



**REGULAR CITY COUNCIL MEETING
VIRTUAL MEETING HELD VIA WEBEX
AUGUST 10, 2020
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Pledge of Allegiance

Open forum

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Approval of the Minutes of the (1) Joint City Council/HRA/PC Work Session of July 20, 2020; (2) City Council Work Session of July 28, 2020; and (3) City Council Meeting of July 28, 2020.

PRESENTATIONS

1. Proclaim the month of August 2020 in celebration of the 100th Anniversary of the 19th Amendment in the City of Richfield.

AGENDA APPROVAL

2. Approval of the Agenda
3. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Consider a resolution adopting Affordable and Life-Cycle Housing Goals for 2021-2030 and re-enrolling in the Livable Communities Act Program.

Staff Report No. 90
 - B. Consider a resolution authorizing an Encroachment Agreement between the City of Richfield and Partnership Academy located at 6500 Nicollet Ave S., allowing Partnership Academy to install and maintain sport courts, playground equipment and other allowed improvements within the city's existing utility easement.

Staff Report No. 91
 - C. Consider the adoption of a resolution approving final Richfield 2040 Comprehensive Plan.

Note: The full 2040 Comprehensive Plan is available for review on the city's website

(www.richfieldmn.gov/compplan). The size of the document makes it impractical and technologically difficult to attach directly to this report.

Staff Report No. 92

- D. Consider the approval of the first reading of an ordinance that includes requirements for all persons using designated off-leash dog area(s) in City of Richfield Parks, and schedule a public hearing and second reading September 8, 2020.

Staff Report No. 93

4. Consideration of items, if any, removed from Consent Calendar

PROPOSED ORDINANCES

5. First reading of an ordinance establishing a prevailing wage policy for city funded capital projects with estimated costs of \$300,000 or more.

Staff Report No. 94

6. Consider an ordinance amending regulations pertaining to the installation of small wireless facilities and wireless support structures in the right-of-way and a resolution authorizing summary publication of said ordinance.

Staff Report No. 95

RESOLUTIONS

7. Consider the approval of an amendment to a conditional use permit to allow building renovations and site improvements at Hope Presbyterian Church, 7132 Portland Avenue.

Staff Report No. 96

CITY MANAGER'S REPORT

8. City Manager's Report

CLAIMS AND PAYROLLS

9. Claims and Payroll

COUNCIL DISCUSSION

10. Hats Off to Hometown Hits

11. 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 612-861-9738.



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Concurrent City Council, Housing and Redevelopment Authority and Planning Commission Work Session

July 20, 2020

CALL TO ORDER

The work session was called to order by HRA Chair Supple at 6:00 p.m. via Webex.

Council Members Present	Maria Regan Gonzalez, Mayor; Mary Supple; and Ben Whalen.
Council Members Absent:	Edwina Garcia; and Simon Trautmann.
HRA Members Present:	Mary Supple, Chair; Maria Regan Gonzalez; Sue Sandahl; Erin Vrieze Daniels; and Pat Elliott
HRA Members Absent:	None
PC Members Present:	Kathryn Quam, Chair; Jim Rudolph; Peter Lavin; Sean Hayford Oleary; and Brian Pynn
PC Members Absent:	Susan Rosenberg.
Staff Present:	Katie Rodriguez, City Manager; John Stark, HRA Executive Director/Community Development Director; Julie Urban, Housing Manager; Melissa Poehlman, Assistant Community Development Director and LaTonia DuBois, Administrative Assistant.
Others Present:	Brian Bochman, Enclave Development; Ryan Samsa, Enclave Development; Aaron Roseth, Enclave Development; Christopher Willette, ESG Architects; Neal Reardon, ESG Architects; and Bruce Hinks, property owner.

Item #1

**DISCUSSION OF A REVISED REDEVELOPMENT PROPOSAL FOR PROPERTIES
AT THE NORTHEAST CORNER OF 65TH STREET AND LYNDALE AVENUE (6439
LYNDALE AVENUE SOUTH, 6437 LYNDALE AVENUE SOUTH AND 415 – 64 ½
STREET).**

Assistant Community Development Director Poehlman provided background on the project and concerns Policy Makers discussed at previous work session.

Brian Bochman, Enclave Development, discussed requests and questions from residents and Policy Makers and changes proposed to parking structure, provided updated time line and status of current business owners and plans for relocation of those business looking to relocate in Richfield. Discussed how ESG Architects came in to help with ideas for more affordable options, how affordable housing would be addressed and the addition of affordable units.

Planning Commissioner Lavin inquired about the exit and entry of parking and traffic on 64 ½.

Brian Bochman explained exit and entry from and to Lyndale Avenue and explained the Lyndale Avenue exit and entry would likely be the quicker option and discussed the fire code requirements for parking.

Planning Commissioner Lavin expressed neighborhood concerns regarding traffic.

Council Member Whalen requested clarification regarding Tax Increment Financing and following the Inclusionary Housing Policy guidelines.

Brian Bochman explained how Natural Occurring Affordable Housing would come into play.

Council Member Whalen expressed desire for more resources to allow more affordable units opposed to Tax Increment Financing.

Executive Director Stark mentioned applications being submitted to the Met Council to seek additional funding. The current gap exceeds HRA's ability to fill.

Assistant Community Developer Poehlman inquired about ways to make the project work and about providing a smaller amount of affordable units to start the project but to seek additional funds to fill the gap to allow for more affordable and or accessible units.

Brian Bochman discussed high development costs and the desire to look into additional funding to allow more affordable units and the need to access financing for the project and the parking ratio setbacks to obtain a density rate while maintaining reasonable parking ratios.

Assistant Community Development Director Poehlman explained the parking requirements are Enclave's parking requirements not the Cities requirements, but Enclave parking requirements fall in line with the City requirements, Brian Bochman explained the reasoning for Enclave's parking requirements.

Council Member Hayford Oleary expressed thoughts that he believes this good project and improvement to the site, and stated concerns with design and would like to see the main entrances on Lyndale Avenue. He also stated concerns with the additional parking and funds being invested in parking versus affordable units.

Christopher Willette, ESG Architects offered design explanation regarding primary access points and stated willingness to look into other options. Discussed possible options if there was on street parking and discussed the commercial terrace area and opportunities for walk up spaces.

Mayor Regan Gonzalez expressed appreciation for efforts being made by City staff and the developers, and echoed concerns regarding the entrance into the neighborhood and amenities projecting into the neighborhood, and affordable housing desires.

Commissioner Sandahl inquired about plans for Lyndale Avenue and slowing traffic.

Assistant Community Development Director Poehlman stated an additional roundabout is planned for 65th and Lyndale Avenue and lanes being narrowed to slow traffic on Lyndale Avenue north of 66th Street. .

Chair Supple mentioned a chat message stating a reduction of the speed limit in the area has been approved.

Planning Commissioner Lavin inquired about who would occupy the commercial space.

Brian Bochman expressed desired tenants, but inability to predict.

Commissioner Sandahl inquired about access for commercial business.

Brian Bochman explained there would be access to the commercial spaces from the front walk up spaces and the rear.

Council Member Whalen echoed concerns with front and rear entry points and expressed his desire for affordability and that he would not be interested if there was not affordable housing.

Commissioner Vrieze Daniels echoed comments about affordability and she too would not approve without the affordable units.

Brian Bochman inquired about how other developments were able to provide affordable units.

Executive Director Stark explained the different ways other developers were able to provide affordable units.

Chair Supple echoed the desire to provide assistance to relocate current businesses in Richfield and for affordability.

Commissioner Elliott offered support to the developers and their efforts to work with Policy makers and residents.

Planning Commissioner Lavin echoed Commissioner Elliot's statements.

Commissioner Sandahl echoed Commissioner Elliot's position that this would be a good development for the City.

Executive Director Stark mentioned how other developments have adhered to the Inclusionary Housing Policy and mentioned some constraints in obtaining affordability.

Planning Chair Quam offered her support.

Planning Commissioner Rudolph also offered his support.

Chair Supple thanked the development team.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:57 p.m.

Date Approved: August 10, 2020

Maria Regan Gonzalez
Mayor

LaTonia DuBois
Administrative Assistant

Katie Rodriguez
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

City Council Work Session

Virtual meeting held via WebEx

July 28, 2020

CALL TO ORDER

The meeting was called to order by Mayor Regan Gonzalez at 5:45 p.m. held via WebEx

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Simon Trautmann; and Ben Whalen

Council Members Absent: Edwina Garcia

Staff Present: Katie Rodriguez, City Manager; Chris Regis, Finance Director; Kristin Asher; Public Works Director; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Senior Office Assistant

Item #1	REVIEW OF PRELIMINARY 2021 BUDGET, PROPOSED UTILITY RATES AND PROPOSED 2021 CITY FEES.
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City Manager Rodriguez reviewed the items to be discussed along with a brief overview of the presentations.

Director Regis gave a timetable of key events; key issues for 2021; reviewed the history of state aid provided; history of city reserves; 2021 proposed gross levy and history; 2021 proposed general fund budget; general fund revenues and expenditures; 2021 proposed levy estimated impact; and 2021 proposed budget.

Council Member Supple asked for clarification on the Recreation reserves and if the money will be paid back.

Director Regis confirmed the money will be paid back and their reserves will come back over time.

Mayor Regan Gonzalez questioned the reduction of existing debt/service tax levies and having to renew it annually.

Director Regis explained whenever a bond is issued; a proposed levy is laid out to maintain cash flows. Due to the pandemic, he reduced those levies but does not want to make a habit and will review in a year.

Mayor Regan Gonzalez asked if there was a possibility to not reduce the levies as much or at all.

Director Regis stated he believes the city has the capacity to reduce this year; however, it will most likely add a percentage point to the levy increase so they will be assessed on a case by case basis.

Mayor Regan Gonzalez recommended keeping an eye on the levy going forward with all of the unknowns.

Council Member Trautmann questioned how accurate the Cost of Living Adjustment (COLA) of 3% each year or if that would ever change.

Director Regis explained that historically, COLA is set at 3%. There have been a year here and there of less but it is extremely rare and the pay plan correlates with what the union contracted.

City Manager Rodriguez stated the 3% increase is contracted with the union.

Council Member Supple asked when the contract will be up and available for negotiations again.

City Manager Rodriguez said the contract will be up at the end of 2021.

Council Member Supple thanked Director Regis for the explanations of the LGA and reserves as they are very important when figuring in the CARES funding.

Council Member Whalen commented on the good questions from the discussions two weeks ago regarding the budget and believes it is the wrong move to not compensate staff as they deserve. He believes the budget looks much better than two weeks ago and is strongly opposed to cutting staff merit increases and benefit packages.

City Manager Rodriguez explained staff is still attempting to get costs down and refining the budget as much as possible.

Mayor Regan Gonzalez expressed appreciation for the discussion and consistent work between council and staff regarding the budget. She is glad to be a part of the process and being able to better understand the budget as a whole.

Council Member Whalen asked about a one-page budget summary.

City Manager Rodriguez confirmed staff is working on a template and clarity of numbers to fill it out properly.

Council Member Whalen believes it will significantly help to communicate to residents and have the ability to be clear and concise.

Council Member Supple expressed appreciation for the transparency that has occurred during this process which helps the council make good decisions.

Council Member Trautmann echoed all comments on the work Director Regis has done. He stated he is not looking to renegotiate employee salaries or anything of the sort but also does not believe that a 5.8% increase is not a win. The increase will put a lot of pressure on working families and believes staff should continue to look at priorities and be mindful of how to get that number lower.

Mayor Regan Gonzalez asked about varying viewpoints on the council regarding tax levy and at what point will there be more clarity.

City Manager Rodriguez believes there will be more clarity by August 10 and is hoping to have multiple options. There are some options but many dollars have already been negotiated. The city

does have some reserves and may have more after the CARES funding comes through. She reassured council that she is looking at all options and working diligently with staff to fit in as many priorities as possible.

Council Member Whalen thanked City Manager Rodriguez for her comments and believes it is absolutely a win to be able to gain all the necessities desired for \$4/person a month increase. He explained that renters can see \$50/month increases each year. He believes that if the city would like to offer more and better services, they come at a price.

Council Member Trautmann clarified he did not want to cut salaries or the new Equity Coordinator position.

Council Member Supple does not believe the council has all the information they need and thanks staff to continue to gather and relay information.

Mayor Regan Gonzalez expressed her gratitude for being able to have these necessary discussions.

Council Member Whalen appreciated Council Member Supple's point and is wondering about the dollar amount increase for residents and a possible ten year outlook.

Council Member Trautmann wondered if it is possible to create a fictional resident to see how the costs would affect the average resident.

Director Regis stated he can try but explained it may be hard since fees are always changing and it would take time to put together.

Director Asher walked through the utility fund-water and 2021 proposed rates of 2% along with 3% increase option; water fund outlook; and reviewed where Richfield stands compared to neighboring city water utility bills.

Council Member Supple asked if the city charges for water usage and water softening together or separate.

Director Asher explained they are combined into one charge. She then discussed the possibility of how to use the fixed cost collected; utility fund-wastewater; wastewater fund outlook; and where Richfield falls with sewer and neighboring communities.

Council Member Supple questioned if there is a fixed charge is not on wastewater.

Director Asher confirmed there is not one included with wastewater. There is only one fixed charge fee and it is listed with water. She then reviewed utility fund-storm water; storm water fund outlook; neighborhood city ranking; and utilities combined for the typical household. She also stated the street light user fee will remain unchanged.

City Manager Rodriguez gave a brief overview of some city fees that will increase but most will remain flat.

Director Asher explained she is looking for feedback on the water increase and how she is able to make 2% work if necessary.

Council Member Whalen appreciated the thoughtfulness that set the increase as low as possible but believes there still needs to be a fund and doing a 3% increase would be ideal.

Council Member Supple agrees that there should be a 3% increase.

Council Member Trautmann would still like clarity of the big picture containing all the fees to relay information easily to residents and how the fees will impact them.

Mayor Regan Gonzalez echoed comments made and would be comfortable with a 3% increase.

Council Member Whalen expressed how he would be comfortable with the proposed fee increases as it is accounting for the time and energy to complete the task and how they seemed to be minor changes.

Mayor Regan Gonzalez and Council Member Supple agreed with Council Member Whalen's comments and are fine with the proposed fee increases.

City Manager Rodriguez discussed her appreciation for the discussion and feedback from council.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:49 p.m.

Date Approved: August 10, 2020

Maria Regan Gonzalez
Mayor

Kelly Wynn
Senior Office Assistant

Katie Rodriguez
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Council Meeting Virtual Meeting held via WebEx

July 28, 2020

CALL TO ORDER

The meeting was called to order by Mayor Maria Regan Gonzalez at 7:00 p.m. via WebEx.

Council Members Present: Maria Regan Gonzalez, Mayor; Mary Supple; Ben Whalen; Edwina Garcia; and Simon Trautmann

Staff Present: Katie Rodriguez, City Manager; Mary Tietjen, City Attorney; Kristin Asher, Public Works Director; Jack Broz, Transportation Engineer; Jane Skov, IT Manager; Blanca Martinez Gavina, Executive Analyst; and Kelly Wynn, Senior Office Assistant

Others Present: Tasha Ostendorf, Human Rights Commission member; and Judy Moe, Richfield Disability Advocacy Partnership

PLEDGE OF ALLEGIANCE

Mayor Regan Gonzalez led the Pledge of Allegiance

OPEN FORUM

Senior Office Assistant Wynn reviewed the options to participate:

- Participate live by calling 612-861-0651 during the open forum portion
- Call prior to meeting 612-861-9711
- Email prior to meeting kwynn@richfieldmn.gov

Senior Office Assistant Wynn read a comment submitted by email by Allegra Smisek, 7500 Fremont Ave S:

As a Richfield resident, I am very encouraged to hear that the city is hiring someone to specifically focus on equity. However, "equity" has become a frequently used word by many people and institutions, and often its meaning is extremely varied or lost completely. It is important to me that the city council clearly define equity in a way that is highly inclusive. To me, an equitable institution would consider the perspectives and needs of BIPOC, the LGBTQ+ community, as well as residents of

differing ages, abilities, and countries of origin. I hope the council will consider these complexities in the interview process for this new position as well as the future work of the individual that is hired.

Lucianna Jane Wolfstone, 2500 W 66th St, thanked the council for honoring the disability community and asked the city to include everybody in the equity work.

APPROVAL OF MINUTES

M/Garcia, S/Supple to approve the minutes of the (1) City Council Work Session of July 11, 2020; (2) City Council Work Session July 14, 2020; and (3) City Council Meeting of July 14, 2020.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Garcia: AYE

Whalen: AYE

Motion carried 5-0

Item #1	PRESENTATION OF THE ADA PROCLAMATION
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Mayor Regan Gonzalez read the American's with Disabilities Act (ADA) Proclamation.

Tasha Ostendorf thanked the City Council, on behalf of the Human Rights Commission, for recognizing July as ADA awareness month. She stated with all the things the city has done, she also wanted to emphasize the ongoing efforts to be inclusive.

Judy Moe expressed her gratitude for the council recognizing the 30th anniversary of the ADA. She then gave an informative background of how the ADA came to be and the extraordinary measures people went through to end exclusion and segregation.

Senior Office Assistant Wynn read many comments from community members which are included in a document at the end of the minutes. Comments were submitted by the following Richfield residents:

- Lee Ohnesorge 7717 Chicago Ave
- Ricardo Perez, 7228 Girard Ave S
- Travis and Jerry Fladmark, 6615 Lake Shore Drive S
- Crystal Brakke, 7015 Columbus Ave
- Bonnie Tortorice, Richfield resident
- Carolyn Martinez, 7204 16th Ave S

- Lisa and Jim Rudolph, 6726 17th Ave S
- Faviola Martinez de Estrada with La Red Latina de Education Temprana MN
- Kristi and Joe Carr, 6304 Blaisdell Ave
- Kim Houle, Richfield resident
- Linda Crear, 7117 Garfield Ave S
- Michelle Ndely, 7304 Garfield Avenue
- Gordon Hanson, 6311 Sheridan Avenue South
- Jennifer Ott, Richfield resident
- Lester Bauer, Richfield resident
- Stephanie Mockobee, Richfield resident
- Anne Flake, 7244 12th Ave S

Council Member Garcia thanked everyone for their comments. She also thanked Judy Moe for being such a fantastic mentor and bringing a realization to what the ADA does and doesn't do. She stated how Judy has become a leader in the community.

Council Member Supple extended her gratitude for sharing all the information and individual feelings. She thanked everyone for their advocacy. She is happy to say accessibility is now in discussions for transportation, playgrounds and housing.

Council Member Trautmann thanked Judy Moe for her contributions to the community. He stated how Judy has become very important and effective. He is appreciative of her presence in his life and in the disability community.

Council Member Whalen echoed his fellow council member's comments. He confirmed there is much work for the city to do to make it entirely inclusive. He spoke of how the Equity Coordinator position will be a part of the budget and there will be discussions of what the position will look like.

Mayor Regan Gonzalez expressed her feelings along with all council members. She spoke of what an honor and gift it is to grow leadership within the community and all that R-DAP has done with in Richfield. R-DAP is a huge asset for the City of Richfield and the ability to work together to continually build infrastructure.

Item #2	APPROVAL OF THE AGENDA
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M/Whalen, S/Trautmann to approve the agenda

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Garcia: AYE

Whalen: AYE

Motion carried 5-0

Item #3	CONSENT CALENDAR
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City Manager Rodriguez presented the consent calendar.

- A. Cancel the public hearing to consider the platting and vacation of easements at 6228 Penn Avenue South and 6200 Queen Avenue South (Lunds & Byerlys) (Staff Report No. 89)

M/Garcia, S/Supple to approve the consent calendar.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Garcia: AYE

Whalen: AYE

Motion carried 5-0

Item #4	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM CONSENT CALENDAR
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None

Item #5	CONSIDER THE APPROVAL OF THE SECOND READING OF AN ORDINANCE AMENDING SUBSECTION 210.01 OF THE CITY CODE RELATED TO CITY COUNCIL SALARIES (STAFF REPORT NO. 86)
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Council Member Trautmann presented staff report 86.

M/Trautmann, S/Whalen to approve the second reading of the ordinance amending Subsection 210.01 of the City Code related to City Council salaries.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Garcia: AYE

Whalen: AYE

Motion carried 5-0

Item #6	CONSIDER THE APPROVAL OF: (1) THE PRELIMINARY DESIGN LAYOUT OF 65TH STREET FROM NICOLLET AVENUE TO 66TH STREET/RAE DRIVE, INCLUDING THE LYNDAL AVENUE PEDESTRIAN IMPROVEMENTS BETWEEN 64TH STREET AND 66TH STREET AS RECOMMENDED BY THE TRANSPORTATION COMMISSION; AND (2) A CONTRACT, NOT TO EXCEED \$439,804, WITH KIMLEY HORN AND ASSOCIATES, INC. FOR FINAL DESIGN ENGINEERING OF THE 65TH STREET RECONSTRUCTION PROJECT BETWEEN NICOLLET AVENUE AND 66TH STREET/RAE DRIVE, INCLUDING THE LYNDAL AVENUE PEDESTRIAN IMPROVEMENTS BETWEEN 64TH STREET AND 66TH STREET. (STAFF REPORT NO. 87)
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Council Member Supple read staff report 87.

Senior Office Assistant Wynn read comments submitted by (1) Amanda Vetsch, 6332 Pillsbury Ave; and (2) Ginny Morin, 6415 Pillsbury Ave S. These comments are included at the end of the minutes

Assistant Wynn then played voicemails submitted by (1) William Buttedal; and (2) Katherine Eckelberry. These messages are transcribed and included at the end of the minutes.

Transportation Engineer Broz gave a presentation regarding guiding principles, the five open houses, comments gathered from residents, project measures, amenities desired, proposed pedestrian facilities, proposed flood improvement, next steps upon approval.

Mayor Regan Gonzalez asked for discussion on the traffic mitigation and the concerns families have by traffic coming into the area from the HUB.

Transportation Engineer Broz explained the intersection design will not allow drivers to head straight north out of the HUB parking lot. Drivers will need to turn right or left so traffic will not be coming directly into the area.

Council Member Trautmann asked for an explanation for residents as to why this intersection change will be beneficial for residents.

Transportation Engineer Broz discussed as they looked at existing conditions and the only entrance to that neighborhood is to go up Pleasant and that is a narrow one way street for access. He spoke of a study done regarding opening all the streets or other streets and gathered much feedback. He believed they will be making an impact in equity by providing this access.

Council Member Supple asked for a timeline and if there would be potential flooding remedy.

Director Asher explained the storm water portion would be done alongside the construction but will need to work with the HUB and their construction.

Council Member Supple then inquired about planning regarding Richfield Lake.

Director Asher stated they are starting to engage in conversations regarding those plans.

Council Member Whalen spoke of the community concern of flooding in Richfield Lake and if there is an answer for that issue.

Director Asher clarified the water that goes into Richfield Lake, would just get there sooner and they wouldn't see much of a difference. Some problems would be consistent clearing near the entrance to Wood Lake so it doesn't get worse.

Council Member Whalen proposed the opening up of Pillsbury is the right move along with the barrier to prevent some traffic. He spoke of how children are on every street and safety is always a concern. Traffic was originally diverted to allow homes to have cul-de-sacs and quieter streets. He then addressed the resident's concerns of being worried about losing biking for children and explained they will be gaining access to a nearby bike trail.

Council Member Trautmann thanked staff and the Transportation Commission for making accessibility an importance around Richfield. He spoke of how change is not easy but things such as this will make the city more equitable.

M/Supple, S/Whalen to approve (1) the preliminary design layout of 65th Street from Nicollet Avenue to 66th Street/Rae Drive, including the Lyndale Avenue pedestrian improvements between 64th Street and 66th Street as recommended by the Transportation Commission; and (2) the contract, not to exceed \$439,804, with Kimley Horn and Associates, Inc. for final design engineering of the 65th Street Reconstruction Project between Nicollet Avenue and 66th Street/Rae Drive, including the Lyndale Avenue pedestrian improvements between 64th Street and 66th Street.

Council Member Supple expressed her gratitude for the re-design of the section along Lyndale Ave regarding additional on-street parking and changes with pedestrian crossings.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE

Supple: AYE

Trautmann: AYE

Garcia: AYE

Whalen: AYE

Motion carried 5-0

Item #7	CONSIDER THE APPOINTMENT TO THE PLANNING COMMISSION OPENING (STAFF REPORT NO. 88)
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Mayor Regan Gonzalez read staff report 88. She stated she was excited to speak with all the applicants and what a great opportunity it was see what leadership lives within the city. She also detailed what the council is looking for in commissioners.

M/Regan Gonzalez, S/Trautmann to appoint Brett Stursa as a member to fill the vacant term on the Planning Commission.

Council Member Supple thanked everyone who interviewed and she is confident Brett will do a great job.

Council Member Whalen agreed Brett will be great for this position. He then spoke of how wonderful all the applicants were and hope to continue to see them in the community and on future commissions. He feels honored to have so many people who are excited to help their community.

Council Member Trautmann is excited to welcome to Brett Stursa. He then thanked everyone who applied especially new residents; great to see so many getting involved.

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Garcia: AYE
 Whalen: AYE

Motion carried 5-0

Item #8	CITY MANAGER'S REPORT
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City Manager Rodriguez spoke of the Executive Order Governor Walz issued regarding the mask mandate for all indoor business and public places. This order will include all city buildings. She referenced the Minnesota Department of Health has a great frequently asked questions area on their website for more information.

Item #9	CLAIMS AND PAYROLL
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M/Garcia, S/Supple that the following claims and payrolls be approved:

U.S. Bank	07/28/2020
A/P Checks 289288 - 289699	\$ 1,339,648.17
Payroll: 155706 - 155993	<u>702,386.79</u>
TOTAL	\$ 2,042,034.96

Executive Analyst Martinez Gavina took roll call vote:

Regan Gonzalez: AYE
 Supple: AYE
 Trautmann: AYE
 Garcia: AYE
 Whalen: AYE

Motion carried 5-0

Council Member Garcia excused herself from the remainder of the meeting at 8:51 p.m.

Item #10	HATS OFF TO HOMETOWN HITS
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Council Member Whalen reminded residents the next council meeting will be Monday, August 10 and how residents are able to vote by mail and vote early. He then thanked city staff for gathering comments regarding the police department manual. He also referenced the Richfield mini-golf course, free on Wednesdays for 11 and under. There is a Facebook post that has coupons available.

Council Member Supple explained the city is looking for census volunteers and encouraged residents to fill out their census. Residents can contact Blanca Martinez Gavina by phone at 612-861-9715 or email at bmgavina@richfieldmn.gov. She then spoke of the Richfield ice arena construction is coming to a close and should be ready for use on August 10. Council Member Supple also reminded residents the Night to Unite will be moving from September to October. She then encouraged residents who are looking for ways to be more involved; to go on the city website of how to participate in commission meetings.

Council Member Trautmann expressed his gratitude to the Edina Fire Department and their living saving techniques provided to Chief Kewitsch.

Mayor Regan Gonzalez added to Council Member Supple's comments on the census and the city is also in need of shift managers to provide assistance in managing shifts throughout the project. She explained there is only one chance to do this every 10 years; the community really suffers when undercounted.

Item #11	ADJOURNMENT
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The meeting was adjourned by unanimous consent at 8:59 p.m.

Date Approved: August 10, 2020

Maria Regan Gonzalez
Mayor

Kelly Wynn
Senior Office Assistant

Katie Rodriguez
City Manager

ADA PROCLAMATION COMMENTS

My name is Lee Ohnesorge and I use a wheelchair full-time. I have lived in Richfield for 30 years.

That being said, we need many more zero threshold accessible housing, including bathroom showers.

The ada is not a suggestion for what we, the most vulnerable people, need for housing.

I want Richfield to be an accessible community from all angles.

We are only temporarily able-bodied.

Anyone can become disabled at any time!!!

We, the disability community is part of Richfield and require a seat at the table when matters like this are in discussion.

Thank you for your time, Lee Ohnesorge
7717 Chicago Ave, the Towers

Good evening,

Please see below my comment for the meeting described on the subject line.

I am a resident of Richfield at 7228 Girard Ave S

"Dear mayor and city council, my name is Ricardo Perez, I am a resident of Richfield and I am writing with two important issues:

1) Please add people with disabilities, non-English speaking community and GLBTQIA+ community in your efforts to learn about inclusivity. In order for us to learn and adapt to serve the community that lives in Richfield, we need to be inclusive in who and how we are reaching out to people with different capacities. Intentionality matters now, more than ever. Please show us with actions your intentions to be an inclusive city.

2) Please continue your efforts in ensuring the community is able to participate in the decision making process in our city, especially when our tax dollars are being used to fund projects that impact all of us now and years to come. Please ensure you are doing everything possible to open a window for the community to communicate with you. Not doing so, represents a big failure. The pandemic is not going away any time soon, please adapt and be innovative about how, where, in what languages, in which platforms you are allowing people to learn about your meetings and how to actively participate in them.

