

6:00 p.m. Economic Development Authority meeting – Council Chambers

- 1. Call to order**
 - a. Roll call.
- 2. Approve agenda.**
- 3. Minutes**
 - a. Minutes of November 4, 2024 EDA meeting
- 4. Consent items – none.**
- 5. Public hearings – none.**
- 6. Regular business – none.**
- 7. Communications and announcements**
 - a. Application for financial assistance – 5401 Gamble Drive – Ward 4
- 8. Adjournment.**

6:15 p.m. City council meeting – Council Chambers

- 1. Call to order**
 - a. Roll call.
 - b. Pledge of Allegiance.
- 2. Approve agenda.**
- 3. Presentations**
 - a. Observance of Transgender Day of Remembrance
 - b. Observance of Small Business Saturday
- 4. Minutes**
 - a. Minutes of October 21, 2024 city council meeting
 - b. Minutes of November 4, 2024 city council meeting
- 5. Consent items**
 - a. Approve boards and commissions appointments
 - b. Approve Vision 4.0 Community Committee appointments
 - c. Resolution approving newly created 2024 -2025 Assistant and Battalion Chief labor agreement
 - d. Second reading and adoption of various amendments to Chapters 6 and 8 of the city code
 - e. Resolution authorizing removal of stop signs at Wayzata Boulevard and Zarthan Avenue
- Ward 4

- f. Approve memorandum of understanding for joint participation in shared mobility request for 2025 applications
- g. Resolution authorizing West End Office Park redevelopment environmental assessment worksheet – Ward 4

6. Public hearing

- a. Appeal of Board of Zoning Appeals determination regarding 3330 Huntington Avenue South - Ward 2

7. Regular business

- a. First reading of cannabis zoning ordinance

8. Communications and announcements – none.

9. Adjournment.

Following city council meeting – Study Session – Community Room

Discussion items

1.	Revised budget
2.	First council discussion of 2025 legislative agenda
3.	Roers preliminary development agreement discussion - Wooddale Station - Ward 2

Written reports

4.	2025 proclamations and cultural observances
5.	Racial equity and inclusion system wrap-up

Members of the public can attend St. Louis Park Economic Development Authority and city council meetings in person. At regular city council meetings, members of the public may comment on any item on the agenda by attending the meeting in-person or by submitting written comments to info@stlouisparkmn.gov by noon the day of the meeting. Official minutes of meetings are available on the city website once approved.

Watch St. Louis Park Economic Development Authority or regular city council meetings live at bit.ly/watchslpcouncil or at www.parktv.org, or on local cable (Comcast SD channel 14/HD channel 798). Recordings of the meetings are available to watch on the city's YouTube channel at www.youtube.com/@slpcable, usually within 24 hours of the meeting's end.

City council study sessions are not broadcast. Generally, it is not council practice to receive public comment during study sessions.

**The council chambers are equipped with Hearing Loop equipment and headsets are available to borrow.
If you need special accommodations or have questions about the meeting, please call 952.924.2505.**

**Unofficial minutes
EDA meeting
St. Louis Park, Minnesota
Nov. 4, 2024**

1. Call to order.

President pro tem Budd called the meeting to order at 6:02 p.m.

a. Roll call

Commissioners present: Paul Baudhuin, Tim Brausen, Sue Budd, Yolanda Farris, Nadia Mohamed, Margaret Rog

Commissioners absent: Tim Brausen, President Lynette Dumalag

Staff present: City manager (Ms. Keller), city attorney (Mr. Mattick)

2. Approve agenda.

It was moved by Commissioner Rog, seconded by Commissioner Baudhuin, to approve the EDA agenda as presented.

The motion passed 5-0 (Commissioners Dumalag and Brausen absent).

3. Minutes.

a. EDA meeting minutes of Aug. 19, 2024

It was moved by Commissioner Rog, seconded by Commissioner Mohamed, to approve the EDA meeting minutes of Aug. 19, 2024 as presented.

The motion passed 5-0 (Commissioner Brausen and President Dumalag absent).

4. Consent items.

- a. Approve EDA disbursements
- b. Approve 3rd quarter 2024 EDA financial update
- c. **EDA Resolution No. 24-18** approving Greater Minnesota Housing Corporation merger with Dayton's Bluff Neighborhood Housing Services – Ward 1
- d. **EDA Resolution No. 24-19** approving a structurally substandard building designation – 5950-36th St. W. – Ward 2

It was moved by Commissioner Farris, seconded by Commissioner Baudhuin, to approve the consent items as listed and to waive reading of all resolutions.

The motion passed 5-0 (Commissioner Brausen and President Dumalag absent).

5. **Public hearings – none.**
6. **Regular business – none.**
7. **Communications and announcements - none.**
8. **Adjournment.**

The meeting adjourned at 6:05 p.m.

Melissa Kennedy, EDA secretary

Lynette Dumalag, EDA president

Executive summary

Title: Application for financial assistance – 5401 Gamble Drive – Ward 4

Recommended action: None at this time. This staff report outlines Hempel Real Estate’s application for financial assistance for its proposed Terasa development in The West End area.

Policy consideration: Is the EDA willing to consider entering into a redevelopment contract to reimburse the redeveloper for up to \$5.54 million in qualified costs through tax increment financing and provide a deferred loan of \$1 million from the Affordable Housing Trust Fund (AHTF) to enable the proposed Terasa development to achieve financial feasibility?

Summary: Hempel Real Estate (“redeveloper”) has secured a purchase agreement for the office property at 5401 Gamble Drive. The redeveloper proposes to remove the current office building and construct Terasa, a six-story, 223-unit mixed-use, mixed income apartment building with approximately 21,000 square feet of retail space. Hempel would own and manage the new building for the long term. The redeveloper proposes 45 housing units (20% of the total) would be made to households earning up to 50% of area median income for 26 years, exceeding the city’s inclusionary housing policy requirements. As part of the affordable housing, Hempel has agreed to provide six units affordable to households earning up to 30% of area median income contingent on approval of a request for six project-based vouchers from the city’s Housing Authority Board.

Financial or budget considerations: The redeveloper determined that Terasa’s financial proforma exhibits a gap preventing it from achieving a market rate of return sufficient to attract private financing. To offset this gap, the redeveloper applied for tax increment financing (TIF) assistance. Ehlers, the EDA’s financial consultant, examined the project’s pro forma to determine what, if any, level of assistance was necessary to enable it to become financially viable. Upon review, Ehlers determined that up to \$6.54 million in assistance is warranted to enable the development to achieve financial feasibility and move forward.

Such assistance would be provided via a \$5.54 million pay-as-you-go TIF Note and a \$1 million deferred loan from the AHTF. Given current market value estimates, the TIF Note is anticipated to be repaid in approximately 11 years. Such assistance would be derived from the establishment of a new housing TIF district. The proposed redevelopment meets the requirements for the provision of tax increment financing as specified under the EDA’s TIF Policy and the provisions under the city’s AHTF policy due to the project exceeding the inclusionary housing policy requirements. Hempel also will request six project-based vouchers from the city’s Housing Authority Board to provide deeper affordability in the redevelopment.

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

Supporting documents: Discussion

Prepared by: Jennifer Monson, redevelopment admin., Keith Dahl, municipal advisor, Ehlers

Reviewed by: Greg Hunt, economic development manager

Karen Barton, community development director, EDA executive director

Approved by: Kim Keller, city manager

Discussion

Site information: The proposed redevelopment site is located at 5401 Gamble Drive, on the southeast corner of Park Place Boulevard and Gamble Drive, immediately south of the Shops at West End. The site is in the Blackstone neighborhood. The property is occupied by a Class B/C office building which is reportedly less than 40% occupied.

Site map:



Site area (acres): 3.31 acres

Current use:

Office tower

Surrounding land uses:

North: Shops at West End

East: West End Office Park

South: West End Office Park

West: Costco gas station

Current 2040 land use guidance

OFC- office

Current zoning

O office

Proposed 2040 land use guidance

OFC - office

Proposed zoning

PUD planned unit development

Background: In 2023, Eden Prairie-based Hempel Real Estate purchased the Shops at West End. Since its purchase, Hempel has further invested in the property invigorating the shopping area by attracting new commercial, service, and office tenants including Kiddiwampus, Marcus Theaters, Polestar, Boketto, the Artisan Store and Makerspace, and more. However, despite efforts to secure tenants, Hempel has yet to activate the south end of the shopping area.

Hempel would like to pursue development immediately to the south of The Shops to further activate the shopping area in order to generate increased shopping activity for its tenants. Such activity would be spearheaded by additional residential units and commercial space, drawing more people to the area throughout the day, not just during typical working hours.

Present considerations: Hempel has a purchase agreement to acquire 5401 Gamble Drive. The redeveloper proposes to redevelop the northwest office property located within the West End Office Park, and construct Terasa. Terasa would be a six-story, 223-unit mixed-use, mixed income apartment building with approximately 21,000 square feet of commercial space, potentially including a grocer, restaurant, and coffee shop. It is anticipated that the proposed redevelopment will act as a catalyst to spur further development and private investment in the West End area.

Proposed concept rendering



Terasa is a single-phase, mixed-use development with one building. The building includes a combination of studio, one-, two-, and three-bedroom units. The unit mix and affordability levels would be as follows:

Unit Type	Market Rate	50% AMI units	30% AMI units (Project-Based Vouchers*)	Total Units	Percent of total units
Studio	60	17	0	77	35%
1-bedroom	57	14	0	71	32%
2-bedroom	55	8	5	68	30%
3-bedroom	6	0	1	7	3%
Total	178	39	6	223	100%

*Hempel will request six project-based vouchers from the Housing Authority Board. It is anticipated that these vouchers would be used to provide deeper affordability in larger, family-sized units to further city priorities.

Pending approval of its financing, the redevelopment team plans to commence construction in spring 2025 and complete construction by year-end 2027. Hempel Real Estate would own and manage the building for the long-term. Hempel intends to employ a third-party operator who specializes in multifamily residential to manage the apartments.

Inclusionary housing: The proposed redevelopment would exceed the requirements of the city’s inclusionary housing policy. Terasa would be mixed income with 178 units (80 percent) leasable at market rate and 45 units (20 percent) affordable to households earning up to 50 percent of area median income (AMI) for 26 years.

Hempel will request the city’s Housing Authority Board allocate six project-based vouchers to provide deeper affordability in the redevelopment for 26 years. If awarded, the project-based vouchers would allow a resident to rent an affordable unit and pay no more than 30% of their

income. The project-based vouchers would be used specifically for five two-bedroom units, and one three-bedroom unit to provide deeper affordability in family-sized units.

The inclusionary housing policy requires at least ten (10) percent of the units be affordable at 50 percent area median income, and seven three-bedroom units, with at least one of the three-bedroom units affordable. With 20 percent of the housing units affordable to households at or below 50 percent of AMI, the proposed development exceeds the city's inclusionary housing requirements. The affordable units would be spread proportionally through the mix of unit types as required.

In addition, units affordable at 50% AMI fall within the established rent guidelines for housing choice voucher holders. This allows a voucher holder to pay no more than 30% of their monthly income for rent. The city's inclusionary housing policy requires the redeveloper to accept vouchers for payment of rent. Per the Metropolitan Council, the 50 percent AMI for a family of four is \$62,100, and the 30% AMI for a family of four is \$37,250.

From inception, it has been envisioned that the West End area would incorporate workforce housing to support area businesses. Terasa would more than triple the number of affordable units located in the West End area and provide the first 30% AMI and 50% AMI units in the area. To date, there are 19 units affordable to households earning up to 60% AMI spread across three previous developments in the West End.

Green building policy: The proposed development will be required to meet the city's green building policy. This will be the first building required to follow the policy as amended in early 2022. To meet the green building policy requirements, the redeveloper plans to pursue LEED Silver certification which may include the following: an energy efficient building shell with R-21 insulation, LED lighting, low VOC materials, construction waste recycling, higher efficiency HVAC systems, low flow fixtures, energy star appliances, and recycled content materials. The building will also include at least a 40kw rooftop solar array, electric vehicle charging equipment, organic waste collection services, and will follow the Minnesota Pollution Controls Agency's Minimal Impact Design Standards (MIDS) for stormwater.

Additionally, constructing mixed income housing near employment, shopping centers, and entertainment provides residents the opportunity to utilize quick and convenient non-motorized transportation to work and recreation, reducing vehicle miles traveled.

The proposed redevelopment has access to Metro Transit's 645 bus route with frequent bus service to downtown Minneapolis, and Metro Transit's route 9 with service from Minneapolis to Glenwood.

Diversity, equity and inclusion policy: If financial assistance is provided, the redevelopment would be required to adhere to the city's diversity equity and inclusion policy related to the hiring of BIPOC/AAPI and women-owned business enterprises and workforce goals. Hempel is currently in discussions with contractors to construct the building.

The redevelopment would seek to comply with the following diversity, equity, and inclusion participation business and workforce participation goals:

Participation Goals	Women	BIPOC/AAPI
Business Organization	10%	13%
Business Enterprises	6%	13%
Workforce	20%	32%
Peripheral Enterprises	6%	13%

The Development Team: Eden Prairie-based Hempel Real Estate was founded in 2021 by a group of highly experienced real estate developers. Hempel develops, owns, and manages properties primarily in Minnesota and Wisconsin. Its portfolio includes \$800 million in commercial real estate holdings including over 4 million square feet of office, industrial, retail and residential properties. Hempel purchased The Shops at West End in 2022 and is focused on continuing its success. Since acquiring the shopping area, Hempel has attracted new commercial, service, and office tenants including Kiddiwampus, Marcus Theaters, Polestar, Boketto, the Artisan Store and Makerspace, and more.

Despite these efforts, Hempel has yet to secure tenants to further activate the south end of the shopping area, an area that has struggled since The Shops at West End was initially constructed. To attract additional commercial and retail tenants in this area, Hempel would like to construct a mixed-use building with a large anchor tenant at 5401 Gamble Drive. The Terasa development is anticipated to spur additional private investment in the area south of The Shops at West End.

Hempel Real Estate is working with [Tushie Montgomery Architects](#), a multi-disciplinary design firm, based out of Minneapolis to design the building. Hempel is still determining who it will hire to construct the building.

Application for Tax Increment Financing assistance: As noted above, the subject redevelopment site has an existing, mostly vacant, class B office building, which will require demolition along with asphalt and debris removal as well as soil import. The proposed development will also require underground and structured parking as well as sustainable features necessary to meet the city's green building policy. These extraordinary redevelopment costs, along with the mixed-income nature of the development with below market rents for 26 years create a gap in the project's financial proforma which the redeveloper maintains makes the development infeasible. To mitigate the project's estimated financial gap, the redeveloper applied for \$8 million in tax increment financing (TIF) assistance.

Tax increment financing uses most of the future property tax increase generated by a new development to finance certain qualified development costs over a limited period. The EDA's financial advisor, Ehlers, examined the financial information provided within the redeveloper's TIF application based on general industry standards for land, construction, and project costs; rents; operating expenses; fees; underwriting and financing criteria; and project cash flow. Based on this analysis, Ehlers consulted with staff to determine the extent to which the proposed project exhibits a financial gap justifying the provision of TIF assistance.

TIF Eligible Expenses & Affordable Impact	Amount (\$)
Site clearance and soil correction	\$1,804,725
Green building premium	\$1,000,000
Affordable impact	\$7,011,567
TOTAL Extraordinary Costs	\$10,266,292

Construction/Extraordinary Costs: The estimated total development cost (TDC) to construct the proposed Terasa is over \$91.7 million or \$411,101 per unit. The extraordinary costs including the cost of demolition, asphalt and debris removal, soil import, foundation shoring during construction, and long-term affordable housing are largely responsible for the project's financial gap.

Additionally, the city's Inclusionary Housing Policy, Green Building Policy and Diversity Equity and Inclusion Policy result in higher costs for developments in St. Louis Park, compared to similar developments in other communities without such policies. While these policies help further city priorities, they significantly contribute to the development's extraordinary costs.

***Affordability impact:** The affordability impact is calculated by comparing the market rate rents to the affordable rents. The sum of the rent differential, over the term of affordability, is discounted to a present value figure. Rents for affordable housing units are approximately 44% less than the rents charged for market rate units. The difference between these rents, times the number of affordable units each month for 26 years, significantly reduce the development's rental income. In this case, it is estimated that the affordability impact over 26 years will amount to \$7,011,567 or \$155,813 per affordable unit.

Due to below market rents from 20% of the units over 26 years resulting in decreased rental income, there is insufficient cash flow to provide a market rate of return, pay ongoing operating expenses, and service the debt outstanding on the property. This leaves a gap in the funding for the project and makes the development financially infeasible without public financial assistance. Under MN TIF statutes, costs to construct affordable housing are an eligible expense that may be reimbursed through tax increment originating from a housing TIF District.

***Climate action plan:** The city's Green Building Policy impact is calculated by comparing the cost of constructing a standard building without a green building policy to the city's requirements. It is estimated that the green building policy requirements, including the act of certifying the building to LEED Silver, installation of solar panels on the building's roof, and all other policy requirements add approximately \$1 million in construction costs to the building beyond what would be required outside of St. Louis Park.

Proposed level of assistance: The recommended level of assistance for the project was determined by analyzing the project's extraordinary site development costs, construction costs and affordability impact over 26 years as well as forecasting the project's return on investment. Ehlers concluded that financial assistance in the amount of \$6.54 million is necessary to enable the proposed development to become financially feasible. This level of assistance would offset enough of the extraordinary site costs and affordability impact described above to allow the proposed project to achieve a rate of return sufficient to attract private financing thereby enabling it to proceed.

The redeveloper has indicated the recommended level of assistance is acceptable.

The proposed level of assistance would be provided through a Pay-As-You-Go TIF Note in the amount of \$5.54 million paid over 11 years, and a \$1 million deferred loan from the city's affordable housing trust fund (AHTF) to be repaid by the developer with interest.

Consistent with previous EDA redevelopment agreements, a "lookback" provision would be included in the redevelopment agreement with the development team. The development team would be required to submit verified final project costs and reports detailing the actual financial performance of the project. The lookback provision establishes a benchmark return based on industry standards for similar projects. The lookback provision ensures that if the project's total development costs are appreciably lower and/or the development's net operating income is appreciably higher than the estimates provided, the EDA would share economically in the success of the project by reducing the amount of TIF assistance provided.

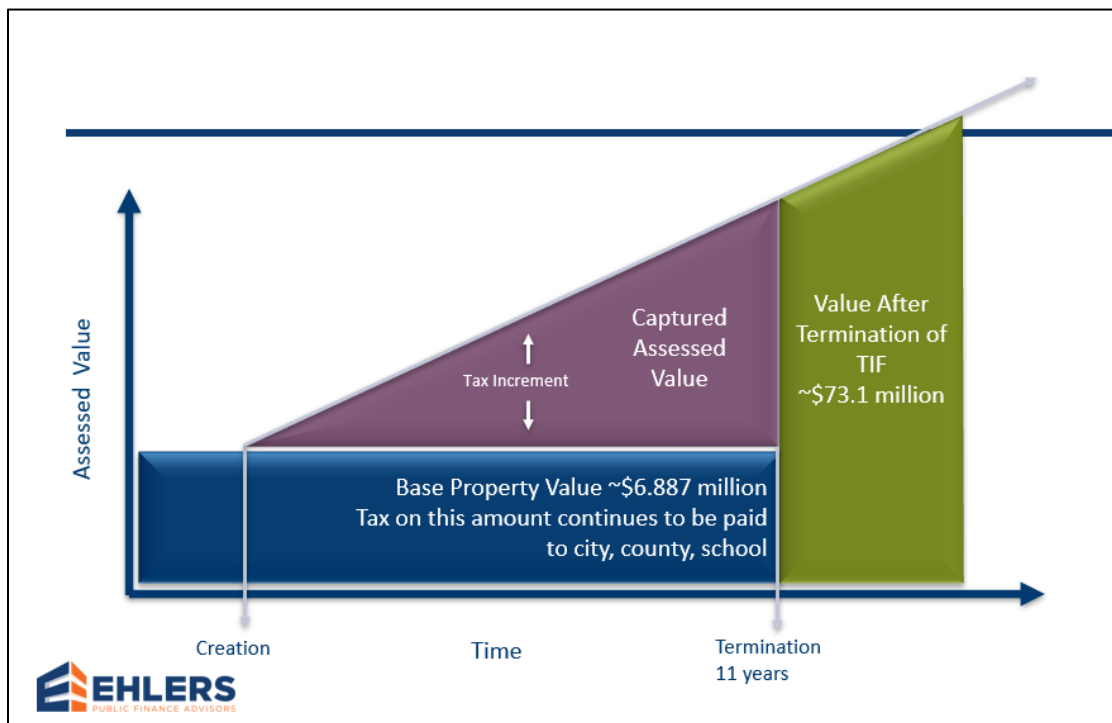
Anticipated return: The redeveloper indicated a need to achieve a yield on cost of 6.5% at stabilization and ideally a 10% cash on cash return. Per the redeveloper's pro-forma with public assistance, the Terasa development achieves a yield on cost at stabilization of 6.3% and an average annual cash on cash return of 8.0% during the term of the TIF Note. Under current economic conditions, an industry standard return is between 8-10%. The level of return during the term of the TIF Note is at the lower end of the range typically achieved for market rate developments. At the end of the TIF Note term, the project achieves an annual cash on cash return of approximately 10%.

TIF Note: The Terasa development will take approximately 17 months to construct. It is anticipated that the first increment could be paid in 2027. Given current estimated market values, it is estimated that a \$5.54 million TIF note would be paid off in approximately 11 years, which is well below the TIF Policy guidelines of 15 years. It is projected that the note would terminate with the final payment on February 1, 2038. Payments on the note would be made on a "pay-as-you-go" basis, which means that as the development team pays the project's property taxes, a portion of those taxes (the "tax increment") are paid back biannually to the development team under the specified terms of the TIF note. Thus, payments to the development team would only be made as the project's property taxes are received. This is the preferred financing method under the city's TIF Policy.

TIF district: It is proposed that the tax increment provided to Terasa derive from a newly established housing TIF district. With 20 percent of the units affordable to households at or below 50 percent of area median income, Terasa would meet the statutory requirements for establishment of a housing TIF district.

Once the 11-year term of the obligation is paid to the redeveloper, the council will have the option to decertify the district or to keep it open for TIF pooling purposes. Such a TIF district would allow for up to 26 years of tax increment by state statute. Pooled tax increment from a housing district is required to be spent on construction of affordable housing. After the TIF note is repaid, the council could leverage the tax increment from the Terasa TIF District to fund additional projects under the AHTF.

Property value and taxes: The current combined assessed market value of the subject redevelopment site is \$6.877 million. This is the proposed TIF district’s Base Value. The estimated market value of the property upon the proposed development’s completion (for TIF estimation purposes) is \$73.1 million. Most of this value (minus the Base Value and other property taxes excluded from TIF) would be captured as tax increment and used to make payments on the TIF Note to the redeveloper until it is paid off. The city, county and school district would continue to receive the property taxes collected on the subject site’s Base Value until the district is decertified. The payable 2025 property taxes for the subject redevelopment site is \$217,893. The city’s 2025 portion is \$41,656. It is estimated that the development would generate nearly \$1,106,000 in annual property taxes upon decertification of the TIF district. The city’s portion upon decertification would be approximately \$360,000.



Analysis of the development’s conformity with the city’s TIF Policy: The following table lists the objectives, qualifications, and guidelines for the use of tax increment financing as specified in the city’s TIF Policy as amended in December 2021, as well as how and whether the proposed development meets the majority of those standards.

TIF Policy Compliance Table*

Factor	Requirement/Guideline	Proposed Project	Met?
Applicable TIF District	Housing TIF District	Housing district.	Yes
Statutory TIF district requirements	Housing District 40% of the units affordable at 60% AMI 20% of the units affordable at 50% AMI: or 10% of the units affordable at 30% AMI	20% of the units will be affordable at or below 50% AMI. Additionally, Hempel will request six project-based vouchers from the city’s Housing Authority Board to provide six units affordable to households earning up to 30% AMI.	Yes

Use of TIF	Proposed costs are statutorily eligible for reimbursement through proposed TIF district.	Proposed use of tax increment financing to mitigate the cost of constructing affordable housing is statutorily eligible through housing TIF districts.	Yes
TIF Objectives	TIF Policy requires projects to meet over half of applicable objectives for use of TIF .	Proposed project meets nearly all the EDA's Objectives for the use of TIF.	Yes
Minimum Qualifications	Applicable Strategic Priorities	Proposed project provides broad range of housing and neighborhood-oriented development.	Yes
	Meets Green Building Policy requirements.	Development will meet the July 2022 Green Bldg Policy requirements.	Yes
	Meets Inclusionary Housing Policy requirements (if applicable).	Development will exceed the Oct. 2021 Inclusionary Housing Policy requirements.	Yes
	Meets Diversity, Equity, and Inclusion Policy.	The redeveloper's construction practices, and ongoing management will follow the city's diversity, equity, and inclusion policy.	Yes
	Consistent with city's Comprehensive Plan and Zoning Ordinance, or approvals pending.	Proposed project is consistent with city's Comprehensive Plan and Zoning Ordinance.	Pending*
	Removes contamination, blight and/or will not generate significant environmental problems.	The project removes a mostly vacant class B office building, which would be replaced with a new mixed-use building. The new building will not generate environmental problems and will adhere to the Green Building Policy to help the city achieve its Climate Action Goals.	Yes
	Helps facilitate desired development that would not occur without assistance.	Proposed assistance would facilitate desired development. The development would not occur without such assistance.	Yes
	Developer provided necessary documentation to evaluate TIF need and proposed project.	Redeveloper provided necessary documentation to evaluate proposed project and TIF request.	Yes
	Determined not financially feasible "but-for" the use of tax increment financing.	Ehlers verified the proposed project is not financially feasible "but-for" the use of tax increment financing.	Yes
	Developer has experience and capability to construct proposed project.	Redeveloper has extensive experience and capability to construct the proposed project.	Yes
	Developer plans to retain ownership of project long enough to stabilize occupancy (if applicable).	Redeveloper plans to retain ownership of the project through stabilization and will remain the property manager of the development. The redeveloper will hire a third party manager for the residential units.	Yes
	Meets all Minimum Qualifications.	The development meets all Minimum Qualifications.	Yes
Desired Qualifications	Incorporates Livable Communities, New Urbanism, TOD, Sustainable Design principles (i.e., mixed-use, urban design,	Proposed project incorporates Livable Communities, New Urbanism, and TOD design principles.	Yes

	human scale, walkable, public spaces, and sustainable design features).		
	High quality development (sound architectural design, quality construction and materials).	Proposed project will incorporate high quality design and materials.	Yes
	Provides rents at deeper affordability levels such as 30% or 50% AMI (if applicable).	39 units will have rents affordable to households at 50% AMI and six units will have rents affordable to households at 30% AMI. The deeply affordable units would be provided in 2 and 3 bedroom units only. Additionally, vouchers can be used on the 50% AMI units to provide rents of no more than 30% of the tenant's income.	Yes
	Provides units for larger families (i.e., 3- & 4-bedroom units (if applicable)).	Seven 3-bedroom units are proposed.	Yes
	Complements and/or adds value to neighborhood by providing public elements or placemaking features (if applicable).	Project will complement and add value to surrounding neighborhood by providing approximately ~21,000 SF of new commercial uses, mixed income housing, and long-term affordable housing in the West End. The proposed development provides more than double the existing affordable housing in the West End area.	Yes
	Proposed development will likely stimulate further investment in surrounding area/neighborhood.	A primary goal of this development is to spur additional activity at the south end of The Shops at West End. This portion of the shopping center has struggled to maintain tenants since its inception. Hempel desires to create a large anchor tenant and residential densities by building Terasa, to boost the success of the Shops at West End. Terasa could be the initial stage of redeveloping the entire West End Office Park.	Yes
	Provides new, or retained, employment (if applicable).	It is anticipated that the development will create 50 new jobs in the building to service the commercial uses and the residential portion of the building. This estimate does not include jobs created during construction of the building or jobs created through investment spurred at The Shops at West End.	Yes
	The increase in market value of the property after redevelopment is more than 8 times the original market value.	The estimated market value of the site after redevelopment is 10.62 times the original market value.	Yes
	Will have a positive community impact.	Proposed project will have a significant positive impact on the area. It will replace a nearly vacant class B office building with a new mixed-use building. It will provide density and ground floor activation south	Yes

		of the Shops at West End. Project is intended to spur additional investment and office/retail opportunities at the Shops at West End as well as the West End Office Park. The project will provide 45 affordable units at or below 50% AMI. There are only 19 affordable units current in the West End area, and all are at 60% AMI. This creates much needed workforce housing for West End area employers.	
	Will not place extraordinary demands on city services.	City departments determined proposed project will not place extraordinary demands on city services.	Yes
	Will not likely generate significant environmental problems and/or clean-up existing contamination.	The development will not generate any environmental problems and will help the city better achieve its climate action plan goals as the building will meet the Green Building Policy requirements.	Yes
	Land price for project site is within market range.	Land price for project site is within market range.	Yes
	Ratio of private to city investment (TIF and grants) is more than \$5 to \$1.	The total development cost is \$91.7 million. The proposed private to city investment is nearly \$13.02 to \$1.	Yes
	The proposed amount of TIF assistance or term of the TIF Note is within range of similar developments which received TIF assistance.	The proposed TIF assistance is within range of similar development that received TIF assistance. The term of the proposed TIF Note is well below the TIF Policy's preferred 15-years.	Yes
	Proposed TIF assistance will be provided on a pay-as-you-go-basis.	Proposed TIF will be provided on a pay-as-you-go-basis.	Yes
	Meets the majority of Desired Qualifications.	The development meets all Desired Qualifications as outlined above.	Yes

*The site does not currently meet the city's zoning requirements. However, the applicant is requesting a zoning amendment to rezone the property from O-Office to a PUD zoning district. If city council approves these changes, the development will be consistent with city plans and zoning.

Given that the proposed development meets statutory requirements, as well as all objectives, qualifications and guidelines as specified in the TIF Policy, staff finds Hempel Real Estate's request for TIF assistance meets the EDA's requirements for the provision of tax increment financing.

Affordable Housing Trust Fund (AHTF): The EDA does not need to take formal action on the amount of funding provided through the AHTF but will be requested to provide approval of the terms of the contract. The deferred loan of \$1 million would bear interest at one percent and would be repaid in a lump sum at year 11 to correspond with the completion of the TIF obligations. This is a similar interest rate, but a shorter repayment schedule compared to other loans provided from the AHTF for other developments in St. Louis Park.

In order to qualify for utilization of funds from the AHTF, a rental development needs to provide at least 40 percent of the units affordable to households at 60 percent AMI or at least 20 percent of the units affordable at 50 percent AMI. The proposed development meets the requirements of the AHTF policy by providing 45 units to households at or below 50% AMI.

By providing additional assistance through the trust fund, this allows the redevelopment to achieve deeper levels of affordability, and since the funds would be provided upfront, this would reduce the total development costs of the redevelopment.

Housing choice vouchers: In addition, Hempel will request the city's Housing Authority Board allocate six project-based vouchers to provide deeper affordability in the redevelopment for 26 years. If awarded, the project-based vouchers would allow a resident to rent a 50% AMI unit and pay no more than 30% of their income. If awarded, the project-based vouchers would be used specifically for five two-bedroom units, and one three-bedroom unit to provide deeper affordability in family-sized units.

Summary and recommendation: Based upon analysis of the financial proforma for Hempel's proposed Terasa redevelopment, Ehlers determined that the proposed \$91.7 million redevelopment has a verified financial gap and is not financially feasible but-for the provision of public financial assistance. To offset this gap, it is proposed that the EDA consider reimbursing the development team up to \$5.54 million in pay-as-you-go tax increment generated by the project over an 11-year term. Such assistance would derive from a newly established housing TIF district upon completion of the proposed project and stabilization. It is also proposed that the EDA provide a deferred loan in the amount of \$1 million from the AHTF and provide six project-based vouchers to achieve deeper affordability in five 2-bedroom units and one 3-bedroom unit.

Providing financing assistance to the proposed Terasa redevelopment achieves the following:

- removes a mostly vacant Class B office building, and replaces it with a new, mixed-use, mixed income housing development constructed and certified as LEED Silver.
- activates and spurs additional private investment in at the Shops at West End, which has struggled to maintain full occupancy on the south end, since its inception. Terasa could also be the initial phase for the redevelopment of the entire West End Office Park.
- provides the city with a quality, multi-family housing development consistent with many goals of the 2040 Comprehensive Plan, city's strategic priorities and council preferences.
- further diversifies the city's housing stock with an additional 186 market rate apartments and an additional 45 housing units for low-income households for 26 years, as well as creating 75 2- and three-bedroom family-sized units.
- includes the first building to adhere to the city's updated Green Building Policy requirements, and will be one of the first LEED silver certified buildings in the city.
- helps support office and retail businesses in the area by providing additional retail destinations and workforce housing.
- brings the subject properties to significantly higher market value than they are currently.
- creates a potential new revenue stream to assist future affordable housing developments and programs.

Hempel's proposed Terasa development meets the city's requirements for the provision of tax increment financing as specified in the city's TIF Policy. As noted above, the project meets nearly all objectives as well as all minimum and desired qualifications for providing TIF assistance. Additionally, it has been demonstrated that the proposed development is not financially feasible but-for the provision of tax increment financing. Lastly, the proposed amount of TIF assistance is comparable to other housing developments the EDA has previously assisted. The term of the proposed TIF district at 11 years is under the TIF Policy's preferred 15 years and city's 2024 average TIF term. Given these findings, staff supports reimbursing the development team for eligible costs up to \$5.54 million in pay-as-you-go tax increment generated by the proposed Terasa mixed use, mixed income development to enable it to become financially feasible.

The project also meets the requirements for utilization of the city's AHTF, and staff supports providing a \$1 million deferred loan to the project. The AHTF loan would lower the total development costs by providing up-front funding and reduce the term of TIF needed to close the financial gap in the project's pro-forma.

Next steps: As with all financial assistance applications, it is at the EDA's discretion as to whether to provide the proposed Terasa redevelopment with financial assistance at the recommended level. Provided the EDA supports providing such assistance, the EDA will be asked to begin the formal process of establishing a new housing TIF district; the vehicle through which a portion of the financial assistance would be provided. The first step of which is to set a public hearing date. It is proposed that the date for the public hearing be tentatively scheduled for late February 2025. The next steps in the financial assistance approval process would be as follows:

1. Negotiation of business terms for the provision of financial assistance.
2. Review of proposed business terms of contract for private development.
3. Hold public hearing on the establishment of the proposed TIF District (a housing TIF district).
4. Approval of TIF district plan and contract for private development – EDA and city council.

Executive summary

Title: Observance of Transgender Day of Remembrance

Recommended action: Mayor to read and present proclamation

Policy consideration: None

Summary: Transgender Day of Remembrance is recognized annually on November 20 to honor and remember the transgender and gender-expansive people whose lives have been lost to transphobic violence. According to the Human Rights Campaign, transgender individuals face a disproportionately higher level of violence, with transgender women of color accounting for approximately four in five of all known violent killings. Further, three in four known victims of transgender and gender-expansive violence will be misgendered in initial police or media reports. Transgender Day of Remembrance provides an opportunity to build awareness about the challenges that transgender and gender-expansive communities face and affirm our commitment to stand against bigotry in our city.

Financial or budget considerations: None

Strategic priority consideration: St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.

Supporting documents: Resource page
Proclamation

Prepared by: Jocelyn I Hernandez Guitron, racial equity and inclusion specialist
LGBTQ+ employee resource group

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Resource Page

In observance of Transgender Day of remembrance, the City of St. Louis Park invites you to:

- Learn about the history of transgender communities
 - [Transgender Day of Remembrance | GLAAD](#)
 - [13 trans and nonbinary people making an impact in the Twin Cities and beyond | MPR News](#)
 - [Over the Rainbow: Queer and Trans History in Minnesota | MNopedia](#)
- Understand the challenges faced by transgender people
 - [The Experiences, Challenges and Hopes of Transgender and Nonbinary U.S. Adults | Pew Research Center](#)
 - [HRC | Fatal Violence Against the Transgender and Gender-Expansive...](#)
- Connect with LGBTQ+ organizations in Minnesota
 - [OutFront Minnesota](#)
 - [Minnesota Transgender Health Coalition \(mntransgenderhealth.org\)](#)
 - [TIGERRS](#)



Proclamation "Transgender Day of Remembrance"

Whereas, Transgender Day of Remembrance is recognized annually on November 20th to honor and remember the transgender and gender-expansive people whose lives were lost to transphobic violence; and

Whereas, At least 27 transgender and gender-expansive people have been killed in the United States in 2024, not counting those that have been misreported, go underreported, or are not reported at all; and

Whereas, Transgender Day of Remembrance calls us to recognize the higher levels of violence, harassment and discrimination transgender and gender-expansive communities face, especially those who are transgender women and Black, Indigenous and people of color; and

Whereas, Transgender Day of Remembrance is also an opportunity to celebrate the resilience and advocacy of transgender individuals from all walks of life, including our colleagues, neighbors and community leaders; and

Whereas, the City of St. Louis Park has an active LGBTQ+ Employee Resource Group committed to creating a safer and more inclusive workplace for LGBTQ+ employees and allies; and

Whereas, the City of St. Louis Park calls on our community to remember those lost to transphobic violence and take a stand against the bigotry that impacts transgender and gender-expansive communities,

Now therefore, let it be known that the mayor and city council of the City of St. Louis Park, Minnesota, observe November 20th as Transgender Day of Remembrance in our community.



In witness whereof, I set my hand and cause the seal of the City of St. Louis Park to be affixed this 18th day of November 2024.

A handwritten signature in black ink, appearing to read "Nadia Mohamed", is written over a horizontal line.

Nadia Mohamed

Executive summary

Title: Observance of Small Business Saturday

Recommended action: Mayor is asked to read proclamation designating Nov. 30, 2024, as Small Business Saturday.

Policy consideration: Not applicable.

Summary: Founded by American Express in 2010, Small Business Saturday spotlights the significance of supporting small, independently owned businesses across the country. Falling between Black Friday and Cyber Monday, Small Business Saturday is a day dedicated to supporting the diverse range of local businesses that provide goods and services, create jobs, boost the economy, contribute to local organizations and keep communities thriving across the country.

In 2023, U.S. consumers reported spending an estimated \$17 billion at independent retailers and restaurants on Small Business Saturday to the direct benefit of local economies. By promoting Small Business Saturday, the city continues its long-standing tradition of recognizing local businesses and all they contribute to enrich the economic and social fabric of St. Louis Park. As our community approaches the holiday season, this proclamation further raises awareness of the importance of the “shop local” movement.

In addition to this proclamation, this recognition will be promoted on the city’s website and through social media. Hennepin County’s *Love Local* campaign will also be highlighting small businesses in the city’s Historic Walker Lake business district.

Financial or budget considerations: Not applicable.

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

Supporting documents: Resource page, proclamation

Prepared by: Jennifer Monson, redevelopment administrator

Reviewed by: Greg Hunt, economic development manager
Karen Barton, community development director

Approved by: Kim Keller, city manager

Resource page:

To encourage community engagement in the shop local movement and Small Business Saturday 2024, the City of St. Louis Park invites you to:

- Explore the Westopolis website's shopping options (formerly Discover St. Louis Park)
 - [Shopping – Westopolis \(westopolis.org\)](https://westopolis.org)
- Consider local retail in a variety of settings no matter where you are in Minnesota
 - [Shopping | Explore Minnesota](#)
- Connect with small business resources available on the city's website
 - [Small Business Resources | St. Louis Park, MN \(stlouisparkmn.gov\)](https://stlouisparkmn.gov)
- Remember that dining in locally-owned restaurants is a delicious way to support small businesses all year long!
 - [Restaurants – Westopolis \(westopolis.org\)](https://westopolis.org)



Proclamation
“Small Business Saturday”
November 30, 2024

Whereas, the City of St. Louis Park celebrates its local small businesses and the contributions they make to its local economy and community; and

Whereas, St. Louis Park joins with advocacy groups and organizations across the country to encourage consumers to “shop local” all year long; and

Whereas, according to the U.S. Small Business Administration, there are 34.8 million small businesses in the United States and small businesses employ 59 million workers; and

Whereas, an estimated \$17 billion in consumer spending occurred at independent retailers and restaurants on Small Business Saturday 2023; and

Whereas, 72% of consumers reported that Small Business Saturday 2023 made them want to continue to shop and dine at small, independently owned retailers and restaurants all year long; and

Whereas, 68 cents of every dollar spent at a small business stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

Whereas, the people of St. Louis Park are grateful to the independent businesses of the city for the investments they make, the jobs they create and the generous contributions they provide to further the quality of life in the city; and

Now therefore, let it be known that the mayor and city council of the City of St. Louis Park, Minnesota, hereby proclaim November 30, 2024 as Small Business Saturday and urge the residents of our community to support small businesses and merchants on Small Business Saturday and to “shop local” throughout the year.



Wherefore, I set my hand and cause the Great Seal of the City of St. Louis Park to be affixed this 18th day of November, 2024.

A handwritten signature in black ink, appearing to read "Nadia Mohamed".

Nadia Mohamed, mayor

Unofficial minutes
City council meeting
St. Louis Park, Minnesota
Oct. 21, 2024

1. Call to order.

Mayor Mohamed called the meeting to order at 6:22 p.m.

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

Council members present: Mayor Nadia Mohamed, Paul Baudhuin, Tim Brausen, Sue Budd, Lynette Dimalag, Yolanda Farris, Margaret Rog

Council members absent: none.

