



**Request for City Council Committee Action from the Department of Community Planning
& Economic Development – Planning Division**

Date: November 19, 2008
To: Council Member Gary Schiff, Chair of Zoning and Planning Committee
Referral to: Zoning and Planning Committee
Subject: Referral from the November 17, 2008 City Planning Commission Meeting
Recommendation: See report from the City Planning Commission

Prepared by: Lisa Baldwin, Planning Commission Committee Clerk (612-673-3710)

Approved by: Jason Wittenberg, Supervisor, CPED Planning-Development Services

Presenter in Committee:

7. Zoning Code Text Amendment, Jason Wittenberg, Planning Supervisor, x2297

Community Impact (use any categories that apply)

Other: See staff report(s) from the City Planning Commission

Background/Supporting Information Attached

The attached report summarizes the actions taken at the City Planning Commission meeting held on November 17, 2008. The findings and recommendations are respectfully submitted for the consideration of your Committee.

**REPORT
of the
CITY PLANNING COMMISSION
of the City of Minneapolis**

The Minneapolis City Planning Commission, at its meeting on November 17, 2008 took action to **submit the attached comment** on the following items:

7. Zoning Code Text Amendment (Ward: All) (Jason Wittenberg).

A. Text Amendment: Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to the Zoning Code: Administration & Enforcement.

Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to the Zoning Code: Off-Street Parking and Loading.

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to the Zoning Code: Overlay Districts.

The purpose of the amendment is to revise the zoning code's off-street parking and loading regulations.

Action: The City Planning Commission recommended that the City Council adopt the above findings and **approve** the zoning code text amendment, amending chapters 525, 541, and 551, noting that language for the Uptown Pedestrian Oriented Overlay District eastern boundary should match that in the Uptown Small Area Plan. The City Planning Commission further recommends that chapters 520, 527, 531, and 536 be returned to author.

**Community Planning and Economic Development Planning Division Report
Zoning Code Text Amendment**

Date: November 17, 2008

Initiator of Amendment: Council Member Schiff

Date of Introduction at City Council: March 31, 2006

Ward: Citywide **Neighborhood Organization:** Citywide

Planning Staff and Phone: Jason Wittenberg (612) 673-2297

Intent of the Ordinance: The intent of the amendment is to revise the City's off-street parking and loading regulations to better align with adopted applicable city policies.

Appropriate Section(s) of the Zoning Code:

Chapter 525: Administration and Enforcement

Chapter 541: Off-Street Parking and Loading

Chapter 551: Overlay Districts

The following chapters were also introduced. However, staff is not recommending changes to these chapters as part of this amendment and therefore recommends returning them to the author:

Chapter 520: Introductory Provisions

Chapter 527: Planned Unit Development

Chapter 531: Nonconforming Uses and Structures

Chapter 536: Specific Development Standards

Background: The City's zoning ordinance regulates the number of off-street parking and loading spaces that must be provided when establishing or expanding land uses in Minneapolis. While a number of improvements were made to the City's parking regulations in conjunction with the comprehensive zoning code rewrite adopted in 1999, many of the City's off-street parking provisions date to 1963. Since that time, City goals and strategies related to land use and transportation have evolved, as have best practices. The primary objective of the amendment is to ensure that the City's off-street parking regulations align with its adopted policies related to land use, transportation, urban design, economic development, and environmental sustainability.

The City Council recently approved (pending Metropolitan Council review) a new comprehensive plan, *The Minneapolis Plan for Sustainable Growth*, which includes policies that help to inform changes to City ordinances, including standards related to off-street parking.

In addition to our own policy documents, staff has consulted a variety of sources to help inform the proposed revisions, including but not limited to: parking standards and best practices from peer cities, professional and academic research related to off-street parking, and information from implementation of the City's current off-street parking requirements, including analysis of past parking variances. An

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analysis of City action on requests for variances from parking requirements for individual uses (usually commercial uses) reveals that the City has overwhelmingly granted such requests. The following statistics represent action on parking variances from 2004 through the middle of 2008:

- The City Planning Commission granted 101 of 109 parking variances, a 93% approval rate
- The Board of adjustment granted 56 of 59 parking variances, a 95% approval rate

The City has often found that granting parking variances results in an outcome that is more consistent with adopted policy objectives than compliance with minimum parking requirements. A number of businesses have been confronted with the choice of either applying for a parking variance or obtaining additional/adjacent property to replace existing buildings with additional parking.

CPED-Planning staff assembled a cross-department work team that has also included staff from Minneapolis Development Review (MDR), Public Works, Business Licensing, and CPED-Business Development. The group has met regularly to review and comment on draft revisions. The proposed revisions have been discussed with the City Planning Commission on at least three occasions. A project web site was created at the beginning of September (www.ci.minneapolis.mn.us/cped/parking.asp) to help inform people of the forthcoming amendment. Staff conducted targeted outreach to industry stakeholders. Finally, the revisions have been the subject of additional public engagement, as follows:

- *Downtown-focused open house.* City Hall. September 18th
- *Business association focus group.* Northeast Library. October 1st
- *Neighborhood-focused open house.* Martin Luther King Recreation Center. October 16th

Proposed revisions respond to policies that call for balancing the demand for parking with other important objectives such as maintaining the city's traditional urban form and encouraging the use of alternative modes of transportation. More flexible off-street parking minimums, combined with widespread maximums, would essentially allow the market to play a greater role in determining the amount of off-street parking that would be provided for individual land uses, but within a range deemed acceptable by the City. That "acceptable range" would be based on policies in the comprehensive plan that acknowledge the negative consequences of either substantial undersupply or oversupply of parking.

