



**PLANNING COMMISSION MEETING
VIRTUAL MEETING HELD VIA WEBEX
FEBRUARY 28, 2022
7:00 PM**

Call to Order

New Commissioner Introductions

Approval of the Minutes

- January 24, 2022, regular planning commission minutes

Open Forum: To participate in the open forum live call 612-861-0651

Agenda Approval

1. Approval of the Agenda

Other Business

2. Election of Planning Commission Chairperson, Vice-Chairperson and Secretary.

Staff Report No. 6

3. Appointment of liaisons to the City Council, Community Services Advisory Commission, Housing and Redevelopment Authority, School Board, Transportation Commission, Chamber of Commerce, and Sustainability Commission.

Staff Report No. 7

4. Review of the Planning Commission Bylaws.

Staff Report No. 8

Public Hearings

5. Public hearing to consider a request for a Conditional Use Permit to allow a Class III restaurant (fast food/convenience restaurant) at 4 - 66th Street East (Richfield Shoppes).

Staff Report No. 9

6. Public hearing to consider a variance request for more impervious surface coverage than allowed by the Zoning Code at 6500 Logan Avenue South.

Staff Report No. 10

Liaison Reports

Community Services Advisory Commission

City Council

Housing and Redevelopment Authority (HRA)

Richfield School Board

Transportation Commission

Chamber of Commerce
Sustainability Commission

City Planner's Reports

Next Meeting Time and Location

Regular meeting on March 28, 2022 at 7:00 p.m. via Webex

Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9739.

***Complete information on how to share comments or questions with the Planning Commission, see our Agendas and Minutes page**

https://www.richfieldmn.gov/city_government/planning_commission/agendas_and_minutes.php



Planning Commission Minutes

January 24, 2022

MEMBERS PRESENT: Chair Kathryn Quam, Commissioners Brendan Kennealy, Susan Rosenberg, and Brett Stursa

MEMBERS ABSENT: Commissioner James Rudolph

STAFF PRESENT: Melissa Poehlman, Assistant Community Development Director; Ryan Krzos, Planner; Nellie Jerome, Assistant Planner

OTHERS PRESENT: Representatives from Kruse Market for item #2, Representatives from Partnership Academy for Item #3,

Chairperson Quam called the meeting to order at 7:02 p.m.

Chairperson Quam appointed Commissioner Kennealy as acting secretary for this meeting.

APPROVAL OF MINUTES

Chair Quam asked that the minutes include greater detail going forward.
M/Quam, S/Rosenberg to approve the minutes of the December 13, 2021, Planning Commission meeting.

Motion carried: 4-0

OPEN FORUM

No members of the public spoke, no comments received.

APPROVAL OF AGENDA

M/Quam, S/Kennealy to approve the agenda.

Motion carried: 4-0

PUBLIC HEARINGS

ITEM #1 - Public hearing to consider an ordinance amendment establishing regulations for Electric Vehicle chargers.

Assistant Planner Nellie Jerome presented the staff report.

M/Rosenberg, S/Quam to close the Public Hearing.

Motion carried: 4-0

Commissioners Rosenberg and Stursa spoke in favor of the ordinance amendment. Chair quam asked for clarification on the types and percentages of chargers required, and staff responded that best practices and research on neighboring cities' ordinances were followed to determine charging levels.

M/Stursa, S/Quam to recommend approval of an ordinance amendment establishing regulations for Electric Vehicle chargers.

Motion carried: 4-0

ITEM #2 - Public hearing to consider a request for a Conditional Use Permit to allow a Class I (full service) restaurant and retail market at 2900 66th Street West Suite 2900 (Southdale Square).

Planner Ryan Krzos presented the staff report.

M/Rosenberg, S/Kennealy to close the Public Hearing.

Motion carried: 4-0

Commissioner Rosenberg asked clarifying questions about the current site, existing businesses, and the style of the market. Chair Quam asked if CUP permits are permanent. Planner Krzos clarified that the CUP does stay with the property as long as it is in use and follows conditions.

M/Rosenberg, S/Kennealy to recommend approval of a Conditional Use Permit to allow a Class I restaurant and retail market at 2900 66th Street West Suite 2900 (Southdale Square).

Motion carried: 4-0

ITEM #3 - Public hearing to consider a request for an amended Planned Unit Development, Final Development Plan, and Conditional Use Permit to allow construction of a building addition to an elementary school at 6500 Nicollet Avenue South.

Assistant Planner Nellie Jerome presented the staff report. Commissioners discussed the amount of parking on the site, the current agreement for leased parking spaces with the HUB shopping center, and the availability of parking at adjacent properties. The applicant discussed the option for future structured parking on-site, and the school's commitment to finding ways to meet parking minimums in the future.

M/Quam, S/Rosenberg to close the Public Hearing.

Motion carried: 4-0

Commissioners Rosenberg and Stursa spoke about the lack of long-term, parking solutions for school staff and staff reviewed policies for conditional use permits. Commissioner Kennealy expressed that it is unfortunate to have to deny a request based on parking alone.

M/Quam, S/Kennealy to recommend approval of the proposed Amended Planned Unit Development, Final Development Plan, and Conditional Use Permit to allow construction of a building addition to an elementary school at 6500 Nicollet Avenue South.

Commissioner Kennealy stated that his decision was based on the number of cars we want and not the number of cars we've got, so he leaned toward approval.

Motion failed: 1-3 (Commissioner Kennealy voted in favor)

ITEM #4 - Public hearing regarding proposed changes to zoning regulations for firearm sales, repair, and other related uses.

Planner Ryan Krzos presented the staff report.

M/Stursa, S/Rosenberg to close the Public Hearing.

Motion carried: 4-0

Commissioners expressed appreciation that code was being updated and clarified.

M/Stursa, S/Kennealy to recommend approval of the attached Ordinance amending Richfield City Code regulations in the General Business and Mixed Use Districts related to uses involving firearms.

Motion carried: 4-0

ITEM #4 - Cancel a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.

Planner Ryan Krzos presented the staff report. Commissioners expressed appreciation that code was being updated and clarified.

M/Stursa, S/Kennealy to cancel a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.

Motion carried: 4-0

LIAISON REPORTS

Chair Quam made a statement of recognition for Commissioner Susan Rosenberg's last Planning Commission meeting, after 9 years of service.

Community Services Advisory Commission: (vacant)

City Council: No report

Housing and Redevelopment Authority (HRA): No report

Richfield School Board: (vacant)

Transportation Commission: No report

Chamber of Commerce: (vacant)

Sustainability Commission: (vacant)

PLANNER'S REPORT

There is a March 8 work session scheduled with HRA, City Council, and Planning Commission to discuss concepts for the roundabout parcels at 66th St and Portland Ave. An additional work session is tentatively scheduled in April to discuss the low-density residential zoning and the accompanying visual preference survey. A future work session for commission duties will be scheduled with incoming Planning Commissioners.

ADJOURNMENT

The next regular meeting is scheduled for Monday, February 28, 2022, at 7pm, via Webex virtual meeting. This will be the Commission's annual meeting, when the bylaws will be reviewed, new officers will be elected, and new liaisons will be selected.

M/Rosenberg, S/Stursa to adjourn the meeting.

Motion carried: 4-0

The meeting was adjourned by unanimous consent at **8:28 p.m.**

Planning Commission Secretary

AGENDA SECTION:	Other Business
AGENDA ITEM #	2.
CASE NO.:	Staff Report No. 6



PLANNING COMMISSION MEETING 2/28/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

CITY PLANNER REVIEW: Melissa Poehlman, Community Development Director
2/17/2022

ITEM FOR COMMISSION CONSIDERATION:

Election of Planning Commission Chairperson, Vice-Chairperson and Secretary.

EXECUTIVE SUMMARY:

The Bylaws of the Planning Commission require that the Planning Commission hold an annual organizational meeting at the first regular meeting in February and elect from its membership a Chairperson, Vice-Chairperson and Secretary. Any member of the Planning Commission may nominate another member or they may nominate themselves. A nomination of an officer requires a motion, a second, and a majority vote.

According to the Bylaws (Part II, Organization), a majority vote is necessary to first elect a Chairperson and then to elect the remaining officers. The Chairperson, Vice-Chairperson, and Secretary are to take office immediately upon election and hold office until their successors are elected next year.

The Chairperson is responsible for conducting all Planning Commission meetings and public hearings. The Chairperson is also responsible for representing the Commission in dealing with the City Council and staff. The Vice-Chairperson fulfills the responsibilities of the Chairperson in the event the Chairperson is absent. The Secretary assumes these responsibilities when both the Chairperson and Vice-chairperson are absent and signs all minutes and official Commission documents.

RECOMMENDED ACTION:

By motion: Elect a Planning Commission Chairperson, Vice-Chairperson, and Secretary.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

None

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- An annual organizational meeting is required by the Planning Commission Bylaws.

C. CRITICAL TIMING ISSUES:

None

D. FINANCIAL IMPACT:

None

E. LEGAL CONSIDERATION:

None

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

AGENDA SECTION:	Other Business
AGENDA ITEM #	3.
CASE NO.:	Staff Report No. 7



PLANNING COMMISSION MEETING

2/28/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

CITY PLANNER REVIEW: Melissa Poehlman, Community Development Director
2/17/2022

ITEM FOR COMMISSION CONSIDERATION:

Appointment of liaisons to the City Council, Community Services Advisory Commission, Housing and Redevelopment Authority, School Board, Transportation Commission, Chamber of Commerce, and Sustainability Commission.

EXECUTIVE SUMMARY:

The role of a liaison is to keep the Planning Commission informed of other work or decisions happening in the City by attending or watching meetings (or reading recent meeting minutes) and sharing updates with members of the Planning Commission. A description of each liaison position is below:

City Council:

The City Council is the legislative branch of the City government. The City Council is responsible for the efficient operation of the City through the enactment of policies and ordinances that are administered by staff. The City Council meets every second and fourth Tuesday at 7:00 p.m., currently via Webex. Commissioner Rosenberg served as liaison to the City Council for 2021.

Community Services Commission:

The Community Services Commission is an advisory group appointed by the City Council to discuss and provide feedback on City issues relating to recreation, parks, public works, and any other issues as directed. The Community Services Commission meets on the third Tuesday of the month at 7:00 p.m., currently via Webex. Commissioner Rudolph served as liaison to the Community Services Advisory Commission for 2021.

Housing and Redevelopment Authority:

The Housing and Redevelopment Authority (HRA) is responsible for certain types of housing, economic, and commercial/industrial development and redevelopment in the City. The HRA meets every third Monday at 7:00 p.m., currently via Webex. Commissioner Stursa served as liaison to the HRA in 2021.

Richfield School Board:

The School Board is comprised of locally elected public officials who provide strategic guidance for the Richfield Public Schools and oversee and review the Schools' management. Although the Richfield Public Schools are a completely separate entity from Richfield City Government, the Planning Commission also appoints a liaison to the Richfield School Board. The School Board generally meets the first and third Monday of each month at 7:00 p.m., meetings are currently being held virtually. This liaison position was vacant for much of 2021.

Transportation Commission:

The Transportation Commission was appointed by the City Council to review transportation-related topics and

to make recommendations to the City Council. The Committee meets the first Wednesday of each month at 7:00 p.m., currently via Webex. Commissioner Kennealy served as liaison to the Transportation Committee in 2021.

Chamber of Commerce

Though a separate entity from Richfield City Government, the Chamber of Commerce provides a connection between the City of Richfield and our local business community. The Chamber's goal is to connect businesses for a prosperous community. This liaison position was vacant in 2021.

Sustainability Commission

The Sustainability Commission works to support the education, promotion and implementation of environmentally sustainable measures and practices in the City of Richfield. The board also makes recommendations to the City Council regarding sustainability related initiatives and policies. Commissioner Pynn served as liaison to the HRA in 2021.

RECOMMENDED ACTION:

By motion: Approve members to serve as liaisons to the City Council, Community Services Advisory Commission, Housing and Redevelopment Authority, School Board, Transportation Commission, Chamber of Commerce and Sustainability Commission.

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT**

None

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

None

C. **CRITICAL TIMING ISSUES:**

None

D. **FINANCIAL IMPACT:**

None

E. **LEGAL CONSIDERATION:**

None

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A



PLANNING COMMISSION MEETING

2/28/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

CITY PLANNER REVIEW: Melissa Poehlman, Community Development Director
2/17/2022

ITEM FOR COMMISSION CONSIDERATION:

Review of the Planning Commission Bylaws.

EXECUTIVE SUMMARY:

Part 3, Section 3 of our Bylaws requires that the Planning Commission review the Bylaws each year at the February organizational meeting. Staff is not recommending any changes to the Bylaws this year.

RECOMMENDED ACTION:

No action is necessary unless changes are proposed.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

None

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Annual review of Planning Commission Bylaws is required and Bylaws must align with City Code. Amending the Bylaws requires a 2/3 majority of the members of the Commission (5 Commissioners).

C. CRITICAL TIMING ISSUES:

None

D. FINANCIAL IMPACT:

None

E. LEGAL CONSIDERATION:

None

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
□ City Code Section 305	Backup Material

▣ 2018 Bylaws

Backup Material

SECTION 305. - ADMINISTRATION; COMMISSIONS; BOARDS

305.00. - Definitions.

Subdivision 1. The following terms, when used in this Section, shall have the following meanings unless the context clearly indicates otherwise:

Subd. 2. "Commission" means a body established by the City Council to advise the Council on matters of municipal concern. The terms "commission" and "board" may be used interchangeably in this Section.

Subd. 3. "Youth" means an individual who is at least 15 years of age.

305.01. - Creation; general requirements.

Unless otherwise provided by law or herein, the provisions in this subsection apply to all City commissions.

Subdivision 1. Creation. A Commission may be established by a majority of the City Council. The Council shall adopt a resolution or ordinance that will describe the purpose and function of the Commission. City Commissions are advisory bodies to the City Council. The Council shall periodically review the role, responsibilities and procedures of each Commission. The Council may eliminate a Commission by adopting a resolution or ordinance rescinding the resolution or ordinance establishing the Commission.

Subd. 2. Residency. Members of city commissions shall be residents of the City, unless an ordinance or resolution expressly provides otherwise.

Subd. 3. Terms. The City Council shall appoint members to the commissions for terms not to exceed three years. No member shall serve more than three consecutive terms on the same Commission. Appointment to serve on a Commission for a period of time greater than one-half of a complete term shall be counted as a full term. If the Council appoints an individual who had a break in continuous service of at least one full term, it shall be treated as a first-term appointment. Commissioners may only serve on one Commission at a time.

Subd. 4. Youth appointments. The City Council may appoint a maximum of two youth members to certain commissions. Terms for youth appointments shall be one year, commencing on September 1 and ending on August 31. No youth member shall serve more than three consecutive terms on the same Commission. Except as otherwise provided for by resolution of the Council, youth members must be residents of the City and enrolled in a high school or equivalent. A youth member may only serve on one Commission at a time.

Subd. 5. Attendance. Members are required to attend regular commission meetings. Commission members shall notify the Commission Chair or staff liaison if he or she is unable to attend a meeting. The Council shall conduct an annual review of the attendance of members of City commissions.

Subd. 6. Removal/vacancy. Commission members serve at the pleasure of the City Council and, unless prohibited by law, may be removed at any time for any reason, including but not limited to, excessive absences from commission meetings. When a vacancy occurs, the Council shall appoint a person to fill the unexpired term of the vacated seat. Unless provided otherwise by law or city resolution, a seat on a Commission is vacated upon any of the following:

- (a) Death;
- (b) Removal of legal residence in the City;
- (c) Resignation in writing presented to the City Manager, or designee;
- (d) Removal by the Council; or,
- (e) Election or appointment to a public office.

Subd. 7. Committees. Commissions may establish committees from time to time as the need arises.

Subd. 8. Staff/council liaisons. Each January, the City Council shall designate a Council member as liaison and one alternative liaison to each Commission. The City Manager shall appoint one City employee to serve as a staff liaison to each Commission. Council and staff liaisons are not voting members of a Commission.

Subd. 9. Bylaws/rules of procedure.

- (a) Commissions may adopt bylaws to govern meeting procedures and other matters not addressed in this Section. If the bylaws of a Commission and this Section conflict, this Section shall prevail. Commissions may amend bylaws with approval of a 2/3 majority vote of the Commission.
- (b) At all meetings of a Commission where formal action is required on a matter, the meeting shall be governed by Sturgis' Standard Code of Parliamentary Procedure. At meetings where no action is required, no formal parliamentary procedure shall govern the conduct of the proceedings unless necessary such as when a formal motion is before the Commission.

