are not part of some other allowed use such as a church, restaurant, or school. The ordinance would also allow reception halls as a conditional use in the City’s residential zoning districts for any building that is listed on the National Register of Historic Places.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: Xxxxxxx

Published: ______________________

____________________________________
Christy Wilcox, City Clerk
ATTACHMENT B
City Council Workshop Memo on the Serbian Home

CITY COUNCIL WORKSESSION AGENDA REPORT
DATE: January 13, 2020
DEPARTMENT: ECONOMIC & COMMUNITY DEVELOPMENT
Prepared by: Ryan Garcia, Director of Economic & Community Development
ADMINISTRATOR: JRH

AGENDA ITEM: Serbian Home Discussion

DESIRED OUTCOMES:
- Provide opportunity for property owner to discuss condition of the building and desires for future use.
- Discuss current zoning and comprehensive plan considerations as related to the property and desired use.
- Determine how to respond to property owner’s situation.

OVERVIEW:
The property owner at 404 3rd Avenue South (Serbian Home) is interested in re-establishing a community event center at the property. If supported, he would like to relocate the existing home immediately west of the Hall at 405 4th Avenue South (which he owns) in order to construct an off-street parking facility directly adjacent to the hall. Currently, the 404 3rd Avenue South property is not properly zoned to allow for a community/event center use.

About the Property
South St. Paul’s “Serbian Home”, located at 404 3rd Avenue South, was built in 1924 to cater to a burgeoning community of Serbian immigrants by providing a venue for community gathering, fellowship, and events. The building is a modest two-story brick structure measuring approximately 4,500 square feet per floor. The building hosted numerous events and gatherings until its closing in the 1980s, and was added to the National Register of Historic Places in 1992. The building remains standing today in much the same layout as it was originally constructed and intended. Nonetheless, the building has not been used as a “community center” since the 1980s, and its most recent incarnation as a (fledgling) cultural museum/center ceased operation a little over a year ago.

Current Zoning and Land Use Guiding
The current property owner, Alex Stojsenovic, is interested in conducting general renovations to the building, along with some more intensive upgrades to the building’s core systems, in order to re-open the building to rent out for events and gatherings. The property is located within an R-2 Single- and Two-Family Residence Zoning District. South St. Paul’s Zoning Code would define the proposed use as a “Club or Lodge, private”, which is neither a permitted nor conditional use in the R-2 District.

Uses within close proximity to the hall are predominately residential, with single-family being the most common but a number of smaller-scale multi-unit residences scattered within the neighborhood. The Serbian Eastern Orthodox Church is located approximately two blocks east of the property. The Croatian Hall is located one block east and one block south of the property.
The property is guided for Institutional Use in the City’s Comprehensive Plan. Among the included uses in this Land Use District is “social facilities” which would seem to be generally consistent with a community/event center use (although not explicitly so). However, the City’s definition of “Institutional” uses as found in the Zoning Ordinance would indicate that “charitable, nonprofit clubs and lodges” and “facilities for philanthropic or fraternal uses” are specifically consistent with Institutional (versus for-profit/private clubs, lodges and facilities). There is very limited additional guidance within the comprehensive plan about this property in particular, however the comprehensive plan does note that properties on the Historic Register (like this one) should be considered for adaptive reuse as multifamily residential facilities.

The Owner’s Proposal
The current owner would like to rehabilitate the building and re-open the facility as an event space, for hosting cultural and social events, family gatherings, and other special events. The owner has no interest or intention in integrating a kitchen or liquor license into the proposed facility at this time. If the Serbian Home were permitted to operate as an events facility, the owner would propose relocating the single-family home immediately to the west (405 4th Avenue South, which he also owns) from the lot on 4th Avenue to a vacant lot elsewhere in South St. Paul, and constructing a surface parking lot on the 4th Avenue property. At about 10,000 square feet, the 4th Avenue lot might be able to accommodate up to 25 parking stalls (this is purely an estimation). Hypothetically, if the entire building (9,000 square feet) were proposed to be used as the community center, a total of 57 off-street parking spaces would be required for the facility per code. If only the first floor were proposed to be used, that total would be 27 required off-street spaces.

Alternatives to Consider

- **Option 1 - Advise the property owner that the use is not and will not be permitted** - Fundamentally, the issue at hand is that the property owner wants to do something with the property that is not permissible within the existing zoning. Typically, this is a black and white issue and it is well within the City’s rights to reject any proposal to use the property in the proposed way with no further deliberation.

- **Option 2 - Establish special provisions for Historic Structures and Require CUP/IUP** - If the Council is of the consensus that the proposal could be successfully executed at the property with certain conditions, one option would be to establish an “Historic Register” provision to the Ordinance. In concept, this approach would generally provide that properties that are on the National Register of Historic Places but whose historic use is not consistent with current zoning could apply for a Conditional Use Permit to use the property in the way that the property was constructed and operated for originally.

- **Option 3 - Amend Zoning (language and/or map)** - If the Council feels that event centers could be successfully integrated into residential neighborhoods under certain conditions, an option would be for the applicant to request that the ordinance be amended to add such facilities as Conditional Uses in one or more residential districts. At the risk of stating the obvious, this would mean that any location within said zoning district(s) could apply for a CUP for such a use. Alternatively, the applicant could seek to re-zone the Serbian Home property to a C-1 Zoning District (which permits private clubs and lodges). Staff would STRONGLY suggest that neither of these options is in the best interest of the Council, the neighborhood, or the City.
Summary/Conclusion

The Serbian Home property is an important element of the City’s history, which unfortunately has fallen into vacancy, underutilization, and moderate decay. It is difficult to argue that the property could feasibly or economically be converted to a use that would be permissible under existing zoning (generally, residential), although admittedly the City has not strongly pursued such a conversion in the private market. The current owner’s attempt to preserve the building at a reasonable cost is understandable, however we have to recognize that establishing a renewed event/community center at this property will represent a change for the neighborhood. A Community Center would unquestionably impact surrounding residential properties and the neighborhood at large, with special event traffic and parking demands, potentially intrusive hours of operation, and increased noise, lighting, and indoor/outdoor activity and noise levels versus a residential use. These considerations should be kept front and center if the Council entertains the applicant moving forward, and we should assure that any approval be contingent and conditioned upon minimizing impacts to the neighborhood as much as possible.

Source of Funds:

N/A
SERBIAN HOME DISCUSSION

404 3rd Ave S – Serbian Home
405 4th Ave S – Residence owned by same owner

Basemap Courtesy of Dakota County GIS
Information accurate as of November 2018
**AGENDA ITEM 5A**
South St. Paul Planning Commission

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<tr>
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<th>Meeting Date:</th>
<th>Item No.</th>
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<td>5/6/2020</td>
<td>PC2020-00</td>
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<tbody>
<tr>
<td>Update on Hardman Triangle Plan and Concord Street Mixed-Use Districts</td>
<td>Ryan Garcia, Community Development Director</td>
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</tbody>
</table>

**ACTION REQUESTED**

No action is requested. The Planning Commission is invited to ask Staff questions regarding the Hardman Triangle Plan and the workplan for the Concord Street Mixed-Use Zoning Districts.

**BACKGROUND/DISCUSSION**

**Hardman Triangle Study and Plan**

In May 2019, the City Council placed a 1-year moratorium on all new development and planning/zoning applications for the “Hardman Triangle” which is the triangular shaped block bounded by Concord Street, Grand Avenue, and Hardman Avenue. This is a heavy industrial area near the Mississippi River that has never been redeveloped despite most of the neighboring areas (the old stockyards) having been redeveloped as a light industrial park in the 1990’s and 2000’s. The City has, for many years, wanted to steer the Hardman Triangle towards redevelopment but there has never been a clear and cohesive vision.

The City Council hired a team of consultants to study the Hardman Triangle and prepare a small area plan that would guide redevelopment of the block. Direction was given to the consultant team by the City following some internal visioning sessions that included a joint workshop of the City Council and Planning Commission in 2019. The consultants prepared two documents relating to the Hardman Triangle:

1. A small area plan (this is Attachment A on this memo)
2. A market study (this is a technical document that is over 100 pages long. It will be emailed out to the Planning Commission for reference and can be easily obtained by any resident or developer by contacting the Community Development Department)
The Hardman Triangle Plan, like all small area plans, is a visionary document. Should the City choose to “adopt” it, the City is making a policy commitment to support the vision. Adopting a small area plan does not actually change any zoning or development rules, however. Implementation of the Hardman Triangle plan will require the adoption of new zoning standards, standards which have not yet been prepared. The consultants were only hired to handle the planning/visioning portion of this redevelopment project. The City will need to develop and adopt new zoning language in order to implement the vision.

**Concord Street Mixed-Use Zoning Districts**

The City Council received a draft of the Hardman Triangle plan in March 2020 and discussed it at a worksession. Their consensus was that they were generally in support of the plan but wanted to have a larger discussion about the future of Concord Street and its hodgepodge of small area plans and mixed-use zoning districts. Staff facilitated this larger discussion at the April 13th City Council worksession.

Staff prepared a worksession memo *(Attachment B)* which went over the history of the planning/zoning efforts along Concord Street and laid out a work plan for addressing some of the outstanding planning issues affecting the corridor. Staff stressed that it is important to break the work up into manageable tasks and that different parts of the Concord Street corridor have completely different identities and development challenges. If the goal is to handle much of the planning/zoning work on the Concord Street corridor “in-house” with City Staff instead of bringing on additional consultants, the tasks will need to be worked on one by one and ‘as time allows.’ Staff identified the implementation of the Hardman Triangle Plan as “Priority #1” which should be accomplished before other parts of the corridor receive significant attention.

The City Council was in support of Staff’s proposed workplan. Per the workplan, the “next step” for implementation of the Hardman Triangle Plan is for the City Council and the Planning Commission to hold a joint workshop to review the plan together and give Staff direction regarding what the new zoning and development rules for the Hardman Triangle should look like. The City Council would like to hold the joint workshop this coming summer BUT have asked that Staff delay the workshop until it is safe for the two groups to meet in person. There was a general consensus that a joint workshop would not be as productive if it were to be conducted as a teleconference.