The following is a summary of the primary components of the amendment:

- **Commercial uses.** Most commercial uses currently have an off-street parking requirement of one space per 300 square feet of gross floor area in excess of 4,000 sq. ft., with a minimum of four spaces per use. This amendment will reduce this requirement, for most uses, to one space per 500 sq. ft. while retaining the four-space minimum. By making urban infill development more feasible, Minneapolis has been well-served by its relatively low off-street parking standards for small-scale uses. Proposed revisions would not significantly change the minimum parking requirement for most small-scale uses. For example, retail sales and services uses up to 5,200 sq. ft. are currently required to provide only four off-street parking spaces. (5,200 – 4,000 = 1,200; 1,200 / 300 = 4) A 5,200 sq. ft. retail use would continue to have a four-space minimum. Staff proposes to continue to allow uses to subtract the first 4,000 square feet subject to providing a minimum of four spaces per use. For larger scale uses, travel demand

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management plans have often demonstrated a lower demand for off-street parking than the zoning code requires outside of downtown.

- **Industrial uses.** The amendment does not propose substantial changes to minimum parking standards for most industrial uses. However, some industrial uses would see reduced parking requirements for components such as office, sales, and display area.
- **Residential uses.** Substantial changes are not proposed for minimum parking standards for residential uses outside of downtown. Special residential parking standards near the University of Minnesota are being considered through a separate process.
- **Minimum threshold for off-street parking.** Currently, all uses over 100 sq. ft. (outside of downtown) must provide off-street parking. The amendment would increase this to 1,000 square feet but would limit the number of small-scale uses that could be exempted from parking requirements within any single development.
- **Food and beverage uses.** Because of the City's relatively high off-street parking requirement for food and beverage uses (e.g., restaurants and coffee shops), the City has received many variance applications to reduce the parking requirement for these uses. The zoning code requires parking equal to 30 percent of the capacity of persons (with capacity meaning the maximum number of persons that can be accommodated under the building code).

Because many restaurants move into existing commercial spaces that were formerly occupied by uses with a lower parking requirement, restaurant operators must either obtain additional parking or obtain a variance prior to obtaining necessary permits. Obtaining additional parking would often require tearing down housing for off-street parking, which can be cost prohibitive and would often be inconsistent with the City's objectives for corridors and neighborhood commercial nodes. Variance applications have typically been granted.

Balancing the desire to accommodate neighborhood restaurants and coffee shops with the recognition these uses often have a higher peak parking demand than retail sales and services uses, staff proposes a graduated off-street parking requirement. In addition, based on feedback received from Council Member Schiff, staff proposes to differentiate between restaurants that have general entertainment and restaurants that do not feature such entertainment. Restaurants with entertainment often have a parking demand similar to the parking demand for nightclubs and receptions halls.

Compared to current standards, this amendment will result in substantially lower off-street parking requirements for food and beverage uses. Small-scale restaurants and coffee shops without general entertainment would have the same parking requirement as retail sales and services uses while larger restaurants and coffee shops would have a higher parking requirement, as follows:

Restaurants without general entertainment: 1 space per 500 sq. ft. of GFA up to 2,000 sq. ft. + 1 space per 300 sq. ft. of GFA in excess of 2,000 sq. ft. (Note that a four-space minimum would apply.)

Restaurants with general entertainment: Parking equal to 20% of the capacity of persons. (This is the same standard proposed for nightclubs and reception halls.)

- ***Parking maximums.*** Off-street parking maximums are proposed for all uses. Maximums currently apply only in the Pedestrian Oriented Overlay Districts. Staff proposes maximums—one space per 200 sq. ft. of gross floor area for most uses—that are intended to allow significant flexibility while preventing substantial oversupply of off-street parking.
- ***Bicycle parking.*** The City currently does not require bicycle parking citywide. Minimum bicycle parking requirements are proposed for most uses. Standards are proposed to ensure that a certain percentage of required bicycle parking would accommodate either long-term users (for uses such as offices) or short-term users (for uses such as retail). In addition, there would be an incentive for nonresidential uses to exceed minimum bicycle parking standards. Staff is proposing to not allow residential uses to continue to replace one automobile parking space with at least four bicycle parking spaces. Other incentives (e.g., a shared automobile) likely hold greater promise in terms of encouraging households to forego automobile ownership. Locker and shower facilities would still be required for large developments in the downtown districts.
- ***Pedestrian Oriented Overlay Districts.*** Based on feedback from the City Planning Commission, the amendment would reduce the minimum parking requirement in PO Overlay Districts to 75% of the “normal” requirement. This is the standard that is currently in effect near LRT stations. The amendment would replace existing bicycle parking requirements in PO Overlay Districts with citywide bicycle parking standards. The amendment would eliminate minimum non-residential parking requirements in the PO Overlay around Stadium Village, similar to the standards that have been in place in Dinkytown since 1999. Similar conditions exist in both areas: publicly available parking facilities, a large student population that is typically not driving to businesses in the district, and frequent transit service.
- ***Administrative incentives.*** Staff received feedback from business associations regarding the importance of efficiently utilizing existing parking by encouraging shared parking among two or more uses. Proposed revisions encourage this by making shared parking calculations more generous. A new section would allow applicants to submit a parking study to attempt to justify a greater shared parking reduction than is allowed by applying the shared parking table. A new provision would allow a residential parking reduction when a shared vehicle is provided within a development. Staff is proposing to retain existing transit and transit shelter incentives.
- ***Downtown parking.*** Staff is suggesting that the City further recognize the availability of transportation alternatives and publicly available parking and eliminate all minimum automobile parking requirements in the B4, B4S, and B4C Districts. The revisions also propose downtown parking maximums that are more restrictive than those outside of downtown. Staff has worked with downtown developers to arrive at a reasonable

