

Section 543 - Zoning: Mixed Use

543.01 Mixed Use. The primary purposes of the Mixed Use Zone Districts are to:

- Provide appropriate areas for and facilitate quality mixed use development in activity centers that are consistent with the Comprehensive Plan's land use and transportation goals, objectives, policies and strategies;
- Accommodate intensities and patterns of development that can support multiple modes of transportation, including public transit, biking and walking;
- Group and link places used for living, working, shopping, schooling, and recreating, thereby reducing vehicle trips, relieving traffic congestion, improving air quality in the City and encouraging active living principles;
- Provide a variety of residential housing types and densities to assure activity in the district and support a mix of uses, and enhance the housing choices of City residents; and
- Integrate new mixed use development with its surroundings by encouraging connections for pedestrians and vehicles and by assuring sensitive, compatible use, scale, and operational transitions to neighboring uses.

543.02. Permitted and Conditional Uses:

RESIDENTIAL	UN (Blake)	DT (8th Ave)	CTC (Shady Oak)
1. Multi-unit dwellings	x	x	x
2. Townhomes	x		x
COMMERCIAL			
3. Bar/Tavern	x	x	
4. Antiques	x	x	
5. Art Gallery		x	
6. Artisan Shop	x	x	
7. Bakery	x	x	x
8. Bank and Financial Services	x (a)	x(a)	x(a)
9. Beauty/Barber Shop	x	x	x
10. Bike Sales	x	x	
11. Books – Office supplies	x	x	

12. Boutiques	x	x	
13. Butcher	x	x	x
14. Camera – Photographic	x	x	
15. Clothing Store		x	
16. Clubs (private – nonprofit)	x	x	x
17. Coffee Shop	x	x	x
18. Collectibles (cards, coins, comics, stamps, etc.)	x	x	
19. Costume and Formal Wear Rental	x	x	
20. Currency Exchange	x (b)	x (b)	
21. Day Nursery	x	x	x
22. Delicatessen	x	x	x
23. Dry Clean and Laundry	x	x	x
24. Educational Facilities	x	x (c)	x
25. Electronics	x (d)	x (d)	
26. Employment Agency	x	x	x
27. Essential Public Service & Utility Structures	x	x	x
28. Fabric and Sewing Store	x	x	
29. Florists	x	x	x
30. Garden and Landscape	x(e)	x (e)	
31. Gifts and Novelties	x	x	
32. Glassware, China, Pottery		x	
33. Health Club	x		X
34. Hobby- Craft - Instruction	x	x	
35. Hotel		x	
36. Karate, Dance – Studio	x	x	
37. Ice Cream	x	x	x
38. Indoor Sports & Recreation Facility	x	x(f)	x
39. Interiors – Decoration Studio	x	x	
40. Jewelry	x	x	
41. Leather Goods – Luggage	x	x	
42. Liquors – Off-sale	x	x	x
43. Locksmith and Fixit Shop	x	x	x
44. Medical Service	x	x	x
45. Music Store		x	
46. Neighborhood Market	x	x	x
47. Offices	x	x	x
48. Optical	x	x	
49. Paint and Wallpaper		x	
50. Parking Ramps & Lots	x	x	x
51. Pawn Shop	x	x	
52. Pet Grooming	x		x
53. Pet Store	x	x	

54. Pharmacy – Drug Store	x	x (g)	
55. Photography – Studio		x	
56. Picture Framing -Art Shop		x	
57. Pipe – Tobacco Shop	x	x	x
58. Print Shop	x	x	x
59. Restaurant - Traditional	x	x	x
60. Restaurant – Carry-out & delivery	x	x	x
61. Shoes – Boot Store	x	x	
62. Sporting Goods	x	x	
63. Stationery – Card Shop	x	x	x
64. Street Food Vendors	x	x	x
65. Tailoring	x	x	x
66. Travel Agent	x	x	x
67. Variety Store	x	x	
68. Vet Clinic	x	x	x
69. Video/DVD -Sales, Rental	x	x	x
CIVIC			
70. Transit Station	x	x	x
71. Park & Ride Facility	x	x	x
72. Public Open Space/Park	x	x	x

