

**HOPKINS PLANNING & ZONING COMMISSION
SPECIAL MEETING PROCEEDINGS
MAY 31, 2022**

CALL TO ORDER

Pursuant to due call and notice thereof a special meeting of the Hopkins Planning & Zoning Commission was held on Tuesday, May 31, 2022 at 6:30 p.m. in the Council Chambers at City Hall, 1010 1st Street South.

Chairperson Stiele called the meeting to order with Commission Members White, Dyrland, Terrill, Wright and Sedoff attending. Also present was Youth Member Searles, Director of Planning and Economic Development Kersten Elverum and Consultants from Duncan and Associates and Codametrics.

ADOPT AGENDA

Motion by Sedoff. **Second** by Wright.

Motion to Adopt the Agenda as presented.

Ayes: All.

Nays: None. Motion carried.

COMMUNITY COMMENT

None.

CONSENT AGENDA

Motion by White. **Second** by Dyrland.

Motion to Approve the Consent Agenda

1. Minutes of the March 22, 2022 Planning & Zoning Commission Meeting

Ayes: All.

Nays: None. Motion carried.

PUBLIC HEARINGS

1. 2022-07 Zoning Regulations Update

Director of Planning and Economic Development Kersten Elverum presented an overview history of the zoning regulations update to date and introduced the consultants for the zoning update, Kirk Bishop of Duncan and Associates and Leslie Oberholtzer of Codametrics, who provided a comprehensive summary of the final draft code. The consultants walked through some of the notable changes in the code including future land use plan, land use classes and the different zones, principal uses, accessory uses and structures, home occupations, parking and mobility, procedures, and next steps in the approval process.

Commissioner White commented that the recently acquired parcel located at 11524 Excelsior Blvd which had been part of a land swap with the City of Minnetonka was not

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added to the new proposed zoning map. The consultants responded that they would work with staff to include it in the final map.

Commissioner Sedoff commented on the code allowing group living facilities in neighborhoods instead of by a conditional use permit process. Ms. Elverum responded that state statute prohibits putting restrictions on those facilities. Ms. Sedoff questioned the difference between small and large facilities. The consultants responded with small being six or fewer and large being seven to sixteen. Commissioner Terrill provided additional information on the licensing process for group living facilities. Director Elverum followed up on duplexes and asked the consultants to further clarify the changes made in the new draft code.

Chairperson Stiele opened the public hearing.

Aaron Osowski, resident at 2062 Mainstreet, encouraged the Commission and Council to look into expanding the zones that allow duplexes and expressed support for Accessory Dwelling Units (ADUs).

Luke Slindee, resident at 130 8th Avenue North, supports updating the zoning code more frequently as the city changes. Mr. Slindee also asked that the area around the Shady Oak Transit Station be reconsidered to maximize residential and commercial opportunities, and to consider rezoning the Oak Ridge golf course to a traditional neighborhood zone to allow for potential future redevelopment and added density.

Josh Montgomery, resident at 202 9th Avenue North, commented on changing the current 20 foot setback requirement for alley facing garages to 3 feet, further clarification on what is considered an accessory dwelling unit, and removing deed restrictions on properties with secondary suites/backyard cottages.

Regarding some of the comments received, Mr. Bishop responded that the garage setback requirement is driven by the existing 10 foot alley constraint and to accommodate turning movements of vehicles. There is an opening for discussion on removing the deed restriction requirement in zones that already allow duplexes or two principal dwelling units.

Motion by Sedoff. **Second** by Terill.

Motion to close the Public Hearing.

Ayes: All.

Nays: None. Motion carried.

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Commissioner Terrill commented on the deed restrictions hindering opportunities for people to build wealth as property owners. Commissioner White agreed with not requiring deed restrictions in zones that already allow duplexes or multi-family dwellings. Commissioner Sedoff questioned if a maintenance facility was still planned for the Shady Oak Transit Station. Director Elverum responded that currently there is a rail support facility proposed for the station area which is a smaller building than the previously proposed maintenance facility. Staff has been working with the project office on a redesign of the parking area at the station that would reduce the surface parking to 500 stalls which will provide for more development opportunities.

