

Ordinance No. \_\_\_\_\_-23

**An ordinance amending the St. Louis Park zoning ordinance  
regarding PUD 9**

**The City of St. Louis Park does ordain:**

**Whereas**, the planning commission conducted a public hearing on March 6, 2024 regarding the ordinance, and

**Whereas**, the city council has considered the advice and recommendation of the planning commission (case no. 24-04-PUD), and

**Whereas**, the ordinance approves the removal of anaerobic digester and greenhouse from Site A.

**Now, therefore be it further resolved** that the St. Louis Park Ordinance Code, Section 36-268-PUD 9 is hereby amended by adding underscored text and deleting strikethrough text.

**Section 36-268-PUD 9.**

(a) **Development plan.**

The site shall be developed, used, and maintained in conformance with the following Final PUD signed Official Exhibits:

1. PUD Exhibit
2. ~~G001~~GN-000 – Cover Sheet
3. GN-001 – Drawing Index
- ~~3.4.~~ GN-002 – General Legend & Abbreviations ~~G002~~ – Legend
- ~~4.5.~~ GN-003 – Area Calculations ~~G003~~ – General Notes
- ~~5.6.~~ C001 – Existing Conditions and Removals
7. C002 – Tree Removals and Protection Plan
- ~~6.8.~~ C003 – Tree Removals and Preservation Plan
- ~~7.9.~~ C101 – Site Plan – Overall
- ~~8.10.~~ C102 – Site Plan Northwest
- ~~9.11.~~ C103 – Site Plan Northeast
- ~~10.12.~~ C201 – ~~Temporary~~ Erosion Control Plan
- ~~11.13.~~ C301 – Grading and Drainage Plan – Overall
14. C302 – Grading and Drainage Plan – Northwest
15. C303 – Grading and Drainage Plan - Northeast
- ~~12.16.~~ C401 – Sanitary Sewer and Watermain
17. C402 – MCES Forcemain Plan and Profile
18. C403 – MCES Forcemain Plan & Profile
- ~~13.19.~~ C501 – Storm Sewer Plan & Profile ~~C402~~ – Storm Sewer Plan
20. C502 – North Building – Storm Sewer Plan

- ~~14.21.~~ C801 – Typical Stormwater Details ~~Site Details~~
- ~~15.~~ ~~C802~~ – ~~Site Details~~
- ~~16.22.~~ C901 – City Std Utility Plates
- ~~17.23.~~ C902 – Detail Sheet Stormwater ~~City Std Utility Plates~~
- ~~18.24.~~ C903 – City Std Site ~~Utility~~ Plates
- ~~19.25.~~ C904 – Detail Sheet Erosion Control ~~City Std Erosion Control Plates~~
- ~~26.~~ C905 – Detail Sheet Pavement
- ~~20.27.~~ C1001 – MNDOT Std Ped Curb Ramp Details
- ~~21.28.~~ C1002 – MNDOT Std Ped Curb Ramp Details
- ~~22.29.~~ L101 – Planting Plan Index – ~~Overall~~
- ~~23.30.~~ L102 – West ~~Planting Plan~~ – ~~Northwest~~
- ~~24.31.~~ L103 – East ~~Planting Plan~~ – ~~Northeast~~
- ~~32.~~ L104 – East Planting Plan, Shrubs
- ~~33.~~ L105 – Soil Amendments and Site Mulching Plan
- ~~34.~~ L106 – East Layout Plan Plaza
- ~~35.~~ L107 – East Layout Plan, Bike Shop Front and Urban Forest
- ~~36.~~ L108 – West Irrigation Plan
- ~~37.~~ L109 – East Irrigation Plan
- ~~38.~~ L501 – Landscape Details
- ~~39.~~ L502 – Landscape Details
- ~~40.~~ L503 – Landscape Details
- ~~25.41.~~ L801 – Planting Details
- ~~26.42.~~ V101 – Preliminary Plat
- ~~27.43.~~ V102 – Preliminary Plat
- ~~28.44.~~ V103 – Preliminary Plat
- ~~45.~~ EN-050 – Electrical Site Plan
- ~~29.46.~~ E101 – Photometric grid ~~Electrical Site Plan~~ – ~~Overall~~
- ~~30.47.~~ S001 – Site Plan
- ~~31.48.~~ AN-100.1 – Overall Floor Plans P1 & Level 1 A101 – ~~North Building Floor Plans~~
- ~~32.49.~~ AN-100.2 – Overall Floor Plans Level 2 & 3 A102 – ~~North Building Floor Plans~~
- ~~33.50.~~ AN-100.3 – Overall Floor Plans Level 4 & 5 A103 – ~~North Building Floor Plans~~
- ~~34.51.~~ AN-100.4 – Overall Roof Plan A104 – ~~North Building Floor Plans~~
- ~~35.52.~~ AN-100.5 – PV Panel Layout A105 – ~~North Building Floor Plans~~
- ~~36.53.~~ AN-201 – Overall Building Elevations A106 – ~~North Building Elevations~~
- ~~37.~~ A107 – North Building Illustrative Elevations
- ~~38.~~ A301 – E-Generation Floor Plans
- ~~39.~~ A302 – E-Generation Roof Plan
- ~~40.~~ A303 – E-Generation Elevations
- ~~41.54.~~ A501 – Illustrative Sections
- ~~42.55.~~ A502 – Sections
- ~~43.~~ PLACE – Envelope Proposals
- 44. PLACE – Sustainability Proposals
- 45. PLACE – Proof of Parking
- 46. PLACE – Lighting Proposals