Thank you for your time."

Dear Mayor Regan Gonzalez and council members,

We understand that today a proclamation celebrating the month of July as the 30th Anniversary of the passing of the Americans with Disabilities Act.

We are writing in for the public forum today to show support for the disability community in our city and ask that you include all people in your equity work goals.

This includes the GLBTQIA+ community, the disability community, seniors, non-English speakers, people of color, the indigenous community, and every other community that makes up our diverse city.

It is imperative that this is made a priority in all areas of our city.

Thank you Mayor, for recognizing the 30th Anniversary of the passing of the Americans with Disabilities Act.

Sincerely,
Travis and Jerry Fladmark
6615 Lake Shore Drive S, Unit 910
Richfield, MN 612-224-4466

I am writing to share appreciation for the proclamation taking place at tonight's meeting to mark the 30th anniversary of the Americans with Disabilities Act. This was a landmark piece of civil rights legislation and one that deserves recognition.

True access and inclusion for people with disabilities is something we all need to keep working on and working for because the ADA is not a panacea. This is true at the city level, in our schools, and in every aspect of our society. We all need to hold ourselves accountable for ensuring that when we set goals and report outcomes, people with disabilities are included and reflected in our work. We also need to pay special care to the ways in which disability powerfully intersects with race, class, language, and other identities and center in our efforts the voices and power of those who experience this reality on a daily basis.

A Supreme Court justice once said, long ago, that sunlight is the best of disinfectants - meaning that shining a light on injustice and disparities should theoretically lead to action and justice. Unfortunately we all know that isn't always the case, but I still think it's what we should be striving for. I appreciate those in our community who are leading these efforts and challenging us to be better and do better. Thank you for your time tonight.

Crystal Brakke
7015 Columbus Avenue in Richfield
Dear Mayor Maria Regan Gonzalez and council members,

We understand that today is a proclamation celebrating the month of July as the 30th Anniversary of the passing of the Americans with Disabilities Act.

We are writing in for the public forum today to show support for the disability community in our city and ask that you include all people in your equity work goals.

This includes the GLBTQIA+ community, the disability community, seniors, non-English speakers, people of color, the indigenous community, and every other community that makes up our diverse city.

It is imperative that this is made a priority in all areas of our city. The inclusive playground is fantastic, but policy must be inclusive as well.

We love having neighbors who support each other, schools that foster growth and a community that welcomes all.

Thank you Mayor, for recognizing the 30th Anniversary of the passing of the Americans with Disabilities Act.

Sincerely,

- Bonnie Tortorice
- Carolyn Martinez (7204 16th Ave S)
- Lisa and Jim Rudolph (6726 17th Ave S)
- Faviola Martinez de Estrada (La Red Latina de Education Temprana MN)
- Kristi and Joe Carr - Joe, is the one that has an amazing lemonade stand every year for Gillette Children's. This year due to Covid we had an un-lemonade stand last week and raised over \$10,725 for Gillette more than doubled our last year's donation. (6304 Blaisdell Ave.)
- Kim Houle
- Linda Crear (7117 Garfield Ave S)

Dear Mayor Regan Gonzalez and Council members,

Thank you for your upcoming celebration of the 30th Anniversary of the passing of the Americans with Disabilities Act. As you know, for families and people living with disabilities, this was a momentous and life-changing Act.

I am writing in for the public forum today asking that you extend your commitment to equity in our city to include an intersectional analysis, better capturing all people, most especially those who are living with disability, and who may also suffer at the intersections of race, class, gender, religion, sexual orientation, language, ethnicity, age etc. It has been well established that the best way to understand how diversity plays out experientially, is to look not only at a single categorical variable, but also at the intersections of these identifiers.

I ask that this lens is at the center of our city's approach to problem solving around equity & inclusion. We have an incredible community and culture here in Richfield, and it is imperative that we ensure, through nuanced and accurate analysis, that this culture is experienced by all who call Richfield home.

Thank you Mayor, for recognizing the 30th Anniversary of the passing of the Americans with Disabilities Act. I look forward to witnessing how Richfield takes action.

Sincerely,
Michelle Ndely

Dear Mayor Regan Gonzalez and City Council Members,

Thank you for recognizing the 30th anniversary of the passage of the Americans with Disabilities Act with a proclamation to be presented at tonight's meeting. The passage of this act was a milestone achievement in the recognition of our fellow citizens who live with disabilities, and I believe it is important to rededicate ourselves to standing united with the disability community.

Tonight's proclamation serves as a good reminder of our mission to stand in common purpose with the disability community. I ask that the City's future equity work goals recognize all people, including the disability community. The disability community is an important part of the rich diversity of our city.

In closing, thank you again for recognizing the 30th Anniversary of the passage of the Americans with Disabilities Act.

Gordon Hanson (6311 Sheridan Avenue South)

Dear Ms. Gonzalez,

I want to Thank you for the Recognition of the 30 th Anniversary of the Americans with Disabilities Act. I can't think of a more deserving person than Judy Moe to receive this recognition on behalf of the disabled citizens of Richfield. Judy has been a wonderful resource and emotion support to many of us. I am a lifelong Richfield resident. My dad's Minneapolis home was bought out by the airport and he was the very first Graduating class of Richfield. I graduated in 1981 , moved and moved back to Richfield when I got married. Our son graduated from Richfield in 2020.

After being misdiagnosed for 25 years we realized that I had MS. Within 2 years I had an MS episode that resulted in a stroke that weakened my right side and has now left me confined to a wheelchair.

I met Judy 3 years ago after filing complaints on the way I was rudely treated multiple times by the Richfield EMTs. They denied everything my family said had happened. When I spoke to the fire chief I reminded him that when people call them they are at their most vulnerable and deserve their Respect.

Respect is fluid when you are a part of the Disabled Community.
Am I going to welcomed? Will I be judged by my disability?
As a Homeowner and taxpayer you would hope that access to your community is a given but many times it is Not.

Our Citizens each have their own strengths and challenges. A strong Community respects those challenges makes it safe and inclusive. When we make it inclusive for one we make it possible for many to become involved.

Please remember that not all disabilities are visible but that does not make those citizens any less valuable.

I Love living in Richfield. Let's continue to grow and respect all who reside here.
Sincerely,
Jennifer Ott

Dear Mayor Regan Gonzalez and Members of the Richfield City Council,

I am writing today regarding the 30th Anniversary of the passing of the Americans with Disabilities Act.

My wife and our son with disabilities moved to Richfield in 2010 and in the past 10 years we have grown to love the city of Richfield for many reasons, wonderful neighbors, opportunity for our son to participate in church as a volunteer with Sunday School and communion server, helping at PennFest and walking in the Richfield Urban Wildland Run/Walk event as a fundraiser for the Richfield Historical Society.

I have been an active advocate for disabilities for nearly forty years at the capital, as a 10 year board member and President of Arc Minnesota, and a member of the State Quality Council at the Department of Human Services. I am also on the Institute of Community Integration Advisory Council at the University of Minnesota. This experience has helped me to understand the needs of people with disabilities and the achievements of the ADA over the past 30 years.

Richfield has done a fine job of inclusion for the many groups who have been denied the opportunity to be included in the very day to day activities that help each of us have a Quality of Life. The job is not finished and we must actively work to help every person, persons with disabilities, non-English speakers, and people of color, the indigenous community, the GLBTQIA community and every other member of our community that makes up our diverse city.

During the past 30 years the ADA has not only made walking on streets and getting into buildings easier but it has disrupted the biases that marginalized disability communities for centuries.

Thank you for your presentation to Judy Moe in recognition of the 30th Anniversary of the ADA and for her long time work to improve and give a voice to people in our community who are unable to speak for themselves.

Sincerely,
Lester Bauer
Richfield Resident

Hello,

I want to send kudos to our Judy Moe of the Richfield Disability Awareness Partnership work.

We are aware that the 1990 Americans with Disabilities Act had to be passed because the 1964 Civil Rights Act did not include discriminating against people with disabilities.

I am grateful for Judy Moe's work with R-DAP. I know that I am grateful for the efforts towards inclusion of Everyone which the Civil Rights Act, the ADA, and currently the demonstrators and protestors are making. It is all towards realizing and accepting that we are all out here on this ball in space called Earth, together. And that each person, no matter how differently we look, or walk, or communicate, has EQUAL WORTH and deserves to reach their full potential towards the best quality of life they can achieve, unimpeded by their fellow man, woman or child.

I encourage us All to make efforts to accept the fact that WE ARE ONE, WE ARE ALL HUMANKIND. And we need to care about one another's welfare. Because when we Each take our last breaths, leave the life in the body we are in, and transition to the Unknown, all that we really take with us is how we treated each other.

Thank you, and I hope this recognition gives you some much needed wind beneath your wings, Judy, and Mayor, and really Everybody!

Stephanie Mockobee, Resident Richfield, MN

To the Richfield City Council,

Thank you so much for recognizing the importance of the Americans with Disabilities Act as an invaluable tool that allows many people, who would otherwise be excluded, access to our community life. I appreciate our city's devotion to meeting the needs of all marginalized people, and to making the lives of our citizens better every day.

Sadly, many people do not realize that disability is an issue that crosses all social, political, racial, gender, and economic lines. It affects children and adults, as well as the families who love and care for them. What we want more than anything is for our families, all of us, to be included in the community life we love here in Richfield.

To that end, I would love to see Richfield make experience with the disability community, a factor when choosing a candidate for the position the council is currently creating in order to promote equity.

I'm sure all of you know that our disabled community is always at risk and that they are a vulnerable population often overlooked when addressing a sea of inequity, all of which is important and should be rectified.

My family, which includes children with disabilities, is so grateful for your ongoing concern, support, and dedication to all our citizens.

Thank you,

Anne Flake (7244 12th Ave S, Richfield)

This comment came to me after the meeting had started so it was not read:

Respectfully Mayor Regan Gonzalez & Richfield City Council Members,

My name is Lucianna Jane Wolfstone. I live in FRASER Sheridan Court at 2500 W 66TH ST, APT # 308, Richfield, MN 55423, which is a 30 unit building set aside for people with Developmental Disabilities only. I am Autistic, Anxious/Depressed, Left-Handed, a Bibliomaniac (5,000+ books in a one-bedroom apartment), as well as being an Adult with both a Learning Disorder (Dysgraphia) and a Hoarding Disorder. I am also part of the following communities: European-American, Messianic Jewish, Autistic, Cat-Lady, and TransFeminine. If you would like to know more about what it is like to live with this variety of intersectionalities and abilities, please ask me. I would love to volunteer my assistance however I can with what I know and what I have experienced.

I understand that there will be a proclamation made tonight honoring the month of July 2020 as the 30TH Anniversary of the passing of the Americans with Disabilities Act (ADA).

I am writing in for the public forum today to show my very personal support for the Disability Community in our city and elsewhere in America. I sincerely ask that you explicitly and concretely include all people in your equity work goals. Also I ask that you would consider intersectional identities when you reach out to different demographics of people. After all, not a single life is simple or is entirely confined to only one category.

All People includes, but is not limited to: the LGBTQIA+ Community (aka Sexual, Gender, & Relationship Minorities (SGRM)); the Disability Community; the Autistic Community; People Who Strive

for Mental Wellness; People who are Left-Handed or Ambidextrous; People of All Ages; Non-English Speakers; the Community of Black, Indigenous, and People of Color (BIPOC); People of all Religions, Faiths, and Spiritualities or None at all; Cat-Ladies; and every other community that makes up our widely diverse city.

It is imperative that actions toward complete inclusivity be made a priority in all areas of our wonderful city.

Thank you Mayor, for recognizing the 30th Anniversary of the passing of the Americans with Disabilities Act.

Sincerely,
Luci Wolfstone.

FRASER Sheridan Court
2500 W 66TH ST, APT # 308
Richfield, MN 55423

763-898-8579

AGENDA ITEM 6 (65TH STREET) COMMENTS

Hello- I live at 64th and Pillsbury. I strongly strongly object to changing the intersection at 65/Pillsbury to a 2-way street. It would be entirely unfair to this street bear the burden of all in/out traffic for this side of the neighborhood.

We already have much higher traffic due to our street being the only west access for all of the apartment buildings- additionally, we have no 4-way stops on Pillsbury or 64th, making every intersection significantly less safe than others around. if you are going to expand outlets, please expand on a different street!

We have so many children on this block, not just from single family homes, but from the apartment buildings as well. Right now, all of these children have a relatively safe and cloistered area to bike and explore without a huge threat from traffic. During the school year, dozens walk up and down 64th to their bus stops, every morning and night. And the large majority of them come from or cross Pillsbury to do so. I am telling you- this intersection is already the sketchiest part Of any elementary kid's daily travels.

I have lived here for 9 years, and My taxes go up every single year- about 4,000 this year. That's more than \$300 a month- pretty high for a single working mother. But I pay that without objection to help preserve and service the community of Richfield. I love my neighborhood, my town, and my street. I believe my voice should matter in these decisions. I object to our tax money being used to bring even more traffic to our street. Please don't hurt the character of our neighborhood.

Thank you,
Amanda Vetsch
6332 Pillsbury Ave.

I am writing you to express my extreme disappointment and objection to the plans that are being considered for Pillsbury Avenue. I have included the two officials from the letter that was sent and also Ms. Garcia as our direct Councilperson and Ms. Regan as our Mayor. I am including the other council people as well to ensure that our neighborhood's stance/objections, and especially those on the block most affected by this proposal, are accurately conveyed.

First, I feel deceived. At the last block party, not even 365 days ago, we were assured that this issue would not even be considered for two to three years. Yet here we are, 11 months later, the commission has made recommendations and you loop the residents of this area in at the 11th hour.

My biggest objection to this change is that there literally is no reason for it. This area is not a destination to which those not going to or from a home here need additional access points. What it does do is destroy a neighborhood by adding into the mix of homes and children playing and neighbors creating "the urban hometown" a bunch of impatient drivers looking for a quick way around the mess made of our streets by reducing everything to one lane and unused bike lanes. On the block that you are considering making this change, there are FIFTEEN children. That's fifteen balls that can inadvertently bounce into the street or children who are learning to ride their bikes having to dodge impatient drivers without any business to be in this neighborhood except that they are looking for a way to zip through down in route to somewhere else. By and large not considering who lives there and what to encounter because they are set on just getting somewhere else.

I have heard it argued that it alleviates traffic on Pleasant, the one way street to the west of Pillsbury. Yet there is nothing to suggest that traffic on that street is the result of people heading to their home in this neighborhood. Any traffic is just as likely if not more so to be from the 12+ apartment buildings that reside on that street and those residents using Pleasant to access their own homes. When you consider that each building has a minimum of 12 units, if even half of the residents have a vehicle that comes and goes 2 times a day (once leaving and once returning), that is quite a bit of traffic. At a conservative estimate, this is 288 car encounters per day. Legitimate traffic that opening up Pillsbury does not alleviate. What did the study that you did on the traffic there show? What did the study that you did on Pillsbury traffic show?

I have also heard it argued that this used to be a 2 way street. And? The taxes also used to be a lot lower. Are we rolling those back too? It's a ridiculous argument at best because it doesn't consider that it was closed off for a reason.....because it's NOT a destination that needs to accommodate traffic coming and going from multiple points. It's a neighborhood. An urban HOMETOWN that deserves to be protected by those representing it.

I know that this council has been at odds with this neighborhood for some time over the garage issue. Do not let that cloud your judgement on doing what is right and rejecting this proposal. It does NOT serve this neighborhood and only stands to make Richfield residents less safe by knowingly rerouting impatient traffic heading somewhere else through a 100% residential neighborhood pocket.

Respectfully,

Ginny Morin
6415 Pillsbury Avenue S

Voicemail from William Buttedal, 6401 Wentworth Ave S: I do totally approve of your final plan of leaving Wentworth and Blaisdell along and converting Pillsbury, it makes a lot of sense. I would like to make one other comment about 66th Street: I don't know why that wasn't made two lanes, all the way both ways. The single lane traffic on 66th Street all the way back to Nicollet Ave or Lyndale on a bus line, make no sense. The city took up all that space for bike lanes that nobody uses; there are not 10 bikes that go up and down that street all day and there are 10,000 cars, it makes no sense. There should be a bus lane on 67th Street.

Voicemail from Katherine Eckelberry, 6409 Pillsbury Ave: I am calling regarding the consideration to open up Pillsbury Ave to a two way street. We have six children and they bike along that street to the circle and back. We have small children that range in age and I absolutely do not want to see that opened up into a two-way. There is no reason to do so. Everybody is just fine being able to get out and it is a waste of money along with a huge safety issue. I am not the only household with children on this street and all the families ride down the street. It is not a good idea and would like to see this stopped.



Proclamation of the City of Richfield

WHEREAS, the bold, courageous and powerful women who fought for the 19th Amendment to the United States Constitution, which was ratified on August 18, 1920, deserve special celebration by the city of Richfield, especially on the 100th anniversary of its ratification; and

WHEREAS, Minnesota was the 15th state to ratify the 19th Amendment on September 8, 1919; and

WHEREAS, the fact that today women are active in local, state and federal government and are running for office in unprecedented numbers reminds us that we all follow in the footsteps of these resolute American suffragists; and

WHEREAS, the United States of America has yet to ratify the Equal Rights Amendment, originally written by suffragette Alice Paul in 1923, showing there remains more progress to be had; and

WHEREAS, it is of importance to acknowledge that though women of color rallied alongside white suffragettes, many women of color remained disenfranchised by racist policies until the mid to late 20th century.

WHEREAS, we must look to our history to help us understand the struggles around voting rights and voter suppression in the United States today; and

WHEREAS, the Richfield City Council and staff identified celebrating diversity and being equitable as core values, recognizing that our diverse culture is one of our greatest strengths and assets; and

WHEREAS, the Richfield Human Rights Commission supported this proclamation at its XXX, meeting and recommended the Richfield City Council do the same; and

Now, THEREFORE, I, Maria Regan Gonzalez, mayor of Richfield, on behalf of the Richfield City Council, do hereby proclaim the month of August 2020 as Honoring the 100th Anniversary of the 19th Amendment in the City of Richfield and call on the people of Richfield to observe this month with appropriate programs, activities, and ceremonies, and continue to support voting rights throughout the year.

PROCLAIMED this 10th day of August, 2020.

Maria Regan Gonzalez, Mayor



STAFF REPORT NO. 90
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Julie Urban, Housing and Redevelopment Manager

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
8/4/2020

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider a resolution adopting Affordable and Life-Cycle Housing Goals for 2021-2030 and re-enrolling in the Livable Communities Act Program.

EXECUTIVE SUMMARY:

The Livable Communities Act (LCA) provides funding for communities to invest in local economic revitalization, housing initiatives, and development or redevelopment that connects different land uses and transportation. The program is a voluntary, incentive-based approach to help communities grow and redevelop and to address the region's affordable and life cycle housing needs.

There are three components to participate in the program:

1. Adopt affordable and life-cycle housing goals.
2. Establish a Housing Action Plan.
3. Spend an affordable and life-cycle housing opportunity amount (ALHOA).

The City has been a participant in LCA since its inception in 1995. Goals are established over a 10-year period, and the City must adopt housing goals for 2021-2030 in order to continue participating and be eligible to apply for the various funding opportunities.

The Met Council has established the City's affordable housing goal for 2021-2030 as a range of 67 to 121 units and its life-cycle housing goal as 400 units. A range is provided for the affordable units in recognition of the fact that the estimated funding levels for 2021-2030 can only support the construction of about 45% of the forecasted need for affordable housing.

RECOMMENDED ACTION:

By motion: Adopt a resolution adopting Affordable and Life-Cycle Housing Goals for 2021-2030 and re-enrolling in the Livable Communities Act Program.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The LCA was created in 1995 to further the creation of affordable and life-cycle housing across the metropolitan region. The Metropolitan Council establishes affordable and life-cycle housing goals for

each community, based on overall needs in the metropolitan area, and requires each community to adopt these goals in order to access LCA funding. The City has been a participant in the LCA since its inception.

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

- The LCA funds community investment that revitalizes economies, creates affordable housing, and links different land uses and transportation. LCA's voluntary, incentive-based approach leverages partnerships and shared resources to help communities achieve their regional and local goals.
- LCA affordable housing goals are established for each community based on the regional need for low and moderate income housing, defined by the Metropolitan Council as 80% of the Area Median Income (\$75,500 in 2019).
- LCA life-cycle housing goals are based on the amount of land communities have guided for multi-family housing in their Comprehensive Plans and the density at which communities expect that land to develop.

C. CRITICAL TIMING ISSUES:

- The goals must be adopted by November 15, 2020, in order to participate in the LCA in 2021.
- A Housing Action Plan will need to be adopted in 2021.
- The Metropolitan Council will hold a public hearing and adopt participating communities' goals in December 2020.

D. FINANCIAL IMPACT:

- The City is also required to spend a specified amount of funds each year on affordable and life-cycle housing, known as the Affordable and Life-cycle Housing Opportunity Amount, or ALHOA. The City has always far-exceeded the ALHOA required by the LCA.
- Participation in the LCA makes the City eligible to apply for Livable Communities Demonstration Account (LCDA) funds. The City has received numerous LCDA awards for various projects, including Lyndale Gardens, The Chamberlain, RF64, and most recently, 6501 Penn Avenue.

E. LEGAL CONSIDERATION:

None.

ALTERNATIVE RECOMMENDATION(S):

Decide not to adopt Affordable and Life-Cycle Housing Goals and decline to participate in the LCA Program in 2021.

PRINCIPAL PARTIES EXPECTED AT MEETING:

NA

ATTACHMENTS:

Description	Type
□ Resolution	Resolution Letter

RESOLUTION NO. _____

**RESOLUTION ELECTING TO PARTICIPATE IN
THE LOCAL HOUSING INCENTIVES ACCOUNT PROGRAM
UNDER THE METROPOLITAN LIVABLE COMMUNITIES ACT**

CALENDAR YEARS 2021 THROUGH 2030

WHEREAS, the Metropolitan Livable Communities Act (Minnesota Statutes sections 473.25 to 473.255) establishes a Metropolitan Livable Communities Fund which is intended to address housing and other development issues facing the metropolitan area defined by Minnesota Statutes section 473.121; and

WHEREAS, the Metropolitan Livable Communities Fund, comprising the Tax Base Revitalization Account, the Livable Communities Demonstration Account, the Local Housing Incentive Account and the Inclusionary Housing Account, is intended to provide certain funding and other assistance to metropolitan-area municipalities; and

WHEREAS, a metropolitan-area municipality is not eligible to receive grants or loans under the Metropolitan Livable Communities Fund or eligible to receive certain polluted sites cleanup funding from the Minnesota Department of Employment and Economic Development unless the municipality is participating in the Local Housing Incentives Account Program under Minnesota Statutes section 473.254; and

WHEREAS, the Metropolitan Livable Communities Act requires that each municipality establish affordable and life-cycle housing goals for that municipality that are consistent with and promote the policies of the Metropolitan Council as provided in the adopted Metropolitan Development Guide; and

WHEREAS, a metropolitan-area municipality can participate in the Local Housing Incentives Account Program under Minnesota Statutes section 473.254 if: (a) the municipality elects to participate in the Local Housing Incentives Program; (b) the Metropolitan Council and the municipality successfully negotiate new affordable and life-cycle housing goals for the municipality; (c) the Metropolitan Council adopts by resolution the new negotiated affordable and life-cycle housing goals for the municipality; and (d) the municipality establishes it has spent or will spend or distribute to the Local Housing Incentives Account the required Affordable and Life-Cycle Housing Opportunities Amount (ALHOA) for each year the municipality participates in the Local Housing Incentives Account Program.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Richfield:

1. Elects to participate in the Local Housing Incentives Program under the Metropolitan Livable Communities Act for calendar years 2021 through 2030.
2. Agrees to the following affordable and life-cycle housing goals for calendar years 2021 through 2030:

Affordable Housing Goals Range	Life-Cycle Housing Goal
67-121	400

3. Will prepare and submit to the Metropolitan Council a plan identifying the actions it plans to take to meet its established housing goals.

Approved: August 10, 2020.

By: _____
Mayor

By: _____
Clerk



STAFF REPORT NO. 91
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Olivia Wycklendt, Civil Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Public Works Director/City Engineer
8/4/2020

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider a resolution authorizing an Encroachment Agreement between the City of Richfield and Partnership Academy located at 6500 Nicollet Ave S., allowing Partnership Academy to install and maintain sport courts, playground equipment and other allowed improvements within the city's existing utility easement.

EXECUTIVE SUMMARY:

Partnership Academy intends to install sport courts adjacent and to the north of their existing building. This is in addition to the existing playground equipment located at the northeast corner of the parcel. Since no prior encroachment agreement exists with Partnership Academy, one is required in order to construct and maintain the sport courts, playground equipment and any other future private improvements within the utility easement. The encroachment agreement governs Partnership Academy's permitted use of the easement and the responsibilities of both the city and Partnership Academy as related to the private improvements within the easement.

RECOMMENDED ACTION:

By Motion: Adopt the resolution authorizing the encroachment agreement between the City of Richfield and Partnership Academy located at 6500 Nicollet Ave S., allowing Partnership Academy to install and maintain sport courts, playground equipment and other allowed improvements within the City's existing utility easement.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

An 18" cast iron water main was installed along 65th St in 1963; in 1982, 65th St was realigned as part of the HUB construction, while the existing water main remained in place underneath the HUB property. A utility easement was dedicated over the water main at this time.

Resolution No. 11526 was passed by the City Council on July 24, 2018, approving a Conditional Use Permit allowing construction of a K-8 school (Partnership Academy) on a portion of the HUB property. The approved site plans called for a landscaped play area over the utility easement, which did not require an encroachment agreement. Subsequently, a swingset/playground was

constructed within the utility easement and Partnership Academy requested approval for construction of paved sport courts, both of which require an encroachment agreement.

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

The city does not allow any structures to be built in an easement area without an encroachment agreement.

C. **CRITICAL TIMING ISSUES:**

The encroachment agreement should be approved as soon as possible to minimize any conflicts should the city require access to the easement.

D. **FINANCIAL IMPACT:**

There is no cost to the city.

E. **LEGAL CONSIDERATION:**

The City Attorney has drafted this agreement and will be available to answer questions.

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
▣ Encroachment agreement resolution	Resolution Letter
▣ Encroachment Agreement	Contract/Agreement

RESOLUTION NO.

**RESOLUTION AUTHORIZING AN ENCROACHMENT
AGREEMENT BETWEEN THE CITY OF RICHFIELD
AND PARTNERSHIP ACADEMY
LOCATED AT 6500 NICOLLET AVE S**

WHEREAS, an 18" cast iron water main was installed along 65th St in 1963; in 1982, 65th St was realigned as part of the HUB construction, while the existing water main remained in place underneath the HUB property; and

WHEREAS, a utility easement was dedicated over the water main at the time of construction in 1982; and

WHEREAS, Resolution No. 11526 passed by the City Council on July 24, 2018, authorized a Conditional Use Permit allowing construction of a K-8 school known as Partnership Academy; and

WHEREAS, the approved site plans called for a landscaped play area over the utility easement, which did not require an encroachment agreement; and

WHEREAS, subsequently, a swingset/playground was constructed within the utility easement and Partnership Academy requested approval for construction of paved sport courts, both of which require an encroachment agreement; and

WHEREAS, the encroachment agreement shall govern Partnership Academy's permitted use of the easement and the responsibilities of both the City and Partnership Academy as related to the private improvements within the easement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, Minnesota, that the Encroachment Agreement between the City of Richfield and Partnership Academy located at 6500 Nicollet Ave S is authorized.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of August, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

ENCROACHMENT AGREEMENT

This Encroachment Agreement ("Agreement") is made as of the 23rd day of July, 2020, by and between the City of Richfield, a Minnesota municipal corporation (the "City"), and Partnership Academy Association, a Minnesota nonprofit corporation (the "Owner").

RECITALS

- A. The Owner is fee owner of Hennepin County PID 27-028-24-24-0060, with an address of 6500 Nicollet Avenue South, Richfield, MN 55423, real property that is legally described as follows:

Lot 1, Block 1, Richfield Hub Superblock, according to the recorded plat thereof, Hennepin County, Minnesota.

The Torrens portion being more particularly described as follows:

Lot 1, Block 1, Richfield Hub Superblock, except that part thereof lying East and South of the following described line: Beginning at a point on the South line of said Lot 1 distant 125.26 feet East of the Southwest corner thereof; thence North parallel to the East line of said Lot 1 a distance of 60.6 feet; thence East parallel to the South line of said Lot 1 a distance of 125.00 feet to the East line of said Lot 1 and said line there terminating.

Abstract and Torrens

(the "Property").

