

PART II - LEGISLATIVE CODE
TITLE VIII - ZONING CODE
Chapter 67. - Zoning Code—Overlay Districts
ARTICLE III. - 67.300. SD SHEPARD DAVERN COMMERCIAL AND RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT

Sec. 67.302. - SDC Shepard Davern commercial redevelopment overlay district.

(a) *Purpose.* The SDC Shepard Davern commercial redevelopment district is an overlay district designed to promote the redevelopment of the area into a mixed use urban district combining commercial uses, hospitality facilities and housing. Redevelopment in the district shall be designed to enhance the livability of the area, to reduce adverse traffic and parking conditions and to create building uses and space consistent and compatible with the architecture of the city and the scenic features of the area. The district is also designed to increase green space and maximize vegetative plantings throughout the district and provide tree lined corridors along West Seventh, Shepard Road and the proposed Edgcombe Parkway.

(b) *Established boundaries.* The boundaries of the SDC Shepard Davern commercial redevelopment overlay district shall be the area shown on the official zoning map.

(c) *Permitted uses.* In addition to the uses permitted within the primary zoning district, the following uses shall be permitted in the SDC Shepard Davern commercial redevelopment overlay district:

(1) Hotels and hotel conference facilities. All hotels shall be at least three (3) stories in height and have a minimum of one hundred (100) rooms. Patron access to hotel rooms shall only be provided by a central interior corridor.

(2) Higher density multiple family housing with or without mixed commercial uses.

(d) *Prohibited uses.* The following uses shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district:

(1) Automobile sales and service centers, auto convenience markets, auto service stations and auto specialty stores. Exceptions are those auto convenience markets and auto service states that are not freestanding and are integrated into either hotel, office, or parking ramp structures.

(2) Freestanding and drive thru fast food restaurants.

(3) Recycling drop off stations.

(4) Currency exchange businesses.

(5) Pawn shops.

(6) Community and transitional residential facilities.

(7) Veterinary clinics.

(8) Cellular telephone antennas not located on an existing structure.

(9) Freestanding liquor establishments.

(e) *Building regulations.* The following building regulations shall pertain to the SDC Shepard Davern commercial redevelopment overlay district.

(1) Minimum redevelopment site size shall be as follows:

a. The area bounded by West 7th Street, Davern Street and Norfolk Avenue shall

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be developed as one site.

- b. Within the remainder of the overlay district, the minimum redevelopment site size shall be one (1) acre.
- (2) Building heights shall be limited to six (6) stories and not exceed sixty-five (65) feet outside the river corridor zone.
- (3) The maximum floor area ratio shall be three (3).
- (4) Front setbacks shall be as follows:
- a. Shepard Road shall have a minimum setback of twenty-five (25) feet with a planned canopy of trees. Canopy trees are recommended to be spaced no more than thirty (30) feet apart with allowances for entries and signage view corridors. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota. Driveway cuts onto Shepard Road are discouraged.
- b. Edgcumbe Parkway shall have a minimum setback of 20 feet with a planned canopy of trees. Canopy trees are recommended to be spaced no more than 30 feet apart with allowances for entries and signage view corridors. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- c. West 7th Street from Mississippi River Boulevard to Wheeler Street shall have a minimum setback of 25 feet with a planned canopy of trees. Canopy trees are recommended to be spaced no more than 30 feet apart with allowances for entries and signage view corridors. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- d. West 7th Street from Wheeler to Davern Street shall have a setback not to exceed 25 feet. Infill landscaping to include canopy trees, understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- e. Front setbacks on the remainder of West 7th Street shall not exceed twenty-five (25) feet. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- f. Front setbacks on Davern Street shall not exceed twenty-five (25) feet. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- (5) Side setbacks shall be a minimum of ten (10) feet on all sides. Infill landscaping to include understory trees or shrubs with at least fifty (50) percent of all species native to Minnesota.
- (6) At least fifty (50) percent of the Edgcumbe Parkway and Davern Street frontage shall be fronted by buildings.
- (7) Buildings on Edgcumbe Parkway, Davern Street and West 7th Street shall have at least one (1) prominent pedestrian entry oriented to the parkway or street.
- (8) Building design and materials shall enhance the historic and scenic character of this area of the city, with appropriate relationships to Fort Snelling and Fort Road (W 7th), as

