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**PARKING MEMORANDUM**

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**TO:** CITY COUNCILMEMBERS  
**FROM:** TIM GLADHILL, DEVELOPMENT SERVICES MANAGER  
**SUBJECT:** PARKING STANDARDS FOR THE COR  
**DATE:** OCTOBER 17, 2012  
**CC:** NONE

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On your agenda this evening is a request for Site Plan Approval of Northgate Performing Arts Center. A key component of this review is the construction of adequate parking to serve the needs of the proposed development. A key goal of The COR Design Framework is to attempt to reduce the amount of surface parking to achieve the goal of shared parking and high density/floor area ratios. A reduction in off-street parking can be accomplished by two (2) broad approaches: 1) construction of vertical parking structures or 2) encouragement of use of on-street parking.

As it relates to the current proposal, there are two (2) options to consider: 1) construct the required amount of spaces on-site or 2) secure shared parking easements with adjacent users.

City Code allows users to reduce the amount of aggregate parking required for multiple users when said arrangement is secured through a recordable easement that is recorded with the Anoka County Recorder. This recordable document ensures that the user has the legal ability to use the parking consistent with the agreed terms. The recordable document becomes part of title that is disclosed at any sale of property. The recordable document survives transfer of ownership, default, foreclosure, etc. The recordable document prevents the owner of the adjacent parcel from terminating the agreement.

As it relates to the current proposal, the Applicant has secured written approval from PACT Charter School; however, the agreement does not provide for an easement to be recorded. As the record from the Planning Commission Meeting reflects, Staff responded that none of the agreements with the adjacent users can be used to calculate the minimum number of parking spaces required unless the agreement is recorded as an easement. Staff then focused the analysis via on-site parking.

The Applicant has proposed constructing approximately forty (40) spaces with the initial construction. An additional approximately forty (40) spaces as 'proof-of-parking.' Proof-of-Parking is a concept that the Applicant demonstrates that a certain number of parking spaces could be constructed if parking demand necessitated said construction, but is not immediately constructed. Finally, the Applicant proposes counting adjacent on-street parking stalls to lead to another twenty-five (25) spaces. The Applicant understands that based on the current facts, Phase II is not feasible unless shared parking easements are recorded with adjacent users.

In other areas of the community, the City has approved the use of Proof of Parking to satisfy the needs of required parking. This is true for both for-profit and non-profit entities. For example, assisted living uses have commonly requested to install a portion of the required parking, while showing the remainder as proof of parking. This approach has also been used in the employment districts, when the user has submitted a parking plan that includes an analysis of actual demand based on occupancy.

As a Conditional Use Permit is required for this use, the City has the opportunity to attach reasonable conditions to mitigate concerns raised by the proposed use. In this instance, a potential reasonable

condition of the Permit could be to require the installation of the Proof of Parking Area upon sufficient analysis that the on-street parking adjacent to the use is not adequate to serve the needs of the use.

With the latest amendment to The COR Design Framework, on-street parking spaces cannot be used to calculate the required minimum number of parking spaces. This was not the case in the original Zoning Code for the Ramsey Town Center. The methodology for the change was in response to a loophole that compromised the City's ability to encourage and require parking ramps in the densest portion of the development, The COR-1 Sub-District. Previously, users could use on-street parking to calculate parking needs. There was not previously a minimum number of parking stalls required, only a maximum. The literal interpretation of the code was that any required parking could be satisfied using on-street parking. That compromised the ability to reasonably expect construction of parking ramps. However, as this area is not subject to the Parking Use and Maintenance Agreement (PUMA) and the Development Plan does not indicate any planned parking ramps to serve this use, the City must rely on on-street parking if it continues to desire to encourage reduced off-street parking and high floor area ratios.

In addition, the COR-3 Sub-District requires a minimum Floor Area Ratio (FAR) of 0.25 and a build-to line encompassing 60% of the property line adjacent to rights-of-way. These two (2) provisions make it difficult, if not impossible, to achieve the minimum number of parking spaces without using on-street parking as part of the calculation.

Based on the facts available this evening, the City Council should focus on the proposal as Phase I and review as if there are no shared parking arrangements with adjacent users, since said agreements are not planned to be recorded. What that means for this request is that the City Council needs to make a determination on whether proof of parking is adequate, or the immediate construction of the proof-of-parking area is necessary for the viability of the user.

The Planning Commission has recommended that the City Council allow the use of proof of parking to satisfy parking needs. The Planning Commission felt that the City would have adequate legal channels to require the installation of the proof of parking area if the demonstrated need exceeded the available parking. The agreement could be further strengthened by including the same language in the required Development Agreement, which is also required as part of the Plat request.