



## STAFF REPORT

TO: Chair Johnson and Members of the Planning Commission

FROM: Corrin Wendell, AICP, Community Development Director

DATE: May 11, 2023

RE: Conditional Use Permit – 630 Keller Parkway – Case #1419

### **ACTIONS TO BE CONSIDERED**

The Planning Commission is asked to make a recommendation on a Conditional Use Permit (CUP) application to allow an attached garage with total accessory structures not to exceed 1500 square feet located at 630 Keller Parkway, PID 052922430007.

### **BACKGROUND**

The City has received a CUP application from Steven Sandin, property owner, for a parcel located on Keller Parkway. The applicant proposes to relocate an existing 24 x 24 garage and add an art studio and 3 stall garage that will be attached to the existing home with a total of all structures to not exceed 1500 square feet. The zoning ordinance allows single family properties to have an attached garage in excess of 1,000 square feet by Conditional Use Permit.

### **Applicant/Owner:**

Steven Sandin, 630 Keller Parkway, Little Canada, MN 55117.

### **Address/Location:**

630 Keller Parkway, Little Canada, MN 55117.

### **Property Legal Description:**

RICHARD'S POINT NLY 32 5/10 FT MEASURED PAR TO NLY L OF LOT 3 OF SD LOT 3 AND ALL OF LOT 2 BLK 1, Little Canada, Ramsey County, Minnesota. PID: 052922430007.

### **Property Acreage:**

Said parcel contains 0.52 acres, subject to any drainage and utility easements. This property is also subject to any other easement of record.