maximum for multi-family residential uses in downtown as follows: B4 District: 1.5 spaces per dwelling unit; B4S & B4C Districts: 1.6 spaces per d.u.; the remainder of the Downtown Parking Overlay District: 1.7 spaces per d.u. Office uses in downtown districts could be provided up to one space per 1,000 sq. ft. of floor area. The revisions retain the Downtown Parking (DP) Overlay District and its limitations on surface parking. The purpose of the DP Overlay District would be expanded to also regulate the amount of parking required in those areas outside of the B4, B4S, and B4C Districts but still within the downtown freeway ring (south of Plymouth Ave.) and require less parking in the downtown area than is required for the same zoning districts (e.g., OR3, C3A) outside of downtown. A minimum requirement of one space per 4,000 sq. ft. for all non-residential uses outside of the downtown districts but inside the DP Overlay District would apply.

- **Off-street loading.** The amendment proposes relatively modest changes to the off-street loading standards. The minimum loading requirement would be reduced for certain uses. Also, rather than regulating residential loading requirements through by conditional use permit, the amendment would create a predictable loading requirement for large-scale residential developments.

Purpose for the Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The reason for this amendment is to bring the City's off-street parking and loading regulations into alignment with approved and adopted policies related to land use, transportation, community character, economic development, and environmental sustainability. Many of the City's off-street parking regulations have not changed since they were first adopted in 1963. Best practices have changed significantly since that time.

In addition to the general lack of alignment between current policies and regulations, the City receives a large number of variances from current parking regulations. These variances, other than the most extreme requests, are approved by the City Planning Commission and Board of Adjustment almost without exception. When a certain type of variance is granted in nearly every instance, this is a signal that the City should examine possible adjustments to the ordinance that is necessitating those variances.

The amendment would serve a public purpose by bringing our regulations into alignment with City goals and policies. There is a public interest in ensuring that parking is not substantially undersupplied or oversupplied. The amendment, by instituting more flexible minimum parking standards and reasonable maximum parking standards, would accomplish this objective. The following is a brief summary of the multi-faceted public benefits that the proposed revisions are expected to bring:

- **Transportation** – The proposed revisions support City goals and policies related to promoting a multi-modal transportation system. The region has invested in (and continues to invest in)

substantial transit improvements, including but not limited to high frequency bus service within a Primary Transit Network (PTN), bus rapid transit, light rail transit, commuter rail, as well as consideration of streetcar service. The Access Minneapolis plan identifies strategies and investments that will move the City forward toward a more multi-modal future. High minimum parking requirements (and no maximum parking requirements) create an automobile-centric environment that conflicts with these strategies and investments. In addition, new minimum bicycle parking requirements will build on Minneapolis' status as having the second highest rate of bicycle commuting among major cities in the U.S.

- *Land Use* – The proposed revisions help to strengthen Minneapolis' traditional land use pattern. High parking requirements are at odds with the goal of increasing development intensity on the City's corridors and in commercial nodes. Compliance with current parking requirements for restaurants and coffee shops, for example, results in significantly more parking area than building area, which is not an efficient use of urban land.
- *Urban Design/Community Character* – The urban and mixed-use character that the City's policies promote is challenging to achieve with current parking standards. In many cases, requests to reduce parking requirements for individual development projects have resulted in projects that are more consistent with our urban form policies than if the projects had complied with current parking requirements.
- *Economic Development* – Some peer cities have used reduced parking standards as an economic development tool. A number of important Minneapolis development projects would not have happened had the City not relaxed their parking requirements through a variance or through a reduction allowed in a planned unit development.
- *Environmental Sustainability* – The environmental impacts associated with mandating excessive off-street parking are substantial. An automobile-centric environment created by high minimum parking requirements has numerous side-effects, including increasing pollutants that contribute to climate change. Excessive paving for off-street parking contributes to the urban heat island effect and also sends pollutants into our lakes, rivers, and streams. Recognizing the link between parking and sustainability, the US Green Building Council's LEED (Leadership in Energy and Environmental Design) certification system provides a LEED credit when a project avoids excess parking capacity or provides no new parking.

Planning staff does not anticipate that substantial problems will arise from the amendment. Some residents have expressed concern about the possibility of increased parking spillover onto residential streets from commercial uses. However, the parking requirement for most smaller-scale commercial uses—the types of uses typically developed along our corridors and in our neighborhood commercial nodes—will not change substantially under this amendment. Further, travel demand management plans have demonstrated that our current regulations require more parking than is needed to satisfy parking demand for larger-scale uses outside of downtown. The most likely increase in spillover parking may come from the reduced parking requirement proposed for restaurants and coffee shops. However, these uses are already receiving variances at a high rate under current parking regulations.

Timeliness:

Is the amendment timely?

**Is the amendment consistent with practices in surrounding areas?
Are there consequences in denying this amendment?**

This amendment has been on the CPED-Planning work plan for several years. The amendment is timely given that *The Minneapolis Plan for Sustainable Growth* has been approved by the City Council. While provisions of the proposed zoning code amendment are supported by *The Minneapolis Plan* (adopted in 2000), the new comprehensive plan provides more explicit policy guidance related to managing off-street parking.