- ~~47. PLACE – Parking Requirements~~
- ~~48. PLACE – Mobility Plan (Travel Demand Management Plan)~~

The following shall be considered Final PUD Official Exhibits from March 25, 2024 onward. If there is conflicting information between the following and the previous list of Official Exhibits, the following shall be considered correct:

1. T001 – Title
2. C000 – Survey
3. C001 – Civil Site Plan
4. C100 – Selective site demolition and erosion control plan
5. C101 – Selective site demolition and erosion control plan
6. C200 – Grading Drainage and Erosion Control Plan
7. C201 – Grading Drainage and Erosion Control Plan
8. C300 – Paving and Geometric Plan
9. C301 – Paving and Geometric Plan
10. C400 – Civil Details
11. C500 – Watershed Summary
12. L100 – Landscape Overview Plan
13. L101 – Parking Expansion Landscape Plan
14. L102 – Pool Area Landscape Removals Plan
15. As-Built Landscape Data and 2024 Removals 2-1-24 Trees
16. As-Built Landscape Data and 2024 Removals 2-1-24 Shrubs
17. L103 – Pool Area Landscape Restoration Plan
18. L104 – Landscape Detail
19. L105 – Landscape Details
20. Zelia on Seven-Site Lighting Plan 1-22-24

The site shall also conform to the following requirements:

- (1) The property shall be divided into two zones, as indicated on PUD Exhibit of the Official Exhibits. The zones shall be established by dividing the site into “Site A – ~~E-Gen-West~~”, and “Site B – ~~North East~~”.
- ~~(2) Parking will be provided off-street in a surface lot, on-street, and in structured parking. The property shall be developed with 217 residential units, including 18 live/work units, a minimum of 5,000 square feet of ground floor commercial space, and 0.88 acres of urban forest, an e-generation energy facility, and a greenhouse.~~
- (2) Parking will be provided off-street in a surface lot, on-street parallel parking, and structured parking. A total of two-hundred ~~eleven fourteen (214211)~~ parking spaces will be provided: 97 parking spaces shall be provided underground in the structured parking, 90 parking spaces shall be provided on the surface lot, 24 parking spaces shall be provided on-street. ~~202 spaces for residential units or 0.93 spaces per dwelling unit, 7 spaces for non-residential uses and 5 spaces for shared cars. An additional 55 spaces are required as a proof of parking as~~

indicated on Sheet 45 of the Official Exhibits. Parking requirements are provided based on Sheet 47 of the Official Exhibits.

