



**PLANNING COMMISSION MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
OCTOBER 24, 2022
7:00 PM**

Call to Order

Approval of the Minutes

- Approval of the minutes of the Regular Planning Commission meeting of September 26, 2022.

Open Forum

Comments are to be an opportunity to address the Planning Commission. Please refer to the Planning Commission agendas and minutes web page for additional ways to submit comments prior to the meeting. Call into the open forum by dialing 1-415-655-0001 Use webinar access code: 2462 519 7389 and password: 1234.

Agenda Approval

1. Approval of the Agenda

Public Hearings

2. Continue a public hearing to consider an ordinance amendment modifying the Zoning Code in relation to landscaping requirements.

Staff Report No. 23

3. Continue a public hearing to consider an ordinance amendment related to changes to low density residential districts, to align Zoning Code with the 2040 Comprehensive Plan.

Staff Report No. 24

Other Business

4. Election of Planning Commission Secretary.

Staff Report No. 25

5. **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

6.

- At the October 11th Council meeting, with very little discussion, the City Council voted to approve the Richlyn-Riley APUD and Replat

7. Next Meeting Time and Location

- Regular meeting on November 28, 2022, at 7pm in Council Chambers at City Hall

8. 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 MEETING MINUTES Richfield, Minnesota

Regular Planning Commission Meeting

September 26, 2022

CALL TO ORDER

The meeting was called to order by Chair Rudolph at 7:00 p.m. in the Council Chambers.

Planning Commission Members Present: James Rudolph, Chair; Brendan Kennealy; Brett Stursa; Benjamin Surma; Eddie Holmwig-Johnson and Cole Hooey

Planning Commission Members Absent: None

Staff Present: Sam Crosby, Planner II; Nellie Jerome, Planner I; and Kari Sinning, City Clerk

Others Present: Garrett Duncan, North Bay Representative

Before beginning the meeting agenda, Chair Rudolph commented on the shooting at the Homecoming football game at Richfield High School.

APPROVAL OF MINUTES

M/Holmwig-Johnson, S/Hooey to approve the minutes of the Regular Planning Commission Meeting of August 22, 2022

Motion carried: 6-0

OPEN FORUM

Chair Rudolph reviewed the options to participate in the open forum.

Ruane Onesirosan, 2124 W 65th Street, commented regarding multistory structures and the use of tax dollars to support them.

Planner II Crosby read aloud an emailed anonymous comment that stated how the city should spend their money.

ITEM #1	APPROVAL OF THE AGENDA
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M/Stursa, S/Kennealy to approve the agenda.

Motion carried: 6-0

ITEM #2	PUBLIC HEARING TO CONSIDER A PRELIMINARY PLAT AND FINAL PLAT IN ORDER TO SUBDIVIDE ONE LOT INTO TWO, AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT TO ACCOMMODATE MINOR MODIFICATIONS TRIGGERED BY THE PROPOSED NEW LOT LINE AND VACATION OF EXISTING DRAINAGE AND UTILITY EASEMENTS TO BE RE-DEDICATED WITH THE PROPOSED PLAT AT 600 64TH STREET WEST (STAFF REPORT NO. 22)
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Planner II Crosby presented the staff report.

Commissioner Hooey asked the implications of the lot split since there is currently one owner for both parcels. Planner II Crosby stated that they are required to operate as one property and the agreement is not perpetual; they would have to notify and get approval from the City in order to split the parcels. Commissioner Hooey also asked if the property were to be redeveloped in the future that they would have to start the process over. Planner II Crosby stated that they would have to start the process over.

Chair Rudolph asked about going back to the original property line. Planner II Crosby stated that they drew the line as far to the east as they could to allow for the western most parcel to be the largest that it could be legally. Chair Rudolph asked if they would separate into two separate plots and if they could sell them separately. Planner II Crosby stated that they could sell one of the two buildings and offered the applicant to speak on their future intentions.

Chair Rudolph opened the public hearing.

Chair Rudolph asked what they plan on doing with the properties. Garrett Duncan, on behalf of North Bay, stated that the intention of splitting the property is so they are on different mortgages based on the housing type that they are and they have no intentions of selling the properties. Chair Rudolph asked about the maintenance of the properties. Garrett Duncan stated that the same company does landscaping for both and that recent construction and lack of irrigation could have affected it.

