

Minimum setback, side:	20 feet plus .25 feet for each one foot of structure height in excess of 60 feet.
Minimum setback, rear:	Same as side setback, but in no instance less than 30 feet.
Maximum structure height:	As regulated by Section 21.301.10 of this Code.
Maximum structure lot coverage:	30 percent
Maximum structure floor area ratio:	CS-1 = 1.0 FAR, CS-0.5 = 0.5 FAR

(h) **Reserved.**(i) **Special Provisions.**

- (1) Reserved.
- (2) The maximum floor area ratio in the CS-1 District may be increased to 1.5 square feet of floor area and in the CS-0.5 District to 0.75 square feet of floor area for each one square foot of lot area and maximum building coverage may be increased to 40 percent of lot area provided that peak period project trip generation is equal or less than trip generation from the same type of use with a 1.0 floor area ratio in the CS-1 District and 0.5 floor area ratio in the CS-0.5 District. A Tier I TDM Program in accordance with the requirements of City Code Section 21.301.09 and a development agreement is required for all uses exceeding the maximum floor area ratio in (f) above.
- (3) The minimum floor area for structures in the CS Districts shall be 10,000 square feet for freestanding restaurants and 20,000 square feet for all other uses.
- (4) In instances in which second-level pedestrian connections are made across public streets or to adjacent properties, setbacks may be reduced to zero feet for a width of 120 feet.
- (5) Exterior Materials. The exterior materials and finish of all buildings erected on lands within Commercial Service CS-0.5 and CS-1 Zoning Districts shall be in conformance with the applicable requirements of Section 19.63.08 of this Code.

(j) **Sign Regulations.** Refer to Article X of this Chapter.

(Added by Ord. No. 81-16, 5-4-1981; Amended by Ord. No. 85-35, 7-29-85; Ord. No. 86-2, 1-6-86; Ord. No. 86-73, 11-24-86; Ord. No. 87-1, 1-12-87; Ord. No. 88-39, 5-16-88; Ord. No. 88-53, 9-19-88; Ord. No. 89-10, 2-6-89; Ord. No. 90-42, 9-10-90; Ord. No. 91-35, 6-3-91; Ord. No. 92-2, 1-6-92; Ord. No. 92-38, 7-27-92; Ord. No. 93-48, 11-15-93; Ord. No. 94-31, 6-20-94; Ord. No. 96-25, 7-1-96; Ord. No. 96-40, 8-19-96; Ord. No. 97-36, 8-18-97; Ord. No. 99-3, 3-15-99; Ord. No. 2002-38, 12-2-2002; Ord. No. 2003-12, 4-21-2003; Ord. No. 2004-24, 5-3-2004; Ord. No. 2004-27, 5-3-2004; Ord. No. 2004-35, 8-16-2004; Ord. No. 2005-11, 4-25-2005; Ord. No. 2006-54, 12-18-2006; Ord. No. 2007-7, 2-26-2007; Ord. No. 2008-1, 1-14-2008; Ord. No. 2009-1, 1-26-2009; Ord. No. 2009-16, 6-1-2009; Ord. No. 2009-30, 10-19-2009; Ord. No. 2009-33, 11-2-2009; Ord. No. 2009-34, 11-2-2009; Ord. No. 2009-40, 12-7-2009; Ord. No. 2010-29, 11-1-2010; Ord. No. 2013-7, 4-1-2013; Ord. No. 2015-18, 7-2-2015; Ord. No. 2015-33, 11/26/2015)

SEC. 19.40.07.01. RESERVED.

(Added by Ord. No. 95-9, 6-5-95; Ord. No. 96-25, 7-1-96; Ord. No. 96-40, 8-19-96; Ord. No. 96-69, 12-16-96; Ord. No. 97-36, 8-18-97; Ord. No. 98-3, 1-5-98; Ord. No. 98-11, 3-16-98; Ord. No. 99-8, 4-5-99; Ord. No. 2001-3, 1-16-2001; Ord. No. 2001-12, 3-19-2001; Ord. No. 2001-21, 7-2-2001; Ord. No. 2001-50A, 11-19-2001; Ord. No. 2002-16, 5-6-2002; Ord. No. 2002-38, 12-2-2002; Ord. No. 2004-11, 4-5-2004; Ord. No. 2004-27, 5-3-2004; Ord. No. 2005-11, 4-25-2005; Ord. No. 2006-54, 12-18-2006; Ord. No. 2010-29, 11-1-2010; Deleted by Ord. No. 2011-16, 8-1-2011)

SEC. 19.40.08. COMMERCIAL OFFICE DISTRICT CO-1.