Staff present: Deputy city manager (Ms. Walsh), community development director (Ms. Barton), administrative services director (Ms. Brodeen), senior planner (Ms. Chamberlain), finance director (Ms. Cruver), racial equity and inclusion specialist (Ms. Hernandez Guitron), economic development manager (Mr. Hunt), deputy city clerk (Ms. Scott-Lerdal), planning manager (Mr. Walther)

2. Approve agenda.

It was moved by Council Member Rog, seconded by Council Member Brausen, to approve the agenda as presented.

The motion passed 7-0.

3. Presentations – none.

4. Minutes.

a. Minutes of Oct. 7, 2024 city council special study session

Council Member Rog requested a revision to page 1, 2nd paragraph from the bottom to state: “...each new development rather than cumulatively for all developments.” Council Member Rog requested a revision to page 3, 2nd paragraph from the bottom to state: “...for cannabis similar to restrictions on liquor.” Council Member Rog requested a revision to page 4, 1st paragraph, to state: “...registrations will be issued on a first come first served basis.”

It was moved by Council Member Brausen, seconded by Council Member Farris, to approve the Oct. 7, 2024 city council study session minutes as amended.

The motion passed 7-0.

5. Consent items.

- a. Approve city council travel for National League of Cities City Summit Conference 2024
- b. Approve contract between city and Parktacular, Inc. for annual community festival
- c. **Resolutions No. 24-127, 24-128, 24-129, 24-130, 24-131, 24-132** approving 2025 budget and property owner service charges for Special Service Districts No. 1-6
- d. **Resolution No. 24-133** authorizing proposed 2025 DWI/Traffic Safety officer grant contract agreement
- e. Approve Joint Powers Agreement for Bassett Creek Watershed Management Commission
- f. **Resolutions No. 24-134, 24-135, 24-136, 24-137, 24-138** imposing civil penalties for liquor license violations
- g. Temporary on-sale intoxicating liquor license – MATTER

Council Member Rog noted that item 5b is a contract between the city and Parktacular, a celebration that has brought joy to our community for many years. She acknowledged Parktacular representatives in attendance at the meeting tonight. She thanked them and city staff for their work on the agreement.

Council Member Rog noted item 5f regarding liquor license violations. She asked establishments to be careful not to serve underage people.

Council Member Budd remarked that restaurant patrons should be patient when establishments ask for identification.

Council Member Brausen added that this was the first violation for most of the establishments listed. With some training, he hopes they will get back on track.

Mayor Mohamed noted item 5a, the National League of Cities City Summit Conference in Tampa Bay, Florida. She explained that council members attend conferences such as this for professional development, to connect with other leaders and learn about important topics such as housing and transportation. She added that St. Louis Park's hearts go out to all those affected by Hurricanes Helene and Milton.

Council Member Brausen referenced item 5g regarding MATTER and stated the organization is doing good work to assist those across the country, adding their fundraiser is a worthy cause.

It was moved by Council Member Brausen, seconded by Council Member Baudhuin, to approve the consent items as listed; and to waive reading of all resolutions and ordinances.

The motion passed 7-0.

6. Public hearings – none.

7. Regular business – none.

8. Communications and announcements.

9. Adjournment.

The meeting adjourned at 6:30 p.m.

Melissa Kennedy, city clerk

Nadia Mohamed, mayor

Unofficial minutes
City council meeting
St. Louis Park, Minnesota
Nov. 4, 2024

1. Call to order.

Mayor Mohamed called the meeting to order at 6:05 p.m.

a. Pledge of allegiance

b. Roll call

Council members present: Paul Baudhuin, Sue Budd, Yolanda Farris, Margaret Rog, Mayor Nadia Mohamed

Council members absent: Lynette Dumalag, Tim Brausen

Staff present: City manager (Ms. Keller), city attorney (Mr. Mattick), deputy city manager (Ms. Walsh), deputy city clerk (Ms. Scott-Lerdal), director of building and energy (Mr. Hoffman), property maintenance and licensing manager (Mr. Pivec)

2. Approve agenda.

It was moved by Council Member Budd, seconded by Council Member Baudhuin, to approve the agenda as presented.

The motion passed 5-0 (Council Members Dumalag and Brausen absent).

3. Presentations.

a. Observance of Veterans Day

Mayor Mohamed read the proclamation. She shared that observing Veterans Day gives us all a time to pause and reflect on the important things happening in the community. She added her thanks to the service of military veterans.

Council Member Budd pointed out the resources page in the council's meeting packet; encouraging residents to explore the many references related to Veterans Day.

Council Member Farris added her thanks to all veterans who have served.

b. Recognition of donations

Mayor Mohamed thanked Sandy Younger and the Younger Company for a donation to the police department.

4. Minutes.

- a. Minutes of Oct. 7, 2024 city council meeting**
- b. Minutes of Oct. 7, 2024 city council retreat planning meeting**
- c. Minutes of Oct. 14, 2024 city council study session meeting**

It was moved by Council Member Rog, seconded by Council Member Farris, to approve the Oct. 7, 2024 city council meeting minutes, the Oct. 7, 2024 city council retreat planning meeting minutes and the Oct. 14, 2024 city council study session meeting minutes as presented.

The motion passed 5-0 (Council Members Dumalag and Brausen absent).

5. Consent items.

- a.** Approve city disbursements
- b.** Approve 3rd quarter 2024 city financial update
- c.** **Resolution No. 24-139** approving donation to police department
- d.** **Resolution No. 24-140** to approve joint powers agreement with the Minnesota Bureau of Criminal Apprehension
- e.** Approve 2025 social services request for proposal
- f.** **Resolution No. 24-141** approving the dissolution of Home Remodeling Fair joint powers agreement
- g.** **Resolution No. 24-142** approving a structurally substandard building designation - 5950 36th Street West - Ward 2
- h.** Approve easement purchase - Cedar Lake Road and Louisiana Avenue project - Phase 2 – Ward 4
- i.** **Resolution No. 24-143** authorizing the special assessment for sewer service line repair at 8200 Westwood Hills Curve - Ward 4

It was moved by Council Member Rog, seconded by Council Member Baudhuin, to approve the consent items as listed; and to waive reading of all resolutions and ordinances.

The motion passed 5-0 (Council Members Dumalag and Brausen absent).

6. Public hearings.

- a. Approve on-sale intoxicating liquor license for Gameshow Battle Rooms, LLC – Ward 4**

Ms. Scott-Lerdal presented the staff report.

Council Member Rog asked if this business is currently operating. Ms. Scott-Lerdal stated they are not yet open for business in St. Louis Park.

Council Member Rog asked if the applicant also has a location in Golden Valley. Ms. Scott-Lerdal stated yes, the owners have several business locations and that they are relocating from Golden Valley to St. Louis Park.

Council Member Budd asked about the timeframe on their opening date. Ms. Scott-Lerdal stated the applicant intends to open mid-November 2024.

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

Council Member Baudhuin stated he has participated at Gameshow Battle Rooms, and it is very fun, so he is glad they will be moving to St. Louis Park. Council Members Rog and Farris agreed, as did Mayor Mohamed.

It was moved by Council Member Rog, seconded by Council Member Baudhuin, to approve the on-sale intoxicating liquor license for Gameshow Battle Rooms, LLC – Ward 4 as presented.

The motion passed 5-0 (Council Members Dumalag and Brausen absent).

7. Regular business.

a. First reading of various amendments to Chapters 6 and 8 of the city code

Mr. Pivec presented the staff report regarding amendments to City Code, Chapters 6 and 8.

Council Member Baudhuin asked if there are any significant environmental issues with the proposed change in requirements for noxious weeds or turf grass from no higher than six inches to eight inches. Mr. Pivec stated recommended heights are getting higher and his staff typically hears complaints when the grass exceeds the height of eight inches.

Council Member Rog noted native plantings that are higher than eight inches and asked how the proposed changes would affect them. Mr. Pivec stated that managed native grasses are allowed to grow higher than eight inches. The proposed changes only relate to turf grasses and noxious weeds.

Council Member Rog asked if there is some contextual knowledge as to why this change was made at the state level, and what the change is meant to prevent or accomplish. Mr. Pivec stated he observed some news items that drew concerns over group homes in some communities where the city revoked the license displacing occupants.

Council Member Rog asked if there are any unanticipated consequences related to the proposed changes for St. Louis Park. Mr. Pivec stated the city still has its property maintenance code which covers the exterior of a property, so the city does have some authority, but there may be some limitations on the inside, adding there have been more complaints to the behavioral side.

Council Member Rog asked if there will be an opportunity for the city to alert the state if there are concerns about the interior of a property. Mr. Pivec stated yes, adding staff has contacts at the state.

Ms. Keller added staff will include this on the list of legislative concerns to discuss with representatives for 2025.

Council Member Budd asked if the city were made aware of a group home where there are behavioral problems, if the city would then interact with the Minnesota Department of Health

towards correction. Mr. Pivec stated yes, staff would reach out to the state. Mr. Mattick advised that law enforcement is also an option to reach out to, for issues beyond the scope of licensing.

Council Member Baudhuin asked if this is the state taking away the city's autonomy in how we regulate rentals. Ms. Keller stated this is a specific subset of rentals that are affected. Council Member Baudhuin asked for clarification. Mr. Pivec stated there was displacement of some homes in some cities, which created a counteraction by the state.

Council Member Rog noted the state may have seen the change as a protective action. Mayor Mohamed agreed.

Council Member Farris stated she has worked at a group home in St. Louis Park for many years and they have not had any bad behaviors, going on to say they have always been supported by the city and the police. She stated that group home residents are well taken care of, welcome in the neighborhood and are supported.

Council Member Baudhuin added he appreciates getting the city's codes in alignment with the state.

It was moved by Council Member Farris, seconded by Council Member Budd, to approve the first reading of various amendments to Chapters 6 and 8 of the city code and set the second reading on Nov. 18, 2024.

The motion passed 5-0 (Council Members Dumalag and Brausen absent).

8. Communications and announcements.

Mayor Mohamed encouraged everyone to vote tomorrow at their polling place, adding it is everyone's right to vote. Ms. Keller stated polling places open at 7 a.m. and close at 8 p.m. She added the city's website has more information and shared that 48% of all registered voters in St. Louis Park have voted early.

Council Member Baudhuin thanked all who were involved in the voting process and stated it is truly a patriotic thing to do and important work.

9. Adjournment.

The meeting adjourned at 6:30 p.m.

Melissa Kennedy, city clerk

Nadia Mohamed, mayor

Executive summary

Title: Approve boards and commissions appointments

Recommended action: Motion to appoint representatives to the advisory and statutory boards and commissions listed in Exhibit A.

Policy consideration: Does the city council support the appointment of the representatives to the city/s advisory and statutory boards and commissions listed in Exhibit A?

Summary: The announcement of the appointment process was well received by community members, with 80 applications submitted for positions on various commissions and boards. These applications were received for the technology advisory commission, environment and sustainability commission, human rights commission, planning commission/board of zoning appeals, police advisory commission, park and recreation advisory commission, housing authority and fire civil service commission.

The council review committees have recommended 42 applicants be appointed to fill 42 seats out of 47 total vacancies on the above-mentioned boards and commissions.

Financial or budget considerations: Not applicable

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Exhibit A: Appointment recommendations listed by name, board/commission and term expiration.

Prepared by: Patrick Coleman, community engagement coordinator

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Discussion

Background:

Due to the Boards and Commissions Redesign Project, the boards and commissions program has experienced a high number of vacancies as a full appointment process has not been completed since spring of 2022. With the project's conclusion, there is now an opportunity to fill these vacancies.

The application period was open from July 8 to Aug. 26, 2024, for the following boards and commissions: the community technology advisory commission, environment and sustainability commission, human rights commission, planning commission/board of zoning appeals, police advisory commission, park and recreation advisory commission, housing authority and fire civil service commission.

In preparation for this process, city council members and staff discussed changes to the appointment procedure during a special study session on May 20, 2024. It was agreed that city staff would establish application criteria, conduct an initial screening of all applicants, and provide recommendations to council members on who to interview. All applications would still be forwarded to council members for further review.

Following that decision, staff began establishing applicant criteria, which include: passion for the commission's work, relevant experience and thoroughness in the application process. A workgroup was then formed to conduct an initial screening of the applicants. Upon completion of this screening, recommendations were provided to city council members, who conducted further evaluations to determine which applicants would advance to the interview stage. Interview panels, consisting of city council members and board/commission members (where available), were then assembled. Selected applicants were contacted to schedule interview dates. The interviews took place from Oct. 8 through Oct. 30, 2024. All appointment recommendations made by the interview panels are detailed in Exhibit A.

Present considerations:

The council review committees have recommended 42 applicants be appointed to fill 42 seats out of 47 total vacancies on the above-mentioned boards and commissions. The remaining vacancies are four youth seats on the community technology advisory commission and park and recreation advisory commission. There also remains a vacancy for an attorney-specific seat on the human rights commission.

Generally, new members are appointed to three-year terms, except when appointed to fill the remainder of an unexpired term. Since this is a special appointment process, all members appointed will either be filling a vacant or unexpired seat, or a seat where the previous member's term expired during the redesign project.

Due to the large number of applicants, not all candidates will be appointed at this time. Applications for candidates not appointed are kept on file for one year. Candidates not appointed are encouraged to get involved in the community through events or activities offered by the city, volunteer opportunities, or initiatives hosted or sponsored by boards or commissions.

Next steps:

New members will participate in an orientation with their staff liaison before beginning their term on Dec. 1, 2024.

Exhibit A:
**Appointment recommendations listed by name, board/commission
and term expiration**

Name	Board/Commission	Term Limits
*Kyle Wermerskirchen	Fire Civil Service	12/31/2026
*Thom Miller	Housing Authority Board	5/31/2029
Shelby Conway	Housing Authority Board	5/31/2029
Isabel Anderson	Human Rights Commission	5/31/2026
Jackie Kay	Human Rights Commission	5/31/2026
Daniel Bashore	Human Rights Commission	5/31/2026
Lee Conlife	Human Rights Commission	5/31/2027
***Abby Bauer	Human Rights Commission	8/31/2025
Otoha Masaki	Human Rights Commission	8/31/2025
*Katie Lawler Turnball	Human Rights Commission	5/31/2027
*Bruce Cantor	Parks and Recreation Advisory Commission	5/31/2026
*Jay Jaffee	Parks and Recreation Advisory Commission	5/31/2026
Amy Brandli	Parks and Recreation Advisory Commission	5/31/2027
John Flanagan	Planning Commission/ Board of Zoning Appeals	5/31/2027
*Matt Eckholm	Planning Commission/ Board of Zoning Appeals	5/31/2027
*Tom Weber	Planning Commission/ Board of Zoning Appeals	5/31/2026
**Estella Hughes	Planning Commission/ Board of Zoning Appeals	8/31/2025
Ethan Cooper	Police Advisory Commission	5/31/2027
Sean Bennet	Police Advisory Commission	5/31/2026
Leslie Rich	Police Advisory Commission	5/31/2026
Jay Wolkenbrod	Police Advisory Commission	5/31/2027
Michael Rydberg	Police Advisory Commission	5/31/2026
Daniel Stockton	Police Advisory Commission	5/31/2026
**Jillian Dixon	Police Advisory Commission	8/31/2025
**Amelia Lynch	Police Advisory Commission	8/31/2025
*Karl Gamradt	Police Advisory Commission	5/31/2027
*Diane Slais	Police Advisory Commission	5/31/2027
**Tatiana Giraldo	Environment and Sustainability Commission	5/31/2027
**Shaina Ashare	Environment and Sustainability Commission	5/31/2027
**Marisa Bayer	Environment and Sustainability Commission	5/31/2026
**Ryan Griffin	Environment and Sustainability Commission	5/31/2027
Natalie Wagner	Environment and Sustainability Commission	5/31/2026
**Sasha Shahid	Environment and Sustainability Commission	5/31/2027
Ethan Kehrberg	Environment and Sustainability Commission	5/31/2026
Bennet Myhan	Environment and Sustainability Commission	5/31/2027
***Abigail Oppergaard	Environment and Sustainability Commission	8/31/2025
Jessica Hendrix	Environment and Sustainability Commission	5/31/2027
**Avery Kuehl	Environment and Sustainability Commission	8/31/2025
Benjamin Straus	Community Technology Advisory Commission	5/31/2026
Nat Johnson	Community Technology Advisory Commission	5/31/2026
Mike Siegler	Community Technology Advisory Commission	5/31/2026

Key

*Reappointment

**Youth Member

***Youth Member Reappointment

Executive summary

Title: Approve Vision 4.0 Community Committee appointments

Recommended action: Motion to appoint representatives to the Vision 4.0 Community Committee listed in Exhibit A.

Policy consideration: Does the city council support the appointment of the representatives to the city's Vision 4.0 Community Committee listed in Exhibit A?

Summary: Every decade, the city undertakes an engagement process to develop a ten-year vision and set strategic priorities. As we embark on the fourth iteration of this visioning process, we are seeking the involvement of community members to serve on a committee dedicated to championing the vision process and ensuring that everyone in St. Louis Park is engaged.

We received 30 applications. Through a thorough screening process based on criteria such as geographic representation, range of affiliations and connections within St. Louis Park, passion for serving on the committee, diversity of backgrounds, and engagement in other current citywide volunteer committees, staff is prepared to recommend 11 community members for approval to serve on this committee.

The recommendations ensure equal representation across the city, with at least two representatives from each ward who scored highly on the selected criteria. Additionally, there will be a position left open specifically for youth representation, which will bring the committee roster to 12 total. The committee also includes a diverse range of community members such as business owners, St. Louis Park high school representatives, long-time residents, former council members, and community partners. We are grateful for all of the interest in this committee and believe each recommended member excels in the roles and responsibilities associated with this position, which are detailed in Exhibit A.

Financial or budget considerations: Not applicable.

Strategic priority consideration: St. Louis Park is committed to creating opportunities to build social capital through community engagement.

Supporting documents: Exhibit A: Vision 4.0 Community Committee appointment recommendations

Prepared by: Pat Coleman, community engagement coordinator

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Exhibit A: Vision 4.0 Community Committee appointment recommendations

Applicant Name	Neighborhood/ Ward	Connections/Affiliations	Three Words used to describe SLP?
Mike DePauw	Fern Hill; Ward 1	Resident	Functional Mosaic Unpretentious
Elizabeth Chidothe	Birchwood; Ward 1	Resident, member of the Birchwood neighborhood committee	Forward Thinking Diverse Accessible
David Rickheim	Minikahda Vista; Ward 2	Resident, Boards and Commissions applicant	Inclusive Innovative Vibrant
Hayley Savat	Minikahda Vista; Ward 2	Resident, SLP Public School Employee, SLP Girls Lacrosse President, Economic Development Association of Minnesota	Dynamic Strong Values Community Oriented
Kayla Meyers	Oak Hill; Ward 3	Resident, SLP business owner	Community Care Commitment
Malai Turnbull	Oak Hill; Ward 3	Resident, special needs educator	Equity-Minded Service-Based Openness
Karoline Pierson	Cedar Manor; Ward 4	Resident, Westwood Luth. Church member, Westwood Nature Center volunteer	Progressive Engaged Family - Oriented
Jim Brimeyer	Westwood Hills; Ward 4	Resident, 1995/2005 Visioning Chair, Former City Manager, Former Council Member	Supportive Interested Involved
Derek Reise	Community Partner Representative	Director of St. Louis Park Emergency Program (STEP)	Cohesive Vibrant Creative
Steve Hunegs	Community Partner Representative	1995 Vision steering committee member, Jewish Community Relations Council of Minnesota Executive Director, member of the Beth El Synagogue	Prospering Engaging Challenged
Fatuma Irshat	Community Partner Representative	School district employee (Multicultural Liaison for SLP High School)	Safe Diverse Disconnect

Executive summary

Title: Resolution approving newly created 2024 -2025 Battalion and Assistant Chief labor agreement

Recommended action: Motion to adopt resolution approving labor agreement between the city and the battalion and assistant chief employee bargaining group, establishing terms and conditions of employment for 1.5 years, from Apr. 1, 2024 to Dec. 31, 2025.

Policy consideration: Does council approve the labor agreement between the city and the union?

Summary: The city currently has four staff serving as battalion and assistant chiefs, previously non-union positions. In April 2024, this group unionized through the standard procedures of the Bureau of Mediation Services with the International Association of Firefighters (IAFF) as their exclusive representative. This bargaining group joins our other six unions in St. Louis Park for a total of seven union groups, representing about half of all benefit-earning staff.

The city met with the newly formed union for very productive negotiation sessions throughout the summer and fall. We are pleased to bring this multi-year contract to council for approval. Items agreed upon follow the approved compensation plans and are consistent with other groups.

Financial or budget considerations: The amount recommended has been included in the 2025 budget and will be incorporated into 2026 projections.

Strategic priority consideration: Not applicable.

Supporting documents: Discussion
Resolution

Prepared by: Rita Vorpahl, HR director

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Discussion

Background: The city and the newly formed battalion and assistant chief union group have negotiated and come to an agreement on the following terms and conditions of a new contract:

- Duration of 1.5 years (Apr. 1, 2024 to Dec. 31, 2025).
- 2024 wages continue with same max as when position was non-union (pay ranges were previously approved to increase by 3.5% effective Jan. 1, 2024 for all groups; this contract provides no additional increase for 2024).
- 2025 wage increase of 3% to all steps.
- Added language that requires above average performance in order to advance through the pay steps in accordance with other groups.
- Employer contribution for insurance is the same as other groups.
- Define flex leave for these positions.
- Include an “equity policy” statement confirming the city and union’s agreement to work together to advance the strategic priorities of the city for racial equity.

Next steps: Staff recommends approval. All items noted above are included within the 2025 budget and will be included in future budget preparation. The proposed contract is on file with the city clerk. More details are available upon request.

Resolution No. 24-____

**Approving labor agreement between the City of St. Louis Park
And International Association of Firefighters (IAFF) Battalion and Assistant Chief
April 1, 2024 – December 31, 2025**

Whereas, the city and the union have reached a negotiated settlement covering the terms and conditions of a labor agreement as permitted by the State of Minnesota Public Employees Labor Relations Act; and

Whereas, the city council may enter into such agreements as authorized by its charter,

Now therefore be it resolved by the city council of the City of St. Louis Park that the mayor and city manager are authorized to execute a collective bargaining agreement, city contract # _____ between the City of St. Louis Park and IAFF Battalion and Assistant Chiefs, effective April 1, 2024 – December 31, 2025.

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

Executive summary

Title: Second reading and adoption of various amendments to Chapters 6 and 8 of the city code

Recommended action: Motion to approve the second reading amending various sections of chapters 6 and 8 of the city code to be consistent with changes in state statute.

Policy consideration: Does council wish to proceed with the ordinance amendments proposed for property maintenance regulations and business licensing?

Summary: Recent legislative changes have resulted in select sections of Chapters 6 and 8 of the city code to be inconsistent with Minnesota state statutes. Proposed ordinance amendments include 1) exemptions to licensing of non-owner-occupied dwelling units when they are state licensed, and 2) increasing the allowable height limit for all noxious weeds or turf grass.

- State statute now specifically exempts state licensed group/assisted living homes from municipal rental (nonowner-occupied) licensure. The city attorney recommends amending the code for licensing requirements to include state licensed group homes as exception (4) in Sec. 8-326(c) to be compliant with state statute. Other non-licensed supportive housing situations will still be required to have a license when the owner does not reside in the home. In all cases, city property maintenance codes will still apply.
- Current city ordinance limits all noxious weeds or turf grass to no greater than six inches. Although city ordinance can be more restrictive in this instance according to the city attorney, staff is recommending raising the height to no greater than eight inches in Sec. 6-143 for alignment with state regulations and avoiding confusion. The city's Natural Resources Manager foresees this will simplify for residents who have already quoted the new state maximum during regulatory action.

The city council approved first reading of the amendments on Nov. 4, 2024. Following approval of the second reading and subsequent publication of the amended ordinances, the ordinances will become effective Dec. 13, 2024.

Financial or budget considerations: None.

Strategic priority consideration: Not applicable.

Supporting documents: Ordinance amending rental housing code
Ordinance amending property maintenance code
Summary for publication

Prepared by: Michael Pivec, property maintenance & licensing manager

Reviewed by: Brian Hoffman, building and energy director

Approved by: Kim Keller, city manager

Ordinance No. ____-24

Amending St. Louis Park City Code Section 8-326(c) relating to rental housing

The City of St. Louis Park does ordain:

Sec. 8-326. License required.

(a) The owner of a residential building or portion thereof operated as rental housing with one or more dwelling units must obtain a rental housing license. The license shall contain a statement that the tenant or tenants may contact the attorney general for information regarding the rights and obligations of owners and tenants under state law. The statement shall include the telephone number and address of the attorney general.

(b) The term “rental housing” means any dwelling unit that is not owner occupied. The term includes any dwelling unit which is either unoccupied or occupied by a relative of the owner.

(c) Exceptions. No license shall be required under the following circumstances:

- (1) A dwelling unit occupied by the owner for a minimum of six months per calendar year.
- (2) Rented rooms within an owner-occupied dwelling unit.
- (3) Unoccupied dwelling units being offered for sale which have been issued a Certificate of Property Maintenance that remains in effect.
- (4) certain group homes which are exempt by state statute from municipal rental licensing schemes.

Section 3. This ordinance shall take effect fifteen days after its publication.

First Reading	Nov. 4, 2024
Second Reading	Nov. 18, 2024
Date of Publication	Nov. 28, 2024
Date Ordinance takes effect	Dec. 13, 2024

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Approved as to form and execution:

Melissa Kennedy, city clerk

Soren Mattick, city attorney

Ordinance No. ____-24

**Amending St. Louis Park City Code Section 6-143 and 34-116(c)
relating to property maintenance code**

The City of St. Louis Park does ordain:

Sec. 6-143. Revisions.

Section 302.4. Weeds. Amended to read: All premises and exterior property shall be maintained free from all noxious weeds or turf grass growth in excess of six-eight inches.

Sec. 34-116. Lawn Maintenance Requirements.

- (a) All lot areas not covered by buildings, designated parking areas, paths, driveways and impervious surface shall have planted Turf Grass, Native Vegetation, or combined ground cover of cultivated vegetation, garden, hedges, trees and shrubbery.
- (b) No owner or occupant of any lot shall allow any noxious weeds to grow on any part or portion of said lot.
- (c) No owner or occupant shall allow any Turf Grass, Weeds, or Rank Vegetation to grow to a height greater than six ~~(6)~~ 8 inches on any lot or parcel of land.

Section 3. This ordinance shall take effect fifteen days after its publication.

First Reading	Nov. 4, 2024
Second Reading	Nov. 18, 2024
Date of Publication	Nov. 28, 2024
Date Ordinance takes effect	Dec. 13, 2024

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Approved as to form and execution:

Melissa Kennedy, city clerk

Soren Mattick, city attorney

SUMMARY FOR PUBLICATION

Ordinance No. xxxx-xx

Ordinance amending St. Louis Park City Code Chapter 6, Article V. Section 6-143 and Chapter 34 Article IV. Section 34-116(c) relating to property maintenance code and Chapter 8, Subdivision VIII. Section 8-326(c) relating to rental housing

This ordinance amends St. Louis Park City Code Chapter 6, Article V. Section 6-143 and Chapter 34 Article IV. Section 34-116(c) relating to height limit for turf grass, weeds or rank vegetation increasing from 6" to 8" to align with state regulations and Chapter 8 Subdivision VIII. Section 8-326(c) relating to rental housing licensing exceptions for group homes. State statute specifically exempts state licensed group/assisted living homes from municipal rental (nonowner-occupied) licensure.

The ordinance shall take effect December 13, 2024.

Adopted by the city council November 18, 2024

Nadia Mohamed /s/
Mayor

A copy of the full text of this ordinance is available for inspection with the city clerk.

Published in St. Louis Park Sailor: November 28, 2024

Executive summary

Title: Resolution authorizing removal of two stop signs at Wayzata Boulevard and Zarthan Avenue - Ward 4

Recommended action: Motion to adopt the following resolutions:

- Rescind existing resolution 02-082 pertaining to existing intersection control and parking restrictions near the intersection of Wayzata Boulevard and Zarthan Avenue.
- Reestablish the stop sign for westbound Wayzata Boulevard at the intersection of Wayzata Boulevard and Zarthan Avenue.
- Reestablish the parking restrictions along Zarthan Avenue from its intersection with Wayzata Boulevard to a point 200 feet south of West 16th Street.
- Reestablish the parking restrictions along the south side of Wayzata Boulevard from a point 200 feet east and 200 feet west of its intersection with Zarthan Avenue.

Policy consideration: Does the city council support the removal of stop control for eastbound Wayzata Boulevard and northbound Zarthan Avenue traffic at the intersection with Wayzata Boulevard?

Summary: A request was made to consider removing the stop signs for traffic traveling along Wayzata Boulevard and Zarthan Avenue as the main travel route for vehicles at this intersection. Staff has completed a review of the intersection and found that a stop sign is only recommended for westbound Wayzata Boulevard. The stop signs for eastbound Wayzata Boulevard and northbound Zarthan Avenue are recommended to be removed.

Staff's recommendation is to rescind resolution no. 02-082 authorizing the all-way stop signs and the adjacent parking prohibitions and to create three separate resolutions to reestablish one stop sign and the adjacent parking prohibitions.

Financial or budget considerations: The cost of to remove these two stop signs is estimated to be \$350 and is expected to come from the general operating budget.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Discussion
[Resolution 02-082 to be rescinded](#)
Resolutions
Location map

Prepared by: Jack Sullivan, engineering project manager

Reviewed by: Debra Heiser, engineering director

Approved by: Kim Keller, city manager

Discussion

Background: The intersection of Wayzata Boulevard and Zarthan Avenue was reconstructed in 2002 to change the “tee” intersection to a sweeping curve that connects Wayzata Boulevard and Zarthan Avenue. The current roadway configuration can be found on the attached location map. This created a more direct travel route for vehicles between Louisiana Avenue and Park Place Boulevard. Wayzata Boulevard, east of this intersection, connects on the curve and is no longer the predominant travel direction. This dead-end segment of Wayzata Boulevard serves several commercial properties before ending at a cul-de-sac. Resolution No. 02-082 was approved in conjunction with the intersection reconstruction and authorized an all-way stop controlled intersection along with parking prohibition signage to prevent parking on the curve.

Present consideration and traffic review: A request was made to consider removing the stop signs for traffic traveling along Wayzata Boulevard and Zarthan Avenue as the main travel route for vehicles at this intersection.

The Minnesota Manual of Uniform Traffic Control Devices (MnMUTCD) guides the installation of stop signs. The MnMUTCD sets out warrant criteria that an intersection should meet to have stop signs installed. The criteria include intersection volume, number of crashes and intersection visibility.

Staff has completed a review of the intersection and found that a stop sign is only recommended for westbound Wayzata Boulevard for the following reasons:

- The traffic volumes on Wayzata Boulevard/Zarthan Avenue are approximately 4,000 vehicles per day, while the dead-end segment of Wayzata Boulevard has less than 300 vehicles per day. This large disparity results in 4,000 vehicles per day stopping for 300 opposing vehicles. This is not consistent with best practices for stop sign installation or the city’s climate action goals.
- Keeping the stop sign control on westbound Wayzata Boulevard cul-de-sac is consistent with the side street stop sign application for the six side streets in the three quarters of a mile segment of road west of this intersection all the way to Louisiana Avenue.
- The intersection has clear sightlines, and the lack of crashes in the last 10 years indicates that an all-way stop is not needed to assign who has the right of way at this intersection.

The city is recommending removing the stop signs for eastbound Wayzata Boulevard and northbound Zarthan Avenue traffic. The stop sign for westbound Wayzata Boulevard from the cul-de-sac is recommended to remain in place.

Resolution No. 02-082 accompanying the intersection reconstruction in 2002 included the all-way stop and parking prohibition signage. Staff is recommending rescinding the resolution and creating three separate resolutions to:

- Reestablish the stop sign for westbound Wayzata Boulevard at the intersection of Wayzata Boulevard and Zarthan Avenue.

- Reestablish the parking restrictions along Zarthan Avenue from its intersection with Wayzata Boulevard to a point 200 feet south of West 16th Street.
- Reestablish the parking restrictions along the south side of Wayzata Boulevard from a point 200 feet east and 200 feet west of its intersection with Zarthan Avenue.

Resolution No. 02-082 references “no parking Monday – Friday 7 a.m. – 6 p.m. except holidays (west side only) along the east and west side of Zarthan Avenue from a point 200 feet south of West 16th Street to a point 130 north of Cedar Lake Road”. This parking prohibition was rescinded with Resolution No. 02-062 and is not referenced in the recommended reconciled resolutions.

Public feedback: Staff hand-delivered a letter to the adjacent commercial uses, informing them of staff’s recommendation to remove the stop signs for eastbound Wayzata Boulevard and northbound Zarthan Avenue traffic and that the stop sign for westbound Wayzata Boulevard from the cul-de-sac recommended to remain in place. As of this staff report, staff has not received any feedback from the adjacent property owners or managers of the commercial properties.

Next steps: Since these stop signs have been in place for over 20 years, staff is recommending installing “cross traffic does not stop” signage on the remaining stop sign and placing temporary “traffic control change ahead” signage to alert drivers of the changes.

Removal of the stop signs for eastbound Wayzata Boulevard and northbound Zarthan Avenue traffic at the intersection with Wayzata Boulevard will be completed before winter of 2024.

Resolution No. 24-144

Rescinding Resolution No. 02-082

Whereas, the city received a request to evaluate the all-way stop controls at the three-legged intersection of Wayzata Boulevard and Zarthan Avenue; and,

Whereas, the City of St. Louis Park had established the stop signs at the intersection and parking restrictions near the intersection in Resolution No. 02-082; and,

Whereas, staff used a systems approach to evaluate intersection control; and,

Whereas, staff has reviewed the request and recommends removing the stop signs for eastbound Wayzata Boulevard and northbound Zarthan Avenue but leaving the stop sign for westbound Wayzata Boulevard; and,

Whereas, Resolution No. 02-082 includes stop signs at all three legs of the intersection and various parking restrictions near the intersection; and,

Whereas, the City of St. Louis Park, when rescinding resolutions that list multiple unrelated items, will reestablish each item as separate resolutions; and,

Whereas, the City of St. Louis Park, will establish new resolutions to reestablish the remaining stop sign for westbound Wayzata Boulevard and the adjacent parking prohibitions; and,

Whereas, staff recommends rescinding Resolution No. 02-082,

Now therefore be it resolved by the St. Louis Park City Council that Resolution No. 02-082 is hereby rescinded.

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

Resolution No. 24-145

**Authorize stop sign for westbound Wayzata Boulevard
at the intersection of
Wayzata Boulevard and Zarthan Avenue**

Whereas, the city received a request to evaluate the all-way stop controls at the three-legged intersection of Wayzata Boulevard and Zarthan Avenue; and,

Whereas, the City of St. Louis Park had established the stop signs at the intersection and parking restrictions near the intersection in Resolution No. 02-082; and,

Whereas, staff used a systems approach to evaluate intersection control; and,

Whereas, staff has reviewed the request and recommends removing the stop signs for eastbound Wayzata Boulevard and northbound Zarthan Avenue; and,

Whereas, staff recommends leaving the stop sign for westbound Wayzata Boulevard in place; and,

Whereas, Resolution No. 02-082 was rescinded by the St. Louis Park City Council as approved in Resolution No. 24-144; and,

Whereas, the City of St. Louis Park, will establish new resolutions to reconcile the remaining stop sign,

Now therefore be it resolved by the city council of the City of St. Louis Park, Minnesota that the engineering director is authorized to:

- Install a stop sign for westbound Wayzata Boulevard.

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

Resolution No. 24-146

Authorizing parking restrictions along Zarthan Avenue from its intersection with Wayzata Boulevard to a point 200 feet south of West 16th Street

Whereas, staff recommended to rescind Resolution No. 02-082; and,

Whereas, staff recommended to reestablish the individual items within Resolution No. 02-082 as standalone resolutions; and,

Whereas, Resolution No. 02-082 was rescinded by the St. Louis Park City Council as approved in Resolution No. 24-144; and,

Whereas, the intent of writing the resolution is to establish parking restrictions along the east and west sides of Zarthan Avenue from its intersection with Wayzata Boulevard to a point 200 feet south of West 16th Street,

Now therefore be it resolved by the city council of the City of St. Louis Park, Minnesota that the engineering director is authorized to establish parking restrictions in the following locations:

- “No parking anytime” along the east and west sides of Zarthan Avenue from its intersection with Wayzata Boulevard to a point 200 feet south of West 16th Street

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

Resolution No. 24-147

**Authorizing parking restrictions along
the south side of Wayzata Boulevard from
a point 200 feet east and
200 feet west of its intersection with Zarthan Avenue**

Whereas, staff recommended to rescind Resolution No. 02-082; and,

Whereas, staff recommended to reestablish the individual items within Resolution No. 02-082 as standalone resolutions; and,

Whereas, Resolution No. 02-082 was rescinded by the St. Louis Park City Council as approved in Resolution No. 24-144; and,

Whereas, the intent of writing the resolution is to establish parking restrictions on the south side of Wayzata Boulevard from a point 200 feet east and 200 feet west of its intersection with Zarthan Avenue,

Now therefore be it resolved by the city council of the City of St. Louis Park, Minnesota that the engineering director is authorized to establish parking restrictions in the following locations:

- “No parking anytime” along the south side of Wayzata Boulevard from a point 200 feet east and 200 feet west of its intersection with Zarthan Avenue.

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

Removal of Wayzata Blvd/Zarthan Ave stop signs



Date: 11/13/2024

Executive summary

Title: Approve memorandum of understanding for joint participation in shared mobility request for 2025 applications

Recommended action: Motion to approve the Memorandum of Understanding (MOU) with Minneapolis, Saint Paul, Hopkins, the Minneapolis Park Board and Regents of the University of Minnesota for joint participation in shared mobility request for applications.

Policy consideration: Does the city council wish to enter into the attached MOU to solicit shared mobility providers with the goal of creating regional shared mobility?

Summary: The City of Minneapolis has contacted St. Louis Park to see if we are interested in participating in a joint solicitation for shared mobility vendors for the 2025 season. Previously, Minneapolis had been working under a similar agreement during the 2022-2024 seasons for shared bike and scooter service with St. Paul, The University of Minnesota, and the Minneapolis Park and Recreation Board. These entities have received feedback from visitors and residents that having cross-jurisdictional travel is important in their mobility priorities.

St. Louis Park operated under a similar agreement during 2023 with the cities of Golden Valley and Hopkins. In 2024, there were no vendor applications to provide service to the combined cities, and there has not been an individual vendor application to provide shared mobility services to St. Louis Park since 2022.

Financial or budget considerations: None at this time. Once a vendor is selected, an operating agreement will be presented to council for approval. This agreement will follow City Code 30-212 to 30-258 and will see that the vendors will pay compensation to cover staff time.

Strategic priority consideration: St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Supporting documents: Memorandum of Understanding

Prepared by: Phillip Elkin, engineering services manager

Reviewed by: Debra Heiser, engineering director

Approved by: Kim Keller, city manager

MEMORANDUM OF UNDERSTANDING**AGREEMENT FOR JOINT PARTICIPATION IN SHARED MOBILITY REQUEST FOR PROPOSALS**

WHEREAS, the City of Minneapolis, the Minneapolis Park Board, the City of Saint Paul, the City of Hopkins, the City of St. Louis Park, and Regents of the University of Minnesota (the “Parties”) each have programs governing the deployment and use of shared mobility fleets within their respective jurisdictions; and

WHEREAS, each Party seeks to broaden cooperation in the shared mobility sector in order to benefit from each other’s knowledge and experiences; and

WHEREAS, the Parties reasonably believe that shared mobility has the positive effect of reducing traffic, reducing pressure on automobile parking capacity, reducing pollution, and otherwise improving the public’s general welfare; and

WHEREAS, the Parties aim to identify a vendor or vendors capable of providing shared mobility within all the Parties’ respective jurisdictional boundaries simultaneously; and

WHEREAS, the Parties enter into this Memorandum of Understanding to memorialize their respective rights and responsibilities while soliciting and procuring a vendor or vendors capable of providing shared mobility within all the Parties’ respective jurisdictional boundaries.

NOW, THEREFORE, in exchange for good and valuable consideration which each Party hereby acknowledges, the Parties agree as follows:

1. Staff from each Party will work in collaboration to craft the Request for Applications (the “RFA”) which will be used for the issuance of licenses and/or contracts for shared mobility in 2025 with options to extend up to a maximum of five years.
2. The City of Minneapolis will be the lead Party for the RFA and will use standard Minneapolis solicitation policies.
3. Each non-Minneapolis Party will designate one representative to collaborate with the City of Minneapolis for the duration of the RFA process.
4. As part of its collaborative-duties, the Jurisdictions’ designated-representatives will be involved throughout the City of Minneapolis’s RFA process, which includes—but is not limited to—reviewing all proposals, input in scoring proposals, and collaboration with the City of Minneapolis on selecting the appropriate vendor or vendors.
5. A primary goal of the RFA process will be to identify a vendor or vendors capable of meeting the unique needs of all Parties simultaneously.

- 6. Each Party maintains sole responsibility for awarding individual license(s) and/or contract(s) pursuant to this joint solicitation. This document shall not be construed as to require any individual Party to award a contract or license. Each Party maintains sole responsibility for awarding individual license(s) and/or contract(s) pursuant to this joint solicitation. This document shall not be construed as to require any individual Party to award a contract or license or as to require any individual Party to award a contract or license to a specific vendor.