M/Holmvg-Johnson, S/Kennealy to close the public hearing.

Motion carried: 6-0

Chair Rudolph shared his concerns for companies to create a planned unit development and split lots to allow companies to sell the more blighted property instead of reinvesting in the affordable housing to create better living situations for those in the building.

Commissioner Stursa asked if there any changes to enforcement of property maintenance. Planner Crosby stated that there is not. Commissioner Stursa asked Chair Rudolph how the vote would affect how the properties are maintained and she shared her support for naturally occurring affordable housing. Chair Rudolph stated that when the development was brought to the Planning Commission originally, it was one project; with this new re-plat of the property it opens the door for new changes to the development. Commissioner Stursa asked staff if this re-plat would grandfather in any of the previous planned unit development that was approved. Planner II Crosby stated that the developer has put a lot of money into the affordable housing building which it would not be a candidate for a teardown and the developer would need to come back to the Planning Commission and City Council for any redevelopment.

Commissioner Holmwig-Johnson clarified that there would be no changes to the current zoning conditions or use of the property. Planner II Crosby confirmed his clarification. Commissioner Holmwig-Johnson stated that this item is not policy related and encouraged approval from the other commissioners.

Commissioner Hooey asked staff if they were to sell the property would the new owner be able to do anything that the current owner cannot now do with or without subdividing the plat. Planner II Crosby stated that there is nothing different if there was a change of ownership.

Since the parking spaces in between the properties would have the property line intersect, Chair Rudolph asked what would happen if they sell the west property and the new owners do not allow the east property to continue to own a portion of the parking lot that is on their property. Planner II Crosby stated that the arrangement needs to stay in place or they would have to find an alternative parking solution.

M/Holmwig-Johnson, S/Kennealy to 1) recommend approval of the resolution approving both the preliminary plat and the final plat; 2) recommend approval of the resolution approving the Amended Planned Unit Development; and 3) recommend approval of a resolution vacating existing drainage and utility easements.

Motion carried: 5-1; Rudolph

ITEM #3	ELECTION OF PLANNING COMMISSION VICE-CHAIRPERSON (STAFF REPORT NO. 23)
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Planner II Crosby presented the staff report.

Commissioner Stursa spoke highly of Commissioner Kennealy and nominated Commissioner Kennealy. Commissioner Kennealy accepted the nomination.

M/Stursa, S/Surma to elect Commissioner Kennealy as Vice Chair.

Motion carried: 6-0

According to the bylaws, Commissioner Kennealy would serve as secretary through the end of the meeting and a new secretary would be voted at the next meeting after the vacancy.

ITEM #4	CONSIDER A MOTION TO RESCHEDULE THE DECEMBER PLANNING COMMISSION MEETING TO DECEMBER 12, 2022 (STAFF REPORT NO. 24)
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Planner I Jerome presented staff report no. 24.

Commissioner Hooey asked if this could be done in perpetuity. Planner I Jerome stated this must be addressed yearly due to the bylaws that state when the meetings would normally occur.

M/Hooey, S/Rudolph to approve the rescheduling of the December Planning Commission meeting from December 26, 2022 to December 12, 2022.

Motion carried: 6-0

ITEM #5	LIAISON REPORTS
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- Community Services Commission: Vacant
- City Council: Commissioner Kennealy gave an overview of the September 13 City Council meeting agenda.
- Housing and Development Authority (HRA): Commissioner Stursa mentioned that the 6501 Penn Ave building has been demolished and there might be some activity on the site in 2023.
- Richfield School Board: Commissioner Holmwig-Johnson gave an overview of the discussion as they began the school year which included an update to the drug policy regarding cannabis products.
- Transportation Commission: Commissioner Surma highlighted a project for pedestrian safety near the STEM School and a project regarding the intersection of 77th and Lyndale.
- Chamber of Commerce: Commissioner Hooey had no report since the meeting had already occurred before he was assigned.
- Sustainability Commission: Commissioner Kennealy shared that report on organized collection was positive, residents will receive informational inserts on wind energy, a community garden at Vets Park, the Ctity responded to feedback regarding pollinator plants at Augsburg Park, and there are new trees at Donaldson and Christian parks.

Chair Rudolph mentioned the high attendance of Penn Fest on September 18.

