



**REGULAR PLANNING COMMISSION MEETING  
VIRTUAL MEETING HELD VIA WEBEX  
JANUARY 24, 2022  
7:00 PM**

Call to Order

Approval of the Minutes

- December 13, 2021, regular planning commission minutes

Open Forum: Opportunity for the public to address the Commission. To share during a meeting: walk in or call in live 612-861-0651\*

**Agenda Approval**

**Public Hearings**

1. Public hearing to consider an ordinance amendment establishing regulations for Electric Vehicle chargers.
2. Public hearing to consider a request for a Conditional Use Permit to allow a Class I (full service) restaurant and retail market at 2900 66th Street West Suite 2900 (Southdale Square).
3. Public hearing to consider a request for an amended Planned Unit Development, Final Development Plan, and Conditional Use Permit to allow construction of a building addition to an elementary school at 6500 Nicollet Avenue South.
4. Public hearing regarding proposed changes to zoning regulations for firearm sales, repair, and other related uses.
5. Cancel a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.

**Liaison Reports**

Community Services Advisory Commission  
City Council  
Housing and Redevelopment Authority (HRA)  
Richfield School Board  
Transportation Commission  
Chamber of Commerce  
Sustainability Commission

**City Planner's Reports**

### **Next Meeting Time and Location**

- **Regular meeting on February 28, 2022, at 7:00 p.m. via Webex.**

### **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.**

**\*Complete information on how to share comments or questions with the Planning Commission, see our Agendas and Minutes page**

**[https://www.richfieldmn.gov/city\\_government/planning\\_commission/agendas\\_and\\_minutes.php](https://www.richfieldmn.gov/city_government/planning_commission/agendas_and_minutes.php)**



# Planning Commission Minutes

December 13, 2021

MEMBERS PRESENT: Chair Kathryn Quam, Commissioners Brendan Kennealy, Susan Rosenberg, James Rudolph, Bryan Pynn, and Brett Stursa

MEMBERS ABSENT: none

STAFF PRESENT: Melissa Poehlman, Assistant Community Development Director; Ryan Krzos, Planner; Nellie Jerome, Assistant Planner

OTHERS PRESENT: Garret Duncan and Daniel Oberpriller from North Bay Companies, and Michael Stoddard and Amanda Pederson from DJR Architecture, for Item #1

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

## APPROVAL OF MINUTES

M/Rudolph, S/Pynn to approve the minutes of the September 27, 2021, Planning Commission and City Council Work Session meeting.

*Motion carried: 5-0 (Commissioner Stursa was not present for the vote)*

## OPEN FORUM

No members of the public spoke, no comments received.

## APPROVAL OF AGENDA

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

M/Quam, S/Kennealy to amend the motion and switch the order of the public hearing items on the agenda

*Motion as amended carried: 6-0*

## PUBLIC HEARINGS

**ITEM #1 Continue a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.**

Assistant Director Melissa Poehlman presented the staff report. The applicant is working with neighbors to address their concerns and has requested that the hearing be continued to January 24, 2022.

M/Quam, S/Kennealy to continue a public hearing to consider an amendment to the Conditional Use Permit, Final Development Plans, and Planned Unit Development at 6402 Lyndale Avenue South to January 24, 2022.

*Motion carried: 6-0*

**ITEM #2 - Public Hearing to consider a request for a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66<sup>th</sup> Street East.**

Planner Ryan Krzos presented the staff report for the Planned Unit Development (PUD). Members of the public called in during the open forum and spoke about their concerns.

Tracy Satterlund, 6628 Stevens, called in with concerns about the size and number of residential units in the project, the impact of car headlights coming out of the parking garage and shining into the neighbors house, and the impact of noise.

Cathy Bender at 6637 Steven Ave was concerned about changes to the neighborhood, the size of the project, lack of visitor parking, and traffic access from Stevens to and from 66<sup>th</sup> St.

Bruce O'Dell at 6616 Stevens Ave, adjacent to the project, was concerned about plantings, noise, and street parking.

Julie Lapensky, 6621 Stevens Ave, felt that the project was too large for the site. She added that, although apartments are needed, the traffic generation and street parking will have a negative impact on the neighbors. She felt that the planned building was too tall relative to nearby structures.

Jonna Klisch at 6641 1<sup>st</sup> Ave stated that the number of proposed units is too high. She was also concerned that the city utilities wouldn't be able to support the demand of new units. She also observed that Neighbors haven't felt heard in regards to their concerns for this project.

Kathleen Balaban, 6526 Stevens Ave, had concerns about the size of the project, the traffic being routed north, towards 66<sup>th</sup> St, and the lack of neighborhood input for this development.

M/Quam, S/Stursa to close the Public Hearing.

*Motion carried: 6-0*

Staff responded to public comments, noting that the developer would need to meet the city's landscaping, lighting, and odor control requirements. Staff also clarified that there is no tenant for the proposed commercial space, and if it were a restaurant there would be shortage of 3 parking spaces. The slight parking shortage is part of the PUD flexibility that the developer is looking for in this land use approval.

The development team addressed garage door noise, protecting solar access for neighbors, and planned landscaping. They stated that they would be happy to work with neighbors regarding any issues that come up. Commissioner Rosenberg also encouraged the developer to ensure that they do work with neighbors.

Chair Quam had concerns that the setbacks were too small and that the project was too large for the site. Commissioner Rudolph asked the developer about studies that would show impacts on neighbors and noted that overflow street parking has equity impacts in regards to snow emergencies through ticketing and towing.

The development team responded to concerns of equity, stating that they would have affordable units, bike parking for all residents, electric vehicle parking, and water retention designs as part of the project. They were also open to the possibility of a transit pass program for residents.

Commissioners and staff further discussed parking, bulk and height of upper stories, number of units, the neighborhood's openness to sidewalks in the future, and shadowing of the proposed building. Staff clarified that PUD approval does not involve variances, but that PUD approvals may have flexibility and must be in line with the City's Comprehensive Plan.



M/Quam, S/ Rudolph to recommend approval of the attached resolution approving a Planned Unit Development, Final Development Plan and Conditional Use Permit for a mixed use building at 101 66th Street East.

*Motion failed: 3-3 (Chair Quam, Commissioner Pynn, and Commissioner Rudolph voted against the amendment)*

## **LIAISON REPORTS**

Community Services Advisory Commission: No report

City Council: No report

Housing and Redevelopment Authority (HRA): No report

Richfield School Board: (vacant)

Transportation Commission: Discussed updates to the 77<sup>th</sup> St underpass, the 494 airport to 169 project, the new rapid bus line, and bicycle-friendly communities

Chamber of Commerce: (vacant)

Sustainability Commission: No report

## **PLANNER'S REPORT**

The bicycle parking standards were adopted in late November and are now in effect. The Community Development Director, John Stark, is leaving the city to take a position as City Manager of the City of North Saint Paul. He has been with Richfield for twenty-one years and has assisted in \$450 million value-added to the community over the last ten years. He has been a mentor and friend to many. He is leaving the city stronger than when he joined two decades ago, and has set us up for continued success.

## **ADJOURNMENT**

The next regular meeting is scheduled for Monday, January 24, 2022, at 7pm, via Webex virtual meeting.

Chair Quam announced that there are openings on the Planning Commission and those who are interested in serving are encouraged to apply. Commissioner Pynn announced his resignation from the Planning Commission as his schedule doesn't allow the time commitment that he would like to dedicate to the Planning Commission.

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

*Motion carried: 6-0*

The meeting was adjourned by unanimous consent at **9:02 p.m.**

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Planning Commission Secretary



## PLANNING COMMISSION MEETING

1/24/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

CITYPLANNER REVIEW:

### **ITEM FOR COMMISSION CONSIDERATION:**

**Public hearing to consider an ordinance amendment establishing regulations for Electric Vehicle chargers.**

### **EXECUTIVE SUMMARY:**

Transportation accounts for 29% of U.S greenhouse gas emissions, which is the largest share of all emissions categories, according to the US Environmental Protection Agency (EPA). Electric Vehicles and Electric Vehicle (EV) charging infrastructure are both needed throughout the US to reduce these emissions. According to the Great Plains Institute, in order to boost EV sales to 10% of the market share of all cars in the Twin Cities Metro, we will need to install 9,000 to 16,000 chargers. As of June 2019, there were only about 500 charging units in the entire Metro Area. Additionally, since global EV sales jumped from 450,000 in 2015 to 2.1 million in 2019, we will need to fill a growing demand for chargers. EV sales are projected to increase while battery prices decrease and more models become available, according to the Minnesota Department of Transportation.

In light of emissions and market trends, this proposed ordinance amendment establishes general standards for EV charger infrastructure in the City of Richfield, as well as minimum charger numbers that must be installed for new developments and for certain redevelopments that are required to bring the property into compliance based on Subsection 544.01. Staff researched best practices for the proposed Ordinance and aligned the proposed requirements with neighboring cities, like St. Louis Park, Bloomington, and Minneapolis. More cities in the metro area are expected to add EV charging standards to their city codes in the coming years as well. In 2018, 28 cities worked together across Minnesota to explore EV readiness, as part of the "Cities Charging Ahead" program, led by the Great Plains Institute and Clean Energy Resource Teams (CERTs). Many of those cities have already implemented EV infrastructure into their policies and/or practices.

Richfield's proposed EV ordinance includes a requirement for multifamily and non-residential uses to install EV chargers in some parking spaces, and to have other spaces made "EV-ready" (i.e. conduit installed to support future installation of chargers). EV chargers come in three styles. Level-1 (L1) is considered slow charging. The voltage level for L1 chargers is between zero and 120, and chargers can use a standard household outlet. L1 chargers usually start at around \$200 for basic models. Level-2 (L2) is considered medium speed charging. The voltage level for L2 chargers is between 120 and 240. L2 chargers can cost between \$400 and \$2,000 depending on features. Level-3 (L3) charging is considered fast or rapid. The voltage for L3 chargers, sometimes called DC chargers, is greater than 240. L3 chargers are the most expensive and usually cost around \$10,000, but can be up to \$40,000 for "super fast" charging styles. A summary of the proposed EV charger requirements is below:

- Residential uses with up to 3 units: one L1 charger required in an enclosed parking space
- Residential uses with 4 to 14 units: 10% of enclosed parking spaces require L1 chargers, and 2 spaces require L2 or L3 EV-ready spaces
- Residential uses with 15 or more units: 10% of enclosed parking spaces require L2 chargers, 20% of spaces require L2 or L3 EV-ready spaces, and all remaining enclosed spaces required to be L1 EV-ready. At least one ADA space must have access to an EV charger.
- Non-residential uses with up to 20 spaces: One space with an L2 or L3 charger and 10% percent require L2 or L3 EV-ready spaces.
- Non-residential uses with 21 or more off-street parking spaces: 5% percent of parking spaces with an L2 or L3 charger, and 20% percent require L2 EV-ready spaces. At least one L3 EV-ready space. At least one ADA space must have access to an EV charger.

The draft ordinance also adds EV chargers as a permitted accessory use in all zoning districts and allows a 5% reduction of minimum required parking for the installation of EV chargers above and beyond requirements, at a ratio one L2 or L3 charger to one parking spot. This reduction may be used instead of, but not in addition to, the bicycle parking reduction. New off-street parking areas will need to comply with the EV charger requirements and if an existing parking area is physically expanded, any added parking spaces will need to meet ratios for minimum electric vehicle charging requirements as well.

### **RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Recommend approval of an ordinance amendment establishing regulations for Electric Vehicle chargers.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

A joint work session was held with the Planning Commission and the City Council on September 27, 2021. Staff heard from Council Members and Commissioners that EV charging standards were an important policy priority for the City and that the Zoning Code should be updated with new EV charger requirements.

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

- Subsection 509.25 of the Richfield Zoning Code establishes regulations for nonconformities.
- Subsection 544.13 of the Richfield Zoning Code establishes standards for vehicle parking and loading requirements.
- Subsection 512.03 of the Richfield Zoning Code establishes permitted uses in all districts.

#### **C. CRITICAL TIMING ISSUES:**

None.

#### **D. FINANCIAL IMPACT:**

- Estimated private installation costs provided in the Executive Summary.

#### **E. LEGAL CONSIDERATION:**

- Notice of the public hearing was published in the Sun Current newspaper as required.
- A first reading of the proposed ordinance is scheduled for consideration by the City Council on February 8, followed by a second reading on March 8.

### **ALTERNATIVE RECOMMENDATION(S):**

- Recommend revisions of the ordinance amendment as proposed; or,
- Recommend denial of an ordinance amendment establishing regulations for Electric Vehicle chargers, thus maintaining the status quo.

### **PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

### **ATTACHMENTS:**

	Description	Type
▢	Ordinance	Ordinance

BILL NO. \_\_\_\_\_

**AN ORDINANCE AMENDMENT ESTABLISHING REGULATIONS  
FOR ELECTRIC VEHICLE CHARGERS**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1                      Subsection 509.25 of the Richfield Zoning Code regulates nonconformities and is amended to read as follows:

**Subdivision 1. Purpose.** This subsection is intended to provide for the regulation of uses, structures, lots, or site improvements which lawfully existed prior to the effective date of this ordinance or subsequent amendments, but which fail to comply with one (1) or more current regulations.

. . .

**Subd. 7. Nonconforming site improvements.** This subsection is primarily aimed at upgrading nonconforming site improvements that affect the appearance and impacts of a site. It is not intended to require extensive changes that would be extremely impractical such as moving or lowering buildings.

- a) Nonconforming Parking. Alteration, addition or expansion which results in an increased need for off-street parking shall provide additional parking according to the following guidelines:
  - i. Where modifications result in an increase in the applicable unit of measurement (dwelling unit, floor area, capacity, number or seats, etc.) which is 50 percent or less of the original total, additional parking shall be required only for this new or modified part of the development;
  - ii. Where modifications result in an increase in the applicable unit of measurement which is over 50 percent of the original total, sufficient off-street parking shall be provided to bring the entire development into conformance with the requirements of this ordinance.
- b) Nonconforming Landscaping and Screening. Alternative landscaping or screening may be approved by the Director, where, due to existing structure placement, lot dimensions, parking requirements, or other improvements, it is not possible to provide the landscaping or screening required by this ordinance, according to the following rules:
  - i. The alternative landscaping or screening will not be detrimental to adjacent properties; and
  - ii. The alternative landscaping or screening complies with the purpose and intent of standards dictated by this ordinance.
- c) Additional Nonconforming Site Improvements. In addition to the requirements of a) and b) above, the following nonconforming site improvements must be made conforming if a structure or use

associated with the nonconforming site improvement is enlarged or expanded.

- i. Impervious surface coverage as required by applicable zoning district standards;
  - ii. Irrigation as required by Subsection 544.03, Subd. 4(h);
  - iii. Screening of refuse collection and utilitarian items in accordance with Subsection 544.05;
  - iv. Pedestrian circulation as required by Subsection 544.15;
  - v. Bicycle parking in accordance with Subsection 544.17; and
  - vi. Modifications that enlarge the physical extent of a parking lot will require additional parking spaces in the expanded area of the lot to comply with minimum electric vehicle charging requirements outlined in subsection 544.13, Subd. 7.
  - ~~vi.~~ vii. Underground utilities when renovation costs exceed 50 percent of the value of the structure, in accordance with Subsection 544.19.
- d) The Director may modify or waive any of the provisions above based on a written finding that the proposal:
- i. Would not be detrimental to adjacent properties; and
  - ii. The proposal complies with the purpose and intent of standards dictated by this ordinance. (Amended: 9-17-2010)

(Amended, Bill No. 2014-4)

## Section 2

Subsection 512.03 of the Richfield Zoning Code is related to permitted uses in all districts and is amended to read as follows:

Except as otherwise noted, the following uses shall be construed to be permitted in all zoning districts within the City:

- a) Public streets and highways;
- b) Underground public utilities;
- c) Municipally-owned parks and related accessory facilities;
- d) Solar equipment as an accessory use;
- e) Horticulture/community gardens as an accessory to an established institutional use (school, church, park), provided that plants and related materials are maintained in a clean and orderly manner and that waste is disposed of appropriately; and
- f) Beekeeping subject to the inspection and licensing requirements and limitations outlined in Section 906.
- g) Electric vehicle charging stations and related equipment as an accessory use subject to the requirements and limitations outlined in section 544.13.

Section 3

Subsection 544.13 of the Richfield Zoning Code is related to vehicle parking and loading requirements, and is amended to add a new Subdivision 7 as follows, renumbering all subsequent subdivisions:

**544.13. Vehicle parking and loading requirements.**

**Subdivision 1. Off-street parking and loading areas.** Off-street parking and loading areas shall be permitted only upon approval of a site plan.

...

