



**PLANNING COMMISSION MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
JULY 24, 2023
7:00 PM**

Call to Order

Approval of the Minutes

Approval of the minutes of: 1) the regular Planning Commission meeting of June 26, 2023.

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: 2634 948 5071 and password: 1234.

Agenda Approval

1. Approval of the Agenda

Public Hearings

2. A public hearing to consider a request to amend a Conditional Use Permit to increase the capacity of the preschool and daycare at 7132 Portland Avenue to 330 children.
Staff Report No. 11

Liaison Reports

- 3.

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

4. City Planner's Report
5. Next Meeting Time and Location
 - Joint City Council, HRA and Planning Commission Work Session on Tuesday, August 8, 2023 at 5:30 p.m. in the Bartholomew Room at City Hall
 - Regular meeting on August 28, 2023 at 7:00 p.m. in Council Chambers at City Hall

6. 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

June 26, 2023

CALL TO ORDER

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

Planning Commissioners Present: Brendan Kennealy, Cole Hooey, Matt Taraldsen, and Eddie Holmwig-Johnson

Commissioners Excused: Benjamin Surma, Brett Stursa, and James Rudolph

Staff Present: Sam Crosby, Planner II

Others Present: Sid Perera, Patrick Foulks, and Christine Jasken

APPROVAL OF MINUTES

M/ Kennealy, S/Hooey, to approve the minutes of the Regular Planning Commission meeting of May 22, 2023.

Motion carried: 4-0.

OPEN FORUM

Chair Holmwig-Johnson reviewed the options to participate in the open forum. There were no callers or speakers.

ITEM #1

APPROVAL OF THE AGENDA

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

Motion carried: 4-0.

ITEM #2

CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A 48-CHILD PRESCHOOL AND DAY CARE AT 7227 PENN AVENUE SOUTH.

Planner Crosby presented Staff Report No.10 and mentioned her conversation with the neighbor property owner to the south, Nick Roell of Roell Painting.

After a couple questions of staff, Chair Holmwig-Johnson opened the public hearing.

The owner's husband, Sid Perera addressed the Commission. Next, two Blossomtime parents, Patrick Foulks, and Christine Jasken, spoke in favor of the request.

M/Hooey, S/Taralsden, to close the public hearing. Motion carried: 4-0.

The Commissioners discussed both the play area fencing and bike racks.

M/Taralsden, S/ Hooey, to amend condition "e" to include "bike racks for 4 bikes", subject to the same one-year timeframe as the parking lot striping.

Motion carried: 4-0.

M/Taralsden, S/ Kennealy, to approve the request as recommended by staff with the amended item "e".

Motion carried: 4-0.

ITEM #3	LIAISON REPORTS
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- Community Services Commission: Rudolph was absent.
- City Council: Commissioner Kennealy reported that the Council held a work session on June 13th to discuss improvements to Donaldson Park. At their regular meeting, the Council approved 3 proclamations; approved a request to modify and terminate Best Buy's minimum assessment agreement and approved a Climate Action Plan.
- Housing and Redevelopment Authority (HRA): Stursa was absent.
- Richfield School Board: Holmwig-Johnson relayed summer program changes and the director vacancy. Also, performance metrics have improved staff retention.
- Transportation Commission: Surma was absent.
- Chamber of Commerce: Hooey had no report.
- Sustainability Commission: Taralsden had no report.

ITEM #4	CITY PLANNER'S REPORT
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The Afghan Halal Supermarket's request for site plan approval and parking variance was approved by the City Council at their June 13th meeting. Also, a new Assistant Planner has been hired and will be on board and joining us by the next meeting.

ITEM #6	NEXT MEETING TIME AND LOCATION
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A regular meeting on July 24, 2023 at 7:00 pm.

ITEM #7	ADJOURNMENT
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M/Hooey, S/Kennealy to adjourn the meeting.

Motion carried: 4-0 and the meeting was adjourned at 7:28 p.m.

Submitted by:

Sam Crosby
Planner II

Brendan Kennealy
Planning Commission Vice Chair



PLANNING COMMISSION MEETING

7/24/2023

REPORT PREPARED BY: Sam Crosby, Planner II

DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
7/17/2023

ITEM FOR COMMISSION CONSIDERATION:

A public hearing to consider a request to amend a Conditional Use Permit to increase the capacity of the preschool and daycare at 7132 Portland Avenue to 330 children.