- 7. Each Party retains its exclusive right to regulate shared-mobility programs within its boundaries. The subject matter of this agreement is limited to solicitation and does not extend to the operation of shared-mobility programs.

- 8. The effective term for this Memorandum of Understanding shall be for one year following the date of execution of the Memorandum.

- 9. This Memorandum of Understanding represents the entire agreement between the Parties with respect to this subject matter.

- 10. Each Party to this Memorandum of Understanding shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized or limited by law and shall not be responsible for the acts of the other Parties, their officers, employees or agents. The provisions of the Municipal Tort Claims Act, Minnesota Statutes Chapter 466 and other applicable laws govern liability of the municipal Parties. The provisions of the Minnesota Tort Claims Act, Minnesota Statutes Section 3.736 and other applicable laws govern liability of Regents of the University of Minnesota. It is the intent of each Party that this Memorandum of Understanding does not create any liability or exposure of one Party for the acts or omissions of the other Parties.

- 11. The Recitals to this Agreement are incorporated into and shall constitute a part of this Agreement.

AGREED TO this _____ day of _____, 2024.

City of Minneapolis

Approved:

By:

Director of Public Works

City of Saint Paul

Approved:

By:

Director of Public Works

Sean Kershaw

Minneapolis Park Board

Approved:

Regents of the University of Minnesota

Approved:

Title: Approve memorandum of understanding for joint participation in shared mobility request for 2025 applications

By:
Board President

By:
University Services, Vice President

Approved:

By:
Deputy
Superintendent

City of St. Louis Park
Approved:

By: Engineering director
Debra Heiser

City of Hopkins
Approved:

By:

Executive summary

Title: Resolution authorizing West End Office Park redevelopment environmental assessment worksheet – Ward 4

Recommended action: Motion to adopt resolution authorizing the distribution of an environmental assessment worksheet (EAW) for public review and comments.

Policy consideration: Does city council support the distribution of an environmental assessment worksheet (EAW) for the West End Office Park redevelopment in the Environmental Quality Board (EQB) Monitor?

Summary: Hempel Real Estate has a purchase agreement for the office properties at 5401 Gamble Drive and 5402 Parkdale Drive. The redeveloper proposes to remove the current office building at 5401 Gamble Drive and construct a six story, 223-unit mixed-use building with 21,000 square feet of retail space.

The proposed project has potential to be the first phase of a multi-phase development of all four parcels within the West End Office Park. City staff determined that an environmental assessment worksheet (EAW) would be appropriate for a potential project of this size.

Kimley-Horn prepared an EAW for the development per Minnesota rules. The EAW examines the potential for environmental impacts of the proposed project. If an EAW indicates a project has the potential for significant negative environmental effects, the responsible government unit (RGU) can declare the project must do further environmental review in the form of an environmental impact statement (EIS).

As the RGU, the City of St. Louis Park City Council is asked to authorize release of the EAW to be published by the Environmental Quality Board (EQB) in the *EQB Monitor* for public review and comment for 30-days, in compliance with Minnesota rules.

The EAW will also be available for review on the city's website at <https://bit.ly/slpterasa>.

Financial or budget considerations: Hempel Real Estate provided an escrow to cover the city's costs to administer and review the EAW.

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

Supporting documents: Discussion, resolution

Prepared by: Laura Chamberlain, senior planner

Reviewed by: Sean Walther, planning manager/deputy community development director
Karen Baron, community development director

Approved by: Kim Keller, city manager

Discussion

Background: In 2023, Eden Prairie-based Hempel Real Estate purchased The Shops at West End. Since its purchase, Hempel has further invested in the property invigorating the shopping area by attracting new commercial, service, and office tenants including Kiddiwampus, Marcus Theaters, Polestar, Boketto, the Artisan Store and Makerspace, and others. However, the south end of the shopping area still has vacancies.

Hempel would like to pursue further development immediately to the south of The Shops at West End to generate increased shopping activity and activate and anchor the south end of the shopping area. The development would add housing and commercial space, drawing more people to the area throughout the day, and not just during typical office hours.

The office market has also seen a decline. These older buildings may be more challenging to lease. Allowing some redevelopment that adds amenities and vitality to the area could help remaining office buildings compete better in the market and sustain the employment sector in this area, which is also valued for a balanced local economy.

Present considerations: Hempel has a purchase agreement for 5401 Gamble Drive and 5402 Parkdale Drive. Hempel proposes to redevelop the northwest office building within the West End Office Park at 5401 Gamble Drive, and construct a six story, 223-unit mixed-use building with 21,000 square feet of commercial space, potentially including a grocer, restaurant, and coffee shop.

It is anticipated that the proposed development will act as a catalyst to spur further redevelopment in the area. The proposed project has potential to be the first phase of a multi-phase development of all four parcels within the West End Office Park. City staff determined that an environmental assessment worksheet (EAW) would be appropriate for a potential project of this size.

The EAW, drafted by Kimely-Horn, assesses the environmental impact of the proposed project at 5401 Gamble Drive, along with three future potential phases of development for the other parcels within the West End Office Park. Outlined below is the maximum development potential of all phases, but the design, mix of uses, and scale of the future development may be less intense than what is studied in the EAW.

Phase I | 6-Story Mixed-Use Residential – 5401 Gamble Drive

- 245 residential units
- 27,000 square feet of ground-floor commercial
- 410 parking spaces

Phase II | 6-Story Mixed-Use Residential – 5402 Parkdale Drive

- 168 residential units
- 13,420 square feet of ground-floor commercial
- 267 parking spaces

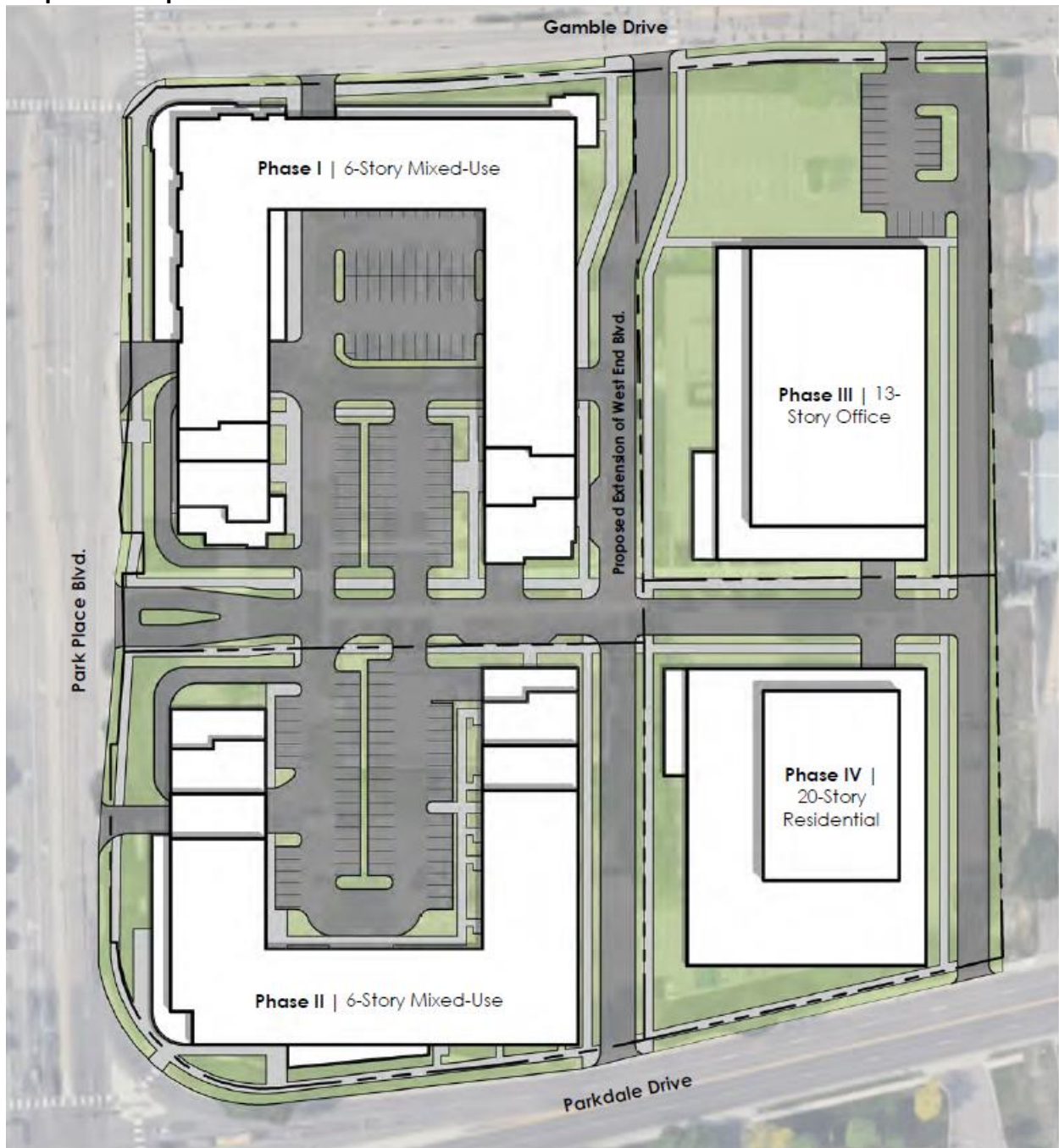
Phase III | 13-Story Office Building – 5353 Gamble Drive

- 5,500 square feet commercial
- 345,600 square feet office
- 274 parking spaces

Phase IV | 20-Story Residential – 5354 Parkdale Drive

- 246 residential units
- 5,500 square feet commercial
- 254 parking spaces

Proposed site plan



Environmental assessment worksheet: The redevelopment of 5401 Gamble Drive does not mandate an EAW on its own. However, early in the development process Hempel Real Estate outlined its desire to complete a phased redevelopment of the entire West End Office Park area into a high density, mixed-use, development including commercial, residential and office uses. A redevelopment of this size would be subject to a lookback provision required by Minnesota rules for an EAW, which would then mandate an EAW. Therefore, the city as the responsible government unit (RGU) strongly encouraged going through the discretionary EAW allowed under Minnesota law to complete the EAW during the first phase of the proposed development. The purpose of the EAW is to understand the cumulative environmental impact of all potential phases of the development. Identifying these earlier in the process allows for adjustments to the scale or design of the first phase to better prepare for later phases.

Kimley-Horn prepared an EAW for the West End Office Park redevelopment per Minnesota rules. The EAW examines the potential for environmental impacts of the proposed project. Projects determined through the EAW process to have the potential for significant negative environmental effects must do further environmental review in the form of an environmental impact statement (EIS).

The City of St. Louis Park is the RGU for review of the EAW. Staff requests city council approve a resolution authorizing distribution of the EAW. The EAW will be distributed to the required list of jurisdictions and will be announced in the *EQB Monitor* on Nov. 26, 2024. The announcement of the availability of the draft EAW must be published in the *EQB Monitor*, a weekly publication, and provide a 30-day review and comment period that begins on the date of publication.

The EAW will also be available for review on the city's website at <https://bit.ly/slpterasa> prior to being published in the *EQB Monitor*.

Though not required, the city will also publish a legal notice of the EAW comment period in the *Sun Sailor* and post the EAW on the city website. The city council will be asked to approve a resolution of finding and declaration once EAW public comments have been received and responded to. These actions do not obligate the city council to future approval of the proposed development.

The EAW examines the potential for environmental impacts of the proposed project including: a detailed project description, review of required permits, analysis of land use and zoning, overview of geology, soils, topography, water resources, contamination and hazardous materials, ecological resources, historic properties, visual effects, air emissions, noise and transportation.

Next steps: Staff requests city council adopt the attached resolution. Staff will submit the EAW for publication in the *EQB Monitor* on Nov. 26, 2024 and distribute the EAW to required agencies for review. After the 30-day comment period is complete, staff will share and present the final EAW, public comments and the responses to public comments to city council. At that time, city council will be asked to approve a resolution for EAW findings and declaration of whether further environmental review is necessary. None of these actions obligate the city council to future approval of the proposed development.

Resolution No. 24-_____

Approving distribution of an environmental assessment worksheet in the Environmental Quality Board Monitor and to required agencies for review

Whereas, Hempel Real Estate (“proposer”) proposes to redevelop approximately 3.3 acres in St. Louis Park to create 245 new residential units and up to 27,000 square feet of ground floor commercial at 5401 Gamble Drive with the potential for multi-phase development of adjacent parcels at 5402 Parkdale Drive, 5353 Gamble Drive, and 5354 Parkdale Drive; and

Whereas, the site is located adjacent to Park Place Boulevard, Gamble Drive and Parkdale Drive in St. Louis Park, Minnesota; and

Whereas, the City of St. Louis Park is the responsible governmental unit (“RGU”); and

Whereas, the project was identified for a discretionary environmental assessment worksheet (EAW) by the proposer and RGU; and

Whereas, the EAW was prepared by Kimley-Horn on behalf of the proposer, who submitted completed data portions of the EAW to the City of St. Louis Park consistent with Minn. Rules Part 4410.1400; and

Whereas, Short Elliot Hendrickson, Inc., provided a third-party impartial review of the EAW on behalf of the city; and

Whereas, the EAW was prepared using the form approved by the Minnesota Environmental Quality Board for EAWs in accordance with Minn. Rules 4410.1300.

Now therefore be it resolved that the city council does hereby approve the distribution of an environmental assessment worksheet in the Environmental Quality Board Monitor and to required agencies for review in accordance with Minn. Rules 4410.1500.

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

Executive summary

Title: Appeal of Board of Zoning Appeals determination - 3330 Huntington Avenue South
- Ward 2

Recommended action: Motion to adopt resolution upholding BOZA's determination that the basketball hoop structure located at 3330 Huntington Ave S meets the required minimum setback from the side lot line.

Policy consideration: None.

Summary of appeal: Fred and Julia Ramos (Appellants), who reside at 3320 Huntington Ave S, are appealing the Board of Zoning Appeal's (BOZA) determination to uphold staff's decision to approve the proposed location of a sport court at 3330 Huntington Ave S. The appellants state in their appeal that the proposed location would continue a hazard and a nuisance that the court's current location poses, and the approval of the proposed location just a few feet from its current location is contrary to both the letter and the purpose of the St. Louis Park zoning code.

Staff determination: City code section 36-162(d)(1)h states that a sport court is required to meet the same setback as is required for the principal building. The property is zoned R-2 single-family residence, which requires a five foot minimum side yard for the principal building. Therefore, the sport court is required to be at least five feet from the side lot line.

The sport court at 3330 Huntington Ave S consists of a basketball hoop installed in the grass on the edge of a driveway surface. Staff measured from the side lot line to the part of the basketball hoop structure closest to the side lot line and determined that it meets the five foot minimum required setback and approved the proposed location.

Previous actions	Governing body	Date
Appeal conducted. Comments were received from the public (4-0 vote).	Board of Zoning Appeals	8/21/2024

Financial or budget considerations: None

Strategic priority consideration: Not applicable.

Supporting documents: Resolution, BOZA resolution, BOZA unofficial minutes, appeal to council submitted by appellant, response to appeal to council submitted by property owner of 3330 Huntington Ave S, BOZA staff report with attachments

Prepared by: Gary Morrison, zoning administrator

Reviewed by: Sean Walther, planning manager/deputy community development director
Karen Barton, community development director
Soren Mattick, city attorney

Approved by: Kim Keller, city manager

Resolution No. _____

Upholding Board of Zoning Appeals decision denying appeal of Fred and Julia Ramos

Whereas, on July 2, 2024, Gary Morrison, zoning administrator, measured the proposed location of the basketball hoop, and determined that the hoop will be located approximately five feet, 10 inches from the side lot line. Morrison determined that this proposed location exceeds the five foot minimum yard requirement, and therefore meets the minimum code requirements; and

Whereas, city code section 36-30 allows a staff determination to be appealed if the appeal is submitted within 20 days of the staff determination. The 20-day appeal period expired on July 22, 2024. Fred Ramos hand delivered the appeal to the city on July 22, 2024, therefore, the appeal was timely received; and

Whereas, the appeal came on for public hearing before the Board of Zoning Appeals on August 21, 2024. The Board of Zoning Appeals (BOZA) upheld staff's determination, and a Resolution denying the appeal was adopted by the BOZA.

Whereas, city code section 36-30(d) allows a BOZA decision to be appealed to the city council if the appeal is submitted within 10 days of the staff determination. The ten (10) day appeal period expired on September 3, 2024. The deadline was automatically extended to September 3, 2024 due to the ten (10) day deadline ending on a holiday weekend. The appeal was received on September 3, 2024; therefore, the appeal was timely received; and

FINDINGS

1. In 2023, Ross and Lily Moeding installed a basketball hoop at the edge of their driveway in their side yard.
2. On or about May 30, 2024, Fred Ramos inquired about the basketball hoop and whether or not it meets city code.
3. On July 2, 2024, city zoning administrator, Gary Morrison, met with Ross and Lily Moeding at 3330 Huntington Ave S to measure the setback of the basketball hoop as it existed at that time and determined that it did not meet the minimum five foot side yard setback required. He also measured the proposed location identified by a stake placed by Ross Moeding and determined that the proposed location would place the closest part of the basketball hoop structure, which would be the adjustment handle located on the backside of the pole, approximately five feet, ten inches from the side lot line, and would therefore meet the minimum code requirement of five feet.
4. Fred Ramos appealed the zoning administrator's determination that the proposed location of the basketball hoop meets the setback requirements.
5. Fred and Julia Ramos live at 3320 Huntington Ave S.

6. Ross and Lily Moeding live at 3330 Huntington Ave S.
7. The Board of Zoning Appeals (BOZA) conducted a hearing on the Appeal on August 21, 2024.
8. City code section 36-162(d)(1)h requires sport courts and play structures to meet the same side yard as is required for the principal structure. 3330 Huntington Ave S is zoned R-2 single-family residence, which requires a five foot minimum side yard.

DECISION

Now, therefore, be it resolved that the appeal of Fred and Julia Ramos is denied. The BOZA determination to uphold the administrative decision that the required setback for sport courts and play structures is measured to the structure is affirmed.

Reviewed for administration:

Adopted by the city council November 18, 2024:

Kim Keller, city manager

Nadia Mohamed, mayor

Attest:

Melissa Kennedy, city clerk

**A RESOLUTION OF THE ST. LOUIS PARK
BOARD OF ZONING APPEALS DENYING
APPEAL OF FRED AND JULIA RAMOS**

WHEREAS, on July 2, 2024, Gary Morrison, zoning administrator, measured the proposed location of the basketball hoop, and determined that the hoop will be located approximately five feet, 10 inches from the side lot line. Morrison determined that this proposed location exceeds the five foot minimum yard requirement, and therefore meets the minimum code requirements; and

WHEREAS, city code section 36-30 allows a staff determination to be appealed if the appeal is submitted within 20 days of the staff determination. The 20 day appeal period expires on July 22, 2024. Fred Ramos hand delivered the appeal to the city on July 22, 2024, therefore, the appeal was timely received; and

WHEREAS, the appeal came on for public hearing before the Board of Zoning Appeals on August 21, 2024.

BE IT RESOLVED BY the Board of Zoning Appeals of St. Louis Park, Minnesota:

FINDINGS

1. In 2023, Ross and Lily Moeding installed a basketball hoop at the edge of their driveway in their side yard.
2. On or about May 30, 2024 Fred Ramos inquired about the basketball hoop and whether or not it meets city code.
3. On July 2, 2024, city zoning administrator, Gary Morrison, met with Ross and Lily Moeding at 3330 Huntington Ave S to measure the setback of the basketball hoop as it existed at that time and determined that it did not meet the minimum five foot side yard setback required. He also measured the proposed location identified by a stake placed by Ross Moeding, and determined that the proposed location would place the closest part of the basketball hoop structure, which would be the adjustment handle located on the backside of the pole, would be approximately five feet, ten inches from the side lot line, and would therefore, meet the minimum code requirement of five feet.
4. Fred Ramos appealed the zoning administrator's determination that the proposed location of the basketball hoop meets the setback requirements.
5. Fred and Julia Ramos live at 3320 Huntington Ave S.

6. Ross and Lily Moeding live at 3330 Huntington Ave S.
7. The Board of Zoning Appeals (BOZA) conducted a hearing on the Appeal on August 21, 2024.
8. City code section 36-162(d)(1)h requires sport courts and play structures to meet the same side yard as is required for the principal structure. 3330 Huntington Ave S is zoned R-2 single-family residence, which requires a five foot minimum side yard. Therefore, a five foot side yard is required for sport courts and play structures at this address.

DECISION

NOW, THEREFORE, BE IT RESOLVED that the appeal of Fred and Julia Ramos is denied. The administrative decision that the required setback for sport courts and play structures is measured to the structure is affirmed.

Adopted by the Board of Zoning Appeals: August 21, 2024



Mia Divecha, Chairperson

ATTEST:



Gary Morrison, Zoning Administrator

UNOFFICIAL MINUTES

Board of zoning appeals

Members present: Jim Beneke, Mia Divecha, Matt Eckholm, Sylvie Hyman, Jan Youngquist

Members absent: Tom Weber, Katie Merten

Staff present: Gary Morrison

Guests: Residents of St. Louis Park

1. Call to order – roll call
2. Approval of minutes – June 26, 2024 – The meeting minutes were approved unanimously as presented.
3. Hearings
 - 3a. Application for appeal of zoning determination – 3320 Huntington Ave. S.
Applicant: Fred and Julia Ramos
Case No: 24-16-AP

Mr. Morrison presented the report.

Chair Divecha opened the public hearing.

Fred Ramos, 3320 Huntington Ave., the applicant, thanked the BOZA and city staff for their time on this. He stated this application is no reflection on his neighbors but noted they do have a fundamental difference on the sports court. He stated the city has expertise on this but noted several issues with the city related to timing of appeal and delay of enforcement until the appeal is heard by his neighbors. He added these items need to be taken into account.

Mr. Ramos stated there is no definition in the city code of the term “sport court”, and it is his position it should have a common sense, practical meaning. He noted there is only 5 feet of setback and stated a sport court needs a buffer. He noted where the code is not clear and there is no consensus, which is a problem, so they are asking the BOZA to look at the definition of a sports court.

Mr. Ramos stated they provided several pictures of sport courts, and noted it appears most designers recommend 3-10 feet of space around the sidelines, keeping safety in mind for clearance.

Mr. Ramos stated when constructing a sports court, there is additional clearance that is needed for basketball, so the 5-foot setback should be 3-10 feet past the basketball hoop. He added we should feel safe in our homes. He stated the activity generated by the sport court puts their cars and house at risk of damage, and themselves or guests at risk of being hit by a ball. He noted several photos he took in his neighborhood where basketball hoops are not on driveways but are on the street curb. The spot chosen to build this sport court is causing him concern.

Julie Ramos, 3320 Huntington Ave., noted the photos and how close the area is to their house. She also noted the driveways and that there is only 10 feet on their side of the property line and there is a door to their house where the basketballs would be thrown. She stated she has been unable to work, been woken up, is afraid to leave her house, and she feels very unsafe in this situation, where basketballs are constantly being thrown in her direction. She stated the neighbor's lot is twice as wide and there are other locations on their property that are more suitable for a sport court. She stated there are no sports courts in their neighborhood because lots are too small and in no cases are there basketball hoops between houses because lots are too close together. She stated this is a dangerous precedent with putting the sports court between two driveways. She added other hoops in the neighborhood are barely used and this one is used multiple times per day and every day, so it belongs in a neutral location.

Philip Hodge, 3336 Huntington Ave., stated some of the other basketball hoops are not placed in safe places in driveways. He stated this is a safer place to put a hoop, within a sports court. He added there is an exaggeration of the number of times the basketball hoop is used during the day at the house. He added the neighbors were also willing to put up a net which would solve the ball falling over if that is the primary safety concern. Elisabeth White, 4118 Randall Ave., stated they moved to this neighborhood in 2007 and this neighborhood stands out because it is a true neighborhood. She stated when they have issues, they find solutions and she hoped this would be solved in a nice way but she is disturbed by this. She added the neighbor Ross is shy but has been helpful and is showing goodwill. She stated the suggestion of putting up a net is goodwill. She thanked BOZA for helping with a solution to this.

Douglas White, 4118 Randall Ave., stated he has lived in his home for 17 years. He stated anyone calling Ross menacing is not true, and he is actually shy. He stated it is fine his children play sports and it is better than using drugs. He stated it is best if the neighbors could work this out, and the idea of moving the court to the other side of the driveway would mean building a whole new court. He stated putting up a net would be helpful and would make this work so no balls would go into the neighbor's yard. He

stated not liking the sound of a basketball is not something the city can enforce, and he feels the neighbors should come to a peaceful solution on this.

Chair Divecha closed the public hearing.

Commissioner Hyman stated the intention of BOZA is to determine the decisions the city makes are within the code and it is not within their purview to decide things like whether bouncing a ball is a nuisance. She stated this is a reasonable thing for residents to do and the location of the sports court is within the code and is legal. She added the BOZA is not interested in getting into the details of exact regulation and placement of basketball hoops beyond what the code requires, and added the city has important things to do and this is not a priority. She stated there are challenges living within a community and with other people, and there are things that will not be enjoyable for all parties, and if this was at a level of real nuisance, then she would consider it, but children shooting hoops is not that big of a problem.

Commissioner Youngquist stated the zoning issue before BOZA is the 5-foot setback. She stated in listening to the applicants and the resolution drafted they are requesting above and beyond what is required in the code, and if we arbitrarily changed requirements for everyone, then it would set the city up for a lawsuit. She added she has also lived next to neighbors who allowed children to hit hockey pucks, and they talked to their neighbors about a solution. She stated this is not a zoning issue but is a neighborhood mediation issue and she will vote to uphold staff's determination.

Commissioner Beneke stated he somewhat sympathizes as he has a neighbor also with a hoop in the driveway and the sound can be somewhat jarring. He stated, however, it will be noisy no matter where it might be located. He added the zoning requirements do not allow for getting too deep into this issue.

Commissioner Eckholm stated while BOZA can get involved, he doesn't think it should and this is beyond reasonable discussion.

It was moved by Commissioner Eckholm, seconded by Commissioner Hyman to approve the resolution and uphold staff's recommendation at 3330 Huntington Ave. S.

The motion passed unanimously.

4. Other Business – none.

5. Communications

- Mr. Morrison stated staff is asking for assistance from commissioners to help recruit residents for Vision 4.0 process. He stated the deadline is Labor Day.
- The next upcoming meeting is a planning commission meeting on September 4.

- Chair Divecha stated she and Mr. Walther worked on details related to meeting procedures and rules, and if there are any questions, please contact Mr. Walther.

Chair Divecha asked when the Planning Commission will be presenting to the city council. Mr. Morrison stated that will be sometime in October.

6. Adjournment – 6:46 p.m.

Gary Morrison, liaison

Mia Divecha, chair member

3320 Huntington Avenue
St Louis Park, MN 55416

September 3, 2024

St. Louis Park City Council
5005 Minnetonka Blvd.
St. Louis Park, MN 55416

Re: Statement of Reason for Appeal of BOZA decision of August 21, 2024

Dear Council Members:

The Board of Zoning Appeals (BOZA) erred in affirming the decision of the Zoning Administrator approving the proposed location of our neighbor's basketball hoop. Specifically:

1. The St. Louis Park Zoning Code requires a sport court in a side yard to have a 5 foot setback from the property line. The code does not provide a definition of "sport court" and neither does the dictionary.
2. The Zoning Administrator stated that the definition of a sport court is "activity specific." We agree. We all agree that the activity for which this sport court is used is basketball.
3. It is also not in dispute that a basketball sport court involves activity behind the hoop.
4. The issue becomes from where the 5 foot setback should be measured. From available legal authority, it is clear that it must be measured from the edge of the activity specific surface area that comprises the sports court and not from the associated equipment, such as a basketball pole and hoop.

For these reasons, the City Council should grant our appeal.

Discussion

This issue has not been addressed in St. Louis Park. When a law or regulation is undefined or vague and no legislative record or judicial precedent has been established in the state, it is acceptable and common practice in the US legal system to consider how courts or other governing bodies in other states have decided similar issues. This approach, known as "persuasive authority," involves looking at decisions from other jurisdictions for clarification and to help guide a decision. This is particularly useful when dealing with emerging legal issues or when a case presents a novel question of law. LawInsider.com or other similar internet sources that the Zoning Administrator relied on in his response to our appeal are not authoritative or persuasive in our courts. This becomes an issue of interpretation of legal terms and requires a legal analysis.

Since Minnesota Courts have not considered this issue, US legal process accepts looking to other jurisdictions for guidance. Texas Township, Michigan defined a sports court as an outdoor surface, which may be paved or unpaved, and distinguished a sports court from associated equipment, such as basketball hoops or nets:

Section 36-2.2 Definition

Sports Court means an outdoor pervious or impervious surface court (not including parking lots) designed for athletic purposes (i.e., basketball court, tennis court, pickleball court, soccer field, etc.) surrounded by fencing, on a standalone pad, and/or on a field, including associated equipment such as basketball hoop, nets, etc.

<https://www.texastownship.org/DocumentCenter/View/1069/Front-Yard-Sport-Courts-Attached-Deck-Rear-Setback-Encroachment-Lot-Width-Depth-and-Frontage-Requirements>

This ordinance specifically explains that the surface area for the activity can be marked or unmarked, pervious or impervious. It does not need to be a dedicated pad. Basketball dribbling in front of the court requires a hard surface, while basketball activity behind the associated equipment can be done on grassy areas. This is called a buffer zone, and intended to give room for balls landing, fast breaks, layups, and safe retrieval of missed shots, etc. Similarly, zoning interpretations in several Arizona municipalities establish that the setbacks must be measured from the edge of the surface of the sports court.

<https://paradisevalleyaz.gov/DocumentCenter/View/10057/Game-Courts>

Attached is a list of approximately 15 zoning codes from cities and towns in the United States that state explicitly that a sports court must be measured from the court edge.

Consequently, ordinances in other jurisdictions, which in this case are our only available guidance on this issue, consider sports courts to be surface areas that are necessary to carry out a particular athletic activity. They separate this activity specific surface area from associated equipment, such as basketball hoops. This is precisely what the SLP code requires - that the 5 foot setback be measured from the sports court. It does not say that the setback be measured from any structure or any associated equipment.

In our case, there is no dedicated pad. The area of basketball activity is intended to take place on the driveway in front of the associated equipment and the surrounding grass area, which is the 5 foot median between our driveways, behind the associated equipment. The use of some of that surface area as a driveway is irrelevant. What is relevant is the total surface area of activity necessary to conduct basketball playing all the way around the associated equipment.

Therefore, it is against SLP code to measure the setback in our case from the basketball hoop, which is considered an associated equipment and not the sports court in its entirety. The code requires that this measurement be taken from the edge of the surface area required to carry out that particular activity. This is evident and reasonable. Otherwise, in the case of a pickleball court, for example, someone could put in a net alongside but 5 feet away from the property line in between houses and lob balls across that net at their neighbors' driveway, cars, house, main doorway, windows and the neighbors themselves. It is obvious that the net in that case must be installed at a distance from the court edge to allow for the ball to fly the predictable distance without trespassing onto the neighbor. And then measure the required 5 foot setback from that edge.

All relevant sources - standard basketball court plans, insurance regulations, thrown ball trajectory charts, etc. - agree that a minimum of 3 feet surface area around the entire perimeter of

the basketball hoop is required and 10 feet is recommended to allow for basketball activity. The Council would be violating the SLP zoning code if it does not require that the setback must be measured from the edge of the surface area, paved or unpaved, required to carry out basketball activities.

All the photos provided by the Zoning Administrator at the appeals hearing show a grassy area around the dedicated pad on which the associated equipment is installed. This is the buffer zone necessary to carry out the basketball activity. All those courts have an area left unimproved around the paved surface of the pad in order to continue the activity into the grass behind the hoop.

The Zoning Administrator relied on one line from the City Attorney to support his position, from the letter to us dated July 11th. The primary purpose of that letter was to address the urgent issue at that moment, which was the Zoning Administrator's imposition of an erroneous appeals deadline on us and his refusal to provide us with a written record of his approval of the new location of the sport court. The City Attorney's letter focused mainly on the resolution of those urgent issues and correcting the Zoning Administrator. The Attorney added only one line regarding the Code that stated that "this additional setback distance is not found within the text of the code." It is evident that the City Attorney did not conduct a full legal analysis of this particular provision of the Code, understand that we are not requesting an "additional" setback but applying the required setback to the actual language of the Code, and has shown no basis to support his conclusory statement.

We invite the City Attorney to focus on the Code language, which states that the setback must be measured from the sport court and to provide analysis on the issue that a sport court, logically and legally, is an activity-dependent surface area, rather than an associated equipment. Upon such a full legal review, the City Attorney is likely to support our position, just as it did in the variance appeal of Charles Mooty, <https://lims.minneapolismn.gov/file/2023-00158>, where the City Council overturned the Zoning Board's decision affirming the Zoning Administrator's finding when the City Attorney supported the appellant's legal argument.

Since the SLP Code does not provide that the 5 foot setback be measured from the associated equipment, it does not specify from which part of that equipment the measure should be taken. The Zoning Administrator is measuring from the pole. That is arbitrary. Why not measure from the part of the post that protrudes the most towards the property line, like the adjust pump lever or the base under the ground, both of which protrude another couple of feet in the direction of the property line? This would be consistent with the Code, which provides that the setbacks for buildings must be measured from the eaves and gutters, not just from the vertical walls. The Code doesn't provide such details as from which part of associated equipment to measure because it explicitly requires that the measurement be taken from the sport court, the surface area of activity, not from the associated equipment.

Conclusion

Because the Code requires the 5 foot setback to be from the sport court, the city erred when taking the measurement from the pole. The city acknowledges that a sport court is activity dependent, which allows the city the flexibility to enforce reasonable requirements specific to the activity. In basketball, it is acknowledged that for every level of play, a buffer area is required for the safety of the players and any nearby persons or property. SLP code requires that this measurement be taken from the edge of the surface area required to carry out that particular activity. The City Council should grant this appeal and establish that the five foot setback be taken from the sport court, as required in the code, which here, ranges from 3 – 10 feet behind the pole.

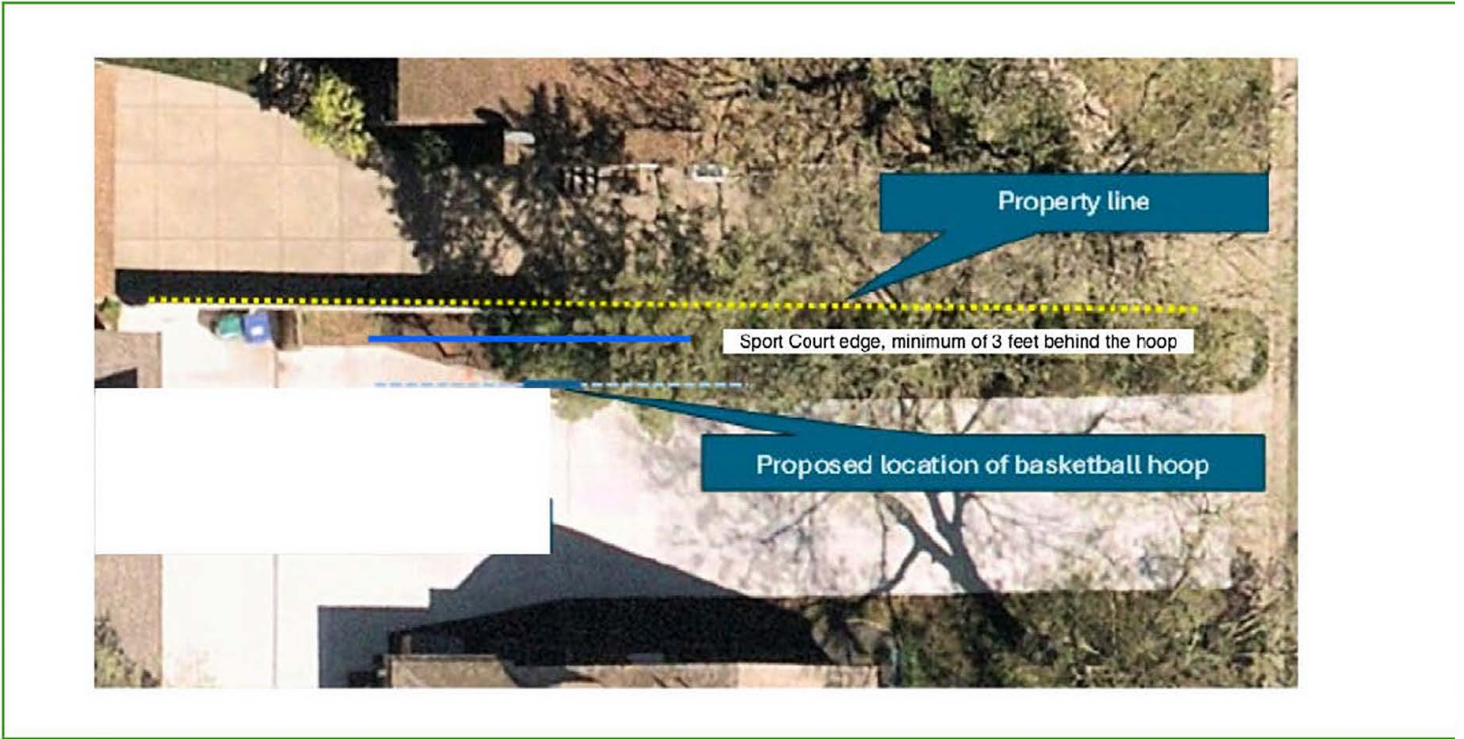
Thank you.

Sincerely,

Frederick Ramos

Julia Ramos

Fred and Julia Ramos



#	Sport Court Name	Relevant Dimension	Buffer Zone - Minimum	Buffer Zone - Recommended
1	Basketball	The hoop or associated equipment is in front of the baseline. The standard distance from the baseline to the pole is 4 feet	3 feet behind baselines and sidelines	10 feet
2	Tennis	39 feet from the net/associated equipment on each side of the court	12 feet on sides, 18 feet behind baselines	
3	Pickleball	22 feet from the net/associated equipment on each side of the court	10 feet on sides, 5-10 feet behind baselines	
4	Volleyball	30 feet from the net/associated equipment on each side of the court	10 feet on all sides	
5	Badminton	22 feet from the net/associated equipment on each side of the court	5 feet on all sides	
6	Multi-Use Courts	N/A	Varies - usually 10 feet on all sides.	

City/Town	State	Zoning Code reference to sport courts	Source Link	Notes
Texas Township	MI	Sport Court means an outdoor pervious or impervious surface court designed for athletic purposes (i.e. basketball court, tennis court, pickleball court, soccer field, etc.) on a standalone pad, and/or on a field, including associated equipment such as basketball hoops , nets, etc.	https://www.texastownship.org/DocumentCenter/View/1069/Front-Yard-Sport-Courts-Attached-Deck-Rear-Setback-Encroachment-Lot-Width-Depth-and-Frontage-Requirements	hoop is associated equipment, not the sport court
Paradise Valley	AZ	If unlined, setbacks are taken from the edge of the court surface .	https://paradisevalleyaz.gov/DocumentCenter/View/10057/Game-Courts	measured from the edge of the sport court, not the hoop/associated equipment
Tucson	AZ	Tucson's zoning regulations require that setbacks for sport courts be measured from the edge of the court surface. Specific setbacks vary by zoning district. "Measurement should be from the property lines to the exterior, outermost edge of the court. "	https://codelibrary.amlegal.com/codes/tucson/latest/tucson_az_udc/00-0-4908 [codelibrary.amlegal.com]	measured from the edge of the sport court, not the hoop/associated equipment
Naperville	IL	"Yes, the measurement would be from the outermost edge of the sport court to the property lines."	https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH2GEZOPR_62-10ACBUSTUSLA	measured from the edge of the sport court, not the hoop/associated equipment
San Antonio	TX	Sport court. A hard or paved surface accompanied by sporting equipment such as nets or goals, which is used primarily for the playing of sports such as tennis or basketball.	https://library.municode.com/tx/san_antonio/codes/unified_development_code?nodeId=APXADERUIN	hoop is accompanying sporting equipment, not the sport court
Peoria	IL	Sport courts ... shall be set back five (5) feet from all side and rear lot lines, measured from the edge of the playing surface .	https://codelibrary.amlegal.com/codes/peoriaaz/latest/peoria_az/0-0-42551	measured from the edge of the sport court, not the hoop/associated equipment

City/Town	State	Zoning Code reference to sport courts	Source Link	Notes
Center City	MN	...shall be located within 5 feet of the sport court surface	https://codelibrary.amlegal.com/codes/centercity/latest/centercity_mn/0-0-0-4636	measured from the edge of the sport court, not the hoop/associated equipment
West Haven	UT	...at least three feet from the edge of the ...sport court	https://codelibrary.amlegal.com/codes/westhavenut/latest/westhavenut/0-0-0-7626	measured from the edge of the sport court, not the hoop/associated equipment
Minnetonka	MN	set back a minimum of 15 feet from side and rear property lines as measured to the water line of the ... edge of the sport court	https://codelibrary.amlegal.com/codes/minnetonka/latest/minnetonka_mn/0-0-0-21256	measured from the edge of the sport court, not the hoop/associated equipment

Lilly and Ross Moeding
3330 Huntington Avenue
St Louis Park, MN 55416

City of St. Louis Park Council
5005 Minnetonka Blvd.
St. Louis Park, MN 55416

Re: Response to Ramos' 2nd appeal of zoning decision

Dear Council Members,

I will try to keep this short, as I believe far too much of the zoning board, city council & my family's time has been wasted on this baseless claim.