**Subd. 7. Electric Vehicle Charger Requirements**

- a) Purpose. Ensuring that electric vehicle (EV) charging serves both short and long-term parking needs throughout the city, while limiting adverse impacts of electric vehicle chargers, to reduce emissions and improve environmental health outcomes in our community.
- b) Minimum number of electric vehicle chargers required by land use. This number may be reduced by the Director if proof can be provided that such spaces will not be used:

<b><u>USE</u></b>	<b><u>INSTALLED EV CHARGING STATIONS*</u></b>	<b><u>EV-READY SPACES*</u></b>	<b><u>ADDITIONAL REQUIREMENTS</u></b>
<u>Residential uses with up to 3 units</u>	<u>At least one (1) enclosed space shall support L1 charging.</u>		
<u>Residential uses with 4 to 14 units</u>	<u>Ten (10) percent of enclosed parking spaces shall support L1 charging.</u>	<u>Two (2) spaces capable of L2 or L3 charging. All remaining enclosed spaces capable of L1 charging.</u>	
<u>Residential uses with 15 units or more</u>	<u>Ten (10) percent of parking spaces shall support L2 charging.</u>	<u>Twenty (20) percent of spaces capable of L2 or L3 charging. All remaining enclosed spaces capable of L1 charging.</u>	<u>At least one ADA parking space shall have access to an installed EV charger.</u>
<u>Non-residential uses with up to twenty (20) spaces</u>	<u>One (1) space shall support L2 or L3 charging</u>	<u>Ten (10) percent of spaces capable of L2 or L3 charging.</u>	
<u>Non-residential uses with twenty-one (21) or more off-street parking spaces</u>	<u>Five (5) percent of parking spaces shall support L2 or L3 charging.</u>	<u>Twenty (20) percent of spaces capable of L2 charging. At least 1 space capable of L3 charging.</u>	<u>At least one ADA parking space shall have access to an EV charger.</u>

\*If calculation results in a fraction, the next higher whole number shall be used.

c) EV parking space standards:

1. EV-ready spaces shall require appropriate electrical capacity and conduits to support future EV chargers, but shall not require an installed charger unit. Adequate electrical service is required to allow for future simultaneous charging of all future installed chargers.
2. Level descriptions:
  - i. Level-1 is considered slow charging. Voltage includes the range from zero (0) through one hundred twenty (120).
  - ii. Level-2 is considered medium charging. Voltage is greater than one hundred twenty (120) and includes two hundred forty (240).
  - iii. Level-3 is considered fast or rapid charging. Voltage is greater than two hundred forty (240).
3. EV charging installation in excess of the minimum requirement may be substituted for up to five (5) percent of minimum off-street parking requirements. One (1) L2 or L3 charger is equivalent to one (1) parking space. This reduction may not be applied in addition to the parking reduction for excess bicycle parking spaces, as described in subsection 544.17 of the Richfield Zoning Code.
4. EV charger locations and standards:
  - i. EV chargers must be located in a parking island, mounted to an adjacent pedestal or similar structure, or protected by bollards, structures, or curb if located in a parking lot.
  - ii. EV charging equipment shall be set back no less than three feet from any lot line abutting another parcel except upon written request from the landowner, the Director may reduce or rescind this setback requirement for shared access agreements or with a finding of necessity and public convenience.
  - iii. EV charging equipment located adjacent to a right-of-way which contains a public sidewalk, or located along a street or alley, shall be set back not less than three (3) feet from the nearest edge of such sidewalk, street, or alley. When adjacent to the right-of-way, the location must be approved by the public works director. EV chargers may be located in the right-of-way, with permission from the City Engineer. Equipment mounted on pedestals, light posts, bollards, or other devices for on-street charging stations shall be designed and located as to not impede pedestrian travel or create hazards within the right-of-way.
  - iv. Charging station equipment shall be a minimum of 24 inches clear from the face of any adjacent curb.
  - v. EV chargers must be mounted in a manner that allows for cords to be retractable or have a place to hang sufficiently above the pedestrian surface.
  - vi. EV chargers must be installed per manufacturer specification and must comply with all applicable building codes and relevant Americans with Disabilities Act (ADA) requirements.
  - vii. When an EV charging station is not operational for thirty (30) consecutive days, it shall be considered to have been removed from service.
  - viii. The EV charging station must be operational during the normal business hours of the use(s) that it serves. EV chargers may be de-energized or otherwise restricted after normal business hours



of the use(s) it serves.

...

**Subd. 10 11. Calculating space for a compound use.** Should a structure contain two (2) or more types of uses, the total off-street and minimum EV parking spaces required for each use shall be calculated separately unless requirements for joint parking arrangements can be applied as regulated by Subd. 11 of this subsection.

...

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 \_\_\_\_ day of \_\_\_\_, 2022.

\_\_\_\_\_  
Maria Regan Gonzalez, Mayor

ATTEST:

\_\_\_\_\_  
Kari Sinning, City Clerk



## PLANNING COMMISSION MEETING

1/24/2022

REPORT PREPARED BY: Ryan Krzos, Planner

CITY PLANNER REVIEW:

### **ITEM FOR COMMISSION CONSIDERATION:**

**Public hearing to consider a request for a Conditional Use Permit to allow a Class I (full service) restaurant and retail market at 2900 66th Street West Suite 2900 (Southdale Square).**

### **EXECUTIVE SUMMARY:**

Kruse Markit (Applicant) is proposing to open a retail market and restaurant/cafe serving alcohol in a multi-tenant building known as Southdale Square (2900 66th Street West). Full service restaurants, those serving alcohol, are a conditionally permitted use in the General Business (C-2) District.

The Applicant is proposing to occupy 2,290 square feet of the property. This space was previously occupied by Pier 1 Imports. The remaining square footage of the former Pier 1 is occupied by Foss Swim School. The proposed use meets the required condition for full service restaurants in the C-2 district in that the site abuts an arterial roadway. The entire shopping center also meets parking requirements when accounting for the proposed use. A full discussion of Conditional Use Permit (CUP) requirements can be found in an attachment to this report.

Finding that the proposal meets requirements, staff recommends approval of the CUP.

### **RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Recommend approval of a Conditional Use Permit to allow a Class I restaurant and retail market at 2900 66th Street West Suite 2900 (Southdale Square).**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

The subject site, known as Southdale Square, was developed as a multi-tenant shopping center in the 1960s. The most recent tenant of this portion of the shopping center was Pier 1 Imports. Following closure of that business, this area of the site was improved to attract a potential restaurant tenant. The most prominent improvement being construction of the plaza on this end of the main building of the shopping center.

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

- Section 534.07 subd.6 states that full service restaurants (Class I) are a conditional use in the C-2 General Business District. Furthermore, the ordinance states said alcohol-serving uses must be on a site that abuts a roadway classified as an arterial or collector. 66th Street is classified as minor arterial; therefore, this requirement is met.
- A full discussion of the general CUP requirements can be found as an attachment to this report.

**C. CRITICAL TIMING ISSUES:**

- 60-DAY RULE: The 60-day clock 'started' when a complete application was received on December 29, 2021. A decision is required by February 27, 2022 or the City 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:**

- The required application fees have been paid.

**E. LEGAL CONSIDERATION:**

- Notice of this public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site on January 13.
- Council consideration has been tentatively scheduled for February 8, 2022.

**ALTERNATIVE RECOMMENDATION(S):**

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

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Heidi Stark, Kruse Markit Brian Corcoran, Firm Ground Architecture

**ATTACHMENTS:**

Description	Type
▢ Resolution - CUP Approval - Kruse Markit	Exhibit
▢ Required Findings	Exhibit
▢ Project Narrative	Exhibit
▢ Proposed Plans	Exhibit
▢ Zoning Map	Backup Material
▢ 2040 Comp Plan Designations	Backup Material

**RESOLUTION NO.**

**RESOLUTION APPROVING A  
CONDITIONAL USE PERMIT FOR A RESTAURANT AND RETAIL MARKET  
AT 2900 66TH STREET WEST SUITE 2900**

**WHEREAS**, an application has been filed with the City of Richfield which requests approval of a conditional use permit to allow a Class I (full service) restaurant and retail market at property commonly known as Southdale Square, addressed as 2900 66th Street West, and legally described as follows:

Lot 1, Block 1, Southdale Square, Hennepin County, Minnesota

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing and recommended approval of the requested conditional use permit at its January 24, 2022 meeting; and

**WHEREAS**, notice of the public hearing was published in the Sun Current and mailed to properties within 350 feet of the subject property on January 13, 2022; and

**WHEREAS**, the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09 and as detailed in City Council Staff Report No.\_\_\_\_; and

**WHEREAS**, the City has fully considered the request for approval of the conditional use permit;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. A conditional use permit is issued to allow a Class I Restaurant and Retail Market, as described in City Council Letter No. \_\_\_\_\_, on the Subject Property legally described above.
2. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - That the recipient of this conditional use permit record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.09, Subd. 8. A recorded copy of the approved resolution must be submitted to the City prior to the issuance of an occupancy permit.
  - All rooftop or ground mechanical equipment must be screened, per Zoning Code Section 544.05.
  - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated January 6, 2022, and compliance with all other City and State regulations.
  - Prior to the issuance of an occupancy permit the applicant must submit a surety equal to 125% of the value of any improvements and/or requirements not yet complete. This surety shall be provided in the manner specified by the Zoning Code.

3. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant, the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.
4. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 8th day of February 2022.

Maria Regan Gonzalez, Mayor

ATTEST:

Kari Sinning, 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.* The proposed use of the property is consistent with the guiding "Mixed Use" designation. The Comprehensive Plan identifies a number of goals and policies related to economic development and support for business and employment growth. The proposal is consistent with these goals and policies.
2. *The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.* The purpose of the Zoning Code is to protect and promote the public health, safety, aesthetics, economic viability, and general welfare of the City. The purpose of the General Business (C-2) District is to allow a wide variety of commercial businesses that are attractive and compatible with nearby residential properties. The proposal is consistent with these purposes.
3. *The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines.* There are no specific redevelopment plans or design guidelines that apply to the property.
4. *The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code.* The proposed use will likely maintain the status quo with performance standards requirements.
5. *The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements.* The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any issues.
6. *The use will not have undue adverse impacts on the public health, safety, or welfare.* The nature of the proposed use is such that there are not likely any threats to public health, safety and welfare. Adequate provision would be in place to protect public health, safety and welfare.
7. *There is a public need for such use at the proposed location.* Staff regularly hears from residents that locally-owned dining and drinking establishments are desired in the community. This requirement is met.
8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* Section 534.07 subd.6 states that alcoholic beverages may not be served unless the site abuts a roadway classified as an arterial or collector. 66th Street is classified as minor arterial; therefore, this requirement is met.

*"Your well-built project begins and endures on Firm Ground"*

01/10/2022

Conditional Use Application  
City of Richfield  
Kruse Markit  
2900 W 66<sup>th</sup> Street, Suite 2900

**Project Description:**

This is a 2,300 square foot tenant improvement (TI) project in the Southdale Square development, within the same building as Foss Swim School. The existing building is fully sprinklered with 2 egress exits – 1 shared with Foss Swim School. Onsite parking exceeds what is required, and there is 1 existing ADA parking stall adjacent to the TI main entrance - 1 ADA stall is proposed to be added next to the existing stall. There is a dedicated existing rooftop mechanical unit for this TI space and a shared trash enclosure with Foss Swim School.

**Project Narrative:**

Kruse Markit will be the first retail/ café / wine and beer concept in the Richfield/Edina/Southdale shopping area. The program will include areas for retail shopping that provides an array of products that range from items for your pantry, to items for gifting and lifestyle; and areas for a laid-back café experience that caters to clientele at all times of the day. The café will provide high quality coffee options, healthy fare with minimal preparation for breakfast and lunch, and a charming happy hour experience including charcuterie, wine, and beer. Kruse Markit will bring a fresh perspective of laid-back and refined organic luxury to a vibrant community. The retail/pantry vision will provide a fusion of west coast style meets Nordic modern sensibility, and a unique connection to this ever evolving community. Alcohol

**Preliminary Schedule:**

- Project Kickoff Meeting: Week of December 13<sup>th</sup>, 2021
- Schematic Design: December 20<sup>th</sup> - December 24<sup>th</sup>, 2021
- Design Development: December 28<sup>th</sup> - January 7<sup>th</sup>, 2022
- Construction Documents: January 10<sup>th</sup> - February 4<sup>th</sup>, 2022
- Furniture Procurement: January 31<sup>st</sup> - February 4<sup>th</sup>, 2022
- Pricing and Permitting: February 7<sup>th</sup> - February 25<sup>th</sup>, 2022
- Construction Start: February 28<sup>th</sup>, 2022
- Construction Completion: April 29<sup>th</sup>, 2022
- Close Out: May 2<sup>nd</sup> - May 6<sup>th</sup>, 2022
- Grand Opening: May 14<sup>th</sup>, 2022

This project joins other food and beverage establishments like Giordano's, Café Zupas, and Patrick's Bakery & Café on the Southdale Square property. We anticipate this project will add to the appeal of this neighborhood and have no negative impact.

Sincerely submitted by,  
Firm Ground Architects & Engineers, Inc.

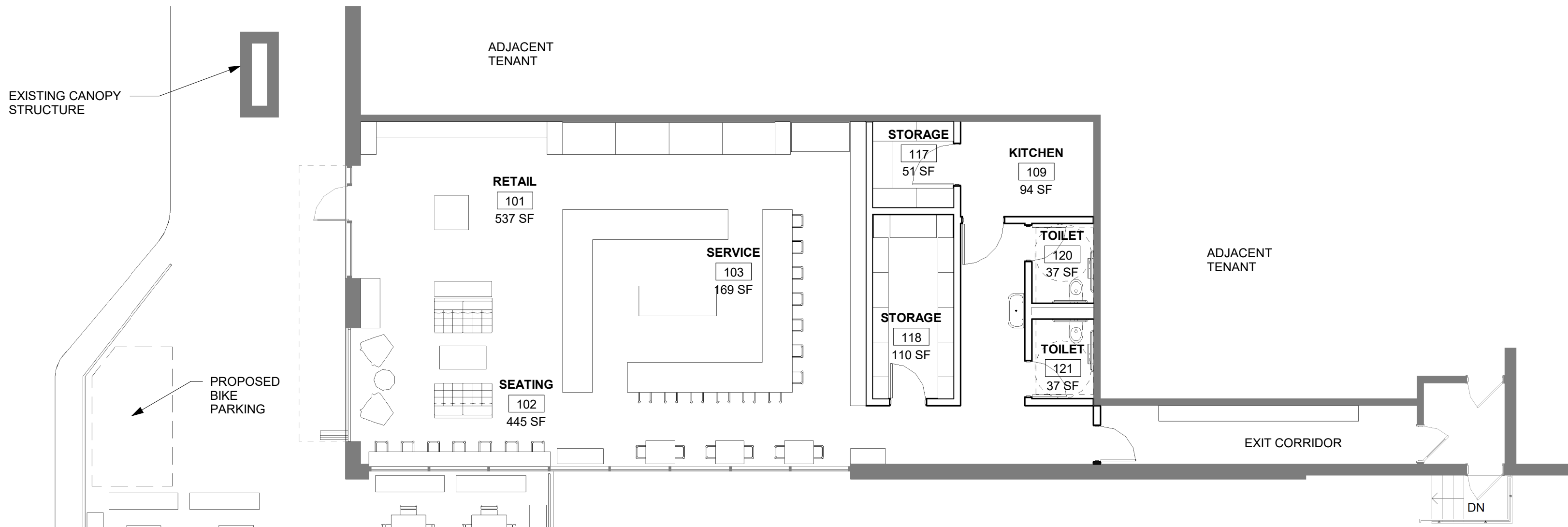


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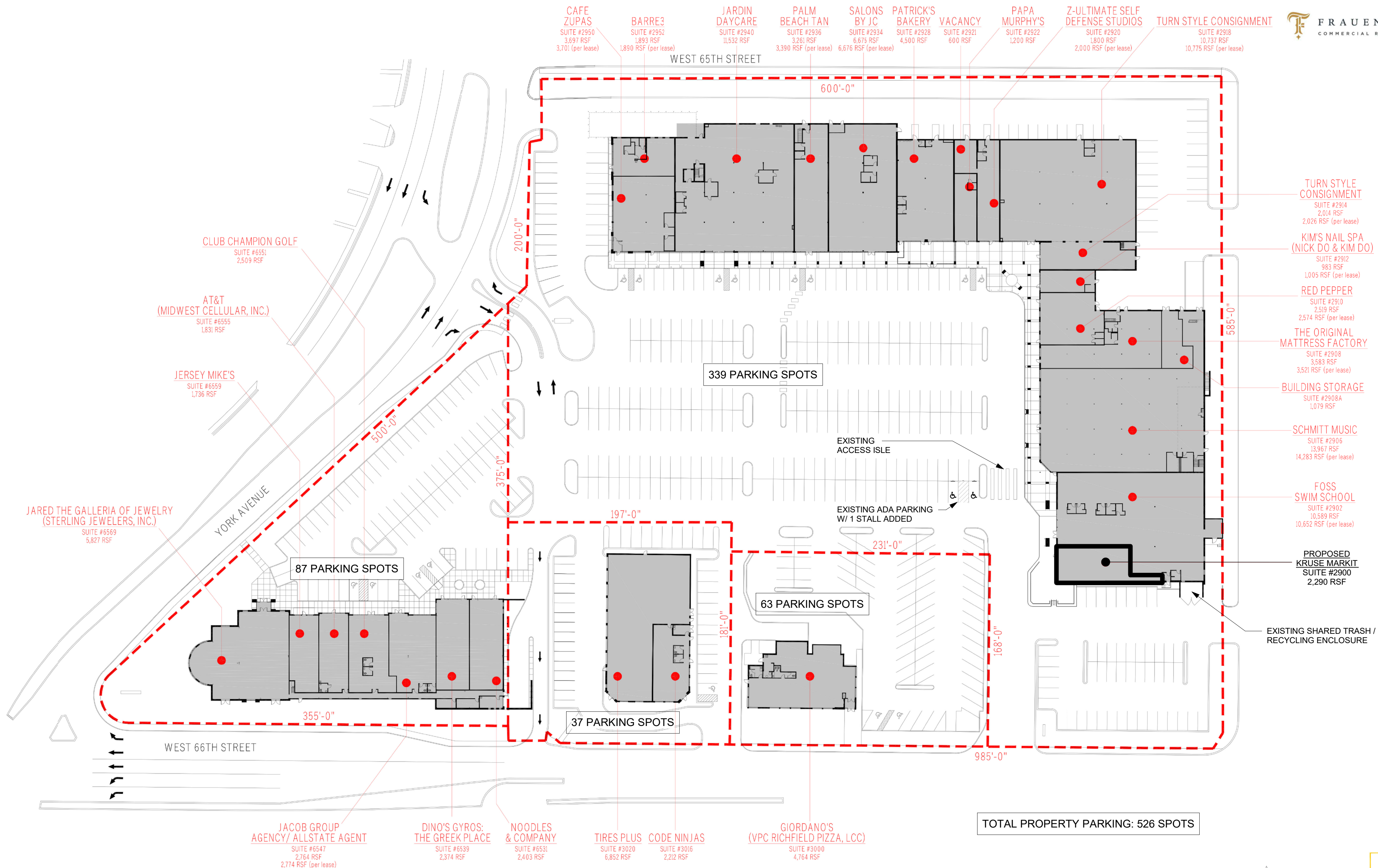
Brian Corcoran, AIA  
Project Architect







2 PATIO / FLOOR PLAN  
T3 1/8" = 1'-0"



SOUTHDALE SQUARE SHOPPING CENTER  
2900 - 3020 WEST 66TH STREET  
RICHFIELD, MN 55423

6531 - 6569 YORK AVENUE  
EDINA, MN 55425

SITE PLAN

TOTAL PROPERTY PARKING: 526 SPOTS

DATE: 03/30/21

archimea  
Interior Design Services, Inc.  
3001 Metro Drive Suite 450 Bloomington, MN 55425 952-854-5208

1 EXISTING SITE PLAN  
T3 NOT TO SCALE



275 Market Street, Ste. 368  
Minneapolis, MN 55405

612.819.1835 www.firmgroundae.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Architect under the laws of the State of Minnesota

Thomas P. Wasmoen  
12/28/2021 20891  
Date License No.