EXECUTIVE SUMMARY:

Twin Cities Spanish Immersion, d.b.a. Tierra Encantada (Applicant), is proposing to open a new location at Hope Church, in the space recently vacated by Blossomtime Montessori. State-licensed day care facilities serving 15 or more children within a non-residential building require a Conditional Use Permit (CUP) in the R, Low Density Residential, Zoning District. The current CUP allows for 244 students; the Applicant is requesting an increase to 330.

The new preschool and day care would occupy 17,000 square feet of the 88,464 square foot building, (roughly 19 percent of the floor area). No exterior changes are proposed. The existing hours of operation are 7:00 a.m. to 6:00 p.m. The proposed hours of operation are from 6:30 a.m. to 6:00 p.m.

The facility will create approximately 55 full time employees. There are other programs operating during the week, including a small high school, another preschool and school aged program, and various miscellaneous church programs. Everything accounted for, the parking available is more than twice that required by code.

Staff finds that the proposal meets the code requirements and therefore recommends approval of the CUP. A summary of the applicable requirements is provided in the Policies section, below, and in the Required Findings for a CUP attached to this report.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of the resolution amending the Conditional Use Permit to increase the capacity of the preschool and day care at 7132 Portland Avenue.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The building was constructed in 1954, and was originally a school before being purchased by the church. Various service programs have been offered over the years, including adult day care and temporary housing for youth.
- In 2019 the Council approved a CUP for a public High School, Richfield's School District's "College Experience Program" and most recently, in 2020, the City approved a significant building renovation and vacated a portion of 5th Avenue along the northern boundary of the site.

- The site currently offers the following weekday programming: Hope Church's preschool and school aged programs, Richfield Public High School, Loaves and Fishes, Branches Clothing Ministry, Frontier Fellowship Missions Organization, and Church Office activities.

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

Section 514.07 of the Zoning Code specifies two conditions:

1. That there be a designated pick-up and drop-off area located on the site.
 - There is an existing pick-up/drop-off area, separate from the parking area, on the west side of the building.
 2. Designated outdoor play areas shall be set back at least 15 feet from any lot line which abuts a residential property.
 - There are three existing play structures – one in the atrium in the middle of the building, another in the northwest corner of the open space in the southeast corner of the property, and a third on the west side of the building just south of the pick-up/drop-off lane. All three locations meet the setback requirement.
- Per Section 544.13, the parking requirements for the various weekday uses are as follows:

Program	Capacity	Parking Calc.	Parking Req'd
Hope Preschool	34 kids & 4 employees	1 per 5 kids	7
Hope School Age	60 kids & 5 employees	1 per Employee + 8 for visitors	13
T.E. Preschool	236 kids & 55 employees	1 per 5 kids	47
RF High School	100 students & 12 teachers	1 per employee + 1 per 8 students	25
Other Weekday Programs	24 employees	N/A	Unofficial 24
TOTAL:			116
Provided:			298

- The main entrance to the day care will be on the southeast side of the building, where parents will be parking and walking their children in and out of the facility; therefore daycare parents will not be utilizing the designated drop-off lane on the west side of the building. Each daytime use has it's own circulation area - see the site plan.
- Section 544.17, Subd.2.e requires bike parking for religious institutions at the rate of ten percent of the occupancy capacity of the main gathering space. The main sanctuary holds 500 people, requiring bike racks that can accommodate 50 bikes. Currently, there are only two racks that accommodate five bikes each on the property. Based on the amount of bike parking required for the recently approved Blossomtime Montessori day care, staff recommends four additional racks that can accommodate a total of eight bicycles. Staff's review of the site did not reveal any other non-conformities.

C. CRITICAL TIMING ISSUES:

- The statutory 60-day clock started when a complete application was received on June 29, 2023. A decision is required by August 28, 2023 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 - 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 July 13, 2023.
- Council consideration has been tentatively scheduled for August 8, 2023.

ALTERNATIVE RECOMMENDATION(S):

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

PRINCIPAL PARTIES EXPECTED AT MEETING:

Jeremy Reinicke, Applicant

ATTACHMENTS:

Description	Type
□ Draft Resolution	Resolution Letter
□ Required Findings of Fact	Backup Material
□ Zoning/Location Map	Backup Material
□ Applicant's Narrative	Backup Material
□ Site Plan	Backup Material
□ Floor Plans	Backup Material

RESOLUTION NO.