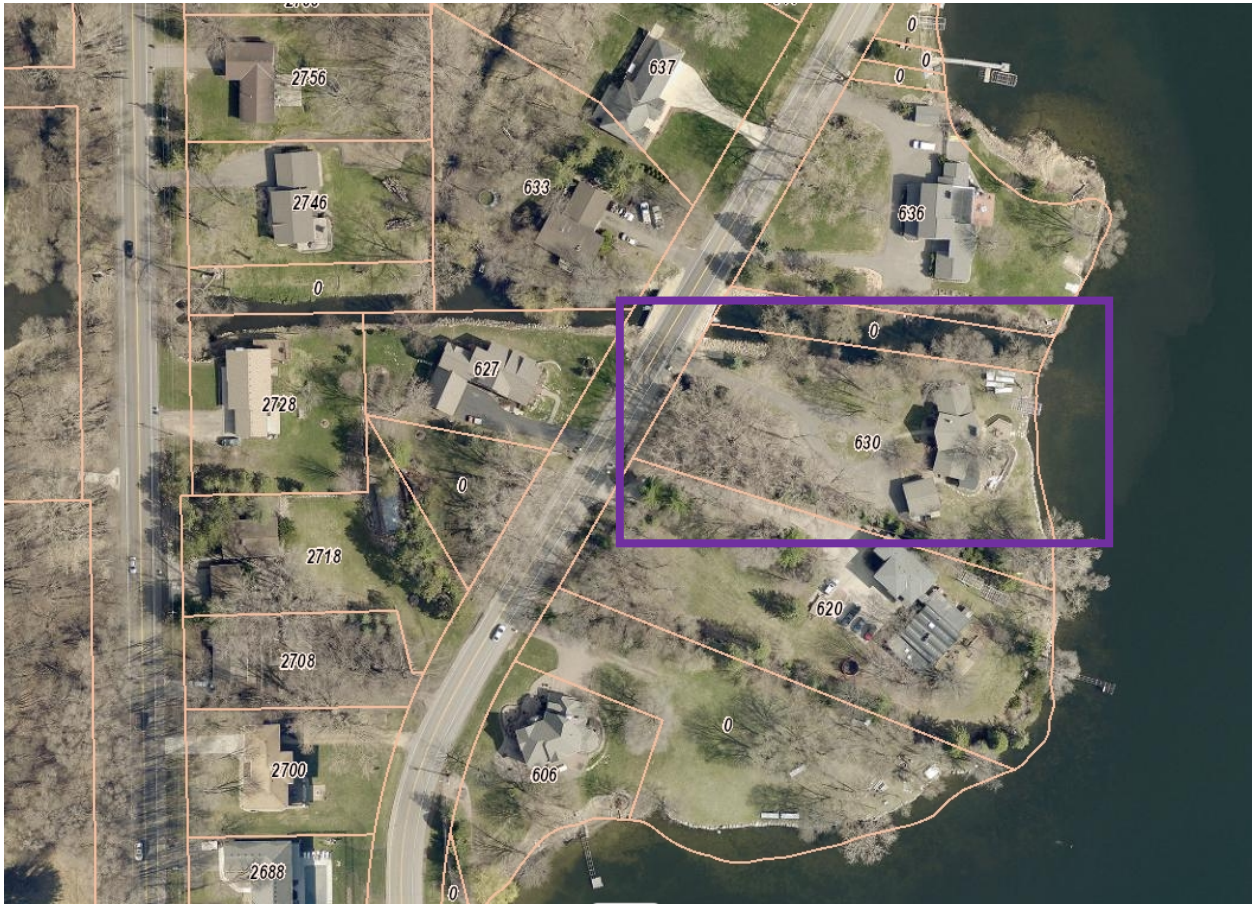
### **Zoning:**

The property is zoned R-1, Single Family Residential.

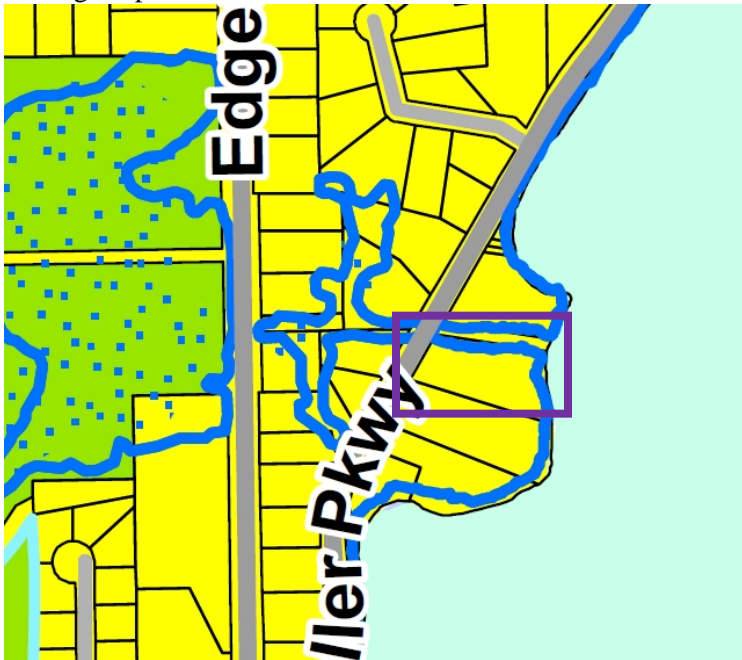
### **Attachments:**

Please see the enclosed site plan.

Aerial Map:



Zoning Map:



## FINDINGS

### **Zoning:**

The property is within the R-1, Low Density Residential District. Zoning Code Section 915.020 Accessory Buildings in Residential Districts, Generally, allows for accessory structures that exceed 1,000 square feet by Conditional Use Permit.

### **What is a Conditional Use Permit?**

CUP is an abbreviation for Conditional Use Permit. A Conditional Use Permit is a use that is only permitted in a zoning district under the Zoning Code, if certain conditions, designated by the City Council, Planning Commission, or specified in the Zoning District, are met.

### **Zoning Code Section 915.020 Accessory Buildings in Residential Districts, Generally**

#### **C. Lot Coverage.**

1. No individual accessory building or detached garage for a single-family dwelling shall occupy more than 30 percent of the rear yard.
2. The total floor area of a detached garage and other accessory buildings for a single family detached dwelling shall not exceed 1,000 square feet except by Conditional Use Permit, in which case the limit is 1,500 square feet.

