



# Planning Commission Minutes

May 29, 2018

**MEMBERS PRESENT:** Chairperson Sean Hayford Oleary, Commissioners Allysen Hoberg, Susan Rosenberg, Dan Kitzberger, James Rudolph, Bryan Pynn, and Kathryn Quam

**STAFF PRESENT:** John Stark, Community Development Director  
Matt Brillhart, Associate Planner

**OTHERS PRESENT:** Colleen Carey, The Cornerstone Group – applicant & representatives  
Ryan Anderson, ISG – applicant representative  
See attached sign-in sheet for additional speakers.

Chairperson Hayford Oleary called the meeting to order at 7:00 p.m.

## **APPROVAL OF MINUTES**

M/Pynn, S/Quam to approve the minutes of the April 23, 2018 meeting.

*Motion carried: 7-0*

## **OPEN FORUM**

No members of the public spoke.

## **ITEM #1 APPROVAL OF AGENDA**

M/Rosenberg, S/Pynn to approve the agenda.

*Motion carried: 7-0*

## **PUBLIC HEARING(S)**

### **ITEM #2**

**18-CUP-02, 18-FDP-02, 18-PUD-02, 18-RZN-02, 18-CP-02 – Consider a variety of land use requests to a proposal to construct condominiums, townhomes, and apartments on the northern portion of the former Lyndale Garden Center property and an adjacent single-family property.**

Associate Planner Matt Brillhart presented the staff report.

Applicant Colleen Carey with The Cornerstone Group summarized the proposal.

In response to Commissioner Hoberg, Carey explained that the development would not affect public access to the lake and public access has already been put in as part of previous work.

In response to Commissioner Quam, Carey stated that they have strong interest and will start taking purchase agreements by June to be on track for starting construction in the fall.

Carey responded to Chair Hayford Oleary's concerns about pedestrian access, garage layout and parking.

Dan Oberpiller of North Bay companies provided an overview of the apartment and rental townhome portion of the proposal.

In response to Chair Hayford Oleary's comment about decreased density, Oberpillar explained that an additional story would create a parking need that they couldn't economically meet. He also clarified how parking was calculated and assigned to the various types of units.

May 29, 2018

Commissioner Hoberg inquired about the rent levels and affordability. Oberpiller responded that they continue to look at affordability, but are primarily focused on financial feasibility.

Chair Hayford Oleary opened the public hearing.  
No members of the public spoke.

M/Rosenberg, S/Rudolph to close the public hearing.  
*Motion carried: 7-0*

M/Rosenberg, S/Pynn to recommend approval of a Resolution that amends the Richfield Comprehensive Plan to designate Lots 1-2, Block 1, Lyndale Gardens Addition and 6328 Aldrich Avenue as Mixed Use and allow a housing development that is less than 50 dwelling units per acre.  
*Motion carried: 7-0*

M/Rosenberg, S/Pynn to recommend approval of an Ordinance that amends the Richfield Zoning Code Appendix I to designate 6328 Aldrich Avenue as Planned Mixed Use.  
*Motion carried: 7-0*

M/Rosenberg, S/Pynn to recommend approval of a Resolution approving a Conditional Use Permit and Final Development Plans for a Planned Unit Development on Lots 1 and 2, Block 1, Lyndale Gardens 2<sup>nd</sup> Addition.  
*Motion carried: 7-0*

### **ITEM #3**

**18-APUD-03 – Continue a public hearing to consider final development plans and a conditional use permit to allow a Planned Unit Development for an elementary school at 6500 Nicollet Avenue to June 25, 2018.**

Associate Planner Matt Brillhart gave a brief overview of the revised timeline for the proposal.

M/Pynn, S/Rudolph to continue the public hearing related to the Final Development Plans and Conditional Use Permit to allow the Planned Unit Development for an elementary school at 6500 Nicollet Avenue to June 25, 2018.  
*Motion carried: 7-0*

### **ITEM #4**

**18-RZN-01, 18-PUD-01, 18-CUP-01, 18-FDP-01 – Consideration of a variety of land use approvals related to a proposal for a mixed use development at 101 66<sup>th</sup> Street East.**

Associate Planner Matt Brillhart presented the staff report.

Chair Hayford Oleary stated that the official public hearing is closed, but the Commission will allow a representative to make a statement on behalf of the group.

Julie Lapensky, 6621 Stevens, spoke on behalf of the group, stating that they would like the Commission to deny approval because the developer has not adequately addressed the goals and concerns of the surrounding neighbors.