RESOLUTION APPROVING A AMENDED CONDITIONAL USE PERMIT FOR A PRESCHOOL AND DAY CARE AT 7132 PORTLAND AVENUE

WHEREAS, an application has been filed by Tierra Encantada, with the City of Richfield, which requests an increase in capacity from 244 children to 330 children, for the preschool and day care at Hope Church, 7132 Portland Avenue, legally described as follows:

Lot 1, Block 1, Hope Presbyterian Church Addition; And also that part of the East Quarter of South Quarter of Southeast Quarter of Northeast Quarter of Northeast Quarter Lying South of the North 90 Feet thereof except road.

WHEREAS, the Planning Commission of the City of Richfield held a public hearing and recommended approval of the requested conditional use permit at its July 24, 2023 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 July 13, 2023; 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 514.07, Subdivision 8, 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. The City Council adopts as its Findings of Fact the WHEREAS clauses set forth above, and the findings listed in the Required Findings Statement.
2. The requested conditional use permit for a 330 child preschool and day care, as described in the City Council Staff Report, on the property legally described above, is hereby approved, subject to the following conditions:
 - a) That the applicant records 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.
 - b) Any new rooftop or ground mechanical equipment must be screened, per Zoning Code Section 544.05.
 - c) Sign permits are required for any signs greater than six square feet in size.
 - d) No lighting changes are proposed or approved.

- e) Four bicycle racks shall be installed to accommodate 8 bicycles, per Section 544.17, prior to Certificate of Occupancy. Style and location of racks to be reviewed and approved prior to installation.
 - f) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated June 23, 2023, and compliance with all other City, County and State regulations.
 - g) Bike racks to be installed prior to Certificate of Occupancy.
 - h) 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 8th day of August 2023.

Mary B. Supple, Mayor

ATTEST:

Dustin Leslie, City Clerk

Tierrra Encantada (7132 Portland Ave.)
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):

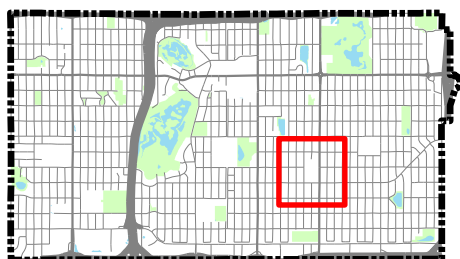
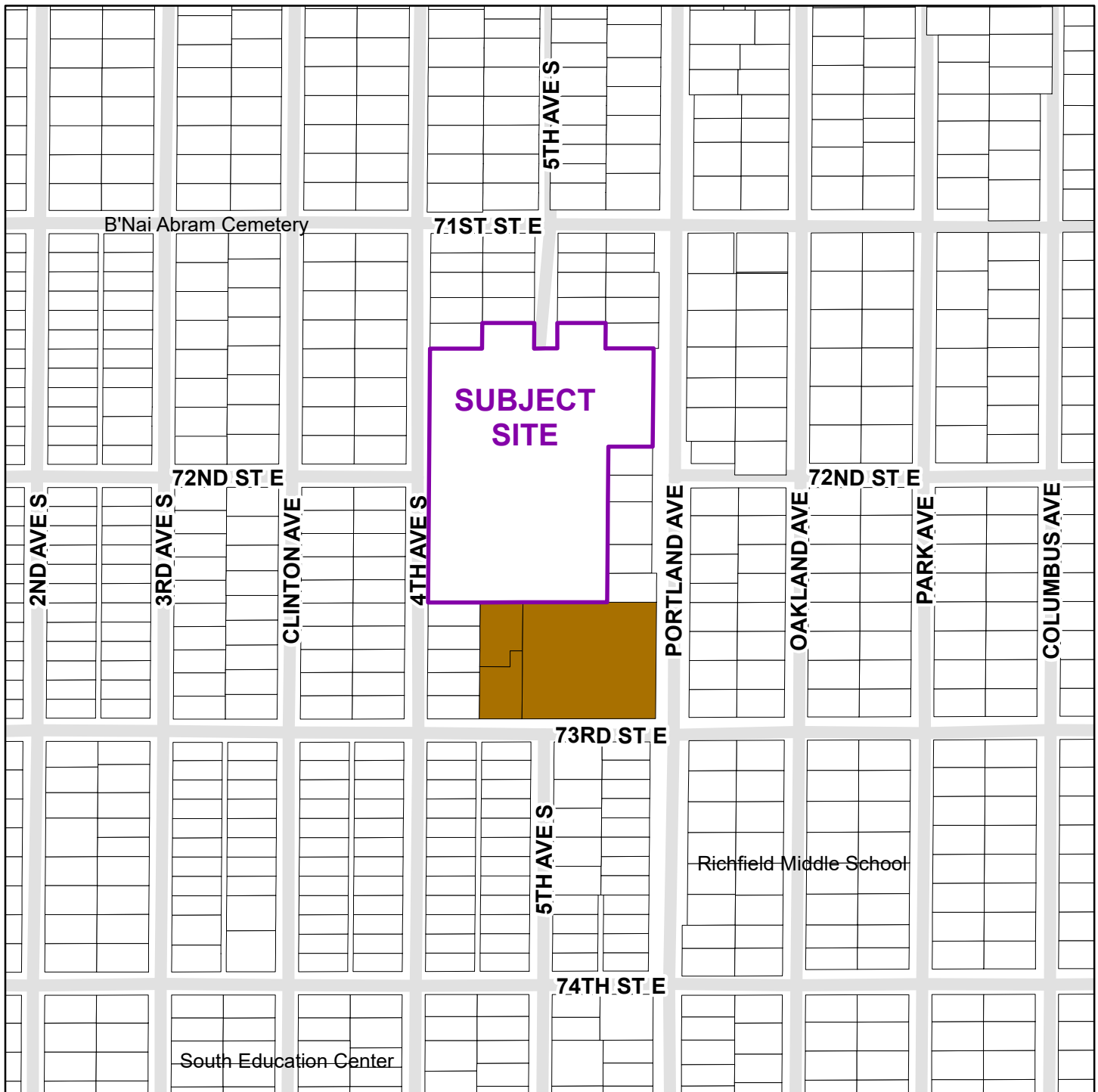
1. *The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan.* The proposed use is consistent with the "Public/Quasi-Public" guiding designation. The Comprehensive Plan does not have any goals or policies specifically related to day care facilities, however, the proposal provides a much needed services to families.
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 R "Low Density Residential" district is to protect and preserve the low density residential character and provide residential locations that are safe, attractive, and quiet. The proposal is consistent with both 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 property will maintain the status quo in regards to performance standards requirements. Since no building expansion is proposed, the site may continue with its present nonconformities, if there are any – a comprehensive review was not conducted, except for parking which is compliant.
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 proposed use is not anticipated to have any adverse impacts to public health, safety and welfare.
7. *There is a public need for such use at the proposed location.* The use is in high demand; the public need is strong.
8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* The use will comply with the two specific conditions listed by the R district for state licensed day care facilities serving more than 15 children.