305.03. - Establishment of human rights commission.

Subdivision 1. Scope of section. It is declared that it is the public policy of the City to fulfill its responsibilities as a partner of the state department of human rights in securing for all citizens equal opportunity in housing, employment, public accommodations, public services and education, and to fully implement those goals set forth in Minnesota Statutes, Chapter 363A, the Minnesota Human Rights Act.

Subd. 2. Establishment of commission. There is established and continued a human rights commission.

Subd. 3. Purpose of commission. The purpose of the Commission is to secure for all citizens equal opportunity in employment, housing, public accommodations, public services and education and full participation in the affairs of this community and to take appropriate action consistent with the Minnesota Human Rights Act. The Commission shall also advise the City Council on long range programs to improve human relations in the City.

Subd. 4. Composition of the commission. The Commission consists of 13 members appointed by the Council. Eleven members shall be appointed for terms of three (3) years, except that (i) a person appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor in that term was appointed shall be appointed only for the remainder of such, and (ii) two (2) persons shall be appointed as "youth" members for one (1) year terms. The two (2) youth members shall be given all rights, privileges and responsibilities granted to the other appointed members. Members serve without compensation and may be removed from office at any time by the Council.

Subd. 5. Commission's responsibilities. The Commission shall:

- (a) Adopt bylaws and rules for the conduct of its affairs including the election, assumption of duties and definition of responsibilities of officers and committees;
- (b) Engage in discussions with the state department of human rights for the purpose of delineating cooperative regulatory and enforcement procedures;
- (c) Enlist the cooperation of agencies, organizations and individuals in the community in an active program directed to create equal opportunity and eliminate discrimination and inequalities;
- (d) Formulate a human relations program for the City to provide increased effectiveness and direction to the work of all individuals and agencies addressing themselves to planning, policy making and educational programming in the area of civil and human rights;
- (e) Advise the City Council and other agencies of the government on human relations and civil rights problems and act in an advisory capacity with respect to planning or operation of any City

department on issues of civil and human rights and recommend the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the community;

- (f) Study, investigate and assist in eliminating alleged violation of Minnesota Statutes, Chapter 363A by conference, conciliation and persuasion, and when necessary, cooperate with the state department of human rights in enforcing the provisions of the state act;
- (g) Develop such programs of education as will assist in the implementation of the Minnesota Human Rights Act and foster the Commission's assumption of leadership in recognizing and resolving potential human rights problems in the community; and
- (h) Develop and implement programs that enhance the advancement of human rights in the community and that promote an awareness of and appreciation for cultural diversity.

Subd. 6. Investigations, enforcement, penalties. The Commission may receive and investigate complaints of alleged violations of this subsection. Investigations shall conform to the Complaint Process formulated by the State Department of Human Rights.

305.05. - Fire Civil Service Commission.

Subdivision 1. Abolish police civil service. The Police Civil Service Commission is abolished.

Subd. 2. Fire Commission continued. The former joint police and fire civil service commission is now known as the Fire Civil Service Commission and shall continue.

Subd. 3. Membership. The Fire Civil Service Commission shall consist of three (3) members appointed for terms in the same manner, for the same terms, and with the same qualifications pursuant to Minnesota Statutes, Chapter 420. Terms of commissioners are for three (3) years commencing on February 1 of the year of appointment.

305.07. - Planning commission.

Subdivision 1. Establishment. Pursuant to Minnesota Statutes, section 462.354, subdivision 1, there is created and continued a City Planning Commission.

Subd. 2. Commission form. Except in cases in which the Planning Commission is authorized by this Code or other applicable law to render a final decision, the Planning Commission serves in an advisory capacity to the City Council. Staff services for the Commission shall be furnished by the Community Development Department of the City.

Subd. 3. Composition of the commission. The Commission consists of seven (7) members appointed by the Council to serve for terms of three (3) years, with terms of members to be staggered so that as nearly equal number of terms as possible shall expire each year. Terms begin on the first day of February.

Subd. 4. Powers and duties of the commission. The Planning Commission shall undertake the duties given by Minnesota Statutes, sections 462.351 to 462.354. The Planning Commission shall deliberate and make recommendations, or final decisions as applicable, on:

- (a) Proposed amendments to the zoning code or map;
- (b) Land development applications requiring site plan approval, interim use permits, conditional use permits or variances from the land development regulations of the City; and
- (c) Such other matters relating to planning and development within the City, as may be referred to it by the Council.

Subd. 5. General objectives of the commission. The Planning Commission shall, as necessary, perform the following functions on behalf of the City:

- (a) Subject planning decisions to citizens' examination and influence through technical advisory subcommittees which may study and recommend courses of action on special planning matters;
- (b) Act as an advocate of various beneficial planning projects, as directed by the Council, to stimulate interest and acceptance of planning within the City; and
- (c) Act as a coordinator of planning activities within the City by working with public, quasi-public and private planning groups to coordinate the total planning efforts of the City and other governmental units.

Subd. 6. Additional powers and duties. The Council may assign additional duties and responsibilities to the Planning Commission to assist the Commission in effectively carrying out the Commission's objectives, powers and duties.

305.09. - Board of health.

Subdivision 1. Creation of board. Pursuant to Minnesota Statutes, Chapter 145A, there is created and continued a board of health.

Subd. 2. Council to constitute board. The Board consists of the City Council and a physician who is the health officer of the City.

Subd. 3. Powers and duties of board. The Board shall:

- (a) Investigate and make such reports and obey such directions concerning communicable diseases as the State Board of Health may require or give; and
- (b) Cause all laws and regulations relating to the public health, including any and all health regulations contained in this code to be obeyed and enforced.

Subd. 4. Inspection and enforcement. The Board and authorized officers or employees of the Board shall have the right to enter into any building, conveyance or place where contagion, infection, filth or other source or cause of preventable disease exists or is reasonably suspect.

Subd. 5. Uniform enforcement and appeals. Orders or rules and regulations adopted or issued by the Board shall be enforced in the manner provided in Section 320. Persons aggrieved by an order or rule or regulation of the Board may appeal in accordance with the provisions of Section 320.

**BYLAWS AND RULES OF PROCEDURE
OF THE CITY PLANNING COMMISSION
RICHFIELD, MINNESOTA**

The following Bylaws and Rules of Procedure are adopted by the Richfield Planning Commission to facilitate the performance of its duties and functions as empowered under Chapter III, Subsection 305.07, Subdivisions 1-6 of the City Code. General requirements related to residency, terms, attendance, removal, vacancies, etc. shall be dictated by Subsection 305.01.

PART I. MEETINGS

Section 1. Regular Meetings

Regular meetings of the Planning Commission shall be on the fourth Monday of each month commencing at 7:00 P.M. in the Council Chambers of the Municipal Center, unless otherwise noticed.

Section 2. Work Session Meetings

Approximately six times per year, the Commission will meet to discuss and deliberate on general planning matters related to property development and future well being of the Community. These meetings shall be held on the fourth Monday of the month commencing at 6:00 P.M. whenever possible. In the event of a conflict or need for additional discussion time, meetings shall be held on the second Monday of the month commencing at 7:00 P.M. Unless otherwise noticed, meetings shall be held in the Bartholomew Conference Room of the Municipal Center.

Section 3. Special Meetings

Special meetings of the Planning Commission can be called by the Chairperson and one member or by three members of the Commission or at the request of the City Council. Notice, designating the time and place of the meetings, shall be given to all members in accordance with the open meeting law.

Section 4. Quorum

Four members of the Planning Commission shall constitute a quorum for the transaction of business. No action shall be taken in the absence of a quorum with the exception that the Planning Commission members present may take testimony for use at a later meeting at which a quorum is present, and may adjourn a meeting to a later time without further notice.

Section 6. Voting

At all meetings of the Planning Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. An affirmative vote of a majority of members present shall be necessary for the passage of any matter before the Planning Commission, except as otherwise provided in these Bylaws.

Section 7. Proceedings

a) Format of Meeting

At a regular meeting of the Planning Commission, the following format shall be followed in conducting the business of the meeting.

- 1) Call to order / noting of attendance
- 2) Approval of Minutes
- 3) Approval of Agenda
- 4) Open Forum
- 5) Public Hearing Items
- 6) Other Business
- 7) Liaison Reports
- 8) Adjournment

b) Public Hearing

The purpose of a hearing is to collect information and facts in order for the Commission to either render a decision or develop a planning recommendation for the City Council. At a public hearing the following procedure shall be followed for each case for which a public hearing is held:

- 1) Chair shall state the case to be heard.
- 2) Chair shall call upon the Community Development Director or designee to present the staff report and stand for questions from the Commission.
- 3) Chair shall ask the applicant to present his/her case.
- 4) Members of the Planning Commission shall be allowed to question the applicant about his/her proposal.
- 5) The Chair shall open the public hearing and all interested persons may address the Commission, giving relevant information regarding the proposal before the Commission.
 - a) All questions or statements by Richfield staff personnel, Planning Commissioners, applicants or interested citizens will be directed through the Chair.
 - b) All who wish to speak will be heard, but only in accordance with the above procedure and after recognition by the Chair.
 - c) No individual may speak longer than five (5) minutes, except through previous arrangement with the Chair, or by vote of the Commission.

- d) The spokesperson for a group will be allowed ten (10) minutes.
 - e) At the determination of the Chair, if questions or responses from the Commission, the applicant, the public, or City staff introduce materially new information or issues relevant to the matter under consideration, interested citizens may make additional comments in accordance with the above procedure. In order to promote meeting efficiency, the Chair may discourage duplicative comments.
- 6) The hearing shall be closed. Interested persons shall not be heard again unless the hearing is reopened by a majority vote of the Commission.
 - 7) Members of the Planning Commission may ask additional questions of City staff or the applicant, and the applicant shall be allowed to respond.
 - 8) The Commission shall discuss and clarify the item before it, and take action in the form of a motion, resolution, or report.

PART II. ORGANIZATION

Section 1. Election of Officers

At the first regular meeting in February of each year, the Commission shall hold an organizational meeting and elect from its membership a Chairperson, Vice-chairperson, and Secretary. Officers shall be elected by a majority vote of all the members of the Commission. Voting shall take place in a manner agreed to by the Commission. If no one receives a majority of all the members of the Commission, voting shall continue until one member receives majority support. Vice-chairperson and Secretary shall be elected from the remaining members by the same procedure.

If the Chairperson resigns from office before the next regular organizational meeting, the Vice-chairperson shall automatically become acting Chairperson until a new officer is elected at the next regular meeting. If both Chairperson and Vice-chairperson resign, the Secretary shall become acting Chairperson. In any instance, where an officer of the Commission resigns or retires from office a new officer shall be elected to the vacated position at the next regular meeting of the Commission.

If the Chairperson, Vice-chairperson, and Secretary are absent from a meeting, the Commission shall elect a temporary Chairperson by voice vote.

In the event that the Secretary is absent from a meeting, the Chairperson shall appoint a member of the Commission to approve the minutes of that meeting.

Section 2. Tenure

The Chairperson, Vice-chairperson, and Secretary shall take office immediately following their election and hold office until their successors are elected and assume office.

Section 3. Duties of Officers

The duties and powers of the officers of the Planning Commission shall be as follows:

a) Chairperson

- 1) Presides over all meetings of the Commission.
- 2) Appoints committees and performs such other duties as may be ordered by the Commission.
- 3) Signs documents of the Commission.
- 4) Sees that all actions of the Commission are properly taken.
- 5) Calls special meetings of the Commission in accordance with these Bylaws.
- 6) Works with appropriate city staff in organizing agendas of all general Planning Commission meetings.

b) Vice-chairperson

Performs all of the duties and responsibilities of the Chairperson in his/her absence.

c) Secretary

- 1) Assumes duties and responsibilities of the Chairperson when both Chairperson and Vice-chairperson are absent.
- 2) Signs all minutes of the Commission as well as other official documents of the Commission.

PART III. MISCELLANEOUS

Section 1. Suspension of Rules

The Commission may suspend any of these Rules by a 2/3 vote of those members present.

Section 2. Amendments

These Rules may be amended at any regular meeting by a 2/3 majority of the members of the Commission.

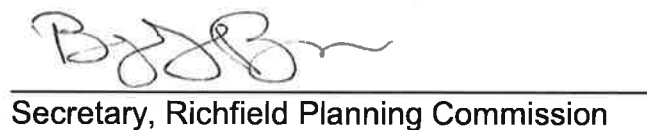
Section 3. Review

The contents of these Bylaws and Rules of procedure should be comprehensively reviewed, evaluated, and modified where necessary, at the organizational meeting held in February of each year.

Adopted this 26th day of February, 2018



Chairperson, Richfield Planning Commission



Secretary, Richfield Planning Commission

AGENDA SECTION:	Public Hearings
AGENDA ITEM #	5.
CASE NO.:	Staff Report No. 9



PLANNING COMMISSION MEETING 2/28/2022

REPORT PREPARED BY: Ryan Krzos, Planner

CITY PLANNER REVIEW:

ITEM FOR COMMISSION CONSIDERATION:

Public hearing to consider a request for a Conditional Use Permit to allow a Class III restaurant (fast food/convenience restaurant) at 4 - 66th Street East (Richfield Shoppes).

EXECUTIVE SUMMARY:

La Michoacana Tasty (Applicant) is proposing to open a Class III restaurant (fast food/convenience restaurant) in the multi-tenant shopping center known as Richfield Shoppes. Fast food/convenience restaurants are those where customers order and are served their food at a counter to be taken to a table or counter to be consumed. The Applicant is not proposing a drive-through facility. Class III restaurants are a conditionally permitted use in the General Business (C-2) District.

The Applicant is proposing to occupy 2,816 square feet of the property. This space was previously occupied by Payless Shoes. The entire shopping center would continue to meet parking requirements when accounting for the proposed use as calculated by the Zoning Code as further described in the policy section of this report. A full discussion of Conditional Use Permit (CUP) requirements can be found in an attachment to this report.

Finding that the proposal meets requirements, staff recommends approval of the CUP.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of a Conditional Use Permit to allow a Class III restaurant at 4 - 66th Street East (Richfield Shoppes).

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The subject site was constructed as a shopping center in the 1940s.
- The most recent tenant of the area proposed for this use was Payless Shoes.
- In 2013, a CUP for a Class I (full service) restaurant was granted to a separate restaurant (El Tejaban) within the shopping center. At that time a professionally-prepared parking study was submitted that demonstrated sufficient off-street parking was provided to meet the demand for the shopping center. As noted in the policy section of this report, required parking for food service users within shopping centers need not be calculated separately if certain conditions are met, which would be the case with this application.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Section 534.07 subd.7 states that fast food/convenience restaurants (Class III) are a conditional

use in the C-2 General Business District. There are no specific stipulations for a Class III restaurant that does not have a drive-through facility.

- A full discussion of the general CUP requirements can be found as an attachment to this report.
- Typically, additional required parking is to be provided with a change from a retail use to a restaurant due to the higher ratio of required stalls per floor area. However, Section 544.13 states that parking requirements for restaurants or food service within shopping centers need not be calculated separately from that which is required for retail uses if the use/site meets the following criteria:
 - The shopping center floor area is over 20,000 square feet.
 - The restaurant does not have wait staff serving food directly to the customer while seated.
 - Intoxicating liquor sales at the restaurant shall not exceed five percent of annual revenue.
 - The restaurant does not have in-vehicle sales or service.
 - The combined total of all restaurants and food services total less than 25 percent of the gross floor area of the building and shopping center.

Each of these conditions are/will be met. Therefore, the code does not require a separate calculation of parking requirements for the proposed use.

- Section 544.17 subd. 1 establishes that restaurants must install odor control systems when within 150 feet of planned or existing residential uses if using kitchen equipment requiring a type 1 ventilation hood (as determined by State Building Code). The tenant area subject to this request exceeds 150 feet from the nearest residential property therefore, this odor control provision does not apply.

C. CRITICAL TIMING ISSUES:

- 60-DAY RULE: The 60-day clock 'started' when a complete application was received on January 3, 2022. Since the time for the next available regular Council meeting in March exceeds the 60-day time period the City extended the deadline for issuing a decision an additional 18 days until March 22nd.