**Planning Commission Next Steps**

Staff would request that the Planning Commissioners familiarize themselves with the Hardman Triangle Plan and the workplan for the Concord Street corridor. In preparation for the joint workshop with the City Council, Staff will be providing additional information regarding the Concord-Gateway Mixed Use (CGMU) District and the small area plan for the Concord-Gateway area (adopted in 2003) which is immediately adjacent to the Hardman Triangle across Concord Street.

The ultimate goal for implementation of the Hardman Triangle plan is to create a planning and zoning framework for this area that is cohesive and user-friendly and that attracts investment to this part of South St. Paul. The City will most likely want to tie the Hardman Triangle’s zoning rules into the existing zoning rules for the area across the street to keep things cohesive and prevent the City Code from
becoming too complex and unwieldy. The Hardman Triangle will, however, need to have at least slightly different zoning rules than other parts of the City in order to fully realize the vision.

**Action Needed**

No action is requested. The Planning Commission is invited to ask Staff questions regarding the Hardman Triangle Plan and the workplan for the Concord Street Mixed-Use Zoning Districts.

**ATTACHMENTS**

- A- Draft Hardman Triangle Plan
- B- City Council Worksession Memo on Concord Street Mixed-Use Zoning Districts
Attachment A

Hardman Triangle Redevelopment Plan
South St. Paul, MN
Table of Contents

1. Background
   Purpose
   History
   Physical Setting
   Regulatory and Policy
   Existing Properties
   Goals

2. Plan
   Overall Plan
   Concord Street
   Grand Avenue Promenade

3. Guidelines
   Building Massing
   Ground Floor Articulation
   Site Considerations

Appendix:
Market Study, Maxfield Research
1. Background
Purpose

The purpose of this report is to deliver a market analysis and redevelopment strategy for the Hardman Triangle - the area bound by Concord Street, Grand Avenue and Hardman Avenue in South St. Paul, MN. This 22 acre area sits strategically between the residential neighborhoods of South St. Paul and the Mississippi River. It is an area likely to undergo significant change in the upcoming decades because of market demand, changing uses, and a new Concord Street which will be rebuilt within the next 3 years.

The area has been designated in the last two comprehensive plans as “Mixed-Use”, but has yet to be redeveloped.

History of Hardman Triangle

The Mdewakaton Dakota Indians are the earliest known inhabitants of what is now known as South St. Paul, Minnesota. Between 1851 and 1854 the Indians were moved from the area by the federal government in order to open up land for settlement.

In 1885 Alpheus Beede Stickney purchased land along the Mississippi River to construct the first stockyards in South St. Paul. The banks of the river in South St. Paul provided a convenient location for western cattle ranchers to unload and fatten their livestock before moving them onto meatpacking plants in Chicago.

Shortly thereafter, meatpacking companies saw the potential for profit and several established plants in the area - which turned into a magnet for European immigrants seeking work. Throughout the first half of the 20th Century the area grew to become one of the largest concentrations of meatpacking plants and stockyards in the country.

At its peak, the industries along the river employed over 15,000 people - creating one of the region’s most successful downtowns along Concord Street.

The Hardman Triangle area is the northern tip of the industrial area. It is adjacent to the former Downtown. The area was formerly the home to the Swift Company meat packing business during an era when the Swift Company and Armour and the Union Stockyards formed the economic backbone of the community.

After World War II, the meatpacking industry and the Swift and Armour Plants both eventually closed in the late 1960’s.

Throughout the 1980’s the City purchased much of the land and designated it the Bridgepoint Industrial Park. In the ensuing decades, the City aggressively redeveloped much of the area by acquiring land, cleaning it up, and attracting new cleaner industries and modern businesses.

The Hardman Triangle was not included in the Bridgepoint Industrial Park. As a result, it has not developed with the same consistency and quality as the rest of the area. Since the closure of the Swift plant in 1969 the site has been used for predominantly industrial or exterior storage uses.
1. Background

Physical

The Hartman Triangle is strategically located in the City. It is between Concord Street and the river, north of Bridgepoint and just “down the hill” from the residential neighborhoods of South St. Paul. To many, the site is also a gateway to the community as it forms a strong impression to people arriving from the north. The Site also shares the “100% corner” of Grand Avenue and Concord Street.

Road Network

Most of South St. Paul is characterized by a tight grid of streets. However areas along the river that have been in transition from heavy industry to lighter industry have a street grid that creates larger blocks to accommodate larger footprint buildings than “up the hill”.

Park & Trail Network

The site is located adjacent to the Mississippi River Trail. A trail head is located adjacent to the site. The Mississippi River Trail connects seamlessly to other regional trails that provide recreational access to all parts of the South and east Metro.

Door Locations and Orientation

The Triangle has developed over time without clear orientation. There is no standard property size or orientation, nor a clear front or back to many properties and buildings. As a result, the district is confusing and disorienting. Redevelopment of the Triangle should include clear definition of where the public front of a property is and where the service areas are located. Coordination between properties is essential so the area redevelops in a coherent manner.

Transit Routes

The area is served by two Metro Transit Routes. Both routes extend north into Downtown St. Paul and South to Inver Grove Heights.

Concord Turnback

South St. Paul, Dakota County and MNDOT are currently in the process of redesigning Concord Street. Construction is slated for 2021. After construction the portion of Concord Street north of Grand Avenue will be turned back to the city, and the portion south will be turned back to the county.
Due to topographic changes, the river and the bluff, South St. Paul has several different patterns of development that create different character areas. Hardman Triangle sits between the levee and Concord Street and therefore should contribute to the character of these areas.

The site’s western edge is Concord Street, however the elevation of most of the site is about 8-10’ below Concord Street. This presents the opportunity to develop two sides of the site - with fronts facing both Concord Street and the river.
Maxfield Research conducted a Market Potential Assessment analysis to determine the likely redevelopment uses on the Hardman Triangle. The market assessment provides a high level assessment of the types of land uses / real estate types best suited for the Hardman Triangle property based on site characteristics and market trends.

The Study finds the site, due to location near Downtown South St. Paul, proximity to St. Paul, and to several transportation nodes, is underutilized and not the highest and best use of the land.

The report identifies several supportable development types and uses on the site. They include:

- **Industrial**: Industrial continues to be among the best performing asset classes among all real estate types in the twin Cities. While demand would be strong, encouraging additional industrial redevelopment would not yield the highest price for the land.

- **Retail**: a considerable amount of retail dollars in several categories “leaks” to adjacent communities. Although traffic counts are not particularly high (8,500 cars/day) the site is well positioned for a retail component.

- **Rental, For Sale, or Senior Housing**: South St. Paul has a 1% vacancy rate. There is considerable demand for new housing if the non-conforming uses are relocated.

- **Medical Office**: Medical offices are a potential use on the Hardman Triangle, however these facilities tend to be located adjacent to households they serve. Therefore, if a portion of the site were developed with higher density housing, the remaining portion would be attractive for a medical office building. It is also possible that a health care provider would be interested in a ground floor space of an apartment building as the industry moves more towards a retail model.

**Market Summary**

**Leakage**

South St. Paul residents are purchasing neighborhood oriented retail goods and services outside the City. The three categories that are “over supplied” are gas stations, building supplies, and motor vehicles and parts. Many retail goods and services, such as restaurants and convenience goods would get additional support from South St. Paul’s relatively high daytime population (due to the employment areas).

**Retail Surplus and Leakage**

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<th>Surplus</th>
<th>Leakage</th>
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<td>Building Materials and Equip</td>
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<td>Electronic and Appliance</td>
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<tr>
<td>Furniture</td>
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<td>Motor Vehicles and Parts</td>
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</table>

**Property Tax Per Acre Per Year**

- **$0**
- **$20,000**
- **$40,000**
- **$60,000**
- **$80,000**
- **$100,000**

**Market Assessment**

Different development types will return different amounts to the City by way of property tax revenue on a per acre basis. Currently the entire 15 acre site returns about $250,000 to the City, or about $16,666/acre. If the entire 15 acre are redeveloped with housing, it will generate approximately $1.2 million/year in revenues available for infrastructure, relocation or other public uses.

**Demographic Highlights**

- South St. Paul will experience growth among older adults. Aging baby boomers led to an 50% increase in people ages 55-64 between 2000 and 2010. As this group ages, the 65-74 year old age cohort is projected to experience rapid growth.
- In 2019 the median household income for the Primary Market Area is $58,000. This is lower than the Metro Area. However the median income for South St. Paul is expected to increase by 12% by 2024.
- Homeownership in South St. Paul is higher than the Metro area.
- Between 2010 and 2017 the greatest growth among family households in South St. Paul was among married couples with children.