The Ramos' continue to assert that we have a "sport court". As previously stated, we do not have a sport court; we have a driveway basketball hoop just like thousands of families in St. Louis Park. We built our garage and paved our driveway and only after added a basketball hoop as a present for our young boys. In no way did we set out to build a "sport court." You can see photos of our driveway, basketball hoop & boys following this letter.

The Ramos' also assert that basketball involves activity behind the hoop. We're not sure what they mean by this. No one in our family, or in a typical basketball game plays basketball from behind the hoop.

- A.) It's not possible.
- B.) There's no reason to do so.
- C.) The game of basketball does not allow for play behind the hoop.

The Ramos' are attempting to create a new rule for residents of the City of St. Louis Park simply because the sound of children dribbling a basketball (infrequently and within the permitted hours) is displeasing to them. We have been repeatedly harassed about this issue primarily by Julia. One example of her continued harassment happened on September 6th. During this incident our children (ages 8 & 11) were playing basketball on our property for roughly 5-10 minutes after school when Julia began blatantly recording them with her iPhone. As you can imagine, this made my 11-year-old extremely uncomfortable. When my husband approached Julia to ask her if she was recording our children and ask that she stop Julia screamed loudly, and in front of our children, "I will record whomever the f I want whenever the I want." She proceeded to call our children psychopaths and spiraled into an unhinged rant about unrelated topics including the death of her dog. We have a portion of Julia's rant on video and the ice cream truck driver as a witness of her shouting, swearing and name calling our minor children. On another occasion the Ramos' blasted explicit rap music at our children while they were playing in our driveway. It is very unsettling to our family that something as simple as two little boys dribbling a ball for 10-15 minutes within permitted hours makes our neighbor so irate & irrational.

These continued appeals are only dragging out this process and we hope to close this chapter as soon as possible.

Our children have the right to enjoy our property within the parameters of what the City of St. Louis Park allows. As in the Zoning Board Appeal, many of our neighbors would vouch that we are valued members of the community. We love our home, this neighborhood & St. Louis Park and have enjoyed living here for the last 11 years. It's important to us that our children are respectful of neighbors and their community. Our family is not doing anything worthy of the attacks we are receiving from the Ramos'.

We are asking the City Council to put this issue to rest with a firm and final ruling. We are ready to move the hoop to the location agreed upon with the zoning board and put up a net to prevent any stray balls from entering the Ramos' property.

We ask for your partnership to help put this issue to rest for once and for all. We are ready to move on and assume the city is too.

Sincerely,
Lilly & Ross Moeding

Photos of our driveway & hoop. As you can clearly see, this is not a sport court. We didn't know we would eventually put up a hoop when we paved our driveway.



Additional photo of our driveway and hoop.



3a Appeal of zoning code determination.

Appellant: Fred and Julia Ramos
3320 Huntington Ave S.

Case Number: 24-16-AP

Recommended actions: Motion to adopt a resolution upholding staff's determination that the basketball hoop structure located at 3330 Huntington Ave S meets the required minimum setback from the side lot line.

Appeal: Fred and Julia Ramos (Appellants), who reside at 3320 Huntington Ave S, are appealing staff's decision to approve the proposed location of a sports court at 3330 Huntington Ave S. The appellants state in their appeal that the proposed location would continue a hazard and a nuisance that the court's current location poses, and the approval of the proposed location just a few feet from its current location is contrary to both the letter and the purpose of the St. Louis Park zoning code.

Staff Determination: City code section 36-162(d)(1)h states that a sport court is required to meet the same setback as is required for the principal building. The property is zoned R-2 single-family residence, which requires a five foot minimum side yard for the principal building. Therefore, the sport court is required to be at least five feet from the side lot line.

The sport court at 3330 Huntington Ave S consists of a basketball hoop installed in the grass on the edge of a driveway surface. Staff measured from the side lot line to the part of the basketball hoop structure closest to the side lot line and determined that it meets the five foot minimum required setback and approved the proposed location.

Right to Appeal: Section 36-30 of the City Code details the right and process for appealing staff interpretations of City Code. The ordinance states that an appeal may be made of any written order, requirement, permit, decision, refusal, or determination made by the Zoning Administrator interpreting or applying this chapter. This section of the City Code is attached to the report for your review. In summary, the steps for appealing are as follows:

1. File a notice of appeal within 20 days of the written order, requirement, permit, decision, refusal, or determination.
2. The Board of Zoning Appeals (BOZA) is to conduct a public hearing within 45 days of receipt of the notice.
3. Notice of the hearing is to be mailed to the applicant.
4. Any interested party may appear at the hearing.
5. The BOZA decision shall be by Resolution, adopted by the majority of all members present and voting on the appeal.
6. In making the decision, the BOZA is to consider the questions raised in light of the general purpose of the Zoning Chapter of the City Code and the Comprehensive Plan.
7. A copy of the Resolution is to be mailed to the applicant.
8. The BOZA decision may be appealed to the City Council.

Background: The basketball hoop structure was installed in 2023 by Ross and Lily Moeding, owners of the property at 3330 Huntington Ave S. The appellants moved into their current home in January of 2024.

May 30, 2024 city staff responded to a question from Fred Ramos regarding required setbacks for basketball hoops.

June 13, 20, and 24, 2024 zoning administrator, Gary Morrison reached out to Ross and Lily Moeding to inform them of the setback requirements for the basketball hoop structure, and to set up a time to verify the setback of the structure.

July 2, 2024 zoning administrator, Gary Morrison met with Ross and Lily Moeding at the Moeding residence to discuss the required setbacks. A measurement was taken and determined that the existing location does not meet the five foot required setback.

A second measurement was taken from the side lot line to the proposed location where the basketball hoop structure would be relocated to. This measured five feet, ten inches to the closest part of the structure. I informed the Moedings that this proposed location meets the minimum required setback of five feet. The measurement was taken from the side lot line to a handle on the backside of the structure that is used to adjust the height of the hoop. This handle is the closest part of the structure to the side lot line.

July 5, 2024, zoning administrator, Gary Morrison informed the appellant that the proposed location meets the minimum setback requirements. They were also informed of their right to appeal this determination.

July 22, 2024, Fred and Julia Ramos filed an appeal to the city.

Staff response to appeal: The applicant submitted a letter of appeal on July 24, 2024 (attached). Below is a response to six points (A – F) raised in the appeal.

- A. The zoning administrator is misreading the Code by deciding that only the "basketball hoop structure" needs to be set back five (5) feet from the side property line. Instead, the Code states that the entire "sport court" needs to be set back from the property line.

The term "sport court" is not defined in the city code. When a term used in the zoning ordinance is not defined, then section 36-3 of the zoning ordinance states that the city shall use the meaning found in the Webster's Unabridged dictionary. If it is not defined there, then the common meaning shall be used.

City code section 36-3: Whenever a word or term which is defined in this chapter appears in the text of this chapter, its meaning shall be that stated in the chapter definition. Words or terms which are not defined in this chapter shall have the meaning found in the most recent edition of Webster's Unabridged Dictionary. Words not defined in that dictionary shall have their ordinary, usual meaning at the time the word or term is being applied to a zoning question or situation. General words are construed to be restricted in their meaning by preceding particular words.

The terms “sportcourt” or sport court” are not defined in the most recent edition of Webster’s Unabridged dictionary. (Merriam-Webster Unabridged dictionary). This was verified by using their on-line dictionary. Therefore, a common term is used.

There are many commonly used definitions for sport court. Law Insider identifies a sport court as being “...an outdoor asphalt court (not including parking lots) designed for athletic purposes (i.e. basketball court, tennis court, etc.) surrounded by fencing or on a standalone pad.” (www.lawinsider.com/dictionary/sports-court).

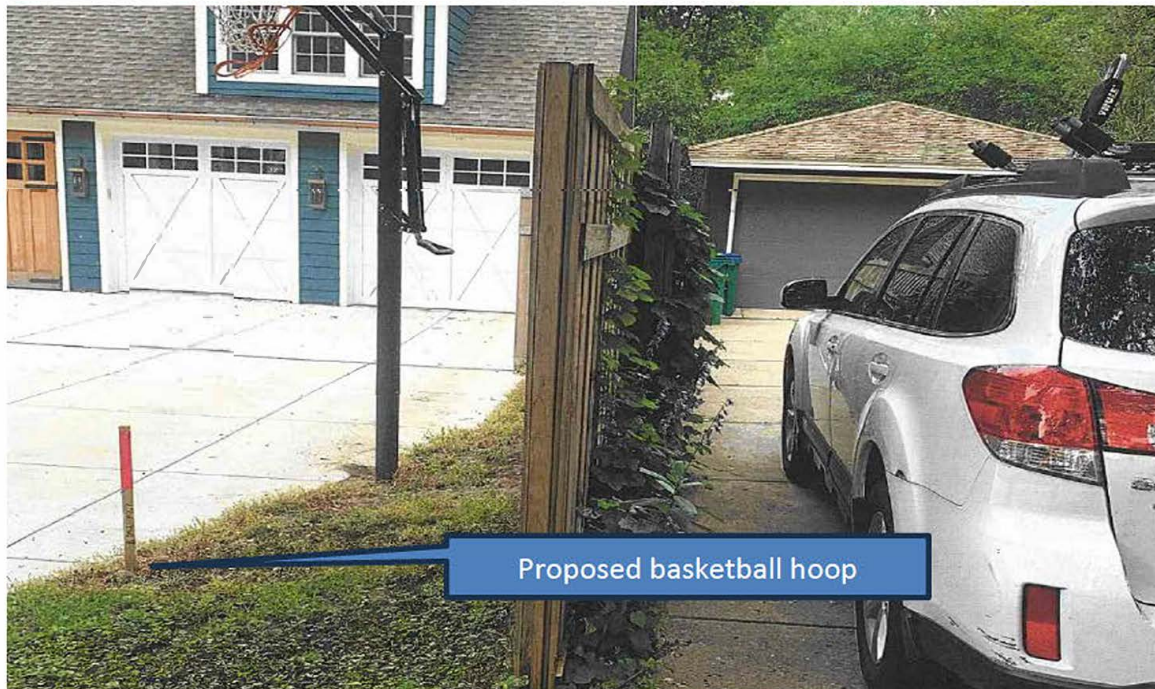
SportcourtMinnesota (www.sportcourtmn.com/residential/basketball-courts) illustrates a sport court as being the hard surface on-which a sporting activity occurs. The pictures below are taken from their website. As shown in many of the pictures there is a physical barrier directly behind the basketball hoop precluding an extension of the sport court behind the basketball hoop.



Given the common definitions associated with a sport court as being the improved hard surface, staff does not agree with the appellant that the sport court extends beyond the basketball hoop. Nor does staff agree that dimensions required for a regulation basketball court should be applied to a private residential sport court, or a basketball hoop installed as part of a driveway. Certainly, if someone building a sport court on their property wished to pave the additional space behind the basketball court to be used as suggested by the appellant, they certainly could, but it does not appear to be required by the sport court industry, and it is not required by the city’s zoning ordinance. The city attorney notes on page two of his letter to the appellants that the additional setback distance desired by the appellant is not found within the text of the city code.

The sport court in question is complicated by the fact that it consists of a basketball hoop installed on the edge of an existing driveway. The primary purpose of the hard surface is a driveway not a sport court. Driveways do not have a setback requirement, and are therefore, allowed to go up to the property line. The driveway in question varies in distance to the side lot line from approximately 7.5 feet to 4.0 feet. The proposed basketball hoop location as shown in the appellant’s photograph, is adjacent to a portion of the driveway that angles from the 7.5

feet to the 4.0 foot distance from the side lot line. See photo below taken from the appellant's appeal.



In this case where the sport court is overlaid on the driveway, staff noted that the handle on the back of the structure meets the minimum required five foot setback at the proposed location. Staff also notes that the Moedings intend to orientate the backboard in the proposed location so that it will be parallel to the side lot line. As a result, the sport court boundary would also be parallel to the side lot line as it would matches the orientation of the backboard. As a result, the boundary of the sport court is not the same as the driveway surface, but instead lines up with the backboard projecting both directions parallel to the side lot line. See illustration below.



- B. In approving the proposed relocation of the sports court just a few feet over, the zoning administrator is applying the Code contrary to the Code's stated purposes of protecting the neighborhoods, public health and safety and reasonable use and enjoyment of property.

The appellant identifies the following two purpose sections of the zoning ordinance:

Section 36-162(a) restrictions and performance standards. This section identifies the purpose of the restrictions and performance standards of specific activities allowed in the residential zoning districts, including sport courts. The full text of the purpose statement is as follows:

Purpose. The city council finds that in areas set aside by this chapter for residential development certain performance standards are desirable in order to preserve neighborhood character, public health and safety, property values, and allow all residents a reasonable use and enjoyment of property. To this purpose, the city council finds that the use and possession of commercial and recreational vehicles are an important factor in the lives of a substantial number of residents of the city. The council finds that certain types and sizes of commercial and recreational vehicles, the improper storage of commercial and recreational vehicles, and the parking of and storage of excessive numbers of vehicles can affect the neighborhood character as well as public health and safety, property values, and the reasonable use and enjoyment of neighboring properties. While the ability of recreational vehicle owners to provide for the security of and access to their vehicles is a reasonable expectation, they have a responsibility to respect the rights of residents, owners, and users of neighboring properties and to avoid interference with the purposes of the zoning district in which they are located. The city council further finds that the establishment of these regulations furthers the goals in the city's comprehensive plan relative to enhancement of residential neighborhoods and similar goals expressed in Vision St. Louis Park. The city council establishes these regulations as a means to balance the interests of the owners of commercial and recreational vehicles, adjacent residents and the public.

Section 36-164(a) this section identifies the purpose and effect of the regulations adopted in the R-2 single-family residence zoning district. The full text of the purpose statement is as follows:

Purpose and effect. The purpose of the R-2 single-family residence district is to provide appropriately located areas for single-family living at reasonable population densities consistent with sound standards of public health; ensure adequate light, air, privacy, and open space for each dwelling unit; protect residents from the impacts of high levels of traffic and minimize traffic congestion; avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to surrounding land use; provide institutional and community, service such as parks, schools, religious facilities, and community centers supportive of a residential area while safeguarding the residential character; and protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare, and other objectionable influences.

These purpose statements identify the purpose of the zoning regulations adopted by the city council, which includes the five foot setback required for sport courts. By adopting these

regulations, including this setback, the council has concluded that the setback meets the purpose statements above.

While the purpose statements are used to determine if a variance meets the intent of the zoning ordinance, or if a condition of a conditional use permit is met, it is not intended to be used on a daily basis by staff to determine if a specific required setback should be applied as called for in the zoning ordinance. The zoning ordinance states that a sport court is allowed in the side yard and that it can be as close as five feet to the side property line. If it meets these two requirements, then it is allowed. The zoning ordinance does not give staff discretion to require a larger setback.

C. The sports court next door is analogous to a rec facility as contemplated by the Zoning Code

The appellant refers to city code section 36-163(c)(5) reads as follows:

(5) Parks/recreation. The conditions are as follows:

- a. The principal structure shall be located at least 50 feet from a lot in an R district.
- b. Areas designated for group activities shall be located a minimum of 25 feet from a lot in an R district.
- c. Swimming pools shall be located at least 50 feet from any lot line and at least 12 feet from any other structure on the same lot.
- d. A drainage system approved by the city engineer shall be installed.
- e. Facilities which serve a community wide or regional function shall be located with primary vehicular access on a collector or arterial street.

This provision refers to park and recreation facilities that are operating as a principal use on the property, meaning they are the primary use of the property, other uses are accessory to the primary use. As a principal use a recreation facility would typically generate higher levels of traffic and noise than an accessory use to a single-family home would because the principal use is generally open to the public, or are owned privately but generate similar crowds. In contrast, the principal use of 3330 Huntington Ave S is a single-family home, and the basketball court is an accessory use. City code section 36-164(e)(3) states that swimming pools and tennis courts are allowed as an accessory use as permitted in section 36-73. This reference acknowledges that recreation facilities that are accessory to single-family homes do not generate the noise and traffic a principal use recreation facility would, and therefore, is allowed a smaller setback. (Note: the reference, 36-73, is a broken link as the code it is referring to was relocated to 36-162(d)(1)h, which was noted above as requiring the five foot setback for sport courts.)

Therefore, the conditions listed above for park/recreation uses are not applicable and are not to be used to justify greater setbacks for play equipment at a single-family home because the code allows a smaller setback for sport courts and play equipment that are accessory uses to single-family homes.

- D. While the Code does not provide the exact measure for what the court baseline and or perimeter needs to be, since it does not break down each court by sport, it is possible to determine what such allowance should be without being arbitrary.

The sport court is an improved area where people can participate in an activity such as basketball. There is not an expectation that the sport court must meet official league regulation dimensions on and around the court. When using a sport court, it is understandable that persons will have to alter their play and sport rules to accommodate the smaller court size of the sport the sport court is designed to mimic. This is illustrated above with the pictures of various sport courts constructed by a Minnesota sport court installation company.

- E. Allowing the zoning decision to approve the proposed relocation of the in-concrete basketball pole to the narrow spot in between our houses is a dangerous precedent to set in St. Louis Park.

Permits are not required to install basketball hoops or other recreational equipment. Therefore, staff is unaware of how many basketball hoops or other recreational improvements are located on driveways between houses. However, staff believes it is a common activity for children and adults to use their driveways in a recreational manner. It is also understood that while doing so the activity may generate noise and equipment leaving the boundaries of the driveway.

- F. The approval of this relocation of the current basketball pole is not only contrary to the letter and purpose of the St. Louis Park zoning code, but also guarantees that we will be subject to a private nuisance.

The appellant states Minnesota Statute, Chapter 561, Section 561.01, a nuisance is a condition that interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to person of ordinary sensitivities attempting to use and enjoy it.

Staff believes that it is reasonable for children and adults to use their driveway for recreational purposes, including bouncing and passing a basketball. As a result, staff does not consider the use of this sport court as generating an "unreasonable" discomfort or annoyance as it does not generate any more noise or trespass than other recreational activities that can happen on any other residential property within the city.

City code section 12-124(e) addresses noise nuisance for gatherings by prohibiting noisy parties or gatherings between 11pm and 7am Sunday through Thursday, and between midnight and 7am Friday and Saturday.

Staff Recommendation: Staff recommends adopting the attached Resolution upholding staff's determination that the sport court meets the required five foot side yard at 3330 Huntington Ave S.

Supporting documents: Draft resolution, city code section 36-30 (interpretation; procedures), written appeal, response from owners of 3330 Huntington Ave S, Letter from city attorney dated July 11, 2024.

Prepared by: Gary Morrison, zoning administrator

Reviewed by: Soren Mattick, city attorney

**A RESOLUTION OF THE ST. LOUIS PARK
BOARD OF ZONING APPEALS DENYING
APPEAL OF FRED AND JULIA RAMOS**

WHEREAS, on July 2, 2024, Gary Morrison, zoning administrator, measured the proposed location of the basketball hoop, and determined that the hoop will be located approximately five feet, 10 inches from the side lot line. Morrison determined that this proposed location exceeds the five foot minimum yard requirement, and therefore meets the minimum code requirements; and

WHEREAS, city code section 36-30 allows a staff determination to be appealed if the appeal is submitted within 20 days of the staff determination. The 20 day appeal period expires on July 22, 2024. Fred Ramos hand delivered the appeal to the city on July 22, 2024, therefore, the appeal was timely received; and

WHEREAS, the appeal came on for public hearing before the Board of Zoning Appeals on August 21, 2024.

BE IT RESOLVED BY the Board of Zoning Appeals of St. Louis Park, Minnesota:

FINDINGS

1. In 2023, Ross and Lily Moeding installed a basketball hoop at the edge of their driveway in their side yard.
2. On or about May 30, 2024 Fred Ramos inquired about the basketball hoop and whether or not it meets city code.
3. On July 2, 2024, city zoning administrator, Gary Morrison, met with Ross and Lily Moeding at 3330 Huntington Ave S to measure the setback of the basketball hoop as it existed at that time and determined that it did not meet the minimum five foot side yard setback required. He also measured the proposed location identified by a stake placed by Ross Moeding, and determined that the proposed location would place the closest part of the basketball hoop structure, which would be the adjustment handle located on the backside of the pole, would be approximately five feet, ten inches from the side lot line, and would therefore, meet the minimum code requirement of five feet.
4. Fred Ramos appealed the zoning administrator's determination that the proposed location of the basketball hoop meets the setback requirements.
5. Fred and Julia Ramos live at 3320 Huntington Ave S.
6. Ross and Lily Moeding live at 3330 Huntington Ave S.

7. The Board of Zoning Appeals (BOZA) conducted a hearing on the Appeal on August 21, 2024.

8. City code section 36-162(d)(1)h requires sport courts and play structures to meet the same side yard as is required for the principal structure. 3330 Huntington Ave S is zoned R-2 single-family residence, which requires a five foot minimum side yard. Therefore, a five foot side yard is required for sport courts and play structures at this address.

DECISION

NOW, THEREFORE, BE IT RESOLVED that the appeal of Fred and Julia Ramos is denied. The administrative decision that the required setback for sport courts and play structures is measured to the structure is affirmed.

Adopted by the Board of Zoning Appeals: August 21, 2024

Mia Divecha, Chairperson

ATTEST:

Gary Morrison, Zoning Administrator

ATTACHMENT – REFERENCED SECTIONS OF CITY CODE

Sec. 36-30. Interpretation; procedures.

(a) Right of appeal. At any time within 20 days after a written order, requirement, permit, decision, refusal, or determination by the zoning administrator has been made interpreting or applying this chapter, except for actions taken in connection with prosecutions for violation hereof, the applicant or any other person, officer, or department representative of the city affected by it may appeal the decision to the board of zoning appeals by filing a notice of appeal with the community development department addressed to the board of zoning appeals stating the action appealed from and stating the specific grounds upon which the appeal is made.

(b) Setting a public hearing. The city shall set a public hearing for the appeal by the board of zoning appeals to be held not less than ten days nor more than 45 days after it receives a notice of appeal. Notice of the hearing of the appeal before the board of zoning appeals shall be given by mail to all applicants. A notice of hearing shall be published in the official newspaper of the city at least ten days before the hearing date if the appeal involves the determination of boundary lines of a use district. Any interested party may appear at the public hearing in person or by agent or attorney. The decision of the board of zoning appeals shall be by resolution. A copy of the resolution of the board of zoning appeals shall be mailed to the applicant by the city clerk.

(c) Board of zoning appeals to decide. The board of zoning appeals shall determine by resolution all appeals from any written order, requirement, permit, decision, refusal, or determination of the zoning administrator; and from any interpretation of the text of this chapter, the location of the boundary of a use district as shown on the zoning map. The resolution shall be adopted by a majority vote of all members present and voting on the issues presented by the appeal. In making the decision, members of the board shall consider the questions raised in light of the general purpose of this chapter and the comprehensive plan.

(d) Appeal to city council. Any person aggrieved by a decision of the board of zoning appeals may appeal the decision in a manner provided in section 36-34.

(e) Fee for appeal (interpretation). A required fee established by resolution adopted by the city council shall be charged for all requests for appeal or interpretation of this chapter.

Fred and Julia Ramos
3320 Huntington Avenue
St Louis Park, MN 55416
[REDACTED]

City of St. Louis Park
Board of Zoning Appeals
5005 Minnetonka Blvd.
St. Louis Park, MN 55416

Re: Appeal of zoning decision

July 21, 2024

Please consider this our appeal of a recent zoning decision by St. Louis Park's Zoning Administrator. Specifically, we are appealing the zoning administrator's decision to approve the new proposed location of a sports court of our neighbor at 3330 Huntington Avenue that would continue the hazard and a nuisance that this court's current location poses. This approval of a new proposed location just a few feet from its current location is contrary to both the letter and the purpose of St. Louis Park Zoning Code.

Background

We purchased our home at 3320 Huntington Avenue on January 17, 2024 and moved in approximately a week later. We bought our home from a realtor, who bought the house from the original owner in May 2023 and undertook significant renovations of the home: The realtor did not live in the house during the remodel. We do not know when our neighbor's sport court was constructed. As it sits adjacent to their driveway and the permit for that driveway was closed on June 14, 2023, we are assuming that the court was built in the spring of 2023, when nobody resided in what is now our house..

Our lot is 50 feet wide by 260 feet long. Our driveway is very long and narrow, one car-width wide and is separated from our neighbor's parallel driveway by a small patch of a land near the front of the yard, which then disappears under their concrete towards the garage, so the two driveways are essentially merged. There is a fence which starts approximately in the middle of our house and goes to the garage in the rear. We have a side door on this side of the house, which we use as our main door. Even the official entrance to our house is off of that side of the house and requires walking through our driveway. We typically park our car near our side entrance to load and unload and pull all the way into the garage mostly at night. All of the windows of the rooms that we occupy during the day, such as our offices, our kitchen, one bedroom and our back porches, face our driveway.

Having a regulation size basketball court so near our property line, only a few feet from our driveway, in the narrowest and most used part of it because of our side door, and between our

actual houses, is a major problem. In addition, the hoop is not positioned perpendicular to our house but, instead, is positioned so that the balls fly in the direction of our house - entryway, walls, windows, and driveway. Our side door, side door stairs and landing are immediately behind the hoop itself. We've experienced incidents of balls landing on our car windshield. In another incident a ball landed right in front of us as we were walking in our driveway about to show our friends our new back yard.

The neighbors' children and their friends have run through our driveway to retrieve balls that have gone over the fence without permission and at unexpected times. This is not just incredibly intrusive and constitutes trespassing, but dangerous, as we could be backing out our car, or there could be construction debris, power tools, and uneven ground.

This sport court is used numerous times a day, every day. We have counted as many as ten times in a day that it was used, half hour or longer each time, with multiple players heaving multiple balls at the same time. They do not stop playing whether or not a car is moving in our driveway, cars are parked in close proximity to the hoop, or people are walking in the narrow driveway.

We have yet to host any friends or family at our new house without being interrupted by basketball noise and commotion. Even inside, as our kitchen faces the basketball hoop, meals at our kitchen table are subject to this nuisance. Our work in our offices is compromised, as we both work from home. Important Zoom meetings have been embarrassingly interrupted by basketball noise during the workday. We have been woken up in the morning numerous times by the basketball thumping. Basically, all our activities, work and leisure in our house are subject to being interrupted and intruded upon at any time outside of our control due to the unreasonable proximity of this basketball court.

Such frequency and length of use of sport equipment, as well as causing so much commotion and noise is absolutely not the community standard in our neighborhood, which is extremely quiet. There is no through traffic here 3 streets deep, no noises other than an occasional lawn mower. Our house backs to the Bass Lake preserve, so what we hear mostly is the sound of birds in the marsh. There are a few other basketball hoops on wheels on our street in the front of the owner's own driveways, so that the players are on the street and balls fly at their own houses. Those houses do not have adjacent neighbor driveways. Those hoops are used only once in a while if ever, for 5-10 minutes, if that, by one person. There are no basketball hoops in between houses anywhere that we have seen, let alone sport courts where regulation sized basketball poles are set in concrete.

Our neighbors have a yard more than twice as wide as ours. In addition, they own a second lot behind the one where the house is located. They could easily add a sport court in many locations on their property where it would not be a nuisance to their neighbors, including in their rear lot alongside their wooden ramp that they have installed there for mountain biking.

We attempted to talk with our neighbors about their positioning of the sport court and, without going to every detail, the conversation was not successful and only exacerbated our stress and anxiety over this situation. Instead of anything productive or mutually accommodating, we have been the recipients of not only increased basketball noise, but of several texts alleging all kinds

of nonsense and demands. In one text, they demanded that we pay them half for the fence that is between our driveways. This fence was built a year before we bought the house. In another text, they alleged that Gary Morrison confirmed that the post holding our gate is on their property and asked us to remove it. Gary told us he said no such thing to them and the post is not only on our property, but also is decades old. All of this caused us to explore our options through the City of St. Louis Park.

We started investigating the city zoning code and communicating with the zoning department. On May 31, 2024, Katelyn Champoux confirmed to us that upon consultation with Gary Morrison, the situation in our side yard is indeed a sport court. On June 3, 2024, we notified the City by email that our neighbors had constructed and were using a sport court that was in violation of the required setbacks. We followed up several times with the city and learned that Gary had attempted to discuss the matter with the neighbors but was unsuccessful in contacting them.

On June 24, 2024, the City sent a letter to the neighbors. The letter informed them that city code section 36-162(d)(l)(h) requires a sport court to be placed at least five feet from the side lot line. It also requested that the owners locate and expose their property corner irons so the hoop structure can be measured and verified. The neighbors responded by placing a wooden stake with a pink flag marked "hoop" just a few feet from the location of the current pole, on the same side of their driveway, presumably still pointing at our house. It is even more between houses, even closer to our side door and even less protected by the fence. It appears that instead of using this opportunity to relocate the sport court to a neutral and reasonable location, like everyone else in this neighborhood and which they have so many, our neighbor wants to continue to have this be a point of hazard and nuisance.

On June 5th Gary told us by phone that while he determined that the sport court's current location is indeed not in compliance with the City Code, but, to our shock, that he approved the proposed relocation of the sport court to where the neighbor has the wooden stake. On July 11th the St. Louis Park City Attorney confirmed in writing that the Zoning Administrator determined that our neighbor's existing location is not in compliance and must be changed, but that the new proposed location complies with the applicable setback of five feet.

Discussion

- A. The zoning administrator is misreading the Code by deciding that only the "basketball hoop structure" needs to be set back five (5) feet from the side property line. Instead, the Code states that the entire "sport court" needs to be set back from the property line.**

Summary

The June 24th letter from the City itself states that "City code section 36-162(d)(l)(h) requires sport courts to be placed at least five feet from the side lot line." The letter does not say that sport court hoops need to be placed at least five feet from the property line. The code itself does not state that sport court hoops need to be at least 5 feet from the property line. The code clearly

and unequivocally states "sport courts." Sport courts in their entirety, as intended for their purpose. Not just specific structures that constitute a part of sport courts.

We are asking the Zoning Board of Appeals to apply the setback to the whole sport court as the Code states and the City letter of June 24th reiterates. That would be the whole space necessary to the practice and use of that equipment for that particular sport, and not narrowly to a specific piece of equipment that was erected.

Detail

In this particular case, the sport court in question is a basketball sport court and, as such, needs to include a baseline area for typical basketball activities, including missed shots, layups and turnovers out of bounds. You do not need to be a basketball expert to know that basketball activities take place behind the hoop on the court whenever the game is played or shots practiced. Therefore, the basketball hoop pole needs to be set back significantly farther than 5 feet from the side property line to accommodate the baseline area or a perimeter to accommodate those basketball activities and such additional necessary court area.

Article IV., Division 4., § 36-162 (d) of the St. Louis Park Zoning Code distinguishes between accessory structures, buildings, detached garages and specifically separates out sport courts by setting different setbacks requirements for all of these items. Sport courts are in a separate subsection, to specifically distinguish them from structures that do not involve vigorous activity, such as a shed. Notwithstanding the name of this paragraph, the subparagraphs within them establish separate requirements for buildings (paragraphs c, d, and e), garages (paragraph f), structures and open structures (paragraphs a and b), and distinguish them from swimming pools, saunas, whirlpools, sport courts, and swing sets (paragraph h).

Paragraph (h) within this section provides:

Swimming pools, whirlpools, saunas, sport courts, and swing set/climbing structures are permitted in the backyard and side yards only and shall meet the following requirements:

1. They are a minimum offive feet from the rear lot line.
2. They meet the same side yards as required for the principal building.
3. A six-foot privacy fence shall be required to screen the portion ofthe swimming pool, whirlpool, or sport court located within 25 feet ofthe rear lot line.

While other tall structures require a 3 foot setback, the category in Paragraph (h) requires 5 feet, the same as the principal building, Therefore the code distinguishes the use and the purpose of the improvements listed in Paragraph (h).

The code does not provide a definition of sport court. A reasonable interpretation is that a sport court includes the actual and entire court. A pole and a hoop embedded in concrete is not the entire court. It is the not beginning or an end of a basketball sport court, just as the post for a tennis, volleyball, badminton, or pickleball net is not the beginning or end of those sport courts. If the current decision by the zoning administrator is allowed to stand, then people could set up

tennis nets 5 feet from and parallel to their side property boundary and lob balls into their neighbors' yard, house, or driveway. This is essentially what is happening to us right now.

The code does not enumerate the setback requirements for each type of sport court. This would result in a cumbersome and unwieldy code that exhaustively lists and establishes setbacks for all types of sport courts. Accordingly, it is reasonable and within the Board's authority to apply the standard dimensions of a particular sport, when requested, in establishing the setback requirements for that sport court. For a basketball court, it would need to accommodate five feet from the hoop to the baseline and six feet from the baseline to the edge of the court.

The code does not state where a hoop needs to be placed within a sport court. One might say this allows someone to put a hoop anywhere within the sport court so long as the hoop is five feet from the side yard property line. If that were the case, however, the code could have said "fixed structures" within a sport court just as it specifically said, "swing set/climbing structure." Rather, the code simply said, "sport court," which requires the reasonable, and far more safe application, of factoring in the boundaries or perimeter of a particular sport. As mentioned, it is customary in basketball for activities to happen under and past the hoop, which why this sport court requires a distance from the hoop to the baseline and from the baseline to the edge.

B. In approving the proposed relocation of the sports court just a few feet over, the zoning administrator is applying the Code contrary to the Code's stated purposes of protecting the neighborhoods, public health and safety and reasonable use and enjoyment of property.

Summary

Overturning the zoning administrator decision to approve the new location of the sports court to stay in the narrow side yard between actual houses, with part of the court activity being on an active neighboring driveway, also aligns with and fulfills the purpose of the zoning code.

Detail

We also ask that the Board of Zoning Appeals review our situation with consideration to the purpose of the Zoning Code, as stated in the Code itself. Section 36-162 provides as follows:

(a) Purpose. The city council finds that in areas set aside by this chapter for residential development certain performance standards are desirable in order to preserve neighborhood character, public health and safety, property values, and allow all residents a reasonable use and enjoyment of property.

The Code reiterates the purpose of its regulations for R-2 single family zoning districts in Section 36-164:

(a) Purpose and effect. The purpose of the R-2 single-family residence district is to provide appropriately located areas for single-family living ... consistent with sound standards of public health; ensure adequate ... privacy ... for each dwelling unit; while safeguarding the residential character; and protect residential properties from noise ... unsightliness, odors ... vibration ... and other objectionable influences.

Neighborhood character. We can't speak for all of St. Louis Park, but the character of our neighborhood within Minikahda Oaks is primarily peace and quiet. Specifically, no one in our neighborhood has a basketball hoop between the houses, or facing any neighbor house, so that balls are thrown in the direction of the neighbor's house, only a few feet from their persons, cars and windows. Having a basketball court that is used multiple times a day, so close to their neighbor, and positioned so that balls are thrown in the direction of the neighbor's house destroys the calm and peaceful nature of our neighborhood's character.

Public health and safety. The position of the proposed basketball court endangers public health - balls being thrown in the direction of neighbor's house and yard risks personal injury, creates significant stress and anxiety, and completely disrupts peace and tranquility.

Property values. The proposed position of the sport court will lower our property value, and thereby property values in the neighborhood. Anyone who is aware of a permanent busy and noisy sports court in such a tight spot between houses would devalue the property. Noisy neighbors devalue property values by as much as 10% according to the American Association of Appraisers.

Reasonable use and enjoyment of property. The sports court in its current and proposed locations interferes with our reasonable use of our property by interrupting and interfering with all of our activities multiple times every day. The hoop is so close to our house that the thumping and crashing can be heard from everywhere inside our house whether the windows are open or closed.

C. The sports court next door is analogous to a rec facility as contemplated by the Zoning Code

The intention of the drafters of the St. Louis Park Zoning Code to protect occupants of residential properties from vigorous sports activities of others is further evident in its protection of R-2 single family communities from other land uses, such as parks and recreation. Section 36-163 (5) provides that a principal structure for parks and rec be "located at least 50 feet from a lot in an R district." Presumably, this "principal structure" includes the whole court, including the fencing around it, with nets or basketball hoops inside the courts, at a distance from the edges of those courts particular to each sport.

There are several important reasons for these longer setbacks. Parks and rec areas often generate noise and activity. Longer setbacks help reduce noise levels and vibrations from reaching neighboring properties. The longer setback provides a buffer that helps maintain privacy of adjacent properties and creates a more pleasant environment for both park users and neighbors. A third reason is that longer setbacks provide a safety buffer between active recreation areas like playgrounds and sports courts and private properties, reducing the risk of accidents or conflicts between park users and residents.

While we are not suggesting that the 50 foot setback be applied to us, we think the reasoning of the Code applies in our situation. The amount of time our neighbors use their court, as well as

the number of family members and visitors engaged in this activity, is much more akin to a public rec area than the typical use of a basketball hoop in our neighborhood.

D. While the Code does not provide the exact measure for what the court baseline and or perimeter needs to be, since it does not break down each court by sport, it is possible to determine what such allowance should be without being arbitrary.

Just like height of the hoop has an established standard, so do the location of the hoop pole on the court and the baselines. Whether high school, university or professional courts, or half courts in back yards, all basketball poles are supposed to be set approximately 5 feet from the hoop to the baseline and 6.5 feet from the baseline to the edge. We include an image for illustration as an exhibit. This would suggest approximately 11 feet from the hoop pole for the perimeter around it required to play and therefore for the court.

This perimeter is consistent with that of the insurance industry, which requires a minimum perimeter of 3 feet around the pole, but strongly recommends 10 feet. Similarly, this is consistent with what is reasonably required to throw a ball. Typically, a basketball that misses can reasonably travel 3 to 10 feet past the hoop, depending on the speed and angle of the shot. Children and those learning basketball would be reasonably expected to be in the higher end of that range. Accordingly, a 10 foot setback would be appropriate. This is what the city of Lakeland, MN established, for example.

The St. Louis Code provides additional guidance for larger setbacks when improvements are located on a lot with more than one street frontage and determines that 9 feet is the appropriate measure to satisfy those requirements. The second paragraph of (d) (1) (a) provides

Accessory structures ... in the case of a lot with more than one street frontage, [shall be located] nine feet from all other lot lines abutting a street.

Applying this rationale to our situation, our neighbor's sport court abuts our driveway. Our driveway is, for all intents and purposes, the equivalent of a street. We drive our vehicles on it. Like a street, our driveway is designed to accommodate vehicular traffic. Similar to a road, we park our cars on the driveway. Both the street and our driveway accommodate pedestrian traffic. We walk on our driveway multiple times a day. The purpose of (d)(1)(a) is to protect public safety, keeping cars and pedestrians safe. This same purpose is achieved by treating our driveway as a street and applying a longer setback.

All this guidance provides the Board of Zoning Appeals with solid basis on which to establish a perimeter or a baseline that should be required under the Code to measure from the hoop pole in a basketball court to the edge of the sports court. This is particularly important to establish in our case, where this side yard is very narrow, is in between actual houses, not lawn, and abuts an active driveway, analogously to a street abutment. This basis dictates that there should be 10 feet, with an absolute minimum of 3 feet from the hoop structure to what would be considered the edge of the court. Consequently, the five foot setbacks from the property line should be measured from this perimeter or baseline and not from the structure of the hoop pole.

- E. Allowing the zoning decision to approve the proposed relocation of the in-concrete basketball pole to the narrow spot in between our houses is a dangerous precedent to set in St. Louis Park.**

We have not seen any hoops in between houses here, let alone concrete sport courts. This is not a good precedent to set in any community.

- F. The approval of this relocation of the current basketball pole is not only contrary to the letter and purpose of the St. Louis Park zoning code, but also guarantees that we will be subject to a private nuisance.**

According to Minnesota Statute, Chapter 561, Section 561.01, a nuisance is a condition that interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to person of ordinary sensibilities attempting to use and enjoy it. Factors considered are the character of the neighborhood, the location of the land, social expectations, the extent to which others are engaging in similar conduct in the area, the magnitude, extent, degree, frequency or duration of the interference, and the capacity of the party to bear the burden of ceasing the usage. We are not in control of the location of the sports court or the frequency of its use, we are at the mercy of our neighbors.

Conclusion

Moving this sports court to a location just a few feet from where it is currently, is, frankly, absurd. If something causing this much strife, wouldn't a reasonable person relocate it to a spot where they, their children, and their visitors can enjoy whatever activity they choose to pursue without risking being asked to stop? This would mean a location that would not impact their neighbors. They happen to own not just one, but two lots to enable them to find multiple spots do just that. Why would anyone go through the expense of digging out a regulation size basketball court from tons of concrete, just to relocate it to another dangerous and provocative location a few feet away? The only answer we can come up with is that this is not being done with reason, but out of vindictiveness and intention to provide as much nuisance and irritation as possible to someone who dared to ask them to please be considerate. The City should not be approving such petty and unproductive behavior.