The City’s off-street parking requirements are generally lower than those in surrounding communities. However, comparing the city’s parking requirements to those to most nearby communities is an “apples to oranges” comparison given the fact that Minneapolis’ context is relatively unique locally in terms of its development densities, mix of uses, availability of transportation alternatives, and the prevalence of households without a vehicle. A better comparison is to gauge our parking standards against best practices in similarly cities across the country.

<i>City</i>	<i>Comments</i>
St. Paul	Proposed parking requirements would generally be lower than those in St. Paul. However, St. Paul allows substantial parking reductions in their Traditional Neighborhood Districts and in the Central Corridor Overlay District.
Portland	Proposed parking requirements are similar to those in Portland.
Seattle	Proposed parking requirements are similar to those in Seattle. Seattle, however, has much lower parking requirements for office uses.
San Diego	Proposed parking requirements are similar to those in San Diego. Note, however, that San Diego’s parking requirements vary significantly depending on the location within the city.
Denver	Proposed parking requirements are similar to those in Denver. However, Denver has a higher parking requirement for retail uses.
Milwaukee	Most of Minneapolis’ parking requirements would still be higher than those found in Milwaukee.
Pittsburgh	Proposed parking requirements are similar to those in Pittsburgh. However, Pittsburgh exempts the first 2,400 square feet from parking requirements for many uses.

Most of the cities noted above, as well as many others, have instituted maximum parking standards and eliminated minimum parking requirements from their respective downtown areas a number of years ago. For the purpose of comparison in this report, staff did not include larger, more densely populated cities with more thorough transit networks. Parking requirements are generally lower in these cities. Washington, DC, for example is currently considering replacing most of their minimum parking requirements with maximum parking standards.

The most obvious consequence of denying the amendment is that our parking regulations would not sufficiently align with adopted goals and policies. The potential benefits of more flexible minimum parking standards, summarized referenced above, would not be realized. Further, the City would continue to receive many variance requests for which the outcome seems predictable. Reviewing

superfluous variance requests is not a good use of staff resources and does a disservice to our customers in terms of the time and money spent on such variances.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The following Implementation Steps from *The Minneapolis Plan* (adopted in 200) are most relevant to this zoning code amendment:

- Encourage parking strategies that reduce the need for parking in order to avoid spillover into neighboring residential areas, including residential parking permits and the joint use of available parking in mixed-use areas.
- Establish reduced minimum and new maximum parking standards to discourage auto over-reliance.

The Minneapolis Plan for Sustainable Growth includes more explicit policy direction related to managing off-street parking. While many policies throughout the document intersect with the issue of off-street parking, the following policies relate most explicitly to the proposed amendment.

Policy 2.8: Balance the demand for parking with objectives for improving the environment for transit, walking and bicycling, while supporting the city's business community.

- 2.8.1 Implement off-street parking regulations which provide a certain number of parking spaces for nearby uses, while still maintaining an environment that encourages bicycle, pedestrian, and transit travel.
- 2.8.2 Design and implement incentives for shared parking and on-site car sharing programs, as well as carpooling and vanpooling.
- 2.8.4 Consider eliminating minimum parking requirements for certain small-scale uses as well as parking requirements in areas served by off-street parking facilities that are available to the general public.
- 2.8.5 Continue to prohibit new commercial surface parking lots and to restrict the size of accessory surface parking lots in Downtown.
- 2.8.7 Promote transit, walking, and biking as safe and comfortable transportation alternatives through reduced parking requirements, encouragement of employee transit incentive programs, and improved facilities.

Of course, a single zoning code text amendment cannot implement all policies related to parking. Following adoption of this amendment, future steps might include, for example, considering improvements to our travel demand management ordinance, identifying potential district parking

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strategies, and identifying ways the City may be assist with facilitating shared parking arrangements.

Recommendation of the Community Planning and Economic Development Planning Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending chapters 525, 541, and 551. Staff further recommends that chapters 520, 527, 531, and 536 be returned to author.

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES
Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

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MEMORANDUM

DATE: November 19, 2008

TO: Steve Poor, Planning Supervisor – Zoning Administrator, Community Planning & Economic Development - Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development - Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development Planning Division

SUBJECT: Planning Commission decisions of November 17, 2008

The following actions were taken by the Planning Commission on November 17, 2008. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners present: President Motzenbecker, Gorecki, Huynh, LaShomb, Luepke-Pier, Nordyke, Norkus-Crampton, Schiff, Tucker and Williams – 10

Committee Clerk: Lisa Baldwin (612) 673-3710

7. Zoning Code Text Amendment (Ward: All) (Jason Wittenberg).

A. Text Amendment: Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to the Zoning Code: Administration & Enforcement.

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The purpose of the amendment is to revise the zoning code's off-street parking and loading regulations.

Action: The City Planning Commission recommended that the City Council adopt the above findings and **approve** the zoning code text amendment, amending chapters 525, 541, and 551, noting that language for the Uptown Pedestrian Oriented Overlay District eastern boundary should match that in the Uptown Small Area Plan. The City Planning Commission further recommends that chapters 520, 527, 531, and 536 be returned to author.

Staff Wittenberg presented the staff report.

Commissioner Gorecki: How do you define entertainment?

Staff Wittenberg: Essentially, any amplified music would push somebody into being general entertainment or any kind of band, even not amplified, as three or more persons. That is defined in the ordinance.

Commissioner Gorecki: So if they did that one night a week it would push them into that category?

Staff Wittenberg: That's correct.