Conditional uses

- a. Bank and Financial Services, provided:
 1. The applicant must show that the drive thru in an integral part of the building and the traffic and queuing will not interfere with the pedestrian experience. It shall be at the sole discretion of the City Council to allow a drive thru.
- b. Currency Exchange:
 1. The use shall be located at least one thousand (1,000) feet from any other currency exchanges, secondhand goods stores, and pawnshops.
 2. The use shall be located at least three hundred fifty (350) feet from an off-sale liquor establishment.
 3. Back-lighted signs, back-lighted awnings, portable signs, temporary signs and freestanding signs are prohibited.
- c. Educational Facilities, provided:
 1. use shall not be located on first floor
- d. Electronics, provided:
 1. less than 5000 square feet
- e. Garden and Landscape, provided:
 1. outside display limited to area in front of store

- f. Indoor Sports and Recreation Facility, provided:
 - 1. less than 5000 square feet
- g. Pharmacy - Drug Store, provided:
 - 1. less than 5000 square feet

Development Standards for Mixed Use:

543.03. Parking. Parking within the mixed use district must be located in multi-level structures or in shared parking lots where feasible and with approval of the City. The following requirements will apply to all permitted uses located within the mixed use zoning district if a TDM or shared parking study has not been completed and approved by the City Council:

- a) A minimum of one and a maximum of 1.5 parking spaces per multi-family unit is permitted; one guest space per 15 units is permitted.
- b) All uses other than residential shall require a parking study to determine the necessary parking required.
- c) Where practicable, ingress and egress from parking must be from side streets or alleys.

543.04. Travel Demand Management Plan (TDM)/Mass Transit Links. Off-street parking requirements may be reduced subject to approval by the City Council, where a TDM plan, parking and transportation study is submitted. The TDM plan, parking and transportation study is conducted in accordance with accepted methodology approved by the City staff, prepared by an independent traffic engineering professional under the supervision of the City, and paid for by the applicant. These plans must address the transportation impacts of the development and proposed TDM mitigating measures and show that parking demand will be decreased by access to nearby transit. Where a TDM plan is approved, a properly drawn legal instrument, executed by the parties concerned, must be filed on the property in the Recorder's or Register's Office of Hennepin County. Five acres commercial, office or retail development or 100 residential units require a TDM study.

543.05. Shared parking. The City Council may approve the use of shared parking where:

- a. The applicant demonstrates with a parking study that the hours, size, and mode of operation of the respective uses does not create a substantial conflict in the peak parking demands of the uses for which shared parking facilities is proposed, and there is adequate parking to meet the needs for each use. A shared parking plan must be submitted where shared parking is proposed that includes specific analysis on the peak characteristics of the various uses indicated.

- b. Where a shared use of parking exists with the same site or across sites, a properly drawn legal instrument, executed by the parties concerned, must be filed as a deed restriction on all impacted properties in the Hennepin County Recorder's Office. A parking study is required to be conducted in accordance with accepted methodology approved by the City staff, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant, demonstrating that there is not a present need for the portion of parking for which the applicant is requesting shared parking flexibility.
- c. Shared parking shall be no more than 500 feet from the front doors of the buildings sharing the parking.

543.06. Bicycle Parking.

- a) Bicycle parking facilities must be provided for all office and multi-family structures and freestanding commercial uses.
- b) The required number of bicycle parking spaces will be based on the following:

	<u>Long term</u>	<u>Short term</u>
Multi-family Residential	1 per 2 units	1 per 20 units
Retail	.50 space per employee	.50 space per 1,000 square feet of net building area
Office	.25 space per 1,000 square feet of net building area	1 per 40,000 square feet of net building area
Park and Ride Facilities	10 spaces an acre	10 percent of parking stalls

- c) Bicycle parking facilities must be located in a well-lighted area.
- d) All bicycle racks, lockers, or other facilities must be securely anchored to the ground or to a structure.
- e) All required bicycle parking must be located within 50 feet of central or well-used building entrances.