- B. The City is the beneficiary of drainage and utility easements (the "Easements") as dedicated in the Plat of Richfield Hub Superblock recorded in Hennepin County, which affect the Property.
- C. The Owner has or intends to install sport courts and/or playground equipment (the "Improvements") on the Property. Portions of the planned locations for said

Improvements will encroach onto the Easements (the "Encroachment"). A depiction of the Encroachment is contained in Exhibit A attached hereto.

- D. The Owner will maintain, repair, replace, and make use of the Improvements per the terms of this Agreement.
- E. The City has agreed that the Owner may utilize the Easements for the Encroachment on condition that the Owner execute this Agreement.

AGREEMENT

NOW, THEREFORE, on the basis of the premises and the mutual covenants and agreements set forth in this Agreement, the parties agree as follows:

1. The Owner may continue to maintain the Encroachment and use of the Improvements, subject to the terms and conditions of this Agreement.

2. The permission granted by the City in this Agreement is limited exclusively to the Encroachment, as outlined in the Recitals of this Agreement, and no additional permanent or temporary improvements may be constructed or installed by the Owner within the Easements, unless the City approves an amendment to this Agreement. This Agreement shall not prevent or impair the future use of the Easements for any reason that the City deems appropriate.

3. The Owner shall be solely responsible for the maintenance of the Encroachment, including but not necessarily limited to the Improvements located within the Easements, and shall be entitled to maintain, repair, and replace the Improvements within the Encroachment as needed, so long as such maintenance, repair, or replacement does not interfere with the City's use of the Easements in accordance with their terms, or expand the Encroachment so that it is further encroaching onto the Easements. All maintenance, repair, and replacement shall be at the sole cost of the Owner.

4. In the event that the Improvements are destroyed to the extent that they must be removed and reconstructed, the Owner must obtain written permission from the City to reconstruct them if they are to continue to encroach onto the Easements and are substantially different in size, quality or nature. In such an event, the City and the Owner will execute and record an amendment to this Agreement.

5. In the event that the Improvements are voluntarily removed by the Owner, any new improvements must be constructed on the Property so that they do not encroach onto the Easements and are otherwise in compliance with all local ordinances, unless the City has granted written approval and the Owner and City have executed and recorded an amendment to this Agreement, or a separate encroachment agreement.

6. Upon a determination by the City that it desires to make improvements to or otherwise use the Easements in any manner in accordance with their terms, or that it is necessary for any other reason, including, but not limited to, public health, safety, or welfare, the City may, at any time, in its sole discretion, (a) modify this Agreement by reducing or limiting the size or

location of the Encroachment, or (b) terminate this Agreement by giving the then-owner(s) of the Property sixty (60) days' advance written notice of such modification or termination, except that no notice period will be required in the case of an emergency condition as determined solely by the City and the Agreement may then be terminated immediately. Any such modification or termination will be limited in size and duration to the minimum extent reasonably needed by the City for its use of the Easements. Prior to the effective date of any modification or termination of this Agreement, the then-owner(s) shall entirely remove the Encroachment at their sole cost. If the then-owner(s) fail to remove the Encroachment, the City may remove it and charge the cost of removal back to the then-owner(s) for reimbursement. The City may also assess the costs of removal against the Property. The obligation to remove the Encroachment shall survive revocation or termination of this Agreement.

7. This Agreement shall be recorded against and run with the Property and shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and assigns.

8. The Owner, its successors and assigns shall indemnify, hold harmless, and defend the City, its officials, employees, contractors and agents, from and against any and all claims, losses, proceedings, damages, causes of action, liability, costs or expenses (including reasonable attorneys' fees), arising from or in connection with or caused by any act, omission or negligence of the Owner, its contractors, licensees, invitees, agents, servants or employees in connection with the Owner's use, repair or maintenance of the Encroachment. The obligation to indemnify the City shall survive revocation or termination of this Agreement.

9. The Owner agrees not to suffer or allow any liens, claims, or processes to be placed against the Property or affect the City's rights to or interest in the Easements as a result of the Owner's use thereof, including, without limitation, any liens for labor or materials provided for the repair or maintenance of the Encroachment.

10. Nothing contained in this Agreement shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Any claims shall be subject to the City's governmental immunity defenses and the maximum liability limits provided in Minnesota Statutes, Chapter 466, if applicable.

11. This Agreement shall be governed by and construed and enforced in accordance with the laws of Minnesota.

12. This Agreement shall constitute the entire agreement between the parties and any prior understandings or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

13. Any modification to this Agreement shall be binding only if evidenced in writing signed by both parties.

14. The Owner agrees that its use of the Easements is with the City's permission and is not open, continuous, notorious, or any other manner supportive of a claim of adverse possess, prescriptive easement, abandonment, or other entitlement to the Easement. This Agreement is

not a lease or easement and does not confer any estate or interest in real property to the Owner by the City beyond what is specifically recited herein.

[signature pages to follow]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

CITY OF RICHFIELD

By: _____
Maria Regan Gonzalez
Its: Mayor

By: _____
Katie Rodriguez
Its: City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by Maria Regan Gonzalez and Katie Rodriguez, the Mayor and City Manager, respectively, of the City of Richfield, a Minnesota municipal corporation, on behalf of the City.

Notary Public

OWNER:
PARTNERSHIP ACADEMY
ASSOCIATION

By: Lisa Hendricks

STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

This instrument was acknowledged before me this 23 day of July, 2020 by
Lisa Hendricks, the Exec. Director of Partnership Academy Association,
a Minnesota nonprofit corporation, on its behalf. Inc

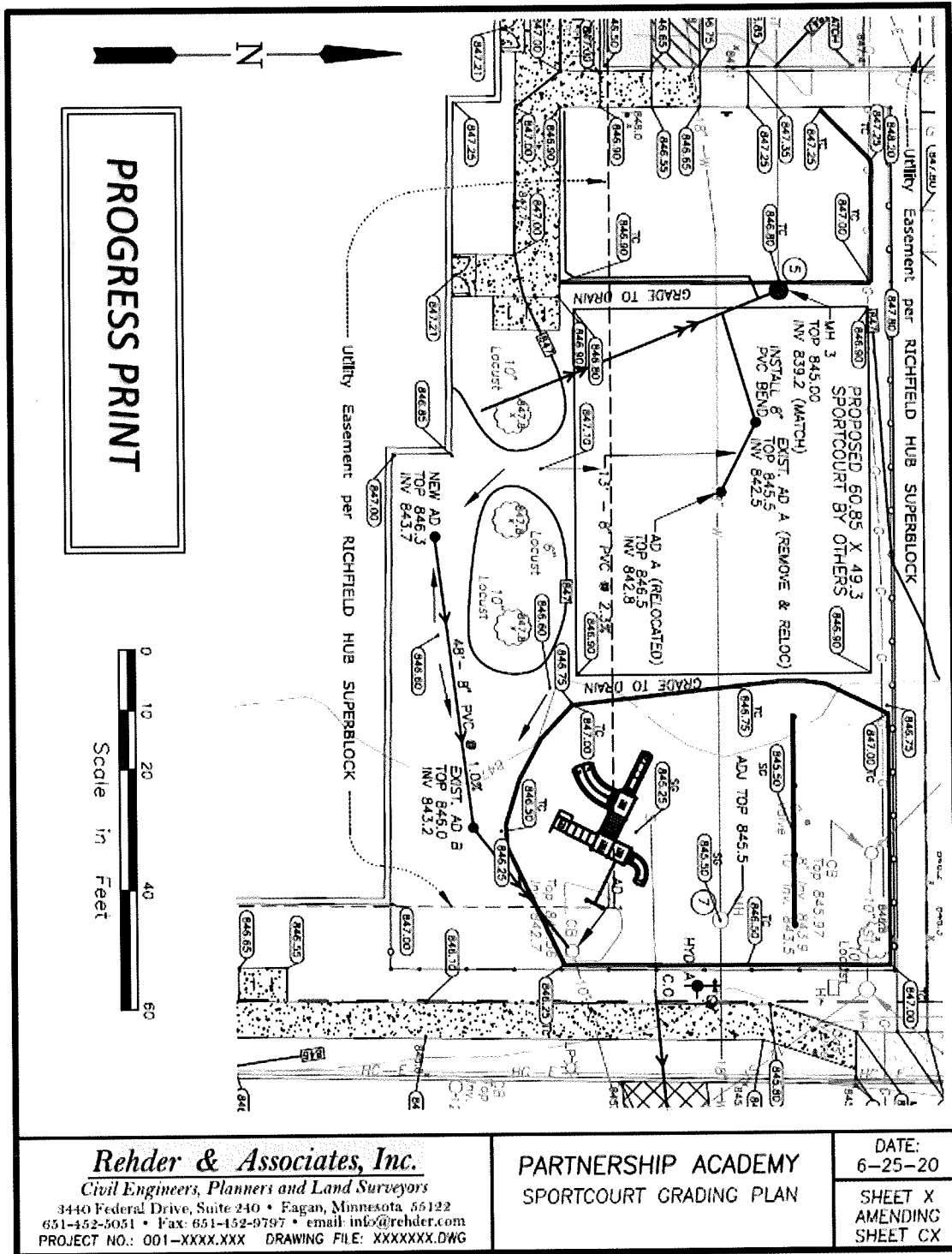


This document was drafted by:

Kennedy & Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street, Suite 470
Minneapolis, MN 55402
(612) 337-9300

EXHIBIT A

Depiction of Encroachment





STAFF REPORT NO. 92
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
8/4/2020

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider the adoption of a resolution approving final Richfield 2040 Comprehensive Plan.

Note: The full 2040 Comprehensive Plan is available for review on the city's website (www.richfieldmn.gov/compplan). The size of the document makes it impractical and technologically difficult to attach directly to this report.

EXECUTIVE SUMMARY:

In November 2018, the City Council approved and authorized submission of the city's 2040 Comprehensive Plan to the Metropolitan Council for review and approval. Following the preliminary review, minor modifications were required to meet Metropolitan Council requirements and the Plan was resubmitted. On September 25, 2019, the Metropolitan Council approved the city's 2040 Comprehensive Plan. Notice of this approval and that the Plan would now be in effect was communicated to the City Council in the October 11, 2019 City Manager's Report. It has come to staff's attention that an additional resolution approving the finalized 2040 Comprehensive Plan is required. The attached resolution officially approves the 2040 Comprehensive Plan that has been published and in use by the city since September 25, 2019.

RECOMMENDED ACTION:

By motion: Adopt a resolution approving the Richfield 2040 Comprehensive Plan.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The Comprehensive Plan update process has included a number of opportunities for residents and business owners to participate. These include:
 - Penn Fest information booth - September 2016 and September 2017
 - Steering Committee Meetings - April, June, August 2017, and February 2018
 - Pop-up events - Metro Transit bus riding May 2017, Loaves and Fishes May 2017, DMV May 2017, Farmers Market July 2017
 - Survey distribution by Steering Committee Members (primarily April/May 2017).
 - Open Houses - May 2017, August 2017, March 2018
 - Wiki-map survey - April 2017
 - Online survey - March 2017

- Feedback received has been compiled into two Community Engagement Briefs, available as Appendix B of the Plan.
- A draft of the 2040 Comprehensive Plan was submitted to the Metropolitan Council for preliminary review on May 9, 2018 (prior to consideration by the Richfield Planning Commission and City Council). All official comments were addressed and the revised 2040 Comprehensive Plan was presented to the Council for approval.
- Metropolitan Council staff deemed the Richfield 2040 Comprehensive Plan complete on July 9, 2019 and the Plan was approved by the Council on September 25, 2019.

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

The Metropolitan Land Planning Act (State Statute 473) provides the requirements for the update of the Comprehensive Plan.

C. CRITICAL TIMING ISSUES:

The City Council recently approved a Comprehensive Plan amendment for the properties that comprise the Henley II development site. In order to process this amendment, a resolution approving the final version of the 2040 Comprehensive Plan must be submitted to the Metropolitan Council.

D. FINANCIAL IMPACT:

None

E. LEGAL CONSIDERATION:

None

ALTERNATIVE RECOMMENDATION(S):

- None. The City has understood the 2040 Comprehensive Plan to be in effect since September 25, 2019. The attached resolution memorializes this understanding and allows an approved project (Henley II) to continue to move forward.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description	Type
□ Resolution	Resolution Letter
□ Met Council Final Approval Letter	Exhibit

RESOLUTION NO.

RESOLUTION ADOPTING THE RICHFIELD 2040 COMPREHENSIVE PLAN

WHEREAS, Minnesota Statutes section 473.864 requires each local governmental unit to review and, if necessary, amend its entire comprehensive plan and its fiscal devices and official controls at least once every ten years to ensure its comprehensive plan conforms to metropolitan system plans and ensure its fiscal devices and official controls do not conflict with the comprehensive plan or permit activities that conflict with metropolitan system plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and

WHEREAS, the Richfield 2040 Comprehensive Plan is a planning tool intended to guide the future growth and development of the City of Richfield in a manner that conforms with metropolitan system plans and complies with the Metropolitan Land Planning Act and other applicable planning statutes; and

WHEREAS, the Richfield 2040 Comprehensive Plan reflects a community planning process conducted in the years 2016 through 2018 involving elected officials, appointed officials, city staff, community organizations, the public at large, developers, and other stakeholders; and

WHEREAS, pursuant to Minnesota Statutes section 473.858, the proposed 2040 Comprehensive Plan was submitted to adjacent governmental units and affected special districts and school districts for review and comment on May 9, 2018, and the statutory six-month review and comment period has elapsed; and

WHEREAS, the Planning Commission of the City of Richfield held a public hearing at its October 22, 2018 meeting, and recommended approval of the 2040 Comprehensive Plan; and

WHEREAS, on November 13, 2018, the City Council approved Resolution No. 11568 authorizing the submittal of the 2040 Comprehensive Plan to the Metropolitan Council for review pursuant to Minnesota Statutes section 473.864; and

WHEREAS, at its regular meeting on September 25, 2019, the Metropolitan Council completed its review of the 2040 Comprehensive Plan and found that the Plan meets the requirements of the Metropolitan Land Planning Act; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, that the Richfield 2040 Comprehensive Plan is adopted and is effective as of the date of this resolution.

BE IT FURTHER RESOLVED that, pursuant to sections 473.864 and 473.865 of the Metropolitan Land Planning Act, the City of Richfield will: (1) review its fiscal devices and official controls; (2) if necessary, amend its fiscal devices and official controls to ensure they do not conflict with the 2040 Comprehensive Plan or permit activity in conflict with metropolitan system plans; and (3) submit amendments to fiscal devices or official controls to the Metropolitan Council for “information purposes.”

Adopted by the City Council of the City of Richfield, Minnesota this 10th day of August, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

October 1, 2019

Melissa Poehlman, Assistant Community Development Director
City of Richfield
6700 Portland Avenue S.
Richfield, MN 55423

RE: City of Richfield 2040 Comprehensive Plan - Notice of Council Action
Metropolitan Council Review File No. 21949-1
Metropolitan Council District 5

Dear Ms. Poehlman:

The Metropolitan Council reviewed the City of Richfield Comprehensive Plan Update (Plan) at its meeting on September 25, 2019. The Council based its review on the staff's report and analysis (attached).

The Council found that the City's Update meets all Metropolitan Land Planning Act requirements; conforms to the regional system plans including transportation, aviation, water resources management, and parks; is consistent with *Thrive MSP 2040*; and is compatible with the plans of adjacent jurisdictions.

In addition to the Advisory Comments and Review Record, the Council adopted the following recommendations.

1. Authorize the City of Richfield to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Surface Water Management and Water Supply.
3. Approve the City of Richfield's Comprehensive Sewer Plan.
4. Upon approval, the City shall submit to the Council a copy of the revised Ordinance regarding illicit clear water connections to require disconnection once they are identified.

Please consult the attached staff report for important information about the City's next steps. Of particular importance are the Council's actions, listed on page 1, general Advisory Comments listed on page 3, and the specific comments for technical review areas, which are found in the body of the report. The final copy of the Update needs to include all supplemental information/changes made during the review.

Congratulations on completing this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela R. Torres", followed by the word "for:".

Angela R. Torres, AICP, Manager
Local Planning Assistance



Melissa Poehlman, City of Richfield

October 1, 2019

Page 2

Attachment

cc: Tod Sherman, Development Reviews Coordinator, MnDOT Metro Division
 Molly Cummings, Metropolitan Council District 5
 Michael Larson, AICP, Sector Representative / Principal Reviewer
 Raya Esmaeili, Reviews Coordinator

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Committee Report

Business Item No. 2019-230 JT

Community Development Committee

Meeting of August 19, 2019

Environment Committee

Meeting of August 27, 2019

For the Metropolitan Council meeting of September 25, 2019

Subject: City of Richfield 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21949-1

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions

Recommendations of the Community Development Committee

1. Authorize the City of Richfield to place its 2040 Comprehensive Plan into effect
2. Advise the City to implement the advisory comments in the Review Record for Surface Water Management and Water Supply

Recommendation of the Environment Committee

1. Approve the City of Richfield's Comprehensive Sewer Plan
2. Upon approval, the City shall submit to the Council a copy of the revised Ordinance regarding illicit clear water connections to require disconnection once they are identified

Summary of Committee Discussion/Questions

Community Development Committee

Senior Planner Michael Larson presented the staff's report to the Committee. The following City of Richfield staff were in attendance: John Stark, Community Development Director; and Julie Urban, Housing Manager. Councilmembers Vento and Johnson complimented the City for its work. The Community Development Committee unanimously recommended approval of the proposed action at its meeting on August 19, 2019.

Environment Committee

No comments or questions. This item was approved on the Environment Committee consent agenda at its August 27, 2019 meeting.

Community Development Committee

Meeting date August 19, 2019

Environment Committee

Meeting date August 27, 2019

For the Metropolitan Council meeting of September 25, 2019

Subject City of Richfield 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21949-1

District(s), Member(s): District 5, Molly Cummings

Policy/Legal Reference: Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513

Staff Prepared/Presented: Michael Larson, Senior Planner (651-602-1407)
Angela R. Torres, Local Planning Assistance Manager (651-602-1566)
Kyle Colvin, Engineering Programs Manager (651-602-1151)

Division/Department: Community Development / Regional Planning
Environmental Services / Technical Services

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee

1. Authorize the City of Richfield to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Surface Water Management and Water Supply.

Recommendation of the Environment Committee

1. Approve the City of Richfield's Comprehensive Sewer Plan.
2. Upon approval, the City shall submit to the Council a copy of the revised Ordinance regarding illicit clear water connections to require disconnection once they are identified.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Richfield to implement its 2040 Comprehensive Plan (Plan)

Community Development Committee

1. As stated in the *Local Planning Handbook*, the City of Richfield must take the following steps:
 - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
 - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
 - c. Submit to the Council a copy of the City Council resolution evidencing final adoption of the Plan.
2. The *Local Planning Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council's final action. If the Council has recommended changes to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before "final adoption" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the official controls are adopted. (Minn. Stat. § 473.865, subd. 1)
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council's metropolitan system plans (Minn. Stats. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

Environment Committee

1. The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit's governing body. After the Plan receives final approval from the City of Richfield and the Comprehensive Sewer Plan becomes effective, the City of Richfield may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.

Background

The City of Richfield is located in the southeastern portion of Hennepin County. It is surrounded by Minneapolis, Fort Snelling, Bloomington, and Edina.

The City of Richfield submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stats. §§ 473.851 to 473.871) and the Council's 2015 System Statement requirements.

Review Authority & Rationale

Minn. Stat. § 473.175 directs the Metropolitan Council to review a local government's comprehensive plan and provide a written statement to the local government regarding the Plan's

- **Conformance** with metropolitan system plans
- **Consistency** with the adopted plans and policies of the Council
- **Compatibility** with the plans of adjacent governmental units and plans of affected special districts and school districts

By resolution, the Council may require a local government to modify its comprehensive plan if the Council determines that "the plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans" (Minn. Stat. § 473.175, subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment, and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary (Minn. Stat. § 473.513).

The attached Review Record details the Council's assessment of the Plan's conformance, consistency, and compatibility, and is summarized below:

Review Standard	Review Area	Plan Status
Conformance	Regional system plan for Parks	Conforms
Conformance	Regional system plan for Transportation, including Aviation	Conforms
Conformance	Water Resources (Wastewater Services and Surface Water Management)	Conforms
Consistency with Council Policy	<i>Thrive MSP 2040</i> and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent
Consistency with Council Policy	<i>2040 Housing Policy Plan</i>	Consistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

Thrive Lens Analysis

The proposed 2040 comprehensive plan is reviewed against the land use policies in *Thrive MSP 2040*. To achieve the outcomes identified in *Thrive*, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in *Thrive*.

Funding

None

Known Support / Opposition

There is no known local opposition to the 2040 comprehensive plan

REVIEW RECORD

City of Richfield 2040 Comprehensive Plan

Review File No. 21949-1, Business Item No. 2019-230-JT

The following Review Record documents how the proposed Plan meets the requirements of the Metropolitan Land Planning Act and conforms to regional system plans, is consistent with regional policies, and is compatible with the plans of adjacent and affected jurisdictions.

Conformance with Regional Systems

The Council reviews plans to determine conformance with metropolitan system plans. The Council has reviewed the City's Plan and finds that it conforms to the Council's regional system plans for Regional Parks, Transportation (including Aviation), and Water Resources.

Regional Parks and Trails

Reviewer: Colin Kelly, Community Development (CD) - Regional Parks (651-602-1361)

The Plan conforms to the 2040 Regional Parks Policy Plan (RPPP). Three Rivers Park District is the park implementing agency for Regional Parks System components in Richfield, for which the Plan accurately describes the Regional Parks System components. Regional Trails located within the City include the Nine Mile Creek and Nokomis-Minnesota River (formerly known as Intercity) regional trails and the Canadian Pacific Rail (formerly known as South Hennepin East Regional) Trail Search Corridor (Figure 1). There are no state or federal lands within the City.

Regional Transportation, Transit, and Aviation

Reviewer: Russ Owen, Metropolitan Transportation Services (MTS) (651-602-1724)

The Plan conforms to the 2040 Transportation Policy Plan (TPP). It accurately reflects transportation system components of the TPP as well as applicable land use policies for regional transitways. The Plan is also consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight. The Plan is compatible with the plans of adjacent and affected governmental units.

Roadways

The Plan conforms to the roadways system element of the TPP. The Plan accurately accounts for the metropolitan highway system of principal arterials, which includes I-35W, I-494 TH 77, and TH 62. The Plan identifies potential future improvements to the principal arterial system, such as MnPASS Express Lanes on I-494 and interchange improvements at the I-494/I-35W interchange. The Plan further acknowledges the significant impact of congestion on principal arterials within the City of Richfield, and how this is anticipated to continue to be a matter of concern in the future.

The Plan identifies all the required characteristics of the City's roadways, including existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials. Forecasting was done consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

Transit

The Plan conforms to the Transit system element of the TPP. It shows the location of existing transit routes and facilities and acknowledges the City is within Transit Market Area II.

The Plan incorporates existing and future transitways that are part of the Current Revenue Scenario of the TPP. These include the Orange Line, D-Line, and planned transit advantages within the City.

The Plan also incorporates transitways that are part of the Increased Revenue Scenario of the TPP. The Plan's maps and narrative acknowledge the uncertainty of these transitways. These include the Nicollet Avenue and American Boulevard Arterial BRTs.

Aviation

The Plan conforms to the Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions and describes how off-site air navigation aids will be protected.

The Plan also identifies the MSP International Airport and addresses elements of its long-term comprehensive plan. The Plan addresses issues including land use compatibility, noise sensitivity, and the protection of airspace from obstructions. This is critical due to Richfield's proximity to MSP International Airport. The Plan addresses how MSP International Airport affects the development of new single-family housing and the affects of the runway safety zones on the eastern half of the City of Richfield.

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. It identifies existing and future segments of and connections to the Regional Bicycle Transportation Network (RBTN) and regional trails. The Plan identifies key destinations and preferred routes for bicyclists and pedestrians and outlines the vision of the Bicycle Master Plan adopted in 2012. The Plan proposes preferred alignments for RBTN corridors, including the Xerxes Avenue, Portland Avenue, Cedar Avenue, and 66th Street corridors. These are clearly identified as "proposed for the RBTN."

The Plan is also consistent with Bicycle and Pedestrian policies of the TPP by planning for local pedestrian and bicycle connections to transit, regional trails, regional job concentrations, and other regional destinations as outlined on the RBTN map.

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the City, including accessibility to freight terminals and facilities. Specific issues include the significant movement of freight along I-494 and I-35W, as well as TH 62 and TH 77. The Plan also discusses freight rail service within the City's Pleasant Avenue corridor and acknowledges the importance of the City to work with the rail operator in a cooperative manner on any future planning issues.

Transportation Analysis Zones (TAZs)

The Plan conforms to the TPP regarding TAZ allocations. The City's TAZ allocations for employment, households and population appropriately sum to the Council's citywide forecast totals for all forecast years.

The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecasted allocations in the Plan, and at densities consistent with the community's Thrive designation of Urban Center and applicable TPP policies for transit station areas.

Water Resources

Wastewater Service

Reviewer: Kyle Colvin Environmental Services (ES) – Engineering Programs (651-602-1151)

The Plan conforms to the 2040 *Water Resources Policy Plan* (WRPP). It represents the City's guide for future growth and development through the year 2040. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by Metropolitan Council Environmental Services. All wastewater generated within the City is conveyed through Council Interceptors: 1-RF-490, 1-RF-491, 1-RF-491R, 1-RF-492, 1-RF-493, and 3-BN-497. All flow is treated at the Council's Metropolitan Wastewater Treatment Plant in St. Paul. The Plan projects that the City will have 16,700 sewered households and 17,500 sewered employees by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's forecasted growth.

The Plan provides sanitary flow projections in 10-year increments. The rationale for the projections is given in the Plan and determined appropriate for planning local services. The Council is committing to provide the level of wastewater service based on the sewered forecasts as stated in the sewer element of the Plan.

The Land Use Plan reflects an overall minimum residential sewered density that is consistent with Council policy for future sewered residential growth for Urban Center communities.

The Plan defines the community's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in the local municipal (public) and private property sanitary sewer systems, including a summary of activities and programs intended to identify and mitigate I/I from both public and private property sources, an annual sewer pipe lining program as part of the City's street reconstruction program, and a public outreach and educational program to encourage private property owners to proactively inspect and repair or replace defective services. The City also plans to explore grants and other financial assistance programs for property owners who pursue improvements to their services. Since 2016, the City has completed approximately \$400,000 per year to address I/I issues which resulted in 10,000 to 20,000 feet of pipe lining annually. They plan to continue this level of effort into the foreseeable future.

The Plan describes the requirements and standards for minimizing I/I and references City Ordinance (Sections 700 & 705) that prohibit clear water discharges from illicit connections to the sanitary sewer system. The Plan states that the City will amend the Ordinance within twelve months of adoption of the Plan to include the required disconnection of existing clearwater sources once they are identified.

The Plan describes the sources, extent, and significance of existing I/I within the entire wastewater collection system and provides a description of an implementation plan for preventing and eliminating excessive I/I from entering both the municipal and private property sewer systems. The Plan states that 90% of the private service laterals within the City were built prior to 1970 where the use of clay tile pipe was prevalent. Over time, as this type of pipe ages, it can become more susceptible to I/I through open joints and cracked pipe if not maintained. By comparing wastewater flow generation during 2015 through 2017, with precipitation trends and events, the City has determined that the collection system is not significantly impacted by I/I. The City has not exceeded the Council assigned peak flow limit during its regional I/I program.

Sewer Element Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Urban Center communities. It was found to be complete and consistent with Council WRPP policies. Upon adoption of the Plan by the City, the action of the Council to approve the Sewer Plan becomes effective. At that time, the City may implement its Plan to alter, expand, or

improve its sewage disposal system consistent with the approved Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

Advisory Comments

The Plan states that within 12 months of final adoption, the City will amend its Ordinance regarding illicit clear water connections to require disconnection once they are identified. The City shall submit to the Council a copy of the revised Ordinance upon approval.

Surface Water Management

Reviewer: Judy Sventek, ES – Water Resources (651-602-1156)

The Plan is consistent with Council policy requirements and in conformance with the Council's WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. Richfield lies within the oversight boundaries of the Nine Mile Creek and Minnehaha Creek Watershed Districts, and the Richfield Bloomington Watershed Management Organization.

Richfield submitted a draft Local Water Management Plan (LWMP) update for review in June 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the City and Watersheds in a letter dated August 1, 2018. The LWMP was approved by the Nine Mile Creek Watershed District on August 15, 2018, by the Richfield Bloomington Watershed Management Organization on August 23, 2018, and by the Minnehaha Creek Watershed District on January 10, 2019. The Plan incorporates the LWMP as Appendix G.

Advisory Comments

When available, we request that the City provide to the Council the date it adopted the final LWMP, and a copy of the final adopted LWMP that will be included in the final Plan document that the City adopts. If it differs from the December 2018 version in the draft Plan reviewed by the Council.