Ryan Anderson of ISG spoke on behalf of the developer. He stated that the developer attempted to address every concern raised by the neighbors at the April 19<sup>th</sup> meeting. He stated that the PUD proposal meets all of the ordinance requirements and intent of the updated Comprehensive Plan and all but three of the zoning requirements, which include

May 29, 2018

parking requirements, buffer setback, and building setback. He clarified that the building and parking met setback requirements when they purchased the property, but the 66<sup>th</sup> Street project took some of their property, which resulted in the need for a variance. Anderson provided further explanation of the ITE trip generation rate, which previously estimated 91 trips in the peak PM hour, however, using the new modelling software, it estimated 27 trips.

Anderson addressed Commissioner Rudolph's concern about the effectiveness of the proposed screening and stated that they are willing to work with the neighbors to find a screening option that works for all. Anderson addressed Commissioner Pynn's concern, explaining how the design of the berm and swale will allow for snow storage and drainage away from neighboring properties.

In response to Commissioner Quam, Brillhart stated that language can be strengthened in the resolution directing the developer to work out concerns with neighbors before going to Council. Stark added that specific requirements need to strike a balance between flexibility while giving firm direction. Commissioner Quam further inquired about the adoption of the "porkchop" and berm on the SE portion of the parking lot. Brillhart responded that the berm can be a requirement, but 100% screening is required regardless. Brillhart and Anderson further explained how the plans intend to discourage cars from exiting onto Stevens Avenue.

In response to Commissioner Rudolph, Stark stated that the Council plans to have a work session on June 12<sup>th</sup> at which time the neighborhood could bring forth their concerns.

Commissioner Pynn inquired about traffic modifications and enforcement on private property. Brillhart responded that traffic controls are likely regulated by state statute, but was unclear with enforcement. Anderson responded to Commissioner Pynn's inquiries about traffic calming approaches. Stark clarified what types of traffic modifications would be within the developer's ability to affect and what would fall under the jurisdiction of Public Works.

Commissioner Pynn inquired if the developer had considered residential only. Anderson explained how the market study showed small retail within a mixed-use development as a viable option along the corridor and it was deemed to be the most successful. In response to Commissioner Quam, Anderson stated that a two-story townhome project would not be economically viable.

Chair Hayford Oleary invited members of the public to speak.

Mike Plantan, 6632 Stevens Ave, stated that the neighborhood would be amenable to the street becoming a dead end.

Cathy Bender, 6637 Stevens Ave, expressed concern about the proximity to 66<sup>th</sup> St and the roundabout as well as concern over the building size and lack of green space.

Dean Gade, 6615 Stevens Ave, expressed concern that the headlight screening is not going to be adequate and also has concerns about the maintenance of the existing property.

Tracy Satterlund, 6628 Stevens Ave, expressed that the developer has not worked well with the neighborhood and has not addressed their concerns.

May 29, 2018

Commissioner Rudolph expressed concern with the proposed screening and wants the developer to work with the residents on the south border to find a solution. Chair Hayford Oleary concurred. Stark added that the language can be modified but that the developer may not have time to make changes to the site plan before the City Council meeting. In response to Commissioner Quam, Brillhart responded that the developer had mentioned a willingness to add landscaping to adjacent properties, but was unclear if the city could legally require that.

Commissioner Rosenberg expressed gratitude for the participation of the residents and the developer and hoped that a partnership could continue if the proposal goes through.

Commissioner Hoberg commented that the developer didn't make significant changes that reflect the neighborhood's concerns. Chair Hayford Oleary responded that the developer did propose 3-5 changes in response to concerns raised and expressed support in general.

Commissioner Rudolph expressed concern that the developer's response letter was dismissive and thought that the developer needed more time to work out the issues.

Commissioner Quam expressed gratitude for the participation of the residents and support for the project. Commissioner Pynn concurred and added that this is the type of project that brings in the density that helps make commercial property in the Hub area successful.

M/Pynn, S/Rosenberg to recommend approval of rezoning the subject property from Single-Family Residential to Planned Mixed-Use.

*Motion carried: 7-0*

M/Hoberg, S/Quam to recommend approval of a Planned Unit Development, Conditional Use Permit, and Final Development Plan for a mixed-use development at 101 66<sup>th</sup> Street East, with the additional conditions that 1) a work session be held before the 1<sup>st</sup> reading of rezoning, 2) landscaping screening be installed at 6615 Stevens Avenue contingent upon City Attorney review, 3) The buffer to the south includes four-foot tall, 100% opacity screening in addition to the planned landscaping.