- (a) **Intent.** The Commercial Office District is intended to provide areas where offices, compatible office-like businesses, and high-density residential uses may be developed with the assurance that commercial uses with incompatible characteristics will not impede or disrupt the establishment of an attractive and cohesive grouping of mixed yet interrelated uses. This district is to be applied only in areas adjacent to arterial or collector streets. Residential uses within this district is appropriate provided they are subsidiary to office uses on the site.
- (b) **Permitted Principal Uses -**
 - (1) Offices.
 - (2) Public uses.
 - (3) Transit stations.
 - (4) The following accessory uses:
 - (i) Uses customarily incidental and clearly subordinate to permitted principal uses.
 - (ii) Beekeeping.
 - (5) Entertainment and recreation special events.

- (c) **Provisional Uses.** If the following uses are within a building primarily devoted to a permitted principal use, and if they have common indoor access to permitted principal uses, they are permitted within the CO district.
- (1) Retail stores for the sale of arts and crafts, gifts, flowers, plants, groceries, bakery goods, produce, dairy products, drugs, sundry items, books, newspapers, magazines, apparel, and similar retail stores.
 - (2) Personal-service establishments including licensed therapeutic massage enterprises, barber and beauty shops, exercise and health activities, dry-cleaning drop-off and pick-up stations, laundering, repair services incidental to retail stores, and similar personal services.
 - (3) Financial institutions.
 - (4) Athletic and recreation facilities.
 - (5) Restaurants.
 - (6) Sales and servicing of office equipment.
 - (7) Business services including printing and duplicating.
 - (8) Product design, development, and testing.
 - (9) Type I home businesses pursuant to standards as set forth in Section 21.302.13.
- (d) **Conditional Uses.**
- (1) Multi-family dwellings in the CO-1 district provided they are developed in accordance with the provisions of the RO-50 district.
 - (2) Manufacturing, provided that at least 75 percent of the floor area of structures on the site is devoted to a permitted principal use.
 - (3) Research laboratories.
 - (4) Automotive service facilities which form an integrated part of a larger development.
 - (5) Utility uses.
 - (6) Computer Component Manufacturing.
 - (7) Uses requiring a maximum floor area ratio above 1.0 within the CO-1 district, subject to the provisions of paragraph (h) below.
 - (8) Air passenger and transit terminals.
 - (9) Post-secondary educational institutions.
 - (10) Towers. For related provisions see Sections 15.14, 19.63.05 and 21.301.10 of this Code.
 - (11) Non-profit clubs in the CO-1 Zoning District.
 - (12) Type II home businesses pursuant to standards as set forth in Section 21.302.13.
 - (13) Places of assembly in the CO-1 Zoning District.
 - (14) Manufactured home parks pursuant to standards as set forth in Section 21.302.10.
- (e) **Interim Uses.**
- (1) **Uses.** The following uses are allowed on an interim basis in accordance with the provisions of this Section.
 - (A) Short term storage of rental car inventory for rental by the public at the Minneapolis/St. Paul International Airport and short term parking of personal vehicles by auto rental employees and construction related employees working at the Minneapolis/St. Paul International Airport.
 - (B) Car rental businesses, including storage of rental cars provided that such parking does not occupy space otherwise required by ordinance or other uses on the same site.
 - (C) Reserved.
 - (D) Parking for an off-site use or as a primary use.
 - (2) **Standards.** In addition to standards in Section 21.501.05, the following standards also apply to interim uses in the Commercial Office District CO-1.
 - (A) Any buildings or other site improvements associated with the interim use shall be of nominal value or portable. Temporary buildings shall be allowed only to support the proposed use. Temporary buildings are exempt from the requirements of Section 19.40.08(i), but must be designed and constructed in a manner assuring safety for occupants and others affected, as determined by the Issuing Authority.
- (f) **Maximum Floor Area Ratio.** The maximum floor area ratio for nonresidential uses within the CO-1 district shall be one square foot of floor area for each one square foot of lot area.
- (g) **Dimensional Requirements.**
- Minimum lot area: 120,000 square feet

Minimum lot width:	200 feet
Minimum setback, front:	60 feet
Minimum setback, side:	20 feet plus .25 foot for each one foot of structure height in excess of 60 feet.
Minimum setback, rear:	Same as side setback, but in no instance less than 30 feet.
Maximum structure height:	As regulated by Section 21.301.10 of this Code.
Maximum structure lot coverage:	30 percent
Maximum structure floor area ratio:	CO-1=1.0 FAR for nonresidential uses.