7132 Portland Avenue

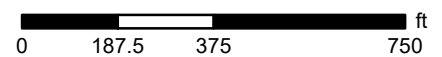
Location and Zoning Map

Tierra Encantada



Legend

-  R Low Density Residential
-  MR-3 High-Density Multi-Family



**City of Richfield
Planning Commission**

Greetings,

We are a group of real estate professionals and operational experts that have teamed up to expand access to Spanish Immersion early education in the twin cities. In the last ten years, 9 corporate locations have opened, here in the twin cities, as well as Rochester MN, Chicago Ill, and Dallas TX. Multiple franchised locations have opened as well, and several more are in progress.

As franchisees, we seek to bring Tierra Encantada Spanish Immersion Preschool and Daycare to Hope church in Richfield. Our project will revitalize the property known as Hope Center, a premises owned by Hope Church, at 7132 Portland Avenue S, Richfield. Our proposal will fill the gap in the market and alleviate the long wait lists that currently exist for our services. Additionally, we will seek to employ and provide opportunity for upward mobility to 50+ full time employees in the area.

There are currently 298 off-street parking spaces available. Our hours of operation are exclusively during the week. This will allow for very little traffic/parking congestion caused by the overlap of our services, and the services provided by Hope Church. Due to the large number of off-street parking spaces and 5 dedicated drop off/ pick up spaces, we do not anticipate any adverse impact to adjacent properties.

In order to bring these services and benefits to the Richfield area, we are seeking an amendment to the existing Condition Use Permit. The current permit allows for 244 students per day. We are seeking to bring that number up to 330 students per day. Please see the explanation below.