D. FINANCIAL IMPACT:

- The required application fees have been paid.

E. LEGAL CONSIDERATION:

- Notice of this public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site on February 17.
- Council consideration has been tentatively scheduled for March 22, 2022.

ALTERNATIVE RECOMMENDATION(S):

- Recommend approval of the proposal with modifications.
- Recommend denial of the Conditional Use Permit with a finding that requirements are not met.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Veronica Velazquez-Vazquez, Applicant

ATTACHMENTS:

Description	Type
□ Resolution - CUP Approval - La Michoacana Tasty	Resolution Letter
□ Required Findings	Backup Material
□ Zoning Map	Exhibit
□ 2040 Comp Plan Designations	Exhibit
□ Plans and Project Narrative	Exhibit
□ 2013 Parking Study - Richfield Shoppes	Backup Material

RESOLUTION NO.
RESOLUTION APPROVING A
CONDITIONAL USE PERMIT FOR A RESTAURANT
AT 4 - 66TH STREET EAST

WHEREAS, an application has been filed with the City of Richfield which requests approval of a conditional use permit to allow a Class III (Fast Food/Convenience) restaurant at property commonly known as Richfield Shoppes, addressed as 4 - 66th Street East, and legally described as follows:

Lots 1-15 inclusive except that part of Lot 9 lying south of the north 49.00 feet thereof and east of the west 38.00 feet of said Lot 9, Town's Edge, Village of Richfield, Hennepin County, Minnesota

WHEREAS, the Planning Commission of the City of Richfield held a public hearing and recommended approval of the requested conditional use permit at its February 28, 2022 meeting; and

WHEREAS, notice of the public hearing was published in the Sun Current and mailed to properties within 350 feet of the subject property on February 17, 2022; and

WHEREAS, the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09 and as detailed in City Council Staff Report No.____; and

WHEREAS, the City has fully considered the request for approval of the conditional use permit;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. A conditional use permit is issued to allow a Class III Restaurant, as described in City Council Letter No. _____, on the Subject Property legally described above.
2. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
 - That the recipient of this conditional use permit record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.09, Subd. 8. A recorded copy of the approved resolution must be submitted to the City prior to the issuance of an occupancy permit.
 - All rooftop or ground mechanical equipment must be screened, per Zoning Code Section 544.05.
 - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated January 13, 2022, and compliance with all other City and State regulations.
 - Prior to the issuance of an occupancy permit the applicant must submit a surety equal to 125% of the value of any improvements and/or requirements not yet complete. This surety shall be provided in the manner specified by the Zoning Code.

3. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.
4. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 22nd day of March 2022.

Maria Regan Gonzalez, Mayor

ATTEST:

Kari Sinning, City Clerk

Code Requirements / Required Findings

Part 1 – Conditional Use Permit: The findings necessary to issue a Conditional Use Permit (CUP) are as follows (547.09, Subd. 6):

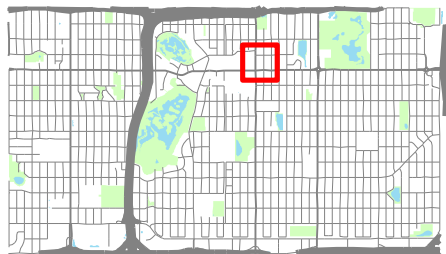
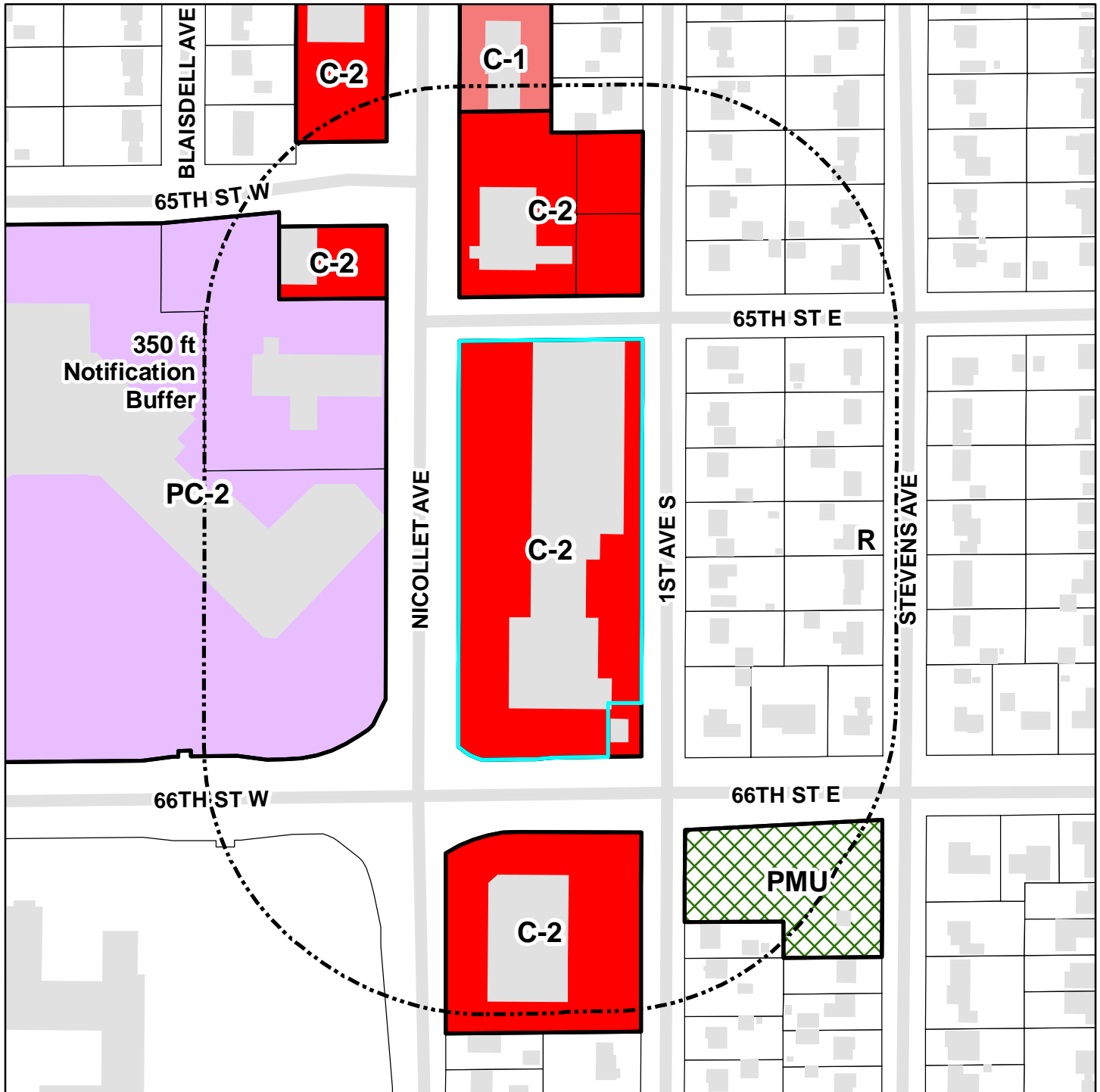
1. *The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan.* The proposed use of the property is consistent with the guiding "Mixed Use" designation. The Comprehensive Plan identifies a number of goals and policies related to economic development and support for business and employment growth. The proposal is consistent with these goals and policies.
2. *The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.* The purpose of the Zoning Code is to protect and promote the public health, safety, aesthetics, economic viability, and general welfare of the City. The purpose of the General Business (C-2) District is to allow a wide variety of commercial businesses that are attractive and compatible with nearby residential properties. The proposal is consistent with these purposes.
3. *The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines.* There are no specific redevelopment plans or design guidelines that apply to the property.
4. *The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code.* The proposed use will likely maintain the status quo with performance standards requirements. The shopping center is nonconforming with regard to a number of zoning requirements including landscaping, impervious coverage, and parking lot configuration. City Ordinances require that nonconforming sites be brought into compliance when building expansion occurs. Since no building expansion is proposed, the site may continue in with these nonconformities present.
5. *The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements.* The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any issues.
6. *The use will not have undue adverse impacts on the public health, safety, or welfare.* The nature of the proposed use is such that there are not likely any threats to public health, safety and welfare. Adequate provision would be in place to protect public health, safety and welfare.
7. *There is a public need for such use at the proposed location.* Staff regularly hears from residents that a variety of dining establishments are desired in the community. This requirement is met.
8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* There are no specific conditions applicable to a class III restaurant without a drive-through; therefore, this requirement is met.



4 - 66th Street E

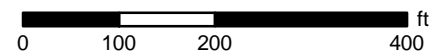
Surrounding Zoning

Case No: 22-CUP-02



Zoning Districts

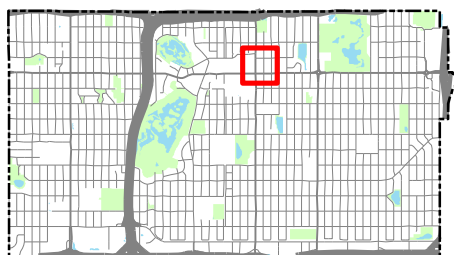
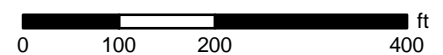
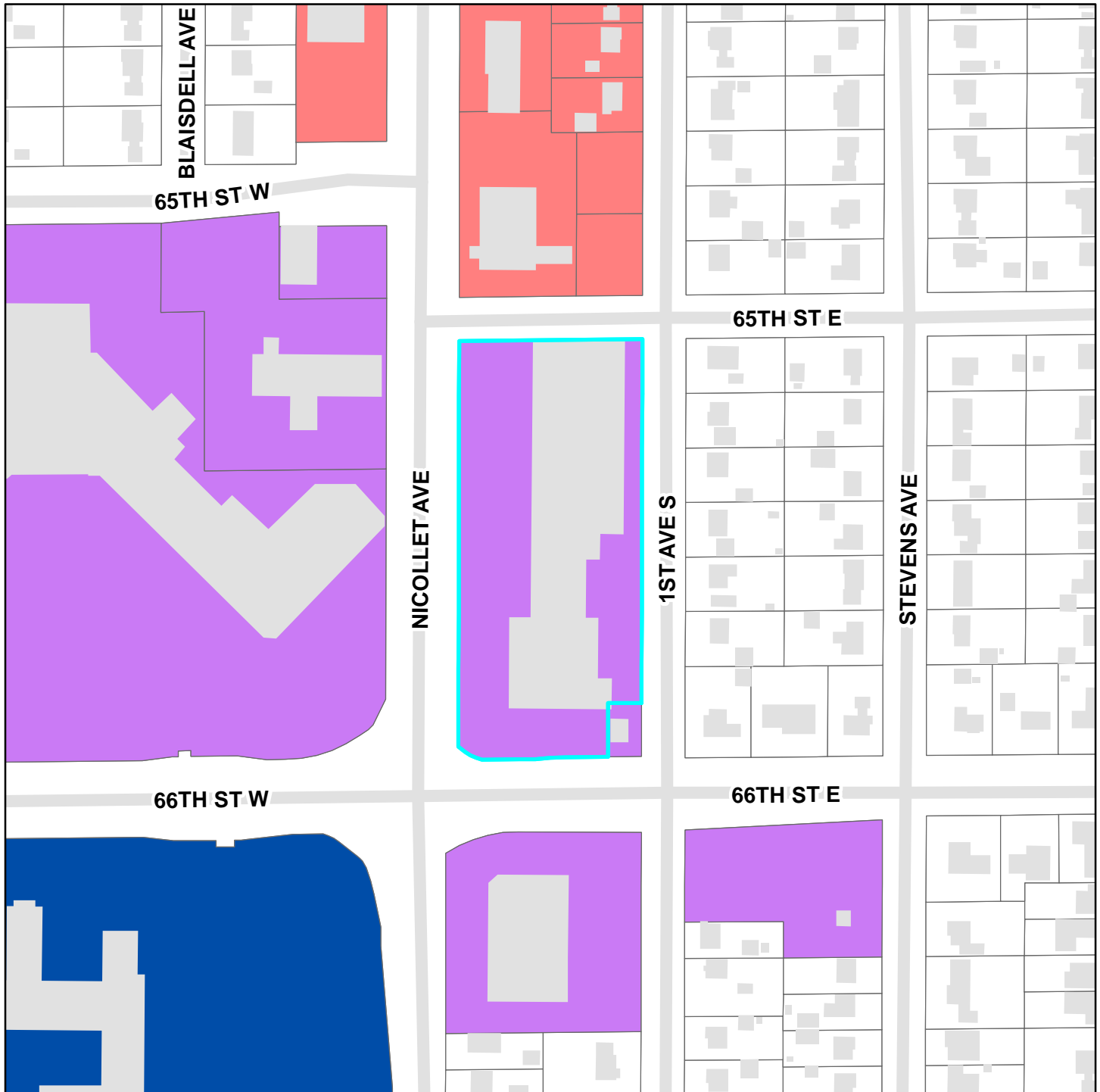
R Single-Family	MR-2/CAC Multi-Fam + Cedar Overlay	PC-2 Planned General Commercial	MU-C/PAC Mixed Use + Penn Overlay
R-1 Low-Density Single-Family	MR-3 High-Density Multi-Family	PMU Planned Mixed Use	MU-N Mixed Use-Neighborhood
MR-1 Two-Family	SO Service Office	MU-C Mixed Use-Community	MU-R Mixed Use-Regional
PMR Planned Multi-Family	C-1 Community Commercial	MU-C/CAC Mixed Use + Cedar Overlay	I Industrial
MR-2 Multi-Family	C-2 General Commercial		





4 - 66th St E

2040 Comprehensive Plan Designations



2040 Planned Land Use

- | | |
|--------------------------|----------------------------|
| Mixed Use | Medium Density Residential |
| Regional Commercial | Low Density Residential |
| Community Commercial | Park |
| Neighborhood Commercial | Quasi-Public |
| High Density Residential | Right-of-Way (ROW) |



Wednesday, October 13, 2021

Veronica Velazquez-Vazquez
Jorge Rangel Castro
JV COMMITMENT INC
DBA LA MICHOACANA TASTY
Direct (612) 242-6003
Velazquez.office@gmail.com

To Whom It May Concern,

I am writing to you regarding the basic description of the project:

LA MICHOACANA TASTY, will be providing 2 concepts into one.

1 – Ice Cream Shop. High quality Popsicles, Ice Cream, Stick Free Popsicles (traditionally know in Mexico as “Bolis”), Cups, Snow Cones, naturally made from scratch Fruit Fresh Water (known as “Aguas Frescas”), Mexican street snacks and more.

2 – Burger Shop. Traditional and Mexican Flavors, both combined to reach all type of food taste preferences. Hamburgers, Hot Dogs, Chicken Stripes, French Fries, Papas Locas (Mexican style prepared fries), Drinks and Shakes.

We are marring both concepts together to reach more than one culture. It is a perfect style for daytime, evenings, and nighttime. What’s more important, this concept is ideal for individuals, couples, and family in general. Also, La Michocana Tasty Menu not only serves lunch/dinner, but snacks for anytime in the day to dine in and/or take out preferences.

This location has lots of heavy pedestrian foot traffic and we strongly believe that La Michoacana Tasty will be a hit for this community.

Please, do not hesitate to contact us at the above information anytime.