- f) Long-term bicycle parking facilities that provide parking for bike storage lasting eight or more hours shall be located inside buildings or a bike storage facility for added security.
- g) The required amount of short-term bicycle parking required for bike storage lasting less than two hours must be provided for at each building.
- h) In buildings that have several uses, shared short-term bicycle parking facilities are encouraged and should be centrally located between uses.

543.07. Shadow Study. A shadow study is required for all buildings four stories or higher. The shadow study will indicate the shadows cast at the shortest and longest days of the year. Impacts of a shadow on the surrounding property may be a reason to lower and/or adjust the location or height of building(s).

543.08. Exterior. The primary exterior treatment of walls facing a public right-of-way or parking lot on a structure shall be brick, cast concrete, stone, marble or other material similar in appearance and durability. Regular or decorative concrete block, float finish stucco, EIFS-type stucco, cementitious fiber board, or wood clap board may be used on the front façade as a secondary treatment or trim but shall not be a primary exterior treatment of a wall facing a public right-of-way.

543.09. Building Orientation. Subdivision 1. Buildings within the Mixed Use district must be oriented toward the pedestrian by providing a direct link between each building and the pedestrian walking system, with emphasis on directing people to a transit station.

Subd. 2. Façade. The primary street side façade of a building shall not consist of an unarticulated blank wall, flat front facades or an unbroken series of garage doors. The front of a building shall be broken up into individual bays of a minimum of 25 feet and maximum of 40 feet wide.

Subd. 3. Blocks. Blocks must not exceed (600) feet in length and must provide pedestrian connectors. These pedestrian connectors can be pedestrian easements and pathways or through-building linkages at least every 300 feet.

Subd. 4. Height. All nonresidential floor space provided on the ground floor of a mixed use building must have a minimum floor-to-ceiling height of 11 feet.

543.10. Transparency. Subdivision 1. A minimum of 60 percent to a maximum of 75 percent of the front street-facing façade between two feet and eight feet in height must comprise clear windows that allow views of indoor nonresidential space or product display area. Side facades abutting a public right-of-way shall have a minimum of 30 percent clear windows.

Subd. 2. Height. The bottom edge of any window or product display window used to satisfy the transparency standard of paragraph (1) above may not be more than three feet above the adjacent sidewalk.

Subd. 3. Display. Product display windows used to satisfy these requirements must have a minimum height of four feet and be internally lighted.

Subd. 4. Windows. Transparent windows allowing visual access into and out of nonresidential buildings shall be required on the first floor frontage along the front yard.

Subd. 5. Fenestration. 30 percent fenestration for windows above the first floor for all sides that abut a public right-of-way.

543.11. Sidewalks. Subdivision 1. Sidewalks shall be constructed along the frontage of all public streets and within and along the frontage of all new development or redevelopment.

Subd. 2. Width. Sidewalks may range in width from a minimum of five feet to a maximum of 20 feet, depending on expected pedestrian traffic.

543.12. Pedestrian/Streetscapes. Subdivision 1. Street trees in grates or planters are required along sidewalks for all new platted streets. Existing streets may not allow sufficient right-of-way for street trees. If the existing right-of-way does not allow for street trees, landscaping, trees, planters or street furniture will be added to the interior side of the sidewalk where the setback will allow.

Subd. 2. Improvements. Pedestrian improvements of at least 25 percent of the landscaping budget shall be included in the development. These improvements shall create a high quality pedestrian experience through the provision of benches, planters, drinking fountains, waste containers, median landscaping, etc. Said improvements shall be on all public streets that lead directly to the station. (Amended Ord. 2015-1100)

Subd. 3. Lighting. Pedestrian-scale light fixtures that shine downward on the sidewalks and walkways shall be no greater than 12 feet in height and must be provided along all sidewalks and walkways to provide ample lighting during nighttime hours for employees, residents, and customers.