*Motion carried: 7-0*

## **ITEM #5**

**Consideration of the approval of a resolution finding that the acquisition and disposition by the Housing and Redevelopment Authority of 1430 66<sup>th</sup> Street East for eventual redevelopment as commercial use is consistent with the Richfield Comprehensive Plan,**

Community Development Director John Stark presented the staff report.

M/Rosenberg, S/Rudolph to recommend approval of a resolution finding that the acquisition and disposition by the Housing and Redevelopment Authority of 1430 66<sup>th</sup> Street East for eventual redevelopment as commercial use is consistent with the Comprehensive Plan.

*Motion carried: 7-0*

## **LIAISON REPORTS**

Community Services Advisory Commission: No report

City Council: Commissioner Rosenberg – Maria Regan Gonzalez is running for Mayor and Mary Supple is running for City Council at-large.

May 29, 2018

HRA: Commissioner Rudolph – HRA purchased the property at 1430 66<sup>th</sup> St and forgave a loan for a resident who passed

Richfield School Board: No Report

Transportation Commission: Chair Hayford Oleary – the commission recommended a layout for Lyndale Avenue

**CITY PLANNER'S REPORT**

Brillhart noted that there will be a work session on June 12<sup>th</sup> related to the project at 101 66<sup>th</sup> Street East

**ADJOURNMENT**

M/Rudolph, S/Pynn to adjourn the meeting.

The meeting was adjourned by unanimous consent at **8:39 p.m.**

  
\_\_\_\_\_  
Planning Commission Secretary

PLANNING COMMISSION MEETING SIGN-IN SHEET

Name (print legibly)

Address or Organization

Name (print legibly)	Address or Organization
Colleen Carey	The Cornerstone Group
Mindy Plantain	6632 Stevens
Cathy Bender	6637 Stevens
DEAN GADE	6615 STEVENS.
Tracy Satterlund	6628 Stevens

My name is Julie Lapensky, I live at 6621 Stevens Avenue, and I'd like to thank the Planning Commission Chair and Members for the opportunity to address the Commission this evening.

At last month's Planning Commission meeting, approval of a zoning change, and a planned unit development were tabled so that the developer would have time to work with residents on their concerns about the proposed development.

Those goals have not yet been achieved, so we ask that you deny the rezoning and PUD request this evening until meaningful progress has been made.

As you heard last month, neighbors were stunned to hear that this project has been in the works for nearly two years, when they just heard about it last month. This created a huge gap between the positions of the two parties and more time and perhaps a different approach is needed to resolve the issues.

The neighborhood had planned to have a meeting on May 14 to discuss the project. Mr. Lynch, the developer, requested to have an open house that same evening, so the two meetings were combined.

Neighbors viewed the display boards, asked questions, and many shared their concerns at the meeting. Mr. Lynch suggested that if residents had pictures of the types of buildings they thought would be a good fit, that they be sent to him. A written summary of the neighbors' feedback from the meeting, and a couple of pictures of the types of buildings they thought would be an appropriate fit for the site were sent to Mr. Lynch.

There are a lot of statements in the Comprehensive Plan about the size and scale of new developments being sensitive to the scale of existing development and providing transitions in scale. The neighborhood completely agrees with those statements.

In addition, the residential zoning code that states that traffic should be minimized within residential areas, and that residential locations should be safe, attractive and quiet. A development at this site should be compatible with that code, since it is surrounded on 3 sides by single family homes.

At this point, from the neighborhood's perspective, no significant changes have occurred to the plans, and the developer's responses do not address our major areas of concern related to the pressure a development of this size and type places upon the surrounding residential neighborhood.

A new development in this area will broaden the tax base for all of Richfield. We can achieve the goals of the comprehensive plan, increased tax revenue, and meet the goals of the neighborhood and developer, but not if we allow this project.

We are very interested in productive dialogue on this, and realize there are many parties to this in addition to the developer, and we would like a more effective format to work through the issues.

For example, in tonight's packet there are documents about what permitted uses the city would like to see, including a mixed-use/neighborhood designation (MU-N, that would be the most appropriate MU designation for this site) but with the addition of class III restaurants. Class III restaurants are fast food restaurants, and this would bring high turnover traffic patterns. As you may recall from last month's testimony, the two driveways on Stevens Ave. were a major concern. When and how can we get together on these issues?

Please deny the rezoning and the PUD this evening so that we can determine how to more effectively bring the parties together to create a "win" for all involved. On behalf of the neighborhood residents, we thank you for your time and consideration.