- (3) ~~The maximum height for Site A – E-Gen shall not exceed 33 feet for the building, and 40 feet for the flue. The maximum building height for Site B – North East shall not exceed 61 feet and five stories and 78 feet for the helical wind turbine.~~
- (4) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.
- (5) The development shall incorporate a Travel Demand Management (TDM) plan. The details of the TDM plan shall be included in the planning development contract or as an exhibit thereto and amendments shall require city approval. The activities performed as specified in the TDM plan shall be reported to the city annually until December 31, ~~2022~~2024, and upon request by the city after that date.

(b) **Site A – ~~E-Gen~~ West**

- (1) Permitted.
  - a. Parking lot Greenhouse
- ~~(2) Permitted with conditions:~~
  - a. ~~Anaerobic digester. Anaerobic digesters shall be permitted only as part of a larger development which contains at least one other principal use, and where electricity and bio-gas produced by the digester is used primarily by the larger development.~~
    - i. ~~Organic material, as defined in the Zoning Code, is the only input allowed.~~
    - ii. ~~No more than 3,000 tons of organic material shall be processed per year.~~
    - iii. ~~The digester system, associated equipment and operations must occur completely within a negative-pressure building.~~
    - iv. ~~Organic material shall be deposited from the delivery vehicle directly into an enclosed container integrated with the digester system.~~
    - v. ~~Sorting of material must occur in an enclosed container integrated with the digester system.~~
    - vi. ~~Odor controlling devices shall be used to prevent odors from being detectable outside of the building containing the digester system.~~
    - vii. ~~Flaring of bio-gas is only allowed to burn excess gas and shall not be visible from off-site.~~
    - viii. ~~No outdoor storage is allowed.~~
    - ix. ~~Retail distribution of compressed natural gas is not allowed.~~
    - x. ~~All necessary permits relating to items such as: emissions, solid waste processing, energy production, industrial waste water, and storm water must be obtained from the appropriate agencies.~~

~~xi. All necessary contracts or agreements with material providers and utility companies must be submitted to the City prior to the issuance of a building permit.~~

(3) Accessory uses.

a. Parking lots.

~~b. Outdoor seating, with the following conditions:~~

~~i. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.~~

~~ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.~~

c. Outdoor uses and outdoor storage are prohibited.

d. Solar energy systems.

(c) **Site B – North East**

(1) Permitted with conditions:

a. Multiple-family dwellings. Uses associated with the multiple-family dwellings, including, but not limited to the residential office, fitness facility, mail room, assembly rooms or general amenity space.

b. Live-work Type I.

i. All material or equipment shall be stored within an enclosed structure.

ii. Operation of the home occupation is not apparent from the public right-of-way.

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

iv. No person is employed at the residence who does not legally reside in the home.

v. No light or vibration originating from the business operation is discernible at the property line.

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

vii. No more than one non-illuminated wall sign limited to two square feet in area is used to identify the home occupation.

viii. Space within the dwelling devoted to the home occupation does not exceed one room or forty-five (45) percent of the floor area, whichever is greater.

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

x. The structure housing the home occupation conforms to the building code; and in the case where the home occupation is day care or if there are any customers or students, the home occupation has received a certificate of occupancy.

- c. Commercial uses. Commercial uses are only permitted on the first floor, and are limited to the following: coffee shops, office, private entertainment (indoor), retail shops, service, showrooms, and studios.
    - i. All parking requirements must be met for each use per Sheet 62 of the Official Exhibits.
    - ii. Hours of operation for commercial uses shall be limited to 6 a.m. to 12 a.m.
    - iii. Restaurants are prohibited.
    - iv. In vehicle sales is prohibited.
  - d. Civic and institutional uses. Civic and institutional uses are limited to the following: education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios, and performance theaters.
- (2) Accessory uses:
- a. Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
  - b. Home occupations as regulated by this chapter.
    - i. Except family day care is prohibited.
  - c. Catering, if accessory to food service, delicatessen, or retail bakery.
  - d. Gardens.
  - e. Parking lots.
  - f. Outdoor seating, with the following conditions:
    - i. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.
    - ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.
  - g. No outdoor uses or storage allowed.
  - h. Solar energy systems.
- (Ord. No. 2640-22, 1-18-2022)
- (3) Wind Energy Conversion Systems (WECS), with the following conditions:
- a. Wind turbines shall be of the helical-type.
  - b. Helical wind turbines shall meet the following design requirements:
    - i. One WECS shall be allowed per lot.
    - ii. The WECS unit shall not exceed 17 feet in height, and shall not exceed 79 feet overall, including the building height when attached to the roof of a building.
    - iii. The fall zone shall be completely within the property lines of the lot within which the WECS is located.
    - iv. Minimize visual impact. WECS design and location shall minimize visual impact.

