

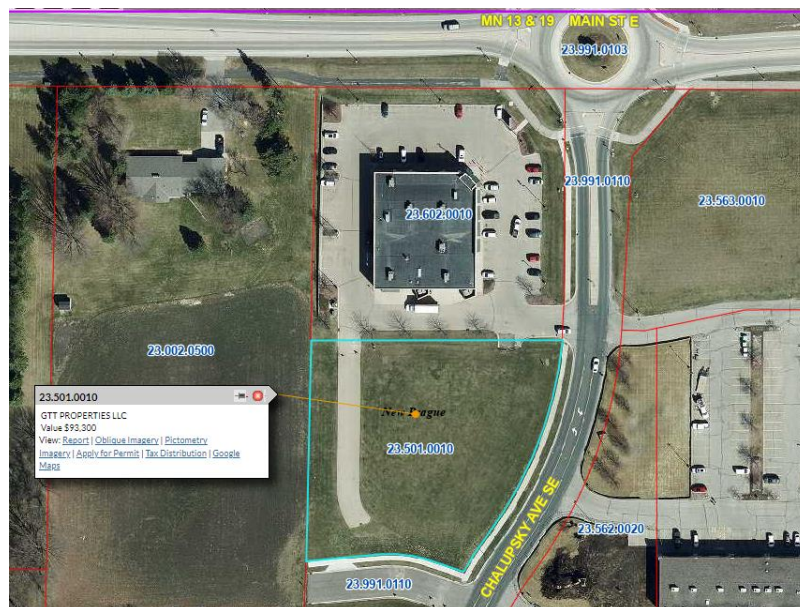


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MEMORANDUM

TO: PLANNING COMMISSION
FROM: KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONCEPT REVIEW OF POSSIBLE ZONING ORDINANCE AMENDMENTS RELATING TO RH HIGH DENSITY RESIDENTIAL ZONING DISTRICT DENSITY, MINIMUM LOT AREA, USABLE OPEN SPACE AND PARKING REQUIREMENTS FOR APARTMENT UNITS
DATE: MARCH 21, 2024

For the past couple of months, city staff has been discussing a possible 54-unit apartment building to be located on PID 23.501.0010. This is the lot located immediately south of Walgreens (as pictured below). The lot is 1.36 acres (59,518 sq. ft.) and is zoned RH High Density Residential.



The current owner of the property is GTT Properties, LLC (Marv Deutsch) platted the property, installed a stub of 1st Street NE, rezoned the property, obtained setback variances and amended the zoning ordinance to allow a 43-unit apartment building on the property back in the year 2020. A new yet to be named developer is seeking to construct a 54 unit building essentially the same footprint as the previously approved 43-unit apartment building (the reason the 54 units fit is due to the units being smaller than what was previously proposed.)

The variances approved as part of Variance #V8-2020 allowed a rear yard setback to be reduced along the north (rear) lot line from 30' to 10' and allowed a front yard setback to be reduced along the front (south) lot line adjacent to 1st Street SE from 30' to 27' 7".

The zoning ordinance amendment at this time increased the allowed density in the RH district from 22 units per acre, up to 32 units per acre, reduced the minimum lot area per unit from 2,000 sq. ft. down to 1,300 sq. ft. and finally reduced the usable open space per dwelling unit from 400 sq. ft. down to 300 sq. ft.

The proposed 54 unit building would not meet the density limit (would need to be increased to 40 units per acre from the current 32 units per acre), minimum lot area per unit (would need to be reduced to 1,100 sq. ft. per unit from the current 1,300 units per acre) or usable open space per dwelling unit requirements (would need to be reduced down to 200 sq. ft. from the current 300 sq. ft. per unit requirement). Additionally, the City's current parking requirement of 2 parking spaces per apartment unit would not be met (would need to be closer to 1.7 parking spaces per unit).

There are two options to consider to allow the project to occur:

1. Amend the zoning ordinance as noted above, or;
2. Process the request as variances for the ordinance provisions noted.