Commissioner Norkus-Crampton: There certainly have been plenty of variances granted on parking uses; have there been many comprehensive studies to see how those variances have worked out? Some of the projects that we've approved variances on haven't been built yet, but I don't know what kind of studies have been done in anticipation to this and the cumulative effect of those variances.

Staff Wittenberg: It's been a little anecdotal in terms staff visiting some of those sites at different times of the day to generally observe the parking impact as well as taking a look at whether we've received complaints related to parking for some of those projects; frankly, we've received very few complaints from citizens about parking as a result of variances having been granted.

President Motzenbecker: And thanks for adjusting the bicycle parking.

Commissioner Williams: Question about the complaints; are you thinking primarily of complaints that might come directly from citizens to the city or is there a way to get complaints that may go to an establishment that I frequent and complain to the establishment that I can never find parking when I come to this place?

Staff Wittenberg: We specifically analyzed the database that is kept of complaints to the zoning office. We have no way, really, of knowing or tracking complaints that were received by the establishments.

Commissioner Williams: Do establishments ever submit complaints to Zoning? For example, if I have an establishment and I am concerned that I'm losing business because people can't find parking and then I pass that on and I've collected 15 complaints from my customers or potential customers and I pass those on to the proper place...

Staff Wittenberg: We haven't seen those types of complaints come through the Zoning office. I wouldn't doubt that the Council office receives those types of complaints, or perhaps Licensing, but specifically related to Zoning variances, those types of complaints have not been received by the Zoning office.

Commissioner Norkus-Crampton: There's some things talking about that the Zoning Administrator can have some discretion in raising or lowering some of these standards; who would that person be exactly.

Staff Wittenberg: The Zoning Administrator, technically, is the same as the Planning Director, however, she generally delegates that authority to Steve Poor, but also, the Zoning Administrator has staff acting on his or her behalf on a regular basis. For example, when the ordinance says the Zoning Administrator may do something, often that is something that is submitted to a staff person on a form, but it is the Zoning Administrator, currently Steve Poor, who has the authority to make a final decision.

Commissioner Norkus-Crampton: And that's usually kind of an administrative review type of process then? Is that how that works?

Staff Wittenberg: For items that say that the Zoning Administrator has the authority. For example, to review a shared parking agreement, that's correct.

Commissioner Norkus-Crampton: There are some areas here where they can raise or lower some of the parking requirements too, based on whatever criteria is decided on so I was just curious about that. Is there an appeal process or anything like that on those kinds of decisions? I know a lot of decisions we make here have some sort of appeals process.

Staff Wittenberg: Any decision of the Zoning Administrator can be appealed and those types of appeals go to the Board of Adjustment.

President Motzenbecker opened the public hearing.

Gretchen Camp (3441 23rd Ave S): I'm here to speak in support of the changes to the parking requirements. Speaking as an architect at BKV Group, we are committed to supporting livable communities in Minneapolis by designing urban, well-designed, mixed-use projects that provide the density needed to support alternative modes of transportation. I'm very encouraged to see these proposed amendments to the Zoning Code and I hope that you will vote to support them. I think that this is a positive step and shows the City's commitment for transit and also livable, walkable communities in Minneapolis. Thank you.

Barb Thoman (626 Selby Ave, St. Paul): We are here as an organization that has about 4000 members that live within the city of Minneapolis. We are enthusiastically in support of the city's proposed revisions to the parking requirements, both the new minimums, new maximums and then also the new requirements for bicycle parking. The city's plan is in keeping with recommendations that we made back in 2003 in a report that we put together called "The Myth of Free Parking." Some of you may remember that report. We really believe that these lower minimums, these maximums are going to elevate the city as a city. The city of Minneapolis is a great place to take the bus, to walk and also to ride a bike. Abundant parking is a subsidy for driving and it really affects the mode choice that people make. The lower minimums are also going to have environmental benefits; they're going to reduce runoff, they're going to reduce the

heat island affect within the city. We want to make specific comments about two things; two areas of the revisions. One is under the small restaurants and coffee shops; we are in favor of the reductions that are proposed in the staff recommendation. We think that reducing barriers for those kind of uses will encourage their development. Local eateries and coffee shops are important community gathering places and those proprietors are often those that support community endeavors. In the area of bike parking, we believe that the proposed minimums are too low. In its 2001 travel behavior inventor, the Met Council found that the mode share for bicycling in the city of Minneapolis was four percent, that was four percent of all trips. Since then, many more bike routes have been added and with concerns about health and climate change, I think there are more and more people who are biking in the city today. I encourage you to think about whether those minimums are too low. Bike parking has a really big impact on mode choice for short trips. Bike racks that are strategically placed are like an advertisement for bicycling and they result in riders knowing that their bicycles will be secure. You may know that South High School has about 100 bike racks. On nice days those are often full. I believe that what the requirements would call for is a maximum of 40 bike parking spaces at a place like South High. In closing, we hope that the leadership that the city is providing on parking will spread to other cities, including my home city of St. Paul. We also hope that it will encourage the Met Council to think a little harder at that parking and provide some of the leadership within the region that the city is providing in making these proposed changes to its requirements. Thank you very much.