**Development Type** | **Position in Cycle** | **Probability**
----------------------|----------------------|------------------
Industrial            | expansion            | high             
General Apartments     | expansion / peak     | moderate to high 
Retail                 | stable               | moderate to high 
For Sale Housing (Townhouses) | expansion | low to moderate 
Senior Housing         | expansion             | low to moderate 
Medical Office         | stable               | low to moderate 
Hospitality (Hotel)    | expansion / peak     | low              
Office                 | recovery / equilibrium | low           
For Sale Housing (Condominiums) | recovery / expansion | low          

**Demand**

Apartment, retail and industrial uses are the development types with the greatest demand to locate on the Hardman Triangle. The area is proven to be successful for industrial and there is strong regional demand. While housing is not a proven development type on the immediate site, the site has many of the characteristics favorable to residential development. In addition, several housing projects are in the works immediately to the west of the site.
1. Background

March 6, 2020

1. Background

- Median income in South St Paul ($58,026) was similar to all other cities surveyed in 2018 with the exception of Shoreview ($84,362) and St. Louis Park ($71,346).
- Among owner households, the median income in South St. Paul ($69,552) was comparable to most of the similar sized cities surveyed. Among like sized cities, comparable median incomes included the City of Columbia Heights ($59,183), the City of Fridley ($72,279), the City of New Hope ($73,810) and the City of Hopkins ($77,198). Shoreview ($84,362) and St. Louis Park ($91,092) were the cities reporting a median owner income significantly higher than that of the City of South St. Paul.
- At the same time, renters in South St. Paul reported the fourth highest median income ($33,815) of like sized cities surveyed. Similar to median income for owners, the City of St. Louis Park has the highest median income for renters.
- Home ownership rates in South St. Paul (64.1%) are comparable with most cities surveyed ranging in ownership rates from 55.4% to 64.1%. As of 2018, Hopkins had the lowest owner-ship rate reported at 32.7% and Shoreview was the highest with 81.7%.
- A generally accepted standard for affordable owner-occupied housing is that a typical household can afford to pay 3.0 to 3.5 times their annual income on a single-family home. The median home value in South St Paul was 2.9 times the median household income, indicating that home ownership is relatively affordable in South St. Paul.
- Among like size cities, contract rent reported in South St. Paul in 2018 was the lowest of all cities surveyed at $790 with Columbia Heights having the second lowest median contract rent at $830. St. Louis Park and Shoreview had the highest median contract rents at $1,032 and $1,105 respectively.

Comparison to Peer Cities

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<tr>
<td>St. Louis Park 45,250</td>
</tr>
<tr>
<td>Households</td>
</tr>
<tr>
<td>South St. Paul 8,397</td>
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<tr>
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</tr>
<tr>
<td>Fridley 11,283</td>
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</tr>
<tr>
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<tr>
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</tr>
<tr>
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</tr>
<tr>
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<td>Housing Characteristics</td>
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<td>Percent Ownership</td>
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<tr>
<td>South St. Paul 64.1%</td>
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<td>Hopkins 32.7%</td>
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<td>Percent Rental</td>
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<tr>
<td>South St. Paul 35.9%</td>
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<tr>
<td>Hopkins 67.3%</td>
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<tr>
<td>Fridley 38.5%</td>
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<tr>
<td>Columbia Heights 36.1%</td>
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<tr>
<td>New Hope 44.6%</td>
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<tr>
<td>Shoreview 18.3%</td>
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<tr>
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<tr>
<td>Median Home Value</td>
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<tr>
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<tr>
<td>Hopkins $214,200</td>
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<tr>
<td>Fridley $174,000</td>
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<td>Median Contract Rent</td>
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<tr>
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<tr>
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<tr>
<td>Columbia Heights $830</td>
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<tr>
<td>New Hope $877</td>
</tr>
<tr>
<td>Shoreview $1,032</td>
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<tr>
<td>St. Louis Park 1,032</td>
</tr>
<tr>
<td>Percent with a Mortgage</td>
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<tr>
<td>South St. Paul 71.2%</td>
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<tr>
<td>Hopkins 73.4%</td>
</tr>
<tr>
<td>Fridley 63.5%</td>
</tr>
<tr>
<td>Columbia Heights 68.5%</td>
</tr>
<tr>
<td>New Hope 69.6%</td>
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<tr>
<td>Shoreview 65.6%</td>
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<tr>
<td>St. Louis Park 68.5%</td>
</tr>
<tr>
<td>Employment</td>
</tr>
<tr>
<td>Unemployment Rate</td>
</tr>
<tr>
<td>South St. Paul 2.5%</td>
</tr>
<tr>
<td>Hopkins 2.6%</td>
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<tr>
<td>Fridley 3.0%</td>
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<tr>
<td>Columbia Heights 2.8%</td>
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<td>St. Louis Park 2.5%</td>
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<tr>
<td>Market Analysis</td>
</tr>
<tr>
<td>Apartment construction since 2015</td>
</tr>
<tr>
<td>South St. Paul 67 units</td>
</tr>
<tr>
<td>Hopkins 239 units</td>
</tr>
<tr>
<td>Fridley 256 units</td>
</tr>
<tr>
<td>Columbia Heights 339 units</td>
</tr>
<tr>
<td>New Hope 292 units</td>
</tr>
<tr>
<td>Shoreview 346 units</td>
</tr>
<tr>
<td>St. Louis Park 770 units</td>
</tr>
<tr>
<td>Under construction/pending/proposed</td>
</tr>
<tr>
<td>South St. Paul 308 units</td>
</tr>
<tr>
<td>Hopkins 493 units</td>
</tr>
<tr>
<td>Fridley 267 units</td>
</tr>
<tr>
<td>Columbia Heights 77 units</td>
</tr>
<tr>
<td>New Hope 0 units</td>
</tr>
<tr>
<td>Shoreview 48 units</td>
</tr>
<tr>
<td>St. Louis Park 595 units</td>
</tr>
</tbody>
</table>

• Amongst like sized cities, South St. Paul had had the fewest apartments constructed over the past five years (67 units). Most peer cities have constructed at least 250+ units during this time frame; with St. Louis Park with the most development (770 units). However, South St. Paul has several potential projects that could deliver over 300 units in the coming years.
Regulatory and Policy

The Hardman Triangle has been the subject of Land Use discussions for over 20 years. In May 2019 the City issued a moratorium in order to establish clarity for property owners and to direct the properties in a manner that supports overall City Goals. The last two Comprehensive Plans have designated the area as a Mixed-Use District, not an Industrial District. Current Zoning splits the triangle into two separate districts.

Existing Zoning
The Hardman Triangle is currently guided by two separate zoning districts. The eastern half is zoned General Business and the western half is zoned North Concord Mixed Use. Several properties on the west half are legal non-conforming.

Non-conforming Properties
Several of the properties in Hardman Triangle have been operating as a Legal Non-Conforming use for several years. As industrial uses in a non-industrial district these businesses are permitted to continue operations, however they are not permitted to expand or improve operations. This Plan seeks to put an end to this situation by relocating the properties to an area of the City or Region where they are more compatible with surroundings and policies.

Future Land Use Plan
The recently adopted Comprehensive Plan designates the entire Hardman Triangle, and surrounding properties as Mixed Use. The previous Comprehensive Plan, designated the Triangle as Office-Research.

From the Comprehensive Plan: The Mixed-Use category is intended to allow for developments which combine residential, office, retail, and commercial uses through planned development. These uses may be mixed within the same building (vertical mixed use) or may be in separate buildings that are mixed within the same area (horizontal mixed use). The exact mix of uses will depend on the site and will need to be sensitive to the development context.
Existing Properties

Hardman Triangle is home to several businesses - ranging from office uses to production, to recycling, to meat production. Most of the businesses have been operating on the triangle for over 10 years.

<table>
<thead>
<tr>
<th>Property owner</th>
<th>Acres</th>
<th>Age of Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality Service Corp.</td>
<td>1.82</td>
<td>1980</td>
</tr>
<tr>
<td>EDA (Vacant)</td>
<td>.31</td>
<td></td>
</tr>
<tr>
<td>Concord Fresh Meats</td>
<td>1.74</td>
<td>1930</td>
</tr>
<tr>
<td>Long Chen</td>
<td>2.83</td>
<td>1946</td>
</tr>
<tr>
<td>EDA (Vacant)</td>
<td>2.83</td>
<td></td>
</tr>
<tr>
<td>EDA</td>
<td>1.78</td>
<td>1936</td>
</tr>
<tr>
<td>Twin City Pallet</td>
<td>5.21</td>
<td>1973</td>
</tr>
<tr>
<td>Binder Heating and Air Conditioning</td>
<td>.99</td>
<td>1988</td>
</tr>
<tr>
<td>United Food and Commercial Workers union</td>
<td>1.32</td>
<td>1987</td>
</tr>
<tr>
<td>South St. Paul Steel Supply</td>
<td>3.38</td>
<td>1991</td>
</tr>
</tbody>
</table>
1. Background

Goals

Connect The Community to The River
The Triangle is a key link between the community and the Mississippi River Trail. Safe and comfortable walking and bike connections up and down the hill, connecting to the trail will increase the appeal of redevelopment on the Triangle.

Celebrate History, Culture and Assets of South St. Paul
South St. Paul has a proud history. It is known throughout the region as a hard working close knit community that values its roots. Though the meatpacking facilities are gone, the community remains a center of employment for the east metro and a bedroom community of simple modest homes. Redevelopment should seek opportunities to celebrate and highlight the history of the community through placemaking, art, interpretive exhibits, and events.

Create multiple blocks and opportunities for development
Hardman triangle is a 15 acre block. Over time, the block has been subdivided into different parcels for multiple industrial and general business users. As the area transitions into a greater mix of uses, including housing and retail, it should be subdivided into smaller blocks, bounded on all sides by public roads. Smaller blocks, with streets defining them will help clarify the orientation of the development, make it more pedestrian friendly, and organize parking and amenities.

Orientation to Both Concord and the River
Hardman Triangle has two orientations and exposures - one to Concord Street and another to the River. As the Site redevelops, with multiple buildings and uses, it should account for these multiple orientations. Buildings along Concord Street should address the street and create a gateway to the community. Buildings on the interior of the block, or along Hardman Street should seek opportunities to orient to the river, with views and terraces.

Create Windows to Concord Exchange
Concord Exchange and Concord Street have a unique relationship to each other. Concord Street is the “pass-by street” and Concord Exchange is the “stay-at street.” With a half block between them, it is important to locate buildings so they create windows from Concord Street to Concord Exchange. Doing so will allow regional traffic to have visual access to the activity on Concord Exchange.
2. Concept Plan
Plan - Overall

The redevelopment Plan for Hardman Triangle subdivides the single 15 acre block into two smaller blocks, and re-establishes Concord Street and Grand Avenue as the primary streets in the District. The Plan strengthens the Concord / Grand intersection as the 100% corner of the City by building up to the corner with retail and other active uses. New development set on Concord Street will create a new and improved gateway to the City form the north.

A cultural trail is proposed along Grand Avenue, connecting the community from up the hill to the Mississippi River Trail. The trail should contain a cycle track for bicyclists and joggers to easily move between the trail and Concord Street.