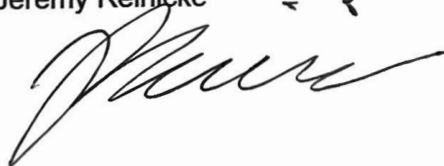
60 students in Hope Church school aged program
34 students in Hope Church Preschool program
236 students in proposed Tierra Encantada program

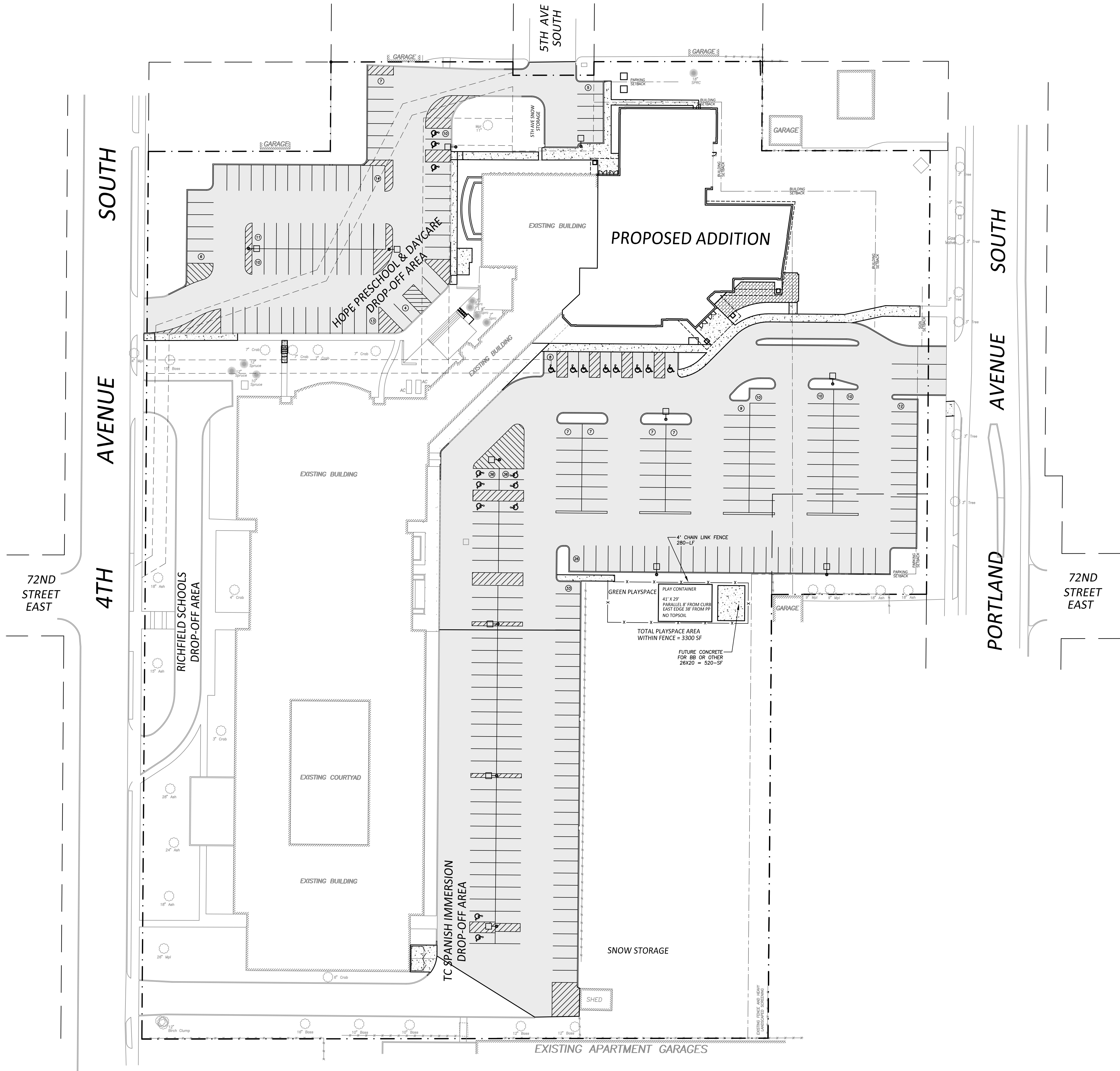
330 TOTAL students per day

Our anticipated completion date is March 2024.

On behalf of Hope Church and Tierra Encantada, we thank you for your consideration.