Consistency with Council Policies

The Council reviews plans to evaluate their apparent consistency with the adopted plans of the Council. Council staff have reviewed the City's Plan and find that it is consistent with the Council's policies, as detailed below.

Forecasts

Reviewer: Todd Graham, CD – Research (651-602-1322)

The Plan consistently incorporates the Council forecasts for Richfield, as shown in Table 1.

Table 1. City of Richfield Forecasts

	Census 2010	Estimated 2018	Council Forecasts		
			2020	2030	2040
Population	35,228	36,436	37,100	37,300	37,700
Households	14,818	15,192	15,900	16,300	16,700
Employment	15,604	17,148	16,600	17,100	17,500

Council staff advised the City to request a higher employment forecast, in recognition that recent employment has exceeded expectations. Recent employment growth has pushed employment in 2018 to 17,148 jobs. The City chose to not request the forecast change.

Chapter 5 of the Plan describes how land supply and staging accommodate the forecasted household's growth. Most of the new housing expected in the City will be added in areas guided for high-density or residential mixed use. The City estimates that at minimum allowed densities the full development of this land supply would add 2,274 housing units (Table 5-4), which more than accommodates the forecast.

Thrive MSP 2040 and Land Use

Reviewer: Michael Larson, CD – Local Planning Assistance (651-602-1407)

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the Thrive community designation of Urban Center (Figure 2). Thrive describes Urban Center communities as the largest, most centrally located, and economically diverse communities in the region. They are experiencing growth mostly through redevelopment.

Urban Center communities are expected to plan for forecasted population growth at overall average densities of at least 20 units per acre for new development and redevelopment, and target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the TPP. Plans are also required to identify areas for redevelopment, particularly areas that are well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.

The City is a fully developed community with only 1% undeveloped land. Approximately 62% of the City is residential as illustrated in Figure 3. Another 15% of the community is comprised of public land in the form of public right-of-way, parks and open space, and other public spaces. The City includes an emerging higher density mixed-use district at “the Hub,” centered on 66th Street and Lyndale Avenue and extending eastward to Nicollet Avenue. Mixed use and commercial concentrations exist along Penn Avenue in the northwest portion of the City, along the Cedar Avenue/Richfield Parkway Corridor on the City’s eastern border, and along the I-494 frontage on the City’s southern border. The City is home to the major office headquarters of Best Buy northwest of the Interchange of I-35W and I-494.

The Plan identifies development and redevelopment areas at densities that exceed the Urban Center density policy minimums. This minimum planned density is consistent with regional Urban Center land use policies that require an average net residential density of at least 20 units per acre in areas of new development and redevelopment, and target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the TPP. As shown in Table 2 below, the expected overall density of planned residential growth is a minimum of 25.2 units per acre. Acreage identified for likely residential redevelopment are largely located in areas where the City has conducted more detailed planning and has invested other public resources to support that redevelopment. These include 66th/Lyndale District, the Cedar Avenue/Richfield Parkway Corridor, and Penn Avenue.

Table 2. Planned Residential Density, City of Richfield

Category	2018-2040 Change					
	Density		% Resid.	Net Acres	Min Units	Max Units
	Min	Max				
Low Density Residential	1	7	100%	3.4	4	23
Medium Density Residential	8	34	100%	8.5	70	288
High Density Residential	35	100	100%	21.1	740	2112
Mixed Use – Cedar	25	75	40%	5.9	150	443
Mixed Use – Penn	25	100	60%	6.1	156	612
Mixed Use – Lyndale/66 th	25	150	50%	15.2	382	2282
Mixed Use – I-494	50	150	30%	0.7	37	109
TOTALS				61	1539	5869
Overall Density					25.2	96.2

The City's Plan acknowledges the southeast corner of Richfield as an Area of Concentrated Poverty where more than 50% of the population are people of color (ACP50). This part of the City includes a portion of the Cedar Avenue / Richfield Parkway Corridor. It is guided in a way that supports reinvestment in the form of higher density and mixed-use development. The City also seeks to improve access to and from this area with a planned underpass of Highway 77 along 77th Street.

Station Area Planning

The Plan recognizes existing and planned transitways that are part of the Current Revenue Scenario of the TPP. This includes future stations on the METRO Orange Line and the D-Line Arterial Bus Rapid Transit. The TPP directs Urban Center communities with planned Highway Bus Rapid Transit (BRT) at an average minimum of 25 residential units per acre and target 40-75+ units per acre within the station area (area within 10-minute walk or 1/2 mile). Planned densities for areas identified for redevelopment near station areas along transit routes are consistent with the minimum density required in the TPP. Part of the Lyndale/66th Street Mixed Use district is within the station area for the future METRO Orange Line station at I-35W & 66th Street. The guiding land use for this area is Mixed Use with a density range of 25 to 100 units per acre. The future station at Knox & 76th Street will serve an existing concentration of office and high density residential uses, and the D-Line serves a corridor of the City (Portland Avenue) that the Plan does not identify as a location for growth.

Housing

Reviewer: Tara Beard, CD – Housing (651-602-1051)

The Plan is consistent with the *2040 Housing Policy Plan*. Richfield is a mature suburb with a wide variety of housing types. Significant growth was already occurring before World War II and continued to boom post-war, but since 1970, the City's population has declined. Like many suburbs, early residential development was primarily single family, but housing stock has diversified over time, approximately 64% of its existing housing stock is single-family. The Plan notes that future growth will be primarily through redevelopment.

The Plan indicates that the City has more than 15,000 housing units. While roughly 86% of those units are affordable to households earning 80% of the Area Median Income (AMI) or less (or \$68,000 for a family of four), affordable options decrease to just 5% for households earning 30% AMI or less (or \$27,100). Roughly 28% of Richfield households earning 80% AMI or less are currently housing cost burdened. The Plan identifies existing needs that include rehabilitation and upkeep of its largely aging housing stock, preservation of naturally occurring affordable housing (NOAH), and housing with supporting services for seniors.

Looking forward, the Plan acknowledges the City's share of the region's need for affordable housing in the 2021-2030 decade, which is 121 units. With 41 acres of land guided for higher density residential development in that time period (Figure 5), the Plan sufficiently promotes the availability of land to support that share.

The Plan addresses its existing and future housing needs in its implementation plan, which thoroughly describes the policies, programs, and other tools that the City will consider. Tools discussed in the Plan to address future affordable housing needs include participation in Livable Communities Act programs, and applications to Minnesota Housing's Consolidated Request for Proposals. While the plan states that Tax Increment Financing, a significant local finance tool, would be considered only for market-rate housing, other local tools, such as 4d tax incentive programs, Community Development Block Grant (CDBG) funds, and the issuance of housing revenue bonds will be considered to preserve naturally occurring affordable housing (NOAH).

Water Supply

Reviewer: Lanya Ross, ES – Water Supply Planning (651-602-1803)

The Plan is consistent with WRPP policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

The City prepared a Local Water Supply Plan in 2013 that was submitted to both the Minnesota Department of Natural Resources (DNR) and the Council and reviewed separately. Council comments were shared with the DNR on December 2018.

Advisory Comments

If changes are made to the LWSP resulting from DNR's review of the Plan, the City will need to provide the Council and DNR with the updated information.

Community and Subsurface Sewage Treatment Systems (SSTS)

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan indicates the City is fully served by the City's local wastewater collection system that ultimately flows into the MCES system, and to the Metropolitan Wastewater Treatment Facility for treatment and discharge to the Mississippi River. There are no public or privately-owned Community Wastewater Treatment Systems or individual SSTS in operation in the City.

Special Resource Protection

Solar Access Protection

Reviewer: Cameran Bailey, CD – Local Planning Assistance (651-602-1212)

The Plan is consistent with statutory requirements (Minn. Stat. 473.859) and Council policy regarding planning for the protection and development of access to direct sunlight for solar energy systems as required by the Metropolitan Land Planning Act (MLPA). The Plan includes the required planning elements.

Aggregate Resource Protection

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan identifies, consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*, that there are no viable aggregate resource deposits available for extraction within the fully developed community.

Historic Preservation

Reviewer: Michael Larson, CD – Local Planning Assistance (651-602-1407)

The Plan addresses historic and cultural resources as required by the Metropolitan Land Planning Act. The Plan includes a narrative of the City's history, a policy to preserve historic, natural and cultural resources, and identifies the Bartholomew House (6901 Lyndale Avenue South), which is the one site in the City that is on the National Register of Historic Places. The Plan identifies the Richfield Historical Society, which was formed in 1967 in an effort to restore the home of General Riles Bartholomew.

Plan Implementation

Reviewer: Michael Larson, CD – Local Planning Assistance (651-602-1407)

The Plan includes an Implementation Chapter that discusses the implementation of the Plan through policy, regulation, processes, roles & responsibilities, and programs. Individual chapters of the Plan (Housing, Transportation, Parks, and Surface Water Management, and Utilities) include more detailed implementation discussion of timing and sequencing. The Plan also addresses official controls and includes a five-year Capital Improvement Program.

Compatibility with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

The proposed Plan is compatible with the plans of adjacent jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

Documents Submitted for Review

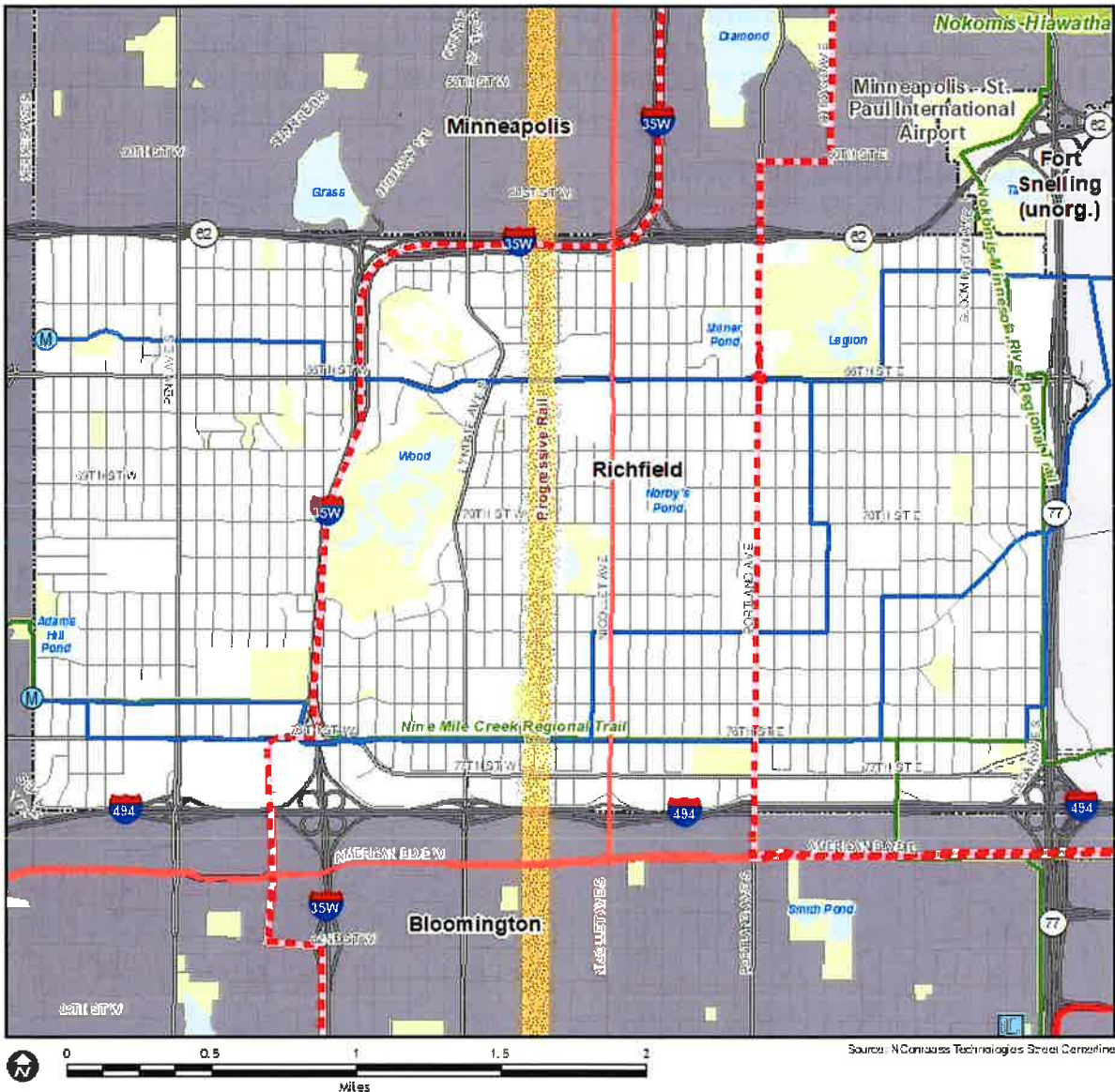
In response to the 2015 System Statement, the City submitted the following documents for review.

- May 9, 2018: City of Richfield Preliminary 2040 Comprehensive Plan
- December 18, 2018: City of Richfield 2040 Comprehensive Plan
- May 30, 2019: Supplemental and revised material related to Forecasts, Land Use, Housing, Surface Water Management, Wastewater, Regional Parks & Trails, Transportation, Wastewater and Water Supply
- June 26, 2019: Supplemental and revised material related to Forecasts, Land Use, Housing, and Wastewater

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Planned Land Use
- Figure 5: Land Guided for Affordable Housing

Figure 1. Location Map with Regional Systems



Regional Systems

Transportation

Transitways

2040 Transportation System Policy - adopted January 2015

- Existing
- Planned Current Revenue Scenario
- Planned Current Revenue Scenario - CTIB* Phase 1 Projects
- Potential Increased Revenue Scenario

Regional Highway System

- Existing Principal Arterials
- Planned Principal Arterials
- Existing Minor Arterials
- Planned Minor Arterials
- Existing Other Arterials
- Planned Other Arterials

Recreation Open Space

Regional Parks

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units

Regional Trails

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned

Wastewater

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

Regional Park Search Areas and Regional Trail Search Corridors

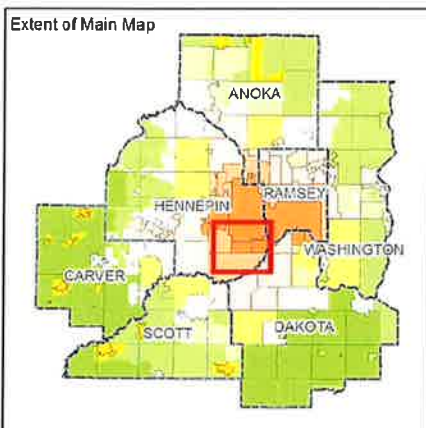
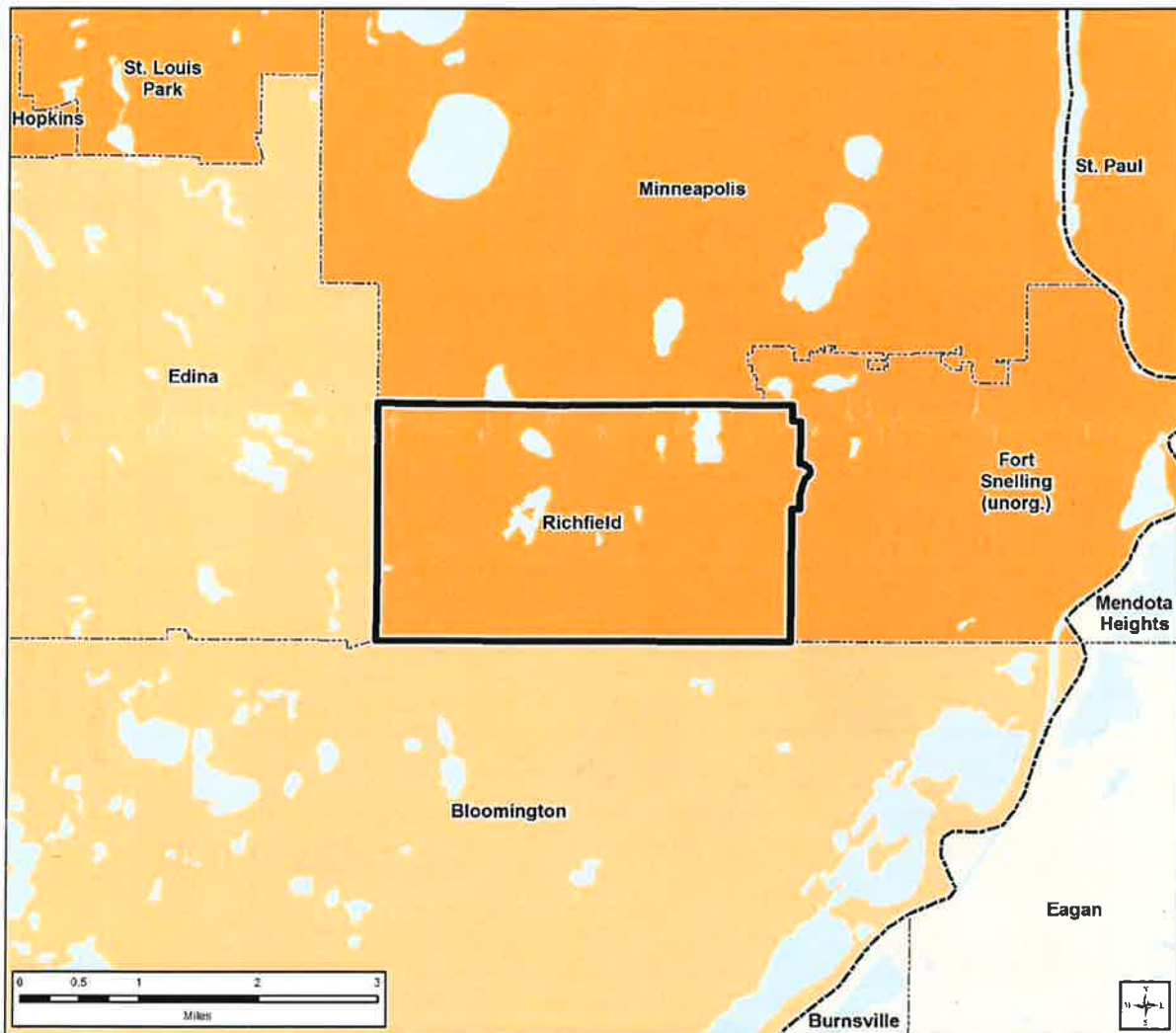
- Boundary Adjustment
- Search Area
- Regional Trail Search Corridors

- Local Streets
- Existing State Trails
- Other Parks, Preserves, Refuges and Natural Areas

* Counties Transit Improvement Board (CTIB)

Figure 2. Thrive MSP 2040 Community Designations

**Community Designations
City of Richfield, Hennepin County**



Community Designations

Outside Council planning authority	Emerging Suburban Edge
Agricultural	Suburban Edge
Rural Residential	Suburban
Diversified Rural	Urban
Rural Center	Urban Center

- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

Figure 3. Existing Land Use

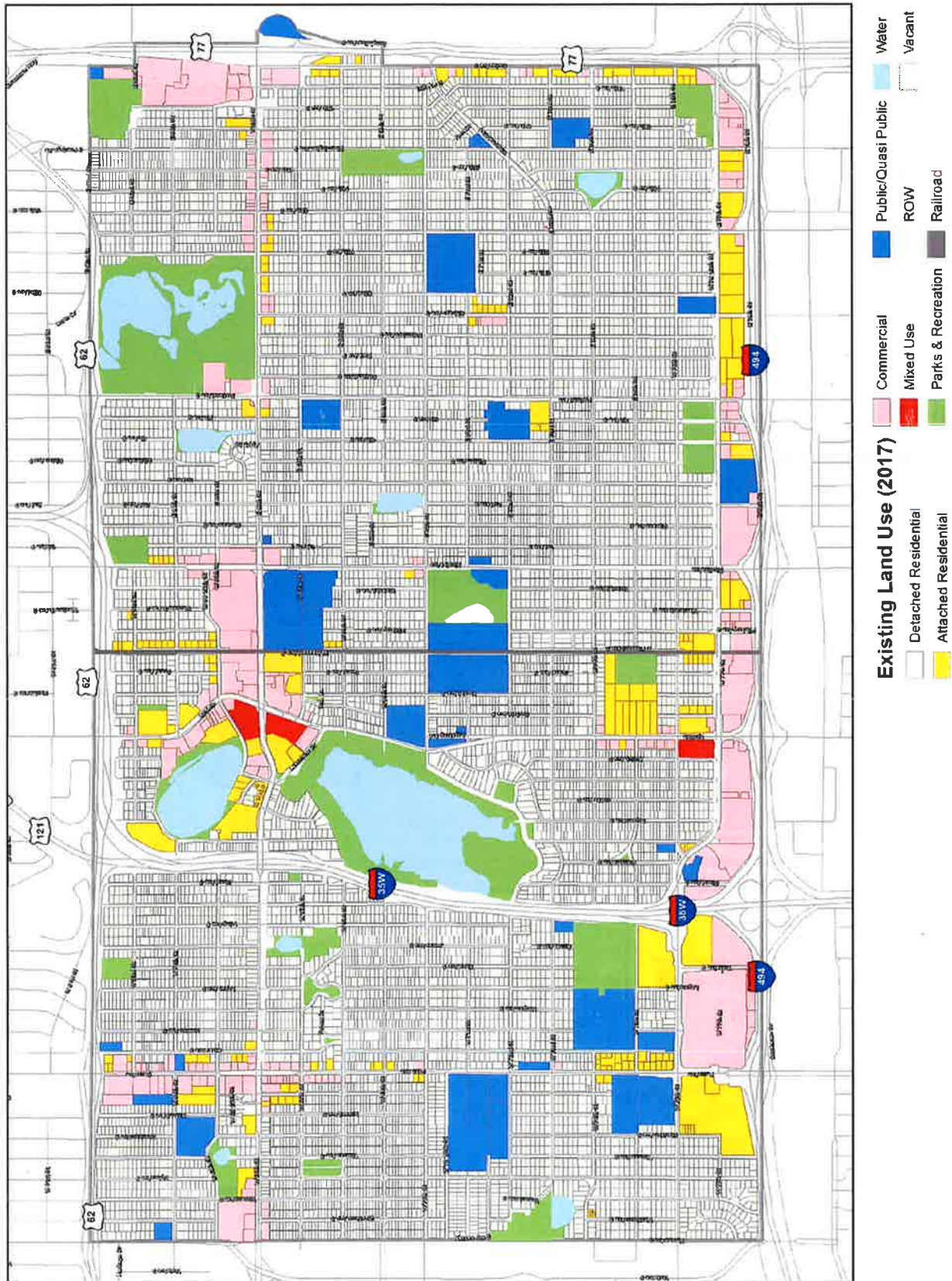


Figure 4. 2040 Planned Land Use



Figure 5. Land Guided for Affordable Housing

Land Guided for Affordable Housing 2021-2030

Richfield

Hennepin County

Council Member Molly Cummings, District 5

2021-2030 share of regional need for Affordable Housing: **121 units**
 2021-2030 total regional need for Affordable Housing: **37,900 units**

	Available Acres	×	Minimum Density (units per acre)	×	Expected % Residential (if mixed use)	=	Minimum Units Possible
Medium Density Residential	4.26		8		100%		35
High Density Residential	5.28		35		100%		185
Lyndale/66th	12.68		25		50%		159
Penn Ave Corridor	3.41		25		60%		52
Cedar Ave. Corridor	13.35		25		40%		134
I-494 Corridor	2.44		50		30%		37
Total	41						602

Sufficient/(insufficient) units possible against share of regional need: **481**

Affordable units built since 2021: **0**

Sufficient/(insufficient) units possible adjusted for affordable units built: **481**

Number of Comp Plan Amendments approved since Comp Plan Update: **0**





STAFF REPORT NO. 93
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Amy Markle, Recreation Services Director

DEPARTMENT DIRECTOR REVIEW: Amy Markle, Recreation Services Director
8/3/2020

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of the first reading of an ordinance that includes requirements for all persons using designated off-leash dog area(s) in City of Richfield Parks, and schedule a public hearing and second reading September 8, 2020.

EXECUTIVE SUMMARY:

The community is excited for the development of an off-leash dog area within the City of Richfield Park system. Roosevelt Park has been approved as the location and various site prep and project planning has occurred. Before construction can begin, an amendment to the Richfield code of ordinances is needed to support the safety of park guests and dogs.

City staff has studied other off-leash dog area rules and ordinances and has met numerous times to collaboratively develop a specific ordinance that would create a safe space to both dog owners and dogs to recreate. The new ordinance will be displayed at the off-leash park entrance as "park rules", and will be used for safety, education and enforcement when needed.

The ordinance includes both rules for the off-leash dog area and liability for the amenity.

RECOMMENDED ACTION:

By Motion: Approve first reading of the ordinance that includes requirements for all persons using designated off-leash dog area(s) in City of Richfield Parks, and schedule a public hearing and second reading for September 8, 2020.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Richfield residents have communicated that they would like a dog park within the city for several years. We have received specific feedback from the community at our park system master plan open houses pertaining to the desire for a dog park and know it will be well supported.
- City Staff and WSB Engineers have thoroughly examined several potential sites for the dog park including both Taft and Donaldson Parks, but for many reasons such as poor soils and feedback from adjacent neighbors, they have been determined as non-desirable or non-feasible choices for the site selection.

- Roosevelt Park has been carefully studied and recommended by City Staff and the Community Services Commission as the best choice for a new dog park (CSC approved the recommendation on 2/18/2020).
- City Council approved Roosevelt Park for the location of an off-leash dog area to be developed.
- Prep work has been done for the project and now city staff are ready to start the construction.
- There is currently no city ordinance(s) supporting the needed requirements for an off-leash dog area.

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

- This process provides for public input through a public hearing.
- This ordinance will be effective in accordance with Section 3.09 of the City Charter.
- Chapter IX of the Richfield Code of Ordinances will be amended to add a new subsection 905.43, Off-Leash Dog Area(s).

C. CRITICAL TIMING ISSUES:

The off-leash dog area at Roosevelt Park will need to begin construction in late September for it to be completed before the ground starts to freeze. The ordinance that supports the new park feature needs to be approved before the park can open.

D. FINANCIAL IMPACT:

The \$80,000 budget for the off leash dog area at Roosevelt Park was previously approved in 2019 and has been set aside for use when construction can begin. Additionally, approximately \$5,000 has been raised through the Richfield Round-up for Recreation campaign at the municipal liquor stores.

E. LEGAL CONSIDERATION:

In order to safely manage an off-leash dog area, the City Code must be updated to provide for rules and regulations for such a facility.

ALTERNATIVE RECOMMENDATION(S):

The City Council could postpone the first reading of the ordinance to a future City Council meeting.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None.

ATTACHMENTS:

Description	Type
□ Off-leash Dog Areas Code of Ordinances	Ordinance

BILL NO. _____
AN ORDINANCE AMENDING CHAPTER IX OF THE
RICHFIELD CODE OF ORDINANCES PERTAINING TO
OFF-LEASH DOG AREAS

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Chapter IX of the Richfield Code of Ordinances is amended to add a new subsection 905.43 as follows:

905.43. - Off-leash dog area(s).

Subdivision 1. General Rules for Off-Leash Dog Areas. To enter and use designated off-leash dog areas in the City, all persons must comply with the following requirements:

1. Dog owners required to obtain a license pursuant to subsection 905.03 shall have obtained such a license. Dogs not licensed pursuant to subsection 905.03 may enter an off-leash dog area only if the dog is licensed in the city in which they reside and if they are accompanied by a Richfield resident. All dogs must display license tags at all times pursuant to subsection 905.03, subd. 1.
2. All dogs must have received a current rabies vaccination pursuant to subsection 905.03, subd. 1.
3. Dogs under four months old and females in estrus (or "in heat") are not allowed in off-leash dog areas.
4. Children under 14 years of age may not enter off-leash dog areas without a parent or guardian.
5. Dog handlers may enter off-leash dog areas with a maximum of three dogs.
6. All dogs must be restrained on a leash prior to entering and upon exiting off-leash dog areas.
7. Dog handlers must maintain a leash for each of their dogs in their possession and available for quick use at all times.
8. All dogs must have a dog collar on at all times.
9. Dog handlers shall supervise each of their dogs and ensure that each of their dogs are within their view at all times.
10. Dog handlers must maintain direct control of each of their dogs at all times.
11. All dog waste must be immediately and properly disposed of.
12. No private dog training is allowed in off-leash dog areas.
13. No food, dog treats, toys, or glass containers are allowed.
14. Any dog that exhibits aggressive behavior must be removed from the off-leash dog area immediately.
15. Off-leash dog areas designated for smaller dogs shall be limited to dogs that weigh 25 pounds or less and are no taller than 13" at the shoulder.