Aaron Rubenstein (3249 Emerson Ave S): I'm the president of the CARAG neighborhood association and chair of the zoning committee as well. You should have a letter from us. I will quickly review that. This is a statement approved by the CARAG zoning committee; the whole neighborhood will review it tomorrow evening. This is what the zoning committee came up with. We support the principals and objectives of the proposed revisions and support, or at least find acceptable, the vast majority of the proposed revisions with a few exceptions; the primary one being about restaurants, which is kind of a touchy issue around Uptown. Uptown is a very special place with a really vibrant commercial node surrounded by great neighborhoods. Off-street parking, or just parking generally, is kind of a sensitive issue. There is a lot of spillover parking for Uptown patrons into the residential neighborhoods and it's especially a problem with late night Uptown patrons of Uptown restaurants. They're not technically entertainment. It's interesting that for general entertainment, which I believe is four or more unamplified musicians, there's a higher parking requirement, but Uptown is sort of informally referred to as an entertainment district. A lot of people go there and party late and then create a certain amount of disturbance when they go several blocks back to their cars when they go through the residential areas. CARAG has taken a position in opposition to the drastically lower parking requirement for restaurants and would like to see that upped a bit because of its impact on the surrounding neighborhoods and neighborhood livability. Our statement suggests that there could be some other ways to address the problem, such as requiring restaurants that stay open late to provide more and closer parking, but that's pretty complicated. Another possibility, which I think is not really very desirable from a policy perspective, generally speaking, is that Uptown could become ringed by permit parking areas in the neighborhoods and I don't think that's a great parking solution, generally speaking. Next steps, CARAG believes it's important for the city to take action on two of the three items identified at the end of the staff report; identify potential parking district strategies and identify ways the city can facilitate shared parking arrangements. I think those are really critical because that will really help the Uptown commercial node and the neighborhoods achieve the kind of solutions that we need to have for this very tough issue. This statement suggests that the city ought to take action in the next 12 to 18 months. My personal opinion is that the city should take action on these two things prior to changing the parking requirements. It's really important to have these things in place so that the city can really step in

and make a difference right away when the parking requirements are changed. A minor thing, on the Uptown east boundary, the suggestion in the text amendment is that the eastern boundary of the Lyn-Lake area should be Dupont and we suggest that it should be Bryant to be consistent with the Uptown Small Area Plan. We also suggest, under the rationale paragraph, that we're concerned about the rationale being based in part on the high rate at which the Planning Commission and Board of Adjustment approve variances. It doesn't take into account the size of the approved variances or the number of restaurants that open without variances. These figures not only apply to new businesses going into existing buildings, but also into many new buildings being built in the city. Lastly, we just pose two questions and when I emailed this statement in to Mr. Wittenberg this morning he did email back an answer to both of those questions. The first one, whether the four space minimum for the pedestrian overly districts is four or if it's reduced by 25 percent to three spaces and he clarified that it is three spaces. That being said, I just want to show you a document that I just whipped together this afternoon. I will just pass out a few copies that I made. It shows the existing and proposed parking requirement for a couple of Uptown restaurants. It's an unscientific sample; it's just the establishments for which I could find the square footage. You'll see that the number of required parking spaces for these establishments goes down dramatically by an average of 76 percent for these seven establishments. That's a huge decrease. CARAG supports the overall objectives and recommendations, but when it comes to restaurants, it seems really drastic and we would suggest that this is too great a reduction. You can see that Indio and Arby's, for example, go from a requirement of 26 and 27 spaces down to five. I'm not saying that the existing standard is preferable or desirable; I believe it's not and reductions are in order, but I think a 76 percent reduction is too great. Thank you.

Matthew Lang (212 3rd Ave N) [not on sign-in sheet]: We specialize in bicycle and pedestrian planning. I think these revisions are a long time coming for Minneapolis and I'm happy to see they're going on. I'm going to limit my comments to the bicycle parking section of the proposed amendments. I want to encourage people to cycle more often. [tape ended]...find a spot to park. You're probably not going to go back to that movie theatre. Likewise, it's the same thing for a cyclist who wants to make a trip by bicycle and she isn't able to find a place to legally and securely park her bicycle. She is probably not going to make that trip by bicycle again or she might not make that trip at all. As Barb noted earlier, the city of Minneapolis has already reached a good mode share for bicycle transportation, four percent. The transportation chapter of The Minneapolis Plan articulates a goal of building the city through multimodalism and if we want to do that, we have to make sure that we have high quality end of trip facilities, such as bicycle parking, available. The minimum requirements presented in the draft amendments, they're an excellent start and they will help improve conditions for cycling, but they're not really adequate. For example, the recommendations for K-12 schools call for one parking spot per classroom and in best practices across the country in other cities, we usually see one parking spot per 10 students. If you look at it that way, we're only looking for about a quarter of what other cities have found to be the best practice. Given this, I want to respectfully that the Planning Commission and CPED staff explore raising the minimum bicycle parking requirements as we move forward with these important amendments. Thank you.

Michael Katch (111 Marquette Ave S) [not on sign-in sheet]: As many of you may have noticed, downtown Minneapolis is a residential district as well as a business district. We do have cars, some of us, and some of us even have to go to the suburbs sometimes and don't take the bus. It would be nice to see included, and I know it's probably inappropriate, a permitting process so that we can permit our cars, especially around Bay Water, the River West, the Carlyle, the Churchill and The Towers as we sometimes have to put our cars at meters and sometimes we don't get there

quite as fast and find that we owe the city even more money. If there is any way you can help us alleviate that with a permitting process for the people who live in downtown Minneapolis, we would appreciate it. Thank you.