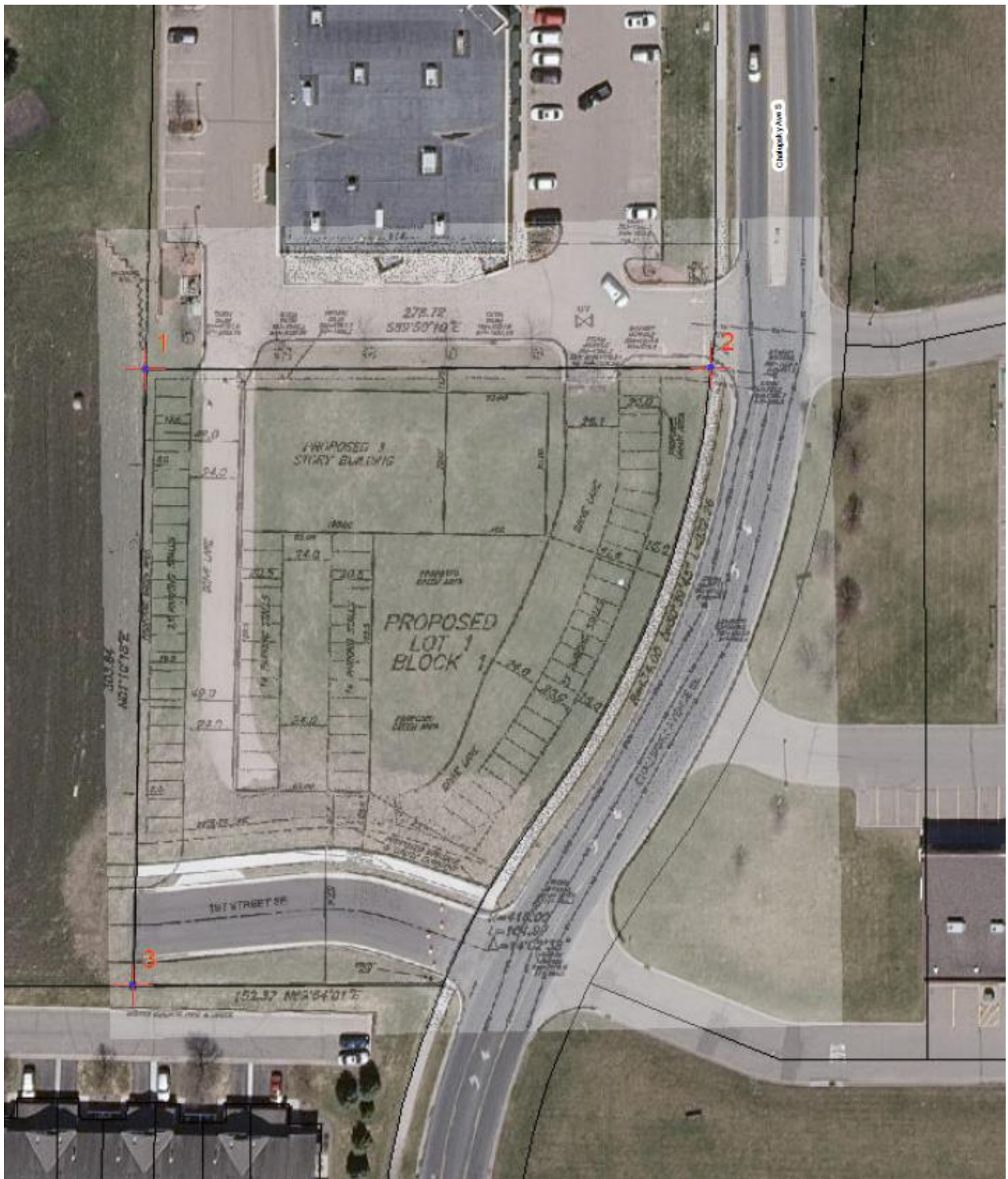
Staff notes that the in-process Comprehensive Plan update does have a draft action items relating to multifamily housing including:

- “review zoning ordinances to ensure they are not a primary barrier to development.”
- “utilize land use plans to guide development and placement of a variety of housing units”,
- “locate new housing in areas with adequate access to jobs, transportation and other daily need amenities”
- “provide targeted development incentives to attract developers for new housing or mixed-use projects”
- “encourage high-density development in areas in and near downtown and near other commercial areas to provide a diverse and balanced housing type in the city”.