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follows (refer to illustration or diagram on file in the office of the city clerk):

- a. For buildings greater than three (3) stories, a cornice line shall be established defining the building base, located approximately one-third (1/3) of the distance from where the building meets the ground to the top of the building;
 - b. A cornice line shall be established defining the top of the building;
 - c. Cornices shall be allowed to project over the public right-of-way line, but not more than fifteen (15) inches;
 - d. The building base shall be faced in stone, brick/masonry, or a material equal or better in quality; no cement block is allowed.
 - e. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of Fort Snelling (stone, brick/masonry, architecturally finished precast concrete, stucco or similar materials equal or better in quality). Materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood or wood composite materials, tile panels and reflective materials are prohibited;
 - f. At least twenty-five (25) percent of the first floor facade of any nonresidential use that faces a public street shall be windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited;
 - g. Windows should be set into the exterior wall, with no more than forty (40) percent of the total exterior envelope being glass; continuous bands of windows are prohibited.
- (9) Trash receptacles and storage shall be located within all buildings.
- (10) Outdoor storage of products, equipment and materials is prohibited.
- (11) Chain link and barb wire fencing are prohibited.
- (f) *Prohibited on-premise signs.* The following on-premise business signs shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district:
- (1) Freestanding signs with the exception of ground signs that have two (2) pillars and a maximum height of six (6) feet. Ground signs shall be built with the same exterior building materials as the building and shall not be illuminated with back lighted panels.
 - (2) Backlighted awning signs.
 - (3) Projecting signs.
 - (4) Flashing signs and electronic message signs.
 - (5) Temporary or portable signs, except that merchant sign placards which sit on the sidewalk and are stored indoors are permitted during business hours as long as the sidewalk is not blocked or reduced to less than five (5) feet.
 - (6) Roof signs.

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- (7) Advertising signs, billboards and business signs that advertise products.
- (8) Pennants, banners and triangular signs attached to strings.
- (g) *Prohibited off-premise signs.* All off-premise advertising signs, for example, billboards, bus bench signs, and bus shelter signs, shall be prohibited in the SDC Shepard Davern commercial redevelopment overlay district.
- (h) *Wall signs.*
 - (1) Wall signs shall cover neither windows or architectural trim and detail. They should be located on the bands of building facades, over the entry, over windows or between windows.
 - (2) Wall signs located above twenty (20) feet in height shall be limited as follows:
 - a. Only one (1) sign per building.
 - b. Shall not face the Mississippi River.
 - c. Shall be limited to the corporate/business name or logo.
 - d. Shall not exceed seventy five (75) square feet.
 - e. Shall not be illuminated with back lighted panels.
- (i) *Window signs.*
 - (1) Permanent window signs, without advertising, may be painted on the surface of the window. Such signs shall not exceed ten (10) percent of the window glass area.
 - (2) Temporary window signs, without advertising, may be affixed to the inside of the window. Such signs shall not be in place longer than thirty (30) days and shall not exceed ten (10) percent of the window glass area.
- (j) *Public sidewalks.* All frontages along public streets shall have minimum six-foot sidewalks and tree planted boulevards, with street trees spaced an average of one every thirty (30) feet. Spacing and growing medium for the boulevard trees should be designed for plant health. Any such trees must be selected for heat, deicing salt, soil compaction and drought tolerance. Along West 7th Street brick pavers shall be integrated in to the sidewalks at intersection corners (refer to illustration or diagram on file in the office of the city clerk).
- (k) *Accessory parking regulations.* The following accessory parking regulations shall apply to the SDC Shepard Davern commercial redevelopment overlay district:
 - (1) *Location:* All on site accessory parking areas and structures shall be located to the side or rear of the principal building or use served.
 - (2) *Quantity:* Parking shall be provided as the zoning requires for each use, except as follows:
 - a. For commercial or retail uses, if a transit shelter is provided on site then required parking spaces shall be reduced by five (5) percent but not to exceed five (5) spaces total;

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b. For commercial or retail uses, required parking may be reduced by the establishment of a parking district for the purposes of sharing parking within one shopping or entertainment area; parking areas must be clearly identified and provided with dedicated pedestrian links to the street; the establishment of a parking district to allow a reduction in parking required shall be subject to review and approval by the planning commission. The development of shared parking is encouraged subject to the provisions of section 63.200.

