



# Planning Commission Minutes

November 26, 2018

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

MEMBERS ABSENT: Commissioner Allysen Hoberg

STAFF PRESENT: Melissa Poehlman, Assistant Community Development Director  
Matt Brillhart, Associate Planner

OTHERS PRESENT: Erik Winegarden, David Lundy, Todd Olin, and Dan O'Brien; development team

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

## APPROVAL OF MINUTES

M/Pynn S/Rosenberg to approve the minutes of the October 22, 2018 meeting.

*Motion carried: 6-0*

## OPEN FORUM

No members of the public spoke.

## ITEM #1 APPROVAL OF AGENDA

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

*Motion carried: 6-0*

## PUBLIC HEARING(S)

### ITEM #2

**Conduct a public hearing and consider a variety of land use approvals related to a proposal to construct a 179-unit apartment building on the north side of 66<sup>th</sup> Street between Queen and Russell Avenues.**

Associate Planner Matt Brillhart presented the staff report.

Brillhart clarified the term 'vacate' for Commissioner Quam and provided clarification to Chair Hayford Oleary on easements and right of way for the proposed changes to Russell Avenue.

Project manager Todd Olin introduced the project.

Commissioner Pynn inquired about the possibility of a building step back on 65<sup>th</sup> ½ Street.

Mr. Olin commented that a 10 minute recess would allow the development team to respond. Brillhart clarified and Chair Hayford Oleary concurred on the appropriate procedure for the public hearing and allowing the developer time to respond.

In response to Commissioner Quam, developer Eric Winegarden explained why they chose the largest version of their three different proposals. Commissioner Quam expressed concern over the loss of the mature trees. Olin confirmed that all trees would be removed.

Olin confirmed for Commissioner Rosenberg that they have signed purchase agreements for all 6 properties. Rosenberg inquired further how this development could impact water pressure, to which Poehlman responded that the Utility Department has reviewed the plans.

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In response to Rosenberg, Poehlman explained why it is not desirable to leave the 3 houses on the east side of Queen.

In response to Commissioner Rudolph, Olin explained that they explored a variety of heights and options using a market study, vacancy rates and the Comprehensive Plan as guides.

Chair Hayford Oleary opened the public hearing.

Ruane Onesirosan - 2421 65th St W - expressed concern over disruption, quiet, and tree loss.

Wesley Webber – 2501 65th St W – expressed traffic concerns with Russell Ave connection, and asked why not straighten Queen Ave instead. He also commented on increased shadows.

Luci Peterson – 2500 66th St W (Sheridan Court) – expressed concerns with noise and impacts on people with sensory issues and disabilities as well as traffic concerns.

Patty Bergren – 2414 65th ½ St W – asked the city to reduce the building height by one story along 65th 1/2 Street to reduce traffic and shadow impacts.

Kathryn Cahill – 6528 Russell Ave – expressed concern for mitigating effects of construction.

Colleen Webber – 2501 65th St W – commented that Russell is narrow and would be unsafe to turn left onto 66th in PM rush hour. She also gave a 3 story height comparison.

Nick Seibert – 6904 Logan Ave – expressed concern over the size of development and the impact it will have on Sheridan Hills Elementary.

Manzar Khan – 6539 Queen Ave – Family has owned their home for 40 years and has fixed it up and wants to continue to live there.

Patty Bergren asked how “undue adverse impacts” are determined.

M/Rosenberg, S/Rudolph to close the public hearing.

*Motion carried: 6-0*

Brillhart addressed the questions regarding parking and street width on Russell Avenue.

Chair Hayford Oleary brought up the concerns raised about mitigating construction impacts on the surrounding residents. Poehlman responded that a stipulation could be added requiring the developer to survey the existing conditions of the properties prior to the start of construction.

Poehlman responded to the question regarding the term “undue adverse impacts” stating that it is a legal term that generally means that something is of “great harm”.

In response to Chair Hayford Oleary, Poehlman provided details about the traffic study.

Poehlman provided clarification in response to questions about purchase agreements.

In response to Commissioner Pynn, Olin explained why it was decided to vacate Queen. Dan O'Brien, the architect, provided further explanation for their design considerations.

Olin addressed Commissioner Pynn's question regarding proposing 4 stories, stating that they used the City's Comprehensive Plan and City Code as guides. Brillhart responded to Commissioner Pynn's question about density standards in relation to height.

In response to Commissioner Rudolph, Brillhart stated that the proposal does not need a Comprehensive Plan amendment and clarified what aspects require variations from Code. Commissioner Rudolph further inquired about the building coverage and how that would impact storm water management, to which Brillhart stated that more pervious area is provided than is required.

Commissioner Quam asked for clarification on the property status at 6539 Queen Ave to which Poehlman explained that private property negotiations could not be discussed at the hearing.

Poehlman responded to Commissioner Quam regarding the grade change to the east. Olin clarified further how the building height compares to the Fraser building. Quam inquired about the high-density range, to which Brillhart responded that the range is 50-100 units per acre and that this project is approximately 80 units per acre. Quam commented further that a 3-story building could still meet density requirements.