16. With the exception of wheelchairs or other assistive equipment used by people with disabilities, no bicycles, strollers, wheeled or motorized vehicles shall be allowed in off-leash areas.

17. No smoking or alcohol is allowed in off-leash areas.

Subd. 2. Liability. The use of all off-leash dog areas within the City is at the full discretion and risk of the dog owner or dog handler. All dog owners and handlers assume any liability for injury or damages caused by their dog(s). The City makes no guarantee, nor assumes any liability for, the physical condition of the off-leash dog areas, the behavior of any dog in the off-leash dog areas, or the vaccination history of any dog in the off-leash area.

Section 2. This ordinance will be effective in accordance with Section 3.09 of the City Charter.

Adopted by the City of Richfield this ____ day of _____, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



STAFF REPORT NO. 94
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Blanca Martinez Gavina, Executive Analyst

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

First reading of an ordinance establishing a prevailing wage policy for city funded capital projects with estimated costs of \$300,000 or more.

EXECUTIVE SUMMARY:

The City of Richfield is currently required to pay, or require contractors to pay, a prevailing wage for projects that are funded with state and federal revenue. The Richfield City Council provided direction at a work session on February 11, 2020 to expand the prevailing wage requirements to city funded capital projects to better support the City of Richfield's economy and enhance the local standard of living. The Council also supported staff's proposal to add contractual provisions to future development agreements to ensure compliance with labor laws and to display posters that provide support to human trafficking victims at every project work site.

It is in the public's best interest that developments and buildings constructed with financial assistance from the city be constructed and maintained by the best means and highest quality of labor reasonably available and that persons working on the buildings and developments be compensated according to the real value of the services they perform and that wages of laborers, workers and mechanics on developments and buildings financially assisted by public funds be comparable to wages paid for similar work in the community as a whole.

Currently, fair wages contractual provisions are part of an upcoming Contract for Private Development with 6345 Partners, LLC which will include provisions such as:

- Construction and ongoing operation of the project must comply with all local, state and federal labor laws.
- The Certificate of Completion will be provided upon evidence that all contractors, subcontractors and laborers have been paid.
- If the Developer fails to comply with labor laws, they will be in default of the Contract.
- If they are in default, the HRA can delay issuance of the tax increment, reduce the amount of the TIF by 20% or terminate the Contract.

Additionally, contractors will be asked to display information to bring awareness to labor trafficking practices

on work sites with a job valuation exceeding a specified threshold (to be determined).

RECOMMENDED ACTION:

Approve the first reading of an ordinance establishing a prevailing wage policy for city funded projects with estimated costs of \$300,000 or more.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

During a work session on February 11th, 2020, City Council reviewed the following staff recommendations:

Prevailing Wage

The Davis-Bacon and Related Acts, apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration or repair (including painting and decorating) of public buildings or public works.

Costs to the city are medium-high due to the need for oversight, implementation and ongoing enforcement. The research was inconsistent making it difficult to predict the increase cost if any in future contracts and the administrative costs of enforcement.

Limitations include increased costs and lack of staff expertise to enforce the prevailing wage requirements. Based on initial research, Director Asher recommended including a prevailing wage requirement for any project over \$300,000. Though the starting point of \$300,000 seems reasonable to expand a prevailing wage requirement for projects that are not already required, the initial range should consider costs of implementation and ongoing enforcement.

Redevelopment contractual obligation to follow labor laws

Development Agreements can be written to include:

- a developer commitment to comply with all federal, state and local labor laws;
- a requirement that the developer provide documentation of proper payment to all contractors, subcontractors and project laborers prior to the issuance of a Certificate of Compliance, and;
- an acknowledgement that failure to comply with the above points would result in a default of the development agreement and could result in a penalty (such as non-issuance of TIF Note, or, if the TIF Note has already been issued, delaying, reducing and/or ceasing TIF Note payments).

Costs to the City are medium to high as the HRA could incur legal costs in concluding developer is in default of contract and/or in withholding funds;

Limitations include:

- Developer may be unaware of all subcontractors and suppliers;
- Staff does not have the capacity to conduct site visits to determine if there are workers who are excluded from the list;
- May set an unrealistic expectation that staff is monitoring and blame assigned to staff if not followed.
- Language would only be valid until a Certificate of Completion were issued once all contractual obligations have been met (usually within 18 months of conclusion of construction).

Protection from labor trafficking

Many cities around the country, including the neighboring city of Minneapolis, are passing ordinances aimed to protect laborers from labor exploitation by contractors and subcontractors.

Labor trafficking is defined as “the severe form of trafficking in persons,” and “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

Costs are minimal as there are only additional requirements for contractors to post signs in construction zones.

Limitations are the lack of resources to investigate labor and human trafficking cases. Cities around the country are increasing labor and human trafficking public awareness by providing signs in establishments, city projects and other venues. The signs alert employees and patrons to remedies and protections related to labor and human trafficking.

City Council agreed with the starting prevailing wage at \$300,000 as long as that the set amount be revisited in the future as the ordinance is implemented. The City Council Members also agreed to move forward with the redevelopment contractual agreements and the posting of anti-human trafficking posters at all construction sites.

City Council recommended the staff recommendations to move forward and review future projects. They also instructed for staff to work with directors to ensure that the ordinance changes are reflected in their respective departments.

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

Prevailing wage, contractual provisions and labor trafficking protections aligns with the City of Richfield's objective to "Cultivate a healthy local economic environment that values the city's small businesses and promotes living wage jobs."

C. CRITICAL TIMING ISSUES:

Consider options to make progress on a 2020 City Goal. The redevelopment agreement for the Henley II project is the first to incorporate the fair labor contractual provisions.

D. FINANCIAL IMPACT:

Financial impact will have to be determined on a case by case basis.

E. LEGAL CONSIDERATION:

Staff have worked with City Attorney Tietjen on the ordinance language and provisions.

ALTERNATIVE RECOMMENDATION(S):

The City Council could reject or modify recommended options to implement additional prevailing wage requirements, redevelopment contractual obligations provisions and increased labor trafficking awareness.

PRINCIPAL PARTIES EXPECTED AT MEETING:

ATTACHMENTS:

Description	Type
▣ Ordinance	Ordinance
▣ Ordinance Red Line	Ordinance

BILL NO. _____
Ordinance No. 2020-__

AN ORDINANCE ESTABLISHING A PREVAILING WAGE POLICY FOR CITY
FUNDED PROJECTS WITH ESTIMATED COSTS OF \$300,000 OR MORE

THE CITY OF RICHFIELD DOES ORDAIN:

Section I. The Richfield Code of Ordinances is amended by adding the following new Section:

SECTION 435. PREVAILING WAGE REGULATIONS

435.01. - Purpose.

It is in the public interest that developments and buildings constructed with financial assistance from the city be constructed and maintained by the best means and highest quality of labor reasonably available and that persons working on the buildings and developments be compensated according to the real value of the services they perform and that wages of laborers, workers and mechanics on developments and buildings financially assisted by public funds be comparable to wages paid for similar work in the community as a whole.

435.03. - Definitions.

Subdivision I. The following definitions apply in this Section:

- (a) "Basic Hourly Rate" means the hourly wage paid to any employee.
 - (b) "Prevailing Wage Rate" shall have the meaning contained in Minn. Stat. §177.42, Subd. 6, as determined for the area including the City of Richfield by the Minnesota Department of Labor and Industry.
 - (c) "Apprentice" means a person employed and registered in a bona fide apprenticeship program registered with the U.S. Department of Labor or with a state apprenticeship agency. "Apprentice" shall also include a person in the first 90 days of probationary employment as an apprentice who is not registered in the program but who has been certified by the U.S. Bureau of Apprenticeship and Training or a state apprenticeship agency or council to be eligible for probationary employment as an apprentice.
 - (d) "Project" means erection, construction, reconstruction, remodeling, demolition, or routine maintenance of City streets, utilities, storm water infrastructure, buildings or parks where the estimated cost of the work exceeds \$300,000 and the City of Richfield (City) or the Richfield Housing and Redevelopment Authority (HRA) lets the work under contract and the project is financed in whole by City or HRA funds. This includes projects where the City or HRA has received funds previously from another source and uses such funds for the Project.
- "Project" shall not include contracts for the purchase, rental, repair, or maintenance of motor vehicles or other equipment or personal property. Contracts involving the insertion of public funds, such as tax increment financing, shall not be considered a Project unless the City or HRA is a direct party to the contract.

(e) "Laborer, Mechanic" means all persons utilized, employed, or working on a Project who are doing work usually done by mechanics and laborers, including proprietors, partners, and members of cooperatives.

435.05. - Wage and Hours for City and HRA Projects.

Subdivision 1. Any contract for a Project with an estimated total cost of over \$300,000 shall contain a stipulation that no laborer, mechanic, or apprentice employed directly upon the Project work site by the contractor or any subcontractor shall be permitted or required to work at a rate of pay less than the Prevailing Wage Rate.

Subd. 2. The prevailing wage rates, prevailing hour of labor and hourly basic rates of pay shall be set forth specifically in the contract. All contracts for Projects must include applicable schedules of prevailing wage rates. Schedules of applicable prevailing wage rates shall be present on all Project job sites and shall either be posted on the site or be on the person of any supervisor in charge of the job site.

Subd. 3. Upon request of the City or HRA, any contractor or subcontractor working on a Project shall furnish the City or HRA with a copy of all payrolls relating to the Project. Such payroll reports shall be submitted on U.S. Department of Labor Standard Forms or their equivalent to the employee of the City or HRA in charge of supervising contract performance. Payroll so submitted shall include the classification of each employee and shall set out accurately and completely all the information required to be maintained under 29 C.F.R. part 5, section 5.5(a)(3)(i).

Subd. 4. No contractor or subcontractor working on a Project shall evade or attempt to evade the provision of this Section through the use of non-recognized training programs. The only employees involved in training programs that shall be allowed to work on Projects covered by this Section shall be Apprentices.

435.07. - Applicability.

This Section shall not apply to contracts for projects estimated to cost less than \$300,000; nor to employees who do no more than deliver materials to the work site. This Section shall apply to employees who deliver asphalt, concrete, or mineral aggregate such as sand, gravel, or stone where such material is incorporated into the Project by depositing the material substantially in place, either directly or through spreaders, from the transporting vehicle.

435.09. - Violations and Penalties.

Subdivision 1. The contractor shall be the responsible party to ensure the payment of prevailing wages by the contractor or by any subcontractor employed by or performing work as a part of a Project.

Subd. 2. A contractor or any subcontractor who violates the prevailing wage provisions of a contract shall be liable directly to the underpaid laborer or mechanic for the unpaid wages. A contractor or subcontractor, by agreeing to perform work on a Project, agrees that laborers or mechanics have such a cause of action against the contractor or subcontractor.

Subd. 3. Failure to pay prevailing wages may result in, but is not limited to: contract payment delay, cancellation of the contract, non-issuance of a tax increment financing note, or delay, reduction, or cessation of tax increment note payments.

Subd. 4. Upon receipt by the City or HRA of a written complaint alleging a violation of this

Section or on the initiative of the City or HRA, the City or HRA may refer the complaint to the Minnesota Department of Labor and Industry to determine whether there has been a violation of this Section. If the Minnesota Department of Labor and Industry declines to conduct an investigation, the City or HRA may elect, in its own discretion, to either investigate the matter or refer it to an independent investigator. The City, HRA, and the Minnesota Department of Labor and Industry shall have the right to interview, during working hours, any employees, whether employees of the contractor or any subcontractor.

Subd. 5. Any person violating this Section shall be guilty of a misdemeanor with each day of violation constituting a separate offense.

Section 2.

This ordinance will be effective in accordance with Section 3.09 of the City Charter.

Adopted by the City of Richfield this 10 day of August, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

BILL NO. _____
Ordinance No. 2020-__

AN ORDINANCE ESTABLISHING A PREVAILING WAGE POLICY FOR CITY
FUNDED PROJECTS WITH ESTIMATED COSTS OF \$300,000 OR MORE

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. The Richfield Code of Ordinances is amended by adding the following new Section:

SECTION 000. PREVAILING WAGE REGULATIONS

000.01. - Purpose.

It is in the public interest that developments and buildings constructed with financial assistance from the city be constructed and maintained by the best means and highest quality of labor reasonably available and that persons working on the buildings and developments be compensated according to the real value of the services they perform and that wages of laborers, workers and mechanics on developments and buildings financially assisted by public funds be comparable to wages paid for similar work in the community as a whole.

000.02. - Definitions.

Subdivision 1. The following definitions apply in this Section:

(a) "Basic Hourly Rate" means the hourly wage paid to any employee.

(b) "Prevailing Wage Rate" shall have the meaning contained in Minn. Stat. §177.42, Subd. 6, as determined for the area including the City of Richfield by the Minnesota Department of Labor and Industry.

(c) "Apprentice" means a person employed and registered in a bona fide apprenticeship program registered with the U.S. Department of Labor or with a state apprenticeship agency. "Apprentice" shall also include a person in the first 90 days of probationary employment as an apprentice who is not registered in the program but who has been certified by the U.S. Bureau of Apprenticeship and Training or a state apprenticeship agency or council to be eligible for probationary employment as an apprentice.

(d) "Project" means erection, construction, reconstruction, remodeling, ~~or~~ demolition, or routine maintenance of City streets, utilities, storm water infrastructure, buildings or parks where the estimated cost of the work exceeds \$300,000 and the City of Richfield (City) or the Richfield Housing and Redevelopment Authority (HRA) lets the work under contract and the project is financed in whole by City or HRA funds. This includes projects where the City or HRA has received funds previously from another source, and uses such funds for the project is a party to the contract.

"Project" shall not include contracts for the purchase, rental, ~~or~~ repair, or maintenance of motor vehicles or other equipment or personal property, ~~or maintenance contracts or any work performed pursuant thereto including contracts for the maintenance of equipment or personal~~

~~property or for the routine maintenance or repair of City streets, utilities, storm water infrastructure, buildings or parks.~~ Contracts involving the insertion of public funds, such as tax increment financing, shall not be considered a Project unless the City or HRA is a direct party to the contract.

(e) "Laborer, Mechanic" means all persons utilized, employed or working on a Project who are doing work usually done by mechanics and laborers, including proprietors, partners, and members of cooperatives.

000.03. - Wage and Hours for City and HRA Projects.

Subdivision 1. Any contract for a Project with an estimated total cost of over \$300,000 shall contain a stipulation that no laborer, mechanic, or apprentice employed directly upon the Project work site by the contractor or any subcontractor shall be permitted or required to work at a rate of pay less than the Prevailing Wage Rate.

Subd. 2. The prevailing wage rates, prevailing hour of labor and hourly basic rates of pay shall be set forth specifically in the contract. All contracts for Projects must include applicable schedules of prevailing wage rates. Schedules of applicable prevailing wage rates shall be present on all Project job sites and shall either be posted on the site or be on the person of any supervisor in charge of the job site.

Subd. 3. Upon request of the City or HRA, any contractor or subcontractor working on a Project shall furnish the City or HRA with a copy of all payrolls relating to the Project. Such payroll reports shall be submitted on U.S. Department of Labor Standard Forms or their equivalent to the employee of the City or HRA in charge of supervising contract performance. Payroll so submitted shall include the classification of each employee and shall set out accurately and completely all the information required to be maintained under 29 C.F.R. part 5, section 5.5(a)(3)(i).

Subd. 4. No contractor or subcontractor working on a Project shall evade or attempt to evade the provision of this Section through the use of non-recognized training programs. The only employees involved in training programs that shall be allowed to work on Projects covered by this Section shall be Apprentices.

000.04 - Applicability.

This Section shall not apply to contracts for projects estimated to cost less than \$300,000; nor to employees who do no more than deliver materials to the work site. This Section shall apply to employees who deliver asphalt, concrete, or mineral aggregate such as sand, gravel, or stone where such material is incorporated into the Project by depositing the material substantially in place, either directly or through spreaders, from the transporting vehicle.

000.05. - Violations and Penalties.

Subdivision 1. The contractor shall be the responsible party to ensure the payment of prevailing wages by the contractor or by any subcontractor employed by or performing work as a part of a Project.

Subd. 2. A contractor or any subcontractor who violates the prevailing wage provisions of a contract shall be liable directly to the underpaid laborer or mechanic for the unpaid wages. A contractor or subcontractor, by agreeing to perform work on a Project, agrees that laborers or mechanics have such a cause of action against the contractor or subcontractor.

Subd. 3. Failure to pay prevailing wages may result in, but is not limited to: contract payment

delay, cancellation of the contract, non-issuance of a tax increment financing note, or delay, reduction, or cessation of tax increment note payments.

Subd. 4. Upon receipt by the City or HRA of a written complaint alleging a violation of this Section or on the initiative of the City or HRA, the City or HRA may refer the complaint to the Minnesota Department of Labor and Industry to determine whether there has been a violation of this Section. If the Minnesota Department of Labor and Industry declines to conduct an investigation, the City or HRA may elect, in its own discretion, to either investigate the matter or refer it to an independent investigator. The City, HRA, and the Minnesota Department of Labor and Industry shall have the right to interview, during working hours, any employees, whether employees of the contractor or any subcontractor.

Subd. 5. Any person violating this Section shall be guilty of a misdemeanor with each day of violation constituting a separate offense.

Section 2.

This ordinance will be effective in accordance with Section 3.09 of the City Charter.

Adopted by the City of Richfield this ____ day of _____, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



STAFF REPORT NO. 95
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

DEPARTMENT DIRECTOR REVIEW:

OTHER DEPARTMENT REVIEW: Joe Powers, Asst. City Engineer

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider an ordinance amending regulations pertaining to the installation of small wireless facilities and wireless support structures in the right-of-way and a resolution authorizing summary publication of said ordinance.

EXECUTIVE SUMMARY:

In 2017, the Minnesota Legislature amended State law to expressly allow the installation of "small wireless facilities" and "wireless support structures" in the right-of-way. This right is subject to local governmental authority to manage right-of-way permitting, but the city's authority to deny permits in the right-of-way is very limited. Cities are permitted to make such facilities or structures a conditional use in right-of-way located in areas zoned for single-family residential use and given that cities were not permitted to adopt a moratorium in 2017 to study other potential regulations, the City Attorney recommended that the Council do this.

Since the adoption of the regulation two years ago, staff has continued to study potential aesthetic and spacing guidelines for all small wireless facilities. At a May 26 work session, staff presented a set of regulations to the City Council. Based on feedback at this work session, the minimum separation between facilities has been increased from 150 feet to 300 feet and language limiting the size of safety signs has been eliminated. These regulations would apply to installations in right-of-way adjacent to all zoning districts.

Staff also recommended to the Council on May 26 that the requirement for a Conditional Use Permit (CUP) in the single-family residential districts be removed. The CUP process invites the public to participate in the consideration of an application that, in this case, the City has little to no authority to deny. Participants have frequently expressed health concerns related to Radio Frequency Electromagnetic Fields (RF EMF); however, the established guidelines for human exposure to RF EMF are set by the Federal Communications Commission and the City has no authority to deny a request that meets those requirements. With the adoption of aesthetic and spacing requirements that will apply to all installations, the CUP process becomes one that invites public comment, but offers no legitimate opportunity for influence. This type of process can erode public trust and is frustrating and inefficient for all involved. The Council was supportive of this recommendation.

A public hearing was held by the Planning Commission on June 22 to consider the proposed amendment to remove the CUP requirement from the Zoning Code. After a lengthy debate related to the usefulness of the CUP in this process, the Commission recommended approval.

Access to a reliable telecommunications network is important for the residents of Richfield. The proposed regulations are intended to reasonably regulate the aesthetic impacts that this improved connectivity and availability will create.

RECOMMENDED ACTION:

By motion:

1. Approve a second reading of an ordinance related to the installation of small wireless facilities and wireless support structures in the right-of-way; and
2. Approve a resolution authorizing summary publication of an ordinance related to the installation of small wireless facilities and wireless

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

See Executive Summary

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

- The purpose of both the city's right-of-way management and zoning regulations is to appropriately protect the health, safety, and welfare of the residents of Richfield.
- If, in a particular case, a requirement of this ordinance was shown to be infeasible, the Statutory language would require the city to waive that particular requirement.
- Summary publication of adopted ordinances is permitted when the verbatim text of the amendment is cumbersome, and the expense of publication of the complete text is not justified.

C. CRITICAL TIMING ISSUES:

- While COVID-19 appears to be impacting the short-term outlook for applications and possibly construction of new facilities, AT&T and Verizon have both indicated that they will expect to apply for additional facilities this year.
- These regulations will only apply to applications submitted after the adoption and publication of this ordinance.

D. FINANCIAL IMPACT:

None

E. LEGAL CONSIDERATION:

- The City Attorney's office has reviewed the proposed ordinance revisions.
- A public hearing was held by the Planning Commission on June 22, 2020. No members of the public spoke or submitted comments.
- The Planning Commission voted (3-2) to recommend approval of the proposed ordinance. Commissioners Quam and Rudolph dissented.
- A first reading of the proposed ordinance was approved by the Council on July 14, 2020.
- On July 22, 2020 the attached letter from Attorney Anthony A. Dorland of Moss & Barnett was submitted on behalf of Verizon Wireless. The City Attorney's office has reviewed this letter and determined that no changes to the proposed ordinance are required in order to comply with State Law. Staff has made a minor modification to the wording of the clause in question to more-clearly state our intent to require separation of wireless support facilities, and not antennas without support structures, as allowed by law.

ALTERNATIVE RECOMMENDATION(S):

- Approve a second reading with modifications.
- Reject the proposed ordinance and maintain status quo.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Ordinance	Ordinance
<input type="checkbox"/>	Resolution - Summary Publication	Resolution Letter
<input type="checkbox"/>	Verizon Letter	Backup Material

BILL NO. _____

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE
REGULATIONS RELATED TO
SMALL WIRELESS FACILITIES**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1 Subsection 514.05, Subd. 11 of the Richfield City Code related to permitted uses in the Single-Family (R) Zoning District is amended to read as follows:

Subd. 11. Minor public utilities, ~~excluding~~including “small wireless facilities” and associated “wireless support structures.” in compliance with regulations detailed in Subsection 802.21 of the City Code.

Section 2 Subsection 514.07, Subd. 12 of the Richfield City Code related to conditional uses in the Single-Family (R) Zoning District is amended to read as follows:

Subd. 12. Major public utilities, ~~and “small wireless facilities” and associated “wireless support structures.”~~

Section 3 Subsection 518.05, Subd. 11 of the Richfield City Code related to permitted uses in the Low-Density Single-Family (R-1) Zoning District is amended to read as follows:

Subd. 11. Minor public utilities, ~~excluding~~including “small wireless facilities” and associated “wireless support structures.” in compliance with regulations detailed in Subsection 802.21 of the City Code.

Section 4 Subsection 518.07, Subd. 4 of the Richfield City Code related to conditional uses in the Low-Density Single-Family (R-1) Zoning District is amended to read as follows:

Subd. 4. Major public utilities, ~~and “small wireless facilities” and associated “wireless support structures.”~~

Section 5 Subsection 802.21 of the Richfield City Code related to the issuance of permits to install small wireless facilities in City right-of-way is amended to read as follows:

802.21. Issuance of Permits; Conditions.

Subdivision 1. Permit Issuance. If the Applicant has satisfied the requirements of this Section, the City shall issue a permit within a reasonable period of time of receiving a completed application.

Subd. 2. Conditions. The City may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minnesota Statutes §§ 216D.01—.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560.

Subd. 3. Screening. The Permittee shall screen all above-ground facilities as required by the Director. Screening methods shall include the use of shrubs, trees and/or landscape rock or installation using camouflaged forms of the facility.

Subd. 4. Small Wireless Facility Conditions. In addition to subdivisions 2 and 3, the erection or installation of a wireless support structure, the collocation of a small wireless facility, or other installation of a small wireless facility in the right-of-way, shall be subject to the following conditions:

(a) Each small wireless facility antenna ("antenna") shall be located entirely within a shroud or canister type enclosure. The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure.

(b) A small wireless facility and enclosure shall only be collocated on the particular wireless support structure, under those attachment specifications, and at the height indicated in the applicable permit application.

(c) All colors shall match the background of any wireless support structure that the facilities are located upon. In the case of existing wood poles, finishes of conduit shall be zinc, aluminum, stainless steel, or colored to match those metal finishes.

(d) All cables, wires, and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure.

(e) No new wireless support structure installed within the right-of-way shall exceed 50 feet in height without the city's written authorization, provided that the city may impose a lower height limit in the applicable permit to protect the public health, safety and welfare or to protect the right-of-way and its current use, and further provided that a registrant may replace an existing wireless support structure exceeding 50 feet in height with a structure of the same height subject to such conditions or requirements as may be imposed in the applicable permit.

(f) All antenna enclosures shall either be mounted to the top of the wireless structure pole aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure No wireless facility may extend more than ten (10) feet above its wireless support structure.

(g) Where an applicant proposes to install a new wireless support structure in the right-of-way, the city may impose separation requirements between such structure and any existing wireless support structure or other facilities in and around the right-of-way. Wireless support structures shall be located no closer than 300 feet away, radially, from another wireless support structure.

(h) To the greatest extent possible, new wireless support structures shall not be located directly in front of any existing residential, commercial, or industrial structure and shall be located in line with existing lot lines.

(i) Where an applicant proposes collocation on a decorative wireless support structure, sign or other structure not intended to support small wireless facilities, the city may impose reasonable requirements to accommodate the particular design, appearance or intended purpose of such structure.

(j) Where an applicant proposes to replace a wireless support structure, the city may impose reasonable restocking, replacement, or relocation requirements on the replacement of such structure.

(k) Tree “topping” or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs, or other landscaping already existing in the right-of-way must be noted in the application and must be approved by the City.

(l) Ground mounted equipment cabinets shall be the color of brushed aluminum and additionally screened through the use of shrubs, trees, and/or landscape rock or installation using camouflaged forms of the facility.

(m) New small wireless facilities and wireless support structures shall not be illuminated, except in accordance with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.

(n) The small wireless facility operator/permittee shall remove or paint over unnecessary equipment manufacturer decals. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state, or local agency.

(o) In residential areas, the small wireless facility operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.

(p) The applicant shall provide photo simulations from at least two reasonable line-of-site locations near the proposed project site. The photo simulations must be taken from the viewpoints of the greatest pedestrian traffic.

Subd. 5. Small Wireless Facility Agreement. A small wireless facility shall only be collocated on a small wireless support structure owned or controlled by the city, or any other city asset in the right-of-way, after the applicant has executed a standard small wireless facility collocation agreement with the city. The standard collocation agreement may require payment of the following:

- (a) Up to \$150.00 per year for rent to collocate on the city structure.
- (b) \$25.00 per year for maintenance associated with the collocation;
- (c) A monthly fee for electrical service as follows:
 - 1. \$73.00 per radio node less than or equal to 100 maximum watts;
 - 2. \$182.00 per radio node over 100 maximum watts; or
 - 3. The actual costs of electricity, if the actual cost exceed the foregoing.

The standard collocation agreement shall be in addition to, and not in lieu of, the required small wireless facility permit, provided, however, that the applicant shall not be additionally required to obtain a license or franchise in order to collocate. Issuance of a small wireless facility permit does not supersede, alter or affect any then-existing agreement between the city and applicant.

Section 5 This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 10th day of August, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

RESOLUTION NO. _____

**RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE RELATED
TO THE INSTALLATION OF SMALL WIRELESS FACILITIES AND WIRELESS
SUPPORT STRUCTURES IN THE RIGHT-OF-WAY**

WHEREAS, the City has adopted the above referenced amendment of the Richfield City Code; and

WHEREAS, the verbatim text of the amendment is cumbersome, and the expense of publication of the complete text is not justified.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield that the following summary is hereby approved for official publication:

**SUMMARY PUBLICATION
BILL NO. _____**

**AN ORDINANCE RELATED TO THE INSTALLATION OF SMALL WIRELESS
FACILITIES AND WIRELESS SUPPORT STRUCTURES IN THE RIGHT-OF-WAY**

This summary of the ordinance is published pursuant to Section 3.12 of the Richfield City Charter.

This ordinance revises rules related to the installation of new small wireless (cellular phone) facilities and their support structures. The approved ordinance removes the requirement for a Conditional Use Permit prior to the installation of such equipment in single-family residential districts and instead establishes aesthetic and spacing requirements for all new facilities to be installed in the public right-of-way, in any zoning district in the City. Requirements include screening of ground equipment, matching the color of new equipment to the support structure to which it is affixed or to surroundings, height limitations, mounting preferences, spacing requirements, location preferences along lot lines, passive cooling systems, prohibits advertising, and regulates the trimming of trees to facilitate installation.

Copies of the ordinance are available for public inspection in the City Clerk's office during normal business hours or upon request by calling the Department of Community Development at (612) 861-9760.