Mr. Slindee questioned what the 500 parking stalls would be serving. Director Elverum responded that the parking is primarily for commuters. Mr. Slindee asked who would be paying for the road connections from 17th Avenue. Director Elverum responded that it was included in the project and is not coming out of city funds. The project intends to deem a large portion of the area as excess and sell for private development.

Commissioner Sedoff shared additional comments in favor of the previously discussed changes to the deed restriction requirements, garage setbacks, and increased notification standards. Commissioner Wright requested duplexes be allowed in the N3-A zone and that the new code be used as an opportunity to both preserve the character of the neighborhoods and increase access and remove barriers to those neighborhoods. Commissioner White commented against allowing duplexes in all neighborhoods and requested clarification on the motion to be made.

Commissioner Wright provided additional comments regarding duplexes and types of housing. Responding to a question from Commissioner Terrill regarding duplexes decreasing property values, Ms. Oberholtzer stated that design can have an impact on the character of a neighborhood. The N3-A zone does not have a maximum width on houses and if duplexes were expanded into that zone additional requirements would likely need to be considered. Additional discussion included recommending further discussion on equity policies not typically included in a zoning code.

Motion by White. Second by Sedoff.

Motion to Adopt Resolution 2022-03, recommending the Hopkins City Council approve an ordinance amending the Planning and Zoning Section of the City Code by repealing and replacing in its entirety Part III – Land Development, Chapter 100 – Subdivisions and Chapter 102 – Planning and Zoning, Article 6, 102-620(o) Deed Restrictions to include the language “not applicable to N3-B, NX-1, and NX-2 zones”.

Ayes: Sedoff, White, Stiele

Nays: Dyrland, Terrill, Wright. Motion failed.

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Motion by Wright. **Second** by None.

Motion to Adopt Resolution 2022-03, recommending the Hopkins City Council approve an ordinance amending the Planning and Zoning Section of the City Code by repealing and replacing in its entirety Part III – Land Development, Chapter 100 – Subdivisions and Chapter 102 – Planning and Zoning, including language adopting two unit homes in the N3-A zone.

After further discussion between the Commissioners regarding the motion, Director Elverum suggested a motion be made that includes all of the discussion points made during the meeting that received general support from the Commission.

Motion failed due to lack of a Second.

Motion by Sedoff. **Second** by Terrill.

Motion to Adopt Resolution 2022-03, recommending the Hopkins City Council approve an ordinance amending the Planning and Zoning Section of the City Code by repealing and replacing in its entirety Part III – Land Development, Chapter 100 – Subdivisions and Chapter 102 – Planning and Zoning with modifications to expand duplexes in the N3-A zone, reduce rear setback requirements for alley facing garages and removing the requirement for deed restrictions in zones where two unit dwellings are allowed.

Ayes: Sedoff, Terrill

Nays: Wright, White, Dyrland, Stiele. Motion failed.

Motion by Wright. **Second** by Terrill.

Motion to Adopt Resolution 2022-03, recommending the Hopkins City Council approve an ordinance amending the Planning and Zoning Section of the City Code by repealing and replacing in its entirety Part III – Land Development, Chapter 100 – Subdivisions and Chapter 102 – Planning and Zoning with further modifications to expand two unit homes in the N3-A district with additional requirements, reduction of rear setback in alley facing garages to 10 feet with input from Public Works, removing deed restriction requirement against properties where two unit dwellings are allowed, and recommend pursuing a process to explore the adoption of equity subcommittee recommendations as standalone policies or future zoning amendments.

Ayes: Terrill, Sedoff, Stiele, Wright

Nays: White, Dyrland. Motion carried.

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OLD BUSINESS

None.

NEW BUSINESS

Director Elverum introduced Ryan Krzos as the new City Planner for Hopkins.

ANNOUNCEMENTS

None.

ADJOURNMENT

Motion by Terrill **Second** by Sedoff

Ayes: All.

Nays: None. Motion carried.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,
Courtney Pearsall, Administrative Assistant

ATTEST:



Samuel Stiele, Chair