PARTNERS/CONSULTANTS

FRAUENSHUH  
COMMERCIAL REAL ESTATE

OWNER

HEIDI STARK

5620 PILLSBERRY AVE S  
MINNEAPOLIS MN 55419

PROJECT

KRUSE MARKET

2900 W 66TH ST, SUITE 2900  
RICHFIELD MN 55423

PROJECT NO. 21.159  
DRAWN BY B. CORCORAN  
CHECKED BY T. WASMOEN

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LAND USE

# ISSUE/REVISION DATE

SHEET TITLE  
SITE PLAN

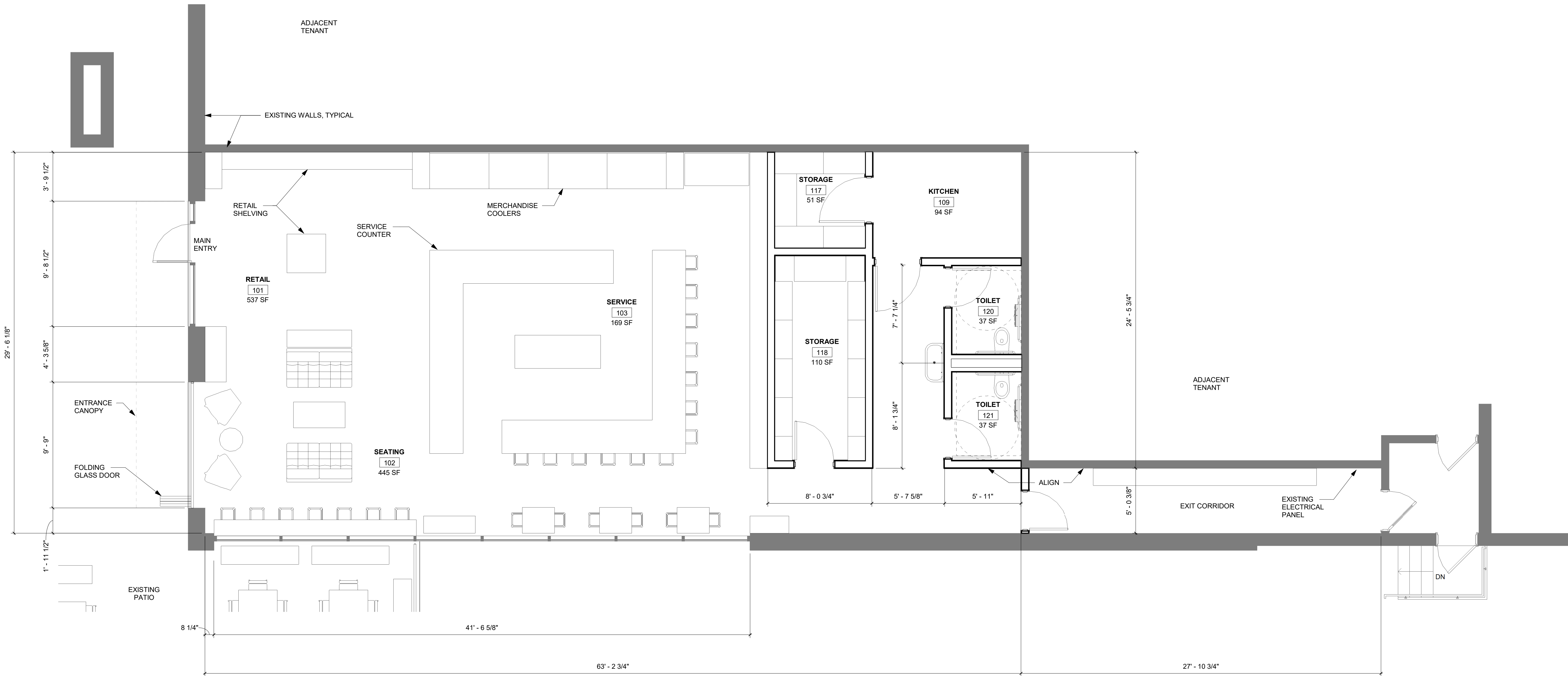
SHEET NUMBER

T3

FIRM GROUND  
architects & engineers



C:\Users\tdcoran\FIRMGROUND\Documents\211228  
11/16/2022 2:20:19 PM\tdcoran\WSP2.rvt



16  
A101 FLOOR PLAN  
1/4" = 1'-0"



275 Market Street, Ste. 368  
Minneapolis, MN 55405

612.819.1835 www.firmgroundae.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly  
**Registered Architect**  
under the laws of the State of Minnesota

  
Thomas P. Wasmoen  
12/28/2021 20891  
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CHECKED BY T. WASMOEN  
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LAND USE

#	ISSUE/REVISION	DATE
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SHEET TITLE

FLOOR PLAN

SHEET NUMBER

A101

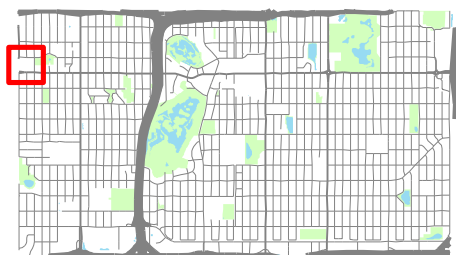
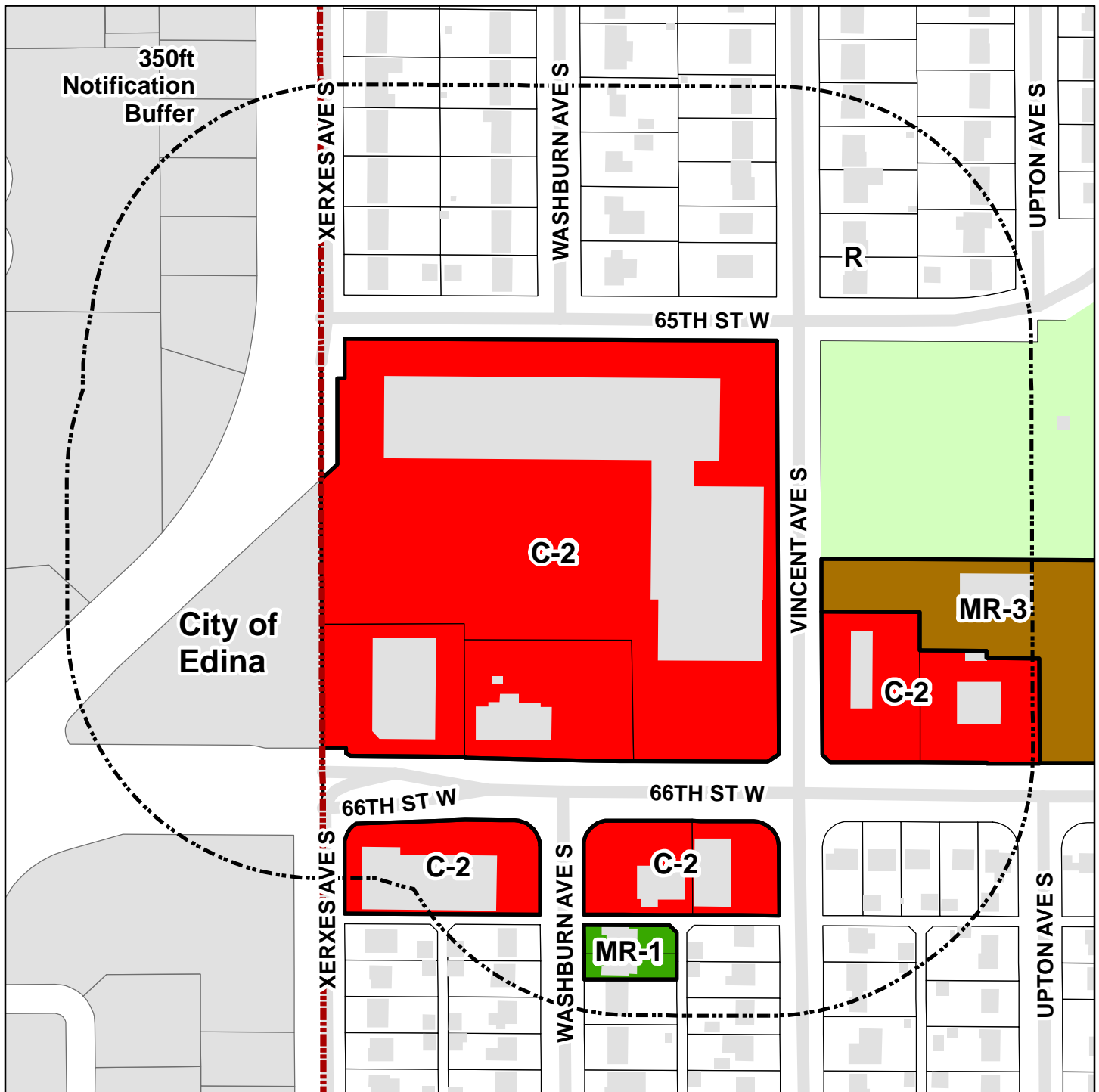
FIRM GROUND  
architects & engineers



# 2900 66th St W

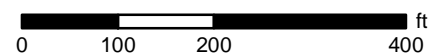
## Surrounding Zoning

Case No: 22-CUP-01



### Zoning Districts

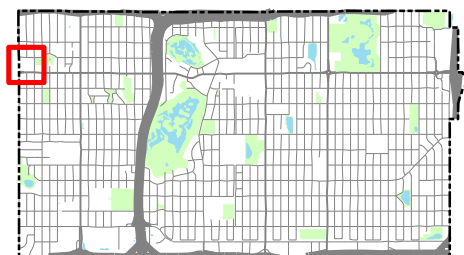
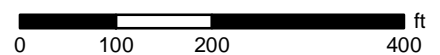
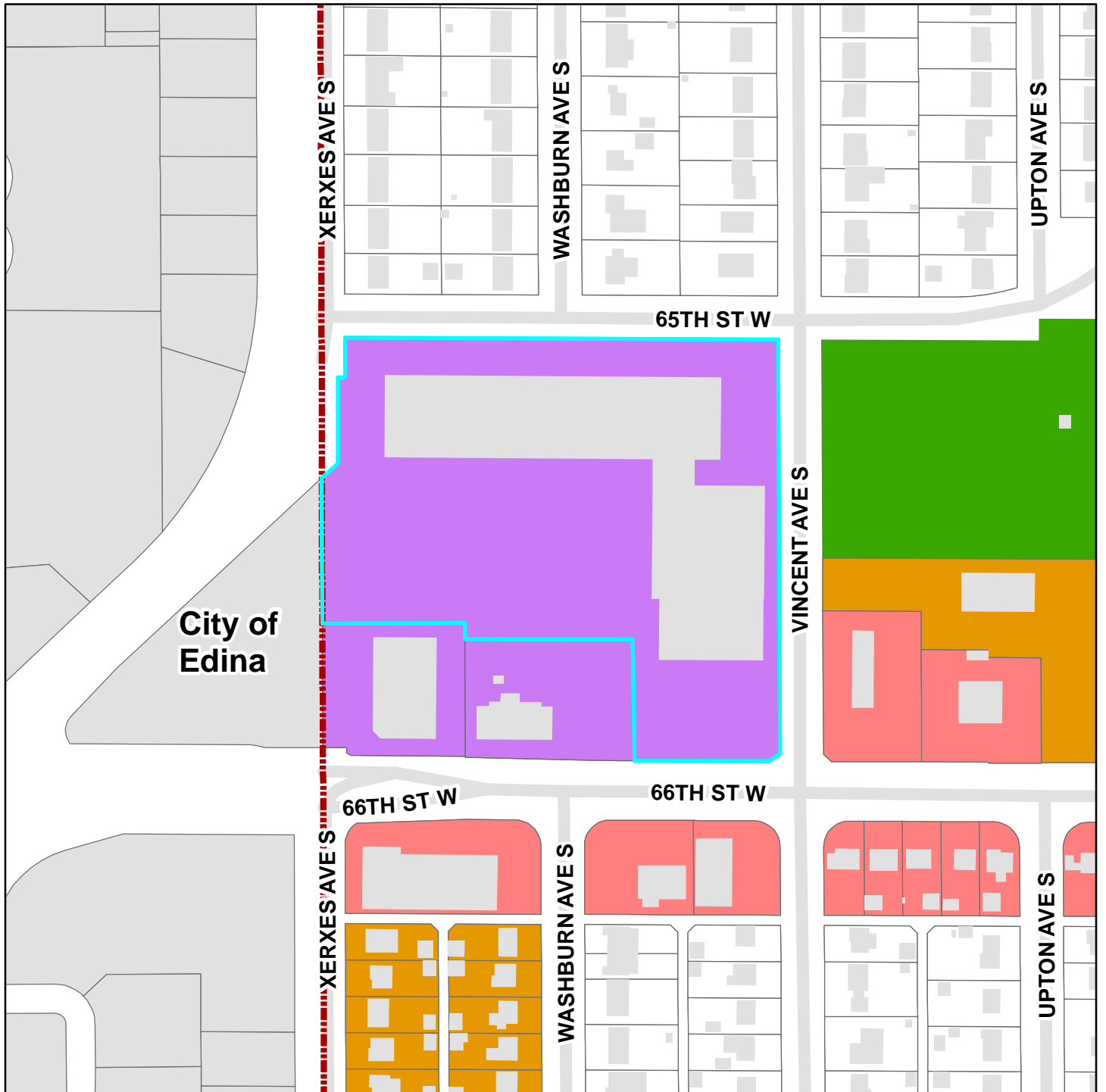
Parks	MR-2 Multi-Family	C-2 General Commercial	MU-C/CAC Mixed Use + Cedar Overlay
R Single-Family	MR-2/CAC Multi-Fam + Cedar Overlay	PC-2 Planned General Commercial	MU-C/PAC Mixed Use + Penn Overlay
R-1 Low-Density Single-Family	MR-3 High-Density Multi-Family	PMU Planned Mixed Use	MU-N Mixed Use-Neighborhood
MR-1 Two-Family	SO Service Office	MU-C Mixed Use-Community	MU-R Mixed Use-Regional
PMR Planned Multi-Family	C-1 Community Commercial	I Industrial	





# 2900 66th St W

## 2040 Comprehensive Plan Designations



### 2040 Planned Land Use

- |                          |                            |
|--------------------------|----------------------------|
| Mixed Use                | Medium Density Residential |
| Regional Commercial      | Low Density Residential    |
| Community Commercial     | Park                       |
| Neighborhood Commercial  | Quasi-Public               |
| High Density Residential | Right-of-Way (ROW)         |



AGENDA SECTION:	Public Hearings
AGENDA ITEM #	
CASE NO.:	



## PLANNING COMMISSION MEETING

1/24/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

CITYPLANNER REVIEW:

### **ITEM FOR COMMISSION CONSIDERATION:**

**Public hearing to consider a request for an amended Planned Unit Development, Final Development Plan, and Conditional Use Permit to allow construction of a building addition to an elementary school at 6500 Nicollet Avenue South.**

### **EXECUTIVE SUMMARY:**

Partnership Academy (Applicant), a preschool through grade 8 charter school, was granted land use approvals in 2018 to develop a school building at the northeast corner of the HUB shopping center, at 6500 Nicollet Avenue South. This property is zoned PC-2, Planned General Commercial. In response to growth in enrollment and increased programmatic needs, the Applicant is proposing a 5,962 square-foot expansion on the north side of the building, an area of the property that is currently used for parking. This expanded area will house four additional classrooms, an administrative office, student support spaces, and additional restrooms. The Applicant indicates additional floors above the existing building would be cost prohibitive for the school.

The proposed expansion would result in the loss of 16 parking stalls, reducing the total on-site parking to 37. The Applicant currently leases parking from the HUB shopping center to fulfill their off-street parking requirement, as was stipulated in their previous approval. Enrollment is planned to total 550 students and there will be 99 staff on-site. Required parking for schools is based on the total number of staff members, plus 8 spaces for visitors. Accounting for both the five percent parking reduction for bicycle parking above the minimum (the expansion requires an additional 20 bike spaces, totaling 75 bike spaces) and the ten percent transit reduction (proximity to frequent transit routes), a total of 92 spaces is required for this site. The Applicant has an agreement with the owner of the HUB for 60 leased parking spaces, in addition to the 37 spaces that are available on site.

Although the City had accepted a parking lease agreement with the Hub in the past, staff finds that the further reduction of parking on the site and the prospects for future redevelopment of the HUB is suggestive of the need to obtain longer term parking arrangements as specified by the code. Richfield's Zoning Code requires shared parking facilities to be protected by covenants that run with the lots housing all the joint users (544.13, Subd. 11).

Should the lease with the HUB be terminated, the Applicant indicates that they would pursue securing additional parking from alternate adjacent properties, seeking a partial parking requirement reduction, and/or constructing additional parking on the school site. Staff finds that it may prove difficult to ensure that this occurs in the future, presenting a risk that an expanded building may not have adequate on-site parking for future or present uses.

As a Planned Unit Development (PUD), flexibility from provisions of the Zoning Code may be granted for this site in exchange for high-quality design that fits into the neighborhood. In this case, the required number of on-site parking spaces is the sole provision of the code that is not met. Staff finds that the policy decision on this parking issue is the primary consideration in reviewing this proposal. Since this matter is more a question of risk-tolerance rather than a technical issue, staff is not making a recommendation for approval or denial of this Amended PUD request. However, staff has drafted a resolution that contains some suggested conditions of approval should the Planning Commission be inclined to recommend approving the project. Other factors to consider include:

- The future of car use and of parking rules may change in future years.
- There is plenty of available parking in the HUB shopping area at present.
- Partnership Academy has planned for future funding of on-site structured parking; the location of that parking ramp would be immediately adjacent to 65th Street.
- Adequate parking at adjacent properties may be difficult for Partnership Academy to find in the future, especially if the HUB is redeveloped.
- The City and Partnership Academy could be left with a large building with inadequate parking; potentially affecting future sale or use of the property.

### **RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Recommend approval or denial of the proposed Amended Planned Unit Development, Final Development Plan, and Conditional Use Permit.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

- Partnership Academy has been based in Richfield since 2002, previously operating out of leased space at Church of the Assumption (305 77th Street East).
- This site was formerly occupied by a Bremer Bank building and is part of a larger PUD with the Hub Shopping Center and vacant grocery store site.
- Partnership Academy was granted a PUD amendment in 2018, for construction of the current K-8 school building. A portion of required parking spaces have been leased from the HUB shopping center since the school opened.

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

Zoning Code Section 542.13, Subd. 3 established requirements for major amendments to an approved PUD final development plan. Since the request proposes an expansion exceeding ten percent of the building floor area, it is considered a major amendment to the PUD. A major PUD amendment is subject to the same review criteria and procedures as issuance of a new PUD. A full discussion of all requirements is included as an attachment to this report. Generally, the criteria require that the Council find that the proposal conforms to the goals and policies of the Comprehensive Plan and Zoning Code without having undue adverse impacts on public health, safety, and welfare.