(h) **Reserved.**

(i) **Special Provisions.**

- (1) Reserved.
- (2) In the CO district, the floor area of residential uses shall not exceed 50 percent of the floor area of nonresidential uses in a particular development.
- (3) The maximum floor area ratio in the CO-1 district may be increased to 1.5 square feet of floor area and maximum building coverage may be increased to 40 percent of lot area provided that peak period project trip generation is equal or less than trip generation from the same type of use with a 1.0 floor area ratio in the CO-1 district. A Tier I TDM Program in accordance with the requirements of City Code Section 21.301.09 and a development agreement is required for all uses exceeding the maximum floor area ratio in (f) above.
- (4) In instances in which second-level pedestrian connections are made across public streets or to adjacent properties, setbacks may be reduced to zero feet for a width of 120 feet.
- (5) Exterior Materials. The exterior materials and finish of all buildings erected on lands within Commercial Office CO-1 Zoning District shall be in conformance with the applicable requirements of Section 19.63.08 of this Code.

(j) **Sign Regulations.** Refer to Article X of this Chapter.

(Added by Ord. No. 81-16, 5-4-1981; Amended by Ord. No. 85-35, 7-29-85; Ord. No. 86-73, 11-24-86; Ord. No. 88-53, 9-19-88; Ord. No. 89-10, 2-6-89; Ord. No. 90-42, 9-10-90; Ord. No. 91-17, 3-18-91; Ord. No. 91-45, 7-1-91; Ord. No. 91-63, 10-7-91; Ord. No.92-38, 7-27-92; Ord. No. 92-49, 10-5-92; Ord. No. 96-25, 7-1-96; Ord. No. 96-40, 8-19-96; Ord. No. 97-36, 8-18-97; Ord. No. 99-9, 5-3-99; Ord. No. 2001-43, 8-20-2001; Ord. No. 2002-38, 12-2-2002; Ord. No. 2004-27,5-3-2004; Ord. No. 2004-35, 8-16-2004; Ord. No. 2005-11, 4-25-2005; Ord. No. 2006-54, 12-18-2006; Ord. No. 2008-1, 1-14-2008; Ord. No. 2009-1, 1-26-2009; Ord. No. 2009-34, 11-2-2009; Ord. No. 2009-40, 12-7-2009; Ord. No. 2010-1, 1-4-2010; Ord. No. 2010-29, 11-1-2010; Ord. No. 2015-15, 6/1/15 Ord. No. 2015-18, 7-2-2015; Ord. No. 2015-33,11/26/2015)

SEC. 19.40.08.01 COMMERCIAL-OFFICE/MIXED-USE DISTRICT CO-2.

(a) **Intent.** The Commercial-Office/Mixed-Use District is intended to provide for the expansion of the Mall of America development from adjoining property west of 24th Avenue, in a manner consistent with the Environmental Impact Statement for the Mall of America. It is intended that this district blend the mixed use component of the CX-2 district with the business and residential components of the CO-1 district and serve as a transition between the Mall of America site and other adjoining lands zoned CO-1 and RO-50. It is intended that the CO-2 district only be applied to the area bounded by 24th Avenue on the west, 82nd Street on the north, 28th Avenue on the east and Old Shakopee Road on the south.

(b) **Permitted Principal Uses.**

- (1) Mixed-use center
- (2) Office uses
- (3) Public uses
- (4) The following accessory uses:
 - (i) Uses customarily incidental and clearly subordinate to permitted principal uses.
 - (ii) Beekeeping.
- (5) Entertainment and recreation special events.

(c) **Provisional Uses.** If the following uses are developed with enclosed pedestrian access to a mixed-use center, they are permitted in the CO-2 district.

- (1) Multiple-use structures in excess of 200,000 square feet of floor area containing three or more of the following uses: office, hotel, restaurant, retail stores and service establishments, financial institutions without drive-up facilities, theaters, and conference centers.
- (2) Full-service hotels, which are capable of being expanded, with a minimum of 250 rooms.