Though the area will evolve into a mixed-use district, there should be an emphasis on residential uses in mid rise buildings. A strong residential presence will support retail and restaurant uses and will take advantage of proximity to the river and related amenities.

Retail and restaurants are also a viable use for redevelopment. They are encouraged to be located in the ground floor of buildings at the corner of Grand Avenue and Concord.

Redevelopment should take advantage of the grade change across the site by tucking parking beneath the buildings and the courtyard - which would be raised - thereby affording views above the levee.

<table>
<thead>
<tr>
<th>Potential Development Yield</th>
<th>units</th>
</tr>
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<tbody>
<tr>
<td></td>
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<tr>
<td>Block A</td>
<td>200</td>
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<tr>
<td>Block B</td>
<td>150</td>
</tr>
<tr>
<td>Block C</td>
<td>75</td>
</tr>
<tr>
<td>Block D</td>
<td>150</td>
</tr>
<tr>
<td>Block E</td>
<td>75</td>
</tr>
<tr>
<td>Block F</td>
<td>75</td>
</tr>
<tr>
<td>Total</td>
<td>725</td>
</tr>
</tbody>
</table>
Section Diagram through the Site
Grand Avenue Promenade

Grand Avenue is designed as a promenade between the hilltop neighborhoods and the riverfront trail. With enhanced landscaping, a bike trail, and a widened sidewalk, the avenue can facilitate the connection to the Mississippi River Trail. Wayfinding, signage, and public art can be used to enhance the experience along it and to recognize the history of the area and its significance to the City and the region.

View west on Grand Avenue towards Concord Exchange building
Concord Street

Concord Street will be rebuilt and turned back to the city and County in the next few years. The new design offers the opportunity to create a more attractive environment for redevelopment. It will also create a safer and more pleasant environment for pedestrians, cyclists, transit riders as well as people traveling in cars. The current right-of-way is 100’. By reducing lanes and adding greenspaces and sidewalk space, Concord can become an attractive boulevard and new entrance to the City.

Buildings on Hardman Triangle should be located close to the front property line. Individual entries to retail/restaurants as well as doors to ground floor residential should face directly onto the sidewalk with appropriate transitions / buffers.

Residential uses should either be set back slightly with a small patio yard and low wall, and / or be raised 3’ from the sidewalk to create privacy. Retail uses, if possible, should be directly at grade. If they are raised, they must have accessible entrances and graceful transitions to the sidewalk.
Projected Absorption

A full or partial redevelopment of the Hardman Triangle area is necessary to achieve the highest and best use of the area. The City of South St. Paul has already acquired two key parcels near the intersection of Grand Avenue and Concord Street that collectively make-up about 3.6 acres. In addition, the City acquired a small 0.31-acre site near the entrance of the Long Cheng meat processing business. However, to realize the full potential of the existing acquisitions and to achieve the highest returns on the property, additional measures are needed to achieve the Hardman Triangle’s development potential.

This Plan recommends the City acquire the following properties:

• Concord Fresh Meat (1.74 acres)
• Long Cheng (2.83 acres); and
• Twin City Pallet (5.21 acres).

The acquisition of these properties is critical; without the acquisition the marketability of the City’s existing properties is limited to the corner parcel. The existence of the current non-conforming business uses impedes development on the city’s parcels and all the other land uses in the Hardman Triangle.

Collectively the acquisition of these three businesses is 9.78 acres; together with the existing city properties the total developable acreage would be approximately 14 acres. As such, a significant development could be achieved that could transform the area and provide connectivity to Downtown South St. Paul.

This Plan anticipates about a two-year time frame for the acquisition and relocation of the three businesses previously identified. As such, the additional 9.78-acre site would not be shovel ready until 2022 or 2023; however the hard corner that consists of around 4 acres would be marketable sooner as long as the City has made it public that the surrounding sites will be transitioning to alternative uses.

Given the acquisition time-frame and the other multifamily projects in the pipeline in Downtown South St. Paul (Drover Phase II @ 110 units and the other 198 market rate units); a total of 308 rental units could be on-line by the time the Hardman Triangle is ready for construction. This timeframe would align nicely as the proposed projects would be either leased or nearly stabilized by the time the Hardman Triangle sites would be ready to start construction.

Multifamily housing continues to be one of the preferred asset classes for development in the Twin Cities as record apartment deliveries have occurred in the past three years and 2020 looks to break another peak (11,000 units estimated). However, South St. Paul has delivered the fewest apartment units since 2015 compared to other inner-ring suburban communities across the Metro Area. Apartment development in many of the peer cities has resulted from infill and redevelopment; which in most cases results in higher development costs than vacant, pad-ready sites. In many cases, communities have offered TIF or other incentives to help alleviate the costs associated with redevelopment.

Maxfield Research projects South St. Paul can absorb about 150 units annually across all multifamily product types (i.e. market rate or affordable rental, senior housing, for-sale housing, etc.). As such the build-out of the 14-acre site with predominantly multifamily housing could achieve 700 units; or a five-year plus build-out. Assuming commencement in 2023, the build-out would most likely run the course of the decade. Because the retail sales leakage in South St. Paul, this Plan highly encourages mixed-used formats with first-floor commercial space. The addition of commercial square footage will complement the housing development while providing amenities to South St. Paul residents and workers.

<table>
<thead>
<tr>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
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<td>high</td>
<td>non</td>
<td></td>
</tr>
<tr>
<td>units</td>
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<td>residential SF</td>
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<tr>
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<tr>
<td>Phase 2</td>
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<td>Phase 3</td>
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<tr>
<td>Phase 4</td>
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</tr>
<tr>
<td>Total</td>
<td>725</td>
<td>965</td>
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</tr>
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</table>
3. Design Guidelines
**Building Massing**

**Intent**
To shape the overall massing of the buildings so it creates a district that is cohesive, harmonious, and pleasant to be in. A series of buildings, whose overall massing protects and creates views, allows daylight to important spaces, and protects pedestrians from harsh microclimates will contribute to a successful district.

- **Building Heights - Stepbacks**: In order to ensure sunlight on Concord Street, buildings are encouraged to utilize stepbacks on upper floors. Doing so will allow sunlight to penetrate down to the sidewalk during mid day for much of the year.
- **Building Heights - Minimum**: In order to create a well defined street space, buildings should be a minimum of three stories tall along Concord Street.
- **Building Length**: Building lengths should not exceed 250’ as measured along the front of the building. Buildings longer than 120’ should employ techniques that reduce their horizontal scale.
- **Building Types**: Multiple building types that vary in size are encouraged. Doing so helps ensure variety and visual interest as well as diversity of units and uses.
- **Preserving and creating views**: Due to the slope from the bluff to the River, consideration should be given to how buildings are experienced from different vantage points, not just from the sidewalk. In order to prevent views towards the river, tallest portions of the buildings should be located perpendicular to Concord Street and the River.
- **Corners**: Primary corners throughout the district should be celebrated with special architectural treatments at both the ground level as well as in the massing of the building.

**Building Length**
Buildings are encouraged to be a maximum of 180’ in length along the street edge. Buildings longer than 100’ should have a massing and articulation that reduces horizontal scale of the building. While it is not necessary to articulate long buildings as if they are many small buildings, each building, and the assembly of buildings on a site should have variety and human scale.

**Building Height and Street Enclosure**
Comfortable, human-scale spaces are determined in part by whether or not they have a sense of enclosure - like a room, the walls are important. When the ratio of building height to overall street width is between 1:1 and 1:3, the street space will be feel enclosed, while still getting adequate sunlight. Therefore buildings along Concord and Grand Avenue should be between three and of six floors. The facade of any floor above the fourth floor should be set back from the right of way line of any public street.
Ground Floor Design

Intent
To create a superior pedestrian experience along all public streets by ensuring that facades are not exceedingly long, uninterrupted and rigidly uniform. Variations in the ground floor design break up the mass of large buildings, add visual interest and promote a human scale environment along the sidewalk. The guidelines on this page can be used to guide the design of the ground floor of all new buildings.

Guidelines
- **Transparency**: The ground floor of all buildings should be highly transparent with multiple doors, display windows, lobby spaces, and other semi-public spaces. The ground floor of all buildings should be at least 50% clear glass (transparent). Blank walls longer than 30 feet and opaque coverings on windows and doors should be avoided.
- **Setbacks**: Provide plane changes in the facade that create horizontal and vertical breaks, as well as shadow line. Longer buildings should have an “enhanced setback” along part of it’s length.
- **Materials**: Include elements such as textured materials, awnings, plantings, signage and seating to create a visually engaging and inviting ground floor.
- **Ground Floor Uses**: Active uses, such as retail, restaurants, and common spaces should be located on the ground floor where it meets the sidewalk. Those uses should be visible to the sidewalk. Ground floor spaces should be a minimum of 14’ tall.
- **Residential Uses**: When residential is located on the ground floor facing a public street it should be either at grade and set back 10’-15’ from the sidewalk, or slightly raised to create a greater sense of privacy.
- **Building entrances**: Building entrances should be clearly defined through the use of architectural details, fenestrations, canopies. All entrances to buildings and units should be accessible from the public sidewalk.

Building Placement & Setbacks
All new buildings are encouraged to be located close to the front property line. Use of an “enhanced setback” that offers public amenities and semi private space for residential units is also encouraged. The Enhanced Setback can range in size however they should be limited to less than 50% of the frontage line and no deeper than 15’. Enhanced setbacks can also be used to mitigate the impact of exceedingly long buildings.

Building Entries
Building entrances should be clearly identifiable, and directly accessible from the adjacent sidewalks. Commercial entrances should be level with the adjacent sidewalk. Residential entrances to units can be set at grade (if set back for privacy) or located close to the sidewalk and raised for privacy. The ground floor should be constructed with a minimum 14’ floor to floor height.
Facade Articulation

**Intent**

To create buildings whose facades are well designed, simple, and supportive of the goal of creating a district that is human scaled, pedestrian friendly, and pleasant to be in. Buildings in Hardman Triangle are likely to be larger and longer than the prevailing context of Concord Street, therefore it is important to design them so they maintain a comfortable scale for pedestrians while still creating a well defined outdoor street room.