Adopted by the City Council of the City of Richfield, Minnesota this 10th day of August, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

July 22, 2020

VIA E-MAIL (MPoehlman@richfieldmn.gov)

City of Richfield City Council
c/o Melissa Poehlman, AICP
Asst. Director of Community Development
Richfield City Hall
6700 Portland Avenue
Richfield, MN 55423

Re: City of Richfield's Proposed Small Cell Right-of-Way and Zoning Ordinance Amendments

Dear City Council Members:

Our law firm represents Verizon Wireless in its wireless communications network development activities in Minnesota, including in the City of Richfield. Verizon Wireless is actively working to enhance its wireless network in the Richfield area. We recently reviewed the City's proposed amended regulations for the installation of small wireless facilities within the public rights-of-way. We can see how much time and careful thought the City has devoted to planning how this important technology will be deployed throughout the City as the proposed ordinance amendments are for the most part consistent with State and Federal law. There is, however, one proposal that Verizon Wireless respectfully requests the City Council to modify: the proposed 300-foot separation distance for small wireless facilities and wireless support structures.

Section 802.21, Subd. 4 (g) of the City Code should be revised to be consistent with Minnesota's small cell statute. As proposed, the following would be added to Subdivision 4 of Section 802.21:

Small wireless facilities and wireless support structures shall be located no closer than 300 feet away, radially, from another small wireless facility and wireless support structure.

This language is inconsistent with Minnesota's small cell statute that was enacted in 2017. Specifically, Minn. Stat. Sec. 237.163, Subd. 3b (b) provides that *a new wireless support structure can only be subject to a separation requirement in relation to other wireless support structures*. The statutory language does not restrict the placement of the antenna facilities — only the placement of new small cell poles in relation to other small cell poles. The statutory language is an aesthetic requirement intended to allow a municipality to prohibit multiple new small cell poles from being clustered together, such as both an AT&T and Verizon Wireless small cell pole being placed on the same corner.¹ Thus, Minnesota law would allow small wireless facilities to be collocated on an existing utility pole that was near an existing small wireless facility site while the proposed draft language would prohibit this.

To remedy the draft language's inconsistency with State law, Verizon Wireless suggests the following revised language:

A new wireless support structure shall be located no closer than 300 feet away, radially, from another wireless support structure, unless the Director approves a shorter separation distance in a particular case.

¹ We understand that there was some belief that a spacing requirement is to prevent radio frequency interference. This is not accurate. In downtown Minneapolis, multiple small cell facilities are located on the same block and often across the street from each other. To the casual observer, the facilities are indistinguishable from other utility and light poles in the downtown area.

Verizon Wireless proposes that the Director have the flexibility to approve a shorter separation distance in a particular case because, at times, there are practical and technical reasons why a small cell pole may need to be placed closer than 300 feet from another small cell pole. For example, small cell facilities and poles are often placed first in the areas with the greatest foot traffic and cell phone usage, such as in commercial areas and areas surrounding college campuses. As multiple cell phone companies serve these businesses and residents, a strict 300-foot separation requirement may materially inhibit wireless service in these areas.

The Federal Communications Commission (FCC) recently promulgated regulations that establish the scope of aesthetic requirements, such as a separation requirement, that local governments can adopt. In regard to minimum separation requirements, the FCC stated that aesthetic requirements that are more burdensome than those the locality applies to similar infrastructure deployments are not permissible, and a minimum spacing requirement that has the effect of materially inhibiting wireless service would be considered an effective prohibition of service. FCC's September 26, 2018, Small Cell Order at ¶87. It was also noted by the wireless providers that spacing restrictions stifle technological innovation and unnecessarily burden the ability of a provider to use the best available technological to serve a particular area; for example, some technology will require higher band spectrum for greater network capacity, yet some millimeter wave spectrum simply cannot propagate long distances let alone a few hundred feet. FCC Small Cell Order at note 250.

In conclusion, Verizon Wireless respectfully requests the City Council modify the proposed 300-foot separation distance language as outlined above. Verizon Wireless appreciates the thoughtful planning and drafting the proposed right-of-way and zoning ordinance amendments embody. Please include this letter as part of the public record for the upcoming City Council meeting. Verizon Wireless looks forward to working with the City of Richfield in deploying this important technology.

Sincerely,



Anthony A. Dorland

Attorney at Law

(612) 877-5258

anthony.dorland@lawmoss.com

cc: Tammy Hartman, Verizon Wireless



STAFF REPORT NO. 96
CITY COUNCIL MEETING
8/10/2020

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director
8/4/2020

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Katie Rodriguez, City Manager
8/4/2020

ITEM FOR COUNCIL CONSIDERATION:

Consider the approval of an amendment to a conditional use permit to allow building renovations and site improvements at Hope Presbyterian Church, 7132 Portland Avenue.

EXECUTIVE SUMMARY:

Hope Presbyterian Church (Applicant) is requesting approval of an amendment to a conditional use permit (ACUP) in order to make renovations to their building and property. This site is located in the Single-Family Residential Zoning (R) District. The Church and affiliated programming are conditionally allowed uses.

The renovations include removal and replacement of the eastern portion of the existing building on the north side of the property. The new addition will be set back farther from Portland Avenue and will include a new and more prominent entrance, a multipurpose room and internal gathering spaces. The Applicant is planning to renovate the lower level as well, including consolidating offices and updating the children's spaces. Materials will include brick to match the existing brick, stone and stucco/EIFS. New metal roofing and large glass windows will accent the building. Hope Church recently held an open house to discuss the project, to which they invited all neighbors within 1,000 feet of the property.

The site will continue to meet the conditions specific to a church use in the Single-Family Residential Zoning (R) District and meets most general performance standards specified by the Code. A description of conditional use permit requirements is attached. The one exception may be parking, although the calculation of parking for a property with such a variety of uses and schedules is difficult to calculate. Depending on the way in which those uses are calculated, the property may exceed maximum allowable parking. The Applicant is proposing to add additional parking spaces near the main entrance of the church on the Portland side of the building. There are several reasons to consider and approve this in this particular instance:

- To provide more convenient parking for those attending services and thereby reduce the need to use the northern parking lot which is located off of a local street;
- To allow for separate parking areas if church services are taking place at the same time as one of the several school/day care programs that operate out of the southern or 4th Avenue portion of the building; and
- To strategically plan for possible future redevelopment of the southern half of the property.

Staff is recommending that the approval of this ACUP include two stipulations:

1. That the southern, undeveloped portion of the property be maintained as landscaping or grass; and
2. That a comprehensive review of parking would be required prior to any future modifications to the parking lot south of the proposed limits of construction, or any requests for redevelopment of the currently vacant land.

Finding that the proposal meets requirements, staff recommends approval of the attached resolution for an amendment to a conditional use permit at Hope Presbyterian Church, 7132 Portland Avenue.

RECOMMENDED ACTION:

By motion: Approve of the attached resolution for an amendment to a conditional use permit to allow building renovations at Hope Presbyterian Church, 7132 Portland Avenue.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

The Applicant has existed as a congregation since 1954. Currently this facility has CUPs for programs such as a high school, a Montessori School, an adult daycare, a preschool, and after-school programs.

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

- Section 514.07 of the Zoning Code deals with conditional uses in the R, Single Family Residential Zoning District. Subdivision 7 describes requirements for religious institutions and related convents or parsonages as a conditional use in this District.
- In addition to the request for a CUP, the Applicant is requesting that the City vacate the most southerly, approximately 66-feet of the 5th Avenue right-of-way, north of the existing building. This request is supported by the Public Works Department and will be considered separately by the City Council.

C. CRITICAL TIMING ISSUES:

60-DAY RULE: The 60-day clock started when a complete application was received on July 14, 2020. A decision is required by September 12, 2020 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 Planning Commission public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site on July 16, 2020.
- A public hearing was held before the Planning Commission on July 27, 2020. There were no public comments.
- The Planning Commission unanimously recommended approval of the proposal.

ALTERNATIVE RECOMMENDATION(S):

- Approve the proposed amendment with additional and/or modified stipulations.
- Deny the proposed amendment with findings that it does not meet City requirements.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Keith Koenig, Hope Church; Angie Knodel, AIA, Vanman Architects and Builders; Benton Ford, P.E., Rehder & Associates, Inc.

ATTACHMENTS:

Description	Type
☐ Resolution	Resolution Letter
☐ CUP Requirements	Backup Material

▣	Plans - Architectural	Backup Material
▣	Plans - Civil	Backup Material
▣	Church occupancy and use table	Backup Material
▣	Zoning Map	Backup Material

RESOLUTION NO. _____

**RESOLUTION GRANTING APPROVAL OF A
REQUESTED AMENDMENT TO A CONDITIONAL USE PERMIT (ACUP)
TO ALLOW BUILDING RENOVATIONS AND SITE IMPROVEMENTS AT
HOPE PRESBYTERIAN CHURCH, 7132 PORTLAND AVENUE.**

WHEREAS, an application has been filed with the City of Richfield which requests approval of an amendment to a conditional use permit for a parcel of land commonly known as 7132 Portland Avenue (the “property”) and legally described as:

Lot 1, Block 1, HOPE PRESBYTERIAN CHURCH ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

and

That part of the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 34, Township 28, Range 24 lying south and east of Lot 1, Block 1, HOPE PRESBYTERIAN CHURCH ADDITON, except road.

WHEREAS, Hope Church has existed as a congregation since 1954 and this location holds ACUPs for programs such as a high school, a Montessori School, an adult daycare, a preschool, and after-school programs; and

WHEREAS, the requested amendment to the conditional use permit meets those requirements necessary as specified in Richfield’s Zoning Code, Section 514.07, Conditional uses, Subd. 7, conditions for religious institutions and related convents or parsonages; and

WHEREAS, the requested amendment to the conditional use permit meets those requirements necessary as specified in Richfield’s Zoning Code, section 514.11, Lot Area, dimensions and coverage; and section 514.13, building setback and height; and

WHEREAS, the property will be brought into compliance with the parking maximum section of the zoning code, 544.13, Subd. 7, upon any future modifications to the parking lot south of the proposed limits of construction or upon requests for redevelopment of the currently vacant land.

WHEREAS, the Planning Commission of the City of Richfield held a public hearing for the requested amendment at its July 27, 2020 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 City Council of the City of Richfield, Minnesota, as follows:

With respect to the application for requested amendment to a conditional use permit at the above mentioned property, the Planning Commission makes the following findings:

1. The City Council adopts as its Findings of Fact the WHEREAS clauses set forth above.
2. An amended conditional use permit is approved to allow modifications to an existing building

3. The approved, amended conditional use permit is subject to the following conditions:
- A recorded copy of the approved resolution must be submitted to the City prior to the issuance of a building permit;
 - The property owner is responsible for the ongoing maintenance and tending of all landscaping in accordance with approved plans;
 - The southern, undeveloped portion of the property be maintained as landscaping or grass for as long as it remains undeveloped;
 - A comprehensive review of parking would be required prior to any future modifications to the parking lot south of the proposed limits of construction, or any requests for redevelopment of the currently vacant land.;
 - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated July 7, 2020, and compliance with all other City and State regulations;
 - Approval of the vacation of the portion of 5th Avenue at the northern boundary of the site prior to issuance of a building permit;
 - Community development approval of final bike rack quantities and locations. One bike rack must be on Portland Ave side of the building;
 - Community development approval of trash enclosure materials and design;
 - Approval of separate sign permits is required;
 - Approval of a final landscaping plan and lighting plan prior to issuance of the building permit;
 - The approved, amended conditional use permit shall expire one year from issuance unless the use for which the permit was granted has commenced, substantial work has been completed, or upon written request by the developer, the Council extends the expiration date for an additional period of up to one year, as required by the Zoning Ordinance, Section 547.09, Subd. 9. 5. The approved, amended conditional use permit shall remain in effect for so long as conditions regulating it are observed.

Adopted by the City Council of the City of Richfield, Minnesota this 10th day of August 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

Elizabeth VanHoose, 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.* This requirement is met. The location of the facility is designated as "Quasi-Public" land use which includes all civic, county and state facilities (excluding parks); religious facilities, schools and other similar non-profit uses. This is a religious facility with a school connected.
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.* This requirement is met. The purpose of the Zoning Code is to protect and promote the public health, safety, comfort, aesthetics, economic viability, and general welfare of the City. The proposed use is consistent with these intentions. The property is in the Single-Family Residential (R) District. The purpose of the R District is to provide residential locations that are safe, attractive and quiet. The continued use of this property as a conditionally-permitted church meets these requirements.
3. *The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines.* There are no specific redevelopment plans that apply.
4. *The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code.* The proposed use meets most requirements in this section, but under certain calculations exceeds the maximum allowable number of parking stalls. The applicant is providing additional parking stalls nearer to the reconstructed main entrance of the church (off of Portland Avenue). Future redevelopment of the southern half of the parcel or reconstruction of the southern parking lot (outside of current construction limits) offers a better opportunity to comprehensively review and adjust parking. The resolution approving this amendment includes a stipulation requiring that parking be reviewed upon either of these triggers.
5. *The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements.* This requirement is met.
6. *The use will not have undue adverse impacts on the public health, safety, or welfare.* This requirement is met.
7. *There is a public need for such use at the proposed location.* This requirement is met. Hope Church has existed as a congregation since 1954, and this community gathering space is important to many residents as a resource and as a space for spiritual health.
8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* This requirement is met.

Conditional Use Permit for:

Hope Church



PROJECT TEAM:

OWNER: HOPE CHURCH
7132 PORTLAND AVE S
RICHFIELD, MN 55423

ARCHITECT: VANMAN ARCHITECTS AND BUILDERS
9600 54TH AVE N, SUITE 180
PLYMOUTH, MN 55442
PHONE: 763-541-9552
FAX: 763-541-9857
ARCHITECT: ANGIE KNODEL, AIA
(angie@vanmanab.com)

CIVIL ENGINEER: REHDER AND ASSOCIATES
3440 FEDERAL DR #110
ST. PAUL, MN 55122
PHONE: 651-452-5051
FAX: 651-452-9797
ENGINEER: BENTON FORD
(BFord@rehder.com)

CONTRACTOR: VANMAN ARCHITECTS AND BUILDERS
9600 54TH AVE N, SUITE 180
PLYMOUTH, MN 55442
PHONE: 763-541-9552
FAX: 763-541-9857
PROJECT MANAGER: TAD SWEDIN
(tad@vanmanab.com)

SHEET INDEX

A1 - TITLE SHEET
A2 - BUILDING USAGE PLAN
A3 - MAIN LEVEL FLOOR PLAN
A4 - LOWER LEVEL FLOOR PLAN
A5 - EXTERIOR ELEVATIONS
A6 - EXTERIOR ELEVATIONS

CIVIL SHEETS
(BY REHDER AND ASSOCIATES)

A-1

HOPE CHURCH 7132 Portland Ave S, Richfield MN 55423

JUNE 22, 2020

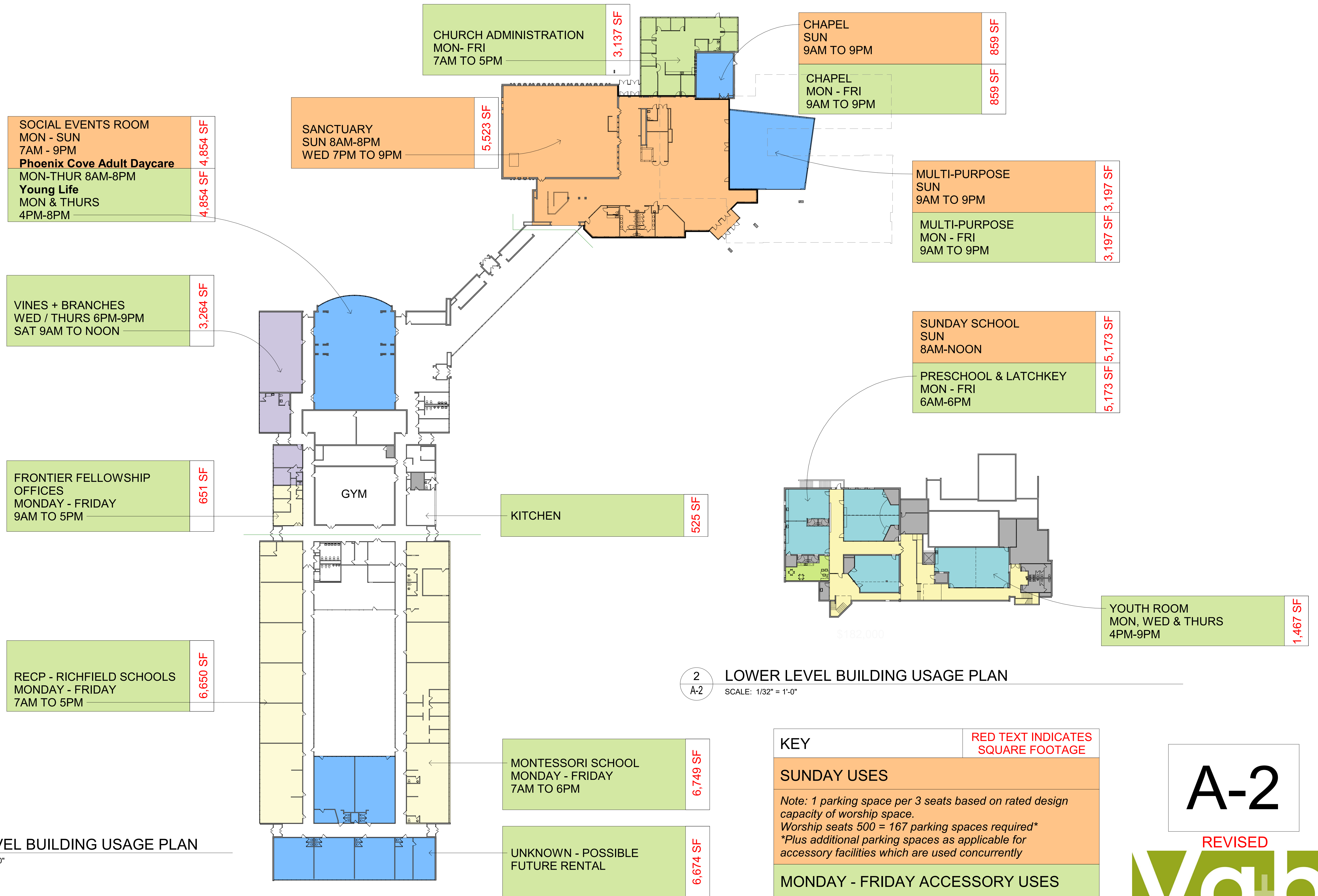
VANMAN ARCHITECTS AND BUILDERS - 9600 54th Ave N #180 - Plymouth, Minnesota 55442 - 888.327.2817 - 763.541.9552 - 763.541.9857 - www.vanmanab.com

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\$193,000

\$149,000



\$182,000

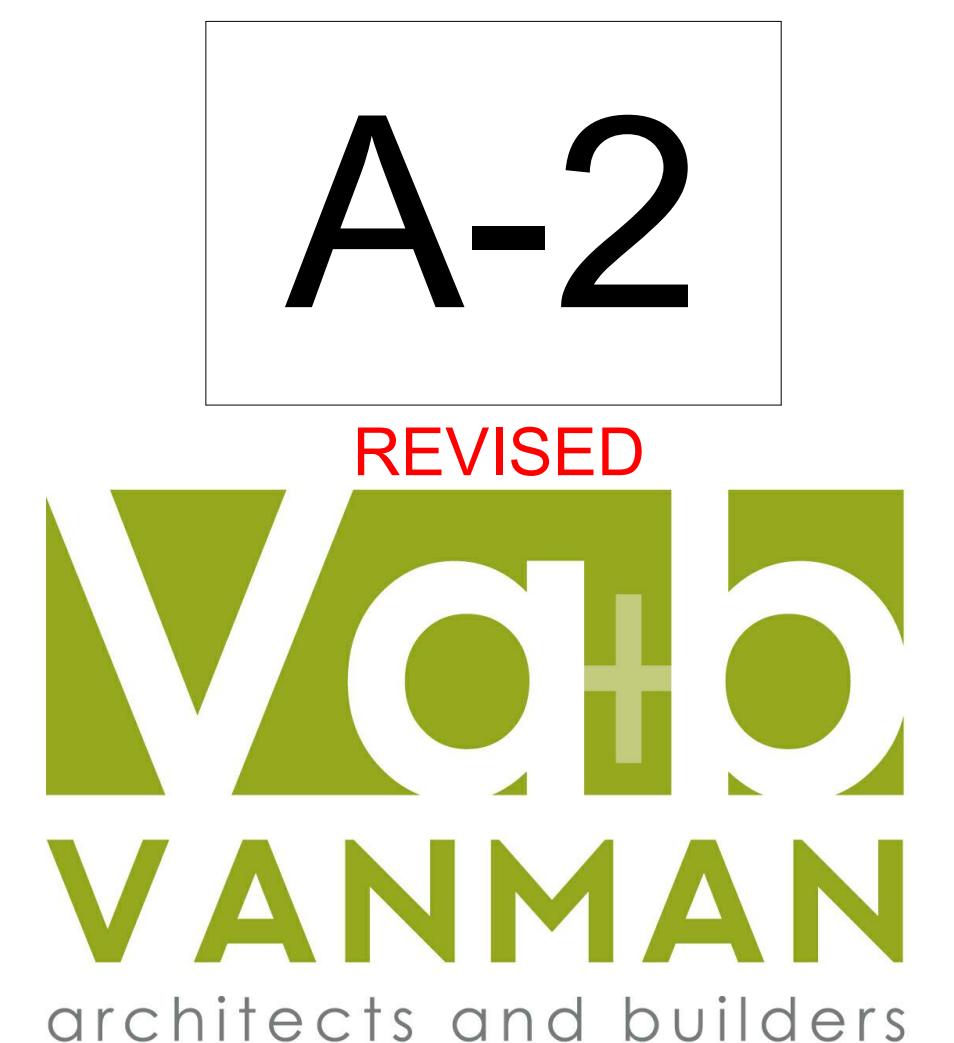
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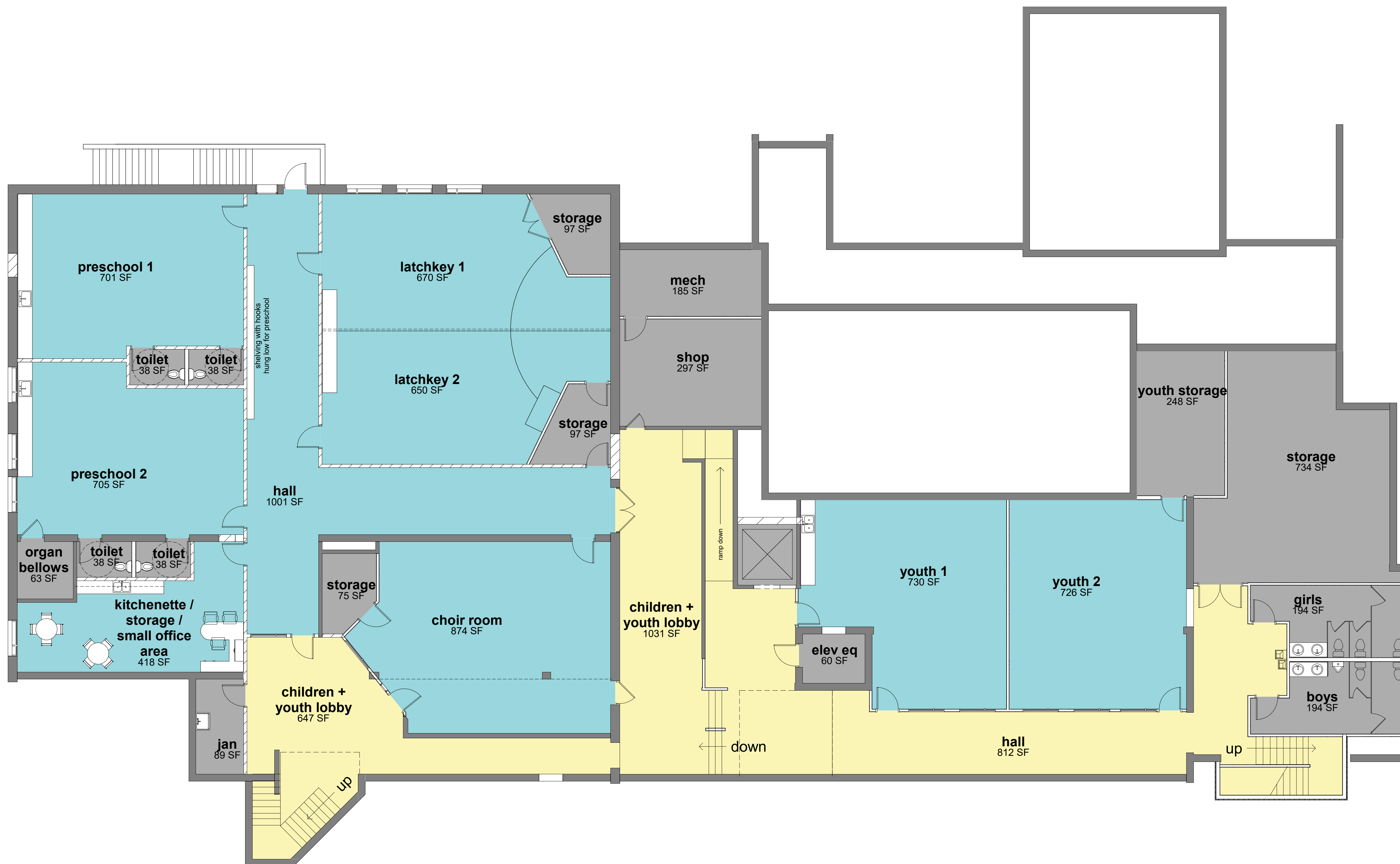
HOPE CHURCH 7132 Portland Ave S, Richfield MN 55423

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JULY 13, 2020

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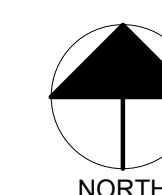


HOPE CHURCH 7132 Portland Ave S, Richfield MN 55423

JUNE 22, 2020

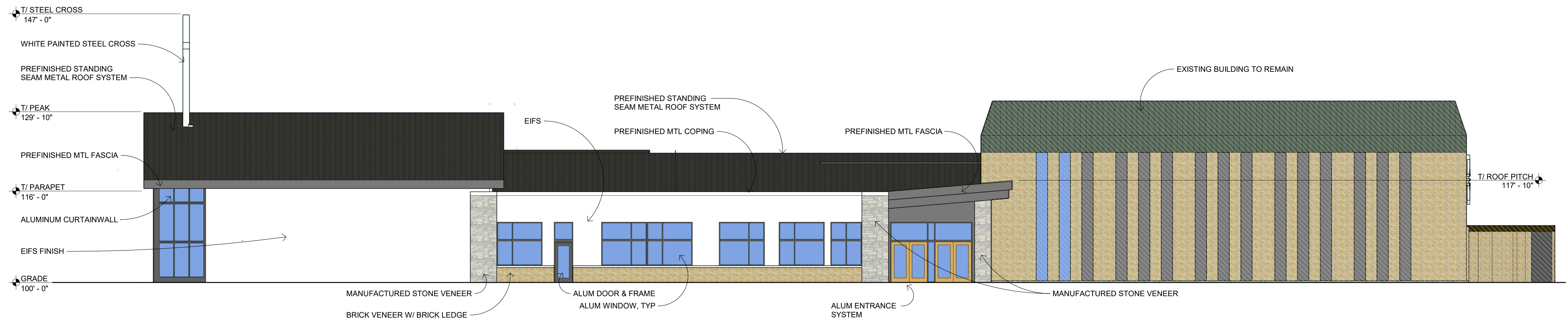
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A-4





1 NORTH ELEVATION
A-5 SCALE: 1" = 10'-0"



2 EAST ELEVATION
A-5 SCALE: 1" = 10'-0"

A-5

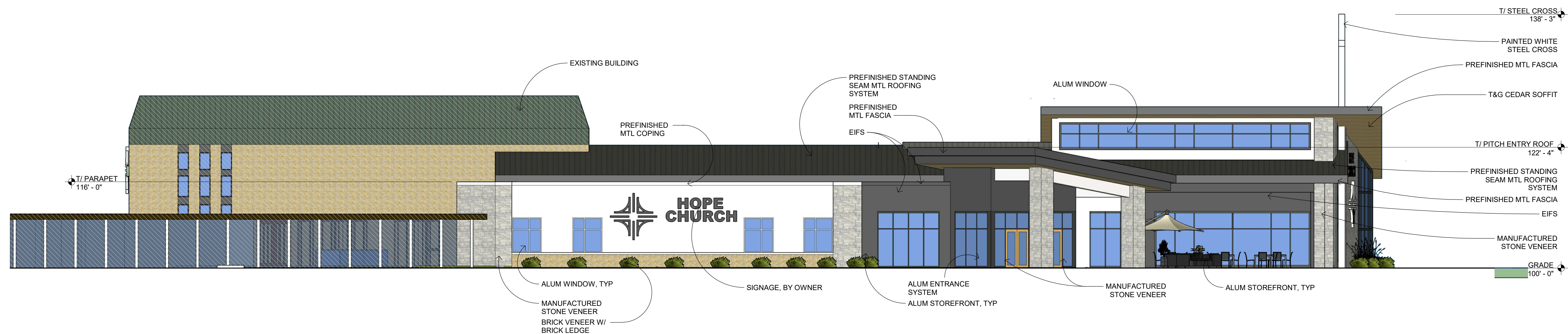
HOPE CHURCH 7132 Portland Ave S, Richfield MN 55423