Subd. 4. Maintenance. It shall be the responsibility of the owner of the abutting building to maintain the streetscape.

543.13. Landscaping. Subdivision 1. All open areas of a lot that are not used or improved for required parking areas and drives shall be landscaped with a combination of over-story trees, under-story trees, shrubs, flowers and ground cover materials. The plan for landscaping shall include ground cover, bushes, shrubbery, trees, sculptures, fountains, decorative walks or other similar site design features or materials. The following table is a minimum value for the landscaping:

<u>Project Value</u>	<u>Minimum</u>
Below \$1,000,000	2 percent
\$1,000,000 - \$2,000,000	\$20,000 + 1 percent of project value in excess of \$1,000,000
\$2,000,000 - \$3,000,000	\$30,000 + .75 percent of project value in excess of \$2,000,000
\$3,000,000 - \$4,000,000	\$37,500 + .25 percent of project value in excess of \$3,000,000
over \$4,000,000	1 percent + .10 percent of project value in excess of \$4,000,000 (Amended Ord. 2015-1100)

- a. Documentation showing an estimated dollar amount of landscaping shall be provided to the City prior to any approval.
- b. All new over-story trees shall be balled and burlapped or moved from the growing site by tree spade. Deciduous trees shall have a minimum caliper of 2.5 inches. Coniferous trees shall be a minimum caliper of 1.5 inches.
- c. All site areas not covered by buildings, sidewalks, parking lots, driveways, patios or similar hard surface materials shall be covered with sod or an equivalent ground cover approved by the City. This requirement shall not apply to site areas retained in a natural state.
- d. An underground sprinkler system shall be provided as part of each new development. A sprinkler system shall be provided for all landscaped areas except areas to be preserved in a natural state. The sprinkler system is required to have a sensor for an automatic shut-off to prevent the system from operating when it is raining.

543.14. Indoor/Outdoor Operations. All permitted uses in the mixed use district must be conducted within a completely enclosed building unless permitted by a conditional use permit. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating area, alone or in connection with restaurants.

543. 15. Wall signs. Subdivision 1. Each tenant other than those in multi-tenant buildings may have one flat wall sign, not extending more than 18 inches from the face of the building, except that such signage may extend from the face of the roof over a covered walk. Such wall signs shall not exceed two times of the lineal frontage of the wall to which the business is located, to a maximum of 96 square feet. Signs shall not be internally illuminated.

Subd. 2. Canopies and Awnings. The design of canopies shall be in keeping with the overall building design in terms of location, size, and color. No canopies with visible wall hangers shall be permitted. Signage on canopies maybe substituted for allowed building signage and shall be limited to 25 percent of the canopy area. Canopies shall not be internally illuminated.

Subd. 3. Projecting. Projecting signs will have a maximum size of 12 square feet and a maximum width of three feet. Projecting signs cannot extend beyond the first floor of the building. No less than 10 feet of clearance shall be provided between the sidewalk surface and the lowest point of the projecting sign. Maximum distance between sign and building face is one foot.

Subd. 4. Monument signs. One monument sign shall be permitted for each multi-tenant building provided the surface area of the sign does not exceed two square feet per front foot of lot. No sign shall be over 150 square feet, 20 feet in height and have a setback in no case less than 20 feet from the property lines.

543.16. Drive through. A one-lane drive through may be permitted with a conditional use permit. The applicant must show that the drive through is an integral part of the building and the traffic and queuing will not interfere with the pedestrian experience.