Kids Regards,



Veronica Velazquez-Vazquez

10/13/2021

Date

MICHOACANA TASTY

BUILDING MANAGER

MID-AMERICA

5353 WAYZATA BOULEVARD, SUITE 650
MINNEAPOLIS, MINNESOTA 55416

CONTACT:
PHONE: 952-563-6600
EMAIL:

TENANT

MICHOACANA TASTY

4 EAST 66TH STREET
RICHFIELD, MN 55423

CONTACT: Veronica Velazquez-Vazquez
PHONE: 612-242-6003
EMAIL: velazquez.office@gmail.com

ARCHITECTURE + DESIGN

PLANFORCE GROUP

4931 WEST 35TH STREET, SUITE 200
ST. LOUIS PARK, MN 55416

CONTACT: Ryan Schroeder
PHONE: 952-541-9969
EMAIL: ryan.schroeder@planforcegroup.com

GENERAL CONTRACTOR

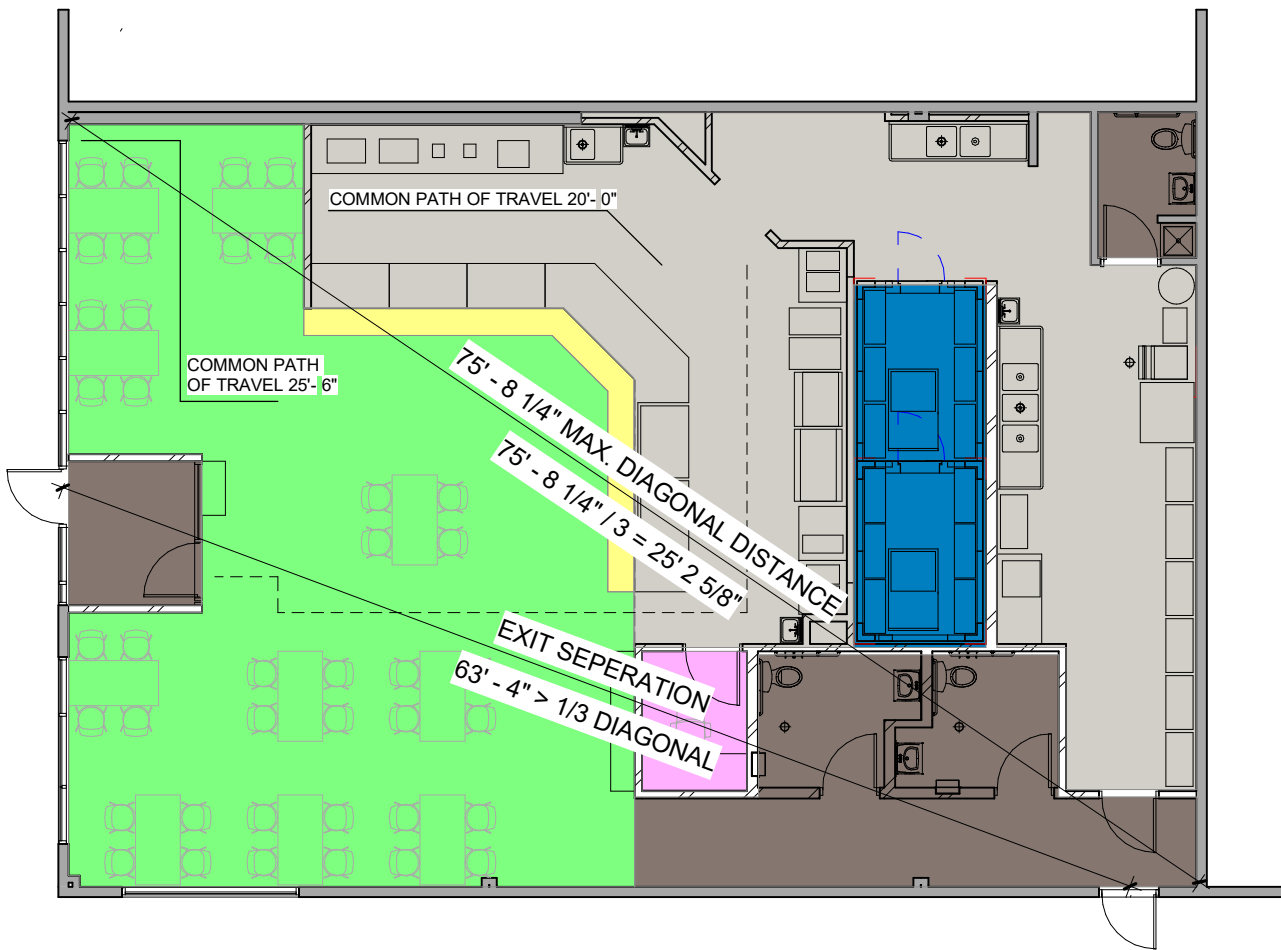
X

ADDRESS

CONTACT:
PHONE:

ENGINEERING

DESIGN BUILD BY CONTRACTOR



KEY PLAN - TENANT

CODE REVIEW

Codes:	2020 MN Building Code
State Building Code:	2018 International Code Council
Model Building Code:	2020 MN Conservation Code for Existing Buildings (IEBC)
Conservation Code:	2020 MN Accessibility Code (IBC Chptr 11 & ICC-A117.1-2009)
Accessibility Code:	2020 MN Energy Code (IECC 2018 or ASHRAE 90.1-2016)
Energy Code:	2020 MN Mechanical and Fuel Gas Code (IMC & IFGC)
Mechanical Code:	2020 MN Plumbing Code (UPC 2018)
Plumbing Code:	2020 NEC National Electrical Code
Electrical Code:	2020 MN Fire Code (IFC)
Fire Code:	
Building Data:	CONSTRUCTION TYPE: II-B, FULLY SPRINKLERED
Separated Occupancies (Table 508.4)	
• Table 508.4: Required Separation of Occupancies (Hours)	1 hour required, existing
• Occupancies 'A' to 'B' / 'M'	
Corridor Rated Construction (Section 1020)	
• Corridors shall be fire resistance rated in accordance with Table 1020.1	
• Exception #4: non rated corridors serving group B occupancies where only a single means of egress is required per 1006.2.	
• B Occupancy requiring only single means of egress:	No rated walls required
• Table 1020.1: Corridor Fire-Resistance Rating	
• Occupancy Type 'A, B, E, F, M, S, U' < 30 OL without sprinkler system:	No rated walls required
• Occupancy Type 'A, B, E, F, M, S, U' > 30 OL without sprinkler system:	1 hour rated walls required
• Occupancy Type 'A, B, E, F, M, S, U' > 30 OL with sprinkler system:	No rated walls required
Rated Occupancy Separations or Corridors provided:	None provided / Provided
Occupant Load Calculations (Section 1004/ Table 1004.5):	
Occupants:	
Dining Room (Table and Chairs)	1,020 NSF / 15 68 OCC
Ordering Line (Queue)	45 NSF / 5 9 OCC
Commercial Kitchen	925 GSF / 200 5 OCC
Storage and Walk-in Refrigeration	148 GSF / 300 1 OCC
Accessory Office	45 GSF / 150 1 OCC
Circulation / Construction	391 GFS / 0 0 OCC
Total Occupant Load	2,574 SF 84 OCC
Exit Width Required (Section 1005.2):	
Other than Sprinklered	0.15 x 84 = 12.6"
TOTAL REQUIRED WIDTH	84 = 12.6"
Exit Width Provided:	2 x 33" = 66"
Egress from Spaces (1006.2)	
Egress based on Occupant Load and Common Path of Travel (1006.2.1)	
Spaces with One Exit or Exit Access Doorway (Table 1006.2.1):	
Occupancy	A
Calculated Occupant Load	84
Max Occupant Load of Space	49
Max Common Path of Egress Travel Distance w sprinkler:	75'
Common Path of Egress Travel Distance:	25'-6"
Number of Exits Required (Section 1006.2.1, 1006.2.1.1)	
Number of Exits Required: (OL ≤ 30 & CPETD < x')	2
Number of Exits Provided, (suite) Space:	2
Two Exits and Exit Access Doorway distance apart (Section 1007.1.1)	
Two: Not less than 1/2 (1/3 exception 2) of the overall area diagonal:	75' - 8' / 25'-3"
Exit Access Travel Distance Maximum (Section 1017.2):	
A, E, F-1, M, R, S-1 Occupancy,	w/ Sprinkler 250' Maximum
Minimum Corridor Width (Section 1020.2):	
Occupant Load less than 50	44"
Access to MEP equipment	36"
	24"
Dead Ends (Section 1020.4)	
More than one exit or exit access doorway required:	20' max
Exception #2 (B, E, F, M, S, U) Fully Sprinklered building:	50' max
RESTROOM FIXTURE CALCULATION (Table 2902.1):	

OCCUPANCY TYPE	Occupant Load Factor	Square Footage	Number of Occupants	Toilets Required by Gender		Toilets Required by Gender		Lavatories Required by Gender		Drinking	Utility
				Men	Women	Men	Women	Men	Women		
BUSINESS OFFICE	150	45	0.30	0.15	0.15	0.01	0.01	0.01	0.01	0.00	0
STORAGE	300	148	0.49	0.25	0.25	0.00	0.00	0.00	0.00	0.00	0
COMMERCIAL KITCHEN	200	925	4.63	2.33	2.33	0.05	0.05	0.05	0.05	0.01	0
RESTAURANT DINING	15	45	0.00	4.50	4.50	0.23	0.11	0.11	0.06	0.06	0
ASSISTORY CONSTRUCTION	15	1,020	68.00	34.00	34.00	0.93	0.45	0.34	0.17	0.17	0
TOTAL REQUIRED			2,574	82		41	41	1.19	0.60	0.23	1
PROVIDED						1	1.00	1.00	1	1.00	0**

* Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or less.
** A drinking fountain shall not be required in buildings or tenant spaces having an occupant load of less than 50.
*** For business and mercantile classifications with an occupant load of 50 or fewer, a service sink shall not be required.

Drinking Fountains
footnote i, water served in restaurants, drinking fountain shall not be required.

Separate Facilities (Section 2902.2)
Separate Facilities shall be provided for each sex.

Access (Section 2902.3.1)
Route to public toilet facility shall not pass through kitchens, storage rooms or closets.

Prohibited Locations (Section 2902.3.1)
Toilet rooms shall not open directly into a room used for preparation of food for service to the public.

Removal of Barriers
Project Limit of Work Area Interior to Tenant Suite
New Work Comply with Accessibility Code
Alterations affecting an area of containing a primary function (Section 1103.2.16, IEBC Section 305.6)
Alteration affects the accessibility to or contains a primary function, the accessible route to the primary function shall be accessible. Accessible. Primary function area shall include toilet facilities, parking facilities, and drinking fountains serving the primary function.

Exceptions:
1. the costs of providing the accessible route are not required to exceed 20 percent of the costs of alterations affecting the area of primary function. Such work shall be documented per Change Orders as accepted by the Owner:
1. No work Proposed.
2.

SHEET INDEX

C1 PERMIT 12-22-21 P1 SCHEMATIC 11-30-21	
COVER	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> A0.0	Cover Sheet
<input type="checkbox"/> A0.1	Referenced Accessibility Details
ARCHITECTURAL	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> D1.0	Demolition Plan
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> A1.0	Floor Plan
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> A1.1	Reflected Ceiling Plan
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> A1.3	Finishes Plan
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> A1.4	Kitchen Equipment and Furnishings Plan
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> A2.0	Plan Enlargements & Interior Elevations

SYMBOLS

EXIT DOOR

SUBMITTALS

ENGINEERING BY CONTRACTOR AS DESIGN-BUILD. RETURN THE FOLLOWING SUBMITTALS TO DESIGNER FOR REVIEW:

- ELECTRICAL ENGINEER PLAN
- LIGHTING ENGINEER PLAN
- HVAC ENGINEER PLAN
- PLUMBING ENGINEER PLAN
- SPRINKLER ENGINEER PLAN
- MILLWORK SHOP DRAWINGS
- DOOR/HARDWARE SCHEDULE
- FINISH SELECTION, DRAW DOWNS
- WOOD DOOR STAIN SAMPLE
- LIGHT FIXTURE ENERGY CALCULATION
- LOW-VOLTAGE / ALARM ENGINEER PLAN
- PLUMBING FIXTURE CUT SHEETS

TIMING OF WORK

Demolition and construction shall occur during normal business hours. Contractor shall coordinate loud and dirty work with landlord to minimize disruption to adjacent tenants.

TENANT WORK

The following shall be provided by tenant and/or tenant's vendor, at tenant expense, and is not included in this work package.
1. Low voltage cabling, equipment, installation and operation of low voltage equipment.
2. Security system equipment, installation and monitoring.
3. Audio visual equipment, wiring, projectors, screens, speakers, amplifiers and associated equipment.
4. Server room: racks, computer equipment, back-up power system, ladder racks, mounting blocks and all associated equipment and wiring (contractor shall install electrical connections to back-up power equipment).
5. Appliances: refrigerator, microwaves, coffee makers, toasters, dishwasher, oven, all associated kitchen utensils and tools contractor shall include installation of major appliances).
6. Art & accessories.
7. Signage and logos.

BID ALTERNATES

Alternate #1:
Alternate #2:



PLANFORCE
ARCHITECTURE + DESIGN

4931 West 35th Street
Suite 200
St. Louis Park, Minnesota

952.541.9969

planforcegroup.com

MICHOACANA TASTY

RICHFIELD SHOPPES

4 East 66th Street
Richfield, MN

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Signature: *Ryan Schroeder*
Name: Ryan Schroeder
Registration: #50047
Project Contact: RYAN SCHROEDER
Phone Number: 952-541-9969

NO.	Print History	Date
P1	SCHEMATIC	11-30-21
C1	PERMIT	12-20-21
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-

NO.	Description	Date

Project 21304
Drawn CD
Checked CLB

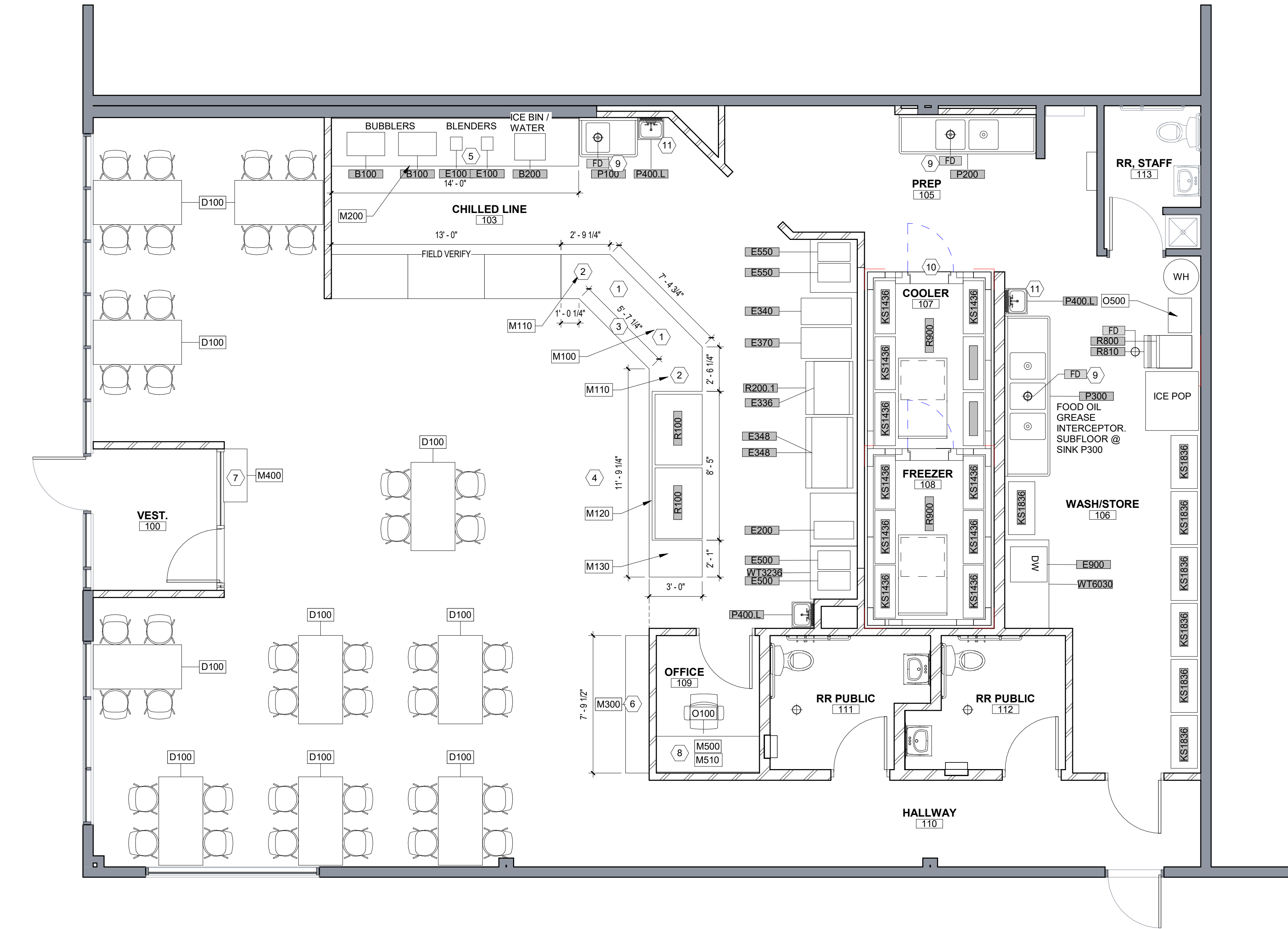
Cover Sheet

A0.0

LOCATION MAP
4 East 66th Street
Richfield, MN

SITE





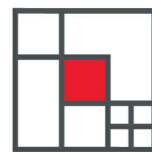
1 Furniture Floor Plan - 01
1/4" = 1'-0"