Zoning Code Section 544.13: Vehicle parking and loading requirements, Subdivision 11: Joint parking facilities, states that off-street parking facilities may be provided collectively in any district for more than one (1) structure or use, if the following conditions are met:

- The applicant demonstrates to the Director that, because of the hours, size, and mode of operation of the respective uses, there will be an adequate amount of parking available to each use during its primary hours of operation to meet the needs of such use.
- The joint use of the parking facilities shall be protected by covenants that run with the lots housing all the joint users and the lots on which the parking facility that satisfies the parking requirement of this section is provided. Those covenants shall contain all of the conditions of the joint agreement and shall grant an easement for parking to the joint principal use lots. The manner of execution and content of such covenants shall be in a form approved by the city attorney and the document containing the covenants shall be recorded with the county recorder or the registrar of titles for the county. Parties to the covenant shall reimburse the city for the costs of legal review. Such covenants shall be provided prior to issuance of building or site permits.

- Total required parking spaces for the joint use shall be based on the combined peak requirement and shall not be fewer than the minimum requirements for the use which requires the most parking.

The City had previously accepted a lease agreement for additional parking at an adjacent site instead of requiring that the applicant meet the standard of securing a covenant for shared parking. Because this request includes the removal of additional on-site parking stalls and the securing of approximately 2/3 of the required parking elsewhere, it is a good time to consider whether or not a lease would continue to be an acceptable form of security.

**C. CRITICAL TIMING ISSUES:**

60-DAY RULE: The 60-day clock started when a complete application was received on January 10, 2022. A decision is required by March 11, 2022 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:**

The required application fees have been paid.

**E. LEGAL CONSIDERATION:**

- Notice of the public hearing was published in the Sun Current newspaper on January 13, 2022, and was mailed to properties within 350 feet of the site.
- Council consideration of these applications has been tentatively scheduled for February 8, 2022.

**ALTERNATIVE RECOMMENDATION(S):**

- Recommend approval of the proposed PUD amendment with additional and/or modified stipulations.
- Recommend denial of the amendment with a finding that the proposal does not meet City requirements.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Representatives of Partnership Academy

**ATTACHMENTS:**

Description	Type
☐ Resolution	Resolution Letter
☐ Applicant Narrative	Backup Material
☐ Required Findings	Backup Material
☐ Rendering	Backup Material
☐ Site Plans	Backup Material
☐ Interior Plans	Backup Material
☐ Zoning Map	Backup Material
☐ Planned Land Use Map	Backup Material

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING AN AMENDMENT TO A  
PLANNED UNIT DEVELOPMENT, FINAL DEVELOPMENT  
PLAN, AND CONDITIONAL USE PERMIT TO ALLOW  
CONSTRUCTION OF A BUILDING ADDITION TO AN  
ELEMENTARY SCHOOL AT 6500 NICOLLET AVENUE SOUTH.**

**WHEREAS**, an application has been filed with the City of Richfield which requests approval of an amended final development plan and conditional use permit to allow construction of an addition onto an elementary school building in the planned unit development at Hub Shopping Center, located at 6500 Nicollet Avenue South, property legally described as:

LOT 1, BLOCK 1, RICHFIELD HUB SUPERBLOCK, HENNEPIN COUNTY,  
MINNESOTA

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing and recommended approval of the requested amendment to the final development plan and conditional use permit at its January 24, 2022 meeting; and

**WHEREAS**, notice of the public hearing was mailed to properties within 350 feet of the subject property and published in the Sun Current newspaper on January 13, 2022; and

**WHEREAS**, the requested amendment to the final development plan and conditional use permit meets those requirements necessary for approving a major amendment to a planned unit development as specified in Richfield's Zoning Code, Section 542.13, Subd. 3 and as detailed in City Council Staff Report No.\_\_\_\_\_; and

**WHEREAS**, the City has fully considered the request for approval of an amended planned unit development, final development plan, and conditional use permit; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
2. An amended planned unit development, final development plan, and conditional use permit are approved to allow a building expansion on an existing elementary school building, as described in City Council Report No.\_\_\_\_\_, on the Subject Property legally described above.
3. The approved planned unit development, final development plan and conditional use permit are 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.



- Prior to the issuance of a Certificate of Occupancy, the applicant must provide proof to the City that a minimum of 97 parking spaces are available to staff and visitors. This total includes a ten percent (10%) transit reduction. Parking may be reduced by an additional five percent (5%) if excess bike parking spaces are added at a rate of four bike spaces to one car space.
  - Parking may be provided through a combination of any of the following:
    - i. Continuing a shared parking lease agreement with the adjacent HUB Shopping center.
    - ii. Constructing additional parking on site. Plans for construction of additional on-site parking must be approved by the Community Development Department.
    - iii. Securing additional parking on another adjacent property through a shared parking agreement as outlined in subsection 544.13, Subd. 11, of the Zoning Code.
  - All required parking spaces shall remain available year round and shall not be used for snow storage.
  - A minimum of one bike parking space per ten students is required.
  - The property owner is responsible for the ongoing maintenance and tending of all landscaping in accordance with approved plans.
  - Separate sign permits are required.
  - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated January 6, 2022, and compliance with all other City and State regulations.
  - Prior to the issuance of an occupancy permit, the developer must submit a surety equal to 125% of the value of any improvements not yet complete.
  - Unless specifically modified by this resolution, all previous conditions of approval remain in place.
4. The approved planned unit development, final development plan and 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 planned unit development, final development plan and conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 8th day of February, 2022.

\_\_\_\_\_  
Maria Regan Gonzalez, Mayor

ATTEST:

\_\_\_\_\_  
Kari Sinning, City Clerk

## **Required Findings**

**Part 1:** The following findings are necessary for approval of a PUD application (542.09, Subd. 3):

1. The proposed development conforms to the goals and objectives of the City's Comprehensive Plan and any applicable redevelopment plans. This requirement is met. The Comprehensive Plan guides this area for mixed use development. The proposed building addition would not alter the use of the site.
2. The proposed development is designed in such a manner as to form a desirable and unified environment within its own boundaries. This requirement is met. The proposed building addition will not alter the general function of the existing building or site.
3. The development is in substantial conformance with the purpose and intent of the guiding district, and departures from the guiding district regulations are justified by the design of the development. The purpose of the guiding C-2 (General Commercial) District is to allow a wide variety of uses serving Richfield and the surrounding area. These uses are expected to be attractive in appearance from all sides and compatible with adjacent properties through compliance with the Performance Standards specified in Zoning Code Section 544. This requirement is met, except for the required minimum on-site parking for elementary schools outlined in subsection 544.13. This is discussed in Part 2, #4, below.
4. The development will not create an excessive burden on parks, schools, streets or other public facilities and utilities that serve or area proposed to serve the development. The City's Public Works, Engineering, and Recreation Departments have reviewed the building addition proposal and do not anticipate any issues.
5. The development will not have undue adverse impacts on neighboring properties. No undue adverse impacts are anticipated related to this building addition.
6. The terms and conditions proposed to maintain the integrity of the plan are sufficient to protect the public interest. This requirement is met with the exception of securing adequate parking, as established in subsection 544.13 of the Zoning Code. This is discussed in Part 2, #4, below.

**Part 2:** All uses are conditional uses in the PC-2 District. 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. See above – Part 1, #1.
2. The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use. The purpose of the Zoning Code is to protect and promote the general welfare of the City. The proposal does not conflict with this purpose. The purpose of Planned Unit Developments is to provide an opportunity for innovative and creative development. The proposed building addition does not conflict with this purpose, with the exception of securing adequate parking, as established in subsection 544.13 of the Zoning Code. This is discussed in #4, below.
3. The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines. The proposed use is not changing and is consistent with the previously adopted

**Updated 1/10/2022**

**Partnership Academy Brief Description of Request**

Partnership Academy is a Preschool-8<sup>th</sup> grade public charter school located at 6500 Nicollet Ave. in Richfield. Partnership Academy Association Building Company, the school's affiliated building company and property owner, is seeking an amended Conditional Use Permit and amended Planned Unit Development to support the programmatic needs of the school and growth in family and student enrollment.

Specifically, Partnership Academy Association is proposing a 5,962 square foot building expansion north of the existing gymnasium. The expansion will provide 4 additional classrooms, administrative office spaces, student support spaces, and restrooms to meet the educational and programmatic needs of Partnership Academy. The expansion will be a single-story addition with a smooth panel exterior and will exceed storm shelter design needs required for the educational institution expansion.

With the expansion, growth in enrollment will reach, but will not exceed, 550 students and total employment is projected at 99 staff. To support and meet parking needs, the site has entered into an agreement with Brixmore, the adjacent landowner of the Hub Shopping Center, for access to additional leased parking spaces such that the school will have access to 60 leased parking spaces and 37 owned parking spaces. Final execution of the agreement is expected to go into effect in February 2022 prior to city approvals and start of construction. Bike parking is also increased on site to meet recent changes to City of Richfield bike parking requirements.

**Additional Parking Information**

When investigating design options to meet the school's programmatic needs, Partnership Academy did explore two-story expansion options in an attempt to reduce lost parking spaces with the new addition. However, even with a two-story option, a parking agreement with an adjacent property owner would still be needed to meet City of Richfield parking requirements. Furthermore, recent changes to state of Minnesota school storm shelter requirements, which now apply to the addition, make a two-story option cost prohibitive. In short, a two-story design would not substantially change parking stalls on site and would be significantly more expensive.

Under the existing CUP and PUD, parking on the site of the school facility may be provided by the Partnership Academy Association through a combination of any of the following: (i) constructing additional parking on site or (ii) securing additional parking on adjacent property. Partnership Academy has an existing agreement with Brixmor, the adjacent landowner of the Hub Shopping Center, for additional parking spaces. As mentioned above, Bixmor and Partnership Academy have agreed to additional leased parking spaces for the expansion such that the school will have access to 60 leased parking spaces and 37 owned parking spaces. Final execution of the revised agreement is expected to go into effect in February 2022 with a goal of providing an advanced agreement showing that parking space requirements necessary for the expansion will be met.

Partnership Academy is in continuing discussions with Brixmor to secure a long-term lease for 60 parking spaces as part of the ongoing future development plans of the shopping center. However, if Partnership Academy loses the lease option with Brixmor for use of parking on the adjacent site, the school would pursue a combination of pathways to ensure parking requirements are met, including securing additional parking from alternate adjacent properties, seeking a partial parking variance, and or constructing additional parking on the school site.

Ultimately, if adjacent property parking or reduced parking variance options are not available or are not acceptable to the city of Richfield, then the Partnership Academy Association, if needed, will build an additional garage parking structure on the site of the school facility. A concept design of the parking garage is attached. The garage could be located at the location of the existing playground or, as shown on the design, the parking garage could be located at the location of existing surface parking such that the play space is preserved. Preliminary pricing for the parking garage has been obtained and is provided below. The parking garage would be a last case scenario and is not part of the initial site plan proposal. However, the funding for this garage project, should it be needed in the future, is being included as additional permissible debt under the school's bond covenants.

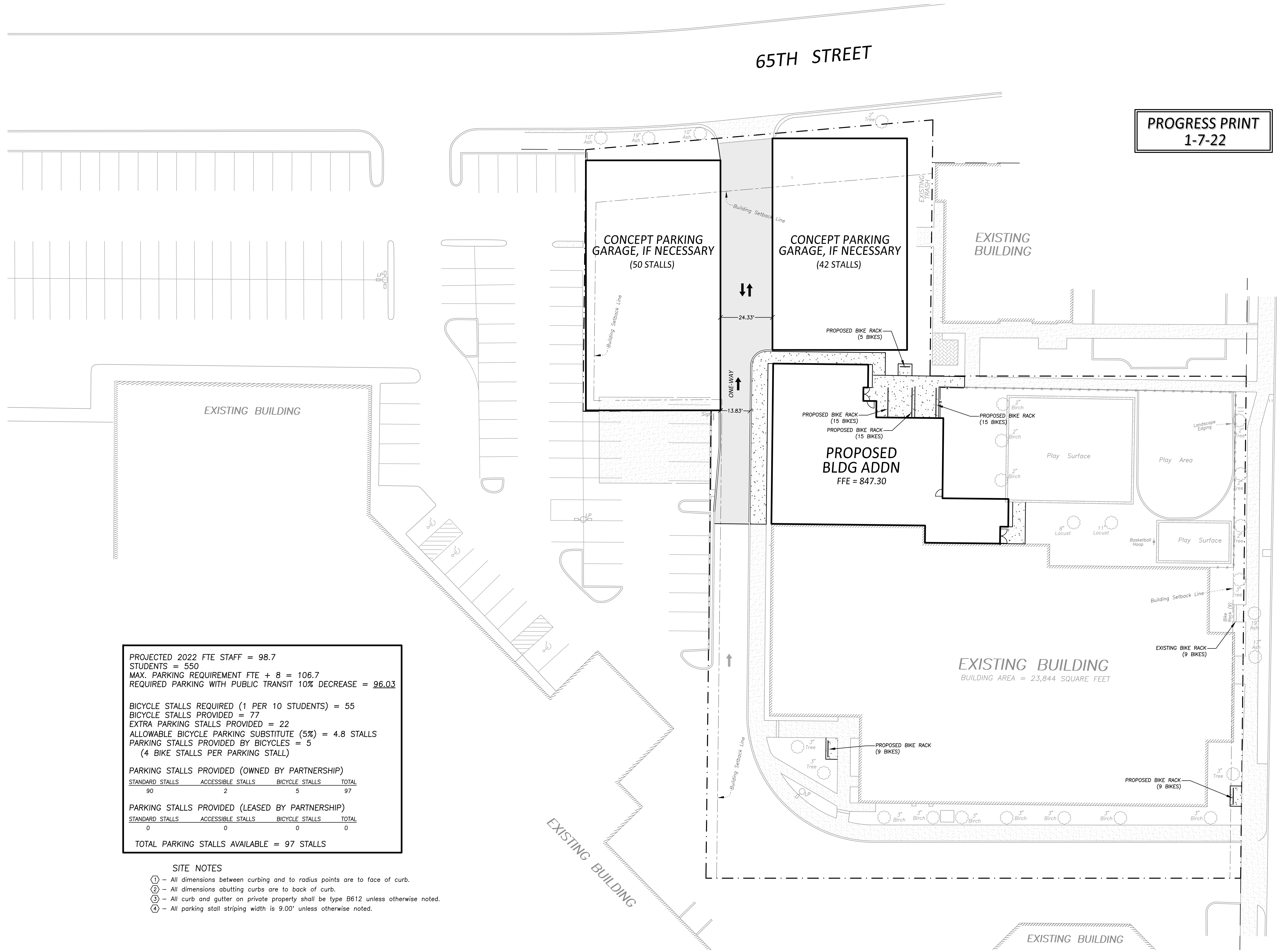
#### Parking Ramp Design Cost Estimate

Partnership Academy Association		
Preliminary Budget - Parking Ramp		12/1/2021
SCOPE	NOTES	
Sitework	Frattalone	\$37,500.00
Concrete - Footings for columns - (32)	Crosstown Masonry	\$96,000.00
Concrete - 6" Slab at lower level	Curb Master	\$63,700.00
Concrete Curb - both levels	Curb Master	\$29,500.00
Precast - Plank and columns	Wells	\$287,280.00
SUBTOTAL		\$513,980.00
BUILDING PERMIT		\$9,010.00
SUBTOTAL		\$522,990.00
Contractor Contingency	5%	\$26,149.50
SUBTOTAL		\$549,139.50
OVERHEAD & PROFIT - 4%		\$21,965.58
SUBTOTAL		\$571,105.08
PERFORMANCE / PAYMENT BONDS	Excluded	\$0.00
TOTAL		\$571,105.08

PROJECTED 2022 FTE STAFF = 98.7			
STUDENTS = 550			
MAX. PARKING REQUIREMENT FTE + 8 = 106.7			
REQUIRED PARKING WITH PUBLIC TRANSIT 10% DECREASE = <u>96.03</u>			
BICYCLE STALLS REQUIRED (1 PER 10 STUDENTS) = 55			
BICYCLE STALLS PROVIDED = 77			
EXTRA PARKING STALLS PROVIDED = 22			
ALLOWABLE BICYCLE PARKING SUBSTITUTE (5%) = 4.8 STALLS			
PARKING STALLS PROVIDED BY BICYCLES = 5			
(4 BIKE STALLS PER PARKING STALL)			
PARKING STALLS PROVIDED (OWNED BY PARTNERSHIP)			
STANDARD STALLS	ACCESSIBLE STALLS	BICYCLE STALLS	TOTAL
90	2	5	97
PARKING STALLS PROVIDED (LEASED BY PARTNERSHIP)			
STANDARD STALLS	ACCESSIBLE STALLS	BICYCLE STALLS	TOTAL
0	0	0	0
TOTAL PARKING STALLS AVAILABLE = 97 STALLS			

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.



PROGRESS PRINT  
1-7-22

NICOLLET AVENUE SOUTH

CONCEPT PARKING PLAN  
PARTNERSHIP ACADEMY ADDITION  
CITY OF RICHFIELD

SHEET NUMBER  
C2A

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	
CITY SUBMITTAL	12-27-21

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& ASSOCIATES, INC.  
Civil Engineers & Land Surveyors  
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Richfield, MN 55126  
Telephone 651-452-5051  
www.rehder.com  
PROJECT NO.: 211-3036-013 DRAWING FILE: 3038013.DWG

Planned Unit Development for this area, with the exception of securing adequate parking, as established in subsection 544.13 of the Zoning Code. This is discussed in #4, below.

4. The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code. The proposed development is in substantial compliance with City performance standards, except the following deviations from requirements:
  - Parking requirements for a K-8 school are one space per employee, plus eight visitor spaces. Thirty-seven parking spaces are proposed on site, which would be a reduction of sixteen existing parking spaces from the current total of fifty-three. The applicant has indicated in the attached narrative that the projected staffing level will be ninety-nine employees. The projected employee counts result in an initial requirement of 107 spaces. Parking requirements may be reduced by 10% at this location for proximity to frequent public transit service. Parking requirements may also be reduced by 5% for excess bike parking at four bike spaces per one auto space. With both reductions, required parking is ninety-two spaces.
  - The applicant's narrative states that they will continue working with the HUB Shopping Center ownership, Brixmore, to continue a cross-access parking lease agreement to use surplus parking on the Hub site. A cross access agreement does not meet long-term shared parking requirements outlined in the zoning code, 544.13, Subd. 11, which requires a covenant agreement that runs with the lot. The applicant states that if Partnership Academy loses the parking lease option with the HUB in the future, they would pursue a combination of pathways to ensure parking requirements are met, including securing additional parking from alternate adjacent properties or constructing additional parking on the school site.
5. The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements. The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any adverse impacts.
6. The use will not have undue adverse impacts on the public health, safety, or welfare. Adequate provisions have been made to protect the public health, safety, and welfare.
7. There is a public need for such use at the proposed location. See above – Part 1, #1. Partnership Academy has been located in Richfield since 2002 and has sought to construct a new addition onto an existing school facility.
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, with the exception of securing adequate parking, as established in subsection 544.13 of the Zoning Code. This is discussed in #4, above.