(3) Parking areas fronting along public street shall comply with the following:

a. A landscaped setback area of at least fifteen (15) feet on West 7th Street and Davern Street, twenty (20) feet on Edgcumbe Parkway, twenty five (25) feet on Shepard Road and containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and public sidewalk. Landscaped areas shall be irrigated by underground watering systems. The city zoning administrator may approve the substitution of a decorative fence, masonry wall, berm or similar architectural feature in lieu of up to sixty (60) percent of planted materials. Along West 7th Street, there shall be wrought iron fencing three (3) feet high.

b. One canopy tree at least three (3) inches in caliper and one evergreen tree at least two and one-half (2½) inches in caliper shall be provided for every thirty (30) feet of parking lot frontage. Trees shall be planted in the landscaped area between the parking area and sidewalk.

(4) For all parking lots which exceed one hundred (100) cars, an area equal to a minimum of ten (10) percent of the paved parking area shall be provided for interior landscaped islands. For all parking lots with thirty-five (35) to one hundred (100) cars, an area equal to a minimum of five (5) percent of the paved parking area shall be provided for interior landscaped islands. Interior landscaping shall be not less than forty (40) percent evergreens and shall include canopy trees in islands which exceed one hundred (100) square feet. Parking lot trees must be selected for heat, deicing salt, soil compaction, and drought tolerance and are to have a ground layer of organic mulch and/or massing of shrubs or living ground covers which will be managed to tolerate site conditions.

(5) Parking structures fronting along public streets shall comply with the following:

a. Durable maintainable materials (stone, brick, architecturally finished precast concrete or similar materials equal or better in quality) shall be used for parking structure exteriors.

b. A landscaped setback area of at least fifteen (15) feet on West 7th Street and Davern Street, twenty (20) feet on Edgcumbe Parkway, and twenty-five (25) feet on Shepard Road shall be provided between the parking structure and public sidewalk. Landscaped areas shall be irrigated by underground watering systems.

c. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2½) inches in caliper shall be provided for every thirty (30) feet of parking structure frontage. Trees shall be planted between the parking structure and the sidewalk, or between the sidewalk and the street.

(l) *Landscaping regulations.*

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- (1) At least fifty (50) percent of all landscaped areas should be planted with species native to Minnesota.
- (2) Where nonnative species are planted, no exotic invasive species shall be used, for example, European buckthorn and Tartarian honeysuckle.
- (3) Wherever possible, connect new landscape areas to existing or neighboring planted areas for landscape connectivity.
- (4) In areas of screening, the landscaping shall favor planting beds of trees with shrubs in order to have upper and lower plant material.
- (5) The greatest extent possible, existing healthy native trees and vegetation shall be retained.
- (6) Canopy trees are defined as achieving a height of at least fifty (50) feet at maturity.
- (7) When trees are sited in areas where they can be damaged, they shall be protected through such measures as staking, flagging or curbing.

Sec. 67.303. - SDR Shepard Davern residential redevelopment overlay district.

- (a) *Purpose.* The SDR Shepard Davern residential redevelopment district is an overlay district designed to promote the redevelopment of the area into an urban village residential district by mixing attractive examples of higher density multiple family housing with pedestrian-friendly streets and community amenities.
- (b) *Established boundaries.* The boundaries of the SDR Shepard Davern residential redevelopment overlay district shall be the area shown on the official zoning map.
- (c) *Building regulations.* The following building regulations shall pertain to the SDR Shepard Davern residential redevelopment overlay district.
 - (1) Building heights shall be limited to six (6) stories but not exceed sixty-five (65) feet outside the river corridor zone.
 - (2) Minimum site size shall be two (2) acres.
 - (3) The total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel in square feet, divided by five hundred twenty five (525).
 - (4) The maximum percent of a lot occupied by main building shall be forty-five (45) percent.
 - (5) All buildings shall have at least one (1) prominent pedestrian entry oriented to the parkway or street.
 - (6) Building design and materials shall enhance the historic character of this area of the city, with appropriate relationships to Fort Snelling and Fort Road (W 7th), as follows:
 - a. A cornice or material trim line shall be established defining the building base as approximately the first floor;