FF&E EQUIPMENT GENERAL NOTES

- VERIFY ALL EQUIPMENT WITH TENANT PRIOR TO CONSTRUCTION
- VERIFY ALL CUP, SOUP DISPENSORS, SMALL WARES ETC. WITH TENANT PRIOR TO CONSTRUCTION
- PROVIDE ALL BAKING IN WALL MOUNTED EQUIPMENT. FTW/NON-COMBUSTIBLE WHEN REQUIRED
- WORK TABLES, AS LABELED WT####, WORK TOPS TO BE 36" AFF, UNLESS OTHERWISE NOTED.
- WORK TABLES LABELED WT####H, WORK TOPS TO OVERHANG BASE BY 6" TO ALLOW PLACEMENT OF SLIM JIM TRASH CANS BENEATH WORK SURFACE.
- WORK TABLES, AS LABELED WT####C, TO HAVE 5" CASTERS.
- WALK-IN COOLER AND WALK-IN FREEZER, TO PROVIDE CLOSURE PANELS BETWEEN WALLS AND CEILINGS.
- TYPE II EXHAUST HOOD, PROVIDE CLOSURE PANEL BETWEEN HOOD AND CEILING.
- TYPE II EXHAUST HOOD, WHERE WALL FINISH IS OTHER THAN WALL TILE PROVIDE STAINLESS STEEL TO 18" PAST HOOD

1 FURNITURE, FIXTURE & EQUIPMENT PLAN NOTES	
NO.	DESCRIPTION
1	POINT OF SALE
2	SNEEZE GUARD
3	POS COUNTER, CUSTOM MILLWORK BY TENANT, PRELIM DIMENSIONS
4	COOK LINE FRONT COUNTER, CUSTOM MILLWORK BY TENANT, PRELIM DIMENSIONS
5	COLD LINE BACK COUNTER, CUSTOM MILLWORK BY TENANT, PRELIM DIMENSIONS
6	CARRY OUT SHELF, CUSTOM MILLWORK BY TENANT, PRELIM DIMENSIONS
7	TRASH / RECYCLE RECEPCTAL, CUSTOM MILLWORK BY TENANT, PRELIM DIMENSIONS
8	OFFICE DESK / FURNITURE, BY TENANT.
9	FLOOR DRAIN, INDIRECT DRAIN, LOCATED BENEATH SINK
10	WALK-IN CONDENSATE, DRAIN TO FLOOR DRAIN BENEATH SINK
11	PROVIDE SOAP DISPENSER, PAPER TOWEL DISPENSER, AND TRASH AT EACH HAND SINK

MICHOACANA TASTY		DATE	12.22.2021	QUANTITY	PLUMBING	ELECTRICAL	DAS	WALLS BY OWNER	SUPPLIED BY GC	SUPPLIED BY VENDOR	INSTALLED BY OWNER	INSTALLED BY GC	INSTALLED BY VENDOR	EQUIPMENT COMMENTS
D: DINING ROOM SEATING														
D100	TABLE TOP, LOW TOP			10						V		GC	V	BY TENANTS MILLWORK VENDOR
D100.A	TABLE BASE, ACCESSIBLE LOW TOP			1						V		GC	V	BY TENANTS MILLWORK VENDOR
D100.B	TABLE BASE, LOW TOP			9						V		GC	V	BY TENANTS MILLWORK VENDOR
D150	SEATING - CHAIR, LOW TOP			40						V		GC	V	BY TENANTS MILLWORK VENDOR
D200	TABLE TOP, HIGH TOP													
D200.B	TABLE BASE, HIGH TOP													
D250	SEATING - CHAIR, HIGH TOP													
M: MILLWORK														
M100	FRONT SALES COUNTER			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M110	FRONT PREP COUNTER			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M120	FRONT MAKETABLE WALL			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M130	FRONT SANDWICH COUNTER			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M140	FRONT, SNEEZE GUARD			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M200	BACK PREP COUNTER			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M300	"TAKE OUT" CABINET			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M400	TRASH & RECYCLING CENTER			1						V		GC	V	BY TENANTS MILLWORK VENDOR
M500	OFFICE COUNTER			1								GC		BY TENANTS MILLWORK VENDOR
M510	OFFICE SHELVING			1								GC		BY TENANTS MILLWORK VENDOR
DE: DECOR														
B: BEVERAGES														
B100	BUBBLER, TRIPLE BOWL	Crathco		2										
B200	WATER STATION W/ DROP-IN ICE BIN	BK Resources	BK-DIW SBL2118G	1										
A: ACCESSORIES														
A100	SOAP DISPENSER, WALL MOUNTED			3									GC	INSTALLED BY GC
A110	PAPER TOWEL DISPENSER			3									GC	INSTALLED BY GC
A500	SPLASH GUARD, STAINLESS STEEL							MT					GC	PROVIDE AS REQUIRED BY HEALTH DEPARTMENT
A700	SQUARE, WASTE RECEPTACLE												GC	
A700	SQUARE, WASTE RECEPTACLE												GC	
A710	SLIM JIM, WASTE RECEPTACLE												GC	
A900	BROOM AND MOP RACK			1					GC				GC	
R: REFRIGERATION														
R100	MAKETABLE	Avantco Refrigeration	178APT48HC	2		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
R200	REFRIGERATED CHEF BASES	Migali	C-CB48	3		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
R300	REACH-IN FREEZER			1		E							GC	
R400	REACH-IN MERCHANDISER (COOLER)			1									GC	
R800	ICE CUBER	Hoskizaki	KMD-410M_J	1	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
R810	ICE BIN	Hoskizaki	BD-300SF	1	P	E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
R900	WALK-IN COOLER, 7'X10'	CrownTonka	Quote E032066	1		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E: EQUIPMENT														
E100	BLENDER	Vitamix Commercial	Vita Prep 3	2		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E200	COUNTERTOP GAS HOT PLATE	Vollram	40736	1		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E340	FLOOR FRYER 40 LBS	Avantco	177RR300N	1			G	MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E370	FLOOR FRYER 70-100 LBS	Avantco	177FF518N	1			G	MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E336	COUNTERTOP GAS GRIDDLE	Wolf	AGM36	1			G	MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E348	COUNTERTOP GAS GRIDDLE	Wolf	AGM48	1			G	MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E400	OVEN			1									GC	
E500	COUNTERTOP FOOD WARMER	HATCO	GRFFB	2		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E550	FOOD WARMER	Avantco	177W50CKR	2		E		MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
E900	UNDERCOUNTER DISHWASHER			1	P			MT					GC	
H: HOODS														
H100	HOOD, TYPE I			1		E							GC	
H101	EXHAUST FAN			1		E							GC	
H102	STAINLESS STEEL PANEL (NON INSULATED)			1									GC	
WC: WORK CABINETS														
WC	SS DISH CABINETS	BK Resources		1									GC	EQUIPMENT BY OWNER / GC INSTALLED
WT: WORK TABLES														
WT3024	SS WORKTABLE	Regency	600TSE2430S	1				MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
WT3236	STATIONARY EQUIPMENT STAND	Vollram	4087036	1				MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
WTE	SS WORK TABLE ENCLOSED	John Boos	EBSS6RS	1				MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
WT6024	SS WORK TABLE			1				MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
WT8430	SS WORK TABLE	BK Resources	QVTR5-8430	1				MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
SH: SHELVING														
K1236	SS WALL SHELF												GC	
K1260	SS WALL SHELF												GC	
K1636	SS WALL SHELF												GC	
K1860	SS WALL SHELF												GC	
KD2024	DUNNAGE RACK												GC	
KS1436V	STORAGE SHELVING (COATED WIRE)			12									GC	
KS1824	STORAGE SHELVING (WIRE)												GC	
KS1836	STORAGE SHELVING (WIRE)			7									GC	
KS1848	STORAGE SHELVING (WIRE)												GC	
KS1860	STORAGE SHELVING (WIRE)												GC	
KS2224	STORAGE SHELVING (WIRE)												GC	
KS2448	STORAGE SHELVING (WIRE)												GC	
P: PLUMBING														
P100	PREP SINK, SINGLE SINK & DRAIN BOARD	Regency	600S1181818XRT	1	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P100.1	FAUCET			1	P								GC	
P100.2	DRAIN, LEVER TWIST			1	P								GC	
P200 L/R	PREP SINK, DOUBLE SINK & DRAIN BOARD	Advance Tabco	93-2-36-24RL	1	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P200.1	FAUCET			1	P								GC	
P200.2	DRAIN, LEVER TWIST			2	P								GC	
P300	3 COMPARTMENT SINK	Advance Tabco	93-63-54-24RL	1	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P300.1	FAUCET			1	P								GC	
P300.2	SPRAY FAUCET												GC	
P300.3	DRAIN, LEVER / TWIST WASTE			3	P								GC	
P400.B	HAND SINK, KITCHEN, HANDSFREE	Advance Tabco	7-PS-66W	3	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P400.L	HAND SINK, KITCHEN, HANDSFREE	Advance Tabco	7-PS-66L	3	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P400.R	HAND SINK, KITCHEN, HANDSFREE	Advance Tabco	7-PS-66R	1	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P500	DROP IN ICE BIN / WATER STATION	BK Resources	BK-DIW SBL-2118G-P-G	1	P			MT					GC	EQUIPMENT BY OWNER / GC INSTALLED
P600	FLOOR DRAIN	BY PLUMBER			P					GC			GC	
P625	FLOOR DRAIN, IN-DIRECT	BY PLUMBER			P					GC			GC	
P650	FLOOR SINK	BY PLUMBER			P					GC			GC	
P700	UTILITY SINK, FLOOR			EXISTS	P					GC			GC	
P710	FAUCET			EXISTS	P					GC			GC	
P800	WATER HEATER	BY PLUMBER		VERIFY	P	E	G			GC			GC	
P900	WATER FILTRATION				P									
C: COMMUNICATIONS														
C100	POS, FRONT COUNTER													
C100.1	CASH DRAWER													
C101	POS, DELIVERY													
C102	POS, DRIVE THRU WALL MOUNTED													
C103	CARD SWIPE													
C104	PRINTER													
C105	PHONE, DELIVERY													
C110	COMM SECURITY CABINET													
C111	ORDER MONITORING EQUIPMENT													
C112	COMMUNICATION SYSTEM													
O: OFFICE														
O100	OFFICE CHAIR			1				MT						
O101	OFFICE SAFE			1				MT						
O102	FILE CABINET			1				MT						
O500	LOCKERS			1				MT						
O600	COAT HANGERS							MT						
NOTE:														



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ARCHITECTURE + DESIGN

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Suite 200
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MICHOACANA TASTY

RICHFIELD SHOPPES

4 East 66th Street
Richfield, MN

Developed by:

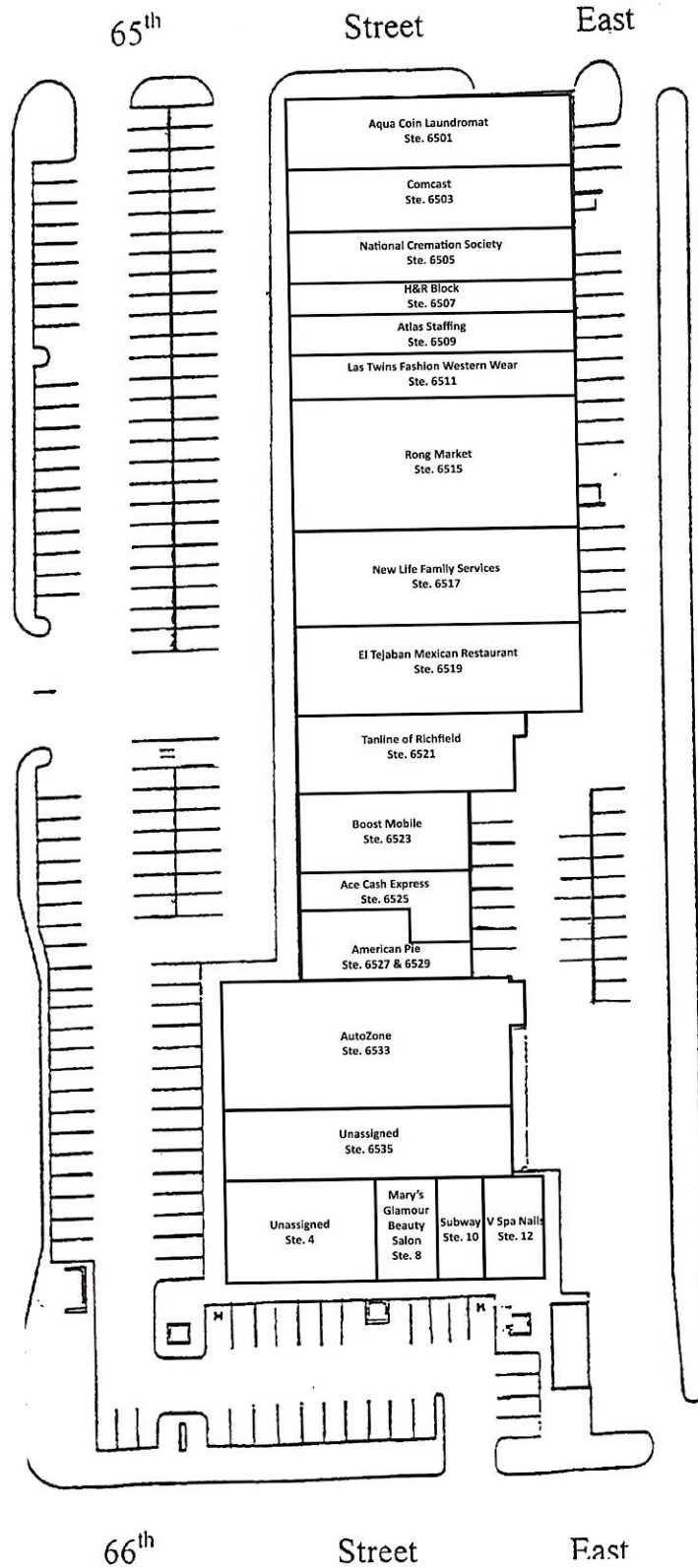
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota

Signature: Ryan Schroeder

RICHFIELD SHOPPES

6501 nicollet ave / richfield, minnesota 55423
12 e 66th st / richfield, minnesota 555423

NORTH



SITE PLAN

This plan is for informational purposes only and is not a warranty, representation or agreement that the Shopping Center or the parking areas, roadways, access points, sidewalks, buildings or other improvements will be as shown hereon, or that the occupants shown hereon will be in the Shopping Center.