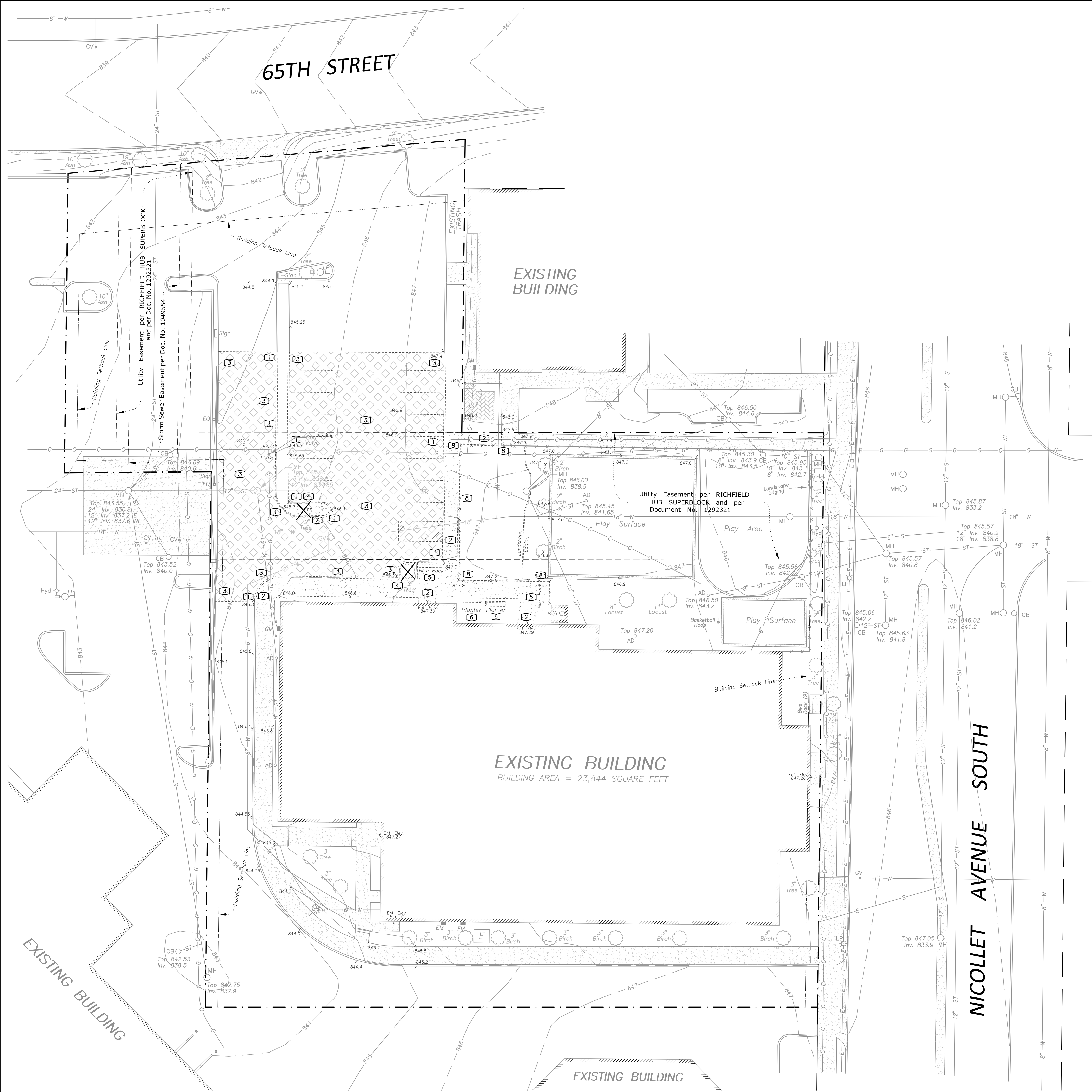
**This is your DRAFT. Please remember, this is a work-in-progress.**

**The purpose of sending this draft is for you to identify inaccuracies so that we can fix them.**

**To prepare for our next screen sharing meeting, please:**

- 1. Review and make a list of all the corrections you want done.**
- 2. Schedule an online screen sharing meeting with your Project Coordinator to review your corrections.**





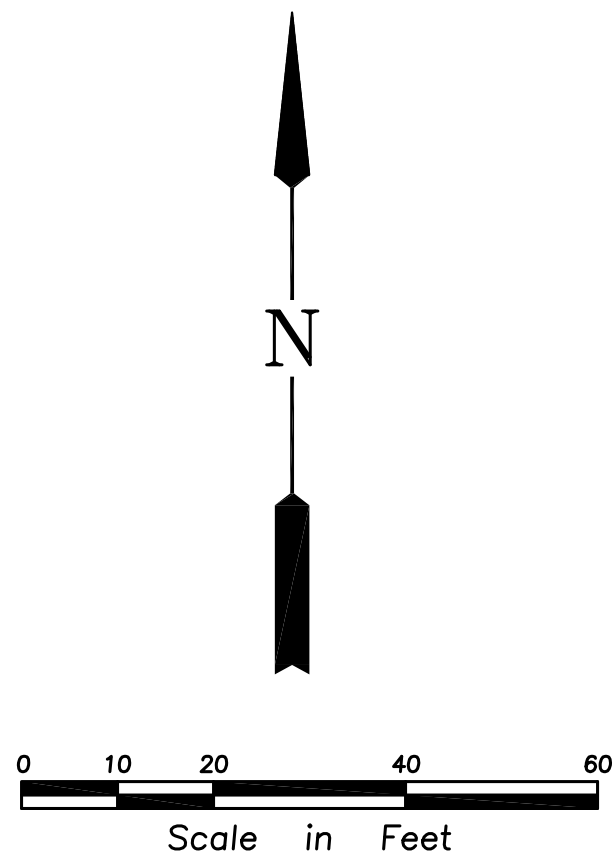
NOTE: SEE ARCHITECTURAL FOR DEMOLITION OF EXISTING BUILDING

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.

NOTE: SEE UTILITY PLAN FOR REMOVAL OF EXISTING UTILITIES

- DEMOLITION NOTES
- 1 - Remove concrete curb & gutter
  - 2 - Remove concrete pavement
  - 3 - Remove bituminous pavement
  - 4 - Remove tree
  - 5 - Remove & salvage bike rack
  - 6 - Remove planter
  - 7 - Remove light pole (By Others)
  - 8 - Remove fence

- LEGEND
- BITUMINOUS TO BE REMOVED
  - CONCRETE TO BE REMOVED
  - EXISTING TREE TO BE REMOVED
  - W - EXISTING WATERMAIN
  - S - EXISTING SANITARY SEWER
  - ST - EXISTING STORM SEWER
  - G - EXISTING BURIED GAS LINE
  - E - EXISTING BURIED ELECTRIC LINE
  - C - EXISTING BURIED COMMUNICATION LINE



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PRELIMINARY

Name \_\_\_\_\_ Date \_\_\_\_\_  
Reg. No. \_\_\_\_\_

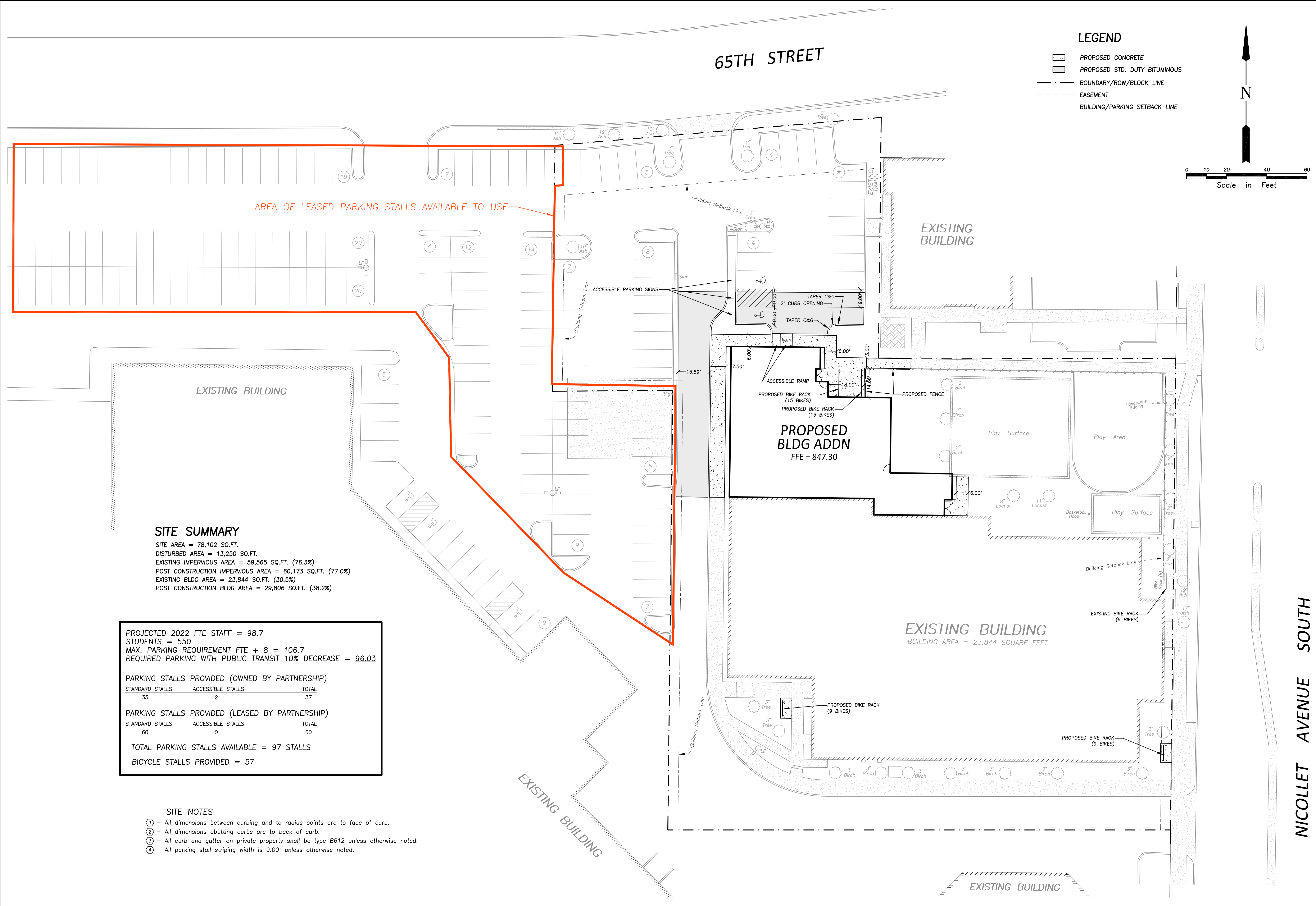
Issued  
CITY SUBMITTAL

12-27-21

SITE DEMOLITION PLAN  
PARTNERSHIP ACADEMY ADDITION  
CITY OF RICHFIELD

SHEET NUMBER  
C1





SITE SUMMARY

SITE AREA = 78,102 SQ.FT.  
DISTURBED AREA = 13,250 SQ.FT.  
EXISTING IMPERVIOUS AREA = 59,565 SQ.FT. (76.3%)  
POST CONSTRUCTION IMPERVIOUS AREA = 60,173 SQ.FT. (77.0%)  
EXISTING BLDG AREA = 23,844 SQ.FT. (30.5%)  
POST CONSTRUCTION BLDG AREA = 29,806 SQ.FT. (38.2%)

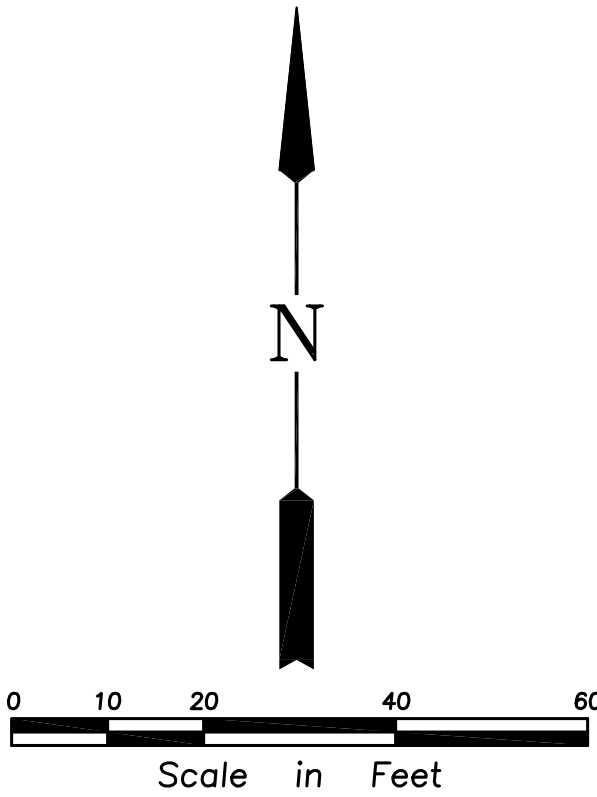
PROJECTED 2022 FTE STAFF = 98.7		
STUDENTS = 550		
MAX. PARKING REQUIREMENT FTE + 8 = 106.7		
REQUIRED PARKING WITH PUBLIC TRANSIT 10% DECREASE = <u>96.03</u>		
PARKING STALLS PROVIDED (OWNED BY PARTNERSHIP)		
STANDARD STALLS	ACCESSIBLE STALLS	TOTAL
35	2	37
PARKING STALLS PROVIDED (LEASED BY PARTNERSHIP)		
STANDARD STALLS	ACCESSIBLE STALLS	TOTAL
60	0	60
TOTAL PARKING STALLS AVAILABLE = 97 STALLS		
BICYCLE STALLS PROVIDED = 57		

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.

LEGEND

- PROPOSED CONCRETE
- PROPOSED STD. DUTY BITUMINOUS
- BOUNDARY/ROW/BLOCK LINE
- EASEMENT
- BUILDING/PARKING SETBACK LINE



NICOLLET AVENUE SOUTH

SITE DIMENSION PLAN  
PARTNERSHIP ACADEMY ADDITION  
CITY OF RICHFIELD

SHEET NUMBER  
C2

3440 Federal Drive, Suite 110  
Richfield, MN 55126  
Telephone 651-452-5051  
www.rehder.com

**REHDER**  
& ASSOCIATES, INC.  
Civil Engineers & Land Surveyors

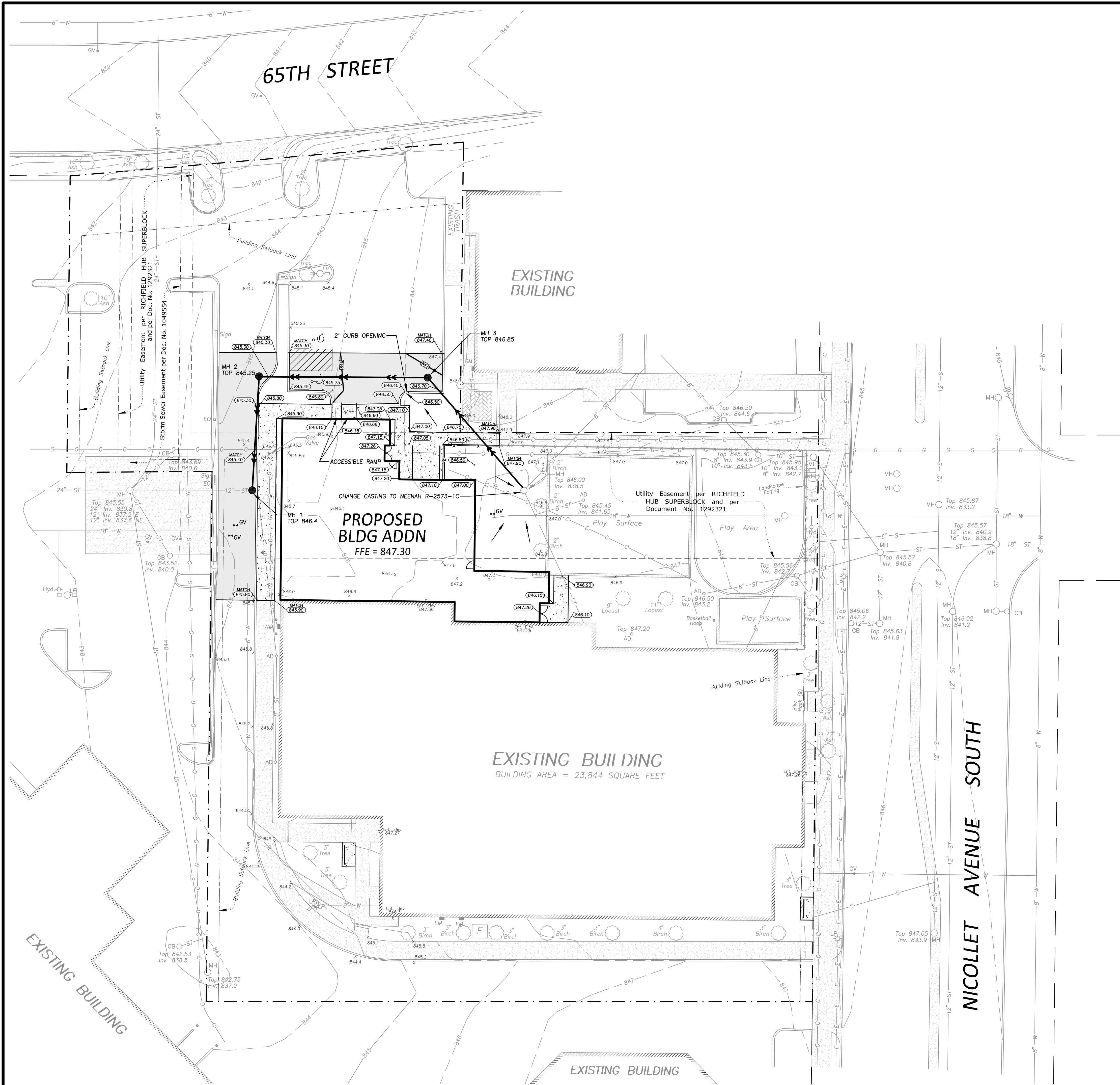
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**PRELIMINARY**

Name \_\_\_\_\_ Date \_\_\_\_\_ Reg. No. \_\_\_\_\_

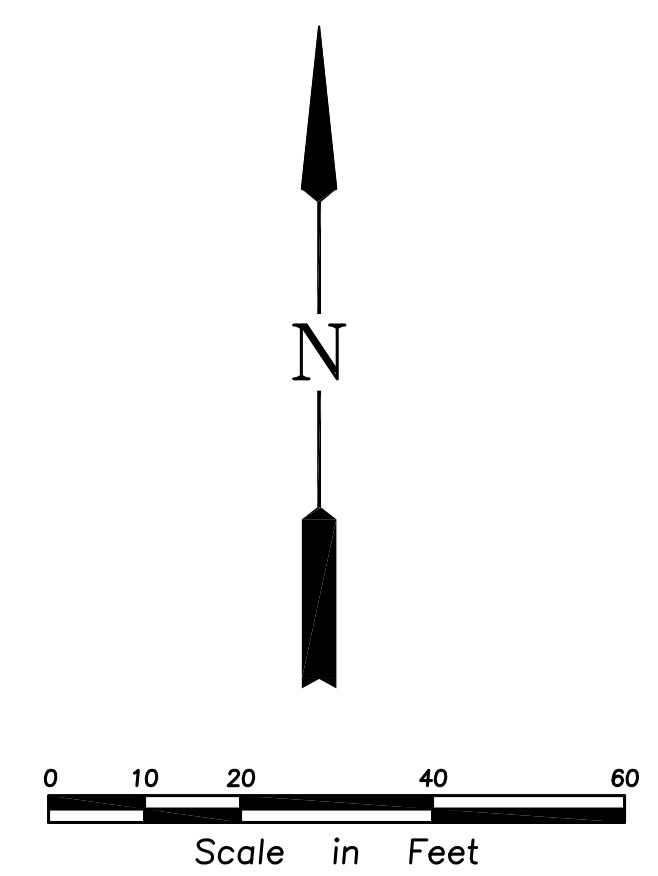
PROJECT NO.: 211-3036-013 DRAWING FILE: 3038013.DWG





- 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 - The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water.
  - 7 - All pipe outlets must be provided with temporary or permanent energy dissipation within 24 hours of connection to a surface water.
  - 8 - Excess concrete/water from concrete trucks shall be disposed of in portable washout concrete basin or disposed of in a contained area.