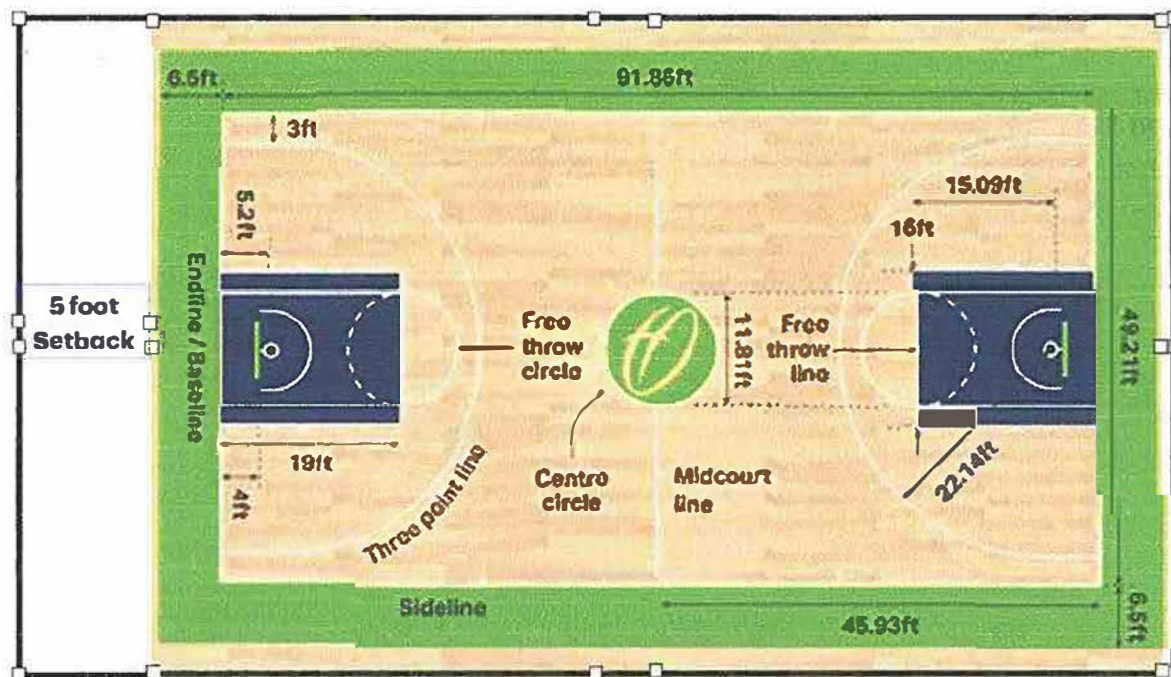
If the neighbor is permitted to create a basketball sport court without any baseline area in between our houses with our very narrow city lot, the City will be permitting a use by the neighbor that will inevitably result in trespasses on our property, danger and hazard to us, our visitors, our property, as well as to the trespassers, and a nuisance which frustrates our ability to peacefully use our property. All of this would be contrary to the purpose of the zoning code and the mission of the Board of Zoning Appeals.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred and Julia Ramos". The signature is written in a cursive style with a large, stylized initial "R" at the end.

Fred and Julia Ramos
3320 Huntington Avenue
St Louis Park, MN 55416



Hoop placement - 16.5 feet from property line

- 5 foot setback
- 6.5 foot baseline
- 5.2 feet - distance of hoop from the baseline
- 16.5 feet - Total distance of hoop to property line**

**Lakeland MN municipal code
§ 159.089 TENNIS COURTS OR SPORT COURTS.**

In all districts, the following standards shall apply:
 (D) Tennis courts or sport courts shall not be located closer than 10 feet to any side or rear lot line. Tennis courts or sport courts shall not be located in any front yard.

Property Map HENNEPIN COUNTY MINNESOTA

Search by Address or PID search help

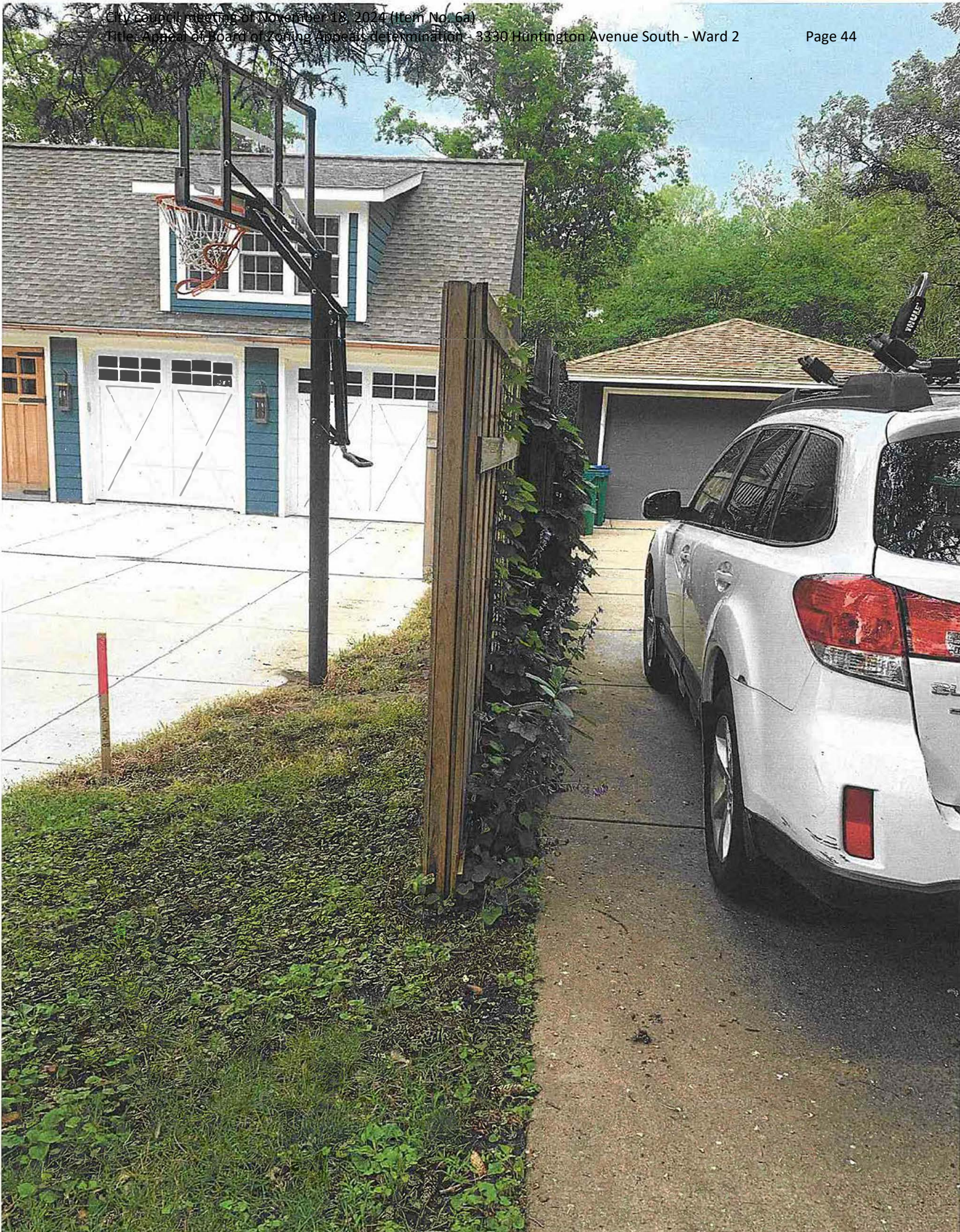
3320 Huntington Avenue South, Saint Louis F

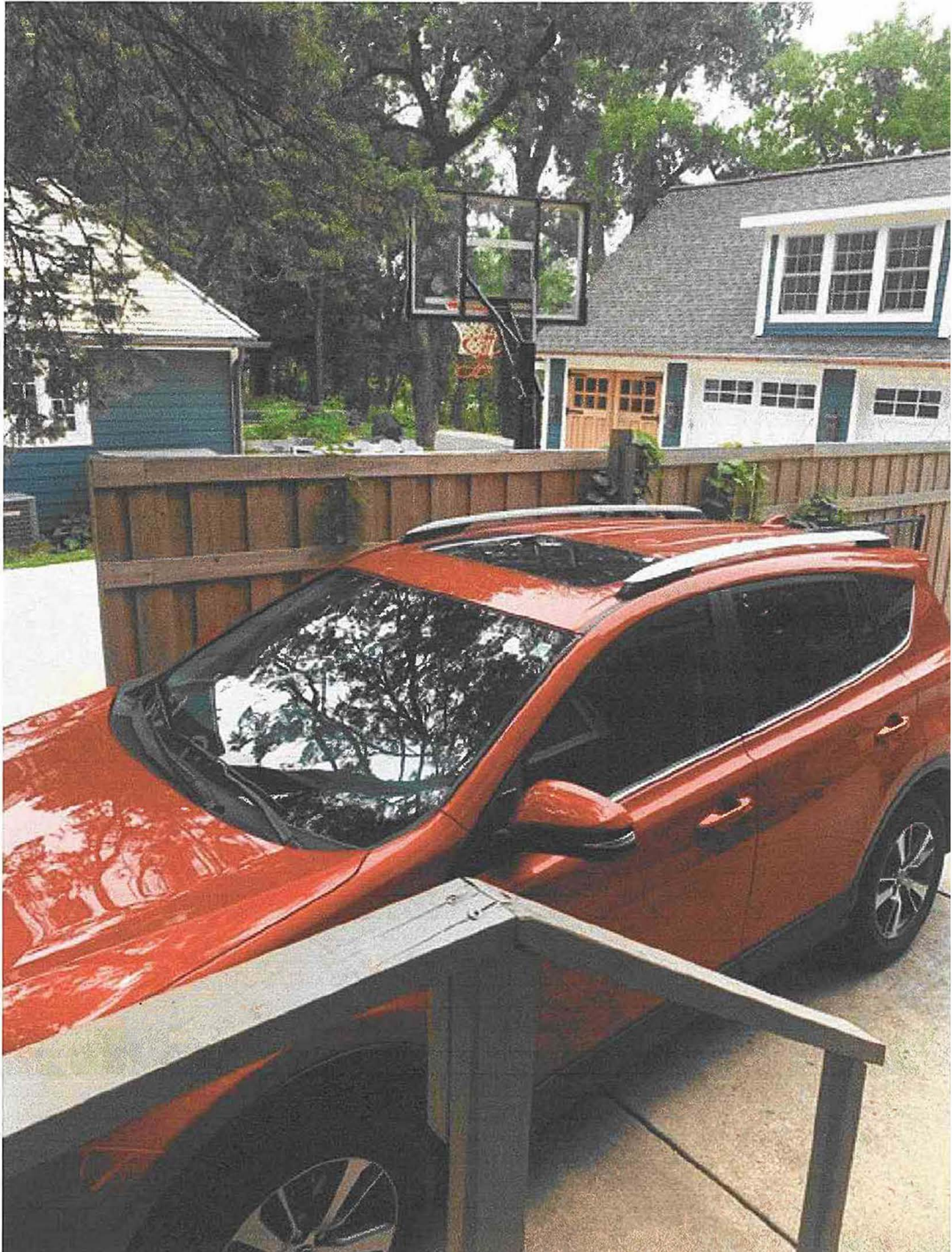
Results **Property Links**

Owner/Taxpayer	
Owner	Julia Yael Ramos Trust
Taxpayer	JULIA Yael RAMOS TRUST 3320 HUNTINGTON AVE S ST. LOUIS PARK MN 55416

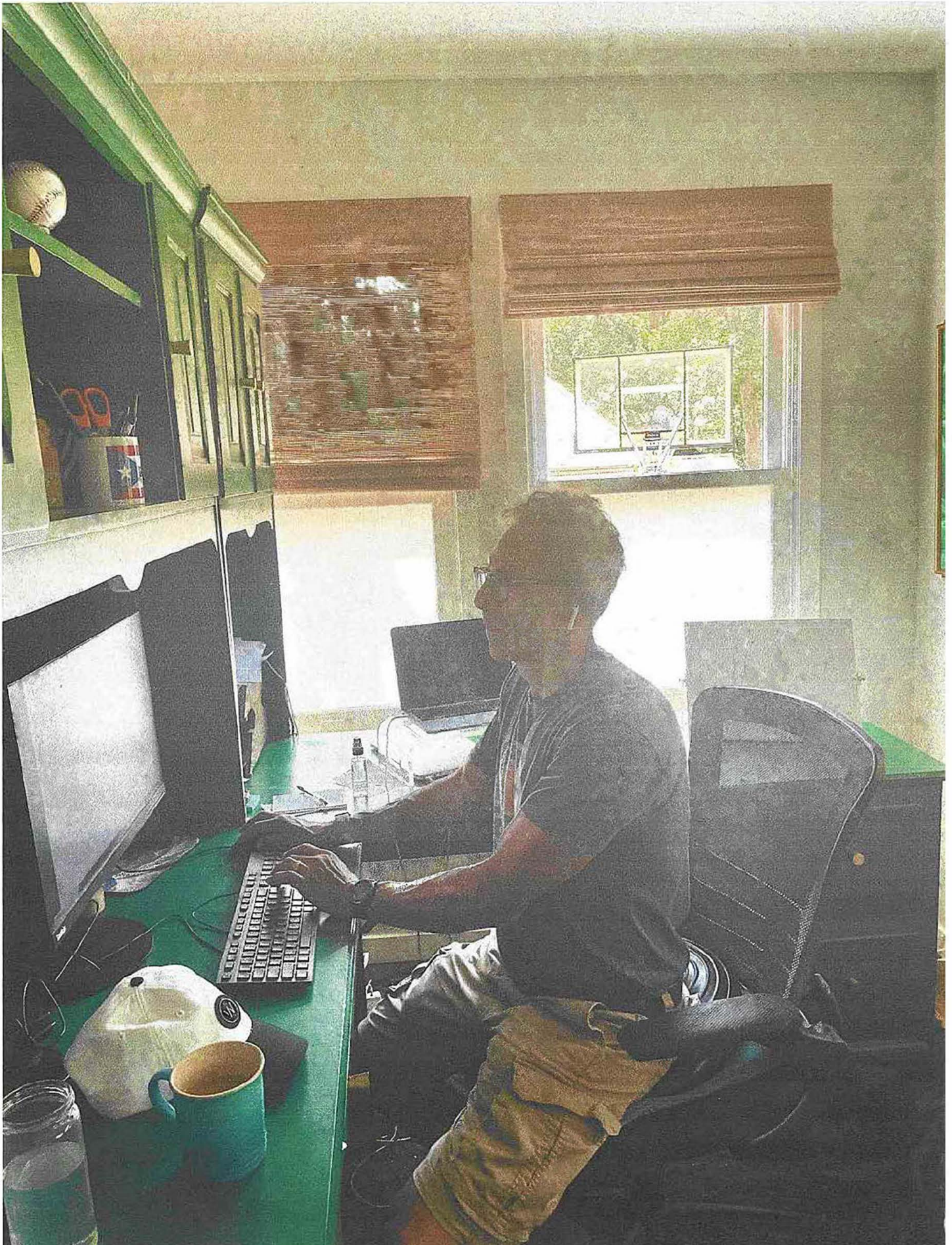
Tax Parcel	
Parcel Area	0.3 acres 13,003 sq ft
Torrens/Abstract	Abstract
Addition	Minikahda Oaks
Lot	007

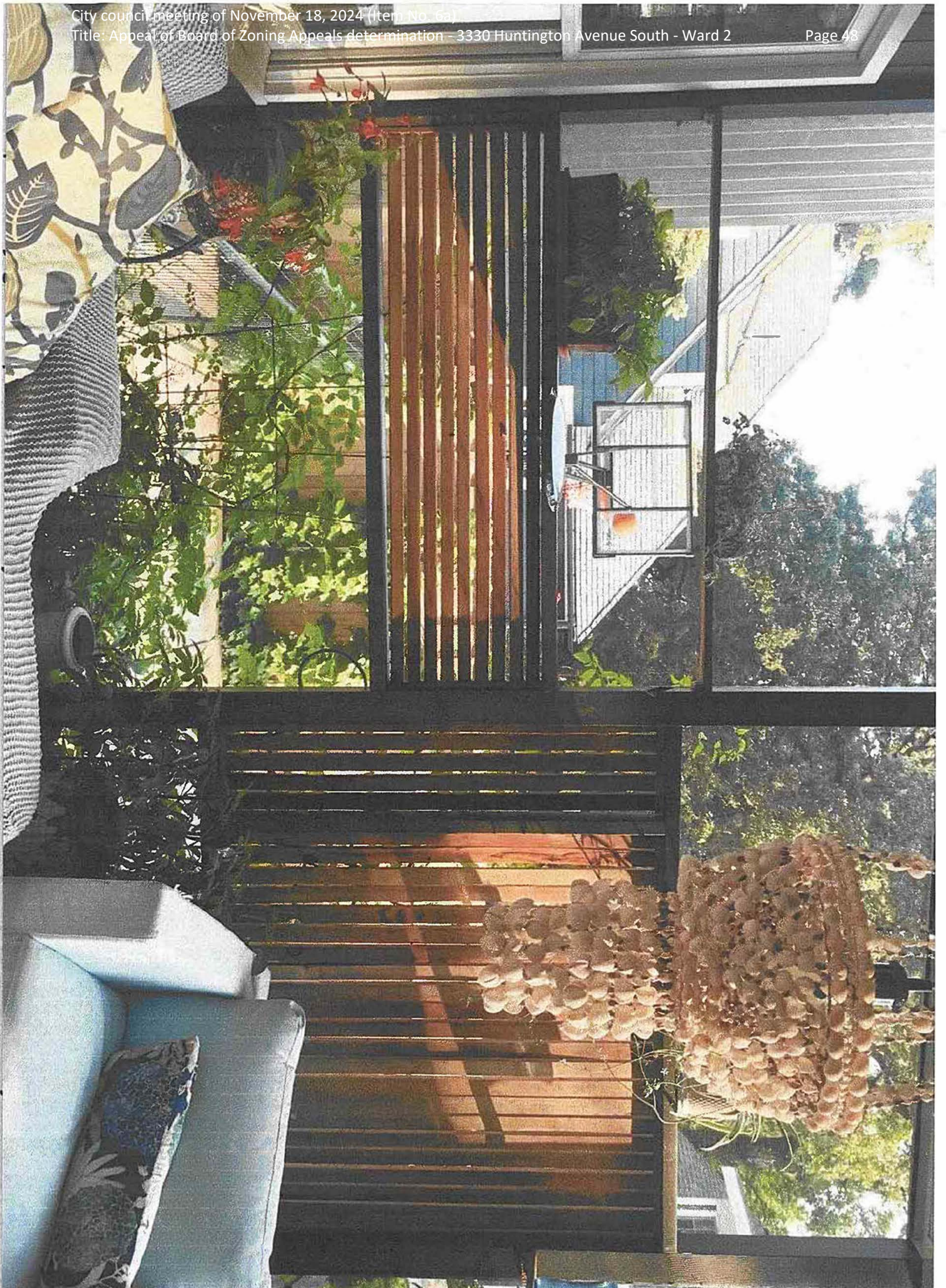












Lilly and Ross Moeding
3330 Huntington Avenue
St Louis Park, MN 55416
612.581.9403 (Lilly) & 612.695.6386 (Ross)

City of St. Louis Park
Board of Zoning Appeals
5005 Minnetonka Blvd.
St. Louis Park, MN 55416

Re: Response to Ramos' appeal of zoning decision

August 12, 2024

Please consider this our response to Fred & Julia Ramos' appeal of a recent zoning decision by St. Louis Park's Zoning Administrator. I will start by saying that we are extremely disheartened and disappointed in reading their appeal as it is filled with exaggerations, and some outright lies to sway the city to rule in their favor. We are longtime residents (11 years) of St. Louis Park and Minikahda Oaks and have never once had an issue with a neighbor until now. We absolutely love our neighborhood and our home and consider many of our neighbors genuine friends. We have invested heavily in our property and it's truly our "forever home" where we'll raise our two boys (ages 8 & 11).

As Fred & Julia mentioned, they moved into their home in January of 2024. We had been friendly but had little interaction with them until this spring when they texted us requesting a meeting to discuss "property line issues". Upon meeting them they went through a laundry list of grievances about our property and our children. They introduced themselves as lawyers to intimidate us, asked us to relocate our basketball hoop, complained that our garage was "encroaching their views," and implied that the fence between our properties (that we installed the year prior at a cost of \$4K) should be transferred in ownership to them for \$1. Our properties back up to Bass Lake Nature Preserve and given the large amount of rain this spring a tree had fallen from our portion of the swamp into their portion of the swamp. Upon seeing this they requested we immediately remove the tree as it was also "encroaching their views". At the point of their complaints the tree had been down for about 12 hours and was sitting in waist deep swamp water. Ross had full intentions of cutting up and disposing of the tree once the ground was solid, but they were frustrated that it wasn't being immediately dealt with. As you can imagine, this encounter left a very bad taste in our mouth about our new neighbors. It has only gone downhill from there despite Ross trying to smooth things out with Fred on a few occasions.

As the city of St. Louis Park knows, Fred & Julia went so far as you reach out in attempt to have us tear down our garage. They implied that our garage did not meet City of St. Louis Park codes after complaining to us that it was "encroaching on their views." It's important to note that the garage and the basketball hoop were both existing structures on our property prior to the Ramos' buying the house next door. Can you imagine buying a home and immediately going on a crusade to have your new neighbor's garage and basketball hoop torn down? It is shocking and not how we've known neighbors in St. Louis Park to treat each other.

Hopefully this background information paints a picture of their character and their entitlement.

Moving on to their accusations about our "sport court." For starters, we don't have a sport court, we have a driveway basketball hoop just like thousands of families in St. Louis Park. We started with a cheap hoop on wheels positioned in the street like others in our neighborhood, but once we saw how much our boys loved to play basketball, we decided to invest in a quality hoop. They are 11 and 8 years old and we are happy that they've found a sport they love. It keeps them active and off screens – any parent's dream. The hoop was a combined birthday present for them, and we enjoy

watching them practice or playing a family game of PIG or HORSE. We also prefer that they play in our driveway rather than playing in the city street for safety reasons. We don't understand why the Ramos' continue to assert that we have a sport court. While we have a fair amount of play space for the hoop, this is due to having a paved driveway and 3-car garage. We built our garage and paved our driveway and only after added a basketball hoop. In no way did we set out to build a "sport court." You can see photos of our driveway and basketball hoop following this letter.

Fred and Julia mentioned in their appeal that the boys play basketball 10 times per day for 30 minutes to an hour each time. That is a blatant lie. For starters, Ross and I both work full time and the children are not present during the workday. They attend summer camps that range from 8am-4pm or 9am-3pm. During the school year they are at school from 9am-4pm. There was one rare occasion this summer where the boys were home during the work week due to the 4th of July holiday week. On that occasion my parents were watching the boys and I was working from home. The boys began shooting hoops around noon on July 2nd. Fred Ramos came outside immediately and told them to stop playing. My boys are respectful, and they immediately stopped, but he has no right to tell my children that they can't play in their own yard. Upon texting Fred to ask him to share his concerns with us vs. intimidating our children he told us that he was doing our children a courtesy by asking them to stop playing instead of calling the police on them for being a nuisance. I don't know what kind of human calls the cops on children playing in their own yards. I will add that I, like Fred work from home. My home office is on the main level of our home on the same side of the house as the basketball hoop. While I can hear the ball bouncing in the rare instance the children are at home during a workday (again, this is extremely rare, limited to the 4th of July week and few random Fridays where summer camps were 4 days instead of 5 days), it does not impede my ability to work from home. I would liken the noise to hearing my neighbor mowing their lawn, using a weed whip or snow blowing. These are all normal neighborhood noises that last for a relatively short period of time. Anyone who lives in an urban neighborhood expects some level of noise. As someone who routinely works from home I also know that both Zoom and Teams completely filter any background noise from calls. I've had the vacuum cleaner going right outside my office door and while it sounds loud to me, no one on the call can hear anything. Back to the frequency of play with our hoop.....we are a very busy and active family as most families with young children are. The boys are in Park Valley Rec soccer with practices multiple nights each week and tournaments on the weekends. Both boys are also in multiple basketball programs outside of the home (Carondelet, Midwest 3x3, Minneapolis Lakers, and MN Hustle). Most of our days are spend at camps, school, or extracurricular activities. At most, the boys play basketball in our driveway for 15-25 minutes at a time once per day within the permitted hours and there are many days where we are simply too busy with other activities or out of town. To say we play 10x daily is an outright lie to try to paint an inaccurate picture of our situation. The Ramos' also imply that we are hosting basketball games at our home or having multiple children routinely playing. At most, 3 children have played at one time (our boys + 1 friend). These aren't 3x3 or 5x5 games, just little boys shooting hoops in their driveway. Anyone who knows boys this age, knows that they have short attention spans, after 15-25 minutes of playing they are off to the next thing. I will also note that the boys never play before 8am on weekdays (9am on weekends) and never play after 9pm. Our 8-year-old goes to bed at 8pm and our 11-year-old goes to bed at 9pm. We are not a party home, in fact everyone in the house is typically asleep well before 10pm every night.

I also want to address another claim from Fred & Julia. They mention in their appeal that the ball has hit their car windshield multiple times. I have never once witnessed this and don't believe it to be true. We believe they are exaggerating the truth to have a better chance at getting what they want. Another reason we are confident this hasn't happened is because they have erected cameras on their property to record our children playing. If they had footage of any ball hitting their car I'm certain that would be the first thing they would submit to the city as part of their appeal. That said, the ball absolutely does on occasion bounce into their property. When discussing this with the Ramos', I apologized and offered to put a net behind the hoop to prevent any balls from entering their property. I understand that is frustrating and we don't want that any more than they do. When I offered this, Julia angrily countered that a net that height would not be allowed and was not a solution. She was very rude when I was simply trying to offer solutions. We believe the only solution in Julia's mind is taking away the hoop completely. After speaking to Gary at the City of St.

Louis Park we understand that a net of 15 ft. high would be allowed as long as it's see through. We are more than happy to erect a net once we align on the placement of the hoop to ensure no balls ever enter the Ramos' property. We are also willing to tell our children that the Ramos' will not allow them to retrieve a stray ball should one bounce into their property. We understand they are accusing our children of trespassing for needing to retrieve an occasional stray ball that has bounced into their property. Again, this is not the community standard we are accustomed and certainly not the type of people I want to live next door to, but if we need to forfeit a few balls per year to avoid having our children be accused of trespassing, we can do that. A net should completely resolve this and we're willing to invest in one should the city council agree.

In the Ramos' appeal they also mention that we own two lots and could place the hoop on our second lot. This is not feasible as the second lot is behind our home is in a flood plain and is essentially unusable swamp land that backs into Bass Lake Nature Preserve. Please see photos of said lot following this letter. Even if that was feasible it would likely cost +\$50K to get machinery down the hill to pour a concrete slab and erect a basketball hoop in the marshland. The only placement for the hoop is in our driveway like other families in St. Louis Park. We understand the current placement of the hoop does not comply with St. Louis Park code (it is 6 inches closer to the property line than it should be) and we apologize for our oversight. As Gary at the city is aware, we have determined a new location that complies with the city standard for distance from the lot line. We have already purchased a \$200 replacement pole to correct the placement. We are ready to move the hoop despite it being a significant effort in time and cost (it's currently in concrete and will require us to saw off the old pole, dig a new hole and pour new concrete) to the new location once approved.

To clarify, in case this comes up as potential solution, we are not able to move the hoop to the front of our garage given we have over \$1,400 invested in the current hoop, pole & now replacement pole. The front of the garage is solid concrete so there's nowhere to put the pole. The pole would also block entry into the garage stalls. Lastly, there are also glass windows across all garage doors, 3 glass lights and a copper gutter that would risk damage.

Regarding the Ramos' "main door" located on the side of the house near the hoop, that door was not on their home when we installed our hoop. The previous owner who fixed up and flipped the home prior to the Ramos' purchasing the property added that door. It is not our fault that a door that did not exist when we installed our hoop was added later causing concerns for the Ramos'.

The Ramos' mention in their appeal that they are not being petty. We beg to differ. On one evening in July when my 8-year-old was playing after dinner, they began to blast explicit rap music (Eminem) at a very loud level in response to my son dribbling the ball. My son continued to play but came into the house 10 minutes later. The Ramos' immediately turned off their music when he stopped playing. Shortly after my 11-year-old decided he wanted to play and went outside. Upon the ball bouncing in the driveway they immediately returned to blasting the explicit rap music to prove their point that they were annoyed. We never texted or called them about this and they only did it once, so I can only hope they realized that their behavior was childish and extremely inappropriate. I'm sure they will be embarrassed that we mentioned this to the City Council. I know I would be.

Lastly, my mother is a practicing realtor and shared this excerpt from her recent continuing education class about real estate complaints related to basketball hoops. I think it fits perfectly in this situation....

"Complete and emotional tranquility is seldom attainable when living in an urban environment. A reasonable person must expect to suffer and submit to some inconveniences and annoyances from the reasonable use of property by neighbors, particularly in the sometimes-close living of suburban residential neighborhoods. Every annoyance or disturbance of a landowner from the use made of property by the neighbor does not constitute a nuisance. The question is not whether the plaintiffs have been annoyed or disturbed....but whether there has been an injury to their

legal rights. People who live in organized communities must of necessity suffer some inconvenience and annoyance from their neighbors and must submit to annoyances consequent upon the reasonable use of property by others.”

We believe our boys shooting hoops in our driveway is a reasonable use of our property. We understand that it annoys Fred & Julia and that is unfortunate, however their annoyance does not create an injury to their legal rights. I would encourage the Ramos’ to think more critically about their next home purchase. I believe they would be much happier in an environment with no neighbors or a 55+ development, where no children would annoy them.

What we truly want is a return to the happy home life we had before they moved next door. We don’t want to be enemies with our neighbors. It’s not fun and we’ve already wasted so much of our limited time & energy with these baseless claims. We hope they realize they are at fault and stop harassing us about our fence, our garage, a fallen tree, our children and our basketball hoop. It’s making our lives miserable and we imagine it’s making their lives miserable as well.

Thank you for hearing our side of the story. We apologize we are unable to attend in person. We are taking our boys to NYC for the first time as our summer trip this year and could not change our flights to make the hearing date work. We would have preferred to attend in person to address any claims or answer any questions. We strongly considered reducing our trip by a day and incurring a \$300 penalty per ticket to change our flights, but ultimately decided that it was not worth cutting a 4-day vacation to 3-days and paying \$1200 in flight changes to state our case. We have already lost enough dealing with these matters. We will be in NYC making memories with our kids and hope this letter suffices. We welcome anyone from the city council to stop by our house at any time and see things for themselves.

Respectfully,
Lilly & Ross Moeding
3330 Huntington Ave.

Please see the following pages for additional photos & context:

Photos of our driveway & hoop. As you can clearly see, this is not a sport court. We didn't even know that we would eventually put up a hoop when we paved our driveway and built our garage.



Additional photo of our driveway and hoop.



Photo #1 of our second lot where the Ramos' propose we install a hoop. The lot is greatly sloped & floods every year. It has been filled with standing water all summer. Even if we wanted to install a hoop here it would likely require +\$50K to pour a court and we'd risk the structure being ruined by flooding. We also have no desire to have a sport court. We are happy with our driveway hoop.



Photo #2 of our second lot where the Ramos' propose we install a hoop.





CAMPBELL KNUTSON

PROFESSIONAL ASSOCIATION

July 11, 2024

VIA EMAIL & US MAIL

Elliott B. Knetsch
 Andrea McDowell Poehler
 Soren M. Mattick
 David S. Kendall
 Jared D. Shepherd
 Henry A. Schaeffer, III
 Alina Schwartz
 James J. Mongé, III
 Jerome M. Porter
 Leah C.M. Koch
 Meagan K. Kelley
 Benjamin J. Colburn
 Cara A. McDonald
 Jack S. Brooksbank
 Cole A. Birkeland
 Amy K.L. Schmidt

Joel J. Jamnik*
 *Of Counsel

Thomas J. Campbell*
 Roger N. Knutson*
 *Retired

Julia Ramos and Fred Ramos
 3320 Huntington Ave.
 St. Louis Park, MN 55416

RE: 3330 Huntington Basketball Hoop

Dear Julia and Fred Ramos:

This office represents the City of St. Louis Park ("City"), and I am writing to you regarding the dispute with your neighbors at 3330 Huntington Ave. regarding a basketball hoop. This letter is provided to you to summarize the information provided to you, and your options to appeal to the Board of Zoning Appeals.

You have reported that a basketball hoop on the neighboring property is too close to the lot line, in violation of applicable setbacks. The basketball hoop is located in the side yard of the neighboring property. Sp01t courts and similar recreational structures, such as swing sets or climbing structures, are allowed in residential side yards. Under City Code § 36-162(d)(l)(h), such structures must meet the same side yard setbacks as required of the principal building. Under City Code § 36-164(±)(5), the setback for this property is five (5) feet.

On June 24, 2024, the City sent a letter to the property owners of 3330 Huntington Ave. informing them of the setback requirement and requesting that they locate the property corner irons to verify whether the basketball hoop complied as installed. A copy of this letter was provided to you via email.

On July 2, 2024, the City Zoning Administrator met with the property owners at 3330 Huntington Ave. At that meeting, the Zoning Administrator measured the setback distance and found that the basketball hoop was approximately four (4) feet from the property line. The Zoning Administrator determined that this was in violation of the applicable setback. The 3330 Huntington Ave owners had also placed a stake farther from the property line, indicating a possible new location for the basketball hoop. As that location was more than five (5) feet from the property line, the Zoning Administrator determined that this location complied with the applicable setback. The Zoning Administrator informed the 3330 Huntington Ave. property owners that they had until July 8 to relocate the structure to the proposed location. You were informed of this determination by email.

Grand Oak Office Center I
 860 Blue Gentian Road
 Suite 290
 Eagan, Minnesota 55121
 Main: 651-452-5000
 Fax: 651-234-6237
 www.ck-law.com

Page 2

July 11, 2024

Julia Ramos and Fred Ramos

Under City Code § 36-60(a), you may appeal any "written order, requirement, permit, decision, refusal, or determination by the zoning administrator" made "interpreting or applying this [zoning] chapter." Such appeals must be initiated within 20 days after the determination was made. The appeal is initiated by filing a notice of appeal with the community development department addressed to the Board of Zoning Appeals. The notice must state the action appealed from and the "specific grounds upon which the appeal is made." The appeal further requires the \$325.00 appeal fee. You were informed of this appeal right by email. I have attached a copy of City Code § 36-30 here for your convenience.

On July 5, 2024, you stated by email to the City that you "have no choice but to pursue the appeal of the zoning decision to relocate." When an appeal is initiated or imminent, the City pauses enforcement of the action until the appeal has resolved. This prevents wasted time, money, and energy if the outcome of the decision changes during the course of the appeal. Given your clear statement that you would be pursuing an appeal, the City notified your neighbors that the basketball hoop need not be relocated until after any potential appeal has been resolved. This is to prevent potentially having to relocate the basketball hoop more than once.

From a review of your communications, it appears the specific item you wish to appeal is the determination that your neighbors' new proposed location for the basketball hoop complies with the applicable setback. The Zoning Administrator made this determination on July 2, 2024. Accordingly, the time to appeal the determination will expire on July 22, 2024. A failure to appeal the determination by that date will constitute a waiver of any right to appeal.

Further, you have indicated that your disagreement with the determination stems from interpreting the city code as imposing a larger setback on basketball hoops. You have stated a belief that the setback must include not only the distance to the structure, but also additional distance to allow for possible uses of the basketball hoop. It is your right to file an appeal based on your interpretation, but I note that this additional setback distance is not found within the text of the City Code.

The City is available to discuss this matter further. If you have any questions regarding this letter, feel free to contact me at (651) 234-6217.

Very truly yours,

CAMPBELL KNUTSON
Professional Association



Soren M. Mattick
St. Louis Park City Attorney

enclosures

Article II. Administration and Enforcement

Sec. 36-30. Interpretation; procedures.

§ 36-31

(a) Right of appeal. At any time within 20 days after a written order, requirement, permit, decision, refusal, or determination by the zoning administrator has been made interpreting or applying this chapter, except for actions taken in connection with prosecutions for violation hereof, the applicant or any other person, officer, or department representative of the city affected by it may appeal the decision to the board of zoning appeals by filing a notice of appeal with the community development department addressed to the board of zoning appeals stating the action appealed from and stating the specific grounds upon which the appeal is made.

(b) Setting a public hearing. The city shall set a public hearing for the appeal by the board of zoning appeals to be held not less than ten days nor more than 45 days after it receives a notice of appeal. Notice of the hearing of the appeal before the board of zoning appeals shall be given by mail to all applicants. A notice of hearing shall be published in the official newspaper of the city at least ten days before the hearing date if the appeal involves the determination of boundary lines of a use district. Any interested party may appear at the public hearing in person or by agent or attorney. The decision of the board of zoning appeals shall be by resolution. A copy of the resolution of the board of zoning appeals shall be mailed to the applicant by the city clerk.

(c) Board of zoning appeals to decide. The board of zoning appeals shall determine by resolution all appeals from any written order, requirement, permit, decision, refusal, or determination of the zoning administrator; and from any interpretation of the text of this chapter, the location of the boundary of a use district as shown on the zoning map. The resolution shall be adopted by a majority vote of all members present and voting on the issues presented by the appeal. In making the decision, members of the board shall consider the questions raised in light of the general purpose of this chapter and the comprehensive plan.

(d) Appeal to city council. Any person aggrieved by a decision of the board of zoning appeals may appeal the decision in a manner provided in section 36-34.

(e) Fee for appeal (interpretation). A required fee established by resolution adopted by the city council shall be charged for all requests for appeal or interpretation of this chapter.

(Code 1976, § 14:8-1.0; Ord. No. 2462-15, 2-2-2015)

Sec. 36-31. Registration of land use.

(a) Approval required; exceptions.

- (1) No person or business shall use or occupy any land or building within the city without first obtaining approval of a registration of land use for the proposed use.
- (2) Exceptions:
 - a. When a certificate of occupancy or certificate of property maintenance is issued as required by chapter 6 of this Code.

*Cross reference(s) --Administration, ch. 2.

Executive summary

Title: First reading of cannabis zoning ordinance

Recommended action: Motion to approve the first reading of the cannabis zoning ordinance.

Policy consideration: Does city council support the proposed cannabis zoning ordinance?

Summary: St. Louis Park City Council supported legalizing medical and recreational marijuana at the state-level. The city's regulatory approach to this industry seeks to provide safe, convenient and equitable access for adult use. The regulations intend to protect children and youth and mitigate potential negative impacts for neighbors of these businesses. Council indicated that regulatory approaches to retail sales similar to current on- and off-sale liquor and lower-potency hemp products are appropriate models with some additional controls given this is a new industry for the city.

In 2023, the State of Minnesota passed legislation to legalize the possession, use, manufacturing and sale of certain cannabis products. The law establishes the Office of Cannabis Management (OCM) to oversee the regulation of commercial production and sale of cannabis and related products. Municipalities have the authority to enact regulations related to zoning, local registration, and enforcement of state regulations regarding cannabis sales. OCM will not finalize some regulations until 2025.

Staff recommend the city align on-sale regulations for cannabis edibles with existing on-sale regulations for lower-potency hemp edibles. This would permit on-site consumption of cannabis edibles at food and beverage establishments that are more than 300 feet from a school.

Staff recommends the city permit cannabis retailers, with conditions, in the C-2, MX-1 and MX-2 zoning districts, along with the existing planned unit developments that allow liquor stores. Staff recommends requiring these businesses be at least 1,000 feet from a school, another cannabis retailer and other specified commercial uses. Staff also recommends the city permit with conditions cannabis operations in the I-G zoning district provided they are at least 1,000 feet from a school and other cannabis operations.

Financial or budget considerations: None related to adopting zoning regulations.

Strategic priority consideration: St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.

Supporting documents: Discussion, state license types and descriptions, map of 1,000-foot buffer for cannabis retailers, draft cannabis zoning ordinance

Prepared by: Katelyn Champoux, associate planner

Reviewed by: Sean Walther, planning manager/deputy community development director
Karen Barton, community development director

Approved by: Kim Keller, city manager

Discussion

Background:

In 2023, the State of Minnesota passed legislation to legalize the possession, use, manufacturing and sale of certain cannabis products. The law establishes the Office of Cannabis Management (OCM) to oversee the regulation of commercial production and sale of cannabis and related products. The OCM is working through the formal rulemaking process to implement the regulatory framework for the adult-use cannabis industry established by the legislation. The agency plans to publish a notice of intent to adopt rules later this year or early next year, which will prompt a 30-day formal comment period.

The legislation allows for 13 different types of business licenses listed in the table below. The OCM will also issue endorsements to license holders to engage in specific activities such as producing, manufacturing, and sale of medical cannabis for patients. The following table shows the business activities allowed under each license type.

License type	Business activity				
	Retail	Manu- facturing	Cultivation	Wholesale	Other
Cannabis microbusiness	X	X	X	X	X
Cannabis mezzobusiness*	X	X	X	X	
Cannabis cultivator*			X	X	
Cannabis manufacturer*		X		X	
Cannabis retailer*	X				
Cannabis wholesaler				X	
Cannabis transporter					X
Cannabis testing facility					X
Cannabis event organizer					X
Cannabis delivery service					X
Lower-potency hemp edible retailer	X				
Lower-potency hemp edible manufacturer		X			
Medical cannabis combination business	X	X	X	X	

*License types with a statewide cap on the number of licenses available in the general licensing process. The statewide caps are 100 licenses for mezzobusinesses, 50 licenses for cultivators, 24 licenses for manufacturers and 150 licenses for retailers.