ITEM #6	CITY PLANNER’S REPORT
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Planner II Crosby shared that at the September 13th Council meeting, the City Council voted to approve the text amendment to the fence ordinance with the change that 6 foot tall fences only need to be setback 3 feet (rather than 6 feet) from the corner side property line. She also mentioned and encouraged residents to apply for commissions and boards and applications would be accepted through the month of October.

ITEM #7	NEXT MEETING TIME AND LOCATION
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The next regular meeting is scheduled for Monday, October 24, 2022 at 7 p.m. in the Council Chambers at the Richfield Municipal Center.

ITEM #8	ADJOURNMENT
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M/Hooey, S/Kennealy to adjourn the meeting.

Motion carried: 6-0

The meeting was adjourned at 7:40 p.m.

Submitted by:

Kari Sinning
City Clerk

Brendan Kennealy
Planning Commission Secretary



PLANNING COMMISSION MEETING 10/24/2022

REPORT PREPARED BY: Sam Crosby, Planner II

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
10/13/2022

ITEM FOR COMMISSION CONSIDERATION:

Continue a public hearing to consider an ordinance amendment modifying the Zoning Code in relation to landscaping requirements.

EXECUTIVE SUMMARY:

This is a city-initiated text amendment. After publication of the notice for public hearing, staff decided it would be beneficial to take the proposal to the Sustainability Commission for their feedback. The Sustainability Commission's meeting is scheduled for Thursday, October 20th. Staff is recommending that the public hearing before the Planning Commission be postponed until November 28, 2022, to allow time to incorporate the Sustainability Commission's feedback into the Planning Commission report.

RECOMMENDED ACTION:

By motion: Continue the public hearing to consider the text amendment modifying landscaping requirements to November 28, 2022.

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:

- Notice of this public hearing was published in the Sun Current newspaper on October 13, 2022.

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

AGENDA SECTION: Public Hearings
AGENDA ITEM # 3.
CASE NO.: Staff Report No. 24



PLANNING COMMISSION MEETING 10/24/2022

REPORT PREPARED BY: Nellie Jerome, Planner I

ACTING COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Julie Urban, Acting Community Development Director
10/18/2022

ITEM FOR COMMISSION CONSIDERATION:

Continue a public hearing to consider an ordinance amendment related to changes to low density residential districts, to align Zoning Code with the 2040 Comprehensive Plan.

EXECUTIVE SUMMARY:

Additional time is necessary to prepare the proposed amendments. Staff is recommending a continuation of the public hearing to the December 12 Planning Commission meeting.

RECOMMENDED ACTION:

By motion: Continue the public hearing to consider an ordinance amendment related to changes to low density residential districts, to align the Zoning Code with the 2040 Comprehensive Plan to December 12, 2022.

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:**

- Notice of this public hearing was published in the Sun Current newspaper on October 13, 2022.

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None



PLANNING COMMISSION MEETING 10/24/2022

REPORT PREPARED BY: Nellie Jerome, Planner I

ACTING COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Julie Urban, Acting Community Development Director
10/18/2022

ITEM FOR COMMISSION CONSIDERATION:

Election of Planning Commission Secretary.

EXECUTIVE SUMMARY:

In accordance with Planning Commission Bylaws (Part II, Organization), the resignation or retirement of an officer of the Commission shall require that the Commission elect a new officer at the next regular meeting. Commissioner Kennealy, who previously served as the Secretary, was elected as Vice-Chairperson at the September 26, 2022, Planning Commission meeting. Election of a new Secretary is required.

The responsibility of the Secretary include:

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.

Upon election, the Secretary shall take office immediately and hold office until a successor is elected.

Officers are elected by a majority vote of all the members of the Commission. Voting shall take place in a manner agreed to by the Commission; historically voting has taken place either by voice vote or secret ballot.

RECOMMENDED ACTION:

By motion: Elect a Planning Commission Secretary.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- None

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

- See Executive Summary and attached Bylaws.

C. CRITICAL TIMING ISSUES:

- Upon the resignation of an officer, a new officer is to be elected at the next regular meeting of the Commission.

D. FINANCIAL IMPACT:

- None

E. LEGAL CONSIDERATION:

- None

ALTERNATIVE RECOMMENDATION(S):

- None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
☐ Planning Commission Bylaws	Exhibit

**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