10/4/21

CERTIFICATE OF SURVEY

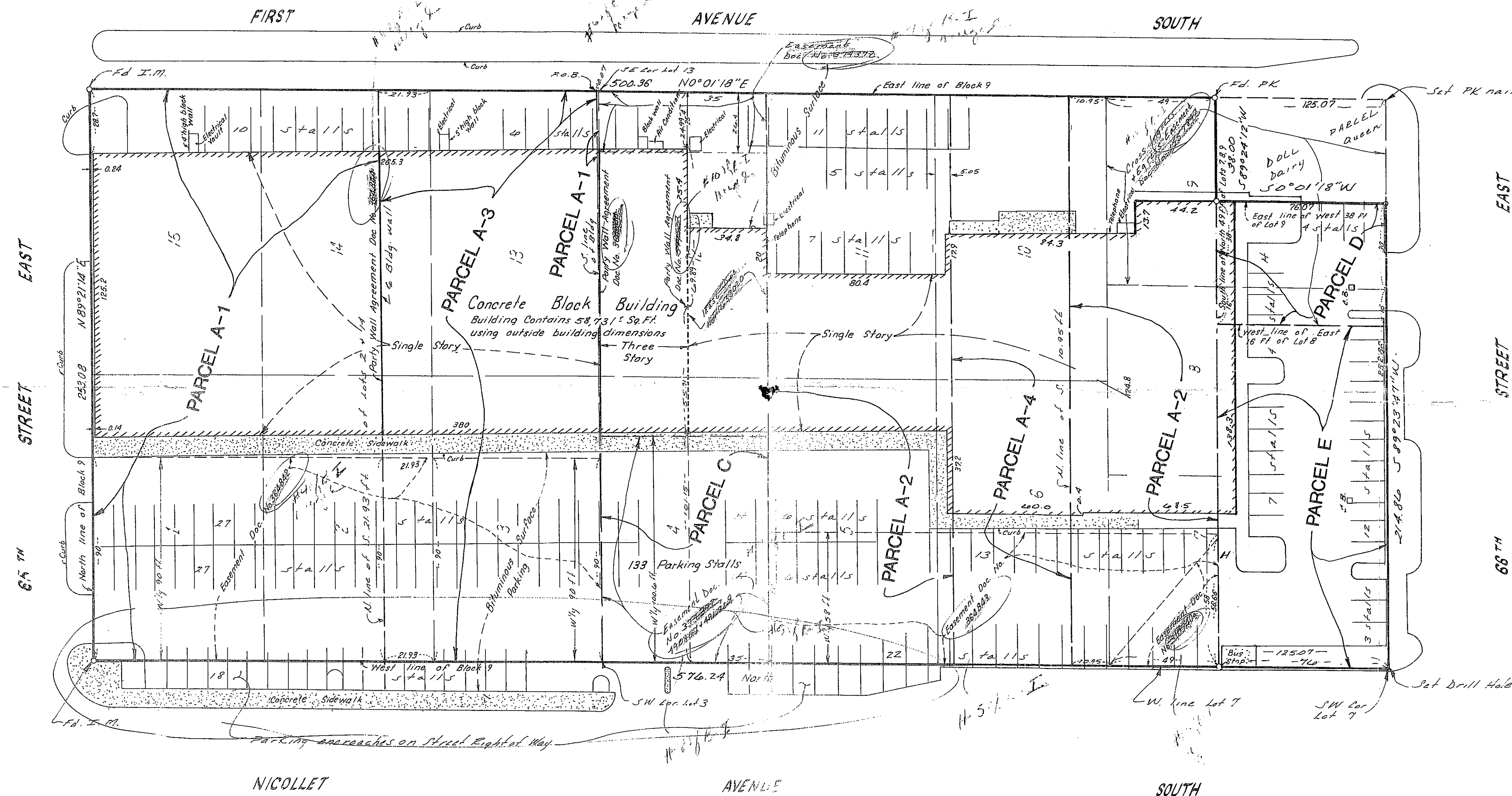
for:

RICHFIELD SHOPPES DEVELOPERS, A MN GENERAL PARTNERSHIP
MILLER & SCHROEDER FINANCIAL, INC. A MN CORP
HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF RICHFIELD, MN
AND COMMONWEALTH LAND TITLE INSURANCE COMPANY



○ DENOTES IRON MONUMENT, unless noted
BEARINGS SHOWN ARE ASSUMED
SCALE: 1" = 30'

Property Contains 142,895 Sq. Ft.
3.28 Acres



Zoning
C-2 General Commercial
Setbacks
Front yard = 40 ft.
Side yard = 15 ft.
Note: The existing building is a
legal non-conforming use.

This Certificate of Survey was made by the undersigned, a duly registered professional land surveyor under the laws of the State of Minnesota, or under my direct personal supervision, dated January 21, 1994, of the Premises located at 4, 8, 10, and 12 - 66th Street East and 6501, 6503, 6507, 6509, 6511, 6513, 6517, 6519, 6519-1/2, 6521, 6523, 6525, 6527, 6529, and 6533 Nicollet Avenue South, Richfield, Minnesota, and legally described as follows:

PARCEL A: Sub Parcel 1:

That part of Lots 3 and 13 lying Southerly of a line described as follows: Beginning at a point on the east line of said Lot 13 at a point 0.07 feet North of the southeast corner of said Lot 13 and running thence Southwesterly in a straight line to the southwest corner of said Lot 3, all of Lots 2 and 14, except, the South 21.93 feet thereof and all of Lots 1 and 15, Block 9 in TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota, according to the map or plat thereof on file or of record in the office of the Registrar of Titles in and for said Hennepin County.

Sub Parcel 2:

The North 49 feet of Lots 7, 8 and 9; The South 10.95 feet and the North 5.05 feet of Lots 6 and 10, and all of Lots 5 and 11, Block 9 in TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota, according to the map or plat thereof on file or of record in the office of the Registrar of Titles in and for said Hennepin County.

Sub Parcel 3:

The South 21.93 feet of Lots 2 and 14; Lots 3 and 13, except, that part of said Lots lying Southerly of a line described as follows: Beginning at a point on the east line of said Lot 13 at a point 0.07 feet North of the southeast corner thereof and running thence Southwesterly in a straight line to the southwest corner of said Lot 3, Block 9 in TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota, according to the map or plat there on file or of record in the office of the Registrar of Titles in and for said Hennepin County.

Sub Parcel 4:

Lots 6 and 10, except, the South 10.95 feet and, except, the North 5.05 feet of each Lot, Block 9 in TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota, according to the map or plat thereof on file or of record in the office of the Registrar of Titles in and for said Hennepin County.

PARCEL C:

Lots 4 and 12, Block 9 in TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota, according to the map or plat thereof on file or of record in the office of the Registrar of Titles in and for said Hennepin County, Minnesota.

PARCEL D:

That part of the East 16.06 feet of Lot 8, Block 9, TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota, lying South of the North 49 feet thereof and that part of the West 38 feet of Lot 9, Block 9, TOWN'S EDGE, Village of Richfield, Hennepin County, Minnesota lying South of the North 49 feet thereof.

PARCEL E:

Lot Seven (7), except the North forty-nine (49) feet thereof; and Lot Eight (8), except the North forty-nine (49) feet thereof, and, except, the East sixteen and 06/100 (16.06) feet thereof, Block Nine (9) in TOWN'S EDGE, Village of Richfield.

The undersigned hereby certifies to Richfield Shoppes Developers, Minnesota general Partnership, Miller & Schroeder Financial, Inc., a Minnesota corporation, its successors and assigns, Housing and Redevelopment Authority in and for the City of Richfield, Minnesota, and Commonwealth Land Title Insurance Company, that as of January 21, 1994, this survey correctly shows the location of all buildings, structures, and other improvements on the Premises, including, without limitation, all streets, easements, rights-of-way and utility lines; and that, except as shown, there are no (a) easements or rights-of-way across the Premises, (b) party walls, (c) encroachments on adjoining premises, streets or alleys by any of said buildings, structures, or other improvements or (d) encroachments upon the Premises by any building, structure or other improvements situated upon any adjoining premises; and that the improvements do not violate any setback or other building lines. Adequate ingress to and egress from the subject property is provided by 65th Street East, Nicollet Avenue South, First Avenue South and 66th Street East, the same being paved, dedicated public rights-of-way maintained by the City of Richfield, Minnesota.

The undersigned further certifies that the Premises is not located in a flood zone designated by the Federal Emergency Management Agency.

Walter J. Gregory
Registered Land Surveyor
Minnesota License No. 14889
Merila Project No. 93-148

MERILA & ASSOCIATES

ENGINEERING SURVEYING PLANNING

8401 73rd Ave. No., Suite 63
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6-5

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MEMORANDUM

Date: June 5, 2013

Re: **Richfield Shoppes: Phase II Parking Utilization Study**
Richfield, Minnesota
File R0001444.00

To: Bruce D. Carlson, Project Director
Mid-America Real Estate – Minnesota, LLC

From: John M. Hagen, P.E. (MN, WI, and TX), PTOE, Senior Transportation Engineer

The purpose of this memorandum is to summarize the results of the Phase II Parking Demand Study for the Richfield Shoppes shopping center located in northeast quadrant of the Nicollet Avenue intersection with 66th Street. Specifically, a parking utilization was conducted in May 2013 to identify the current parking demand of the existing Richfield Shoppes shopping center and determine whether the existing shopping center has adequate parking to accommodate the proposed restaurant.

Background

The existing Richfield Shoppes shopping center is a mixed-use development consisting of approximately 57,358 square feet of retail and 9,172 square feet of second and third floor office space. Currently, 10,933 square feet of the retail space is vacant, while approximately 1,284 square feet of the second/third floor office space is vacant. The site also contains a Dairy Queen restaurant in a separate building located in the southeast corner of the property that only provides "walk-up" window service, with no indoor customer/seating areas. Since the existing Dairy Queen restaurant does not have wait staff serving food directly to customers while seated, does not have in-vehicle sales/service, and since the combined total of all of the on-site restaurants or food services total less than 25 percent of the gross floor area of the shopping center, its floor area was included in the total retail area of the Richfield Shoppes per the City of Richfield's parking requirements.

As part of the conditional use permit for a proposed sit-down restaurant in a vacant portion of the existing Richfield Shoppes shopping center, the City of Richfield has requested that a Parking Demand Study be completed to see if there is adequate on-site parking for the existing shopping center plus the proposed restaurant. The proposed 4,200 square foot restaurant (with up to a maximum of 150 seats) is moving into the same space of the former Eastern Buffet restaurant who vacated the subject shopping center in March 2013. The new restaurant is planning on

June 5, 2013

Page 2

relocating from their current location across the street in the Richfield Hub and West Shopping Center. Westwood Professional Services completed a parking demand study in May 2013. This study (dated May 2, 2013) compared the City of Richfield's parking requirements with parking industry standards. The results of the Parking Demand Study indicated that the existing shopping center is not adequately parked when considering the City of Richfield's parking requirements. However, when considering industry standard parking demand data from the Institute of Transportation Engineers (ITE), the existing shopping center has adequate parking spaces to accommodate the existing shopping center plus the proposed restaurant.

The Phase II Parking Utilization Study collected actual field data on an average weekday in order to determine the current demand of the existing Richfield Shoppes shopping center. The results of the Phase II Parking Utilization Study are summarized below.

Parking Utilization Study

The purpose of the parking utilization study is to determine if there is sufficient on-site parking provided to meet the needs of the existing shopping center plus the proposed restaurant. Existing parking demand and supply was measured on Tuesday, May 14, 2013 between the hours of 11:00 a.m. to 4:00 p.m. and 6:00 to 9:00 p.m. These time periods were selected since they coincide with the peak parking demands of the existing shopping center. The results of the parking utilization study are shown in Table 1. A field review of the site revealed that a total of 218 parking spaces are currently provided on site. Figure 1 shows the six (6) on-site parking fields and the existing number of parking spaces in each of the six areas.

As shown in Table 1, the peak parking demand for the existing Richfield Shoppes shopping center occurs between 2:00 and 3:00 p.m., when 106 to 108 vehicles are parked on the site. Based on our review of the parking demand and supply data presented in Table 1, the existing Richfield Shoppes shopping center is currently adequately parked since the site provides more parking (218 spaces) than is needed to currently service the peak parking demand (106 to 108 stalls between 2:00 and 3:00 p.m.) for the existing mall. Therefore, the ITE parking demand numbers presented in the May 2013 Parking Demand Study provides a better representation of the existing parking needs for the Richfield Shoppes than the City's requirements.

Shared Parking Analysis

When a particular site has a mixture of different land uses, a "shared parking analysis" should be conducted in order to determine if the peak parking demands for the various on site land uses conflict or complement each other. Shared parking occurs when the same parking area serves two or more land uses without conflict. The success of shared parking relies on the variations of parking demands between the site's individual land uses, as well as the relationships between the individual land uses that allow motorists to visit more than one land use during a single visit to the site and/or visit different land uses at different times of the day.

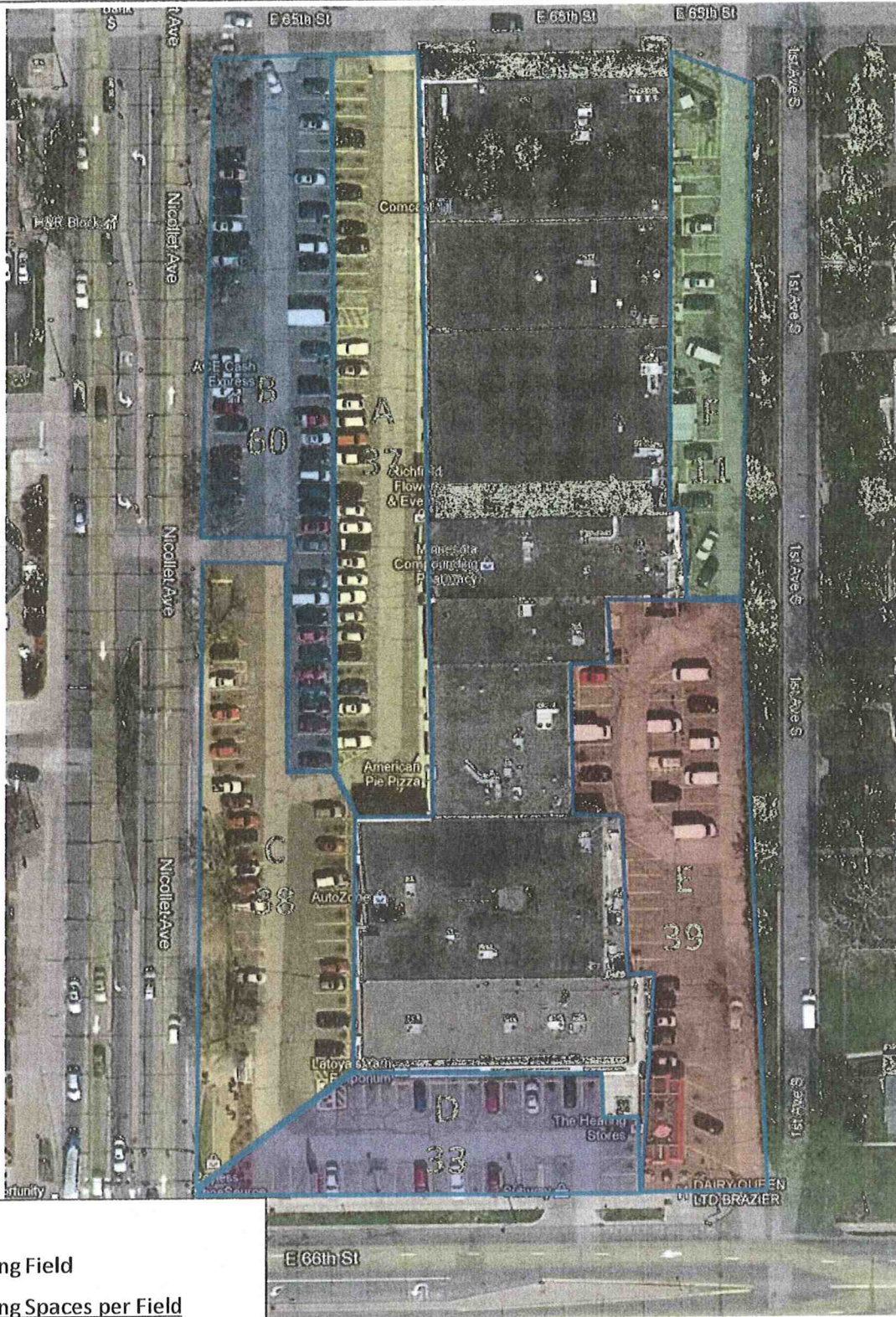
Table 1
Onsite Parking Area Time-of-Day Demand Distribution: Richfield Shoppes

Parking Field	Available Spaces	Average Weekday Parking Demand (Percent of Peak Period)															
		11:00 a.m.	11:30 a.m.	12:00 noon	12:30 p.m.	1:00 p.m.	1:30 p.m.	2:00 p.m.	2:30 p.m.	3:00 p.m.	3:30 p.m.	6:00 p.m.	6:30 p.m.	7:00 p.m.	7:30 p.m.	8:00 p.m.	8:30 p.m.
A	37	15 41%	13 35%	14 38%	20 54%	13 35%	18 49%	22 59%	21 57%	16 43%	15 41%	13 35%	13 35%	6 16%	12 32%	6 16%	5 14%
B	60	30 50%	26 43%	27 45%	26 43%	26 43%	36 60%	30 50%	24 40%	20 33%	19 32%	20 33%	19 32%	13 22%	12 20%	6 10%	4 7%
C	38	18 47%	17 45%	20 53%	21 55%	21 55%	23 61%	21 55%	26 68%	23 61%	28 74%	22 58%	17 45%	25 66%	21 55%	17 45%	19 50%
D	33	9 27%	6 18%	11 33%	7 21%	12 36%	7 21%	11 33%	15 45%	10 30%	9 27%	14 42%	12 36%	17 52%	16 48%	12 36%	6 18%
E	39	15 38%	13 33%	16 41%	15 38%	18 46%	19 49%	20 51%	18 46%	16 41%	16 41%	19 49%	20 51%	22 56%	21 54%	23 59%	17 44%
F	11	4 36%	4 36%	3 27%	3 27%	3 27%	3 27%	2 18%	4 36%	3 27%	3 27%	2 18%	1 9%	0 0%	1 9%	2 18%	1 9%
Total	218	91 42%	79 36%	91 42%	92 42%	93 43%	106 49%	106 49%	108 50%	88 40%	90 41%	90 41%	82 38%	83 38%	83 38%	66 30%	52 24%

Source: Westwood parking utilization study conducted on Tuesday, May 14, 2013.