543.17. Urban Neighborhood (UN) Subdivision 1. This area is primarily located around the Blake Transit Station. The Urban Neighborhood District is intended primarily for mixed pedestrian-scaled, neighborhood-serving, nonresidential uses and high density residential uses in the same structure or in close proximity to one another. Nonresidential uses may include small-scale retail, service, and professional offices that provide goods and services to the residents of the surrounding neighborhood.

Subd. 2. Height.

Height 3-4 stories for residential structures
Mixed Use 5-6 stories (retail on the first floor)
4-5 stories for office structures

Subd. 3. Floor Area Ratio.

Residential minimum FAR - 2
Residential maximum FAR - 3

Mixed use building minimum FAR – 3 (Amended Ord. 2015-1091)
Mixed use building maximum FAR - 5

Office building minimum FAR - 3
Office building maximum FAR - 4

Subd. 4. Front yard setbacks along Blake Road and Excelsior Blvd

Residential building 15’ - 25’
Office building 25’ - 40’

Subd. 5. Front yard setbacks along 2nd Street

Residential building 5’ – 15’
Structured parking 5’ – 15’
Office building 5’-15’

Side yard 10 feet
Rear yard 10 feet

543.18. Downtown (DT) Subdivision 1. This area is primary located from the Downtown Hopkins Transit Station to Mainstreet. The Downtown District provides for development of high density residential and vertically-integrated, mixed uses over ground-floor, non-residential uses on lots fronting Eighth Avenue from Excelsior Boulevard to Mainstreet. This district acts as a transition from the transit station to Mainstreet and to draw people to Mainstreet.

Subd 2. Development Standards

Each off-street parking area is encouraged to be designed and located so that parking lots on adjacent parcels may be linked.

The principal functional doorway for public or direct-entry access into a building shall face the fronting street. Corner entrances shall be provided on corner lot buildings or have dual entries. A secondary entrance may be oriented towards off-street surface parking.

Subd. 3. Outdoor Gathering Space

Outdoor Gathering Space shall have direct access to the sidewalk. All outdoor Gathering Spaces will have a treatment such as a wrought iron fence, hedge, or a one to three feet wall following the building line of the abutting buildings. The space may have the following:

- Lighted bollards
- Movable or unmovable tables and chairs
- Fountains or other water features
- Benches
- Seat walls and/or landscape planters
- Shade trees
- Pots or hanging baskets filled with seasonal plant material
- Information kiosks
- Sculptures or other public art features

Subd. 4. Height.

Minimum height three stories from alley south of Mainstreet to Mainstreet

Minimum FAR - 2

Maximum FAR - 3

Minimum height four stories from Excelsior Blvd to alley south of Mainstreet

Minimum FAR – 3 (Amended Ord. 2015-1091)

Maximum FAR - 5

Subd. 5. Setbacks

Front yard minimum 1 foot
maximum 5 feet - except for the following:

a. A portion of the building may be set back to provide an articulated façade or accommodate a building entrance feature, provided that the total area of the space created must not exceed one square foot for every linear foot of building frontage.

b. A building may be set back to accommodate an outdoor eating area. To preserve the continuity of the street wall, the building may be set back no more than 12 feet from the front or street side property line, or at least 40 percent of the building facade must be located abutting a street. The total area of an outdoor eating area that is located between a public sidewalk and the building façade may not exceed 12 times the buildings street frontage in linear feet.

Minimum side yard setback – 0

Minimum rear yard setback – 10 feet

Rear yard setback abutting a public right-of-way 50 feet or more in width:
(Added Ord. 2015-1091)

Minimum rear yard - 0 feet (Amended Ord. 2015-1091)

Maximum rear yard - 1 foot (Added Ord. 2015-1091)

543.19. Commuter Town Center (CTC) - This area is primary located around the Shady Oak Transit Station in the west side of Hopkins. The Commuter Town Center District is intended to support a variety of housing types and compatible vertically-integrated mixed uses composed of street-level nonresidential and upper-story residential uses. High-density, attached residential use types that are supportive of transit are encouraged.