- v. Color and finish. All WECS shall be white, grey, black or another non-obtrusive color. Blades may be black in order to facilitate deicing. Finishes shall be matt or non-reflective.
- vi. Tower lighting. WECS shall not be artificially lighted, except as specified herein and to the extent required by the FAA or other federal or state law or regulation that preempts local regulations.
- vii. Signs and displays. The use of any portion of a WECS for displaying flags and signs, other than warning or equipment information signs, is prohibited.
- viii. Associated equipment. Ground equipment associated with a WECS shall be housed in a structure. Structures housing equipment shall meet the architectural design standards of the Zoning Ordinance. Control wiring and power-lines shall be wireless or underground.
- ix. Braking system required. All WECS shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, over speeding and excessive pressure on the structure, rotor blades and turbine components.
- x. Design height. The applicant shall provide evidence that the proposed height of the WECS does not exceed the height recommended by the manufacturer or distributor of the system.
- xi. Interconnection agreement. The applicant shall provide a copy of the utility notification requirements for interconnection, unless the applicant intends, and so states on the application, that the system will not be connected to the electricity grid.
- xii. Technology standards. WECS must meet the minimum standards of a WECS certification program recognized by the American Wind Energy Association, such as AWEA's Small Wind Turbine Performance and Safety Standard, the Emerging Technologies program of the California Energy Commission, or other 3rd party standards acceptable to the City.
- xiii. Noise. Audible sound due to wind energy system operations shall comply with the standards governing noise contained in the City of St. Louis Park Code of Ordinances.
- xiv. If the WECS remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundations to below natural grade and transmission equipment.

(d) **Special performance standards.**

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.

- (2) The site is exempt from the shadowing requirements specified in Section 36-366(b)(1)g of the zoning ordinance.
- (3) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this code. All trash handling and loading areas shall be screened from view within a waste enclosure.
- (4) Signs shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with the following conditions:
  - a. Pylon signs are prohibited;
  - b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian, bicycle or automobile circulation and visibility;
  - c. Maximum allowable number, sizes, heights and yards for signs shall be regulated by section 36-362, MX requirements.
  - d. Wall signs of non-residential uses shall only be placed on the ground floor and exterior walls of the occupied tenant lease space, and/or a monument sign.
  - e. Wall signs shall not be included in calculating the aggregate sign area on the lot if they meet the following outlined conditions:
    - i. Non-residential wall signs permitted by this section that do not exceed seven percent of the exterior wall area of the ground floor tenant lease space.
    - ii. The sign is located on the exterior wall of the ground floor tenant lease space from which the seven percent sign area was derived.
    - iii. No individual wall sign shall exceed 100 square feet in area.
- (5) Façade.
  - a. Fibrous cement, high performance brick veneer with rain screen cladding systems, and vertically integrated photovoltaic panels shall be considered Class I Materials.
- (6) Awnings.
  - a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
  - b. Backlit awnings are prohibited.

**Section 1.** This ordinance shall take effect fifteen days after its publication.

First reading	<i>March 18, 2024</i>
Second reading	<i>March 25, 2024</i>
Date of publication	<i>April 4, 2024</i>
Date ordinance takes effect	<i>April 19, 2024</i>



Reviewed for administration:

Adopted by the city council \_\_\_\_\_

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Kim Keller, city manager

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Nadia Mohamed, mayor

Attest:

Approved as to form and execution:

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Melissa Kennedy, city clerk

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Soren Mattick, city attorney

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