

ITEM #: 49
DATE: 06-13-23
DEPT: P&H

Staff Report

**REQUEST TO INITIATE A ZONING TEXT AMENDMENT
TO ALLOW FRONT YARD PARKING FOR APARTMENTS WITHIN THE PRD OR
PUD ZONING DISTRICTS**

June 13, 2023

BACKGROUND:

City Council received a request from Luke Jensen as part of their May 9th non-agenda packet to consider changes to the Planned Residence District (PRD) and Planned Unit Development (PUD) Overlay standards related to construction of front yard parking and apartments. Mr. Jensen is interested in developing a vacant site on Mortenson Road that is currently zoned PRD. Apartments are an allowed use within the PRD zoning district, but development is subject to the standards of the PRD. Although a PRD grants latitude to City Council to approve certain deviations, the Zoning Ordinance requires conformance to all parking requirements, including location, number, and layout. **In this case, the issue is that parking lots are not allowed to be constructed between a building and the street.**

Mr. Jensen is exploring a concept that would develop the site with an apartment building, rather than townhomes, and to do so he desires to seek approval of some underground parking and some surface parking located in the front of an apartment building. The conceptual design is for one building situated parallel to the street with parking located along the front façade for the length of the building, additional parking is to the rear of the building. The surface parking in front of the apartment building is the reason for the request because within residential zones the City does not permit front yard parking, i.e. parking between a building and the street for the entire width of the lot.

The City prohibits front yard parking within residential zoning districts to maintain a residential appearance for development. The design intent is also for a more approachable building design that does not isolate pedestrians from conveniently accessing a sidewalk or street compared to navigating across a parking lot. street. The current standard was incorporated into the 2000 Zoning Ordinance adoption.

The specific request is to modify the zoning standards to allow for City Council to approve as part of the standard Major Site Development Plan approval process allowing for front yard parking where it would otherwise be prohibited. The proposed change would not allow front yard parking lot by right, only the ability for it to be considered within a site development plan review.

OPTIONS:

The requested change is a narrow request requiring minimal edits to the Zoning Ordinance to implement. Options are limited for a text amendment to essentially stating it is allowable, unless City Council wanted to create specific performance characteristics for front yard parking within a PUD Overlay or PRD. Any proposed change would only apply within a PRD or PUD Overlay, meaning a site would need to exceed 2.0 acres to be eligible to seek a rezoning and Council approval of a project with front yard parking. If a text change is approved, existing sites that would want to create front yard parking would have to propose an amendment to their approved plan and seek City Council approval.

Option 1: Allow for City Council approval of front yard parking within a PRD and PUD Overlay.

City Council would be able to review the circumstances of the request, what conditions may support such a design, and what types of changes to standards if any, are desirable within the context of a PRD or PUD zoning district. City Council is not obligated to approve any rezoning or site plan with deviations and would make a decision on a case-by-case basis if Option 1 was to be approved. This option meets the applicant's request. If City Council selects this option, the applicant could apply for a text amendment as directed by Council.

Option 2: Allow for City Council approval of front yard parking, within defined parameters, as part of a PRD or PUD Overlay

PRD zoning and the PUD Overlay grant the Council discretion for allowing variations from standard zoning requirements; however, they also include additional requirements and considerations that are applied to projects within these zones as part of the evaluation of the merits for the requested relief from standards zoning. In some cases there are tradeoffs or enhancements to project to allow for a variation.

If City Council believed allowing for front yard parking may be okay but only within specific defined parameters, this option would create some defined requirements rather than allow for case by case review. Standards that could be applied include a % coverage limitation of paving in a front yard, parking lot setbacks that exceed building setbacks, and or specific landscape screening requirements compared to default front yard requirements.

This option may or may not meet the applicant's interest depending on what type of parameters were placed upon the parking design. For the applicant's specific site concept, the majority of the frontage would have front yard parking within the conceptual design that develops the site with one building parallel to the street. It may be setback more than 25 feet from the street and have enhanced landscaping.

If City Council selects this option, the applicant could apply for a text amendment as directed by Council.

Option 3: Decline the Request

If City Council finds the current standards are appropriate and no changes are warranted, they can decline to initiate a change. The developer will have to consider development of the site in conformance with current requirements.

STAFF COMMENTS

The City's standard parking location requirement has been successful for the most part about screening parking lots and addressing appearance compatibility interests. At times this approach can limit building placement options that might provide a more diverse building footprint than is typically done with the parking requirement. **Allowing for a change that affect only PRDs or PUD Overlays may be appropriate as a way to address unique conditions of a site compared to changing standard that would apply city-wide.**

Any change should not allow for creation of additional parking that diminishes design compatibility with large amounts of front yard parking or enables higher density of units overall with greater amounts of impervious area due to locating parking in the front yard. Staff also believes that in environments that are conducive to walking, the priority should be for buildings adjacent to the street with entrances to the street and not large parking areas. With the Major Site Development Plan review requirement and design requirements of the PRD and PUD Overlay, staff believes that these processes can allay these concerns through Option 1 or Option 2.