Jeremy Reinicke



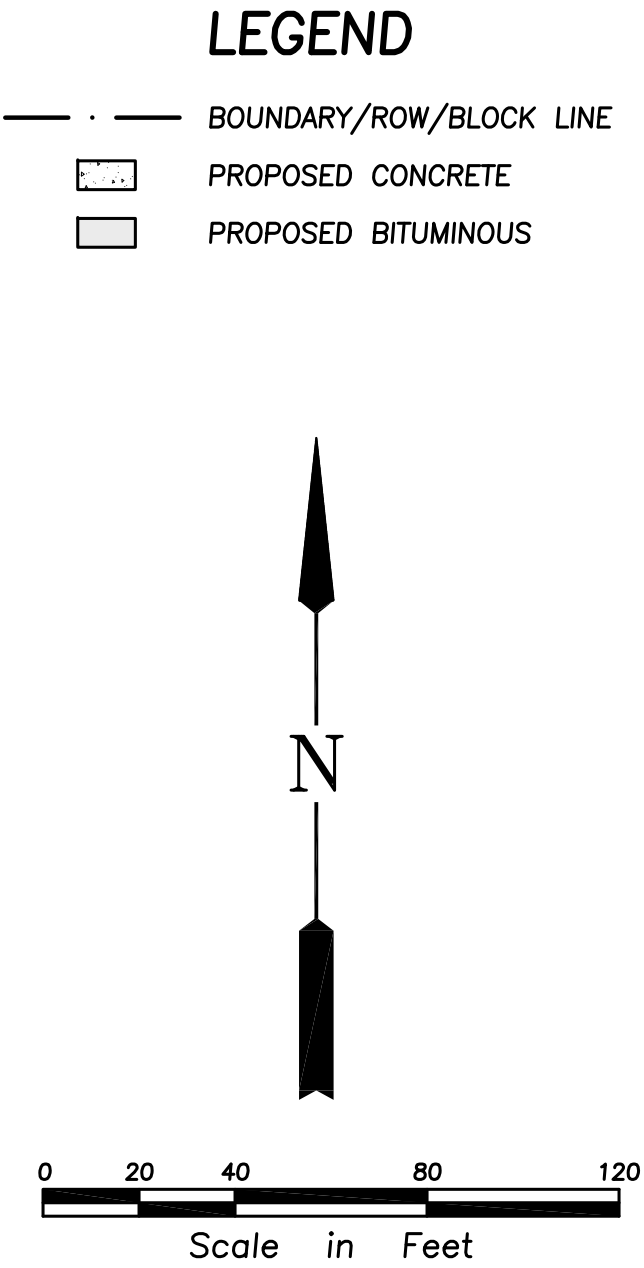


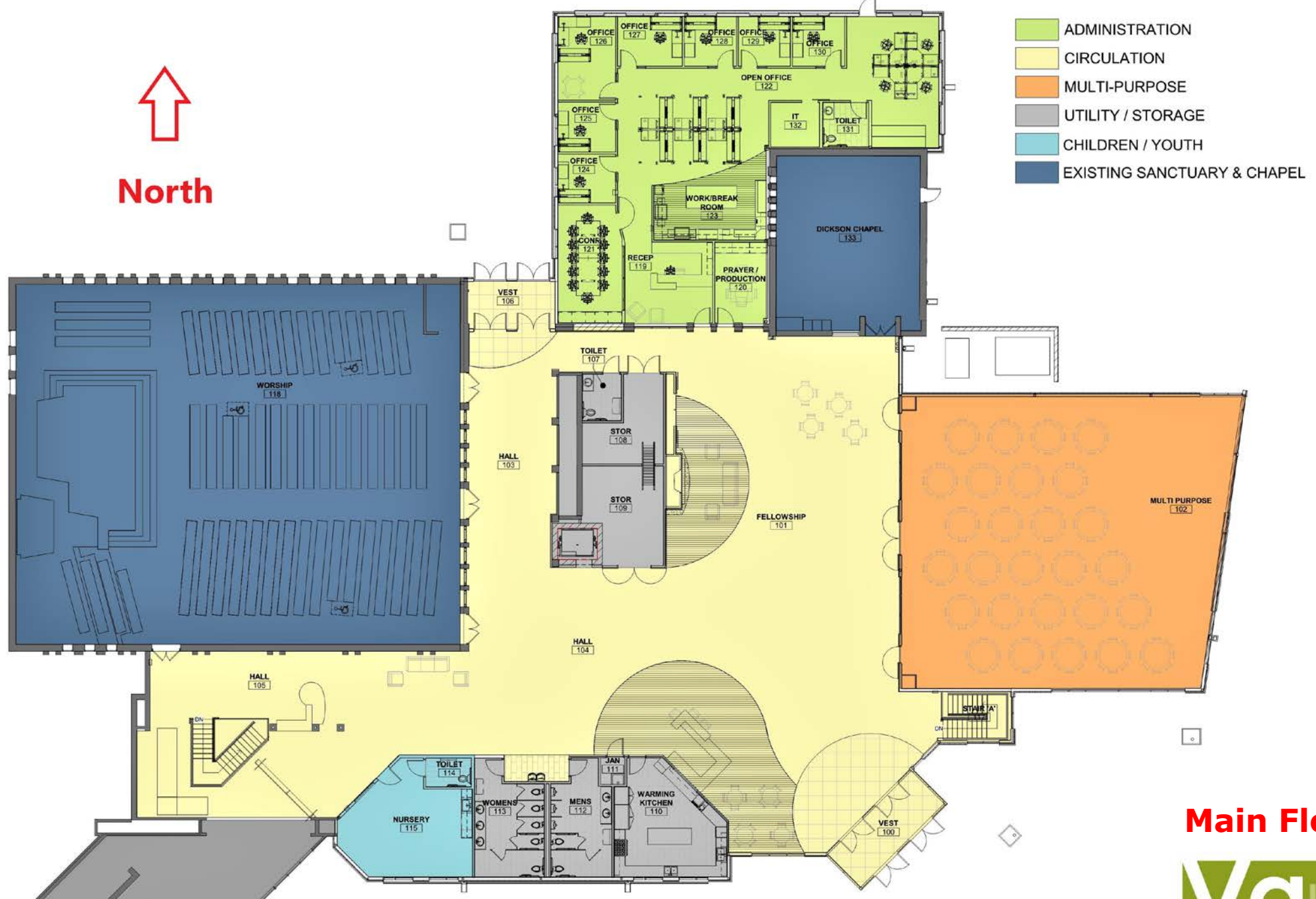
EXISTING PARKING STALLS (SEE SHEET C1)