JUNE 22, 2020

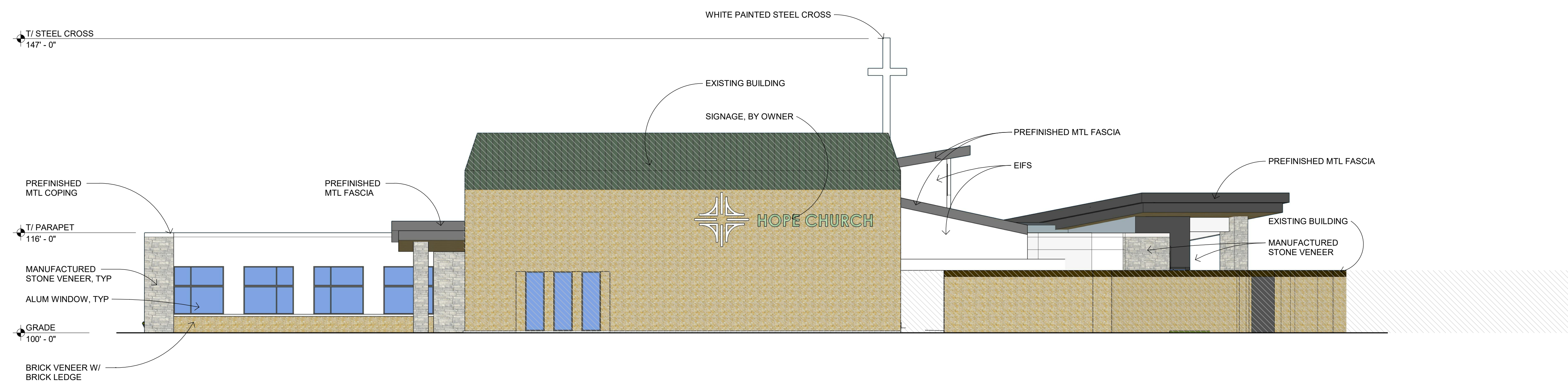
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1 SOUTH ELEVATION
A-6 SCALE: 1" = 10'-0"



2 WEST ELEVATION
A-6 SCALE: 1" = 10'-0"

A-6

HOPE CHURCH 7132 Portland Ave S, Richfield MN 55423

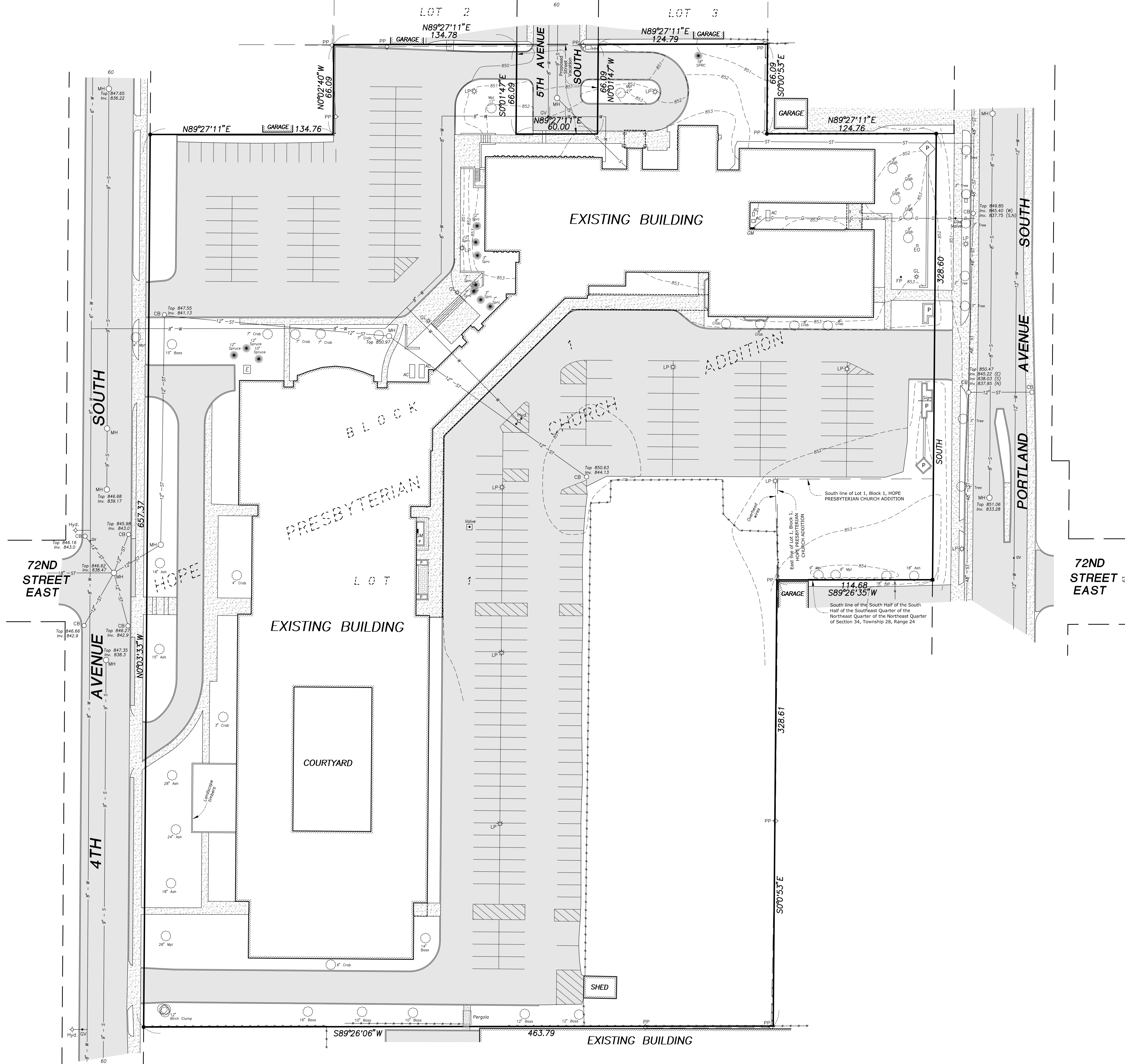
JUNE 22, 2020

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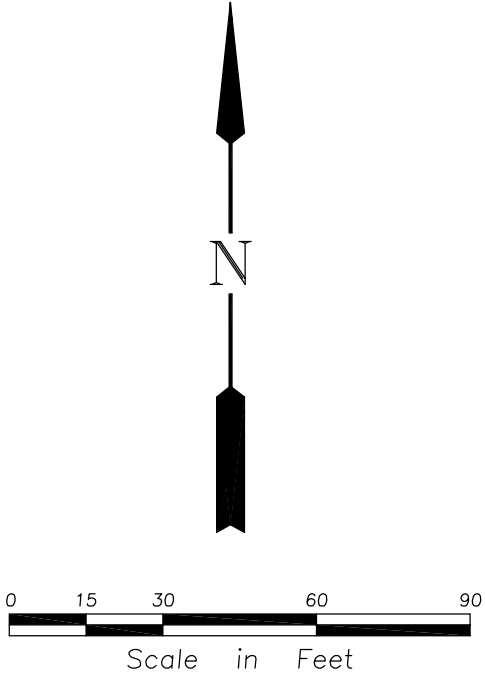


Boundary and Topographic Survey for:
HOPE PRESBYTERIAN CHURCH
at 7132 Portland Avenue South — Richfield, Minnesota



NOTES

- * Bearings shown are based on HOPE PRESBYTERIAN CHURCH ADDITION.
- * Utilities shown are from information furnished by the City of Richfield and respective utility companies in response to Gopher State One Call Ticket No. 200650659 and are verified where possible.
- * Contact Gopher State One Call for utility locations before any construction shall begin. Phone 651-454-0002.
- * Area = 359,854 square feet (8.26 acres).
- * This survey was prepared without the benefit of a title commitment. Easements of record, if any, are not shown.



UTILITY STATEMENT

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are shown as accurately as possible from information available. The surveyor has not physically located the underground utilities.

LEGEND

- Iron Monument Found
- Iron Monument Set
- S — Sanitary Sewer
- ST — Storm Sewer
- W — Watermain
- Hyd. — Hydrant
- GV — Gate Valve
- MH — Manhole
- CB — Catch Basin
- Inv. — Invert Elevation
- — Guard Post
- FP — Flagpole
- PP — Power Pole
- LP — Light Pole
- GL — Ground Light
- — Electrical Transformer
- CD — Communications Pedestal
- ACD — Air Conditioner
- HHO — Handhole
- Concrete Surface
- Bituminous Surface
- Brick Paver Surface
- G — Buried Gas
- Guy Wire
- GM — Gas Meter
- EO — Electrical Outlet
- ◇ — Planter

PROPERTY DESCRIPTION

Lot 1, Block 1, HOPE PRESBYTERIAN CHURCH ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

and

That part of the South Half of the South Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 34, Township 28, Range 24 lying south and east of Lot 1, Block 1, HOPE PRESBYTERIAN CHURCH ADDITION, except road.

I hereby certify that this survey was prepared by me or under my direction and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 15th day of June, 2020

REHDER & ASSOCIATES, INC.

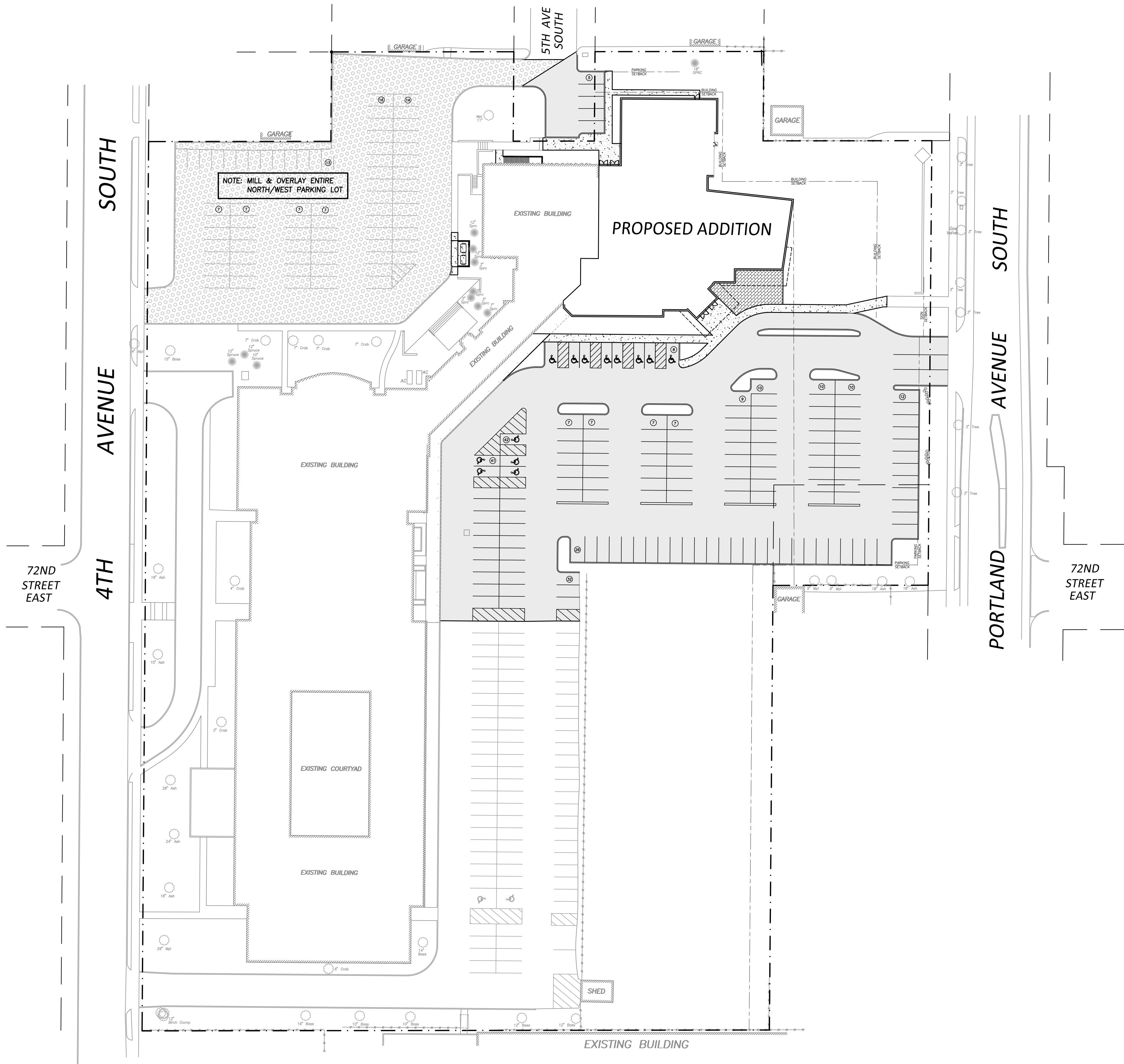
Gary C. Huber

Gary C. Huber, Land Surveyor
Minnesota License No. 22036

Rehder and Associates, Inc.

CIVIL ENGINEERS AND LAND SURVEYORS
3440 Federal Drive • Suite 110 • Eagan, Minnesota • Phone (651) 452-5051

JOB: 204-3190.010



LEGEND

- BOUNDARY/ROW/BLOCK LINE
- [Pattern] PROPOSED CONCRETE
- [Pattern] PROPOSED BITUMINOUS
- [Pattern] PROPOSED MILL & OVERLAY

0 20 40 80 120
Scale in Feet

N

OVERALL SITE PLAN
HOPE PRESBYTERIAN CHURCH
CITY OF RICHFIELD

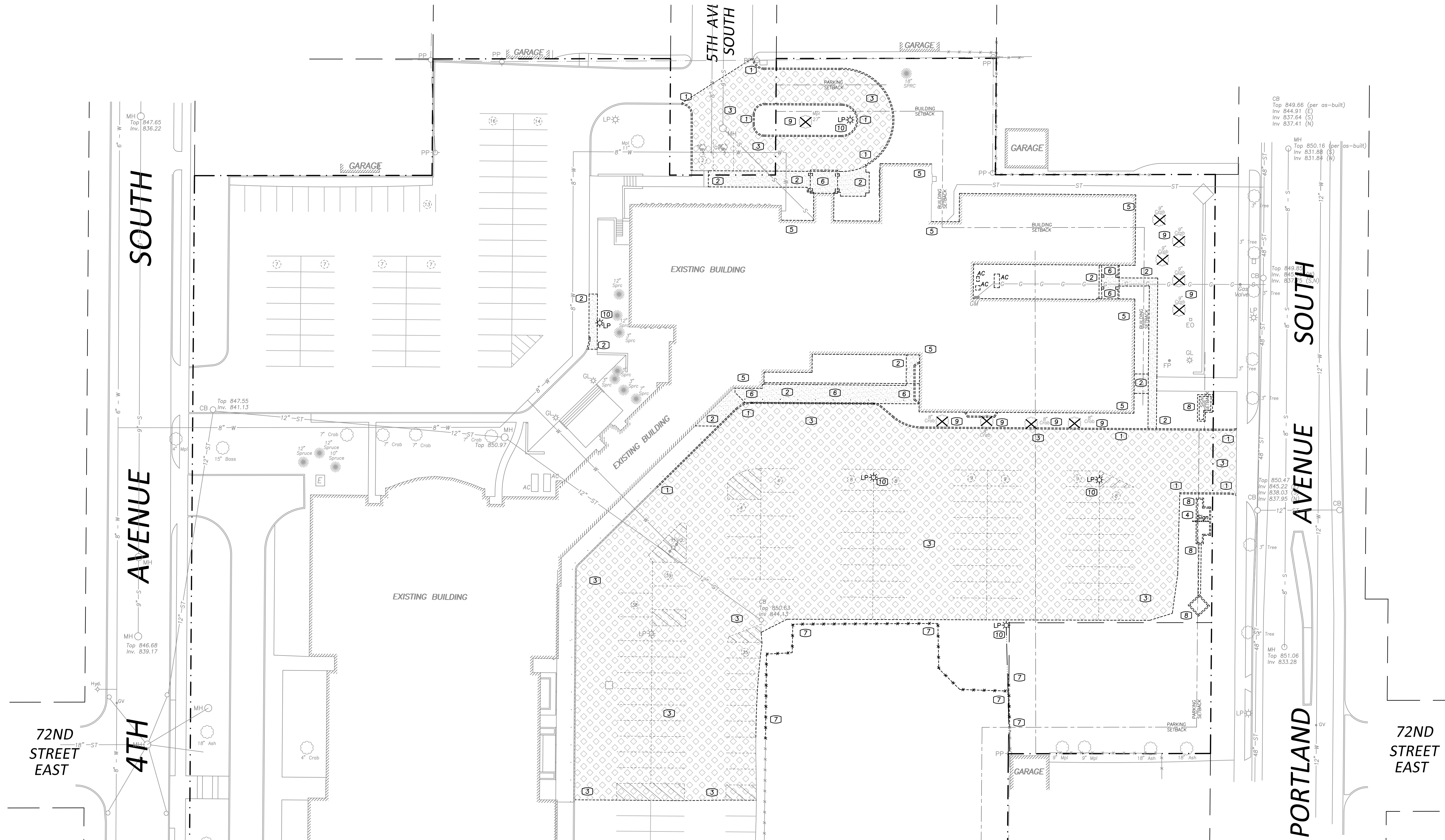
SHEET NUMBER
C0

Issued	
CITY SUBMITTAL	6-24-20
ADDRESS ARC REPORT COMMENTS	7-13-20

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

PRELIMINARY

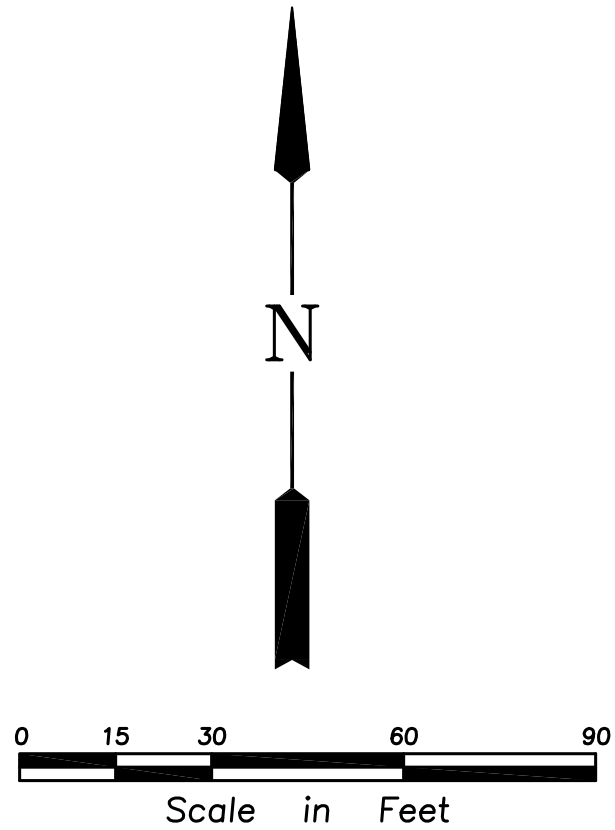
Name _____ Date _____
Reg. No. _____



NOTE: SEE ARCHITECTURAL FOR DEMOLITION OF EXISTING BUILDING

NOTE: CONTRACTOR TO COORDINATE REMOVAL/ABANDONMENT AND RELOCATION OF EXISTING POWER POLES, OVERHEAD ELECTRIC LINES, BURIED ELECTRIC LINES, BURIED COMMUNICATION LINES AND BURIED GAS LINES WITH THE APPROPRAITE UTILITY COMPANY.

- DEMOLITION NOTES**
- 1 - Remove concrete curb & gutter
 - 2 - Remove concrete pavement
 - 3 - Remove bituminous pavement
 - 4 - Remove sign
 - 5 - Remove building (See Architectural)
 - 6 - Remove canopy (See Architectural)
 - 7 - Remove fence
 - 8 - Remove landscape planter
 - 9 - Remove tree(s)
 - 10 - Remove light pole
- LEGEND**
- BITUMINOUS TO BE REMOVED
 - CONCRETE TO BE REMOVED
 - EXISTING TREE TO BE REMOVED
 - EXISTING WATERMAIN
 - EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - EXISTING BURIED GAS LINE



SITE DEMOLITION PLAN
HOPE PRESBYTERIAN CHURCH
CITY OF RICHFIELD

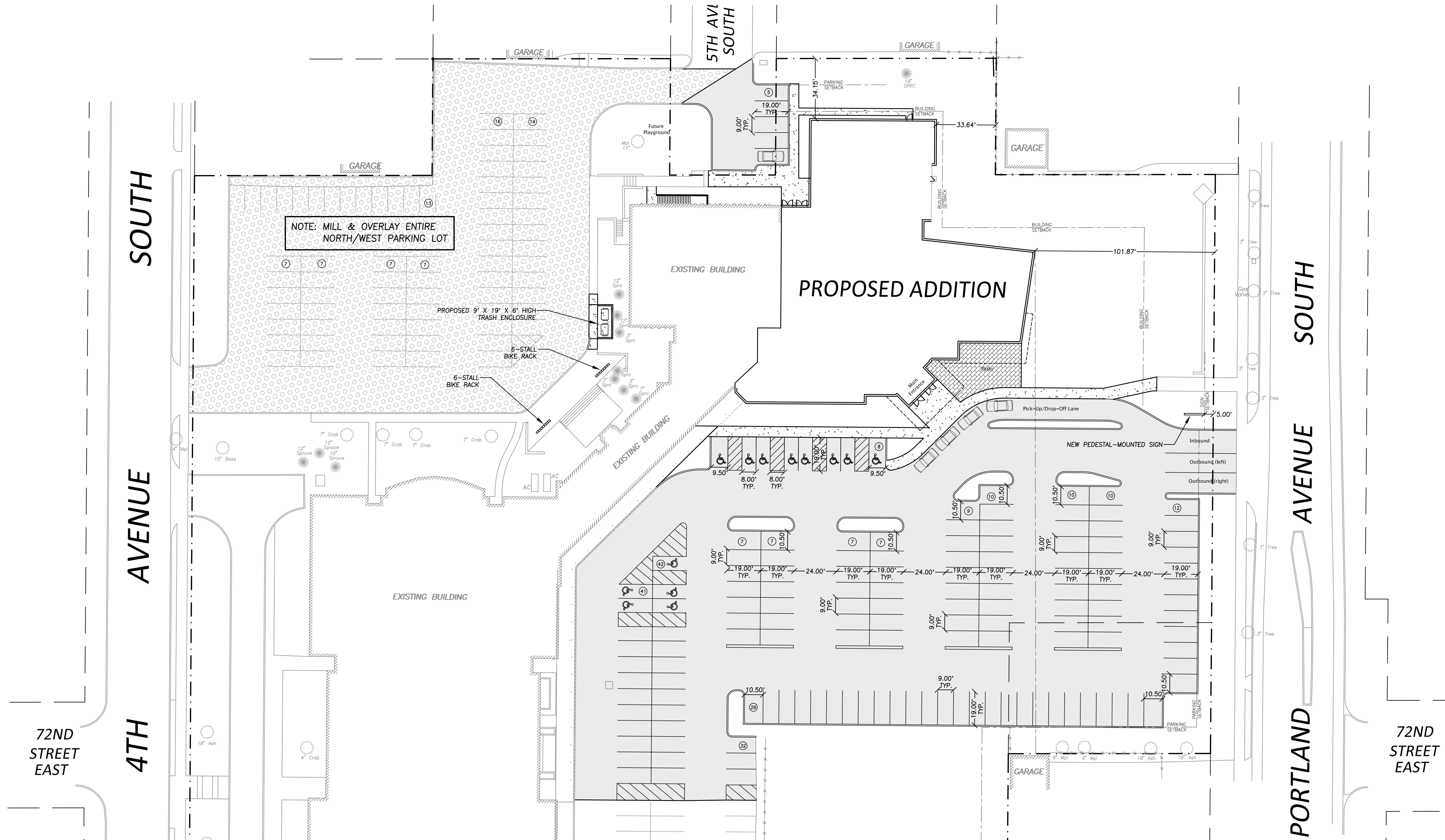
SHEET NUMBER
C1

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

PRELIMINARY

Name _____ Date _____
Reg. No. _____

Issued	
6-24-20	CITY SUBMITTAL
7-13-20	ADDRESS ARC REPORT COMMENTS



SITE NOTES

- ① - All dimensions between curbing and to radius points are to face of curb.
- ② - All dimensions abutting curbs are to back of curb.
- ③ - All curb and gutter on private property shall be type B612 unless otherwise noted.
- ④ - All parking stall striping width is 9.00' unless otherwise noted.

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	76	0	76
SOUTH/EAST	181	15	196
TOTAL	257	15	272

BICYCLE PARKING

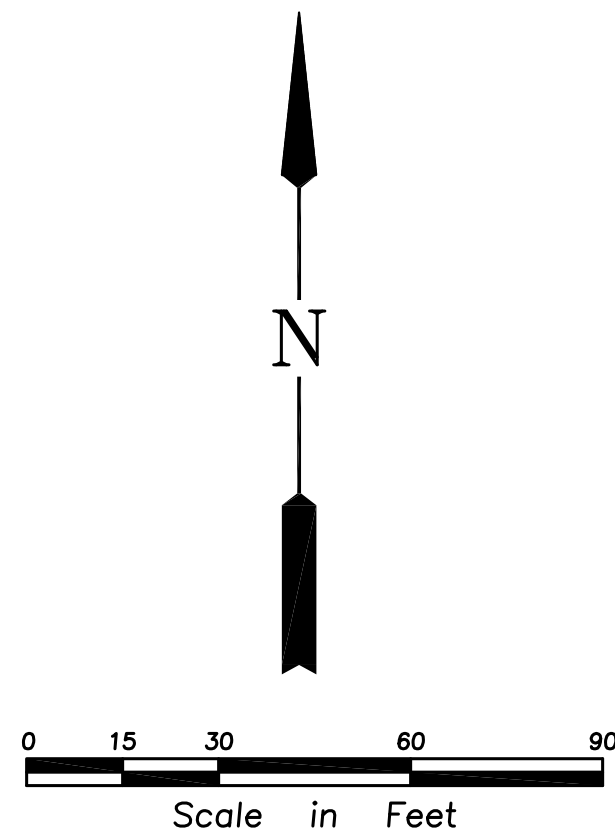
REQUIRED AUTO PARKING STALLS: 240 (ASSUMED FOR THIS SUBMITTAL)
REQUIRED BIKE PARKING STALLS = 5% OF REQ'D AUTO PARKING STALLS = 240 X 0.05 = 12
BIKE PARKING STALLS PROVIDED = 12

SITE SUMMARY

SITE AREA = 359,853 SQ.FT.
DISTURBED AREA = 107,941 SQ.FT.
EXISTING IMPERVIOUS AREA = 228,262 SQ.FT. (63.4%)
PROPOSED IMPERVIOUS AREA = 235,301 SQ.FT. (65.4%)
PROPOSED BLDG AREA = 79,889 SQ.FT. (22.2%)

LEGEND

- BOUNDARY/ROW/BLOCK LINE
- [Pattern] PROPOSED CONCRETE
- [Pattern] PROPOSED BITUMINOUS
- [Pattern] PROPOSED MILL & OVERLAY



SITE DIMENSION PLAN
HOPE PRESBYTERIAN CHURCH
CITY OF RICHFIELD

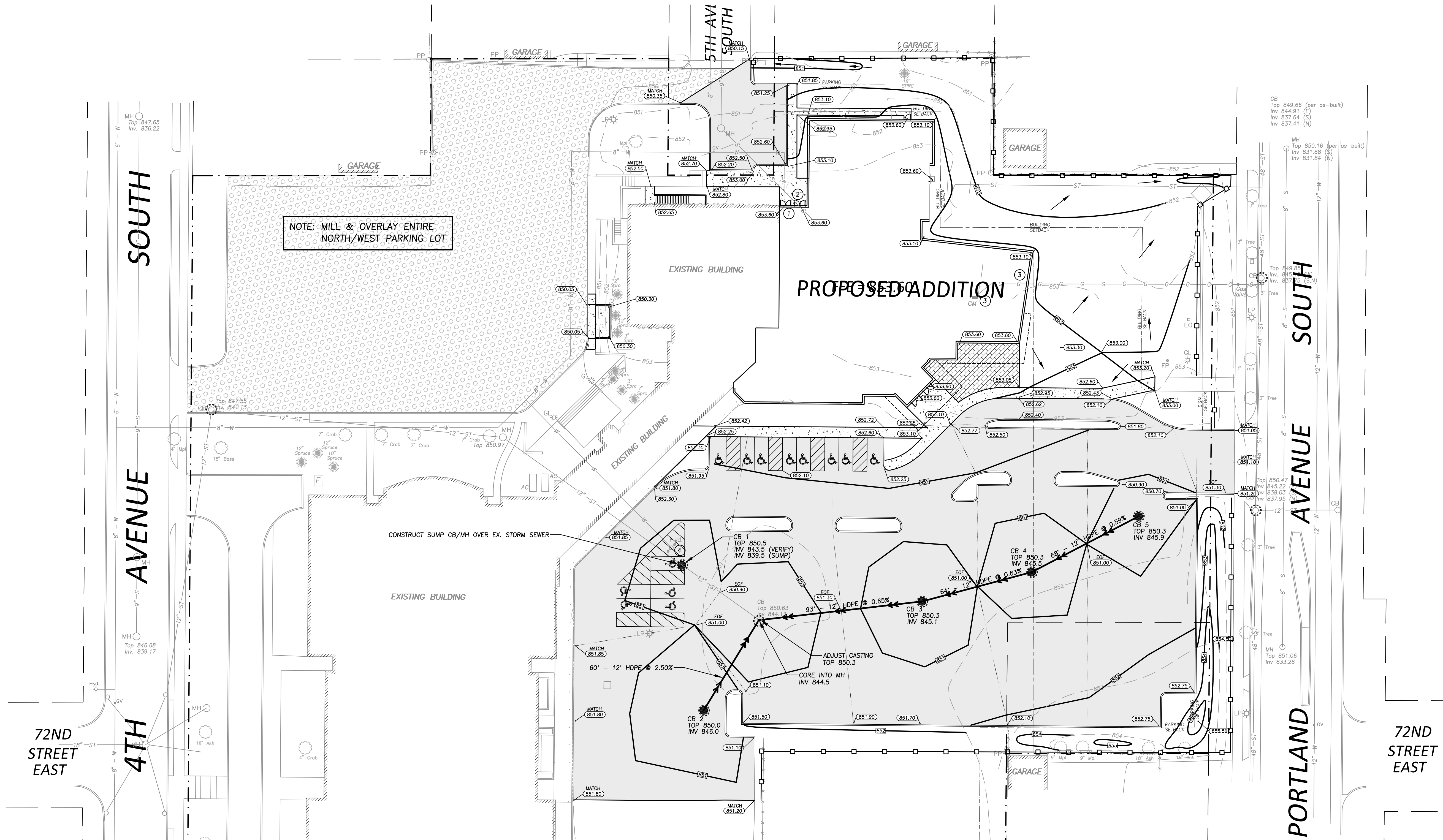
SHEET NUMBER

C2

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

Name _____ Date _____
Reg. No. _____

Issued	6-24-20
CITY SUBMITTAL	7-13-20
ADDRESS ARC REPORT COMMENTS	



GRADING NOTES

- 1 - All elevations shown are to final surfaces.
- 2 - Contractor is responsible for obtaining a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for Construction Activity before construction begins.