*The applicant proposes to move an existing garage (24 ft x 24 ft) 576 sq ft and add an attached garage onto the existing home structure with the three car garage size of 924 sq ft. (approx. 32 ft x 28 ft).*

#### *Setbacks:*

*The Ordinance requires principal structures to have a side yard setback of 7.5 feet. The proposed attached garage addition setback requirements have been satisfied and exceed 7.5 feet.*

#### *Lot Coverage:*

*According to the Code, no individual accessory building or detached garage for a single-family dwelling shall occupy more than 30 percent of the rear yard. The proposal is for an attached garage space and the applicant does not have any other accessory structures in the rear yard. The proposed garage complies with this provision.*

#### *Accessory Building Area:*

*The total garage and accessory building space upon a property may not exceed 1,500 square feet. The proposed total attached garage area will be 1,500 square feet.*

D. Subject to the other regulations in this Section, each single-family lot shall be eligible for the following accessory structures:

1. Permitted Accessory Structures.

a. One (1) garage structure, whether attached or detached; for detached garages, refer to the dimensional requirements found in the R-1 and R-2 zoning districts, Chapter 904 of this code.

b. One (1) recreational accessory building of no more than one hundred sixty (160) square feet, and with no horizontal dimension of more than sixteen (16) feet in length or width as a permitted use. For the purposes of this ordinance, a recreational accessory structure shall be designed for temporary and seasonal occupancy, but shall not include permanent storage of materials. Examples of such structures shall include gazebos, detached porches, or similar buildings.

c. One (1) shed, provided that: Such sheds shall be constructed of materials and colors similar and/or complementary to the principal building; shall not utilize either corrugated fiberglass or metal siding or roofing; shall be no higher than (15) feet in height; shall be utilized solely for storage of materials and equipment accessory to residential dwellings; and shall not be utilized for shelter or accommodation for animals of any kind.

d. One detached garage as a second garage on the property, under the following conditions:

- (1) The other garage structure is an attached garage.
- (2) The proposed detached garage meets all of the conditions of this Section.
- (3) The total of all garage and accessory structure space on the property does not exceed one thousand (1,000) square feet.

2. Additional Detached Structures. Beyond the limitations of this Section, the construction of a second garage (either attached or detached), a third accessory building, or a second shed shall require the approval of a Conditional Use Permit. When a Conditional Use Permit is issued to exceed 1,000 square feet of garage and accessory building area, the parcel shall not be eligible for a detached shed as otherwise permitted. Any existing such sheds must be removed as a condition of the Conditional Use Permit.

**City Code Section 917.070:**

Section 917.070 of the Zoning Ordinance states that the Planning Commission and City Council shall consider possible adverse effects to the conditional use and judgment shall be based upon (but not limited to) the following factors:

**D. Conditions for Approval**

These conditions must be met:

1. The use is allowed as a Conditional Use in the zoning district and conforms to standard zoning regulations;
2. The Conditional Use will conform to the conditions listed in Chapter 914 for the proposed use;

The Conditional Use will not impede the normal and orderly use or development of nearby property, substantially diminish nearby property values or place an undue burden on public facilities or services;

The Conditional Use will not be detrimental to the health, safety, or welfare of the public;

The Conditional Use will not result in a nuisance by emissions;  
The Conditional Use will not unduly affect natural features.

#### E. Additional Conditions

In permitting a new Conditional Use or the alteration of an existing Conditional Use, the City Council may impose, in addition to these standards and requirements expressly specified by this ordinance, additional conditions that the Commission considers necessary to protect the best interest of the surrounding area or community as a whole. These conditions may include but are not limited to:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size or location of buildings.
3. Controlling the location and number of vehicle access points.
4. Increasing the street width.
5. Increasing the number of required off street parking spaces.
6. Limiting the number, size, location or lighting of signs.
7. Requiring additional fencing, screening, landscaping or other facilities to protect adjacent or nearby property.
8. Designating sites for open space.

#### *Height, Size, Scale of Structure:*

*In terms of scale and appearance, the height of the garage will be similar to the height of the principal structure as well as the appearance of the main home.*

**Building Official Comments:** The City's Building Official has reviewed this proposal.

#### **Public Hearing:**

A CUP requires a Public Hearing and the City Council will need to open the hearing at their May 24, 2023 meeting to take comment from the public. At that time, they will consider the comments from the public and the CUP application after the hearing has been closed. A public notice has been published in the newspaper and the property owners within 350 feet of the site have been notified of the proceedings.

#### **RECOMMENDED ACTION**

To make a recommendation on a Conditional Use Permit (CUP) application to allow an attached garage with total accessory structures not to exceed 1500 square feet located at 630 Keller Parkway, PID 052922430007.