- **Composition**: Buildings should be composed either as repeated structural bays as is common in many traditional buildings, or as a balanced composition (consisting of masses and solids and voids) as is common in many modern buildings.

- **Materials**: All materials should be long lasting and durable. Materials such as stone, brick, metal and glass are encouraged. Stucco, EIFS, overscaled block or brick, are discouraged.

- **Corners**: Buildings located at the intersection of Concord St and Grand Ave should be designed to engage and add interest to the public realm and create a visual presence at the corner. This should include corner entrances and architectural features such as chamfered or rounded corners, corner windows, and tower elements.

- **Building Elements**: elements such as projecting bays, balconies, awnings, fins, overhangs, and cornices should be used to give depth and interest to facades.

**Composition**

Traditional buildings (top image) tend to be composed of repeating bays, modern buildings (bottom two images) tend to be balanced compositions of masses. The design of buildings should be appropriate for the time and not historical derivatives.

**Corners**

Articulation of important corners is an opportunity to define a District. Grand Avenue and Concord Street is the 100% corner of the District and should be celebrated as such with architectural treatments that highlight the corner. A special corner treatment is also encouraged at the Hardman Ave / Concord Street intersection because that location is the gateway to the District as approached from the north.
Site Considerations

Intent

To provide beautiful and functional outdoor spaces that serve public, private, passive and active uses and enhance the quality of life for residents. Buildings and other site elements in Hardman Triangle should be planned to create outdoor space that have a relationship to indoor building uses and the public sidewalk.

- **Plant Material**: Trees and landscaped areas play an important role in creating a sense of enclosure, providing shade, and adding needed softness in the urban environment.

- **Finish Floor Elevations**: Due to the grade change from Concord Street to the site, creative indoor and outdoor grade transitions are needed to ensure all building entrances are accessible to sidewalks. Residential entrances should be at grade with the adjacent sidewalk. Commercial entrances should be level with the adjacent sidewalk. Creative indoor and outdoor grade transitions will be necessary to ensure all building entrances are level with the public sidewalks along Concord and Grand Avenue.

- **Stormwater Management**: Stormwater management should be approached in an artful manner. For example, celebrating the treatment of stormwater in an environmentally responsible way while creating inviting landscapes and public art that enhance a site’s open space and aesthetic value.

- **Occupied Roofs**: Due to the proposed density, the necessity of structured parking, and the overall urban nature of the Hardman Triangle district, functional outdoor use areas should be provided above structured parking and connect to the sidewalks along Concord Street and Grand Avenue.

- **Vegetated Roofs**: Vegetated roofs should be used to meet impervious area requirements and as part of the stormwater management strategy within Hardman Triangle. Vegetated roofs reduce heat island effect and decrease the building’s demand for heating and cooling.

March 6, 2020
AGENDA ITEM: Discussion on Workplan for Concord Street Mixed-Use Districts and Hardman Triangle Plan Implementation

DESIRED OUTCOMES:

- Review history of the mixed-use zoning districts along Concord Street
- Discuss Differences between the Hardman Triangle Plan and existing mixed-use zoning districts
- Discuss Infrastructure considerations pertaining to Hardman Triangle Plan
- Discuss proposed workplan
  - Discuss staff recommendations for implementing the Hardman Triangle Plan.
  - Discuss options for Concord Street North
  - Discuss options for Concord Street South
- Staff is asking the City Council to call for a joint workshop with the Planning Commission to review the implementation of the Hardman Triangle plan.

BACKGROUND

The Hardman Triangle is a triangular-shaped block bounded by Grand Avenue, Hardman Ave N, and Concord Street N. The block, which still contains several heavy-industrial and animal processing businesses dating back to the stockyard era, has long been guided for redevelopment. The redevelopment plans have changed several times over the decades and the only part of the block that has ever been successfully redeveloped is the eastern section (3 parcels) which was redeveloped as light industrial in the 1980’s and 1990’s.

The planning for this area has historically been piecemeal without a strong cohesive vision. The City Council recently decided that it is time to develop a fresh master strategy for redevelopment of the block. To that end, the Council imposed a 1-year moratorium on all new uses and building expansions in the Hardman Triangle in May 2019. They then commissioned a land use and market study designed to present the City with a cohesive vision for redevelopment of the triangle.

The City Council reviewed the draft Hardman Triangle plan at their March 23rd meeting. The draft plan calls for the redevelopment of most of the Triangle (all but the eastern portion that was already redeveloped) into a mixed-use walkable commercial/residential area. Council indicated to Staff that they would like to move towards formally adopting the plan and making updates to the zoning code to implement the plan’s vision. Additionally, they would like Staff to facilitate a review of the entire Concord Street corridor between the northern border of the City and Interstate 494 to determine whether any additional changes should be implemented while the City’s mixed-use district code is under review.
The purpose of this worksession item is to discuss the status of the existing mixed-use zoning districts along Concord Street and how the Hardman Triangle plan can best be incorporated into that framework. Staff is hoping to get Council feedback on a proposed workplan.

**HISTORY OF THE MIXED-USE ZONING DISTRICTS ALONG CONCORD STREET**

*Concord-Gateway Mixed Use (CGMU) Zoning District*

The City undertook a significant planning effort in 2002-2003 to create a redevelopment framework for Concord Exchange, the street that was once the community’s historic downtown. The City hired a team of consultants to create a small area plan and there was a substantial amount of public engagement and thoughtful design work and architectural analysis that took place over the course of roughly one year.

The City ultimately adopted the small area plan, called the Concord/Grand Gateway Streetscape and Redevelopment Plan, which called for turning Concord Exchange back into a walkable downtown-style “main street” with a mix of commercial and residential uses. The City then created a new zoning district for Concord Exchange called the Concord-Gateway Mixed-Use (CGMU) zoning district. The zoning district contains a list of uses that were considered appropriate for a downtown area AND contains site and building design requirements that mandate that new buildings be constructed in the style of a “main-street” downtown area. New buildings are supposed to be located close to the sidewalk, for instance, and have architectural features that make it pleasant for a pedestrian to look around while strolling down the street and engaging in commerce. Parking lot placement and landscaping are handled in such a way as to keep the street from being overwhelmed by the visual impact of surface parking lots. The CGMU zoning district has two subdistricts. The main downtown district is located near the intersection of Grand and Concord Exchange and extends all the way north to the liquor store and south to Bridgepoint Drive. A second subdistrict, which is still intended to be pedestrian friendly but also allows car-oriented uses (including auto sales and auto rental), is located at the southern end of Concord Exchange, the portion that is south of Bridgepoint Drive.

At this point in time, there appears to be significant developer interest in the Concord Exchange area. Staff believes that the zoning district’s architectural standards are in relatively “good shape” but the list of permitted and conditional uses could likely use some improvement. Some work was already done on the ‘use’ standards earlier in 2020 and additional ordinance amendments related to ‘uses’ are currently being studied and evaluated by City Staff.

*NORTH CONCORD MIXED-USE ZONING DISTRICT*

In March of 2004, City leaders imposed a 6-month moratorium on all new development activity along North Concord Street and the part of Concord Exchange north of Grand Avenue. These were primarily areas that were zoned “GB-General Business” which allows both commercial and industrial uses. Council had concerns regarding land use in the corridor (especially the proliferation of used car sales lots) as well as concerns regarding the quality of any new development that might occur due to the absence of strong architectural controls. The moratorium was intended to give the City time to study the corridor and make appropriate zoning changes to adequately control development.
The City did not undertake a full planning/zoning study during the moratorium. Per archival staff memos, City Staff was directed to work with “an ad-hoc committee of South St. Paul citizens and business owners” in order to find a zoning solution to address Council’s concerns. The solution that was selected was to:

- Treat the entirety of Concord Street North as an extension of “main street” and have almost all of the same requirements as in the Concord Gateway Mixed-Use (CGMU) downtown area.

- Create another mixed-use zoning district, the North Concord Mixed Use district (NCMU) which would have rules that are almost identical to the existing CGMU district rules.
  
  o All of the site design and architectural standards are almost identical to the CGMU district standards.
  
  o There are 2 significant differences in the use standards
    ▪ “Construction Contractors (with no exterior storage)” are allowed in the NCMU district while they are prohibited in the CGMU districts.
    ▪ The NCMU district does not allow any car sales or car rentals. These uses are also prohibited in the main downtown “CGMU-1” subdistrict BUT they are allowed with CUP’s in the CGMU-2 ‘car-oriented’ subdistrict located south of Bridgepoint Drive.

- All of the existing uses along Concord Street North which are not allowed in the NCMU district became “grandfathered” lawful nonconforming uses. In accordance with State Statute, they are permitted to be “maintained, repaired, improved, and replaced” but cannot be expanded in any way.
  
  o This includes all of the car sales lots. They cannot be expanded and no new car sales operations may be allowed along Concord Street North.

- The City has a rule in all of its commercial and mixed-use zoning districts that existing houses and other residential uses are considered “conforming” even if they aren’t a permitted use. This allows the owners to continue to build additions and expand their homes, something that would not normally be allowed for a “grandfathered” use.

There has not been any new development on Concord Street North in the years since the NCMU zoning was adopted beyond the repurposing of existing buildings and minor additions to existing businesses (such as outdoor dining at Bugg’s Place). In hindsight, the planning/zoning approach that was selected had some fairly significant shortcomings and likely was not the right fit for the street. Concord Street North (the roadway itself) was not configured in a way that would support “main street” style walkable mixed-use development. Many parts of the street lack sidewalks, the street is overly wide, and the street design is very utilitarian without any flourishes (street trees, pavers, public art, benches, etc.) that would attract traditional commercial/residential “main-street” mixed-use development.