Local government roles and responsibilities – zoning

Municipalities have the authority to enact regulations related to the zoning, local registration, and enforcement of state regulations regarding cannabis sales. Cities may impose reasonable restrictions on the time, place and manner of land use activities. The restrictions typically include:

1. The location (e.g. zoning districts) where the use is allowed.
2. The review and approval process such as administrative (e.g. permitted by right, permitted with conditions) or quasi-judicial (e.g. conditional use permit).
3. Specific standards and conditions that would mitigate potential nuisances and health and safety concerns that may accompany the use.
4. The manner in which such uses may operate, such as limited hours of operation and/or distance separation requirements from other uses.

The legislation allows local governments to enact buffers for cannabis retailers up to 1,000 feet from schools and/or up to 500 feet from residential treatment facilities, athletic facilities, attractions within a public park and childcare facilities.

As part of the state licensing process, the OCM will notify a local government when an applicant intends to operate within their jurisdiction and request certification of zoning compliance. Local governments must complete this certification within 30 days of receiving a copy of an application from OCM. If the OCM does not receive a response within 30 days, the legislation allows the OCM to move forward with issuing the license. It's important to note that the city zoning approval/certification can only be achieved in that timeframe through an administrative process.

Local government roles and responsibilities – retail registration

Cannabis businesses with the appropriate licenses for retail sales must register with the municipality in which the retail establishment is located, unless the local government has delegated registration authority to the county. Local governments are given authority to suspend a retail registration for up to 30 days, but they may not revoke licenses as this is the responsibility of the OCM.

Local governments that register cannabis retailers may also limit the number of cannabis retailers allowed within their jurisdiction, but they must allow for at least one retail location per 12,500 residents. According to the State Demographer population estimates from 2022 and guidance from the OCM, this would equate to a minimum of four retail locations for St. Louis Park.

Previous decisions and discussions

In 2023, the city enacted a moratorium on cannabis-related businesses to protect the planning process as it researches and considers zoning controls for cannabis products and related activities. The moratorium expires at the end of 2024. Following enactment of the moratorium, staff began researching potential cannabis zoning ordinances to identify the appropriate regulations for St. Louis Park. City council and planning commission discussed and provided direction on several policy questions related to on-site consumption, retail sales and other

cannabis business activities. The draft cannabis zoning ordinance described in the following section and attached to this report reflect council direction on these policy questions.

Present considerations:

Land use descriptions for cannabis businesses

Staff propose adding the following land use descriptions to the zoning code to support implementation of zoning regulations for these businesses:

- *Lower potency hemp edible retailer* means a retailer that sells packaged lower potency hemp products to the general public. This land use description would apply to cannabis businesses with a lower-potency hemp retailer license.
- *Cannabis retailer* means a retailer that sells packaged cannabis products to the general public and medical patients. This land use description would apply to cannabis businesses with the following licenses: cannabis retailer, cannabis microbusiness with a retail endorsement, cannabis mezzobusiness with a retail endorsement and medical cannabis combination business. This term excludes cannabis operation.
- *Cannabis operation* means a facility where cannabis is grown, processed, or manufactured into various products such as edibles, concentrates, wax, oils and tinctures. This land use description would apply to cannabis businesses with the following licenses: cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer and cannabis delivery service. This term excludes cannabis retailer.

On-site consumption of lower potency hemp and cannabis edibles and beverages

City council directed staff to regulate the sale of cannabis edibles and beverages for on-site consumption in the same manner as the city currently regulates the sale of lower potency hemp edibles and beverages for on-site consumption. This would allow the sale of cannabis edibles and beverages for on-site consumption at food and beverage establishments located more than 300 feet from a school.

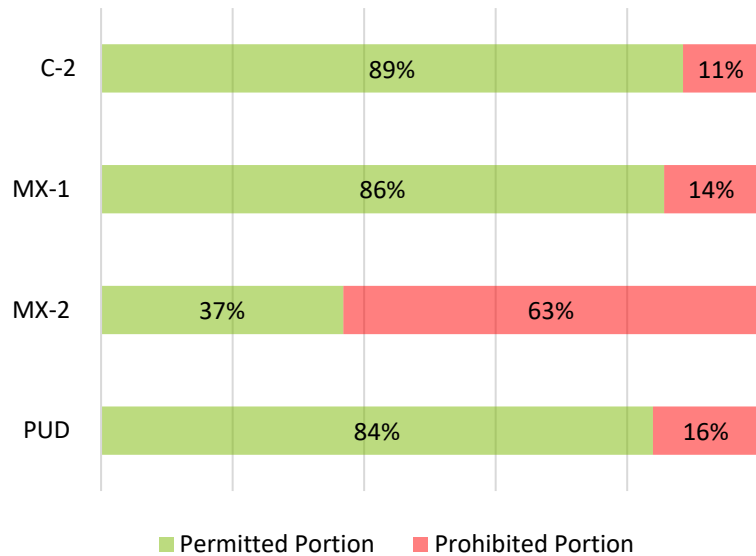
Cannabis retailers

City council supports the staff recommendation to align regulations for cannabis retailers closely with those the city has for liquor stores by allowing cannabis retailers as a use permitted with conditions in the C-2 general commercial, MX-1 vertical mixed use, and MX-2 neighborhood mixed use districts. Staff also suggest allowing cannabis retailers as a use permitted with conditions in existing planned unit developments (PUD) that permit liquor stores. Additional conditions for cannabis retailers include prohibiting in-vehicle sales or service (e.g., drive throughs, curbside pickup), prohibiting on-site consumption of lower potency hemp and cannabis edibles and beverages, and requiring all uses to be completely contained within an enclosed building.

Type of business	Permitted with conditions	Separation requirements
Cannabis retailer	C-2, MX-1, MX-2, PUD 2, PUD 10, PUD 22, PUD 24	1,000 feet from schools 1,000 feet from a pawn shop, currency exchange, payday loan agency, firearm sale or sexually oriented business 1,000 feet from other cannabis retailers

In October 2024, staff reviewed these recommendations at a city council study session during which one council member indicated a desire for smaller buffers between schools and cannabis retailers. Two other council members supported the 1,000-foot buffer from schools, but also indicated an interest in exploring the buffers further. A majority of the city council members supported requiring a 1,000-foot buffer between cannabis retailers and schools and staff drafted the proposed ordinance with that requirement.

Additionally, while developing these recommendations, staff analyzed the potential impact of the proposed separation requirements from schools and other businesses on the available land on which cannabis retailers would be permitted to locate. The analysis evaluated the percentage of land zoned for C-2, MX-1, MX-2 and applicable PUDs where cannabis retailers would be permitted or prohibited under the proposed ordinance. According to the analysis, the recommended



regulations would permit cannabis retailers to locate in approximately 88% of land zoned for C-2 general commercial, 85% of land zoned for MX-1 vertical mixed use, 84% of land within the existing PUDs that permit liquor stores (2, 10, 22, and 24) and 37% of land zoned for MX-2 neighborhood mixed use. *(Note: The percentage of land zoned MX-2 in which cannabis retailers are permitted to locate, after applying the proposed buffers, is lower compared to the other zoning districts given the proximity of these properties to St. Louis Park High School).* Staff find this is sufficient land to allow at least the minimum number of cannabis retailers required by statute to locate within the city.

Cannabis operations

City council supports the staff recommendation to allow cannabis operation as a use permitted with conditions in the I-G general industrial district under the condition that the use locate a minimum of 1,000 feet from schools and 1,000 feet from another cannabis operation. Staff also recommends permitting cannabis retailers as an accessory use to a cannabis operation within the I-G general industrial district provided they meet the same conditions required for cannabis

retailers as a principal use and occupy a maximum of 25% of the gross floor area of a cannabis operation.

Type of business	Permitted with conditions	Separation requirements
Cannabis operation	I-G	1,000 feet from schools 1,000 feet from another cannabis operation

Staff acknowledges that a cannabis operation may generate odors and noise. Staff finds the existing nuisance ordinances, general provisions and performance standards for industrial districts, district- and use-specific provisions and architectural design standards in the city code will help mitigate impacts and provide regulatory tools to address nuisances caused by any of these activities. Existing provisions limit noise, odor, vibration, glare, heat and waste material; limit hours of operation when abutting residential property; require noise-producing portions of a development to locate away from adjacent residential areas; and prohibit interior and exterior bars, grills, mesh or similar obstructions on doors and windows. As mentioned above, the OCM will also complete the formal rulemaking process which will include environmental controls on odor limits, water use, energy use and solid waste disposal.

Racial equity: the racial context of cannabis legalization

Understanding the racial context of cannabis legalization is important to establishing regulations that remedy past injustices and achieve equitable outcomes. For decades, the criminalization of marijuana has disproportionately impacted communities of color and inflicted harm that lasts generations. Marijuana convictions negatively impact a person by making it more difficult to secure and maintain employment, housing and government assistance. According to the American Civil Liberties Union, despite legalization of cannabis in 24 states and similar cannabis usage rates between White people and People of Color, racial disparities in arrests persist to the extent that a Black person is nearly four times more likely than a White person to be arrested for marijuana possession nationwide.

Prospective cannabis business owners already face significant challenges, and the history of racial injustice amplifies these challenges for communities of color. As an example, given that cannabis is still illegal at the federal level, federally insured banks are often reluctant to provide banking services to cannabis businesses. As a result, it is more difficult for cannabis businesses to find funding as they must rely on private investment over loans from banks or credit unions. Additionally, once these businesses are operational, they are often more vulnerable crime targets as predominantly cash-only businesses.

The State of Minnesota has built equity considerations into the adult-use cannabis law that support equitable outcomes at the local level. The legislation establishes a social equity application process to provide early opportunities for communities that experienced a disproportionate, negative impact from cannabis prohibition and cannabis use. Local governments can support this element of the legislation by evaluating whether their proposed regulations will complement or inhibit the state's efforts.

Racial equity: an impact analysis of proposed regulations

In September 2024, staff completed a racial equity impact analysis for local cannabis regulations during which staff identified desired outcomes, evaluated potential unintended consequences of proposed regulations and brainstormed strategies to mitigate these consequences and achieve the desired outcomes. From a zoning perspective, the desired outcomes of cannabis regulations are to 1) limit youth access and exposure to cannabis products and cannabis use, 2) support small and/or locally owned cannabis businesses so that they may locate and thrive in our city, and 3) distribute cannabis businesses throughout the city to mitigate disproportionate negative impacts on communities of color resulting from concentrations of these businesses and promote equitable access to these products by adults age 21+.

Following this discussion, staff reviewed available demographic and crime data to further assess the equity implications of the proposed zoning ordinance. For example, staff used the city's Climate Equity Map to identify areas of the city with larger percentages of residents who identify as people of color and areas of the city with comparatively lower median household incomes. Staff compared this data to the zoning districts proposed to permit cannabis businesses to evaluate whether people of color and/or lower-income residents may bear a larger burden compared to white residents and residents with higher incomes. The spatial analysis did not indicate the proposed zoning ordinance would result in a disproportionate impact on these communities. Additionally, staff finds the proposed buffer between cannabis retailers and schools would help reduce youth access and exposure to cannabis products without prohibiting these businesses from locating in each quadrant of the city. The proposed buffer between cannabis retailers will also mitigate concentrating these businesses in one area of the city.

Notwithstanding the preliminary findings, it is important to note that this is an ongoing conversation that will likely need to continue after council adoption of the cannabis zoning ordinance. Moving forward, staff will continue to evaluate the racial equity implications of the proposed zoning regulations, develop strategies to achieve desired outcomes and identify metrics to monitor the impact of policy implementation so that the city may adjust as needed.

Regulations for cannabis businesses outside the zoning code:

Previous discussions with city council also touched on several topics including hours of operation for cannabis businesses and limits on the number of cannabis retailers permitted to locate in the city. Staff finds it more appropriate to place these regulations in the registration section of city code rather than zoning but want to summarize previous discussions with city council for future reference.

Several city council members indicated a desire for further discussion of hours of operation. State Statute prohibits cannabis businesses with a retail endorsement to sell cannabis flower, cannabis products, lower-potency hemp edibles or hemp-derived consumer products between 2:00 a.m. and 8:00 a.m. Monday through Saturday and between 2:00 a.m. and 10:00 a.m. on Sunday. A city or county may adopt an ordinance to prohibit sales between 9:00 p.m. and 2:00 a.m. or between 8:00 a.m. and 10:00 a.m. Monday through Saturday. City council will have the opportunity to discuss hours of operation for cannabis businesses located within St. Louis Park

at a later date when they review an ordinance related to registration of these business. Limiting hours of operation specific to cannabis businesses is not included in the zoning code.

In October 2024, staff recommended limiting the number of cannabis retailers allowed to locate within the city to one retailer per 12,500 residents so that they city may track business interest, monitor administration of the new regulations, and adjust as needed. The majority of council members supported a limit of one retailer per 12,500 residents. One council member did not support limiting the number. Two other council members supported setting a limit on the number of cannabis retailers with one indicating a preference for a higher cap and the other indicating a desire to start with one retailer per 12,500 residents and reevaluate every year. Staff will suggest limits for cannabis retailers based on the city council majority's policy direction. This will be part of the registration ordinance and is not included in the zoning ordinance.

Planning Commission:

On Nov. 6, 2024, the planning commission held a public hearing for the proposed cannabis zoning ordinance. No members of the public provided comments on the ordinance. Following the public hearing, the planning commission recommended approval of the cannabis zoning ordinance with a 6-0 vote.

The planning commission asked about several staff recommendations, the decision to not require a buffer between cannabis businesses and public parks, and about the proposed parking minimums for cannabis retailers and operations. Outside the scope of the zoning ordinance, commissioners asked about the proposed limit on the number of cannabis retailers permitted to locate within the city and city policies about consuming cannabis and/or cannabis products in city parks.

Next steps:

The following table outlines future actions for the proposed cannabis zoning ordinance.

Future actions	Governing body	Date
First reading of cannabis zoning ordinance	City council	November 18, 2024
Second reading of cannabis zoning ordinance	City council	December 2, 2024
Cannabis zoning ordinance goes into effect	n/a	January 1, 2025

Taking final action on the proposed zoning ordinance by Dec. 2, 2024, will ensure the regulations to go into effect before the expiration of the city's moratorium on cannabis-related businesses on Jan. 1, 2025. The council will subsequently need to repeal related licensing regulations and adopt registration requirements before OCM begins issuing licenses later in 2025.

License types and descriptions

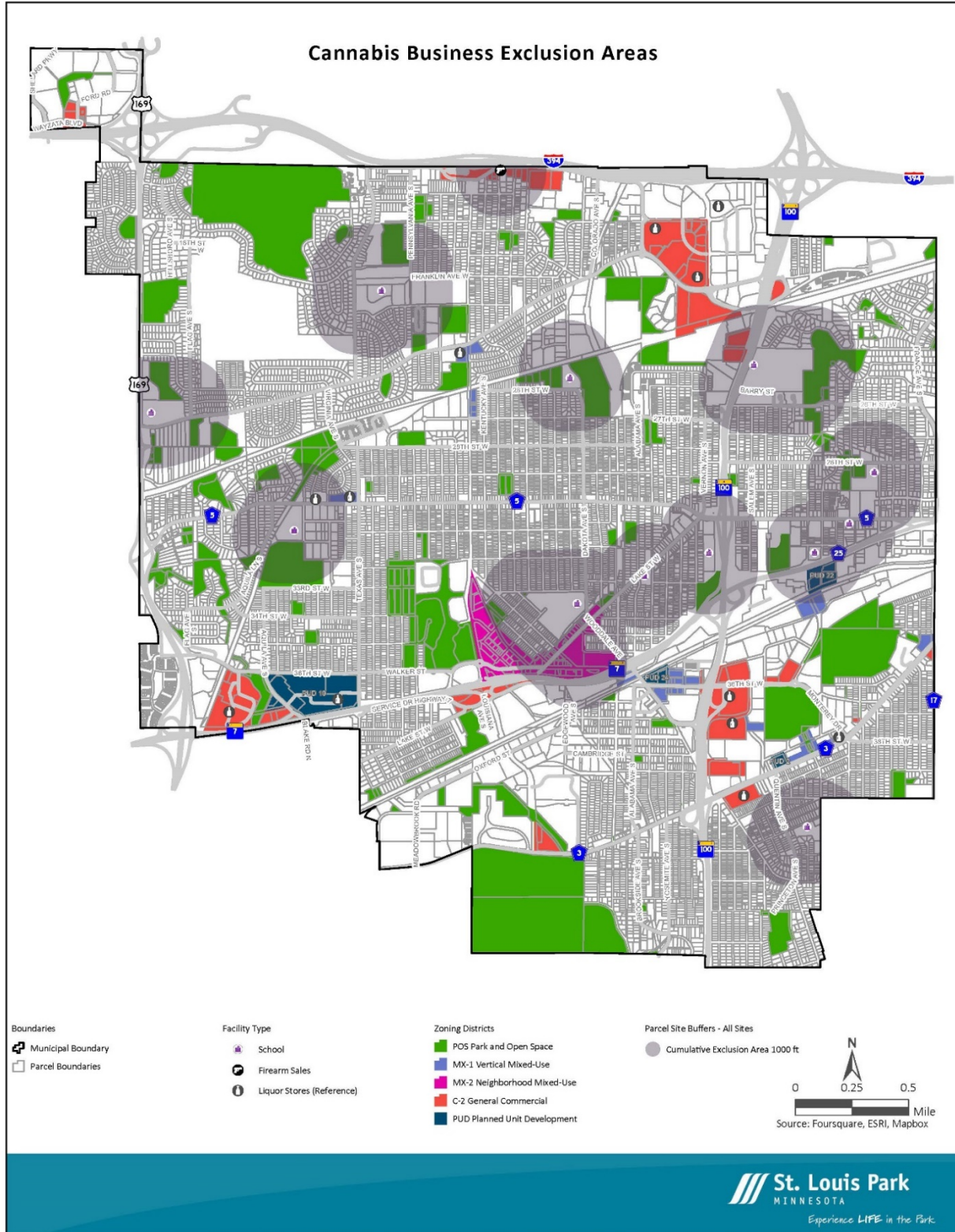
The following table provides definitions of cannabis business licenses provided by the OCM.

License type	Description
Cannabis microbusiness	A microbusiness may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusinesses may also operate a single retail location and/or operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles.
Cannabis mezzobusiness	A mezzobusiness may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusinesses may also operate up to three retail locations.
Cannabis cultivator	A cultivator may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.
Cannabis manufacturer	A manufacturer may manufacture cannabis products and hemp products, and package such products for sale to a licensed cannabis retailer.
Cannabis retailer	A retailer may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers and patients.
Cannabis wholesaler	A wholesaler may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business. Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.
Cannabis transporter	A transporter may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.
Cannabis testing facility	A testing facility may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.
Cannabis event organizer	An event organizer may organize a temporary cannabis event lasting no more than four days.
Cannabis delivery service	A deliver service may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers.
Lower-potency hemp edible retailer	A lower-potency hemp edible retailer may sell lower-potency hemp edibles to customers.

Lower-potency hemp edible manufacturer	A lower-potency hemp edible manufacturer may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.
Medical cannabis combination business	A medical cannabis combination business may cultivate cannabis and manufacture cannabis and hemp products, and package such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

Map of 1,000-foot buffer for cannabis retailers

This map was generated in July 2024 and is subject to change based on the location of schools and cannabis businesses.



Ordinance No. _____

**Ordinance amending Chapter 36 of the St. Louis Park City Code related to cannabis
legalization**

The city council of the City of St. Louis Park does ordain:

Whereas, the State of Minnesota passed legislation to legalize the possession, use, manufacturing and sale of certain cannabis products, and

Whereas, municipalities have the ability to enact regulations related to zoning, local registration and enforcement of state regulations regarding cannabis sales, and

Whereas, municipalities may impose reasonable restrictions on the time, place and manner of land use activities, and

Whereas, the planning commission conducted a public hearing on November 6, 2024 on the ordinance, and

Whereas, the city council has considered the advice and recommendation of the planning commission (case no. 24-21-ZA), and

Now, therefore be it resolved that the following amendments shall be made to Chapter 36 of the city code pertaining to zoning:

Section 1. Definitions. Section 36-4 of the St. Louis Park City Code is hereby amended to add the following underlined text.

Cannabis edible means any product that is intended to be eaten or consumed as a beverage by humans; contains a cannabinoid in combination with food ingredients; is not a drug; and is a type of product approved for sale by the state of Minnesota, or is substantially similar to a product approved by the state of Minnesota including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods. This does not include lower-potency hemp edibles.

Cannabis product means cannabis concentrate, a product infused with cannabinoids including but not limited to tetrahydrocannabinol extracted or derived from cannabis plants or cannabis flower, or any other product that contains cannabis concentrate. It includes all adult-use cannabis products, including but not limited to cannabis edibles and medical cannabinoid products. It does not include cannabis flower, artificially derived cannabinoid, lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical products.

Hemp-derived consumer product means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and either contains or consists of hemp plant parts, or contains hemp concentrate or artificially

derived cannabinoids in combination with other ingredients. It does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

Lower-potency hemp edible means any product that is intended to be eaten or consumed as a beverage by humans; contains hemp concentrate or an artificially derived cannabinoid, in combination with food ingredients; is not a drug; is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including but not limited to products that resemble nonalcoholic beverages, candy, and baked goods; and meets other criteria outlined in Minnesota Statute.

Section 2. Authorized home occupations. Section 36-83(b) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(12) The home occupation does not include any of the following uses: auto body/painting, motor vehicle sales, motor vehicle service and repair, small engine repair, massage, medical/dental office, animal handling, restaurant, firearm sales, currency exchange, payday loan agency, sexually oriented business, ~~or~~ high-impact sexually oriented business, cannabis retailers, lower-potency hemp edible retailers, or cannabis operations.

Section 3. Residential uses. Section 36-142(a) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(7) Live-work unit means a dwelling unit that includes space for the gainful employment of a resident of the dwelling unit and up to two workers who may not be residents of the dwelling unit. The floor area devoted to the business use may not exceed the floor area devoted to the residential use within the unit. Any space that will be used by walk-in customers of the business must be accessible from an exterior entrance that is not used to access other residential units. With the exception of the exterior entrance, the business cannot substantially alter the exterior of the property or substantially affect the character of the neighborhood or the health, safety and welfare of the residents. The business space must be designed to permit conversion to residential space with minimum work and no structural changes. Uses which are not allowed include but are not limited to the following: uses classified as industrial; appliance, small engine and bicycle repair; motor vehicle sales; motor vehicle service and repair; pawnshops; animal handling; bars; food service; restaurants; private entertainment; ~~and~~ sexually oriented businesses; and cannabis businesses.

Section 4. Commercial uses. Section 36-142(d) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(10) Cannabis operation means a facility where cannabis is grown, processed or manufactured into various products such as edibles, concentrates, wax, oils, and

tinctures. This land use description would apply to cannabis businesses with the following licenses: cannabis microbusiness, cannabis mezzobusiness, cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis transporter, cannabis testing facility, cannabis event organizer, and cannabis delivery service. This term excludes cannabis retailer.

~~(21)~~ (11) *Marijuana dispensary Cannabis retailer* means a dispensary location where patients or consumers can access cannabis in a legal and safe manner. Users get assistance from experts (bud tenders) who find an optimal dosage and recommend the delivery method to achieve optimal results when using medical cannabis retailer that can purchase immature cannabis plants and seedlings, cannabis flower, cannabis products, lower-potency hemp edibles, hemp-derived consumer products and other products allowed by the state of Minnesota from other cannabis businesses and sell or otherwise convey them to customers. This land use description would apply to cannabis businesses with the following licenses: cannabis retailer, cannabis microbusiness with a retail endorsement, cannabis mezzobusiness with a retail endorsement and medical cannabis combination business. This term excludes cannabis operation.

(22) *Lower-potency hemp edible retailer* means a retailer that sells lower-potency hemp edibles to consumers. This land use description would apply to cannabis businesses with a lower-potency hemp edible retailer license.

~~(36)~~ (39) *Restaurant* means an establishment whose principal business is the sale of food and beverages which are prepared and served in individual portions in a ready-to-consume state for consumption on site. This use is often found in conjunction with bars, hotels, and food service. It is preferably located on major thoroughfares with no access to residential streets. Characteristics include late hours of operation, refuse, high car and truck traffic generation, and cooking odors. Outdoor seating for restaurants is considered part of the principal use and does not require additional parking. A food service or deli is not considered to be a restaurant if seating is provided for ten or fewer persons. Restaurant uses are divided into the following subcategories:

a. *Restaurant, sit-down*: Sit-down eating establishments that may allow or require reservations. Patrons commonly wait to be seated, are served by wait staff, order from a menu, and pay after the meal. Lounge or bar facilities may be accessory uses. Sale of lower potency hemp edibles and cannabis edibles for consumption on-site, with the appropriate licenses or registrations, may be an accessory use.

b. *Restaurant, fast-food with or without drive-through window*: This restaurant type features large carry-out clientele, long hours of service, and high turnover rate for eat-in dine-in customers (around 30 minutes). There is no or limited table service, and customers typically order from a menu board and pay before

receiving the meal. Sale of lower potency hemp edibles and cannabis edibles for consumption on-site, with the appropriate licenses or registrations, may be an accessory use.

~~(37)~~ (40) *Retail* means a facility where merchandise or equipment is displayed and rented or sold and where delivery of merchandise or equipment to the ultimate consumer is made. This use includes limited production, repair or processing as an accessory use. Hours of operation generally begin after the a.m. peak traffic period and extend to time ranges from 5:00 p.m. to 10:00 p.m.; although some convenience stores and grocery stores are open 24 hours per day. Characteristics generally include high parking demand and high off-peak traffic generation; generally prefers high visibility and access to major thoroughfares. This use includes but is not limited to camera shops, clothing stores, department stores, grocery stores, discount stores, jewelry stores, delicatessens, retail bakeries, toy stores; but excludes restaurants, bars, pawn shops, motor vehicle sales, motor fuel stations, and large item retail, cannabis retailers and lower-potency hemp edible retailers.

Section 5. Industrial uses. Section 36-142(e) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(6) *Hemp processor* means a facility that converts raw hemp into a product for commercial purposes. Hemp plants or hemp plant parts are refined from their natural or original state after harvest by refinement such as, but not limited to, decortication, devitalization, extraction, crushing, or packaging.

~~(7)~~ (8) *Low impact manufacturing and processing* means a facility that engages in the production of a physical commodity or changing the form of a raw ingredient within a fully enclosed structure. Such uses do not result in noxious or offensive odors, sounds, vibrations, emissions, smoke or external nuisances upon adjacent properties. It may include administrative offices, warehousing and distribution. This use does not include outdoor storage or overnight outdoor storage of commercial vehicles. This use includes lower-potency hemp edible manufacturers. (Ord. No. 2414-12)

Section 6. Uses permitted with conditions. Section 36-193(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(28) Lower-potency hemp edible retailers. The conditions for lower-potency hemp edible retailers are that the use shall be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 7. Uses permitted with conditions. Section 36-194(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(22) High impact sexually-oriented business. The conditions are as follows:

b. No person shall operate a high impact sexually-oriented business on property, any part of which is within the area circumscribed by a circle which has a radius of 1,000 feet from of another high impact sexually-oriented business, pawnshop, currency exchange, payday loan agency, firearms sales, ~~or~~ liquor store, or cannabis retailer.

(25) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(26) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 8. Uses permitted by conditional use permit. Section 36-194(d) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(16) Pawnshops. The conditions are as follows:

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

(17) Payday loan agency and currency exchange:

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

(18) Firearm sales:

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

Section 9. Uses permitted with conditions. Section 36-223(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(23) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 10. Uses permitted with conditions. Section 36-233(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(14) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located a minimum of 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the

distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 11. Uses permitted with conditions. Section 36-244(c) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(18) Cannabis operation / hemp processor. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis producer.

b. The lot must be at least 1,000 feet from the property line of a site containing a cannabis operation. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis producer.

c. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

Section 12. Accessory uses. Section 36-244(e) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(13) Cannabis retailer. The conditions are as follows:

a. The use shall locate within a cannabis operation.

b. The use shall occupy a maximum of 25% of the gross floor area of a cannabis operation.

c. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

d. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

e. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

f. In vehicle sales or service is prohibited.

g. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

h. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

Section 13. Mixed use district uses. Table 36-263(b) of the St. Louis Park City Code is hereby amended to add the following underlined text.

	Primary Street Frontage	Secondary Street Frontage
COMMERCIAL USES		
...
Business/trade school/college	PL	P
<u>Cannabis retailer</u>	<u>PC</u>	<u>PC</u>
Dental office, Medical office	P	P
...
Liquor store	CUP	CUP
<u>Lower potency hemp edible retailer</u>	<u>PC</u>	<u>PC</u>
Offices	P	P
...

Section 14. Uses permitted with conditions (PC). Section 36-264(d) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(14) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(15) Lower-potency hemp edible retailers. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 15. Neighborhood mixed use district uses. Table 36-264(b) of the St. Louis Park City Code is hereby amended to add the following underlined text.

Principal Use	Primary and Secondary Street Frontage
COMMERCIAL USES	
...	...
Brewery	PC
<u>Cannabis retailer</u>	<u>PC</u>
Food service	PC
...	...
Liquor store	PC
<u>Lower potency hemp edible retailer</u>	<u>PC</u>
Medical/dental office	P
...	...

Section 16. Uses permitted with conditions (PC). Section 36-265(d) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(25) Cannabis retailer. The conditions are as follows:

- a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.
- b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.
- c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.
- d. In vehicle sales or service is prohibited.
- e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.
- f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(26) Lower-potency hemp edible retailers. The conditions are as follows:

- a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 17. Section 36-268-PUD 2(c) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(1) Commercial uses. Commercial uses limited to the following: bank, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), retail, service, showroom, limited animal handling, ~~and~~ studio, cannabis retailer and lower potency hemp edible retailer. The commercial uses shall meet the following conditions:

- a. Commercial uses are limited to the first floor.
- b. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.

c. In vehicle sales or service is prohibited.

d. Restaurants are prohibited.

e. Outdoor storage is prohibited.

f. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

g. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

h. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

i. Cannabis retailers shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

j. On-site consumption of lower potency hemp or cannabis edibles and beverages is prohibited.

k. A lot with a lower potency hemp edible retailer must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 18. Section 36-268-PUD 10 of the St. Louis Park City Code is hereby amended to add the following underlined text.

(c) Uses permitted with conditions.

(1) Cannabis retailer. The conditions are as follows:

a. The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

b. The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

c. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

d. In vehicle sales or service is prohibited.

e. The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

f. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

(2) Lower-potency hemp edible retailer. The conditions are as follows:

a. The lot must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 19. Section 36-268-PUD 22(b)(2) of the St. Louis Park City Code is hereby amended to delete the struck-out language and to add the following underlined text.

(a) Commercial uses. Commercial uses limited to the following: bank, coffee shop, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), restaurants, service, showroom, ~~and~~ studio, cannabis retailer and lower potency hemp edible retailer. These commercial uses shall meet the following conditions.

i. Commercial uses are limited to the first floor.

ii. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.

iii. In vehicle sales or service is prohibited.

iv. Outdoor storage is prohibited.

v. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use

building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

vi. A lot with a cannabis dispensary must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

vii. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

viii. Cannabis retailers shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

ix. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

x. A lot with a lower potency hemp edible retailer must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 20. Section 36-268-PUD 24(b)(2) of the St. Louis Park City Code is hereby amended to add the following underlined text.

(a) Commercial uses. Commercial uses limited to the following: bank, coffee shop, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), restaurants, retail, service, showroom, ~~and~~ studio, cannabis retailer and lower potency hemp edible retailer. These commercial uses shall meet the following conditions.

i. Commercial uses are limited to the first floor.

ii. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.

iii. In vehicle sales or service is prohibited.

iv. Outdoor storage is prohibited.

v. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multi-use

building, the distance shall be measured from the portion of the center or building occupied by the cannabis retailer.

vi. A lot with a cannabis retailer must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

vii. The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the cannabis retailer.

viii. Cannabis retailers shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

ix. On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

x. A lot with a lower potency hemp edible retailer must be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multi-use building, the distance shall be measured from the portion of the shopping center or multi-use building occupied by the lower-potency hemp edible retailer.

Section 21. Required quantity. Table 36-361(a) of the St. Louis Park City Code is hereby amended to add the following underlined text.

Use	Number of Parking Spaces
Commercial Uses	
...	...
Bed and breakfast	Two spaces, plus one space per each room for rent.
<u>Cannabis retailer/ lower potency hemp edible retailer</u>	<u>Minimum: One space per each 250 square feet floor area. Maximum: One space per each 150 square feet floor area.</u>
Catering	One space per each 500 square feet floor area
...	...
Industrial Uses	
<u>Cannabis operation / hemp processor</u>	<u>Five spaces plus one per each 500 square feet of floor area.</u>
Manufacturing, fabrication, or processing	Five spaces plus one per each 500 square feet of floor area.
...	...

Section 22. Off-street parking areas, paved areas, and loading spaces. Required quantity. Table 36-361(b) of the St. Louis Park City Code is hereby amended to add the following underlined text.

Current Land Use Category	Require Off-Street Minimum	Required Off-Street Maximum
Commercial Uses		
Bank	1 space/250 square feet floor area	1 space/200 square feet floor area
<u>Cannabis retailer/ lower potency hemp edible retailer</u>	<u>1 space/400 square feet floor area</u>	<u>1 space/400 square feet floor area</u>
Catering	1 space/500 square feet floor area	1 space/500 square feet floor area
...	...	

Section 23. This ordinance shall take effect no sooner than fifteen days after its passage and publication.

First Reading	November 18, 2024
Second Reading	December 2, 2024
Publication	December 12, 2024
Effective date	January 1, 2025

Reviewed for administration:

Adopted by the city council _____, 2024

By: _____
 Kim Keller, city manager

By: _____
 Nadia Mohamed, mayor

Attest:

Approved as to form and execution:

 Melissa Kennedy, city clerk

 Soren M. Mattick, city attorney

Executive summary

Title: Revised budget

Recommended action: No action requested. This report is for discussion purposes only

Policy consideration: Does council support the proposed 2025 budget as revised? The balanced budget consists of an "all-inclusive" preliminary levy increase of 7.52% and includes the following components:

1. \$48,598,532 for core government services and debt payments (general and debt service levies)
2. \$1,194,133 for housing projects and programs (HRA levy)
3. \$187,000 for economic development projects and programs (EDA levy)

In addition to the property tax levy, does council support the five-year Capital Improvement Plan as revised in this report?

Summary: After several council study sessions focused on the budget this summer, staff presented council a recommended budget and corresponding all-inclusive levy increase of 9%. Staff received feedback that was generally supportive of the new spending items, but uncomfortable with the all-inclusive levy increase of 9%. In September 2024, staff made adjustments to operating and capital fund spending and use of excess fund balance to bring forward a budget that includes a 7.52% levy increase.

Since the preliminary levy was adopted on Sept. 16, there have not been any changes in financial conditions or emerging issues that would impact the proposed levy. There have, however, been two changes that should be pointed out:

1. The city's community health budget has been updated as presented to council on Nov. 4, 2024
2. Staff is proposing adding placeholder spending to the five-year CIP to recognize the opportunity presented by several large TIF districts decertifying in 2026 and 2027. If the city has large capital projects or other planned expenses, it would be beneficial to property taxpayers to align those projects with the years that the tax base is expanding.

Financial or budget considerations: 2025 Budget and five and ten year Capital Improvement Plan

Strategic priority consideration: Not applicable.

Supporting documents: Discussion

Prepared by: Amelia Cruver, finance director

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Discussion

Background:

2025 Budget development timeline

Date	Agenda Item	Topics
July 8	Council report and discussion: Base budget and fee update	<ul style="list-style-type: none"> • Learnings from 2023 • Base Budget spending and revenues and levy impact • 2025 economic conditions
July 15	Council report and discussion: Operating budget Public Hearing: Fee update	<ul style="list-style-type: none"> • Proposed new operating budget spending items in the 2025 budget and levy impact
Aug. 12	Council report and discussion: Capital budget and levy recommendation	<ul style="list-style-type: none"> • Proposed capital projects for 2025 and levy impact • Proposed 5 year Capital Improvement Plan (CIP) • Preliminary 2025 levy
Sept. 16	Council report, discussion and vote: Approve maximum levy	<ul style="list-style-type: none"> • Revisions, if any, to the proposed capital and operating budgets and associated levies • Adoption of maximum 2025 levy
October	Council report and discussion: TIF Management Report and discussion	<ul style="list-style-type: none"> • TIF district performance • TIF district recommended transfers and decertification, if any
<i>Mid November</i>	<i>Truth in taxation property tax notices sent out by the county</i>	<i>Residents receive an estimate of their 2025 tax bill and information on the public hearing in December</i>
Nov. 18	Council report and discussion: Revised budget	<ul style="list-style-type: none"> • Revisions to the budget and adjustments to the levy, as needed. In November, the levy can only decrease from the maximum set in September
Dec. 2	Council report and public hearing: Truth in Taxation	<ul style="list-style-type: none"> • Residents share feedback on the proposed 2025 budget
Dec. 16	Council report, discussion and vote: Budget adoption	<ul style="list-style-type: none"> • Council adopts the 2025 budget and CIP

This summer, staff presented the 2025 base budget and important context for the upcoming budget process. Staff also presented adjusted fees, projected revenues and firm personnel cost projections. We also discussed proposed operating budget increases to support proposals that would have an impact on city priorities. Key additions already presented to and supported by council are:

- **Boards and commissions program support.** This year, council directed staff to provide stipends to board members. This request is directly related to that council direction. Staff is proposing a total of \$35,000 to cover the costs of board member stipends and an additional \$10,000 to cover the cost of boards and commission program coordination which could include expenses such as printing and creating of program materials for orientation as well as for outreach materials, potential room rentals and other related costs.

- **New forestry technician position.** Council recently directed staff to implement a “Tree Preservation Permit” for commercial and new residential subdivisions. As a part of that presentation and report, staff shared with council the need to increase staff in order to implement the program. This position would assist the natural resources manager to increase management capacity to meet community-demanded service levels. Primary duties include facilitating grant programs, conducting commercial tree preservation inspections, conducting private property inspections and focusing on coordinating canopy enhancement programs in Environmental Justice areas.
- **Social Services Program.** Staff is proposing increasing funding towards non-profit social service providers serving the St. Louis Park community and ensuring that awards are made through a competitive request for proposals process. The program will focus on agencies that deliver services and activities to help St. Louis Park’s most vulnerable residents, including low-income, seniors and children. Housing security and stability, economic stability, healthy food access and senior services are the primary program priorities. This program is recommended to be funded with up to \$200,000 in Affordable Housing Trust Fund revenue for housing-focused services and \$50,000 general fund revenue for economic stability, food access and senior services.
- **Community Development Specialist.** This position will support the city’s small business community to help these businesses get started, grow, and remain economically viable. This function has existed in years past at the city but a full-time FTE dedicated to this work has not been funded in the last two years as restructuring of the position was undertaken.
- **Website redesign.** Staff recommend updating the current city website in 2025. This request includes funding for contractual services as well as additional temporary staffing support for interns to help launch the project.

In August, staff presented the recommended capital improvement plan (CIP). Projects in the CIP are funded through the property tax levy, revenues from franchise fees and a few other miscellaneous revenue streams, federal and state taxes and bond proceeds. Highlights for the 2025 CIP are:

- Playground and Park renovations in Ainsworth, Bronx and Wolfe Park
- Streetlight repair and replacement
- MCWD: Minnehaha Greenway – Cedar Lake regional trail connection
- Pavement management projects in the Wolfe Park, Westwood Hill and Cedar Manor neighborhoods and the Minnetonka Boulevard reconstruction project in the Fern Hill and Triangle neighborhoods
- Cedar Lake Road and Louisiana Avenue Improvement Project (2024-2026)
- Utility system repair and replacement projects connected to Cedar Lake Road and Louisiana avenue, Minnetonka Blvd, and Area 3 local street rehab work.