- LEGEND**
- PROPOSED MANHOLE
  - PROPOSED GATE VALVE
  - PROPOSED STORM SEWER
  - ▨ PROPOSED CONCRETE
  - ▩ PROPOSED STD. DUTY BITUMINOUS
  - ▨ PROPOSED HEAVY DUTY BITUMINOUS
  - 1000— PROPOSED CONTOUR
  - 1003.50 PROPOSED ELEVATION
  - SILT FENCE
  - INLET PROTECTION DEVICE
  - BOUNDARY/ROW/BLOCK LINE
  - - - EASEMENT
  - - - BUILDING/PARKING SETBACK LINE
  - DRAINAGE ARROW
  - W — EXISTING WATERMAIN
  - S — EXISTING SANITARY SEWER
  - ST — EXISTING STORM SEWER
  - G — EXISTING BURIED GAS LINE
  - E — EXISTING BURIED ELECTRIC LINE
  - C — EXISTING BURIED COMMUNICATION LINE
  - 980— EXISTING CONTOUR
  - x 995.50 EXISTING ELEVATION



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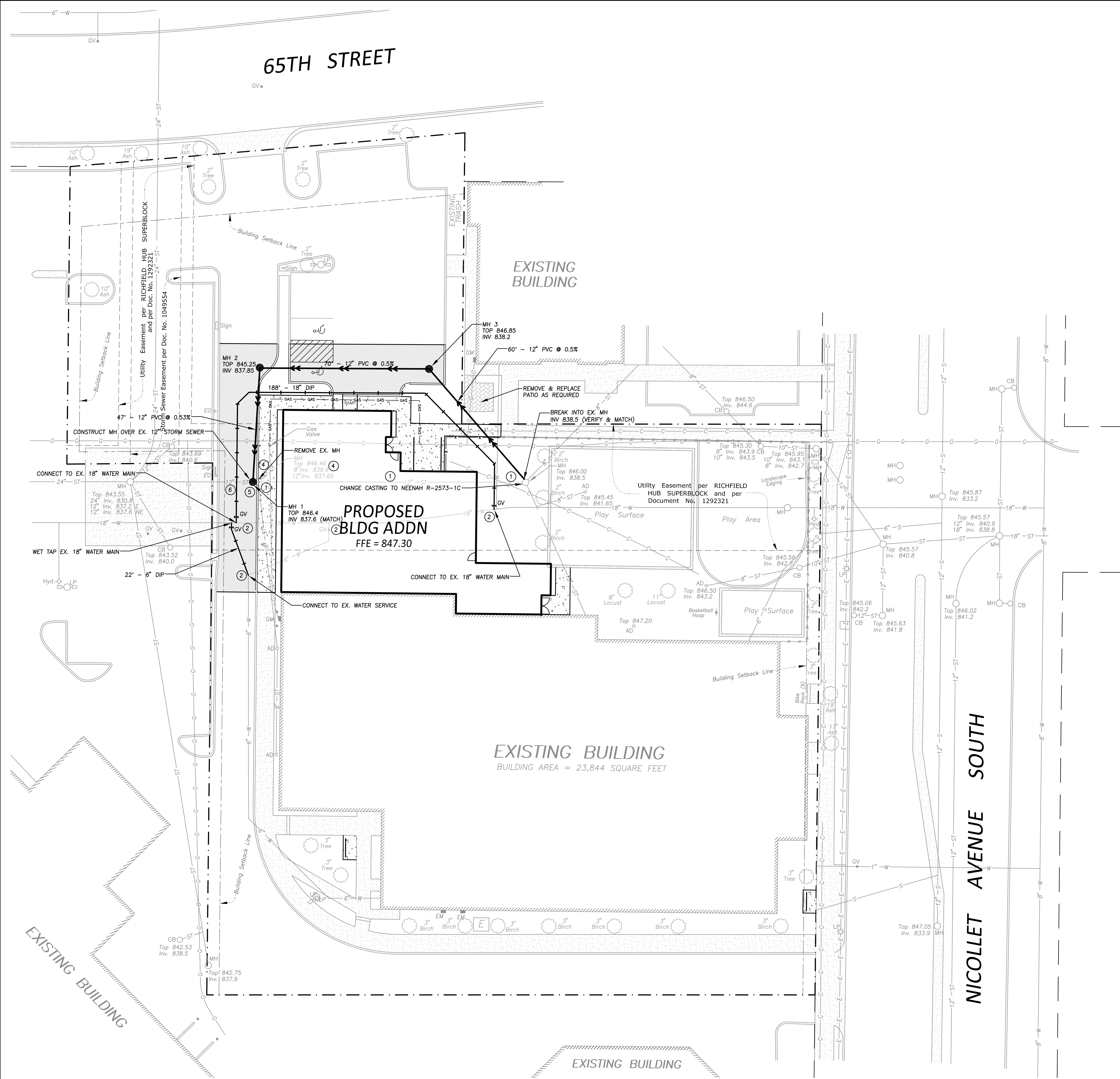
Issued  
CITY SUBMITTAL

12-27-21

GRADING, DRAINAGE &  
EROSION CONTROL PLAN  
PARTNERSHIP ACADEMY ADDITION  
CITY OF RICHFIELD

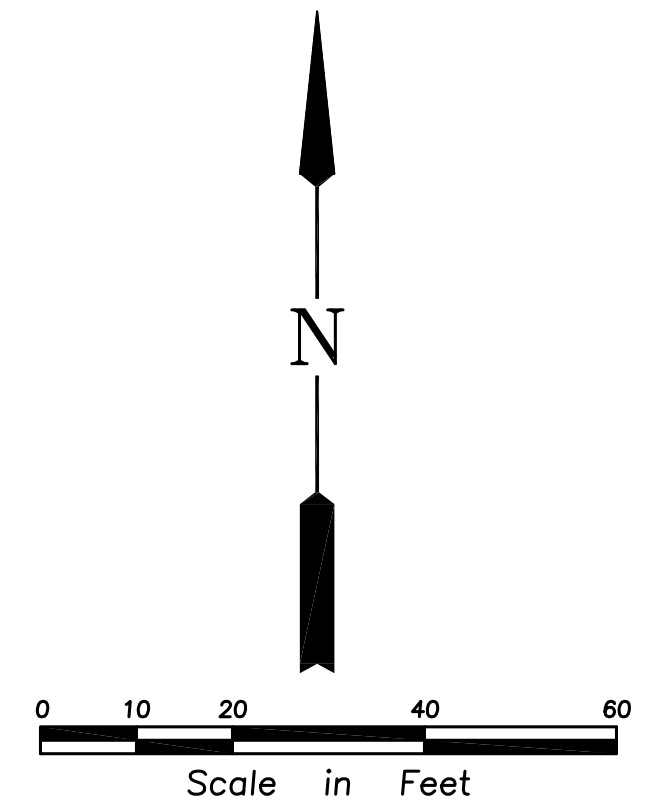
SHEET NUMBER  
**C3**





- UTILITY NOTES
- 1 - Remove storm sewer pipe
  - 2 - Remove water main
  - 3 - Remove gas main
  - 4 - Remove storm sewer structure
  - 5 - Reroute existing 8" storm sewer to proposed manhole
  - 6 - Maintain a minimum of 18" vertical separation between watermain and sewer.

- LEGEND
- PROPOSED MANHOLE
  - ⋈ PROPOSED GATE VALVE
  - PROPOSED STORM SEWER
  - +— PROPOSED WATERMAIN
  - ▤ PROPOSED CONCRETE
  - ▥ PROPOSED STD. DUTY BITUMINOUS
  - - - BOUNDARY/ROW/BLOCK LINE
  - - - EASEMENT
  - - - BUILDING/PARKING SETBACK LINE
  - W — EXISTING WATERMAIN
  - S — EXISTING SANITARY SEWER
  - ST — EXISTING STORM SEWER
  - G — EXISTING BURIED GAS LINE
  - E — EXISTING BURIED ELECTRIC LINE
  - C — EXISTING BURIED CABLE LINE



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PRELIMINARY

Name \_\_\_\_\_ Date \_\_\_\_\_ Reg. No. \_\_\_\_\_

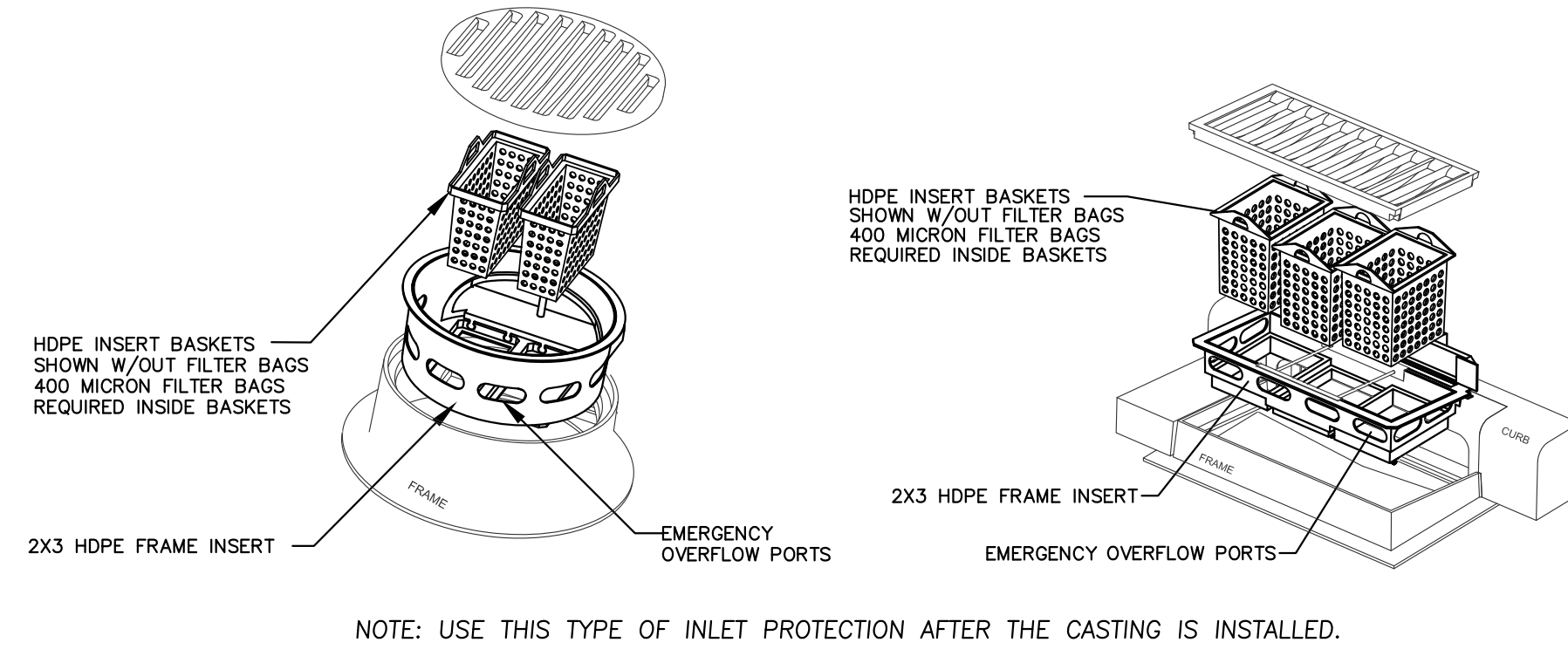
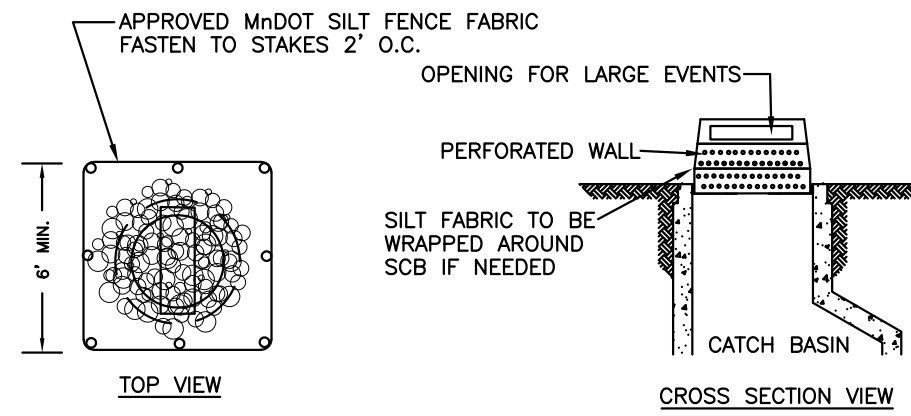
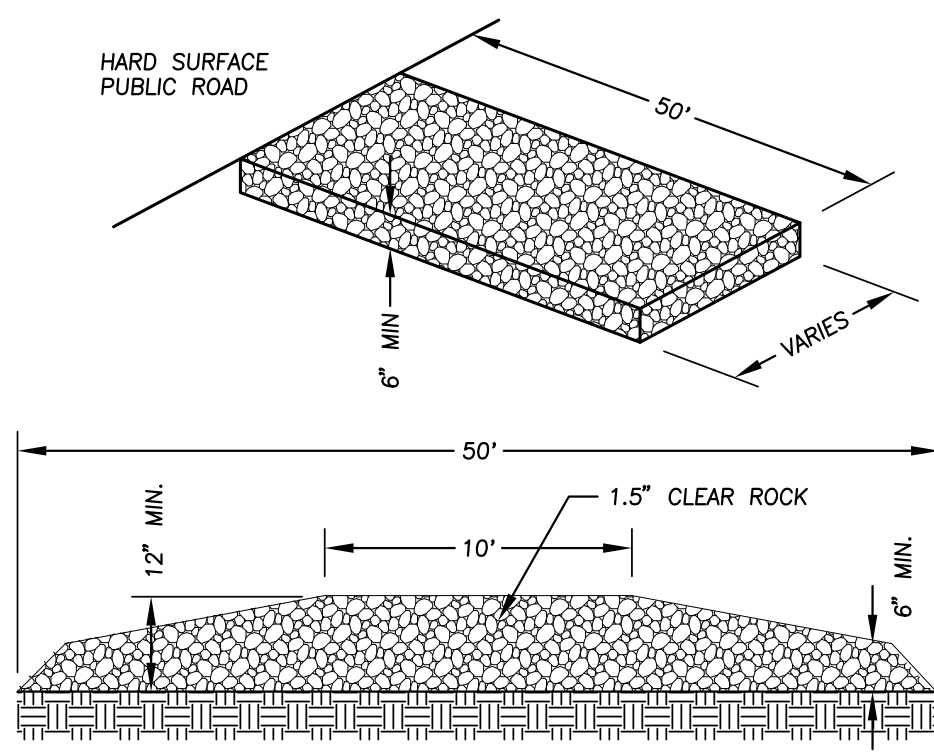
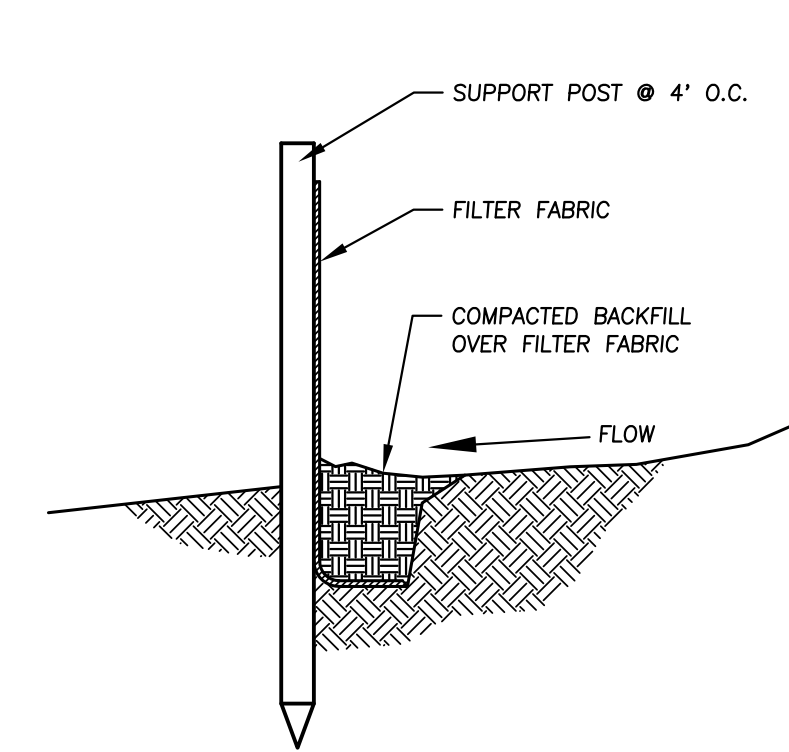
Issued  
CITY SUBMITTAL