Commissioner Pynn introduced a proposed amendment regarding height and step backs. Commissioner Rudolph expressed support for the amendment. Commissioner Quam commended the work of Commissioner Pynn but thought it was too tall on the south side.

M/Rudolph, S/Pynn - Continue consideration to 8:40 p.m. to allow the applicant time to discuss the proposed changes.

*Motion carried: 6-0*

*The meeting was resumed at 8:40 p.m.*

David Lundy of the development team stated that they are willing to consider the proposal put forth by Commissioner Pynn.

In response to Commissioner Kitzberger, Brillhart clarified how increasing the height of the building on the south and east side would compare to Sheridan Court.

In response to Commissioner Rosenberg, Poehlman stated that the building setback along 66th Street was similar or slightly greater than that of Sheridan Court. Rosenberg expressed support for Commissioner Pynn's amendment and reasoning for allowing five stories on 66th.

In response to Chair Hayford Oleary, Lundy stated that the goal would be to keep roughly the same unit count with the height and stepback amendment.

In response to Commissioner Rudolph, Brillhart commented that staff did not believe that allowing 5 stories would set a precedent that would be out of line with what other nearby zoning districts allow. Commissioner Rudolph stated his preference for three stories.

M/Pynn, S/Kitzberger to recommend rezoning from High-Density Residential (MR-3) and Single-Family Residential (R) to Planned Multi-Family Residential (PMR).

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Chair Hayford Oleary expressed support for the rezoning as it is in line with the Comprehensive Plan. Commissioner Kitzberger commended Commissioner Pynn for bringing his amendment idea forward.

*Motion carried: 6-0*

M/Pynn, S/Kitzberger to recommend approval of a resolution approving a Planned Unit Development, Conditional Use Permit and Final Development Plan for an apartment development on the north side of 66<sup>th</sup> St between Queen and Russell Avenues.

M/Pynn, S/Rudolph to require the north and northwest faces of the building to be lowered to 3 floors in exchange for increasing to 5 floors along 66<sup>th</sup> Street and the eastern side of the building.

Commissioner Rosenberg expressed that it is still too big but understands that they have to follow the regulations guiding land use and will support the proposal. She further expressed that she understands the neighbors' concerns but asked for tolerance of those who rent. Commissioner Quam restated her preference for three stories and would not support the proposal as is. Commissioner Rudolph expressed agreement with Commissioner Quam. Chair Hayford Oleary expressed support for the amendment because it likely won't have an impact on unit count. Commissioner Quam expressed that she is in favor of more housing but wants to do it thoughtfully.

*Motion carried: 5-1(Quam opposed)*

In response to Commissioner Rudolph, Poehlman stated that he could make an amendment to require preconstruction surveys of the surrounding properties by an independent inspector.

M/Rudolph, S/Pynn to recommend an amendment to require preconstruction surveys by an independent contractor of the surrounding homes within 100 feet of the property including all properties on the 6500 block on the west side of Russell Avenue, excluding properties on the south side of 66<sup>th</sup> Street.

*Motion carried: 5-1 (Kitzberger opposed)*

Chair Hayford Oleary summarized the motion recommending approval of a Planned Unit Development, Conditional Use Permit and Final Development Plan, as amended.

*Motion carried: 4-2 (Quam & Rudolph opposed)*

In response to Chair Hayford Oleary, Brillhart stated when the City Council would be voting.

### **ITEM #3**

**Consider the attached resolution finding that the acquisition of 6701 17<sup>th</sup> Avenue South by the Housing and Redevelopment Authority in order to eliminate 145 feet of roadway and create additional greenspace is consistent with the Richfield Comprehensive Plan.**

Melissa Poehlman, Assistant Community Development Director, presented the staff report.

Chair Hayford Oleary inquired which version of the Comprehensive Plan is currently in effect. Poehlman clarified that staff reviewed both Comprehensive Plans for this item and provided further clarification on questions related to the right of way.

Commissioner Rudolph thanked staff for pursuing this item.

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M/Rudolph, S/Pynn to approve a resolution finding that the acquisition of 6701 17<sup>th</sup> Avenue is consistent with the Comprehensive Plan.

*Motion carried: 6-0*

### **OTHER BUSINESS**

None.

### **LIAISON REPORTS**

Community Services Advisory Commission: No report

City Council: No report

HRA: Commissioner Rudolph – private development of new homes under Richfield Rediscovered

Richfield School Board: No report

Transportation Commission: Chair Hayford Oleary – 65<sup>th</sup> St reconstruction open house 12/12/18.

### **CITY PLANNER'S REPORT**

Poehlman notified commissioners of a date change for the December meeting to December 10<sup>th</sup> as well as a work session on December 11<sup>th</sup> at 6:00 pm. MnDOT will be present to talk about local impacts of the I-494 project.

### **ADJOURNMENT**

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

The meeting was adjourned by unanimous consent at **9:21 p.m.**

  
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Planning Commission Secretary