In the years since the NCMU zoning rules were first adopted, the Planning Commission has made several requests for additional study and revisions to the NCMU zoning rules to set more
realistic standards. Their most recent formal request was in January 2013 when they passed a motion (7-0) to request that the City Council look into funding to do a study. Making improvements to the NCMU zoning district has not been a high priority and, as of 2020, no study has been completed.

Interestingly, Concord Street North is now slated to receive a full reconstruct with design enhancements that will make it a much more appealing setting for developers seeking to do mixed-use projects. It remains unclear whether the existing standards are completely the “right fit” but a mixed-use vision of some sort will definitely be more achievable once the road has been rebuilt. Other cities have had success with ‘fun and funky’ mixed-use districts that include a mixture of commercial, residential, and light industrial uses with more relaxed design standards than what one would find in a “main street” downtown area. That may potentially be something that could be explored along North Concord?

**SOUTH CONCORD STREET**

**NORTH OF 494**

At their March 23 worksession, Council specifically asked Staff to explore potential options for zoning actions to aid in redevelopment along Concord Street South between Grand Avenue and Interstate 494. Staff would note that all of the zoning which is already in place in that area is 100% in alignment with the City’s comprehensive plan. The comprehensive plan calls for the majority of this corridor to be “light industrial” except for some commercial areas right along Concord Street. The areas guided for “light industrial” were all rezoned light industrial in 2019. The areas guided for commercial are all zoned “General Business.” The commercially zoned areas near 494 have been historically been guided towards redevelopment as “regional” commerce. There has been a small amount of regional commercial development in recent years such as the new Subaru dealership.

**SOUTH OF 494**

The comprehensive plan does steer the majority of the land along Concord Street South that is south of I-494 towards redevelopment as “mixed-use.” The City undertook a planning/zoning study of Concord Street South back in 2012 to evaluate whether the creation of a mixed-use zoning district here was appropriate. The study concluded that there would be very significant challenges with redeveloping South Concord as a traditional mixed-use district but did put forward a potential redevelopment plan. The plan called for eliminating all of the industrial businesses that are south of I-494 including Twin Cities Hide and Tanning and Kinder Morgan Dakota Bulk Terminal. It called for the City to buy up large amounts of land and to reconfigure all of the streets in the area for increased connectivity and improved aesthetics.

The City ultimately decided not to adopt the plan or make any changes to the zoning along Concord Street South in the area south of I-494. However, the area remains guided for “mixed-use” in the comprehensive plan which creates complications every time a new business wants to open up. The business proposal usually either goes against the comprehensive plan or goes against the existing zoning rules. Under state law, the City is not allowed to do any rezoning that does not align with the comprehensive plan so nothing along Concord Street can be rezoned.
unless it is rezoned to a mixed-use district. At some point, the City needs to decide whether Concord Street South is going to be a mixed-use corridor or not. If it is, a plan should be developed and a rezoning should occur. If not, the comprehensive plan should be changed to reflect the City’s actual vision for the street so appropriate rezoning can take place. Since 2012, the City has allowed numerous expansions of the Twin Cities Hide and Tanning operation and Kinder Morgan Dakota Bulk Terminal (with many millions of dollars in private investment) so it seems pretty clear that the intention is not to phase out these businesses and have the City buy the properties. This suggests that the 2012 mixed-use plan is likely no longer viable and a different mixed-use plan would need to be prepared if the City Council still wishes to see commercial/residential mixed-use development along this corridor in the future.

**How is the Hardman Triangle Plan Different Than Existing CGMU Zoning?**

The Hardman Triangle Plan calls for the creation of a walkable mixed-use commercial/residential zoning district. The plan talks about encouraging residential development in mid-rise buildings with some 1st floor retail. This is similar to the “walkable main-street” vision for the areas across the street on Concord Exchange but is not identical. The Hardman Triangle block is likely to be developed primarily as standalone residential buildings with just a small amount of retail. The residential density will provide support for the commercial uses across the street on Concord Exchange (Concord Street will be pleasant and easy to cross after it is narrowed and reconstructed).

The Hardman Triangle Plan does call for slightly different architectural standards than what is currently in place in the CGMU district. It calls for being more accommodating of contemporary architecture, for requiring a minimum setback for any residential-only buildings that do not have 1st floor commercial, and for actively promoting certain advanced site features such as vegetated roofs and artful stormwater management.

In terms of “uses,” it is likely that many of the same uses that are considered appropriate in the CGMU district would also be appropriate for the Hardman Triangle. One “use” that probably should not be accommodated, however, is small apartments. The CGMU districts allow apartment buildings with as few as four (4) units. It would undermine the Hardman Triangle redevelopment goals to have the site punctuated with small apartment buildings that broke up the block’s buildable area. It will also need to be decided whether the City wants to encourage/allow any standalone 1-story commercial buildings on the Hardman Triangle block or whether the City is taking the stance that all commercial uses need to be part of multi-story buildings with offices or residential on upper floors. Finally, the City will need to review all of the commercial uses that are allowed in the other mixed-use districts to determine which uses should be allowed on the Hardman Triangle block.

**Infrastructure Considerations**

The Hardman Triangle plan calls for breaking up the existing 15-acre block with new streets to create smaller, more pedestrian-scale blocks. Some thought should be given to planning for this future infrastructure if it is viewed as being integral to the plan. Does the City plan to proactively build any streets in support of development or does the City want to wait for active development and build the new streets piecemeal as development occurs? The presence of the new and improved street system could be attractive to developers but there would be an upfront cost.
STAFF’S PROPOSED WORKPLAN

Staff is proposing a workplan for addressing the outstanding challenges regarding Concord Street. Each of these tasks is quite large and they most likely can not be addressed simultaneously if the goal is to undertake the projects with “in-house” planning staff. Staff has broken up the tasks into four projects:

1. Hardman Triangle (Priority #1)

- Staff would propose a joint workshop with the Planning Commission and the City Council to discuss relevant architectural and land use issues and give Staff clear direction for preparing a draft ordinance to implement the Hardman Triangle plan.
  
  - The City Council and Planning Commission will both be asked to review the 2003 Concord-Gateway Redevelopment Plan, CGMU zoning rules, and the 2020 Hardman Triangle plan prior to the workshop.

- Create a new zoning district for the Hardman Triangle (it could either be a standalone zoning district or a new Concord Gateway Mixed-Use ‘CGMU’ subdistrict)

- Strive to keep things relatively cohesive between the CGMU and Hardman Triangle. Zoning Codes are more developer-friendly when there is consistency and continuity between districts. The Hardman Triangle will have at least slightly different architectural standards and use restrictions than the existing CGMU districts.

- The Planning Commission and City Council will need to evaluate whether some of the design aspects discussed in the Hardman Triangle plan should be hard “requirements” (meaning that it takes a variance to waive the design requirement for any project) or merely “recommendations.”

2. North Concord Mixed-Use Zoning District (Priority #2)

- Staff would propose a future joint workshop between the City Council and Planning Commission to get “on the same page” about what the goals are for this district.

- This zoning district should be updated so that it is more tailored to the context of the street rather than just being a clone of the CGMU downtown-area zoning districts. It is unlikely that Concord Street North will ever look like a downtown main street but there is potential for mixed-use development here once the road is reconfigured with sidewalks and bike lanes.

- It is possible to make “band aid fixes” to this district without additional study but a small area plan with a defined vision would be necessary in order for any thoughtful comprehensive changes to be made to the district. A small area plan could either be done “in-house” as time allows or with the help of a consultant.
• Staff believes it would be wise to look at other models for mixed-use districts besides the “downtown main street” model. As previously stated, Staff believes that a “fun and funky” commercial/light industrial/residential mixed-use district with more laid-back design standards could function well in this corridor.

• Some areas that are currently zoned North Concord Mixed Use (NCMU) should possibly be rezoned to CGMU or a different zoning district. Staff would specifically encourage a review of the properties that are not even on Concord Street such as the properties up the bluff near City Hall.

3. SOUTH CONCORD STREET SOUTH OF 494 (PRIORITY #3)

• **Staff would propose a future standalone workshop discussion with the City Council to discuss the future of this part of the corridor. This is primarily a policy discussion so the Planning Commission does not need to be involved right away.**

• The City Council will need to decide whether it is truly the goal to create a mixed-use district here. If that is the goal, additional planning will have to be done to determine whether this goal is realistic. If it is not the goal, the City will need to adjust its comprehensive plan and zoning map to set more realistic goals or development will continue to be stifled along Concord Street South.

4. SOUTH CONCORD STREET BETWEEN GRAND AVENUE AND 494 (PRIORITY #4)

• **Staff would propose a future standalone workshop discussion with the City Council to discuss the future of this area if Council feels that the existing vision needs to be reevaluated.**

• As previously stated, the area’s zoning currently 100% aligns with the comprehensive plan which steers this area for light industrial with regional commercial uses directly along Concord. If the City Council has a different vision for this part of Concord Street, additional visioning and workshopping will need to take place to determine what changes need to be made to the comprehensive plan and zoning map/code.

**ATTACHMENTS**

A. ZONING MAP
B. DRAFT 2040 COMPREHENSIVE PLAN LAND USE MAP
C. HARDMAN TRIANGLE REDEVELOPMENT CONCEPT PLAN
D. SOUTH CONCORD MIXED-USE CONCEPT PLAN (2012- NOT ADOPTED)
E. EXISTING CONCORD GATEWAY MIXED-USE ZONING STANDARDS
ATTACHMENT A

ZONING MAP

This Zoning map is a representation of various maps and ordinances that make up the City of South St. Paul zoning code. Percentage of Ancestry is calculated from county parcel data. Results are representational and not to be used for purposes other than zoning. For detailed information pertaining to a specific property or zoning district, please contact the City of South St. Paul Planning Department at http://www.southstpaul.org/
ATTACHMENT B
DRAFT 2040 COMPREHENSIVE PLAN LAND USE MAP

Figure 4.2: Future Land Use

Future Land Use Map
City of South St Paul Planning Department
https://www.southstpaul.org/

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

The redevelopment Plan for Hardman Triangle subdivides the single 12 acre block into two smaller blocks, and re-establishes Concord Street and Grand Avenue as the primary streets in the District. The Plan strengthens the Concord/Grand intersection as the 100% corner of the City by building up to the corner with retail and other active uses. New development set on Concord Street will create a new and improved gateway to the City form the north.