6-7

6-8



Legend:

A = Parking Field

XX = Parking Spaces per Field

218 = Total Available Parking Spaces



Not to Scale

June 4, 2013
#R0001444.00

Available Parking

Richfield Shoppes: Parking Utilization Study
Richfield , Minnesota

Figure
2



Westwood

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June 5, 2013

Page 5

Understanding the time-of-day distribution of parking demand will help to determine if the peak parking demand of the proposed restaurant overlaps with the peak parking demand of the existing shopping center. Table 2 shows the comparison of the time-of-day parking demand for the existing Richfield Shoppes shopping center versus proposed restaurant. The time-of-day distribution of the existing shopping center's parking demand was determined by the parking utilization study conducted in May 2013; while the time-of-day distribution of the proposed restaurant was based on data for High-Turnover Sit-Down Restaurants from the Institute of Transportation Engineers (ITE) *Parking Generation Manual*, 4th Edition (2010). As shown in Table 2, the peak parking demand of the existing shopping center (2:00 to 3:00 p.m.) does not conflict with the peak parking demand of the proposed restaurant (7:00 to 8:00 p.m.).

Since the peak parking demand of the existing shopping center (2:00 – 3:00 p.m.) does not conflict with the peak parking demand of the proposed restaurant (7:00 – 8:00 p.m.), the parking analysis should account for the time-of-day parking demand distribution. Tables 3 and 4 present the hourly shared parking demand for the Richfield Shoppes shopping center assuming full occupancy based on City of Richfield's parking requirements without and with the proposed restaurant, respectively. Tables 5 and 6 presents the hourly shared parking demand based on ITE standards without and with the proposed restaurant, respectively.

The City's zoning code requires that Regional Shopping Centers (with 50,000 square feet or more retail space) provide four parking spaces for every 1,000 square feet of retail space. The ITE demand comparison is based on 2.55 parking spaces per 1,000 square feet of retail space on an average weekday. The City's zoning code also requires that office land uses (less than 50,000 square feet) provide one parking space for every 275 square feet of office space. The ITE demand comparison is based on 2.47 parking spaces per 1,000 square feet of office space on an average weekday. Finally, the City's zoning code requires that Class I and II restaurants (sit-down restaurants such as the one proposed) provide 10 parking spaces per 1,000 square feet. The ITE demand comparison is based on 0.48 parking spaces per restaurant seat.

Accounting for the time-of-day parking demand of the existing shopping center at full occupancy, Table 3 shows that the Richfield Shoppes is adequately parked with an overall surplus of 68 parking spaces during the peak parking period (2:00 – 3:00 p.m.) when shared parking is applied to the City's parking requirements.

Table 4 shows that while applying the variations of parking demands between the existing shopping center and the proposed restaurant (i.e. – shared parking) to the City's parking requirements will reduce the overall parking surplus of the existing shopping center from 68 spaces to 10 spaces and shift the peak parking demand hour from 2:00 – 3:00 p.m. to 12:00 noon – 1:00 p.m. when the proposed restaurant is added, the site will continue to be adequately parked.

6-10

Table 2
Comparison of Time-of-Day Parking Demand: Existing Richfield Shoppes versus Proposed Restaurant

	Average Weekday Parking Demand							
	11:00 a.m.	12:00 noon	1:00 p.m.	2:00 p.m.	3:00 p.m.	6:00 p.m.	7:00 p.m.	8:00 p.m.
Land Use								
Existing Shopping Center	84%	84%	98%	100%	82%	82%	76%	60%
Proposed Restaurant	16%	49%	39%	27%	19%	94%	100%	81%

Sources: Westwood parking utilization study conducted on Tuesday, May 14, 2013 & ITE *Parking Generation*, 4th Edition, 2010.

Table 3

Existing Richfield Shoppes Parking Demand Assuming Full Occupancy: Based on City Standards

Land Use	Size	Proposed Supply	City Requirements		Hourly Shared Parking Demand Based on City Requirements								
			Rate	Peak Parking Demand	Surplus/Deficit	Average Weekday							
						11 a.m.	12 p.m.	1 p.m.	2 p.m.	3 p.m.	6 p.m.	7 p.m.	8 p.m.
Existing Shopping Center - Neighborhood 30 - 100 KSF (45,665 SF Retail, 7,888 SF Office & 760 SF DQ)	54,313 SF	218		108	66	91	92	106	108	90	90	83	66
Vacant Retail Space (10,933 SF)	10,933 SF		4 per KSF	44		40	44	42	42	38	28	34	31
Vacant Office Space (1,284 SF)	1,284 SF		1 per 275 SF	5		5	5	4	5	5	4	3	0
10 percent reduction for close-proximity to active transit line			10 percent reduction	-5		-4	-5	-5	-5	-4	-3	-4	-3
Totals		218	per City Requirements	152	66								

Total City Shared Parking Demand	131	135	148	150	129	119	116	94
Total Shared Supply	218	218	218	218	218	218	218	218
Total City Shared Parking Surplus/(Deficit)	87	83	70	68	89	99	102	124

Table 4

Richfield Shoppes Parking Demand with Proposed Restaurant: Based on City Standards

Land Use	Size	Proposed Supply	City Requirements		Hourly Shared Parking Demand Based on City Requirements										
			Rate	Peak Parking Demand	Surplus/ Deficit	Average Weekday									
						11 a.m.	12 p.m.	1 p.m.	2 p.m.	3 p.m.	6 p.m.	7 p.m.	8 p.m.		
Existing Shopping Center - Neighborhood 30 - 100 KSF (45,665 SF Retail, 7,888 SF Office & 760 SF DQ)	54,313 SF	218		108		91	92	106	108	90	90	83	66		
Vacant Retail Space (6,733 SF)	6,733 SF		4 per KSF	27		25	27	26	26	24	17	21	19		
Vacant Office Space (1,284 SF)	1,284 SF		1 per 275 SF	5	44	5	5	4	5	5	4	3	0		
Proposed Restaurant - Class I & II (4,200 SF or 150 seats)	4,200 SF		10 per KSF	42		7	21	16	11	8	39	42	34		
10 percent reduction for close-proximity to active transit line				10 percent reduction	-7	-4	-5	-5	-4	-4	-6	-7	-5		
Totals		218	per City Requirements	174	44										

Total City Shared Parking Demand	123	208	197	145	123	145	142	114
Total Shared Supply	218	218	218	218	218	218	218	218
Total City Shared Parking Surplus/(Deficit)	95	10	21	73	95	73	76	104

 = Represents the peak parking demand hour of the Richfield Shoppes.

Table 5

Existing Richfield Shoppes Parking Demand Assuming Full Occupancy: Based on Parking Industry (ITE) Standards

Land Use	Proposed Supply	ITE Parking Demand	Hourly Shared Parking Demand Based on Parking Industry (ITE) Standards							
			Peak Parking Demand	Average Weekday						
				Surplus/Deficit	11 a.m. - 12 p.m.	1 p.m. - 2 p.m.	2 p.m. - 3 p.m.	3 p.m. - 4 p.m.	4 p.m. - 5 p.m.	5 p.m. - 6 p.m.
Existing Shopping Center - Neighborhood 30 - 100 KSF (45,665 SF Retail & 7,888 SF Office)	54,313 SF		108		91	92	106	108	90	83
Vacant Retail Space (10,933 SF)	218		28	79	25	28	27	26	25	18
Vacant Office Space (1,284 SF)			3		3	3	3	3	3	2
Totals	218	per ITE Parking Demand	139	79						0

Total ITE Shared Parking Demand	120	123	136	138	118	111	106	86
Total Shared Supply	218	218	218	218	218	218	218	218
Total ITE Shared Parking Surplus/(Deficit)	98	95	82	80	100	107	112	132

Table 6

Richfield Shoppes Shared Parking Demand with Proposed Restaurant: Based on Parking Industry (ITE) Standards

Land Use	Proposed Supply	ITE Parking Demand	Peak Parking Demand	Surplus/Deficit	Hourly Shared Parking Demand Based on Parking Industry (ITE) Standards							
					11 a.m. - 12 p.m.	1 p.m. - 2 p.m.	2 p.m. - 3 p.m.	3 p.m. - 4 p.m.	4 p.m. - 5 p.m.	5 p.m. - 6 p.m.	6 p.m. - 7 p.m.	7 p.m. - 8 p.m.
Existing Shopping Center - Neighborhood 30 - 100 KSF (45,665 SF Retail & 7,888 SF Office)	54,313 SF		0		91	92	106	108	90	83	66	66
Vacant Retail Space (6,733 SF)	218		17	126	16	17	17	16	15	11	13	12
Vacant Office Space (1,284 SF)			3		3	3	3	3	3	3	2	0
Proposed Restaurant - High-Turnover Sit-Down (4,200 SF or 150 seats)			72		12	35	28	19	14	68	72	58
Totals	218	per ITE Parking Demand	92	126								

Total ITE Shared Parking Demand	121	148	154	147	122	172	170	136
Total Shared Supply	218	218	218	218	218	218	218	218
Total ITE Shared Parking Surplus/(Deficit)	97	70	64	71	96	46	48	82

 = Represents the peak parking demand hour of the Richfield Shoppes.

June 5, 2013

Page 9

Accounting for the time-of-day parking demand of the existing shopping center at full occupancy, Table 5 shows that the Richfield Shoppes is adequately parked with an overall surplus of 80 parking spaces during the peak parking period (2:00 – 3:00 p.m.) when shared parking is applied to the industry standard parking demand data from ITE.

As shown in Table 6, adding the proposed restaurant will reduce the overall parking surplus from 80 to 46 parking spaces, and will likely shift the peak parking demand hour from 2:00 – 3:00 p.m. to 6:00 – 7:00 p.m. when shared parking is applied to industry standard parking demand data from ITE; however, the Richfield Shoppes shopping center will continue to be adequately parked.

Conclusions

Based on the results of the parking utilization study, the Richfield Shoppes shopping center is adequately parked when considering the existing parking demand of the site, full occupancy of the vacant retail/office space, and the proposed restaurant.



PLANNING COMMISSION MEETING

2/28/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

CITY PLANNER REVIEW: Melissa Poehlman, Community Development Director
2/17/2022

ITEM FOR COMMISSION CONSIDERATION:

Public hearing to consider a variance request for more impervious surface coverage than allowed by the Zoning Code at 6500 Logan Avenue South.

EXECUTIVE SUMMARY:

The property at 6500 Logan Avenue South is zoned R (Single Family Residential). The homeowner would like to install a backyard swimming pool, which is permitted as an accessory residential use. In the R district, the maximum impervious surface allowed is 45% of the lot. This property is roughly 8,122 square feet in area so a maximum of 3,655 square feet of impervious surface coverage would be allowed.

The current impervious surface on the lot totals roughly 3,188 square feet, about 39.25% of the lot, giving the homeowners 476 square feet excess area on which to build or pave. The homeowner is proposing a total of 862 square feet of new pavement for the pool and equipment pad. They plan to remove 143 square feet of an existing patio, bringing the total proposed impervious coverage to 3,907 square feet, roughly 48.1% of the lot, or 252 square feet above the maximum. This total includes all required pool equipment and a concrete surrounding. The proposed pool area is already behind a privacy fence and the homeowners are willing to commission a survey showing minimal impact to storm water runoff as a provision of the variance, should it be approved.

In order to grant a variance, the Commission must find that all six criteria identified in Subsection 547.11 of the City Code are met. A full discussion of these criteria is included in the policy section of this report. It is the opinion of staff that the criteria for granting a variance are not met and staff recommends denial of this variance request as there are neither practical difficulties nor unique circumstances that apply to this property.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Deny a variance request for more impervious surface coverage than allowed by the Zoning Code at 6500 Logan Avenue South.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

None.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- 6500 Logan Avenue South is zoned R (Single Family Residential) and subsection 514.11, subdivision 2, sets a maximum impervious surface limit of 45% for properties in the R district.

- A swimming pool is an allowed accessory use in the R district, per subsection 514.05, Subd.5. However, properties in the R district are not entitled to install large swimming pools by right.
- The findings necessary to approve a variance are as follows (subsection 547.11):
- *The applicant establishes that there are practical difficulties in complying with the official control. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.*

There is no practical difficulty because the property owner has full use of the property as a single family residence and may still install a small swimming pool as a permitted accessory use, without the need for a variance for impervious surface coverage.

- *Unusual or unique circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and such circumstances were not created by any persons presently having an interest in the property.*

No unique circumstances apply to the property that do not apply generally to other properties in the R district or in the vicinity. The house on the property is slightly larger than other homes in the area, however, it was built under the current impervious surface rules and still leaves the owner with excess area to pave or build within the impervious surface maximum. Impervious surface maximums in subsection 514.11 of the Zoning Code were adopted in November of 2007. The house at 6500 Logan Avenue South was built in 2012.

- *The variance, if granted, would not alter the character of the neighborhood. The completed project would not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish property values, or have a detrimental or injurious impact on surrounding properties.*

Granting a variance to allow a greater amount of impervious surface will not alter the character of the neighborhood. There are similarly-sized swimming pools in the neighborhood.

- *The variance requested is the minimum variance that would alleviate the practical difficulty.*

There is no practical difficulty and the homeowner may still install a swimming pool if it is smaller than originally proposed and meets the impervious surface maximums.

- *The variance requested will not alter the essential character of the locality.*

Granting a variance to allow a greater amount of impervious surface will not alter the character of the locality.

- *The variance requested is in harmony with the general purpose and intent of the ordinance and consistent with the comprehensive plan.*

The variance requested is not in harmony with the intent of the zoning ordinance or comprehensive plan. The intent of the impervious surface maximum is to limit impervious surfaces for environmental reasons, and to preserve aesthetics in the City.

C. CRITICAL TIMING ISSUES:

- 60-DAY RULE: The 60-day clock 'started' when a complete application was received on January 3, 2022. A decision is required by March 2, 2022, or the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

D. FINANCIAL IMPACT:

None.

E. LEGAL CONSIDERATION:

- Notice of this public hearing was published in the Sun Current newspaper and mailed to

properties within 350 feet of the site on February 17, 2022.