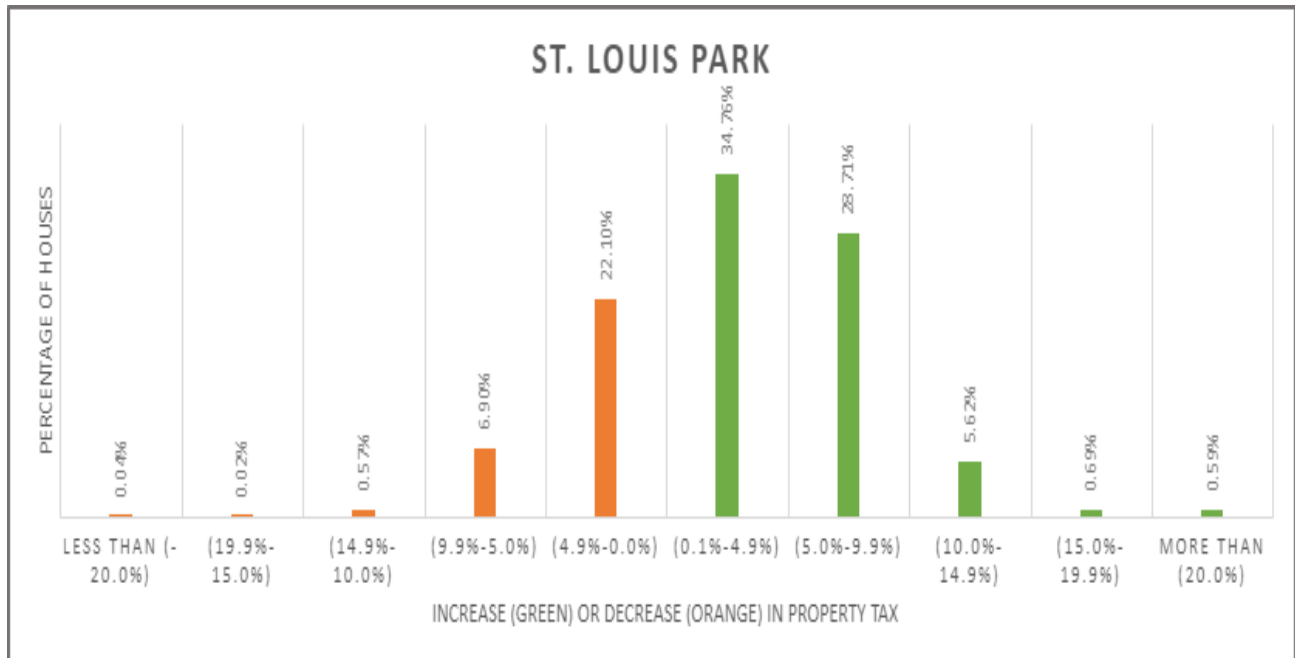
These discussions included some edits and adjustments to the CIP in order to lower the levy increase in 2025. After an additional study session to incorporate council feedback and staff recommendations in September, the city certified a levy increase of 7.52% to the county comprising the following components:

Recommended 2025 Levy				
Fund	2024 Adopted	Change	2025 Proposed	Percentage Change
General Fund	\$34,147,654	\$4,661,161	\$38,808,815	14%
Capital Replacement Fund	\$2,177,793	\$45,703	\$2,223,496	2%
Park Improvement Fund	\$860,000	-\$350,000	\$510,000	-41%
Employee Benefits Fund	\$200,000		\$200,000	0%
Subtotal General Levies	\$37,385,447	\$4,356,865	\$41,742,311	12%
Debt Service Levy	\$6,362,813	\$493,408	\$6,856,221	8%
General and Debt Service Levies	\$43,748,260	\$4,850,273	\$48,598,532	11%
Housing Redevelopment Authority Levy	\$1,744,133	-\$550,000	\$1,194,133	-32%
Economic Development Authority Levy	\$877,000	-\$690,000	\$187,000	-79%
Total Property Tax Levy	\$46,483,749	\$3,495,916	\$49,979,665	7.52%

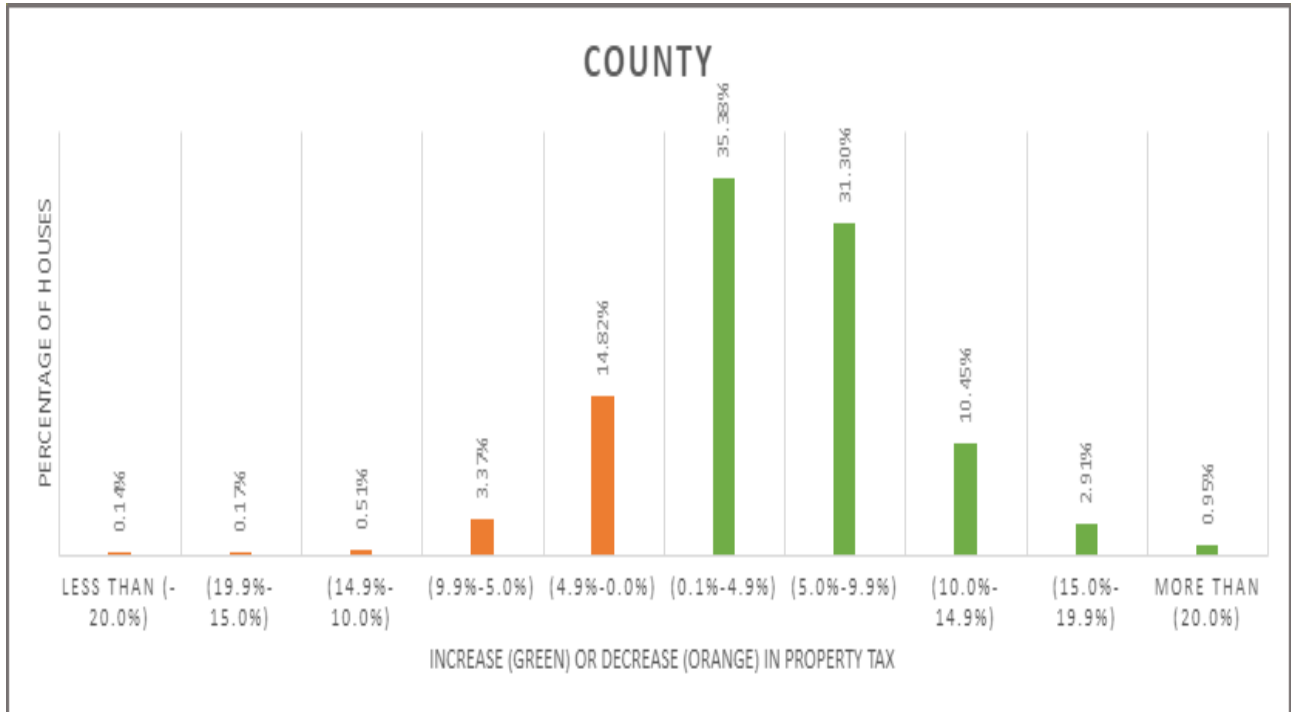
Present considerations:

Property tax impact and context

All cities within Hennepin County submit proposed property tax levies by Sept. 30 each year. At the end of October, cities receive updated data on the proposed property tax impact on property owners in 2025 across all taxing jurisdictions in Hennepin County. Below is a chart showing the distribution of property taxpayers according to their decrease or increase in property taxes from 2024 into 2025. The largest group of St. Louis Park residential property taxpayers (34%) will see an increase in their tax bill between 0 and 5%. Most St. Louis Park residential property taxpayers (56%) will see a property tax bill that is between a 5% decrease and a 5% increase.



The countywide data shows the majority of households in the county (66%) will see an increase in property taxes between 0.1 and 9.9%. County-wide, there are fewer households seeing a decrease in taxes compared to St. Louis Park and there are more households at the county level seeing an increase in property taxes above 10% compared to St. Louis Park, 14% versus 7% respectively.



The table below shows the estimated impact to the median property by type of a 7.52% levy increase in St. Louis Park. On top of the changes in value year to year, state policy changes reduced the tax rate for homestead properties and reduced the tax rate on Class C, 4D properties. This led to another shift, on top of the variable changes in value across the property types.

7.52% Levy Impact							
	2024		2025		Percent Change 24 to 25	Annual Increase	Monthly Increase
	Median Est. Market Value	Property Tax Payable	Median Est. Market Value	Property Tax Payable			
Single-Family							
Homestead	\$373,300	\$1,646	\$377,200	\$1,755	6.60%	\$108.71	\$9.06
Non-Hmstd	\$373,300	\$1,663	\$377,200	\$1,816	9.21%	\$153.15	\$12.76
Condominium							
Homestead	\$208,800	\$848	\$203,900	\$846	-0.24%	-\$2.00	-\$0.17
Non-Hmstd	\$208,800	\$930	\$203,900	\$981	5.55%	\$51.58	\$4.30
Townhome							
Homestead	\$260,700	\$1,100	\$252,200	\$1,099	-0.05%	-\$0.53	-\$0.04
Non-Hmstd	\$260,700	\$1,161	\$252,200	\$1,214	4.56%	\$52.93	\$4.41
Apartments							
Class A	\$280,500	\$1,562	\$280,000	\$1,685	7.89%	\$123.21	\$10.27
Class B	\$192,200	\$1,070	\$185,000	\$1,113	4.03%	\$43.16	\$3.60
Class C	\$124,000	\$690	\$123,900	\$745	8.00%	\$55.19	\$4.60
Class A (4D-1)	\$280,500	\$937	\$280,000	\$337	-64.0%	-\$599.97	-\$50.00
Class C (4D-1)	\$124,000	\$414	\$123,900	\$149	-64.00%	-\$265.08	-\$22.09

Revised spending direction

- Redirection in the Fire budget and approval of \$50,000 in public safety aid in 2025 to support a pilot program.

On Nov. 4, 2024, the fire department presented a pilot program to address and improve community health. This proposal would not increase ongoing spending in the fire department, but rather reallocate the proposed 2025 departmental budget to adjust course on an existing program. In addition to those reallocations, fire is requesting a one-time appropriation of \$50,000 of unobligated Public Safety Aid dollars for equipment necessary to the pilot. This brings the total unobligated Public Safety aid down to under \$100,000.

Council supported this redirection of funds and total spending in the Fire department will be increased by \$50,000 to accommodate the one-time material purchases. This spending will be supported by existing Public Safety Aid and will not impact the property tax levy.

Updated 5-year financial direction

In October 2024, council received the annual Tax Increment Finance management report that describes the status and health of our cities various TIF districts. In that report, council was informed of upcoming decertifications that will increase the tax base in the city. When a large increase to the tax base occurs, the tax levy can be increased without increasing the tax rate on property taxpayers. These years are advantageous for the city to fund large infrastructure projects that would otherwise create a large variance in resident tax bills. Council could also

elect to not increase the levy and as a result lower the tax rate on residents. Either way, council will make an informed decision about how to best utilize the benefits of decertifying tax districts.

In order to plan better for these decertifications, a line has been added to the five-year financial direction to show the opportunity to increase the levy and spending to address city priorities without impacting the tax rate paid by residents. Council may choose in future years to fund unfunded and emerging projects or reduce the tax rate buy holding the tax levy steady with the current projections. One note on the table below, the dollars are currently placeholders in the general levies section of the table, but they could very well be in the debt service levy if the city were to use this increase to finance additional bonding.

Below is the five-year financial forecast including placeholders in the long-range plan to account for changes in the taxable market value as a result of TIF districts successfully completing and coming back online. The following assumptions are built into the forecast:

- Steady inflationary growth in general fund to maintain current service levels.
- Additional levy in 2027 to cover the cost of three new firefighters once the federal SAFR grant concludes.
- A levy increase of \$200,000 in 2026 to “step down” after using one-time sources, rather than a one-year jump in levy revenue.
- Capital replacement levy increasing each year, as use of fund balance decreases each year to meet currently identified CIP needs and reach a structurally balanced budget at the end of the five-year outlook.
- Debt service to fund major street infrastructure projects currently laid out in the CIP.
- Flat HRA Levy to fund housing programs and projects. This levy can be adjusted each year based on planned activities and the availability of external revenue sources.
- EDA levy that increases to \$375k in 2026 to cover ongoing costs attributed to that fund.

Five-year financial direction (includes above assumptions)

Five-year Financial Outlook						
Fund	2024 Adopted	2025 Proposed	2026 Forecast	2027 Forecast	2028 Forecast	2029 Forecast
General Fund	\$34,147,654	\$38,808,815	\$40,749,256	\$43,176,719	\$45,335,555	\$47,602,333
Capital Replacement Fund	\$2,177,793	\$2,223,496	\$2,557,020	\$3,068,424	\$3,835,531	\$4,410,860
<i>TIF district planning</i>				\$868,600	\$2,200,135	\$2,200,135
Park Improvement Fund	\$860,000	\$510,000	\$700,000	\$860,000	\$860,000	\$860,000
Employee Benefits Fund	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Subtotal General Levies	\$37,385,447	\$41,742,311	\$44,206,277	\$48,173,743	\$52,431,221	\$55,273,328
Debt Service Levy	\$6,362,813	\$6,856,221	\$7,523,750	\$7,566,453	\$8,139,875	\$8,690,269
General and Debt Service Levies	\$43,748,260	\$48,598,532	\$51,730,027	\$55,740,196	\$60,571,096	\$63,963,597
HRA Levy	\$1,744,133	\$1,194,133	\$1,194,133	\$1,194,133	\$1,194,133	\$1,194,133
EDA Levy	\$877,000	\$187,000	\$374,000	\$374,000	\$374,000	\$374,000
Total Property Tax Levy	\$46,483,749	\$49,979,665	\$53,298,159	\$57,308,329	\$62,139,228	\$65,531,730
Total Levy Growth		7.52%	6.64%	7.52%	8.43%	5.46%

Next steps: On Dec. 2, 2024 the city will hold its Truth in Taxation Hearing where all city property taxpayers are invited to share their feedback on the levy. On Dec. 16, 2024 the council will adopt the 2025 budget.

Executive summary

Title: First council discussion of 2025 legislative agenda

Recommended action: None.

Policy consideration:

1. Does council agree with the draft 2025 legislative positions?
2. Does council agree with the draft 2025 legislative priorities?

Summary: The primary purpose of the legislative positions document is to guide the government relations work of the city. The document can also be used by the public to understand the positions the city takes and will advocate for. For this reason, legislative positions are written to generally include the long-term positions of the city on issues while remaining inclusive of the changing nature of specific legislation or programming that is proposed by elected officials. The positions also include specific law changes suggested by staff to better complete the work the city is required to perform.

The draft 2025 legislative positions are attached to this report. Substantive changes or additions are indicated with “*”, positions that align with the League of Minnesota Cities are indicated with “±”, and recommended priority positions for the 2025 session are outlined with a box.

Following the study session, staff will finalize the document based on council discussion and direction.

A small subset of positions is selected each year to be the St. Louis Park specific legislative priorities for that session. These positions are selected based on specificity to St. Louis Park needs, likelihood to gain traction in the upcoming session, and other contextual factors. A study session with the local delegation of elected leaders for St. Louis Park is scheduled for Dec. 10, 2024 to communicate the city’s priorities and policy positions prior to Minnesota’s 95th legislative session that will convene on Jan. 14, 2025.

Financial or budget considerations: None.

Strategic priority consideration: All.

Supporting documents: DRAFT 2025 Legislative Positions

Prepared by: Clancy Ferris, legislative and grants analyst

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Discussion

Background: The city's legislative positions are detailed in the full document attached to this report. Each year, a few of these items are selected as priorities.

New and changed positions: Each year, the city council reviews the list of positions and priorities. During that review, city staff also highlights issues that affect our ability to adequately provide services to residents.

New issues and those with additional significant changes are positions on: building performance standards, construction and demolition debris diversion, e-bike rebate program, right to cooling, right-sizing vehicle registration fees, undergrounding power funding, cashless businesses, Equal Access to Broadband Act, paid family and medical leave, wireless provider franchising authority, community land trust classification, group home licensing and registration, housing policy, fire mutual aid, light rail and public safety, National Fire Protection Association (NFPA) standards, public safety aid and underground infrastructure funding. These issues are highlighted in the attached draft legislative positions.

Staff will continue to research additional positions and priorities as they emerge throughout the year.

Present considerations: For the 2025 legislative session, themes most likely to find common ground and traction center on infrastructure, incentives and good government. Staff has worked closely with our lobbyists to identify positions that have a nexus with these themes as well as a significant St. Louis Park impact.

Staff is recommending the following subset of positions as priorities, categorized by general city function:

- Climate, energy, and buildings:
 - reallocate solid waste management tax
 - urban forest management
- General government:
 - paid family and medical leave
- Housing:
 - housing policy
 - group home licensing and registration
 - housing TIF district modification
- Public safety:
 - light rail and public safety funding
- Transportation and infrastructure:
 - underground infrastructure funding

Staff has also identified two priority capital investment projects:

- Oxford/Louisiana Area infrastructure investment: planned improvements include repairs to sidewalks, water and sewer facilities and upgrades related to traffic and pedestrian safety.

- Wayzata Boulevard commercial street rehabilitation: planned improvements include replacement or repair of streets and sidewalks, repairs to water and sewer facilities, and upgrades related to traffic and pedestrian safety.

At the study session on Nov. 18, 2024, staff plans to walk council through a facilitated conversation. Council will meet our lobbying team and hear a short summary from them on what to expect in the upcoming legislative session. Staff will then present to council the recommended priorities for consideration. If council members have additional positions that they would like to see included in the full legislative agenda, staff can arrange for council to have conversation about those items in a special study session on Dec. 2, 2024.

Next steps: Following the study session, staff will update the attached draft legislative positions with priorities, based on council discussion and direction.

A study session with elected leaders is scheduled for Dec. 10, 2024 to communicate city priorities to representatives. Minnesota's 95th legislative session will convene on Jan. 14, 2025.

Strategic Priorities

The St. Louis Park City Council adopted the following strategic priorities in 2018. These priorities guide long-range planning as well as daily decisions and activities.

St. Louis Park is committed to:

Being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.

Continue to lead in environmental stewardship.

Providing a broad range of housing and neighborhood-oriented development.

Providing a variety of options for people to make their way around the city comfortably, safely and reliably.

Creating opportunities to build social capital through community engagement.

Capital Investment Projects

Increase access , replace aging infrastructure, promote climate preparedness and enhance pedestrian and bicycle connectivity.

1. Oxford/Louisiana Area Infrastructure Investment

The planned public improvements for the Oxford/Louisiana area include construction and repair of aging sidewalks; critical repairs to water, sanitary sewer, and storm sewer facilities; general improvements or upgrades related to traffic and pedestrian safety, including replacement of streetlights, striping, and signs; replacement or repair of pavement and curb; roundabout construction; stormwater quality improvements and flood storage.

This investment creates connections for all users to affordable housing, job centers, transit, and healthcare.

2. Wayzata Boulevard/ Zarthan Avenue/ 16th Street improvements

The planned public improvements for this project include replacement or repair of pavement, curb, and sidewalks; critical repairs to water, sanitary sewer, and storm sewer facilities; installation of a multi-use trail; general improvements or upgrades related to traffic and pedestrian safety; intersection upgrades including roundabout construction and signal replacement; stormwater quality improvements.

This project improves connections for all users to affordable housing, commercial land uses, and job centers.

Climate, Energy, and Buildings

The City of St. Louis Park supports innovative strategies in the pursuit of a more sustainable climate worldwide, including the adoption of near-term emission reduction targets as described in the city's Climate Action Plan.

Amend state health code

Support legislation that reduces barriers for businesses to use refillable containers for food and beverages to reduce single-use packaging waste.

Building performance standards*‡

Support legislation to enact Building Performance Standards (BPS) for large existing buildings.

BPS will establish required energy and/or carbon targets as well as a timeline to meet targets and resources to help building owners comply.

Compost use

Support the adoption of a food waste compost requirement in MNDOT specs.

Legislation would support markets for compost use by providing a uniform standard to be used in city, county and state projects and close the circle between food waste collection, composting and compost use.

Construction codes‡

Oppose legislation that would reduce current minimum building code and energy code standards or limit future adoptions of improved energy conservation standards.

Construction and demolition debris diversion*

Support legislation that would include a diversion/recycling incentive and funding mechanism for materials coming from buildings being demolished or reconstructed. Increase fees on construction and demolition waste disposal to fund reuse and recycling of building materials.

Environment and sustainability‡

Support the adoption of ambitious policies and the creation of innovative programs to reach the goals of the state's Climate Action Framework and the St. Louis Park Climate Action Plan.

E-bike rebate program*

Support increasing funding for the e-bike rebate program and creating an additional program with greater rebates for cargo e-bikes, which are more suitable for replacing vehicle trips that require hauling.

The 2023 legislative session created a new e-bike rebate program, which reached its funding capacity on the day it opened.

Fee-for-service programs‡

Oppose legislation that would eliminate local government ability to establish the amount of fee-for-service permitting, licensing, and inspection service delivery.

Reallocate solid waste management tax

Support legislation that would eliminate the diversion of solid waste management tax revenue to the general fund for other purposes and provide to local government for recycling programs as originally intended, through increasing SCORE recycling grants.

Residential fire sprinklers

Oppose legislation that prohibits future adoption of residential fire sprinkler codes.

Previous unsuccessful legislative efforts have attempted to prevent the state building code from requiring residential fire sprinkler systems, which poses safety risk.

Right to cooling*

Support legislation to ensure renters have a right to cooling.

Pairing this legislation with additional funding for the state's energy assistance program, as well as funds to ensure installed cooling systems are as energy efficient as possible, is needed to ensure this legislation does not have adverse consequences.

Right-sizing vehicle registration fees*

Support adjusting the state vehicle registration tax to more accurately reflect the external cost (including tailpipe emissions, road wear and tire pollution) of passenger automobiles with a GVWR over 6,000 pounds (3 tons).

The registration tax for passenger automobiles is determined by the vehicle's base value and age but not the vehicle's weight. A credit could be allowed for passenger automobiles over 6,000 pounds that are fully electric, as well as those registered for commercial use.

Smart salting[‡]

Support the creation of incentives for private salt applicators to reduce the volume of salt they apply to improve the effectiveness of salt application while reducing chloride pollution in waterways.

Urban forest management

Support establishing an ongoing state grant program with at least \$15 million per year that is usable for urban forest management and wood waste utilization.

Urban forests are facing numerous threats from Dutch elm disease, oak wilt, drought, storms and emerald ash borer. Related costs put pressure on city budgets.

Truth in labeling*[‡]

Support legislation that would reduce the amount of misinformation on product labels and disclosure through city collection system.

Undergrounding power funding*

Support funding for undergrounding power lines to harden against effects of climate change, including both more frequent and intense rainstorms and warmer winters icing lines.

Economic Development

The City of St. Louis Park supports a thriving local economy of small and large businesses and strives to create a place where people can live, work, and play.

Cashless Businesses*

Support legislation that requires businesses to accept cash as a payment method.

Individuals without bank accounts (unbanked) and those who do not utilize their bank accounts (underbanked) often rely on using cash to make purchases. Businesses that do not accept cash “cashless businesses” limit the ability of unbanked individuals to make purchases, leading to the unintended consequence of their exclusion from the local marketplace and further marginalization. Payment access for unbanked and underbanked populations is a racial equity and inclusion issue as it disproportionately impacts people of color, immigrants and other marginalized communities.

DEED program funding‡

Support the continued annual funding of DEED programs at stable, sustainable or increased levels, as well as tools to invest in underserved areas of the state that would allow all regions to better prosper.

Equal Access to Broadband Act**‡

Support the Equal Access to Broadband Act (HF 4182 and HF 3679) updates Minnesota telecommunications statutes to reflect the changing conditions of the market and extends local franchising authority in statute to allow Minnesota cities the ability to franchise wireline broadband providers. Also removes statutory barriers that require a supermajority voter approval for a city to provide municipal broadband.

Property tax reduction for commercial properties purchased under community/commercial land trust arrangements

Support a property tax classification rate reduction for commercial properties purchased under community/commercial land trust arrangements (similar to the 4d(2) classification rate established for homesteads purchased through community land trusts) to stimulate the creation and purchase of affordable commercial properties for limited income entrepreneurs throughout the state.

General Government

The City of St. Louis Park supports good governance in the form of legal authority to help residents to thrive.

Adult use cannabis[‡]

Support a regulatory framework that maintains or expands local control and removing the fee-cap for local service.

Future state regulations should allow cities to manage related registration fees so they may recoup the necessary compliance costs.

Aircraft Noise

Support evaluating the effects of consolidated flight tracks because of RNAV on departures.

Cable franchising authority[‡]

Support congress to recognize, support and maintain the exercise of local franchising authority.

Municipal cable franchising is key to providing uniform quality, access and pricing to city residents.

Earned sick and safe time[‡]

Support legislative clarification on the application of these rules for unique and limited city positions including seasonal employees.

The 2023 legislature enacted a law requiring all employers to provide employees one hour of sick and safe time for every 30 hours worked.

Employer mandates[‡]

Oppose any employer mandates that diminish the inherent managerial rights as they pertain to collective bargaining.

Limiting public employers from determining the number of personnel hired could hinder the city's crisis response and subjects cities to risk if they are unable to meet bargained terms due to external challenges such as a competitive labor market.

Levy limits[‡]

Oppose levy limits or other proposed restrictions for local government budgets.

Many local factors impact the annual decision-making around the property tax levy, including other non-tax revenue forecasts, infrastructure needs and changes to the local tax base and tax increment financing districts. Local control over the tax levy is a key tool in the city's toolbox for achieving long-term financial stability.

Local control[‡]

Support local control as a principle that applies to many issues.

Local governments must have sufficient authority and flexibility to meet the challenges of governing and providing residents with public services.

Open meeting law[‡]

Support including virtual options for open meetings.

City responses to COVID-19 illustrated that remote participation can allow for meaningful public interaction. Cities are in need of continued flexibility to utilize technology for meetings to protect the health of elected officials, city staff and the public and to keep pace with changes to remote technology in the future.

Safeguard public code employees[‡]

Support League of Minnesota Cities' policy related to assaults on code compliance officials and inspectors.

Because of the nature of their job, code enforcement officials can be subjected to verbal assaults, threats and physical violence. Under current law, an assault on a code enforcement official not enumerated in Minn. Stat. § 609.2231, subd. 6, while performing official business can only be charged as fifth degree assault, a misdemeanor, unless it results in substantial bodily harm. All code enforcement officials should be afforded the same protections under Minnesota Statutes, and the legislature should amend the statute to expand the employees covered by the statute

Paid Family and Medical Leave*[‡]

Support legislation that would:

a) With respect to ESST, amend Minn. Stat. § 181.9445, subd. 5 to incorporate a well-defined "public employee" definition, not to include unique positions in which there is not a formal employer-employee

relationship such as paid appointed advisory, committee, or commission members, election judges, or other non-traditional positions.

b) Minimize legal mandates to incentivize employers to establish and/or continue to provide more generous paid leave benefits to employees. Specifically, eliminate the expansion of mandated benefits to paid leave previously negotiated in good faith and/or adopted in personnel policies in excess of what is legally required.

c) Provide funding that pays the full costs of any mandated employment-related expenditures.

d) Avoid and eliminate expensive and time-consuming duplicative legal protections and processes for public employees, including those that preclude promotional probationary periods.

e) Eliminate contradictory existing laws regarding public employment.

Public health insurance[‡]

Support the continued expansion of the state's public health insurance program MinnesotaCare, allowing all Minnesotans to buy in to the program.

The 2023 legislative session expanded Minnesota's state-funded health insurance program to let residents with incomes above 200% of the federal poverty level enroll as well as undocumented Minnesotans.

Wireless Provider Franchising Authority*‡

Support congress to recognize, support and maintain the exercise of local franchising authority.

Municipal wireless provider franchising is key to providing uniform quality, access and pricing to city residents.

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*New position in 2025

‡League of Minnesota Cities (LMC) position

Housing

The City of St. Louis Park supports housing for all residents in the city including policies that build and maintain housing and aid in associated costs.

Community land trust 4d tax classification*‡

Support the current .75 class-rate reduction for community land trust properties and support efforts by the Minnesota Community Land Trust Coalition and other housing preservation stakeholders to develop property tax valuation modifications to lower property taxes for qualifying low-income sales-price-restricted properties enrolled in CLT.

Corporate ownership of single-family homes

Support additional research on the impacts of home ownership by corporate entities and tools to address and limit impacts from corporate ownership of single-family houses and encourage increased access to homeownership through programs and resources for Minnesota families to build equity and wealth.

Group home licensing and registration*‡

Support a repeal of the legislation passed in 2024 that prohibited all cities from subjecting state licensed group assisted living facilities licensed under Minn. Stat. § 144G and Minn. Stat. § 245D.02 with six or fewer residents from any city-imposed life safety rental licensing requirements.

The Legislature should recognize the importance of city rental licensing requirements that ensure minimum life

safety standards and hold providers accountable and protect residents.

Housing policy*‡

Support legislation that expands housing opportunities (“missing middle” housing) across the state that helps to ensure all communities are planning for and able to accommodate a variety of housing types by supporting policies that allow local leadership on zoning and land use changes that are sensitive to individual community needs and housing goals including incentive-based approaches and options that can be tailored to each individual community and oppose policies that seek to impose one-size-fits-all rigid zoning and land use framework on cities.

Housing TIF District Modifications[‡]

Support expanding authority for all cities to transfer unobligated pooled increment from a housing or redevelopment TIF district to support a local housing trust fund for any eligible expenditure under Minn. Stat. § 462C.16 and modify the housing district income qualification level requirements to allow the levels to vary according to individual communities to support deeply affordable units

Prohibition on discrimination

Support a statewide prohibition on discrimination against source of income for renters receiving rental assistance.

Rental rehab loan program

Support legislation making resources and methods available to maintain and improve existing affordable homes, including publicly subsidized deeply affordable, and housing stock that is aging such as naturally occurring (unsubsidized) affordable housing.

Support voucher acceptance

Support additional funding for the housing choice voucher programs and other rental assistance programs and financial, tax and/or other incentives for rental property owners to participate in these programs.

TOD Housing fund

Support legislation to increase the ability of traditional economic development tools, including tax increment financing, tax abatement, and special service districts, to address the needs of transit-oriented development.

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Public Safety

The City of St. Louis Park supports public safety policies and rules that help our front-line workers and ensure equitable and safe outcomes for residents.

Criminal background checks

Support preventing individuals who are not legally able to purchase a gun from doing so without background checks at gun shows, online, or in private transactions.

Emergency medical services[‡]

Support a solution for EMS services that balances the needs of residents and providers statewide. Support allowing local units of government to designate which licensed provider may serve their communities and to determine the appropriate level of service.

Current regulations do not require ambulance services to disclose important data points that would ensure a community is receiving quality services.

Expansion of legal fireworks[‡]

Oppose legislation that expands fireworks in Minnesota.

Fireworks can cause serious injuries and fires. The legal sale of consumer fireworks undermines fire prevention efforts, and their sale and use increase local public safety enforcement, emergency response and fire-suppression costs.

Fire mutual aid^{*‡}

Support passage of a statute to provide uniform provisions when fire departments assist each other.

These provisions should include statutory definitions and clarifications for: a) Who is in command of the mutual aid scene. b)

Who will cover the firefighters for worker's compensation. c) How liability and property claims will be handled. d) Who will pay for expendable supplies such as foam. e) When fire departments will charge each other for these services. f) The ability for fire departments to opt out by having a separate written agreement.

Gun violence protective orders

Support allowing law enforcement in certain cases to temporarily remove any guns in an individual's possession and to prohibit new gun purchases for the duration of the order.

Health insurance coverage for disabled public safety officers[‡]

Support this mandate being fully funded by the state in perpetuity.

In 2023, a bill passed reinstating full funding to reimburse employers for the cost of continued health insurance for duty disabled peace officers and firefighters, but this is one-time funding that is expected to run out in approximately three years.

Light rail and public safety*

Support legislation allocating funding to local jurisdictions for staffing and equipment to support public safety measures related to the light rail.

Mandated law enforcement training[‡]

Support continuing the Peace Officer Standards and Training (POST) Board training reimbursement allocation to local

agencies. Current funding is not permanent and sunsets in 2024.

National Fire Protection Association (NFPA) standards*‡

Support permanent and ongoing state funding to assist fire departments statewide to improve emergency response and work toward industry standards. Opposes any attempt to mandate standards for minimum staffing levels of fire, specialized or EMS vehicles controlled by units of local government. Also opposes any attempt to adopt a standard dictating or affecting the response time of any fire, specialized or EMS vehicle.

If mandated, the NFPA standards would force local governments to shift dollars from fire prevention programs to fire suppression activities, potentially increasing the risk of fire and the danger to local firefighters.

Public safety aid*‡

Support legislation that increases aid for public safety.

Race data collected on Minnesota Driver's licenses and state identification

Support the Minnesota Department of Public Safety to require individuals self-identify their race when applying for a driver's license or state identification.

This anonymized, aggregated data would be shared with the Office of Traffic Safety for research, analysis and reporting to monitor traffic stop disparities.

Transportation and Infrastructure

The City of St. Louis Park supports providing a variety of options for people to make their way around the city comfortably, safely, and reliably.

Metro Green Line extension

Support the continued work and completion of the Metro Green Line Extension Project to provide businesses, residents and visitors with multiple transportation options.

Texas Ave. and Minnetonka Blvd.

Support Hennepin County partnering in Texas Avenue/ Minnetonka Blvd intersection reconstruction.

Texas Avenue between Lake Street and Wayzata Boulevard is one of the few continuous north-to-south roadway connections in St. Louis Park. To finish the upgrade of the Texas Ave. corridor, the new intersection would include separated bicycle facilities, sidewalk, improved driver sightlines, signal replacement and ADA upgrades.

Transit financing[‡]

Support stable and growing revenue sources to fund the operating budget for all regional transit providers now and into the future.

Transportation funding[‡]

A comprehensive transportation system is a vital component for meeting the physical, social and economic needs of our state and metropolitan region. Support sufficient and stable statewide transportation funding, for all modes of travel and local control to serve long-term needs.

Railway safety[‡]

Railways connect local and regional economies to the global marketplace and generate billions of dollars in economic activity. Recent high-profile freight train derailments, however, have highlighted safety concerns in an industry that travels through thousands of communities, including St. Louis Park.

Support accountability, safety and funding of accident prevention, as well as new rules around railway safety.

Underground infrastructure funding^{*‡}

Support creating funding for underground infrastructure replacement.

Executive summary

Title: Roers preliminary development agreement discussion – Wooddale Station – Ward 2

Recommended action: Discuss Roers Companies development proposal for the Wooddale Station redevelopment site.

Policy consideration: Does the Economic Development Authority (EDA) wish to enter into a Preliminary Development Agreement with Roers Companies to redevelop the Wooddale Avenue Station site?

Summary: In August 2020, the EDA distributed a request for proposals (RFP) for the METRO Green Line Extension Light Rail Transit (LRT) Wooddale Avenue Station site to the Twin Cities development community. The site is located on the northeast corner of 36th Street and Wooddale Avenue. The EDA selected Saturday Properties and Anderson Companies to redevelop the site. In September 2023, Saturday Properties informed the EDA that they were unable to proceed with their proposed “OlyHi” development due to insurmountable, adverse market conditions.

In early 2024, staff sought a new, qualified developer to prepare an alternative development proposal for the site consistent with the city’s original vision as identified in the RFP, that includes an active, vibrant and connected development where people can affordably live, work and recreate with the opportunities and advantages of proximity to LRT, and that further facilitates the city’s five strategic priorities as outlined in the following discussion.

After numerous conversations and meetings with various development companies, staff recommends the EDA enter into a preliminary development agreement with Roers Companies for the Wooddale Avenue Station site. Roers brings a depth of experience and history of successful projects. The Roers team has prepared a redevelopment proposal for the Wooddale Station site that furthers the city’s vision for the property and is similar to the previously approved OlyHi plan. A summary of the proposal follows in the discussion section of the report.

Financial or budget considerations: The precise purchase price of the EDA’s property, as well as the amount of financial assistance necessary to bring this latest Wooddale Station redevelopment to fruition, have yet to be determined. It is anticipated the proposed redevelopment will require some combination of public financial assistance due to the cost of affordable housing with below market rents, building demolition, contamination remediation, shoring as well as underground and structured parking.

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

Supporting documents: Discussion; Roers Companies overview

Prepared by: Jennifer Monson, redevelopment administrator

Reviewed by: Greg Hunt, economic development manager

Sean Walther, planning manager/deputy community development director

Karen Barton, community development director/EDA executive director

Approved by: Kim Keller, city manager

Discussion

Site information: The Economic Development Authority (EDA) owns the Wooddale Avenue Station site at 5950 36th St. W. that abuts the METRO Green Line Extension Wooddale Station platform to the north. The 1.68-acre site is currently occupied by a vacant 16,700 square foot commercial building and an excess municipal parking lot.

Immediately to the east is 5802 36th St. W., a 1.4-acre property owned by Standal Properties. It is occupied by a one-story, multi-tenant commercial building and parking lot.

Wooddale Avenue Station site and adjacent property



Background: A summary of previous actions and milestones is provided below.

The Wooddale Avenue Station site has been planned to be a transit-oriented development for more than 20 years. At the Feb. 10, 2020 study session, the EDA envisioned the site as an important community hub for mixed-income housing, neighborhood business and transit. Accordingly, the EDA issued a RFP in July 2020 for a qualified developer to construct a development that provides the following:

- An abundance of affordable multifamily housing that exceeds the city’s Inclusionary Housing Policy requirements and facilitates multicultural and intergenerational living (i.e. includes larger size units);
- Smaller scale, affordable, ground floor commercial spaces conducive for neighborhood businesses;
- Attractive, bold and creative architecture;
- Building and site designs that incorporate numerous “green” elements including renewable energy sources and serve as a showcase for environmental sustainability;
- Numerous accommodations for pedestrians, bicyclists, transit riders and automobiles, including electric bikes, electric vehicles and possibly car sharing;
- A public plaza or community space with unique community landmark or feature;
- High quality site amenities and public art;
- Connections to nature through green features such as enhanced landscaping, green roofs or living wall systems.

The EDA also sought a development proposal that seamlessly integrated with the adjacent METRO Green Line Extension Wooddale Avenue Station and connected to the surrounding neighborhood.

At the Dec. 14, 2020, study session, the EDA determined that Saturday Properties/Anderson Companies’ (“developers”) proposal most closely aligned with the city’s vision, development objectives and preferred programming for the site. Subsequently the EDA entered into a preliminary development agreement with the developers on Feb. 16, 2021.

The developers received city approvals for a preliminary and final plat and a preliminary and final PUD for the proposed “OlyHi” development in August 2022. In 2023, the developers and staff negotiated a purchase and redevelopment contract for the EDA’s consideration. The EDA was also awarded more than \$2.1 million in grant funds from Hennepin County and the Metropolitan Council for the OlyHi development.

On Sept. 29, 2023, Saturday Properties informed the EDA that due to insurmountable, adverse market conditions they were unable to proceed with the OlyHi development proposal and the preliminary development agreement was terminated.

Present considerations: In early 2024, staff sought a new developer with the necessary financial capacity to prepare an alternative development proposal for the Wooddale Station site consistent with the city’s original vision as identified in the RFP.

After numerous conversations and meetings with various development companies, staff determined that Roers Companies’ (“redeveloper”) presented the strongest capabilities along with a development concept that most closely aligned with the city’s priorities and vision for the Wooddale Avenue Station site.

The development team: Plymouth-based Roers Companies was founded in 2012 by Brian and Kent Roers and is an emerging national leader in multifamily real estate investment, development, construction and property management. Today it has over 13,000 multi-family units built or under construction, including the recently completed Risor development in St.

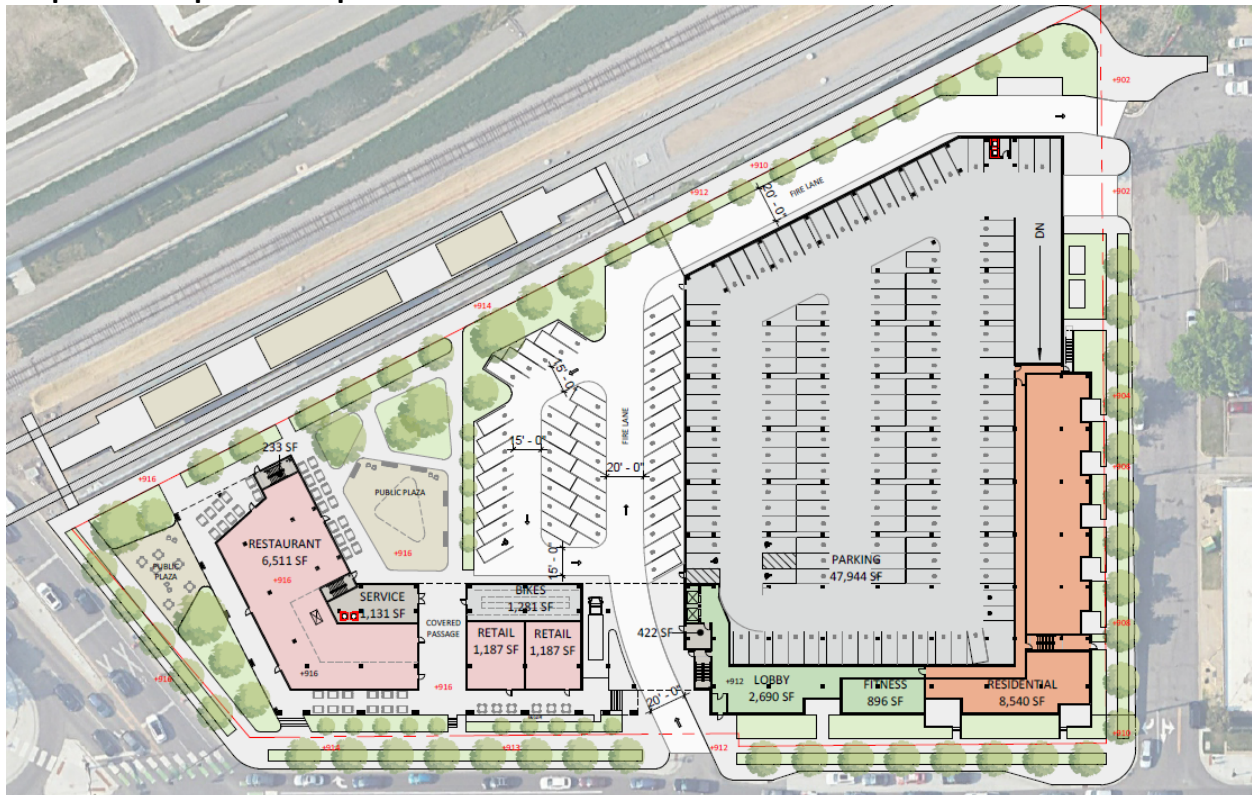
Louis Park. In 2024, Roers Companies ranked first on the Minneapolis/St. Paul Business Journal's 2024 list of fastest-growing private companies. Additionally, it was named one of the finalists for Ernst & Young's Entrepreneur of the Year 2024 Heartland Award, which celebrates entrepreneurs from the mid-west who have built thriving businesses while making a positive difference in their communities. Roers Companies constructs both market rate and all-affordable developments in 15 states.