A cultural trail is proposed along Grand Avenue, connecting the community from up the hill to the Mississippi River Trail. The trail should contain a cycle track for bicyclists and joggers to easily move between the trail and Concord Street.

Though the area will evolve into a mixed-use district, there should be an emphasis on residential uses in mid rise buildings. A strong residential presence will support retail and restaurant uses and will take advantage of proximity to the river and related amenities.

Retail and restaurants are also a viable use for redevelopment. They are encouraged to be located in the ground floor of buildings at the corner of Grand Avenue and Concord.

Redevelopment should take advantage of the grade change across the site by tucking parking beneath the building and the courtyard - which would be raised - thereby affording views above the levee.

<table>
<thead>
<tr>
<th>Potential Development Yield</th>
<th>Low</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>725</td>
<td>205</td>
</tr>
</tbody>
</table>

March 6, 2020
ATTACHMENT E
EXISTING CONCORD-GATEWAY MIXED USE DISTRICT ZONING STANDARDS

Sec. 118-125. - CGMU, Concord Gateway mixed-use district.

(a) **Purpose.** The purpose of the Concord Gateway mixed-use (CGMU) district is to provide an area for compact, mixed-use development made mutually compatible through a combination of careful planning, urban design and coordinated public and private investment. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. The placement of building edges and the treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian-friendly environment envisioned for the CGMU. The standards in this section are intended to implement and effectuate the principles and relationships established in the city's Concord Gateway Framework Plan, a copy of which is on file in the office of the city clerk, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. The CGMU is divided into two subdistricts, CGMU-1 and CGMU-2, as depicted on the official zoning map.

(b) **Permitted uses.** Within either the CGMU-1 or CGMU-2 subdistricts, no structure or land may be used except for one or more of the following uses, provided such use is less than 10,000 square feet in gross floor area:

1. Accessory store, apparel.
2. Altering, pressing and repair of wearing apparel.
3. Appliance store.
4. Art gallery.
5. Bakery.
6. Banks and other financial institutions without drive-through facilities.
7. Barbershop.
8. Beauty shop.
10. Cafe, cafeteria, restaurant, or delicatessen, without drive-through facilities.
11. Camera store.
12. Candy, nut or confectionery store.
13. Church.
14. Club or lodge, private.
15. Copy service or printing service.
16. Department store.
17. Flower shop.
18. Furniture store.
19. Gift, novelty, or souvenir store.
20. Grocery store.
21. Hardware store.
22. Hotel or motel.
24. Laundromat or dry cleaning.
25. Library.
26. Locksmith.
(27) Luggage store.
(28) Machines, business sales and service.
(29) Magazine stand or newsstand.
(30) Massage therapy (licensed pursuant to article XII of chapter 18 of the City Code).
(31) Meat market for retail sale to the public.
(32) Medical or dental office or clinic (for humans only).
(33) Museum.
(34) Musical instrument and musical recordings store.
(35) Notions store.
(36) Office.
(37) Optician.
(38) Painting, wallpaper and decorating store for retail sales and service.
(39) Pet store.
(40) Repair and servicing of items the sale of which is permitted in this district.
(41) Residential multifamily dwelling units, if within a structure containing at least four units.
(42) School, public or private.
(43) Shoe store.
(44) A small wireless facility, as defined in section 54-402, that is located in the right-of-way, as long as all provisions of sections 54-400—54-429 have been met.
(45) Sporting goods store.
(46) Stationery store.
(47) Tanning salon.
(48) Tobacco store.
(49) Toy store.
(50) Variety store.
(51) Video sales and rental.

(c) **Accessory uses.** Within the CGMU-1 or CGMU-2 subdistricts, the following uses shall be permitted accessory uses:

1. Off-street parking of automobiles for patrons or employees of a permitted use.
2. Off-street loading areas as regulated herein.
3. Signs, fences, and decorative landscape features as regulated herein.
4. Customary uses incidental to the principal use as determined by the city council.

(d) **Conditional uses, CGMU-1.** Within the CGMU-1 subdistricts, no structure or land may be used for any of the following uses except by conditional use permit:

1. On-sale and off-sale liquor establishments as regulated by this Code.
2. Amusement or entertainment, as defined and regulated by this Code.
3. Drive-through facilities for a permitted use, if provisions for vehicle stacking, vehicle maneuvering, outdoor speaker devices, appearance and lighting of outdoor menu boards, and other related matters can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.
(4) Residential dwelling units within the same building as nonresidential uses, if provisions for parking, security, noise, odors, and other related issues affecting the residential units can be shown to be handled adequately and in keeping with the best interests of the residents.

(5) Theaters.

(6) Parking ramps or parking garages.

(7) Buildings in excess of 50 feet in height, if such buildings will not block significant views from existing uses or views to significant features within the CGMU district, and if such buildings can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.

(8) Any permitted use or any other conditional use, if 10,000 square feet or more in gross floor area, if such use can be shown to be in keeping with the intent and character of the CGMU district and compatible with surrounding uses.

(9) Other uses determined by the city council to be similar in purpose and character to other permitted or conditional uses in this district.

(e) Conditional uses, CGMU-2. Within the CGMU-2 subdistricts, no structure or land may be used for the following uses, except by conditional use permit:

(1) Any conditional use allowed in the CGMU-1 subdistrict.

(2) Automobile and truck service uses.

(3) Equipment and vehicle rental.

(4) Gasoline service stations, auto repair, sales, and storage.

(5) Automobile car wash.

(6) Screened outdoor storage.

(f) Lot area, lot width, and yard requirements. The following standards apply to both the CGMU-1 and CGMU-2 subdistricts.

(1) Principal structure setback standards shall be as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Setback Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard</td>
<td>Build-to line (0—10 feet)</td>
</tr>
<tr>
<td>Side yard/interior</td>
<td>0 feet minimum</td>
</tr>
<tr>
<td>Side yard/corner</td>
<td>Build-to line (0—10 feet)</td>
</tr>
<tr>
<td>Rear yard</td>
<td>20 feet minimum</td>
</tr>
</tbody>
</table>

(2) Accessory structure setback standards shall be as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard</td>
<td>20 feet minimum</td>
</tr>
<tr>
<td>Side yard</td>
<td>0 feet minimum</td>
</tr>
<tr>
<td>Side yard (street)</td>
<td>20 feet minimum</td>
</tr>
<tr>
<td>Rear yard</td>
<td>5 feet minimum</td>
</tr>
</tbody>
</table>

(3) Parking setback standards shall be as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Minimum Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard</td>
<td>5 feet minimum</td>
</tr>
<tr>
<td>Side yard:</td>
<td>5 feet minimum</td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Side yard (street):</td>
<td>5 feet minimum</td>
</tr>
<tr>
<td>Rear yard:</td>
<td>5 feet minimum</td>
</tr>
</tbody>
</table>

(4) In the CGMU district in the front yard, a build-to line is established which provides a minimum and maximum front setback for buildings and other structures, from the right-of-way or property line. The minimum front building setback shall be zero feet, and the maximum shall be ten feet from the right-of-way or property line, for all properties on streets within the CGMU-1 subdistrict.

(5) For parking, different minimum setbacks apply, but there is no maximum.

(6) For all properties within the CGMU district, the required setbacks to Concord Street shall follow the rear yard setbacks above.

(7) In the CGMU-1 subdistrict, at least 60 percent of the street frontage of any lot shall be occupied by building facades meeting the build-to line. Other portions of a building beyond the 60 percent may be set back farther than required by the build-to line.

(8) In the CGMU-2 subdistrict, at least 40 percent of the street frontage of any lot shall be occupied by building facades meeting the build-to line. Other portions of a building beyond the 40 percent may be set back farther than required by the build-to line. The length of the building facade shall be measured as the maximum width of the building projected to the front lot line on lines perpendicular to the front lot line.

(9) On lots with more than one street frontage, the build-to line shall apply on each side fronting a street.

(10) The build-to line may be met either with an enclosed building or an arcade constructed with a permanent roof of the same materials as the remainder of the building.

(11) At least the first and second floor must meet the build-to-line. Arcades at street level and terracing of building facades above the second floor are encouraged.

(12) At a minimum, the first 50 feet of the lot frontage on either side of a street intersection must be occupied by buildings meeting the build-to line. Parking or other space open to the sky is not allowed within this first 50 feet.

(13) Wherever a surface parking area faces a street frontage, such frontage shall be screened with a decorative wall, railing, hedge, or a combination of these elements to a minimum height of two and one-half feet and a maximum height of three and one-half feet above the level of the parking lot at the build-to line.

(14) New parking structures (including garages) shall maintain a setback equal to the setbacks required in this section for other structures, except that where such parking structure is adjacent to other parking in a side or rear yard condition, the parking structure may have a zero setback. Where a new parking structure is adjacent to an existing use in a side or rear yard condition, the parking structure must maintain at least a ten-foot setback.

(15) Drive-through or drive-in lanes are not allowed within the build-to line or in front of any building; they must be located to the side or rear of a building.

(16) “Building height” means the vertical distance from the average elevation of the adjoining ground level or the established grade, whichever is lower, to:

a. The top of the cornice of a flat roof;

b. The top of a mansard roof;

c. A point directly above the highest wall of a shed roof;

d. The uppermost point of a round or other arch-type roof; or
e. The mean distance from the eave line to the peak of the highest gable on a pitched or hip roof.

(17) The maximum height of buildings in the CGMU district shall be 50 feet, except as allowed by conditional use permit. The minimum height shall be 24 feet in the CGMU-1 subdistrict and 16 feet in the CGMU-2 subdistrict.

(g) Parking.