EROSION CONTROL NOTES

- 1 - Contractor is responsible for all notifications and inspections required by General Storm Water Permit.
- 2 - All erosion control measures shown shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
- 3 - Sweep paved public streets as necessary where construction sediment has been deposited.
- 4 - Each area disturbed by construction shall be restored per the specifications within 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.
- 5 - Temporary soil stockpiles must have silt fence around them and cannot be placed in surface waters, including storm water conveyances such as curb and gutter systems, or conduits and ditches.
- 6 - Excess concrete/water from concrete trucks shall be disposed of in portable washout concrete basin or disposed of in a contained area.
- 7 - Install rock construction entrance at main construction entrance.

INSPECTION AND MAINTENANCE

- The site must be inspected once every seven (7) days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours.
- All inspections and maintenance conducted must be recorded in writing and records retained with the SWPPP.
- Areas of the site that have undergone final stabilization, may have the inspection of these areas reduced to once per month.
- All silt fence must be repaired, replaced, or supplemented within 24 hours when they become nonfunctional or the sediment reaches 1/3 of the height of the fence.
- Construction site vehicle exit locations must have sediment removed from off-site paved surfaces within 24 hours of discovery.

POLLUTION PREVENTION MANAGEMENT

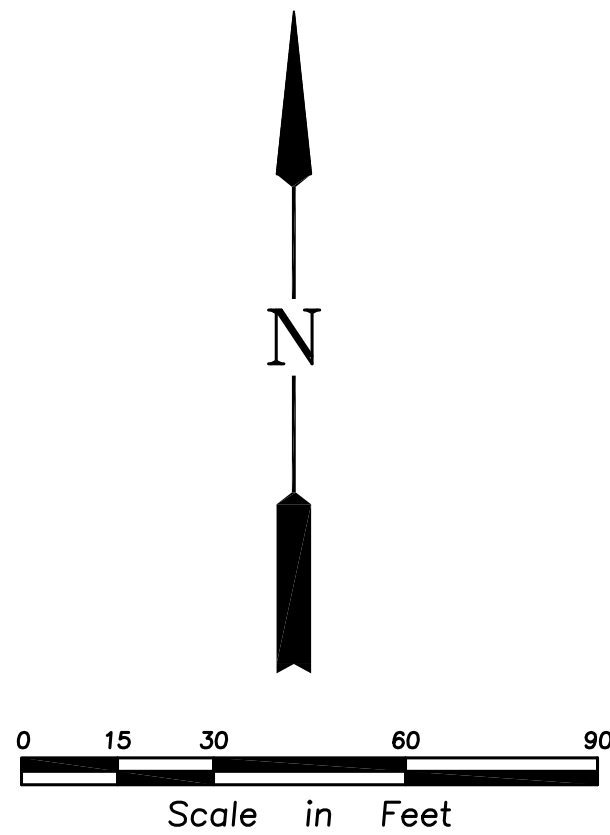
- All solid waste must be disposed of off-site per the MPCA disposal requirements.
- All hazardous waste must be properly stored with restricted access to storage areas to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA Regulations.

UTILITY NOTES

- 1 - Reuse existing water service.
- 2 - Reuse existing sanitary sewer service.
- 3 - Remove/relocate existing gas service and meter.
- 4 - Protect existing hydrant and bollards.

LEGEND

- | | | | |
|-------------|--------------------------|----------|-------------------------------|
| ● | PROPOSED CATCH BASIN | --- | BOUNDARY/ROW/BLOCK LINE |
| → | PROPOSED STORM SEWER | --- | BUILDING/PARKING SETBACK LINE |
| ▨ | PROPOSED CONCRETE | → | DRAINAGE ARROW |
| ▩ | PROPOSED BITUMINOUS | — W — | EXISTING WATERMAIN |
| ▩ | PROPOSED MILL & OVERLAY | — S — | EXISTING SANITARY SEWER |
| — 1050 — | PROPOSED CONTOUR | — ST — | EXISTING STORM SEWER |
| • 1023.54 • | PROPOSED ELEVATION | — G — | EXISTING BURIED GAS LINE |
| — | SILT FENCE | — 980 — | EXISTING CONTOUR |
| ○ | INLET PROTECTION DEVICE | x 995.50 | EXISTING ELEVATION |
| ▨ | PROPOSED EC BLANKET | | |
| ▨ | MNDOT CAT. 3P - 2S STRAW | | |



GRADING, DRAINAGE, EROSION
CONTROL & UTILITY PLAN
HOPE PRESBYTERIAN CHURCH
CITY OF RICHFIELD

SHEET NUMBER

C3

Issued

CITY SUBMITTAL

ADDRESS ARC REPORT COMMENTS

6-24-20

7-13-20

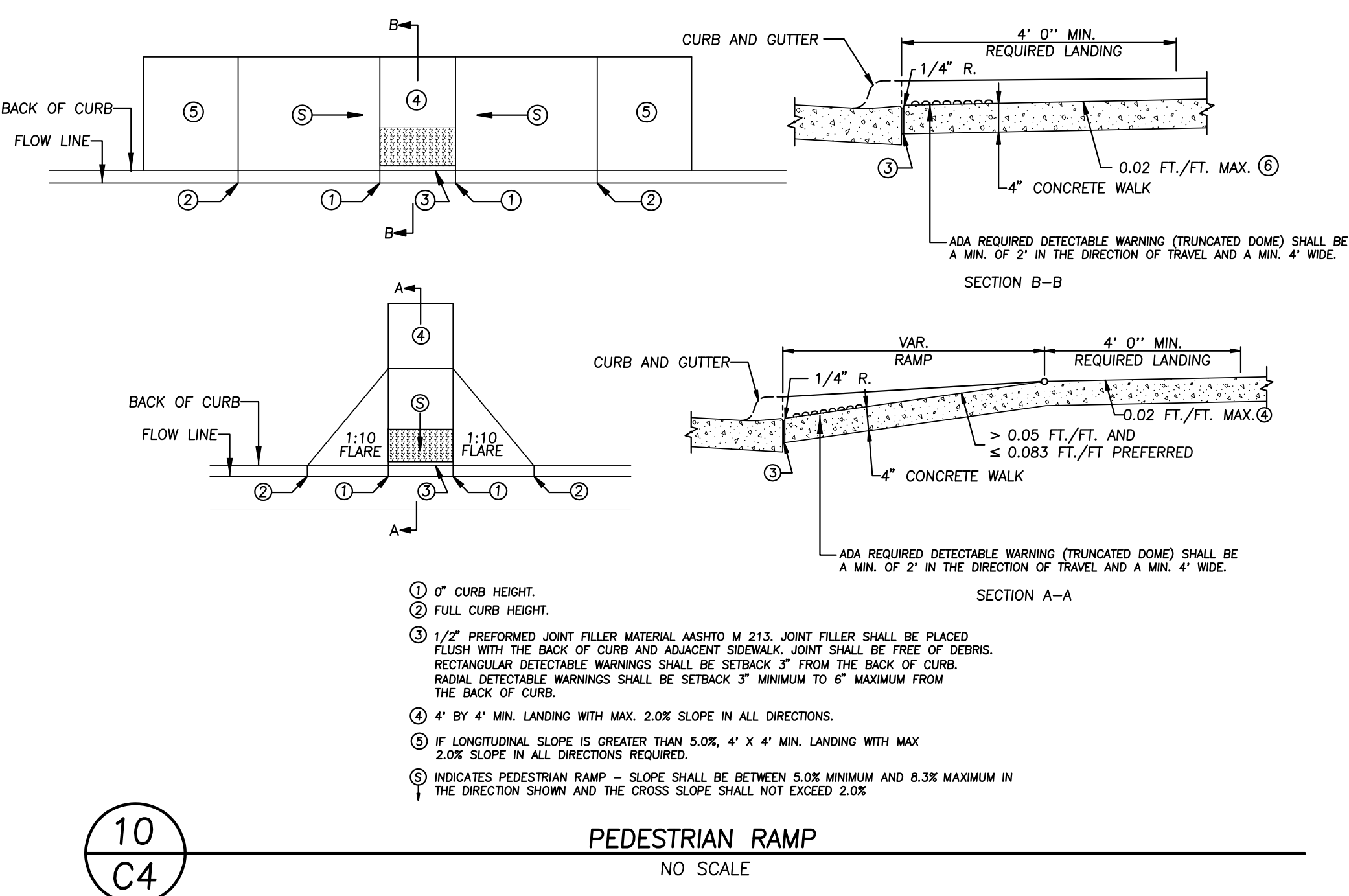
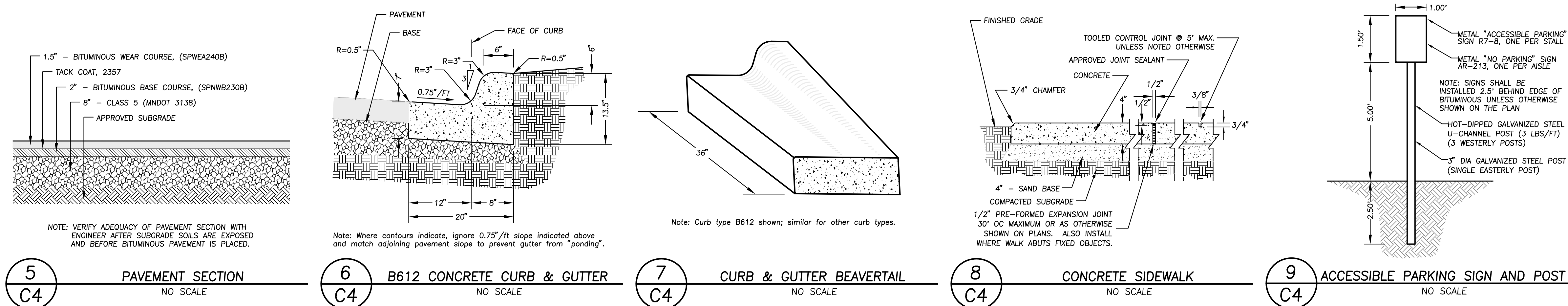
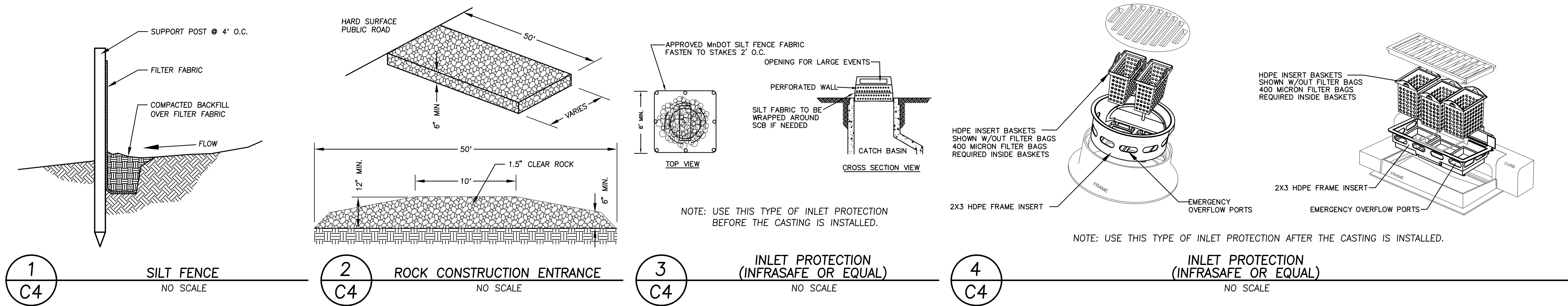
I hereby certify that this plan was prepared by
me or under my direct supervision and that I am
a duly Licensed Professional Engineer under
the laws of the State of Minnesota.

PRELIMINARY
Name _____ Date _____
Reg. No. _____

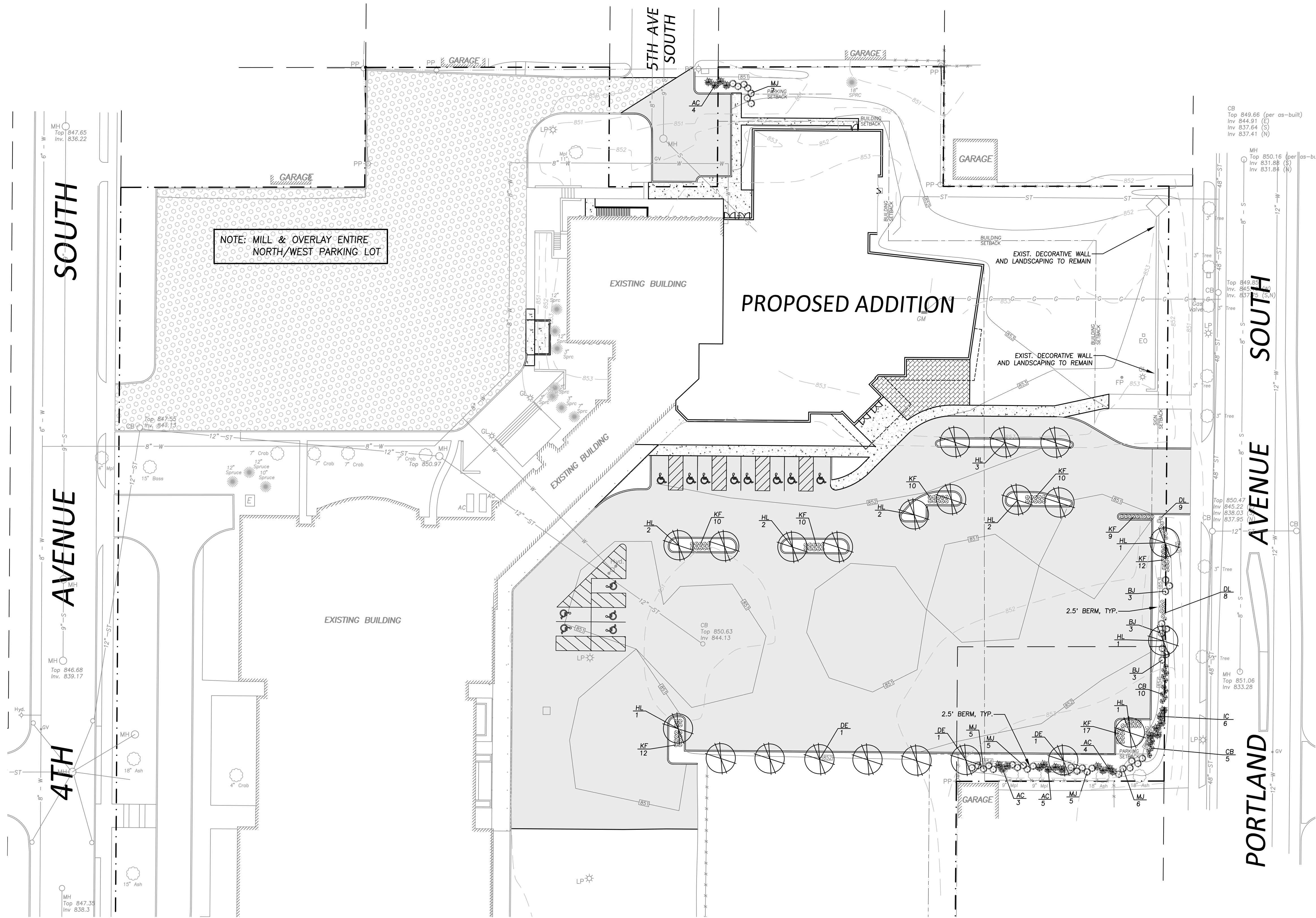
REHDER
& ASSOCIATES, INC.
Civil Engineers & Land Surveyors

3440 Federal Drive, Suite 110
Minneapolis, MN 55412
Telephone 612-452-5051
www.rehder.com

PROJECT NO.: 201-3170.011 DRAWING FILE: 3170011.DWG



- ① 12" CURB HEIGHT.
② FULL CURB HEIGHT.
③ 1/2" PREFORMED JOINT FILLER MATERIAL ASHTO M 213. JOINT FILLER SHALL BE PLACED FLUSH WITH THE BACK OF CURB AND ADJACENT SIDEWALK. JOINT SHALL BE FREE OF DEBRIS. RECTANGULAR DETECTABLE WARNING SHALL BE SETBACK 3" FROM THE BACK OF CURB. RADIAL DETECTABLE WARNING SHALL BE SETBACK 3" MINIMUM TO 6" MAXIMUM FROM THE BACK OF CURB.
④ 4' BY 4' MIN. LANDING WITH MAX. 2.0% SLOPE IN ALL DIRECTIONS.
⑤ IF LONGITUDINAL SLOPE IS GREATER THAN 5.0%, 4' X 4' MIN. LANDING WITH MAX. 2.0% SLOPE IN ALL DIRECTIONS REQUIRED.
⑥ INDICATES PEDESTRIAN RAMP - SLOPE SHALL BE BETWEEN 5.0% MINIMUM AND 8.3% MAXIMUM IN THE DIRECTION SHOWN AND THE CROSS SLOPE SHALL NOT EXCEED 2.0%.



NOTE: MILL & OVERLAY ENTIRE NORTH/WEST PARKING LOT

PROPOSED ADDITION

PLANT, SHRUB AND TREE LIST

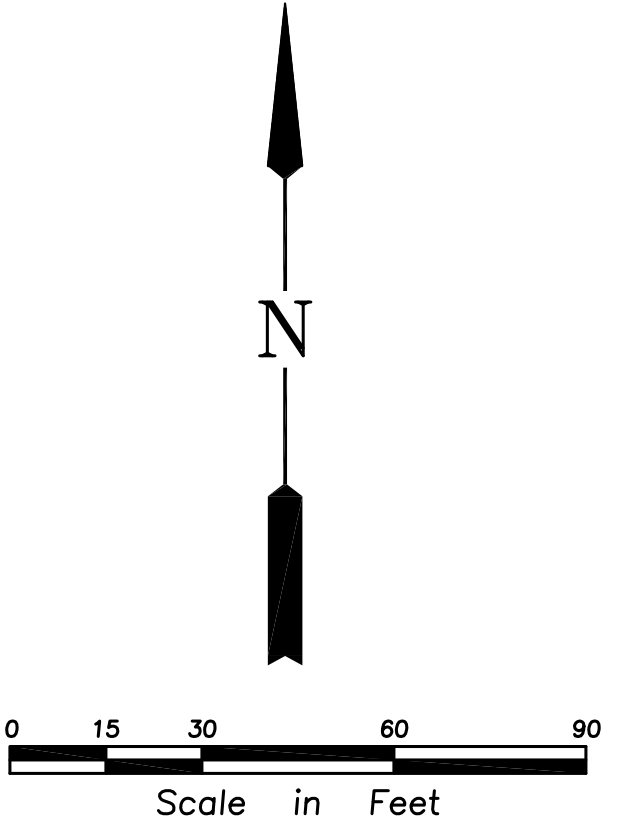
PLANTS & SHRUBS				
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
CB	15	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	#2 Pot
IC	6	Aronia melanocarpa 'Morton'	Iroquois Beauty Chokeberry	#5 Pot
BJ	9	Juniperus squamata 'Blue Star'	Blue Star Juniper	#5 Pot
DL	17	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	#1 Pot
AC	16	Aronia melanocarpa 'Autumn Magic'	Autumn Magic Chokeberry	#5 Pot
MJ	28	Juniperus chinensis 'Maneyi'	Maney Juniper	#5 Pot
KF	90	Calamagrostis acutiflora	Karl Foerster	#2 Pot
TOTAL	181			

TREES				
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
DE	7	Ulmus davidiana var. japonica 'Discovery'	Discovery Elm	2 - 1/2" B&B
HL	15	Gleditsia triacanthos var. inermis 'Harve'	Northern Acclaim Honeylocust	2 - 1/2" B&B
TOTAL	22			

LANDSCAPING QUANTITIES

TOTAL SITE AREA = 359,853 SQ.FT.
DEVELOPABLE LANDSCAPING AREA = DISTURBED AREA = 107,950 SQ.FT.
TREE REQUIREMENTS = 1 TREE PER 2,500 SQ.FT
TREES REQUIRED = 44
SHRUB REQUIREMENTS = 1 SHRUB PER 1,000 SQ.FT.
SHRUBS REQUIRED = 108

NOTE: REMAINING BALANCE OF REQUIRED TREES TO BE PROVIDED AT PERMIT APPLICATION.



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PROJECT NO.: 201-31700.011 DRAWING FILE: 3170011.DWG

Issued

6-24-20
7-13-20

CITY SUBMITTAL
ADDRESS ARC REPORT COMMENTS

LANDSCAPE PLAN
HOPE PRESBYTERIAN CHURCH
CITY OF RICHFIELD

SHEET NUMBER
L1

Hope Church

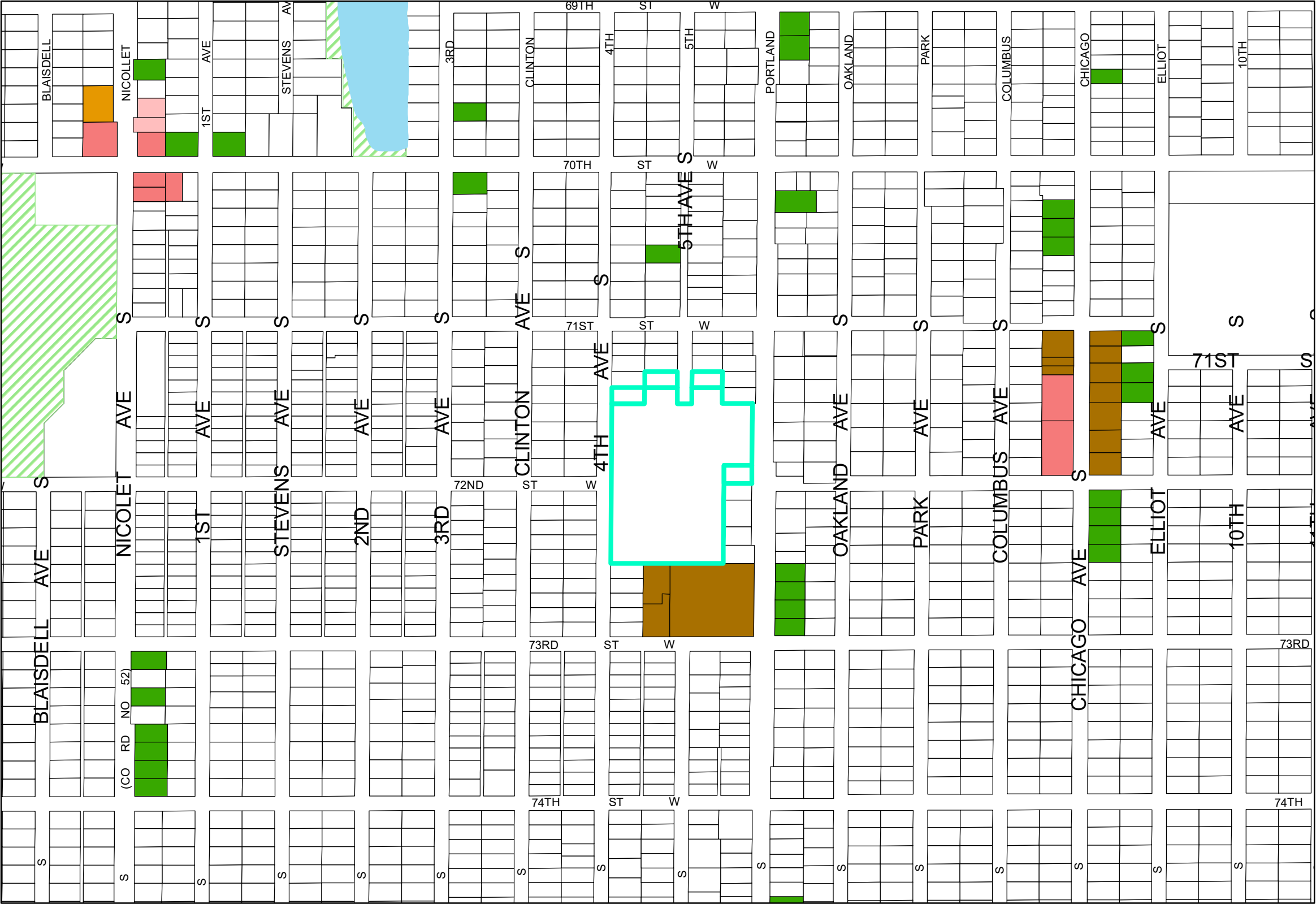
See sheet A-2 for additional information

7/13/2020

Sunday Uses	Sq Ft	Occupants	Factor
Sanctuary	5,523	500	seats
Chapel*	859	58	15
Multi-Purpose**	3,197	214	15
Sunday School***	5,173	258	20
Social Events Room****	4,854	324	15
TOTAL	19,606	1354	
Monday - Friday Accessory Uses			
Church Administration	3,137	32	100
Chapel*	859	58	15
Multi-Purpose**	3,197	214	15
Pre-school LatchKey***	5,173	258	20
Youth Rooms (*portion shared)	1,467	included above	20
Young Life****	4,854	324	20
Vines + Branches	3,264	33	100
Frontier Fellowship Offices	651	7	100
RECP Richfield School	6,650	333	20
Unknown Future Rental	6,674	67	100
Montessori School	6,749	338	20
Kitchen	525	3	200
TOTAL	43,200	1667	

* indicates shared or dual use space AND calculated in both scenarios

Richfield Zoning Map



Context Map

- Hope Church Owned Parcels
- Park (Zoning District is R)
- R Single-Family
- MR-1 Two-Family
- MR-2 Multi-Family
- MR-3 High-Density Multi-Family
- SO Service Office
- C-1 Community Commercial



LAST UPDATED: 5/20/2020