Steve Minn (1701 Madison St NE) [not on sign-in sheet]: I'm speaking today as a developer in support of the ordinance, grateful for the effort that staff has made. There are a couple of issues I'd like to highlight for your consideration if you're going to undertake some further study of this ordinance. I think the comments about infill, my firm does quite a bit of infill, we see no difference between regular retail use and restaurant use in common practice. Typically, some type of valet parking or shared parking arrangement is usually accommodating and we're grateful for the staff to take that approach. I would hope that some of the comments that you've heard today about unique neighborhood problems that can be dealt with in an overlay or unique ordinances for those particular neighborhoods, but in downtown in particular, I'm hopeful that you stay with the original staff plan. I do have some concern with regard to shared parking. In 541.190, I have two comments about shared parking for your consideration. With the trend toward a multiple mixed use development, hotel, residential and retail as an example, some of the tables that you're being offered for consideration with hotel do not reflect the high incident of guests who come in public transportation or taxi cab. I think during working hours between 6:00 p.m. to 2:00 a.m. or 7:00 a.m. to 6:00 p.m. the share ratios are not really significantly changed in these new charts to reflect that market reality. In today's multi-development dimension, you want to have both residential hotel and retail in a mix. I think this chart needs revisiting so that there's more emphasis on the residential storage, more in and out use for the limited retail, and less concern about residents showing up at hotels and parking a car. That's not really happening in the market place. I'd like to offer for your consideration, planned unit development language. I'm delighted to see 541.420. This has been long missing. There should be some guidance as to what your standards are for planned unit development. You're looking for large development projects like the one that was talked about at the A-Mill earlier today where there should be some standard of reference, particularly if there is going to be shared use, multiple use or retail uses. It'd be nice to know what those standards are. I'd like to go back to shared parking and raise one issue that is not addressed in this proposal and that is the concept of the tandem parking space. In today's zoning code, the tandem parking space is an orphan, not recognized as a parking space to meet requirement but now penalized in this ordinance for too much parking under the maximum requirements. Make an exception for tandem parking. They are a useful mechanism, particularly on dead corners inside parking ramps where you have tough turning radii. They're very useful for two bedroom condominium unit owners where the owners are willing to move the cars themselves. Under this scheme, there would be a penalty for tandem spaces under a maximum count, but they don't get counted for parking requirement purposes. Give that some consideration. Lastly, I'd like to make an observation about the narrative on page three from the staff under residential uses. Special residential parking standards near the University of Minnesota are being considered through a separate process. I have direct ownership of almost 1200 bedroom units in the University of Minnesota so I have a bias. I wish I had not listened to Mr. Wertjes when I built Stone Arch Apartments with 221 units and 450 bicycle parking spaces because I have places to park the bike, but I have no place to put the cars that people want to leave when they walk to work or when they want to walk in the neighborhood. The notion that a tradeoff in the University area, that there should be a higher parking requirement is not really mixed with the uses that people are actually experiencing in the University area. I have more parking than I need at two of my apartment buildings on campus. Students kind of self-regulate themselves out of additional parking. I would prefer that you give some thought to leaving the University alone and focusing on smaller properties, not large multi-family properties as the source of the parking problem. We typical self-enclose parking in large multi-family units or we

provide some mechanism as part of that for marketing purposes. It's the duplexes, the four-plexes, the seven-plexes, the twenty-plexes that have been here since 1950 or earlier that are spilling cars out on to the street. There is nothing in your code that you're going to do with a pre-1963 structure so I just urge you to adopt some moderation when you undertake the University of Minnesota and think about smaller properties maybe meeting that requirement and not large properties unless you're dealing with maximums and not minimums. Thank you.

Ethan Fawley (318 E 25th St): I'm here representing Fresh Energy. I want to thank staff for distributing a letter. I also want to thank staff and Commissioner Schiff for their great work on this proposal. I think that the staff has gone through a lot of the reasons why this is a good idea from the code side. I want to highlight one reason and that's from the climate change aspect. Climate change is one of the biggest concerns that we face and we need immediate and constant decline in our emissions and a big 25 percent of our emissions on Minnesota come from the transportation sector and a big part of that is how much we drive. I think these parking amendments will help reduce the amount we drive by providing and supporting alternative forms of transportation and therefore will help us address climate change. I want to thank staff and the city for the great regional leadership that you've taken on climate change in the past. I think that this provides a great opportunity to continue that leadership and continue the strides that we've seen in recent years with more people biking and taking transit. Thank you.

President Motzenbecker closed the public hearing.

Commissioner Schiff: I'd like to thank everybody who testified. Parking can be a very contested and controversial issue, but you all did so professionally and admirably. I only wish we had this item first on our agenda as a role model for everybody else who testified tonight. Mr. Lang referenced amendments to the bike rules. Is there another version of this staff report that has group of suggested amendments? I just want to clarify, Mr. Lang, were you referring to just the need for more amendments? Got it. Ok. I thought that meant that there was an amendment to the staff report that was floating around. There are a lot of great suggestions here tonight. My instinct would be to direct staff to consider some of them as revisions before this gets to the Council. I know I'm not able to distill everything and go through all the pages and make the correct notations tonight, but I'm very interested in taking much of what's been offered tonight and incorporating it into the final version that reaches the Council floor. With that spirit, I'd like to move approval of this, but request that staff help with copies of the testimony tonight so that the Council can use that in drafting a final version (Nordyke seconded).

President Motzenbecker: I would just also agree with Commissioner Schiff and add that I had written down a few of them that I wanted staff to look at. Specifically, the elementary school. I think that's a really great point. The one spot per ten students idea. I want to look a little more at the tandem penalty question. The hotel, shared percentages...those were some good points made as well.