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- b. A cornice line or eave line shall be established defining the top of the building;
 - c. The building base shall be faced in stone, masonry, or a material equal or better in quality;
 - d. The building's exterior primary building material shall be faced in durable, maintainable materials in keeping with the character of the existing residential areas; materials such as unfinished concrete, concrete blocks, corrugated or sheet metal, wood composite materials, tile panels and reflective materials are prohibited;
 - e. Buildings shall avoid blank street walls.
 - f. Where possible the first floor facade facing a public street shall have windows or doors of clear or lightly tinted glass that allows views into and out of the building; highly reflective glass is prohibited.
 - g. Trash receptacles and service areas or entries shall be screened with the same materials used on the building exterior.
 - h. Chain link and barb wire fencing is prohibited.
- (d) *Public sidewalks.* All frontages along public streets shall have minimum six-foot sidewalks and tree-planted boulevards, with street trees spaced an average of one (1) every thirty (30) feet. Spacing and growing medium for the boulevard trees should be designed for plant health. Any such trees must be selected for heat, deicing salt, soil compaction and drought tolerance. Along West 7th Street brick pavers shall be integrated into the sidewalks at intersection corners.
- (e) *Accessory parking regulations.* The following accessory parking regulations shall apply to the SDR Shepard Davern residential redevelopment overlay district:
- (1) *Location.* All on site accessory parking areas and structures shall be located to the side or rear of the principal building or use served.
 - (2) Parking areas fronting along public streets shall comply with the following:
 - a. A landscaped front setback area of at least twenty-five (25) feet containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and the public sidewalk. Landscaped area shall be irrigated by underground watering systems. The city zoning administrator may consider the substitution of a decorative fence, masonry wall, berm or similar architectural feature in lieu of planted materials.
 - b. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2 ½) inches in caliper shall be provided for every thirty (30) feet of parking lot frontage. Trees shall be planted in the landscape between the parking area and sidewalk.
 - (3) Parking structures fronting along public streets shall comply with the following:
 - a. Durable maintainable materials (stone, brick, architecturally finished precast concrete or similar materials equal or better in quality) shall be used for parking structure exteriors.
 - b. A landscaped setback area of at least twenty-five (25) feet shall be provided

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between the parking structure and public sidewalk. Landscaped areas shall be irrigated by underground watering systems.

c. One (1) canopy tree at least three (3) inches in caliper and one (1) evergreen tree at least two and one-half (2 ½) inches in caliper shall be provided for every thirty (30) feet of parking structure frontage. Trees shall be planted between the parking structure and the sidewalk, or between the sidewalk and the street.

(4) For all parking lots that exceed one hundred (100) cars, an area equal to a minimum of ten (10) percent of the paved parking area shall be provided for interior landscaped islands. For all parking lots thirty-five (35) to one hundred (100) cars, an area equal to a minimum of five (5) percent of the paved parking area shall be provided for interior landscaped islands. Interior landscaping shall be not less than forty (40) percent evergreens and shall include canopy trees in islands which exceed 100 square feet. Parking lot trees must be selected for heat, deicing salt, soil compaction, and drought tolerance and are to have a ground layer of organic mulch and/or massing of shrubs or living ground covers which will be managed to tolerate site conditions.

(f) *Landscaping regulations.*

(1) At least fifty (50) percent of all landscaped areas should be planted with species native to Minnesota.

(2) Where nonnative species are planted, no exotic invasive species shall be used, for example, European buckthorn and Tartarian honeysuckle.

(3) Wherever possible, connect new landscape areas to existing or neighboring planted areas for landscape connectivity.

(4) In areas of screening, the landscaping shall favor planting beds of trees with shrubs in order to have upper and lower plant material.

(5) To the greatest extent possible, existing healthy native trees and vegetation shall be retained.

(6) Canopy trees are defined as achieving a height of at least fifty (50) feet at maturity.

(7) When trees are sited in areas where they can be damaged, they shall be protected through such measures as staking, flagging or curbing.