12-27-21

UTILITY PLAN  
PARTNERSHIP ACADEMY ADDITION  
CITY OF RICHFIELD

SHEET NUMBER  
C4



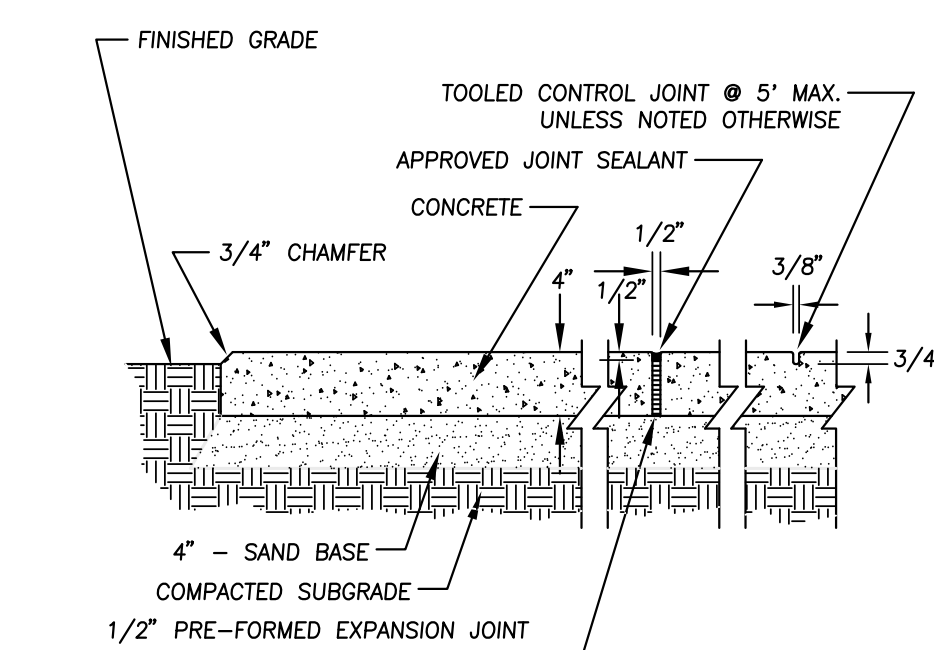
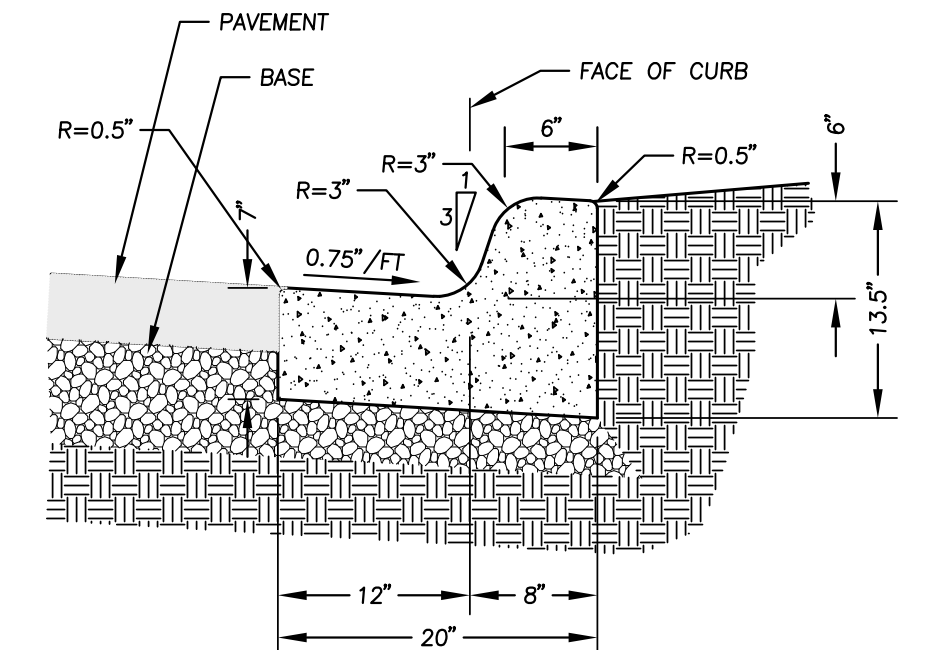