PARKING LOT	STANDARD STALLS	ACCESSIBLE STALLS	TOTAL
NORTH/WEST	71	2	73
SOUTH/EAST	152	19	171
TOTAL	223	21	244

PROPOSED PARKING STALLS PROVIDED

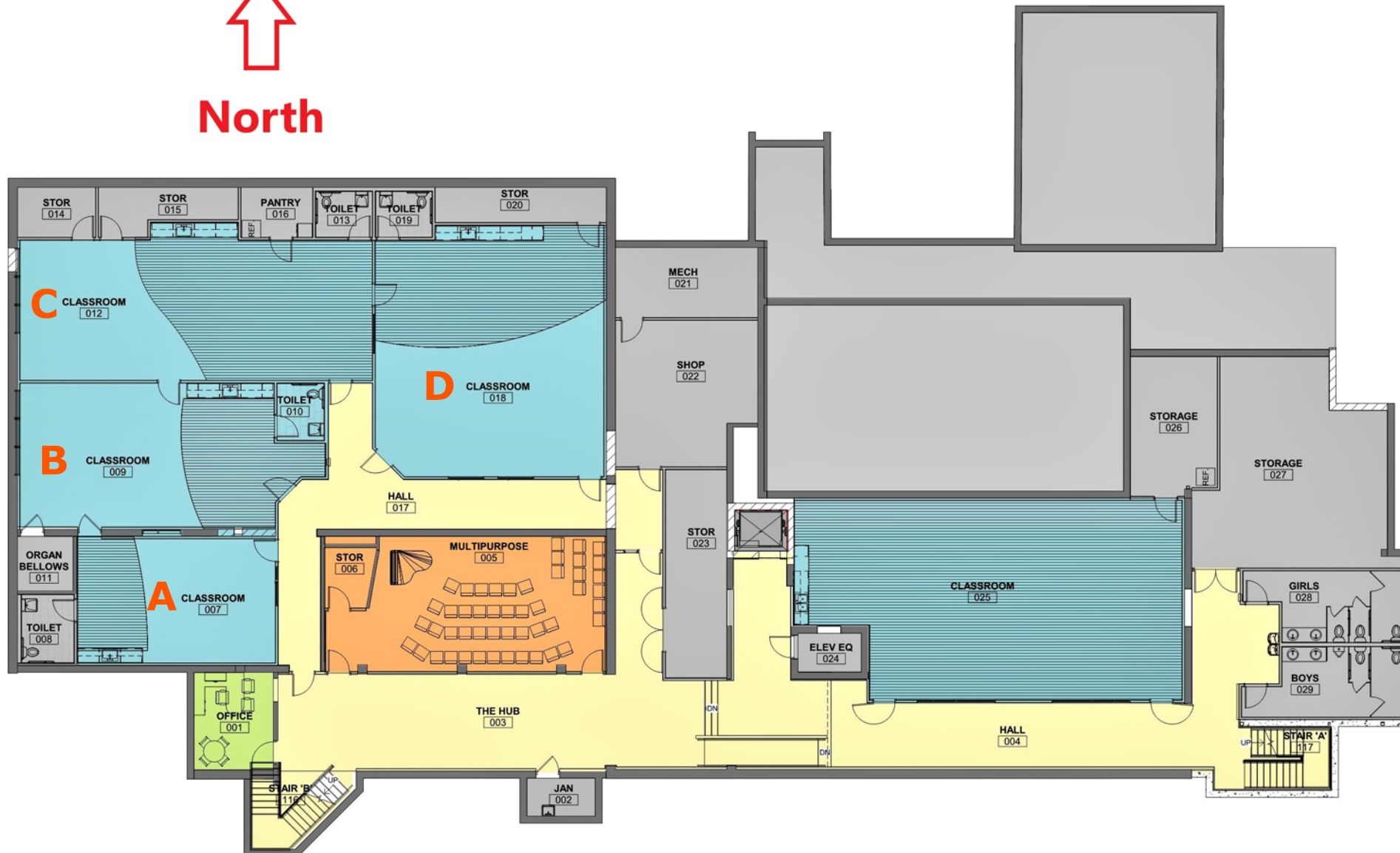
PARKING LOT	STANDARD STALLS	ACCESSIBLE STALLS	TOTAL
NORTH/WEST	77	3	80
SOUTH/EAST	202	16	218
TOTAL	279	19	298