Resolution re Tax-
Forfeited Land
Item 4.13
R-81-16

The Council was requested to consider adopting a resolution directing an application to the State Commissioner of Revenue for the deed to certain tax-forfeited land in Bloomington that said land might be utilized for certain public use. The parcel in question is located on West 78th Street near Marth Circle, and according to the Public Works Department could be used for street right-of-way and as a possible bus shelter.

Following discussion, motion was made by Herbst, seconded by Lindau, and all voting aye, to adopt the resolution.

Micro-Wave Relay
System - Northwestern
Reservoir
Item 3.5

The Council was requested by Faith Broadcasting Company to consider approving the installation of a micro-wave relay system on the Northwestern Reservoir to relay TV signals from their studio in Edina to their transmission tower in Shoreview. This matter had been considered at the December 22 and January 12 Council meetings, and had been continued for further Staff review.

The City Manager indicated he had requested the Police Department to review this matter because of their possible need for a micro-wave system in the future. The Police Chief said an agreement is being made with a consultant who will determine whether the City will need a micro-wave system in the future, and until that need is determined, there would be no way to see if the two systems would be compatible.

John Sewall, President of Faith Broadcasting, and his engineer, Frank Anderl, indicated they have reviewed with the Director of Public Works the questions that had been raised previously about stress that could be caused by the addition of another system on top of the reservoir. Mr. Anderl suggested he could speak to the City's consulting engineer regarding this matter. Mr. Pidgeon said the firm engaged by the City for this study is Michaud &oley, and indicated if that firm said there would be no problem, he would not be opposed to the installation. Several of the Council, however, indicated they did have a problem with aesthetics if there were more additions to the top of the water reservoir.

Following discussion, motion was made by Herbst, seconded by Peterson, and all voting aye, to continue this matter for two weeks.

Variance to Sign
Setback Requirements
Case 8814A-81
Item 6.3

The Council was requested by Paramount Plaza Company to consider approving a variance to the sign setback requirements for a sign for an office building at 7801 East Bush Lake Road.

The Planning Commission, at its meeting of February 5, recommended approval of the variance based on making the required City Code findings in Section 2.98.01(3)(E)(i)(I), (II), (III) and (IV) with the following conditions:

1. sign face shall not exceed 24 square feet,
2. sign height shall not exceed six feet,
3. other than directional signs approved by the Traffic Engineer, only one other wall sign be allowed, if desired,
4. reserved handicapped parking spaces be provided, with locations and signs to be approved by the Planning Division.

Following discussion, motion was made by Herbst, seconded by Peterson, and all voting aye, to approve the variance to the sign setback requirements based on making the required City Code findings and on compliance with the conditions set forth by the Planning Commission.

Administrative Variance
to Rear Yard Setback
Case 8820A-81
Item 6.11

The Council was requested by Ronald Johanson, 8825 River Ridge Road, in an R-1 zoning district, to consider approving a variance to allow construction of an in-ground swimming pool with the surrounding deck to be 10 feet from the rear lot line.

The City Hearing Examiner, after a hearing on February 18, recommended approval of the variance. Following discussion, motion was made by Peterson, seconded by Lindau, and all voting aye, to approve the variance.

Discovery Program
Item 6.8

The Council was requested to reconsider the appropriation of \$4,101 to provide a preschool program during the summer by establishing a program to be called Discovery, which would be part of Activity 6604-Playgrounds. The Council at its November 17, 1980, meeting had considered the funding of this program and had determined that the program would not be considered until after other programs were reviewed and justified. The Park and Recreation Advisory Commission indicated it concurs with the Staff that it is necessary to provide a program of this nature for children in the preschool age group.

Marcia Pease, Assistant Manager of the Park and Recreation Division, said this program is viewed as an extension of the City's playground activities to serve the younger age group. She said depending upon registration, the program will be geared to the number who will be participating and it is planned to be self-supporting.

Following discussion, motion was made by Herbst, seconded by Mahon, and all voting aye, to approve the appropriation of \$4,101 for establishment of the Discovery Program.

Approval of Minutes

Motion was made by Herbst, seconded by Darr, to approve the minutes of the February Council meeting as presented. All voted aye, except Blessum, who abstained because of absence at that meeting, and the motion carried 6-0-1.