(1) Parking for residential units in the CGMU district shall be provided on site, and shall be calculated as required under article VII of this chapter. The residential parking spaces shall be specifically reserved for the use of residents and visitors only, separate from any commercial, office, or other uses on site or nearby, and shall not be counted as part of any shared parking or joint parking arrangement. Parking in driveways at the rear of townhomes may be counted towards the requirements of this regulation if it does not interfere with other traffic movement.

(2) Parking for nonresidential uses shall be as required under article VII of this chapter. If present, on-street parking directly in front of a given building or lot shall count toward fulfilling the total parking requirement.

(3) On-grade parking is prohibited in the front yard directly in front of a building. Parking shall be provided to the side or rear of buildings in midblock areas.

(4) In the CGMU-1 subdistrict where parking fronts a public street, the maximum parking lot width shall be 65 feet measured at the lot frontage.

(5) In the CGMU-2 subdistrict where parking fronts a public street, the maximum parking lot width shall be 130 feet, measured at the lot frontage.

(6) Parking shall be prohibited within 50 feet of the intersection of any public streets within the CGMU district.

(h) Building and architectural provisions.

(1) All buildings shall be designed to accomplish the goals and policies of the comprehensive plan and the framework plan. Building materials shall be attractive in appearance, durable with a permanent finish, and of a quality that is consistent with the standards and intent of the framework plan. Where appropriate, buildings shall carry over materials and colors of adjacent buildings, with the exception of prohibited materials.

(2) All buildings shall include the following elements:
   a. Accent materials, which shall be wrapped around walls that are visible from a public street or open space;
   b. Buildings containing office and retail uses shall maintain 40 percent minimum window coverage on each first floor front that faces a street or public open space;
   c. Complimentary major material colors;
   d. A combination of vertical and horizontal pattern designs in the building facade.

(3) Any exterior building wall adjacent to or visible from a public street, public open space, or abutting property may not exceed 50 feet in length without significant visual relief consisting of one or more of the following:
   a. The facade shall be divided architecturally by means of significantly different materials or textures;
   b. Horizontal offsets of at least four feet in depth;
   c. Vertical offsets in the roofline of at least four feet; or
   d. Fenestration at the first floor level that is recessed horizontally at least one foot into the facade.
(4) Building facades shall be divided into similar bays of roughly equal width between 20 and 40 feet in width.

(5) Exterior building materials shall be classified primary, secondary, or accent materials. Primary materials shall cover at least 60 percent of the facade of a building. Secondary materials may cover no more than 30 percent of the facade. Accent materials may include door and window frames, lintels, cornices, and other minor elements, and may cover no more than ten percent of the facade. Allowable materials are as follows:
   a. Primary exterior building materials may be brick, stone, or glass. Bronze-tinted or mirror glass are prohibited as exterior materials.
   b. Secondary exterior building materials may be decorative block or integrally-colored stucco.
   c. Synthetic stucco may be permitted as a secondary material on upper floors only.
   d. Accent materials may be wood or metal if appropriately integrated into the overall building design and not situated in areas that will be subject to physical or environmental damage.
   e. All primary and secondary materials shall be integrally colored.
   f. Decorative block shall be colored only by means of a pigment integral to the block material, not applied to the surface.
   g. All primary and secondary materials shall be earth tones, compatible with and complimentary to the natural stone and brick of existing historic buildings in the district.
   h. Sheet metal, corrugated metal, asbestos, iron, shakes, and plain flat concrete block (whether painted or integrally colored or not) are not acceptable as exterior wall materials on buildings within the Concord Gateway district.

(6) All mechanical equipment, whether roof-mounted or ground-mounted, shall be completely screened from ground-level view of adjacent properties and public streets, or designed to be compatible with the architectural treatment of the principal building.

(7) All exterior trash enclosures or other accessory structures shall be constructed of the same materials and colors as the principal building.

(8) Consistent interior window treatments are required for windows that are visible from a public street or open space in offices and multiple residential complexes.

(9) All buildings containing nonresidential uses on the ground floor shall meet the following standards:
   a. The building shall have entrances to a street or public open space spaced no more than 100 feet apart.
   b. Entrances shall be oriented conveniently to the street frontage and to on-street and off-street parking serving the use.

(10) All buildings containing residential uses on the ground floor shall have a first floor elevation at least two and one-half feet above the adjacent street level in the front yard.

(11) All trash, recyclable materials, and equipment for handling them, including compactors, shall be totally screened from eye-level view from public streets and adjacent properties, whether in the front, side or rear, either by being stored within the principal structure or stored within an accessory structure enclosed by a roof and readily served through swinging doors or an overhead door on tracks.

(12) Loading docks shall not be located in the front yard and shall be completely screened from eye-level view of public streets and public open spaces by means of landscaping which is at least 80 percent opaque year-round within two years after planting, or by a screen wall of the same materials and colors as the principal building.

(13) All landscaping shall comply with the following provisions:
a. All land area not occupied by buildings, parking, driveways, sidewalks, or other hard surface shall be sodded or mulched and landscaped with city-approved ground cover, flowers, shrubbery and trees.

b. At least ten percent of the total land area within the perimeter of private parking and driveway areas shall be landscaped. Landscaped areas provided within the build-to line may be credited toward this ten percent landscaping requirement on a square-foot-for-square-foot basis, for up to half of the ten percent requirement, or five percent.

c. Parking lot landscaped islands shall be a minimum of 150 square feet in area and include at least one overstory or evergreen tree meeting the requirements of this article.

d. Where parking abuts the site perimeter there shall be provided at least one overstory tree per 25 feet of site perimeter.

e. At least one overstory tree shall be provided for every 500 square feet of landscaped area on the entire site.

f. The landscape plan shall include a full complement of overstory, ornamental and evergreen trees, shrubbery, and ground covers that are hardy and appropriate for the locations in which they are planted, and which provide year-round color and interest.

g. Plant selection shall be as follows:

1. The following trees may not be used to satisfy the landscaping requirement of this section:

<table>
<thead>
<tr>
<th>Tree Description</th>
<th>Plant Selection</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Acer negundo</strong></td>
<td>Box elder</td>
</tr>
<tr>
<td><strong>Acer saccharinum</strong></td>
<td>Silver maple</td>
</tr>
<tr>
<td><strong>Catalpa species</strong></td>
<td>Northern catalpa</td>
</tr>
<tr>
<td><strong>Elaegnus</strong></td>
<td>Russian olive</td>
</tr>
<tr>
<td><strong>Ginkgo Biloba</strong></td>
<td>F. Ginkgo (female prohibited, male permitted)</td>
</tr>
<tr>
<td><strong>Morus alba</strong></td>
<td>Mulberry</td>
</tr>
<tr>
<td><strong>Populus deltoides</strong></td>
<td>Cottonwood</td>
</tr>
<tr>
<td><strong>Populus species</strong></td>
<td>Poplars</td>
</tr>
</tbody>
</table>

2. The following trees may be used to satisfy the landscaping requirement of this section, but only in areas that are reasonably protected from winter wind conditions:

<table>
<thead>
<tr>
<th>Tree Description</th>
<th>Plant Selection</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Picea pungens glauca</strong></td>
<td>Colorado blue spruce</td>
</tr>
<tr>
<td><strong>Pinus alba</strong></td>
<td>White pine</td>
</tr>
<tr>
<td><strong>Pinus resinosa</strong></td>
<td>Red pine</td>
</tr>
</tbody>
</table>

3. The following trees may be used to satisfy the landscaping requirement of this section, but only in areas that are not on or immediately adjacent to a public street boulevard:

<table>
<thead>
<tr>
<th>Tree Description</th>
<th>Plant Selection</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tilia cordata</strong></td>
<td>Little leaf linden</td>
</tr>
<tr>
<td><strong>Fraxinus mandshurica mancana</strong></td>
<td>Mancana ash</td>
</tr>
</tbody>
</table>
(14) Reserved.

(15) Lighting in the CGMU district shall be subject to the following:

a. All exterior lighting in the CGMU district shall be downcast cutoff type fixtures and shall follow the styles and types identified in the framework manual. No light source may be more than 16 feet above the ground, except by conditional use permit for buildings more than 20 feet in height.

b. The applicant for any building project shall provide a photometric lighting diagram prepared by a qualified professional showing light levels, in footcandles, from all exterior artificial lighting for all points on and within ten feet of the site.

c. Lighting levels in exterior parking areas shall average one-half footcandle with a minimum of one-tenth footcandle in all locations.

d. Lighting levels in interior parking areas shall average two footcandles, with a minimum of one-half footcandle in all locations.

e. Lighting levels shall not exceed one-half footcandle at the abutting property line or right-of-way line, and no direct glare from lighting on site shall extend onto the public street, public open space or neighboring properties.

(i) Nonconforming uses. Nonconforming buildings and sites can be maintained through repair and maintenance. Nonconforming buildings and sites that are damaged 50 percent or less of their market value may be rebuilt. Nonconforming buildings and sites may be expanded up to ten percent of their floor area or assessed value, provided the expansion is consistent with the zoning that existed prior to the effective date of the ordinance from which this section is derived. Expansion of nonconforming buildings or sites between ten percent and 50 percent of their floor area or assessed value will be required to come into reasonable partial compliance with the provisions of this section as determined by the development review committee. Expansion of nonconforming buildings or sites or rebuilding of sites or buildings damaged by more than 50 percent of market value is not allowed unless the entire building and site is brought into compliance with this section.

(j) Administration. Permitted uses in the CGMU-1 or CGMU-2 subdistricts must first be submitted to the city, in accordance with the site plan provisions of this chapter, which shall determine conformance of the proposed projects, with the intent and requirements of this section. All development plans are subject to city council review and approval. Conditional use permits shall be processed in accordance with section 118-40.

(k) Prohibited uses. The following uses of land or buildings in the CGMU are prohibited:

(1) State-licensed residential care facilities;

(2) Housing with services establishments registered under Minn. Stat. ch. 144D;

(3) Within the CGMU-1 or CGMU-2 subdistricts, no structure or land may be used for small wireless facilities located outside of the right-of-way.