Roers Companies has an integrated real estate development model that includes private investor financing, which has allowed it to successfully complete complex developments during challenging economic times. Rather than relying solely on developer equity and bank financing for its projects, Roers Companies utilizes investments from qualified individual investors to provide additional sources of private equity to help finance projects. Additional information on Roers Companies is attached.

Development proposal: Roers Companies plans to purchase and redevelop the EDA-owned lot located at 5950 36th St. W. as well as the Standal property to the east into a mixed-use, mixed-income transit-oriented development. Roers proposes a six-story building with approximately 263 residential units (of which 57 would be restricted to affordable rent levels), approximately 7,000 to 9,000 square feet of ground floor commercial, one or two public plazas, surface and structured parking, and several rooftop amenity spaces.

Roers Companies' redevelopment proposal is similar to the former OlyHi development, approved by city council in 2022.

Proposed site plan concept 1



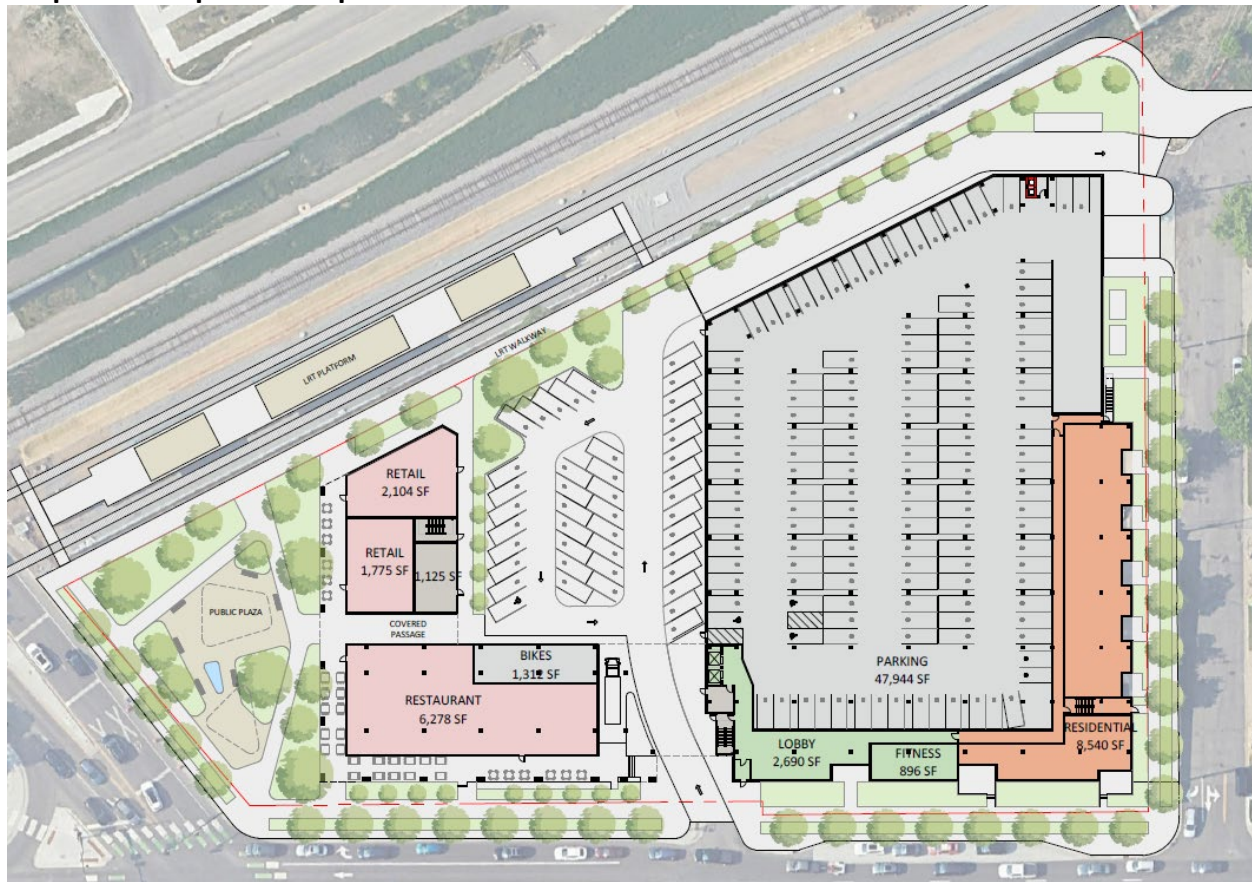
In the proposed site plan concept 1, a public plaza would be oriented toward Wooddale Avenue and a second plaza would face the Wooddale Station LRT platform. Commercial uses are proposed on the western side of the site fronting 36th Street, Wooddale Avenue and the LRT Station. A residential lobby, fitness area, and ground floor residential units are proposed on the east side of the building. Ground floor residential units would have individual entrances. A pedestrian way through the building provides visual and physical connections from 36th St. to the plaza area and surface parking lot. A one-way driveway into the site from 36th Street is located between the two sections of the building, breaking the building in half both visually and functionally. This driveway provides commercial users access to a surface parking lot, and would be used for residential move-ins, commercial loading and package delivery services. Residential parking would be accessed via a driveway from Yosemite Avenue and structured parking would be provided both below and above grade.

Concept 1 building massing



Proposed site plan concept 2:

Roers Companies is also exploring a second concept, that combines the two plazas into one. The plaza would be located near Wooddale Avenue and the LRT Station platform. This option would provide better site lines to both the station and plaza and creates an overall larger gathering area. This design would separate the plaza from the surface parking lot and shortens the overall building length along 36th Street. The remainder of the building's attributes remain similar to concept one.

Proposed site plan concept 2

Adjacent property: Roers Companies has a signed letter of intent to acquire the adjacent property at 5802 36th St. W. The parties are in the process of negotiating a purchase agreement. The agreement is contingent upon Roers Companies obtaining all necessary city approvals for its redevelopment proposal and acquiring the EDA property.

The current property owner has been preparing its property for redevelopment in recent years and is working with existing tenants to relocate them, where possible, to other Standal-owned properties in St. Louis Park. The former cell tower, which held Verizon antennae, was completely removed in October 2024.

Inclusionary housing policy: Nearly 22% of the housing units in the proposed development would be available at affordable rents which is more than double the minimum amount of affordable housing required by the city's inclusionary housing policy. Roers Companies proposes 10% of the units be affordable to households earning up to 50% of area median income (AMI), another 10% of the units at 60% AMI, plus four units at 30% AMI. A total of 57 affordable units are proposed.

This is similar to the affordability levels contemplated in the former OlyHi development, except Roers Companies is also proposing 30% AMI units be included.

The city's inclusionary housing policy requires at least seven three-bedroom units for a building of this size. The redeveloper preliminarily proposes the following unit mix, which includes 70% of the units sized as two and three bedrooms:

Unit type	Unit count	Percentage of total
Alcove	18	7%
1 bedroom	59	23%
2 bedroom	126	49%
3 bedroom	54	21%
Total*	259	100%

*The preliminary unit mix does not add up to the full 263 units shown in the redevelopment proposal. The redevelopment team is still refining building plans.

Strategic priorities: Below is a summary of how Roers Companies' proposal for the Wooddale Avenue Station site would meet the city's strategic priorities, including adherence to the city's green building and diversity, equity and inclusion policies.

- **St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.**

The redevelopment will adhere to the city's diversity, equity and inclusion policy for the goals and quarterly reports related to the hiring of women and Black, Indigenous, and people of color/Asian American and Pacific Islander (BIPOC/AAPI) owned business enterprises, peripheral businesses, and workforce employees. Roers Companies intends to utilize the Roers construction division to construct the building, and they, along with Roers Residential (Roers' in-house management company) are committed to equitable hiring practices that produce diverse slates of qualified candidates.

Roers intends to be the long-term owners and property managers for the redevelopment. Roers' property management team has worked closely with the city's housing staff to manage other inclusionary units in St. Louis Park, including Zelia on 7 and Risor. The company understands and has experience adhering to the city's inclusionary housing rental and reporting requirements.

The redeveloper is also committed to creating both resident and community events that are culturally inclusive once the building is operational.

- **St. Louis Park is committed to continue to lead in environmental stewardship.**

The proposed redevelopment would meet the city's revised Green Building Policy requirements and will include solar arrays on the building's rooftop. The team will participate in Xcel Energy's design assistance program and will use energy modeling to inform decisions for envelope, mechanical and electrical systems. Building electrification will be explored. Occupancy sensing light controls will be installed in common areas and parking garages. High efficiency heating, ventilation, and air conditioning (HVAC), Energy Star windows, lighting and appliances will be used throughout the redevelopment in addition to low flow kitchen and bathroom fixtures. It will also incorporate an electric vehicle charging station and abundant bike parking. Additionally, the redevelopment provides open spaces, enhanced landscaping, and innovative stormwater systems. The redevelopment team also plans to explore reuse of gray water on-site.

- **St. Louis Park is committed to providing a broad range of housing and neighborhood-oriented development.**

The proposal includes the redevelopment of two key properties along 36th Street and facing the Wooddale LRT Station. By combining these two properties, the redevelopment can take advantage of the entire block's frontage and topography to create a more spacious site design that facilitates a truly mixed-use, mixed-income, transit-oriented development with comfortable and welcoming public spaces. By spreading the redevelopment across both properties, it reduces the density of the block and creates efficiencies than if both parcels were developed separately. The proposed redevelopment would include a total of 263 multifamily housing units of which 57 would be restricted to affordable rent levels. Specifically, 26 units (10 percent) will be available to households earning up to 50 percent area median income, another 27 units (10 percent) will be available to households earning up to 60 percent area median income, and four units will be available to households earning up to 30 percent of area median income. The building is logically sited to complement the existing development along 36th Street in scale and massing, with wide sidewalks, and active street frontages. By locating the buildings along the outer edge of 36th Street, it makes the public spaces feel protected and more comfortable for public and private gatherings.

The proposal includes approximately 7,000 to 9,000 square feet of ground floor commercial space with frontage facing both the Wooddale Avenue LRT Station platform and 36th Street. The city has worked diligently in recent decades to create a commercial corridor along 36th Street, and this proposal is consistent with that vision. Staff are working with the developer to design a portion of the commercial spaces to be more affordable in nature. The commercial space fronting Wooddale Avenue also provides an opportunity for innovative placemaking, setting this station apart and making it attractive for visitors whether traveling by foot, bike, light rail or car.

Depending on which concept is selected, the redevelopment would offer one or two public plaza spaces, and the potential for community members to utilize the residential amenity spaces for public meetings. The public plaza(s) provide opportunities for programmed events and activities for residents and the community throughout the year. It is anticipated the commercial uses will activate the interior plaza space(s).

- **St. Louis Park is committed to providing a variety of options for people to make their way around the city comfortably, safely and reliably.**

The redevelopment is designed to be welcoming so as to invite the neighborhood and trail users through the project to safely access the LRT. The site plan accommodates all modes of transportation and has been designed for people first with wide sidewalks and pedestrian connections around and through the site. The redevelopment team has set the buildings further north to accommodate these multi-modal facilities.

The plan is fully integrated with the Wooddale LRT Station, bringing the building to the same grade as the platform crossings. This makes the transition from the plaza to the station platform seamless.

The site has been designed to provide convenient commercial and residential parking. The commercial parking is provided in a surface lot that is accessed from 36th Street, and all residential parking is accessed from Yosemite Avenue. The vehicular circulation patterns follow the recommendations from the traffic studies that were completed for a previous development proposal for this site. Approximately 1.45 parking spaces per unit are proposed.

- **St. Louis Park is committed to creating opportunities to build social capital through community engagement.**

The redevelopment planning of the EDA's property has undergone robust public participation processes, including community outreach with the neighborhood, local businesses and various special interest groups. Roers Companies' plan incorporates feedback provided to former development concepts into its proposed redevelopment. Roers would also work with the community to provide placemaking opportunities within the site area including public art. The redevelopment will include multiple public spaces and the redeveloper will work with staff to create programming that enables public use of these spaces, including use of the building's community room.

Request for financial assistance: As previously noted, the proposed development provides a sizable amount of affordable housing, exceeding the city's inclusionary housing policy requirements. In addition to providing 57 units with below market rents for 26 years, and adherence to the city's Green Building Policy and Diversity, Equity, and Inclusion policy, the property and redevelopment will need to address several extraordinary site development costs including building demolition and removal, significant contamination remediation, shoring as well as underground and structured parking. Given the added costs, Roers maintains the proposed redevelopment cannot achieve a market rate of return sufficient to attract financing.

Roers redeveloped its St. Louis Park Risor project without requesting financial assistance from the city due to a number of factors including Roers unique financing mechanisms, the type of development (55+ age restricted), and few extraordinary development costs associated with the project. Roers intends to utilize similar financing sources in the Wooddale Station Redevelopment, however, there are significant extraordinary costs associated with a redevelopment at the Wooddale Station site, above and beyond what was experienced with Risor, that will likely necessitate public financial assistance. Roers has indicated that it intends to apply for tax increment financing assistance through the establishment of a redevelopment TIF district. Should the council/EDA wish to pursue the proposed redevelopment, staff will work with the EDA's financial consultant, Ehlers, to verify the financial gap in the project's financial proforma and determine the appropriate level of assistance, if any.

Recommendations: Roers Companies' proposal closely aligns with the city's visions for the Wooddale Station site as identified in the original RFP, including an active, vibrant and connected development where people can affordably live, work and recreate with the opportunities and advantages of proximity to LRT, and one that further facilitates the city's five strategic priorities.

Roers Companies' proposal is also very similar to the former OlyHi development, which would allow the EDA to utilize the previously awarded grant funds from Hennepin County and the Metropolitan Council for this development.

Additionally, Roers Companies has the proven track record and financial capacity to pursue a major mixed use, mixed income, transit-oriented development such as the one it proposes. Accordingly, staff recommends the EDA enter into a preliminary development agreement (PDA) with Roers Companies to redevelop the Wooddale Avenue Station site and adjacent property.

Under a PDA, the EDA and Roers Companies would agree to work cooperatively together toward a mutually acceptable mixed-use development plan and a purchase and redevelopment contract for the EDA property. The purpose of the PDA is to formalize the parties' respective responsibilities relative to further defining the Wooddale Station redevelopment project consistent with the parties' mutual objectives. The PDA would also provide Roers Companies with formal permission to access the 5950 36th St. W. to conduct its due diligence. During the term of the PDA, Roers Companies would be provided with exclusive rights to negotiate acquisition of the EDA's property.

Next steps: Assuming general EDA support for the above redevelopment proposal, staff will work with EDA legal counsel to draft a PDA with Roers Companies for the EDA's future consideration. Any suggestions or concerns should be shared with staff.

Past actions	Governing body	Date
Approved a substandard building resolution related to the former Nash Frame building located at 5950 36th St. W to allow for the future creation of a redevelopment TIF district.	EDA/City Council	Nov. 4, 2024

Future actions	Governing body	Date
Consider entering into a preliminary development agreement with Roers Companies	EDA	TBD
EDA receives report outlining the request for financial assistance	EDA	TBD
Public hearing and recommendation on preliminary and final plat and planned unit development (PUD) amendment	Planning Commission	TBD
EDA receives report summarizing business terms related to the purchase and redevelopment contract	EDA	TBD
Consider preliminary and final plat and 1 st reading of a PUD amendment	City Council	TBD
Consider 2 nd reading of PUD amendment	City Council	TBD
Consider establishing redevelopment TIF District	EDA/City Council	TBD
Consider purchase and redevelopment contract	EDA	TBD



COMPANY OVERVIEW

Rooted Values. Proven Results.



ROERS
COMPANIES



ABOUT ROERS COMPANIES

Roers Companies is a multifamily real estate investment firm powered by in-house development, construction, and property management. We partner with individual investors to build institutional-scale apartments in high-demand neighborhoods. We also bring quality affordable housing to under-supplied markets. Roers Companies has emerged as a national multifamily leader because of the efficiency of our fully integrated in-house expertise.

Our Story

Roers Companies started small by developing and operating a handful of apartment buildings in rural North Dakota. Through hard work and tenacity, we helped those properties survive the boom-to-bust market. We rallied to add new product types in new locations to diversify and grow the business.

Today, Roers Cos. is a nimble and dynamic commercial real estate investment, development, construction, and property management company with a nationwide multifamily portfolio that ranks amongst the largest developers and builders in the country.

14

States represented

325+

Employees nationwide

12.6M+

Gross square feet developed



CAPABILITIES

Roers Companies' real estate team upholds a responsibility to facilitate sustainable development, designing each property to align with the community's unique needs and values to generate the most widespread benefit with each project.

Our core services include:

- **Investment**
We offer wealth-enhancement opportunities to individuals looking to add institutional-level assets to their private investment portfolio.
- **Development**
We identify and analyze opportunities to create new properties that will elevate local markets, diversify our portfolio, and deliver value for all parties involved.
- **Construction**
Our construction management and general contracting teams work with trade partners to ensure on-time and on-budget project completion.
- **Property Management**
Our full-service property management group is a finely tuned leasing and operations engine that accelerates occupancy and meets the everyday needs of our residents.

85

Properties completed or underway

13,000

Units completed or under construction

\$3B+

Construction completed



AWARDS & ACCOLADES

Roers Companies is ranked among the most successful, high-growth private companies in the Twin Cities and even across the nation. Here's a snapshot of some of our most recent company and individual accolades.

2024

- Ranked No. 12 in National Multifamily Housing Council's NMHC 50 Top Developers
- Joined National Multifamily Housing Council's NMHC 50 list as a Top Builder
- Ranked as second-largest developer in the Twin Cities by Minneapolis/St. Paul Business Journal
- Named a Top Workplace by USA Today
- Selected as Property Management Company of the Year in the Minnesota Real Estate Awards

2023

- Ranked as second-largest developer in the Twin Cities by Minneapolis/St. Paul Business Journal
- Joined National Multifamily Housing Council's NMHC 50 list as a Top Developer (#25)
- Selected as Developer of the Year in the 2023 Minnesota Real Estate Awards
- Named a Top 200 Workplace by Star Tribune

2022

- Ranked as fourth-largest developer in the Twin Cities by Minneapolis/St. Paul Business Journal

2021

- Inc. 5000 Fastest-Growing Private Companies in the U.S. (#2351)
- Carlton Lofts named Finance & Commerce Top Projects of 2020

EXECUTIVE LEADERSHIP



Kent Roers

Owner and Co-Founder

Co-founder and owner of Roers Companies, Kent has over 20 years of experience in real estate and finance. In that time, he has been involved in almost every aspect of residential properties, from leasing single-family homes to developing luxury multifamily complexes. In building Roers Cos. into the company it is today, Kent led the equity practice making it one of the largest in the Midwest.



Brian Roers

Owner and Co-Founder

Brian is a co-founder and owner of Roers Companies. He started his career in real estate purchasing single-family homes, duplexes, and student housing. After gaining his CPA license, Brian co-founded Anderson & Roers CPAs, in which he held 50% partnership until launching Roers Companies in 2012. In 2018, Brian was recognized as an honoree of the Minneapolis/St. Paul Business Journal's "40 Under 40" Award.



Shane LaFave

Executive Vice President

Shane has been in the real estate development field for 15 years. He has worked on everything from affordable housing renovations in suburban areas to high-end market-rate buildings in urban cores. As Executive Vice President, he oversees the development team as they drive new projects from initial conception through the end of construction. This includes finding sites, lining up financing, obtaining entitlement approvals, coordinating design, and collaborating with other departments to bring each new project online.

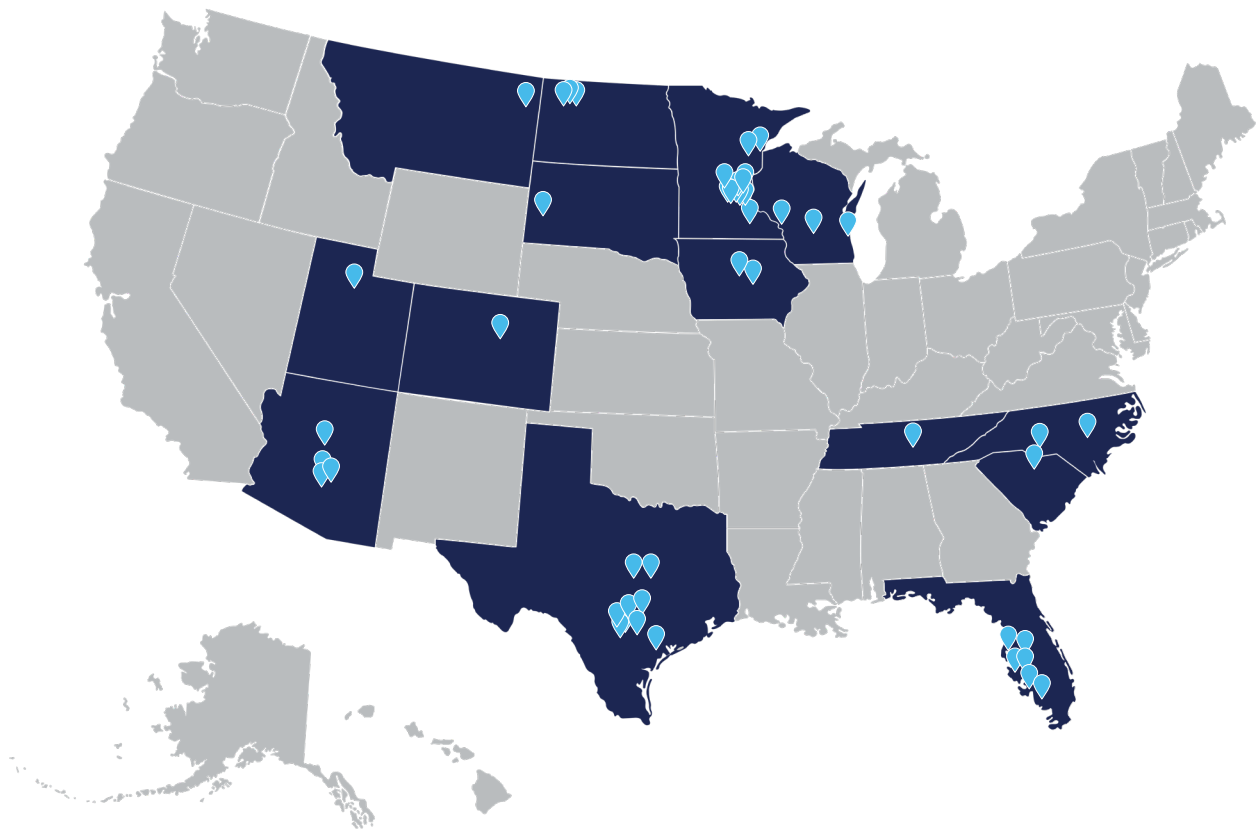


Tom Cronin

Executive Vice President

Tom joined Roers Companies in 2021 as the CFO, bringing over 20 years of finance, accounting, and tax experience at financial institutions ranging from small community banks to large multinational financial institutions. He has since been promoted to Executive Vice President to reflect a broadened role overseeing multiple departments including accounting, asset management, property management, marketing, IT, and the legal team.

GEOGRAPHICAL FOOTPRINT



Roers Companies is active in 14 states. This includes all projects already completed, under construction, and sites in our future development pipeline.



MARKET RATE & MIXED USE

Roers Companies' mixed-use and multifamily properties employ the full scope of the team's resources, infrastructure, and experience to integrate the residential and commercial functions into cohesive developments that fulfill the company's commitment to contribute value to the community with every project.

Terra Residences

Maple Grove, Minnesota

Terra brings 250 serene luxury market-rate apartments to the growing northwest suburban city of Maple Grove. Terra infuses wellness into its natural interior design finishes and invigorating outdoor relaxation and recreation spaces. The building offers residents a mix of apartment sizes ranging from 515 sq. ft. studios through sprawling 1,526 sq. ft. two-bedroom floor plans.



Completed Winter 2023

Square Feet:
346,000

Architect:
Kaas Wilson

Contractor:
Bauer

Cost:
\$51 million



Confluence on 3rd Apartments

Des Moines, Iowa

Confluence on 3rd is the first luxury living apartment complex in downtown Des Moines. We used virtual reality as an innovative strategy for marketing the property’s 211 units while the project was still under construction. This innovation paid off – Confluence reached 97% occupancy just eight months after opening.

Completed 2017

Square Feet:	Contractor:
280,000	Frana
Architect:	Cost:
Urbanworks Architecture, LLC	\$42 million

Lexi Apartments

Blaine, Minnesota

Lexi Apartments’ convenient Blaine location near the intersection of Lexington Avenue and 109th Avenue delivers dozens of options for shopping, dining, and recreation. Featuring 182 market-rate apartments that range from studios to 2-bedrooms, Lexi offers a premier selection of finishes.

Completed Fall 2023

Square Feet:	Contractor:
218,038	CBS
Architect:	Cost:
Cole Group	\$39 million



Savor Apartments

West St. Paul, Minnesota

Savor Apartments sits in a prime area of West St. Paul, replacing blighted commercial buildings near the intersection of Wentworth Avenue and Robert Street. Featuring 200 market-rate apartments that range from studios to 2-bedrooms, Savor offers a premier selection of finishes. Amenities include a club room, rooftop skylounge and skydeck, a game room, fitness center, and more.

Completed Spring 2020

Square Feet:	Contractor:
220,000	Anderson Cos.
Architect:	Cost:
ESG	\$44 million

Northlake Lofts

Lakeville, Minnesota

Northlake Lofts is a 208-unit apartment community in the fast-growing Twin Cities’ southern suburb of Lakeville. This four-story project is located within a mixed-use, pedestrian-friendly neighborhood near grocery stores and retail venues. Northlake Lofts was 57% leased when the property welcomed its first residents in April and reached 96% leased by July.

Completed Spring 2022

Square Feet:	Contractor:
281,000	Bauer Design Build
Architect:	Cost:
Kaas Wilson	\$41 million



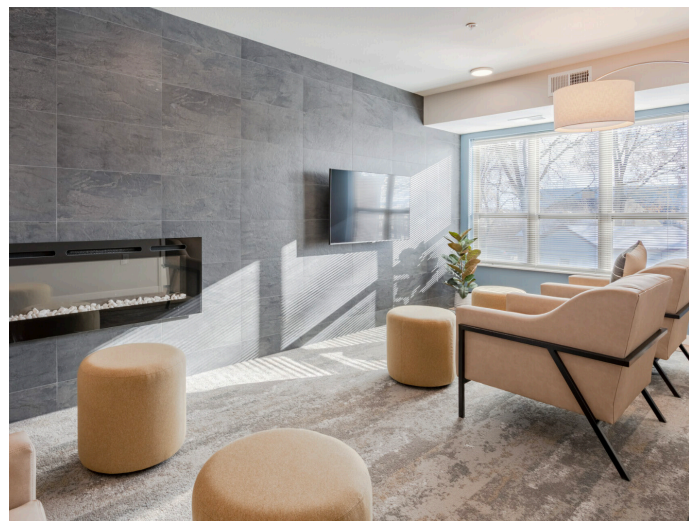
AFFORDABLE & TAX-CREDIT HOUSING

Roers Companies has a wide background of leveraging numerous financing sources including low-income-housing tax credits, historic tax credits, TIF, and utilizing the benefit of opportunity zones. With a commitment to providing a variety of housing types to all communities, Roers Companies utilizes innovative financing sources to develop affordable housing.

Alo Apartments

Buffalo, Minnesota

Inspired by the beauty of Buffalo Lake, Alo Apartments brings a wave of luxury to affordable living in Buffalo, Minnesota. The 60-unit community offers a mix of studio, one-, two-, and three-bedroom apartment homes and abundant amenities. Alo opened its doors to the first residents in October 2020 and is now 100% leased.



Completed Fall 2020

Square Feet:
97,000

Architect:
Kaas Wilson

Cost:
\$15 million

Website:
aloapts.com



Cove Duluth Duluth, Minnesota

Nestled near the shores of Lake Superior, Cove Apartments celebrates the harbor city with nautical-inspired interior spaces. Two 1910-era commercial buildings have been reinvented as a 48-unit apartment community. One of Cove’s unique features is a repurposed skyway lounge boasting lake and downtown views. A second phase of development was completed in 2022.

Completed September 2020

Square Feet:

55,000

Cost:

\$24 million

Builder & Architect:

Gardner

Website:

liveatcove.com



The Narrows Apartments Hutto, Texas

The Narrows, a 300-unit affordable housing community in a suburb just north of Austin, brings much-needed affordable housing to the growing Austin area. The property includes a pool, community lounge, fitness center, and more. .

Completed September 2023

Square Feet:

318,791

Contractor:

Rampart

Builder & Architect:

BKV

Website:

thenarrowsapts.com



The Wildwood at Main Sun Prairie, Wisconsin

The Wildwood at Main brings the feeling of home to apartment living in Sun Prairie, Wisconsin. The 172 apartments at The Wildwood at Main offers comfortable finishes and nature-inspired features. Amenities include a fitness center, community room, and yoga studio. Each apartment includes in-unit washers and dryers, stainless steel appliances, and spacious closets.

Completed September 2023

Square Feet:

300,430

Contractor:

McShane

Architect:

Korb & Associates

Website:

wildwoodatmain.com



EXPERIENCE

Projects Completed & Under Construction

Multifamily

The Hendrey

Salt Lake City, UT; 348 units (2026)

Marisol

Port Charlotte, FL; 292 units (2025)

Rowe

Victoria, MN; 125 units (2025)

Sierra on 66

Flagstaff, AZ; 221 units (2025)

The Elara

Farmers Branch, TX; 150 units (2025)

Callisto Commons

Fridley, MN; 169 units (2025)

The Blakeley

Shakopee, MN; 205 units (2024)

Altō

Maricopa, AZ; 200 units (2024)

Ryder Ridge

Austin, TX; 224 units (2024)

Wicklōwe

Rosemount, MN; 214 units (2024)

The Whitney

Salt Lake City, UT; 264 units (2024)

Mesa Vista

Casa Grande, AZ; 200 units (2024)

Solana Villas

Buckeye, AZ; 200 units (2024)

Meridian at Wylie

Wylie, TX; 200 units (2024)

The Espen Residences and Townhomes

Oakdale, MN; 269 units (2024)

Mural

Aurora, CO; 216 units (2024)

Revel

Largo, FL; 184 units (2024)

Bluff View at Frederick Creek

Boerne, TX; 216 units (2024)

Risor of Blaine

Blaine, MN; 184 units (2024)

The Narrows Apartments

Hutto, TX; 300 units (2023)

The Wildwood at Main

Sun Prairie, WI; 172 units (2023)

Lexi Apartments

Blaine, MN; 182 units (2023)

Solis at Jackson Station

Salt Lake City, UT; 363 units (2023)

Risor of St. Louis Park

St. Louis Park, MN; 170 units (2023)

Risor of Bloomington

Bloomington, MN; 145 units (2023)

Risor of Maple Grove

Maple Grove, MN; 150 units (2023)

Terra Residences

Maple Grove, MN; 250 units (2023)

Risor of Apple Valley

Apple Valley, MN; 172 units (2022)

Savor Apartments

W St. Paul, MN; 200 units (2022)

Axle Apartments

Fridley, MN; 262 units (2022)

Cove Apartments

Duluth, MN; 86 units (2022)

Northlake Lofts *

Lakeville, MN; 208 units (2022)

* Indicates sold properties

Community Within the Corridor

Milwaukee, WI; 197 units (2022)

Beyond Apartments*

Woodbury, MN; 255 units (2021)

Havenwood of Maple Grove*

Maple Grove, MN; 150 units (2021)

Alo Apartments

Buffalo, MN; 60 units (2020)

Carlton Lofts

Cloquet, MN; 57 units (2020)

Maven Apartments*

Burnsville, MN; 137 units (2020)

N&E*

Minneapolis, MN; 93 units (2020)

Havenwood of Buffalo*

Buffalo, MN; 90 units (2020)

Havenwood of Burnsville*

Burnsville, MN; 134 units (2020)

Maxwell Lofts

Milwaukee, WI; 116 units (2019)

Havenwood of Onalaska*

Onalaska, WI; 128 units (2019)

Venue Apartments

Chanhassen, MN; 134 units (2019)

Havenwood of Minnetonka*

Minnetonka, MN; 100 units (2019)

Mezzo Apartments*

Minneapolis, MN; 110 units (2018)

CORE Apartments*

Ames, IA; 132 student beds (2018)

Flux Apartments*

Des Moines, IA; 90 units (2018)

Soll Apartments*

Des Moines, IA; 162 units (2018)

Havenwood of Richfield*

Richfield, MN; 88 units (2018)

Hickman Flats*

Des Moines, IA; 203 units (2018)

Red44*

Rochester, MN; 159 units (2017)

Spectrum Apartments & Townhomes*

Minneapolis, MN; 108 units (2017)

Confluence on 3rd Apartments

Des Moines, IA; 211 units (2017)

The Pines at Rapid

Rapid City, SD; 124 units (2016)

The Bluffs of Williston

Williston, ND; 148 units (2015)

Tioga Square

Tioga, ND; 25 units (2014)

Sidney Apartments

Sidney, MT; 66 units (2014)

Stanley Square

Stanley, ND; 25 units (2014)

Hunters Run Apts I & II*

Watford City, ND; 291 units (2014)

T-Lofts*

Fargo, ND; 362 units (2014)

28th Street Apartments*

Williston, ND; 93 units (2014)

Tioga Townhomes

Tioga, ND; 30 units (2013)

Tioga Apartments

Tioga, ND; 33 units (2013)

Stanley Apartments

Stanley, ND; 40 units (2012)

Commercial**Risor of St. Louis Park Retail**

St. Louis Park, MN 4,000 sq. ft (2023)

Savor Retail

West St. Paul, MN 3,000 sq. ft (2022)

Cove Retail 100

Duluth, MN 5,196 sq. ft (2020)

Cove Retail 101

Duluth, MN 3,850 sq. ft (2020)

Soll Retail*

Des Moines, IA 13,000 sq. ft (2018)

Onyx Workspace Retail*

Des Moines, IA 2,500 sq. ft (2018)

Harvest Hills I

Williston, ND 40,000 sq. ft (2015)

Watford Center

Watford City, ND 16,000 sq. ft (2015)

Graybar Electric

Watford City, ND 20,388 sq. ft (2015)

Tioga Square

Tioga, ND 9,900 sq. ft (2014)

Stanley Square

Stanley, ND 9,000 sq. ft (2014)

Maple Grove Office

Maple Grove, MN 6,600 sq. ft (2012)

* Indicates sold properties



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Executive summary

Title: 2025 proclamations and cultural observances

Recommended action: None.

Policy consideration: The purpose of this report is to inform the council of the specific days with cultural significance that are related to building equity and inclusion and for which a proclamation will be issued.

Summary: The City of St. Louis Park encourages staff and community members to be aware and respectful of diverse religious and cultural observances. Beginning in 2023, council was asked to consider adopting proclamations in recognition of these observances. The calendar of proclamations is not intended to be a comprehensive list of religious and cultural observances but includes dates of particular significance to historically marginalized peoples represented in our community. It also serves as a reminder to consider religious and cultural observances when selecting dates for meetings and events. Additionally, the calendar helps raise awareness and provides opportunities for cross-cultural learning and connection in St. Louis Park.

Financial or budget considerations: None

Strategic priority consideration: St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.

Supporting documents: None

Prepared by: Jocelyn I Hernandez Guitron, racial equity and inclusion specialist

Reviewed by: Cheyenne Brodeen, administrative services director

Women's employee resource group

LGBTQ+ employee resource group

BIPOC employee resource group

Military employee resource group

Approved by: Kim Keller, city manager

Discussion

Background: The increasingly pluralistic population of the City of St. Louis Park is made up of diverse racial, ethnic, cultural, faith and religious communities. To be a leader in racial equity and inclusion, the city must enhance mutual understanding among groups. A calendar of cultural observances enables the City of St. Louis Park to increase awareness of and respect for religious obligations and ethnic and cultural festivities that may affect colleagues, community organizations, youth and neighbors in our community. It also provides a learning opportunity by recognizing communities that may be underrepresented in St. Louis Park. A cultural observances calendar is an essential tool to aid in knowing the historical, cultural and religious events of diverse groups and their impact on our community.

Present considerations: St. Louis Park is a first-ring suburb of Minneapolis, with a diverse public school system, several private religious schools that draw students from across the Twin Cities metropolitan area, a vibrant and thriving Jewish population supporting multiple synagogues; a Buddhist Thai Temple (Wat Promwachirayan) and Christian churches of various denominations. We seek to become a community that embraces principles of equity and respect for all its community members. By creating special observances, the City of St. Louis Park promotes awareness and action on these issues.

St. Louis Park currently recognizes several cultural observances through the adopted council meeting calendar. This calendar formally recognizes the importance of the events and increases our understanding and appreciation of cultural differences and similarities within, among and between groups. Practically speaking, it also guides scheduling of official city business and is used for internal and external educational communications.

The St. Louis Park City Council recognizes the following holidays when establishing meeting schedules each year:

- New Year's Day
- Reverend Dr. Martin Luther King Day
- Presidents Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Rosh Hashanah
- Yom Kippur
- Passover
- Eid al-Fitr
- Eid al-Adha

Proclamations: While not a comprehensive list of racial equity and inclusion observances, staff recommend council issue proclamations to educate the broader community about specific

communities in St. Louis Park. Additional benefits to issuing proclamations include greater opportunities for cross cultural learning and connection in the City of St. Louis Park. Current practice is to share proclamations by the council to the news media, as well as through city communications channels, to provide opportunities for awareness and learning with the community.

The following proclamations are recommended for public recognition in 2025:

- January
 - National Day of Racial Healing
 - International Holocaust Remembrance Day
- February
 - Black History Month
- March
 - National Women’s History Month
 - Ramadan
- May
 - Jewish Heritage Month
 - American Indian Heritage Month
 - AAPINH (Asian American, Pacific Islander, Native Hawaiian) Heritage Month
- June
 - PRIDE Month
 - Juneteenth
- August
 - National Purple Heart Day
 - Women’s Equality Day
- September
 - Latino Heritage Month
- October
 - National Disability Employment Awareness Month
 - Indigenous Peoples Day
- November
 - Veterans Day
 - Transgender Day of Remembrance
- December
 - International Migrants Day

Next steps: Staff will implement the council approved calendar of cultural observances and forthcoming proclamations for 2025.

Executive summary

Title: Racial equity and inclusion system wrap-up

Recommended action: No action is requested; this report is for informational purposes.

Policy consideration: None The purpose of this report is to summarize the outcomes of recent discussions that occurred within the racial equity and inclusion (REI) system

Summary: On Oct. 21, Nov. 4 and Nov. 18, 2024, the council held a series of discussions focused on advancing the city's strategic priority related to racial equity and inclusion. The council's discussions focused on topics ranging from cashless businesses, community health, 2025 proclamations and cultural observances. This report serves as a summary of all the discussions and reports and includes the council direction provided.

Financial or budget considerations: None.

Strategic priority consideration: St. Louis Park is committed to being a leader in racial equity and inclusion in order to create a more just and inclusive community for all.

Supporting documents: None

Prepared by: Jocelyn I Hernandez Guitron, racial equity and inclusion specialist

Reviewed by: Cheyenne Brodeen, administrative services director

Approved by: Kim Keller, city manager

Discussion

Background:

In 2018, the council adopted five strategic priorities as a part of the [vision 3.0 process](#). One of the five priorities identified was: “Being a leader in racial equity and inclusion in order to create a more just and inclusive community for all. Over the past few years, staff have been aligning systems and programs to ensure that this strategic priority is being achieved.

This system included study sessions covering cashless businesses, community health and recommended proclamations. Reports on these topics were considered and discussed by the city council, and where appropriate, direction on future expectations and outcomes was provided to staff for implementation.

A summary of the topics covered in this system includes:

Racial equity and inclusion system kick-off: This report provided a high-level overview of the system discussion.

Outcomes: No questions or comments were received.

Cashless business discussion: Staff presented an overview of unbanked and underbanked individuals, as well as the concerns and issues related to businesses that do not accept cash. Staff discussed ways in which to address and mitigate these impacts, ways to empower affected individuals and methods to inform and educate the business community.

Staff recommended the following approach:

- Direct staff to monitor the number of local cashless businesses to see if it becomes more pervasive.
- Adopt a resolution encouraging local retail establishments to accept both cash and digital payments. Doing so could bring attention to the issue and serve as a springboard for an education effort as to the unintended consequences of not accepting cash as well as the benefits of accepting cash.
- Consider advocating for and exploring how to clear barriers to banking access for those interested in being banked. Many banks offer programs and outreach to those that are looking for banking services but have not been able to access them yet.

Outcomes: Council engaged in a robust conversation on the topic with the majority in support of the staff recommended actions. Council also requested this issue be added to the city’s legislative priorities agenda for 2025.

Staff included this issue in the city’s legislative priorities agenda for 2025. Staff will work with the city attorney to draft a resolution encouraging local businesses to accept cash as a payment method to bring to council for formal adoption. Staff will also work with communications staff on any educational materials needed for retailers and develop a plan to disseminate those materials to the business community.

Community health update – Vision 2025: The fire department provided council with an overview of the St. Louis Park community health program and detailed a recommended direction for a two-year pilot. This report included a racial equity and inclusion impact analysis summary.

Outcomes: Council expressed support for the continuation of the city’s community health program and the proposed two-year pilot.

Racial equity and inclusion council training discussion: The REI division presented the training, “Let’s Talk About Race” to council members to further develop their understanding of racial equity and inclusion.

2025 proclamations and cultural observances report: This report recommended proclamations and cultural observances for recognition in 2025n