

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, MAY 25, 2022**

The meeting was called to order at 8:00 a.m. in City Hall Council Chambers by Mayor Mike Kuhle with the following Council Members present: Amy Ernst, Chad Cummings, Chris Kielblock and Larry Janssen. Excused: Alaina Kolpin.

Staff members present: Matt Selof, City Planner; Steve Robinson, City Administrator; Mindy Eggers, City Clerk.

Others present: Robyn Moser, The Stag; Scott Kraft, Adorn 1024; Amanda Walljasper-Tate, Daily Apple; Roberta Fultz, Daily Globe; Mike Daley, Chamber of Commerce; Ethan Bates, Worthington Monument Works; Emma McNamee, The Globe.

**RETAIL OVERLAY DISTRICT DISCUSSION WITH CHAMBER OF COMMERCE
RETAIL COMMITTEE**

Matt Selof, City Planner, presented a power point explaining City Council's consideration of a 'text amendment' to our City Code. He explained it is not a 'zoning change'. Downtown will remain zoned 'B-2' Central Business District. As such MN law requires that public notice be published in the newspaper at least 10 days before consideration (which was done) but it does not require that notices be mailed (or mailed to property owners within 350 feet as required with most zoning changes).

He said the proposed text amendment would eliminate the so-called 'retail overlay district'. This is a requirement found in City Code 155.086 (C) and despite its name, is not something that's mapped out like zoning districts are.

This part of City Code can be seen in this link and I copied it below:

(C) Retail Shopping Overlay District.

- (1) This overlay district is intended to preserve the concentration of retail shopping activities at ground level along Tenth Street from Second Avenue to Fifth Avenue.
- (2) Only one Retail Shopping Overlay District shall be allowed.
- (3) Ground level uses permitted in this district shall be as designated in Table 5 of this title for non-residential use groups (A, B, C, D, E, F). Any use permitted in the underlying zoning district, as indicated on the official zoning map, may be allowed as a conditional use in accordance Section 155.185 and 155.186 of this chapter.
- (4) Non-ground level uses permitted in this district shall be those uses allowed and regulated in the underlying zoning district as indicated on the official zoning map.

Those "Use Groups" A, B, C, D, E, F are found in Chapter 155 Appendix E: Table 5 and include:

- A. Daily Retail

- B. Convenience Goods
- C. Shopper Common Goods
- D. Shopper Occasional Goods
- E. Home Furnishings
- F. Restaurants

Mr. Selof said eliminating this requirement would allow for additional businesses to be located on Tenth Street without needing to seek a conditional use permit. Businesses that would now be allowed on Tenth Street 'by-right' include the following 'Use Groups':

- Entertainment (Public): Bars, night clubs, etc..
- Daily Services: Any service establishment performing services primarily for residents of the adjoining neighborhood such as a barber, beautician, self-service laundries, tailor shops etc..
- Office Services.
- Medical Services: clinics etc..
- Parking: parking lots and garages excluding repair- unlikely to occur since everything is built out already.
- Terminals: ambulance and taxi service, bus terminals
- Printing Trades: publishing, job printing, blue printing etc.. Think Worthington Printing for this one.
- Cleaning: Clothes cleaning and dyeing, linen supply, carpet and rug cleaning
- Outdoor Seating Area: outdoor seating for adjacent restaurant or bar
- Motels
- Clubs (more like Elk's lodge in this case)
- Civic: public type uses and convention centers. This does not include Churches

Mr. Selof explained the recent conditional use permit that Kivu Law was granted for their new 10th Street location made it obvious to staff that this overlay district was no longer needed and only served as further 'red-tape' for business to go through.

Amanda Walljasper-Tate said she is afraid downtown would become all service businesses if the overlay district was removed.

Mr. Selof said the present overlay district can be easily seen as a way to pick and choose who can open a business along 10th Street. This overlay district can also be intimidating to prospective business owners who might want to open a more service-oriented business or wants the space for some kind of office use.

Council Member Cummings said that some items could potentially be moved to the Conditional Use Permit list. Council Member Kielblock said Council needs to maintain consistency.

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Ms. Walljasper-Tate asked what would need to be done next. Mayor Kuhle said the potential third reading will be addressed again at the June 13, 2022 City Council meeting.

ADJOURNMENT

The motion was made by Council Member Ernst, seconded by Council Member Cummings and unanimously carried to adjourn the meeting at 8:54 a.m.

Mindy L. Eggers, MCMC
City Clerk