Main Floor





- ADMINISTRATION
- CIRCULATION
- MULTI-PURPOSE
- UTILITY / STORAGE / FOUNDATION
- CHILDREN / YOUTH

Employees

Hope Church Offices- 18
Richfield Public Schools RCEP program- 12
Loaves and Fishes- 1
Vine + Branches Clothing Ministry- 1
Frontier Fellowship Missions Organization- 4
Hope Church Preschool Classroom A- 2
Hope Church Preschool Classroom B- 2
Hope Church School Aged Classroom C- 2
Hope Church School Aged Classroom D- 3

Licensed Student Capacity per classroom

Hope Church Preschool Classroom A- 14
Hope Church Preschool Classroom B- 20
Hope Church School Aged Classroom C- 28
Hope Church School Aged Classroom D- 32

Program Specifications

Preschool programs serve children ages 3-5
School Aged Programs serve children ages 6-11

Lower Level

7132 Portland Avenue S, Richfield, MN 55423

7132 Portland Avenue S, Richfield, MN 55423

Proposed FLOOR PLAN

GYM
2520 SF

HALLWAY
1160 SF

VEST
73 SF

YOUTH
116 SF

YOUTH ROOM
797 SF

CLASS ROOM
886 SF

CLASS ROOM
886 SF

CLASS ROOM
891 SF

CLASS ROOM
886 SF

CLASS ROOM
886 SF

CLASS ROOM
890 SF

COURTYARD ROOM
1454 SF

EXTERIOR COURTYARD
6521 SF
(not included in calculations)

Preschool / Pre - K
Playground 4125 SF

Toddler Playground
2000 SF

ROOM
Indoor Activity Room
750 SF

Kitchen
430 SF

Breakroom
230 SF

Toddler
14 Kids
580 SF

Toddler
14 Kids
580 SF

Toddler
14 Kids
580 SF

Toddler
14 Kids
580 SF

Toddler
14 Kids
580 SF

HALLWAY
1031 SF

VEST
62 SF

Infants
12 kids
560 SF

Infants
12 kids
560 SF

Infants
12 kids
560 SF

Infants
12 kids
560 SF

Infants
12 kids
560 SF

Office
100 SF

Indoor Activity Room
250 SF

Wellness Room

Laundry

Infant - 5 Classroom of 12 Kids = 60 Kids
 Toddler - 4 Classroom of 14 each = 56 Kids
 Preschool - 3 Classroom of 20 each = 60 Kids
 Pre - K - 3 Classroom of 20 each = 60 Kids
 Total Capacity = 236



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The majority of the ceilings are 10 ft. The two rooms south of the exterior courtyard are vaulted from 9-13 ft.

Vertical hallway is 8 ft wide