Staff believes that the zoning ordinance does need to be updated to allow for more high density residential, but that this particular request could be processed with variances (as the request is not too far from what is currently allowed but would allow the development to move forward while reviewing the entire zoning ordinance in full after the adoption of the new Comprehensive Plan).

Below is the original site plan from when the 43-unit building was approved and an updated general building elevation for what the new proposed 54 apartment building could generally look like (ignore the parking layout on the photo).

Staff also notes that the City Council at their meeting on April 1st is hearing an introduction to the project whereby they will be considering working with the developer on a Minnesota Housing Finance Agency “Workforce Housing Development Program” application which could bring in state funds to help the project occur, but a local match to the funds would be necessary via a tax abatement from the City (details to be determined).



(Previously approved site plan for 43-unit apartment building – included setback variances)



(Example Building Elevation – indicative of style and materials only – building may have peaked reroof as shown or flat roof. Different and more appealing colors would be utilized.)



(Google street view of the lot in question)

Existing Zoning Ordinance Language-

(Noted in yellow are provisions that would either need to be acknowledged as variances or changed in the zoning ordinance – in (red parenthesis) is the variance necessary.)

607 RH High Density Residential District

1. Purpose

This district is created to allow high density multi-family dwellings of up to **32 units per acre** (40 units per acre). This district is located in areas of transition, lower density residential areas and nonresidential areas.

2. Permitted Uses

- A. Single family dwelling unit
- B. Two family dwelling units and twinhomes
- C. Townhouses
- D. Apartments
- E. Essential services
- F. Home occupations
- G. Accessory uses
- H. Day care facility, in home
- I. Recreation, public

3. Permitted Accessory Uses

- A. Accessory buildings
- B. Fences
- C. Residential recreation equipment
- D. Off-street parking serving the property
- E. Nameplate and temporary signs
- F. Gardening, where no sale of products is conducted
- G. Landscaping and landscaping features

4. Conditional Uses

- A. Manufactured/Modular home parks
- B. Educational buildings and uses including primary and secondary public and private schools and institutions for higher education
- C. Religious Institutions
- D. Nursing homes and assisted living facilities
- E. Bed and breakfast homes, if lot size is 9,000 square feet or larger
- F. Bed and breakfast inns
- G. Any house or other principal structure moved onto a lot

5. Bulk Standards

- A. Minimum Lot Area: 1,300 (1,100) square feet per dwelling unit for multi unit buildings
7,000 square feet per unit for single and two family dwelling units
- B. Minimum Lot Width: 100 feet for multi unit buildings
50 feet for single family dwelling units
- C. Minimum Front Yard Setback: 30 feet
- D. Minimum Side Yard Setback: 20 feet for multi unit buildings
7 feet for single family dwelling units
- E. Minimum Rear Yard Setback: 30 feet
- F. Maximum Height: 50 feet
- G. Maximum Land Coverage By Structures: 40 percent
- H. Minimum Floor Area (2 or more unit buildings):
 - 1. Efficiency Unit: 400 square feet
 - 2. One bedroom apartment: 600 square feet
 - 3. Two bedroom units: 750 square feet
 - 4. Three bedroom units: 950 square feet

- I. Useable Open Space Per Dwelling Unit (two or more unit buildings):
 - 1. 300 (200) square feet

717 Off-Street Parking and Loading

Residential, Apartment	2 (1.7) per unit
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Recommendation

I recommend that the Planning Commission advise the developer to apply for variances for the proposed 54-unit apartment building from the following zoning ordinance provisions: parking, density, minimum lot area per unit and useable open space and to take a more wholistic approach to amending the zoning ordinance once the new Comprehensive Plan is adopted.