Commissioner Norkus-Crampton: I don't see a reason to have bike parking maximums. If we can figure out a way to build them in and it works, I don't really see a down side of having additional bike parking. What I'd like to approach a little bit more, and I have brought this up before but I feel like for the public record I need to bring this up again, this is as a Commissioner. As you all know, I've pretty much doubled or tripled bike parking on every project that we get our hands on and I'm always concerned about the pedestrian realm, how to make things more inviting for people to walk, how pedestrians get across parking lots and even car uses that we have raised crosswalks or buffers or something that always establishes that we want to promote

biking and walking and transit. What I've been struggling with with this particular ordinance, the part of the Comprehensive Plan that it addresses, that it's supposed to address, is balancing the demand for parking, this is Policy 2.8, with the objectives for improving the environment for transit, walking and bicycling while supporting the city's business community. In 2.8.7 it says promote transit, walking and biking as safe and comfortable transportation alternatives through reduced parking requirements, encourage employee transit incentive programs and improve facilities. What I'm a little concerned about here...believe it or not the bike parking minimums have come up a long way since they were first proposed so we've been working on that, but I see the limitations or the lowering of the parking minimums, but I don't see a commensurate sort of comprehensive policy shift to support other ways of getting around whether it's transit stops, greening of sidewalks or other things that make other options besides driving not only an option but a viable option. If you look at some of the other things that we have, there are some definite policy directives that show us some ideas on how we can move forward in a more comprehensive way such as the Walking Minneapolis program for downtown. We're talking about eliminating, basically, parking minimums for downtown, but we also have policies in place to really try to in a comprehensive, proactive way, try to create enjoyable ways for other people to get around, viable ways for people to get around. We also have the Uptown Small Area Plan and the Midtown Greenway Land Use Plan which talk about other modes of getting around, solar access to the streets, pleasant pedestrian realms, appropriate way finding for bikes and pedestrians. Finally, we have our winter cities portion of the Comprehensive Plan that was just passed and that talks about envelopes of buildings to limit shadowing on the streets, enhancements at the street level to make getting around in the winter time more viable, more pleasant all those things. To me, these things really need to work together to make a successful transition from car driving to other things. I think some of the issues that we talked about with restaurants and clubs and things like that, I can tell you...I would really like the surrounding communities to really see that not only are we supporting what they're doing, but we're trying to make it easier on them. We're trying to contribute to make this a good thing, a positive thing. We've talked about incorporating bike parking in furniture, in street furniture configurations. We've talked about ways of trying to enhance the transit stops, but that's MTC's turf or Public Work's turf. I happen to stumble on a Ways and Means Committee meeting on tv the other day and they were talking about where are we going to get the money to keep the trees watered and grass growing on all the greening strategies that we've tried. To me, the elephant sitting in the living room is that there is very little money and very little resource to push these things forward in a comprehensive way. Maybe after the election that will change, but I guess what I'd like to see is...there's a long wish list, you're right. Building on the idea of Walking Minneapolis, which is sort of after the fact, trying to get the business community to say "now you've got all this stuff here, help us make it work better." I think there is a good argument for trying to frontload the process and say "if you're going to add a development to the area, if you're going to add density to the area, we invite you to innovatively figure out ways to encourage people. We're going to lower your parking minimums but we'd sure like to see you contribute to the solution to this." That's my only concern with that. Again, I support the goals overall, but I just don't see this as comprehensive as I'd like it to be and I'd like to see equal emphasis, obviously with the financial situation we're in right now we need more interdepartmental cooperation. We can't have the turf designations, everybody needs more money. There are a lot of incentives to get departments like Public Works, Metro Transit and the county and the city and everybody trying to work together a little more to combine resources and make these things work a little better. That's my main criticism of this but I appreciate the impetus for it and I support the end goal.

Commissioner Huynh: I think what we have in front of us today; I'm very pleased with the results and all the work that has been put forth in terms of public input and just coming to the

Committee of the Whole meetings. I think my only one comment, just to add to the wish list that we have going, is looking specifically at the section where we have 541.195, shared vehicles. This section currently looks at a program such as Hour Car and Zip Car programs just for residential uses, but it doesn't include other sectors such as non-residential, mixed uses with retail office, corporations, hotels, institutions and universities that could provide some relief on the use of single occupancy vehicles in certain areas where congestion may be a problem. Also, it provides options for people that may bike, walk or take mass transit to work to not have the pressure to feel like they have to buy an automobile, especially when they get to work, so that if they wanted to take shared vehicle to an office meeting or off site to run some errands, that option is available. By just providing this just for the residential use, I feel is limiting especially when we're trying to push forward sustainable design practices and alternative modes of transportation in other sectors. I feel that that area needs to be addressed. I think one question, just because Mr. Wittenberg and I did have a conversation on this issue, is the necessity with including other areas other than residential. Residential is a great portion I think especially with student housing and the .5 per bed ratio that kind of gets tossed back and forth with projects, but residential projects, especially with condominiums and sometimes apartment buildings, changes hands from ownership to the association and may lose its transition in terms of whoever deems to keep the Zip Car or Hour Car program, but if you have institutions such as universities, hotels and corporations that are going for LEED certification, they have long term ownership and commitment to programs such as these and such as just promoting the sustainable design practices overall. I would just like to add that to the list, but overall I am very pleased with the amendment and changes that we have in front of us. Thank you.

President Motzenbecker: I wanted to verify Mr. Rubenstein's accuracy with the Uptown Small Area Plan because I think that makes sense. The parking boundaries should be the same as the approved plan so if that is indeed Bryant, I think we should change that language to match that. All those in favor? Opposed?

The motion carried 8-1.