ALTERNATIVE RECOMMENDATION(S):

- Approve the request with findings that it meets the conditions necessary for a variance.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Brandt Krueger, Applicant

ATTACHMENTS:

Description	Type
▣ Resolution	Resolution Letter
▣ Pool Proposal	Backup Material
▣ Variance Application	Backup Material
▣ Zoning Map	Backup Material

RESOLUTION NO. 241

RESOLUTION OF THE RICHFIELD PLANNING COMMISSION DENYING VARIANCE REQUEST FOR MORE IMPERVIOUS SURFACE COVERAGE THAN ALLOWED BY THE ZONING CODE AT 6500 LOGAN AVENUE SOUTH

WHEREAS, an application has been filed with the City of Richfield which requests approval of a variance on the parcel of land commonly known as 6500 Logan Avenue South (the "property") and legally described as:

LOT 1, BLOCK 10, FAIRWOOD PARK, HENNEPIN COUNTY, MINNESOTA

WHEREAS, Richfield Zoning Code, Subsection 514.11, Subdivision 2, sets maximum impervious surface limits for properties in the R, Single Family Residential, district; and

WHEREAS, Richfield Zoning Code, Subsection 547.11 states that a variance may only be granted when all required criteria are met; and

WHEREAS, Minnesota Statutes Section 462.357, Subdivision 6, provides for the granting of variances to the literal provisions of the zoning regulations in instances where enforcement would cause "practical difficulty" to the owners of the property under consideration; and

WHEREAS, the Planning Commission of the City of Richfield held a public hearing for the requested variance at its February 28, 2022 meeting; and

WHEREAS, notice of the public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the subject property; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Richfield, Minnesota, as follows:

1. The Planning Commission adopts as its Findings of Fact the **WHEREAS** clauses set forth above, as well as the following:
2. With respect to the application for a variance from the above-listed requirements, the Planning Commission makes the following findings regarding variance requirements:
 - a. *The applicant establishes that there are practical difficulties in complying with the official control. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. There is no practical difficulty because the property owner has full use of the property as a single family residence and may still install a small swimming pool as a permitted accessory use, without the need for a variance for impervious surface coverage.*

- b. *Unusual or unique circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and such circumstances were not created by any persons presently having an interest in the property.*

No unique circumstances apply to the property that do not apply generally to other properties in the R residential district or in the vicinity. The house on the property is slightly larger than other homes in the area, however, it was built under the current impervious surface rules and still leaves the owner with excess area to pave or build within the impervious surface maximum.

- c. *The variance, if granted, would not alter the character of the neighborhood. The completed project would not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish property values, or have a detrimental or injurious impact on surrounding properties.*

There are similarly-sized swimming pools in the neighborhood and granting a variance to allow a greater amount of impervious surface will not alter the character of the neighborhood.

- d. *The variance requested is the minimum variance that would alleviate the practical difficulty.*

There is no practical difficulty and the homeowner may still install a swimming pool if it is smaller than originally proposed and meets the impervious surface maximum.

- e. *The variance requested will not alter the essential character of the locality.*
Granting a variance to allow a greater amount of impervious surface will not alter the character of the locality.

- f. *The variance requested is in harmony with the general purpose and intent of the ordinance and consistent with the comprehensive plan.*

The variance requested is not in harmony with the intent of the zoning ordinance or the comprehensive plan. The intent of the impervious surface maximum is to limit impervious surfaces for environmental reasons, and to preserve aesthetics in the city.

3. Based on the foregoing findings, the application for a variance to the maximum allowed impervious surface is denied.

Adopted by the Planning Commission of the City of Richfield, Minnesota this 28th day of February 2022.

Chairperson, Richfield Planning Commission

ATTEST:

Secretary, Richfield Planning Commission

Prepared By:



Performance Pool & Spa
2405 Annapolis Lane
Plymouth, MN 55441
(651) 775 - 3940
(651) 731 - 8372 Fax
Attn: Ken Ronsberg
Kenronsberg@Comcast.net

Home Owner :

Barbara & Brandt Krueger
6500 Logan Ave. S.
Richfield, MN 55423

(612) 282 - 2002

Lot - 1 Block - 10

Subdivision -
Fairwood Park First Add.

PID 28-028-24-23-0017

Pool Dimensions
Width X Length

Pool (18 X 27)

Deck (24 X 35)

(955.35) Denotes Proposed Elevation

X 955.35 Denotes Existing Elevation

Denotes Drainage Direction

X Denotes Silt Fence

Scale - 1 inch = 20 Feet

City Codes / Setbacks

Principal - 6' Water

Side - 10' Concrete

Rear - 10' Concrete

Equipment - 10' Lot Line

Fence - 4' Tall

Septic - 10' Water

Well - 20' Water

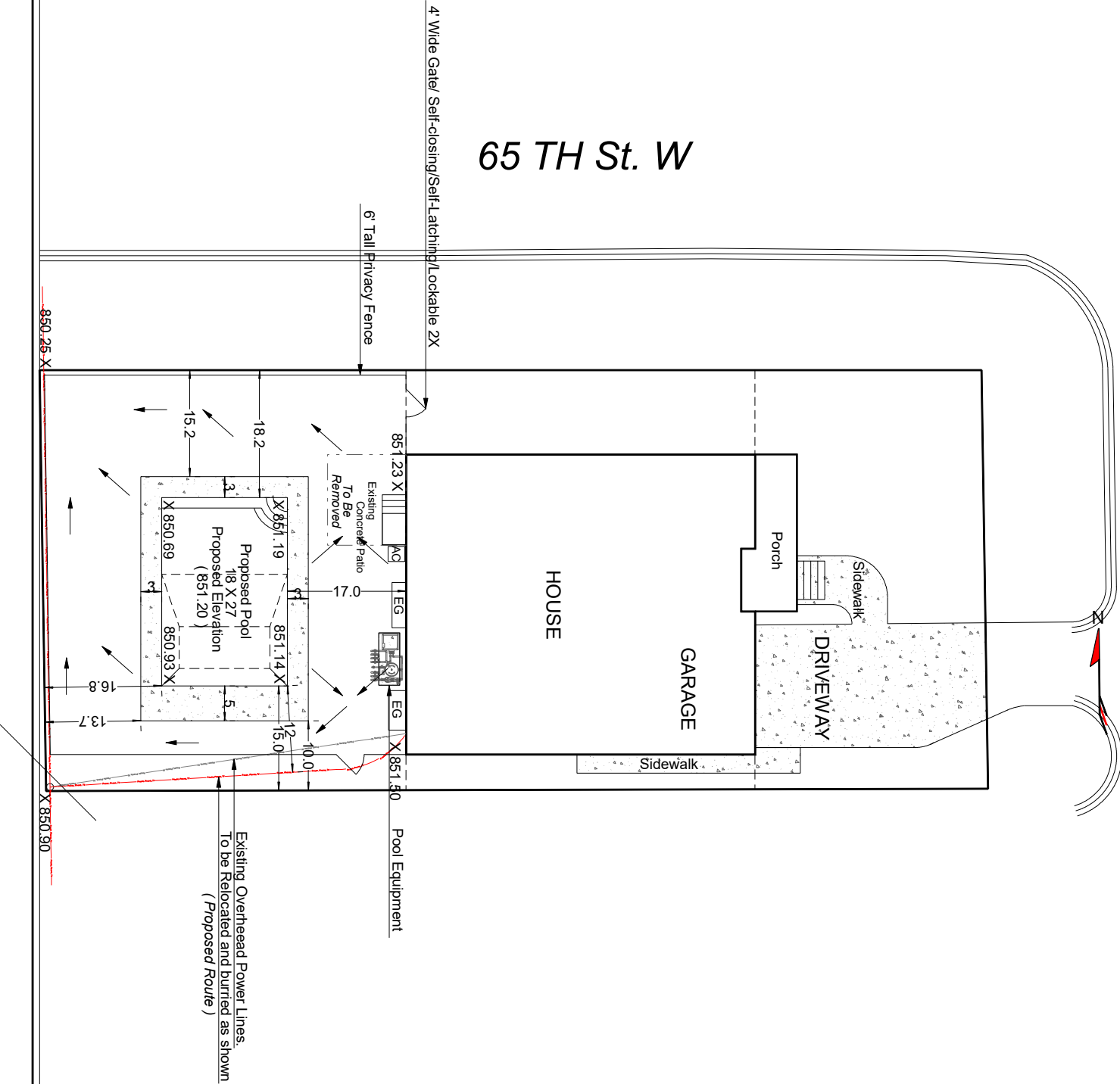
Drainfield - 20' Water

45 % P & D

65 TH St. W

4' Wide Gate/ Self-closing/ Self-latching/ Lockable 2X

6' Tall Privacy Fence





Performance Pool & Spa
 1890 Wooddale Drive
 Woodbury, MN 55125
 (651) 775 - 3940
 Attn: Ken Ronsberg

Impervious Surface Calculations

PID 28-028.24-23-0017

Name: Barbara & Brandt Krueger
 Address: 6500 Logan Ave. S.
 City: Richfield, MN 55423
 Phone No. (612) 293 - 9304
 Lot 1 Block 10
 Subdivision - Fairwood Park First Add.

Area To Be Mitigated 252 Sq. Ft.

Lot Area = 8,122	
45% = 3,655	
House & Garage Area	= 2,132
Driveway & Sidewalk Area	= 668
Porch Area	= 153
Paver Patio Area	= 143
Sidewalk By Garage Area	= 92
Current Coverage	= 3,188
45%	= 3,655
Area Remaining	= 467

<i>Pool Project</i>	
Current Coverage	= 3,188
Area to be Removed	
Paver Patio Area	- 143
Revised Coverage	= 3,045
NEW	
Pool & Deck	= 840
Equipment Pad	= 22
Pool Project	= 862
Revised Coverage	+ 3,045
Proposed Coverage	= 3907
Area Over	= 252
<i>Approx 48.1%</i>	

NOTE: Impervious Surface Calculations on Survey Are NOT Correct.
 Driveway area shown is to the street, not property line.
 House area included egress window area.

Please call with any questions:
 Ken Rosenberg
 Lay-Out Engineer PPS
 (651) 775 - 3940

Variance Application



Provide the Following Information on the Requested Variance:

1. What is the variance being requested? Describe why the proposal requires a variance.

Subsection 514.11, Subdivision 2 states that a property located in the Single-Family Residential (R) district has a maximum impervious surface of no more than 45% of the lot. While pools are not explicitly mentioned in the definition, and some municipalities specifically exclude them as impervious surfaces, staff currently interprets the code as including them. The addition of a private pool to the property would result in a total impervious surface of 48.1% as currently planned, including all equipment required and a minimal concrete surround.

2. Answer the following four questions as they apply to your request.

a) Is there a practical difficulty present which denies a reasonable use of the property? (Explain)

Strict enforcement of the Zoning Code subsection listed above would prevent the homeowner's ability to add a pool of any reasonable size, due to the large percentage of impervious surface created by the original developer of the property. Reducing the proposed pool size by the 3.1% required by code does not reduce the equipment pad and minimum surround, so a conforming pool results in a reduction of roughly 43% in useable area.

b) Are there any unusual or unique circumstances relating to the property or building which are beyond your control? (Explain)

The footprint of the home is unusually large for Richfield - over 2100 sq ft. By accounts, it was built as a show home for the developer, and was used as such several years while relatives and employees lived on the property. This unusually large floorplan means that 40% of the lot was impervious hardcover when the current owners purchased the property, leaving only 5% remaining available for impervious surfaces while conforming to code.

c) Will the variance, if granted, result in an adverse impact on surrounding properties or alter the character of the building or neighborhood? (Explain)

Granting a variance will not alter the character of the neighborhood, or adversely impact neighboring properties, and in all other aspects will be within code including all setbacks and equipment placement. The proposed pool area is already behind a privacy fence, and there are several private pools of similar size or larger in the immediate area.

d) Is the variance consistent with the purpose and intent of the rule from which a variance is being requested? (Explain)

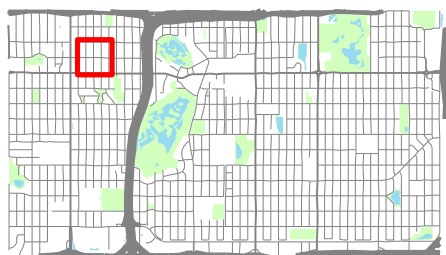
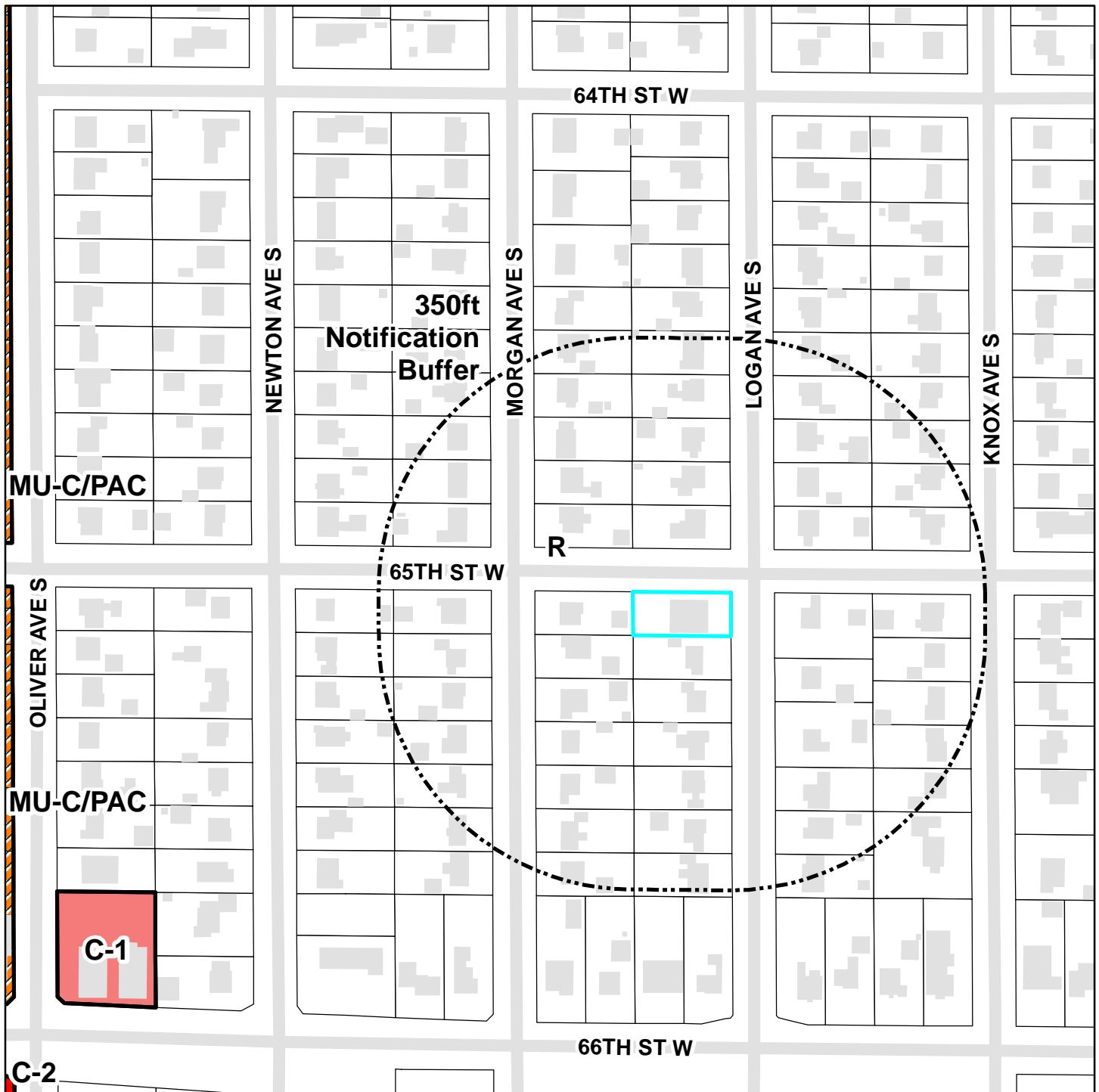
A major intent of hardcover restrictions is to encourage proper stormwater management, preventing runoff from hard surfaces such as driveways and homes from entering the storm drains systems. The originally proposed plan included a stormwater mitigation system to account for the overage of impervious hardcover. Based on the location of the property, City Engineering requested mitigation not be used and the infiltration system was removed. The property has an unusually large boulevard, even for a corner property of almost 3000 sq ft, allowing for plenty of attractive green space and adequate rainwater drainage. Homeowners are willing to commission a survey showing minimal impact to stormwater runoff as a provision of approving the variance.



6500 Logan Avenue South

Surrounding Zoning

Case No: 22-VAR-01



Zoning Districts

R Single-Family	MR-2/CAC Multi-Fam + Cedar Overlay	PC-2 Planned General Commercial	MU-C/PAC Mixed Use + Penn Overlay
R-1 Low-Density Single-Family	MR-3 High-Density Multi-Family	PMU Planned Mixed Use	MU-N Mixed Use-Neighborhood
MR-1 Two-Family	SO Service Office	MU-C Mixed Use-Community	MU-R Mixed Use-Regional
PMR Planned Multi-Family	C-1 Community Commercial	MU-C/CAC Mixed Use + Cedar Overlay	I Industrial
MR-2 Multi-Family	C-2 General Commercial		