1  
C5  
SILT FENCE  
NO SCALE

2  
C5  
ROCK CONSTRUCTION ENTRANCE  
NO SCALE

3  
C5  
INLET PROTECTION  
(INFRASAFE OR EQUAL)  
NO SCALE

4  
C5  
INLET PROTECTION  
(INFRASAFE OR EQUAL)  
NO SCALE

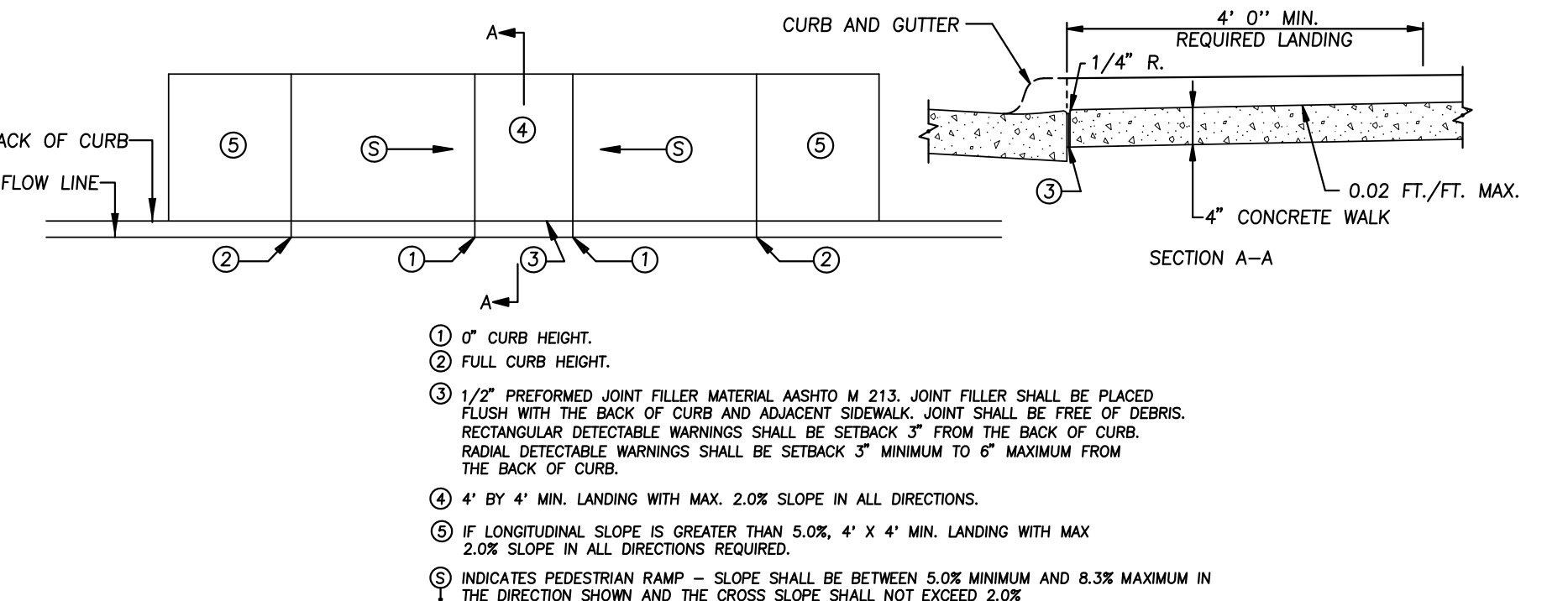


5  
C5  
B612 CONCRETE CURB & GUTTER  
NO SCALE

6  
C5  
CONCRETE SIDEWALK  
NO SCALE

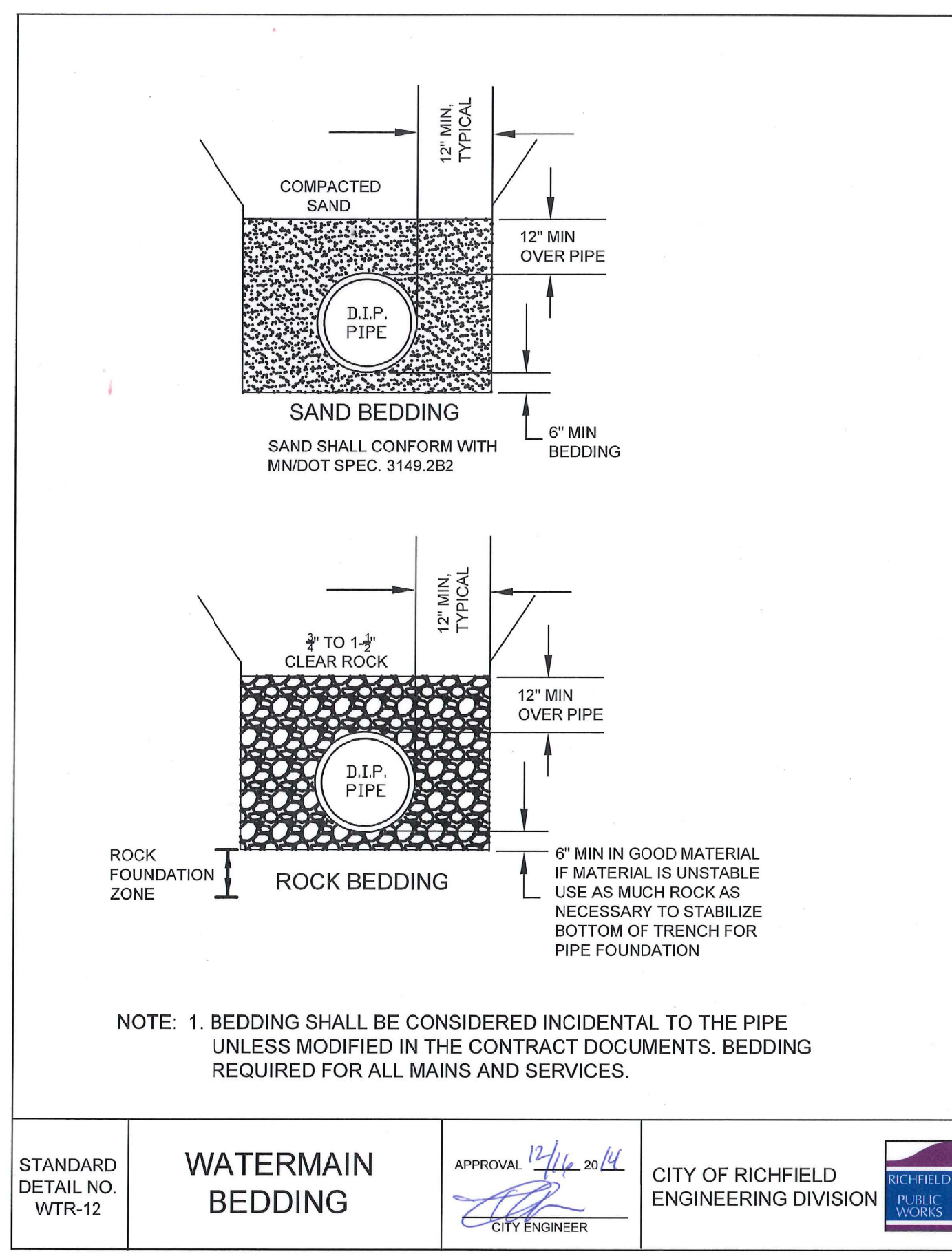
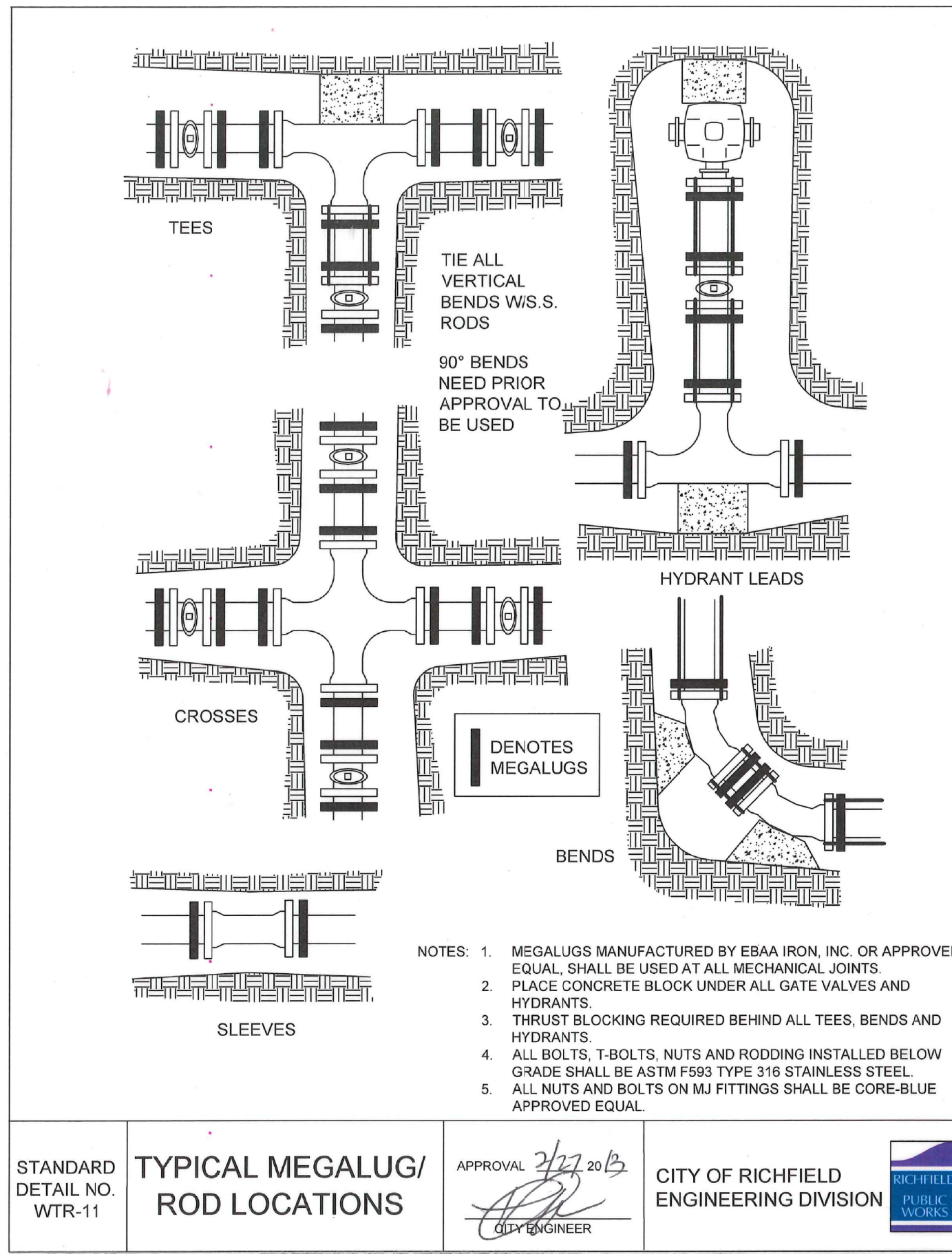
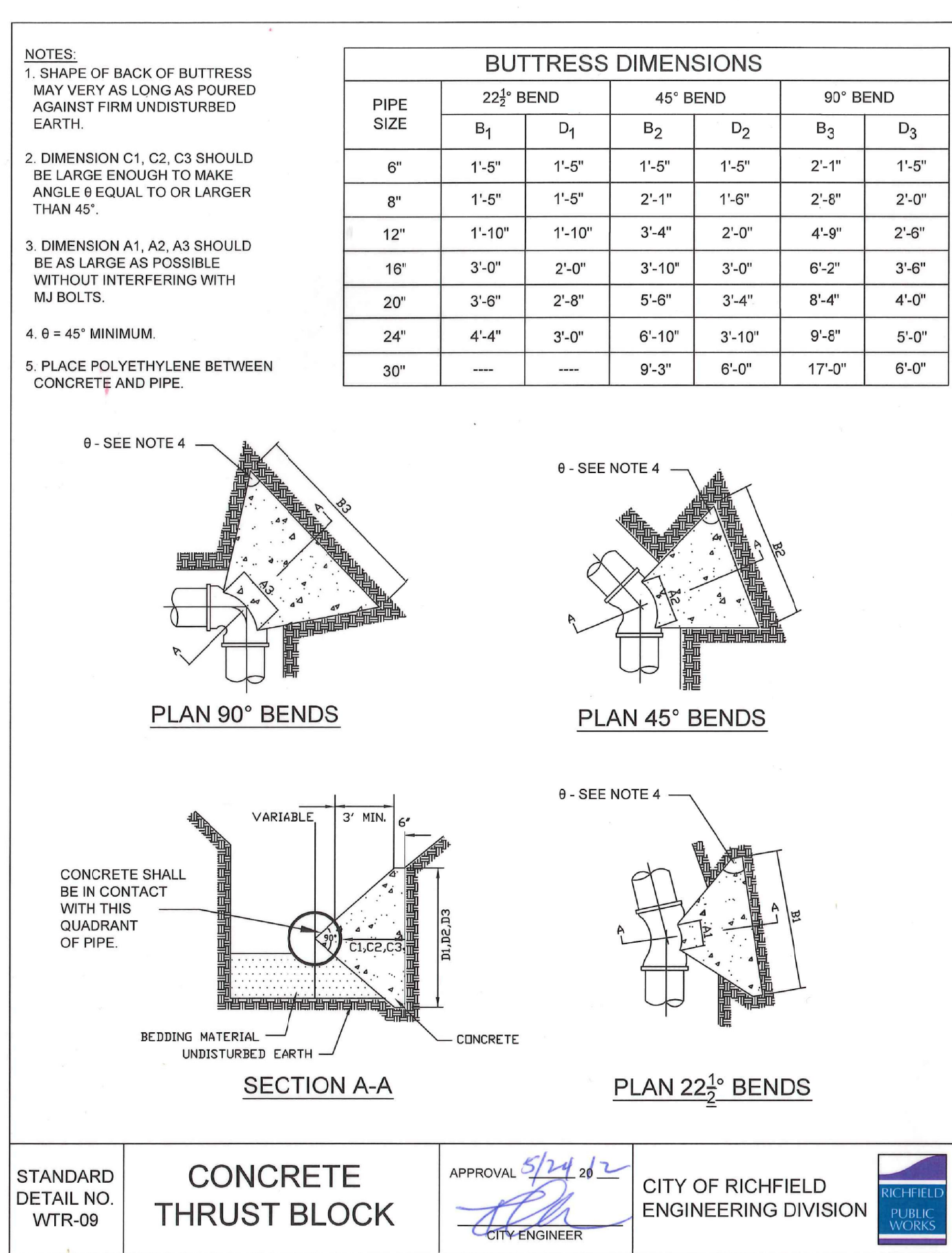
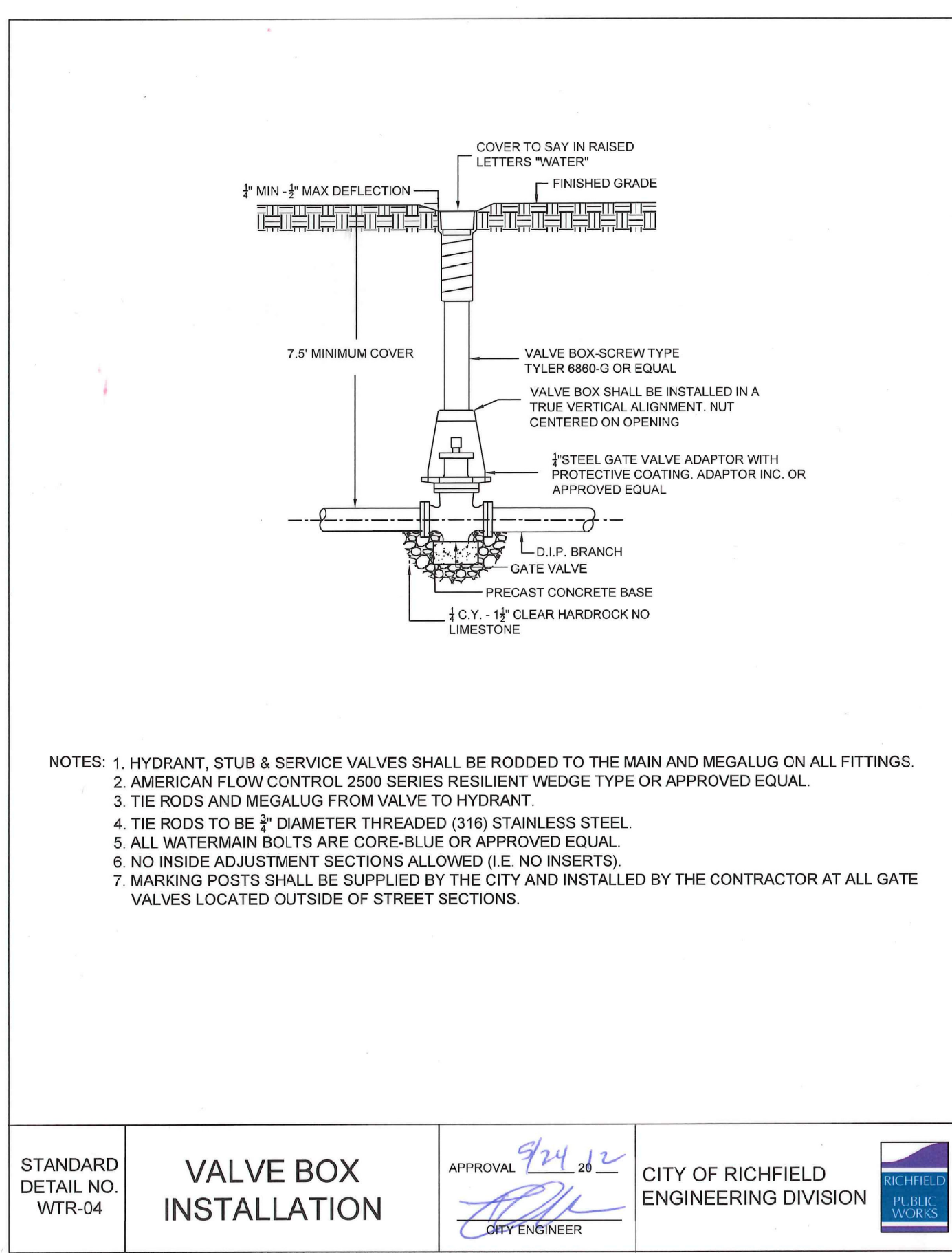
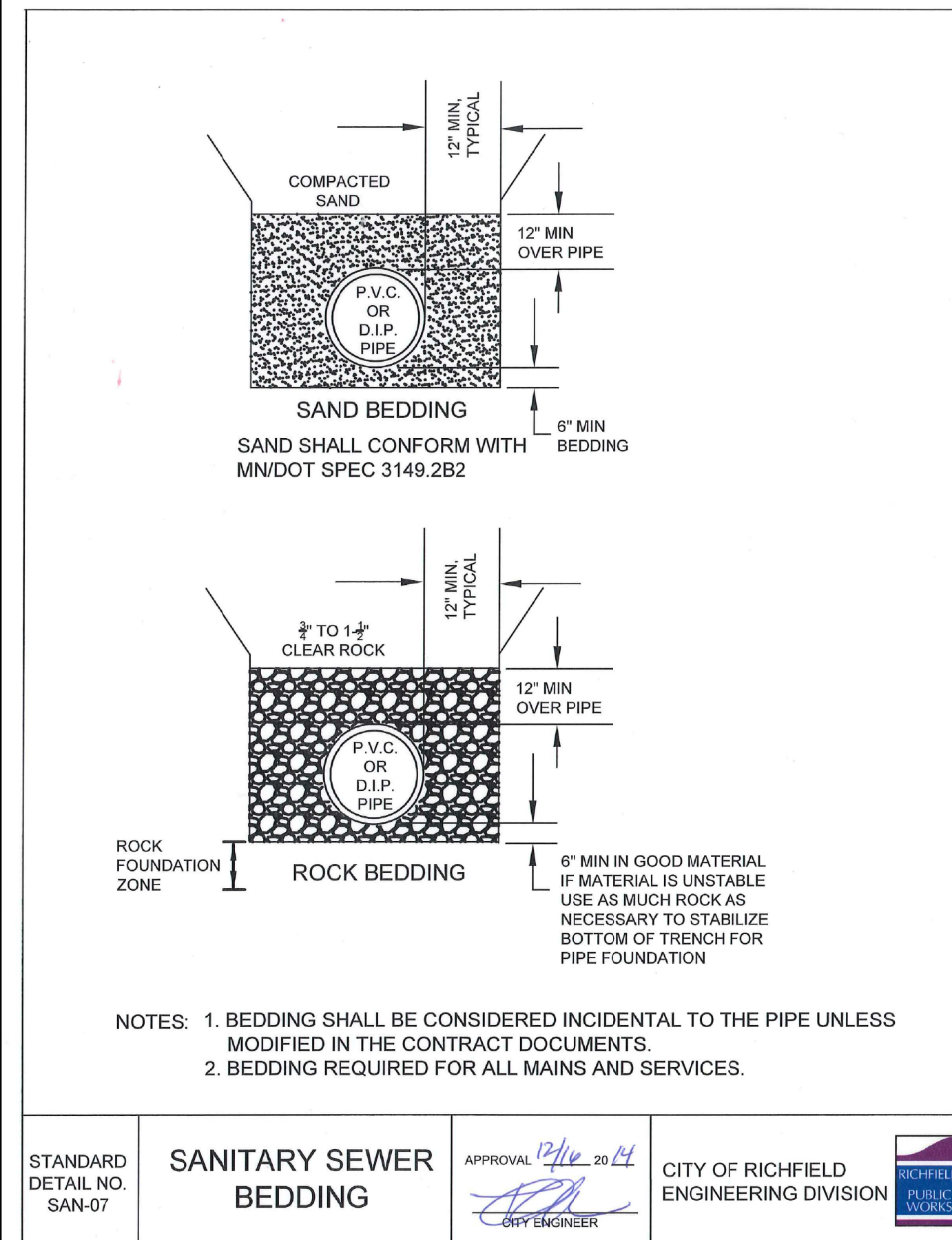
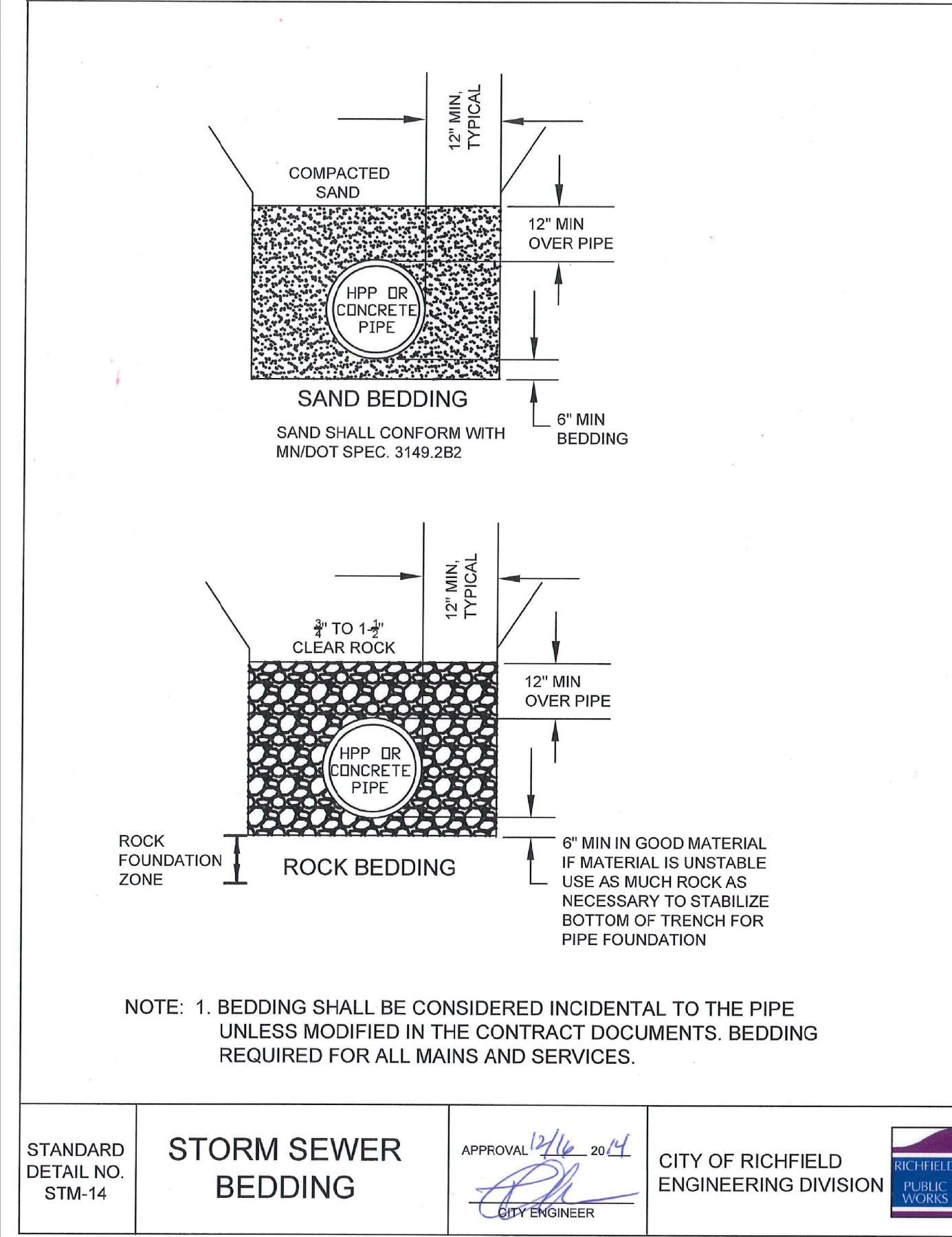
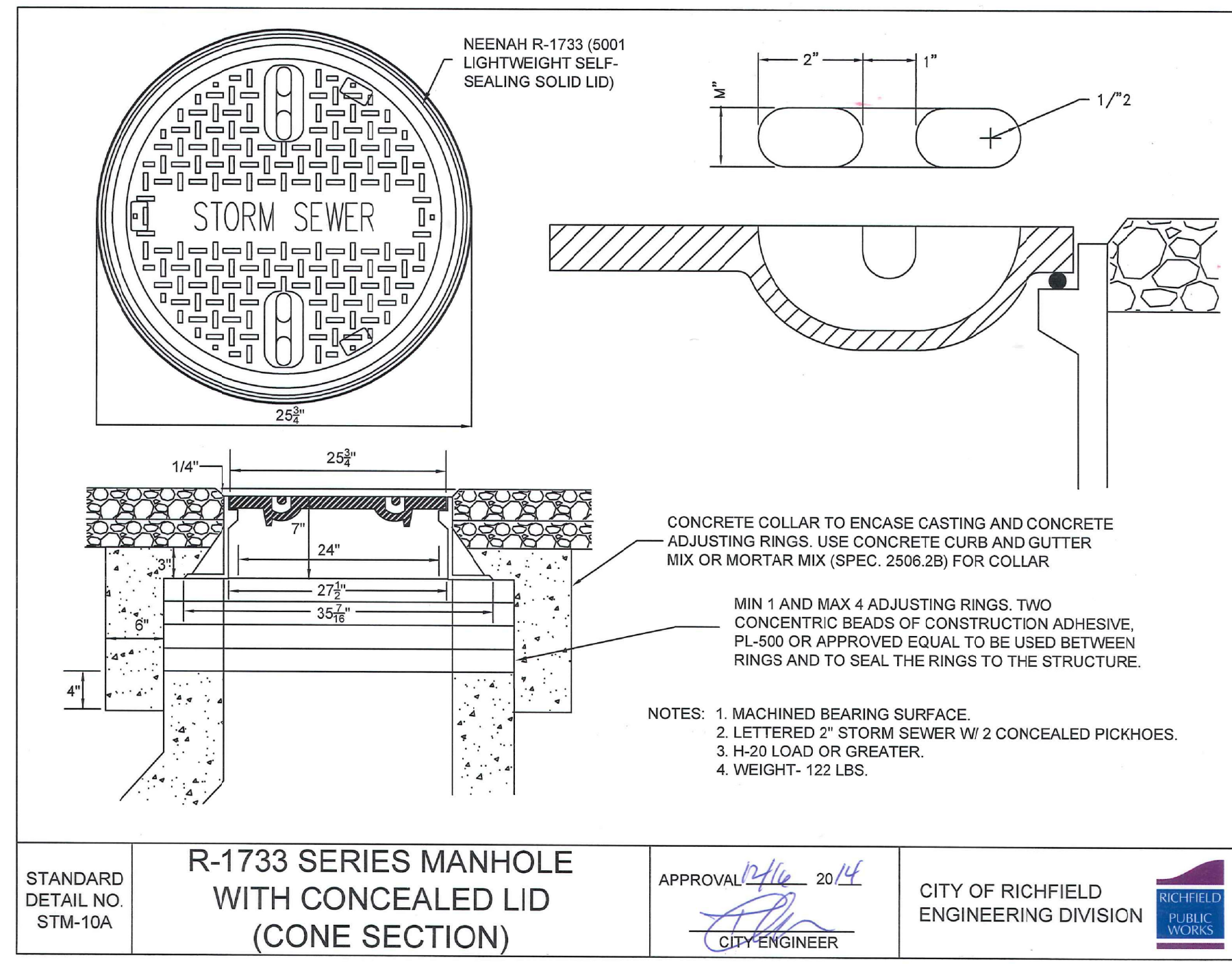
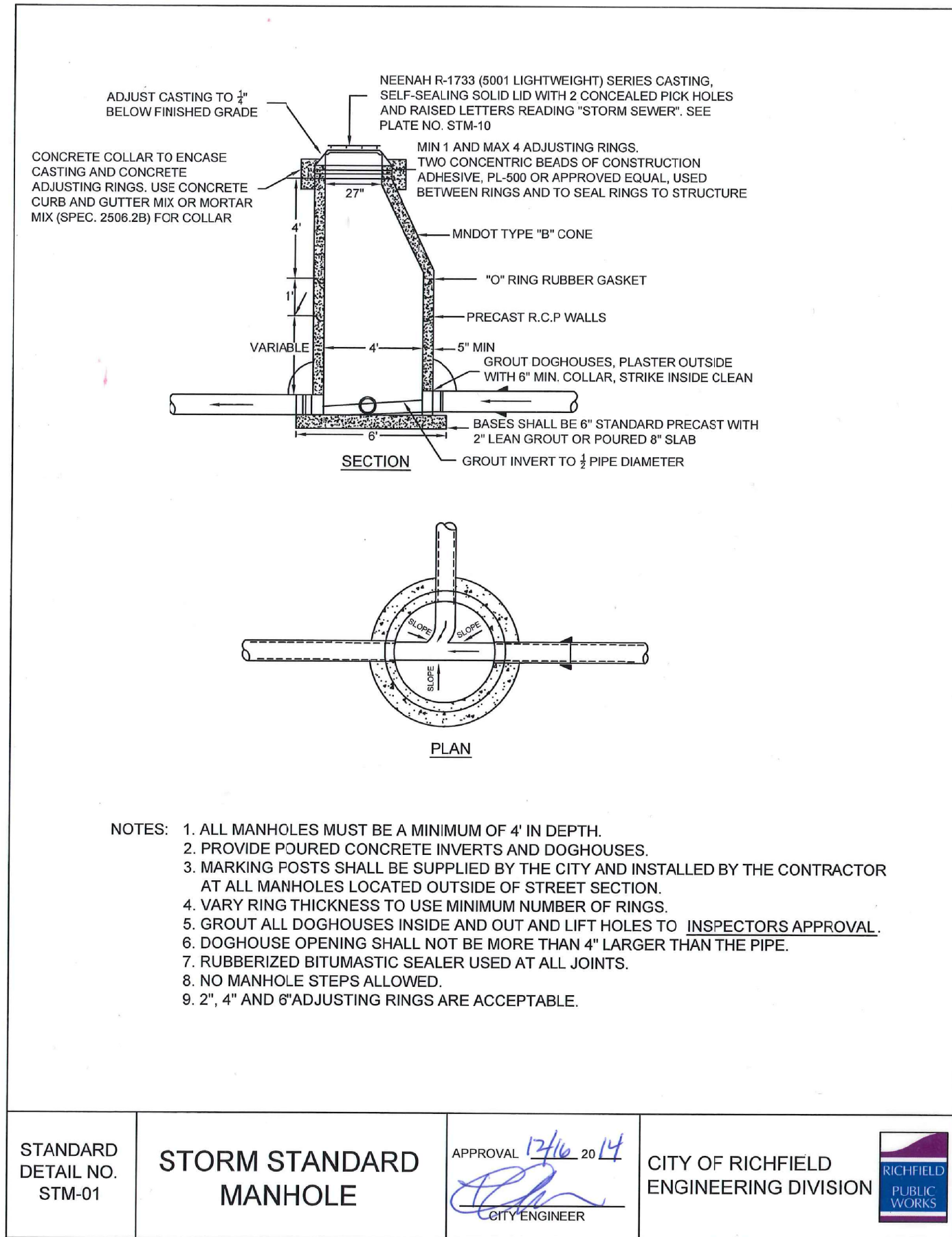
7  
C5  
STANDARD PAVEMENT SECTION  
NO SCALE

8  
C5  
HEAVY DUTY PAVEMENT SECTION  
NO SCALE

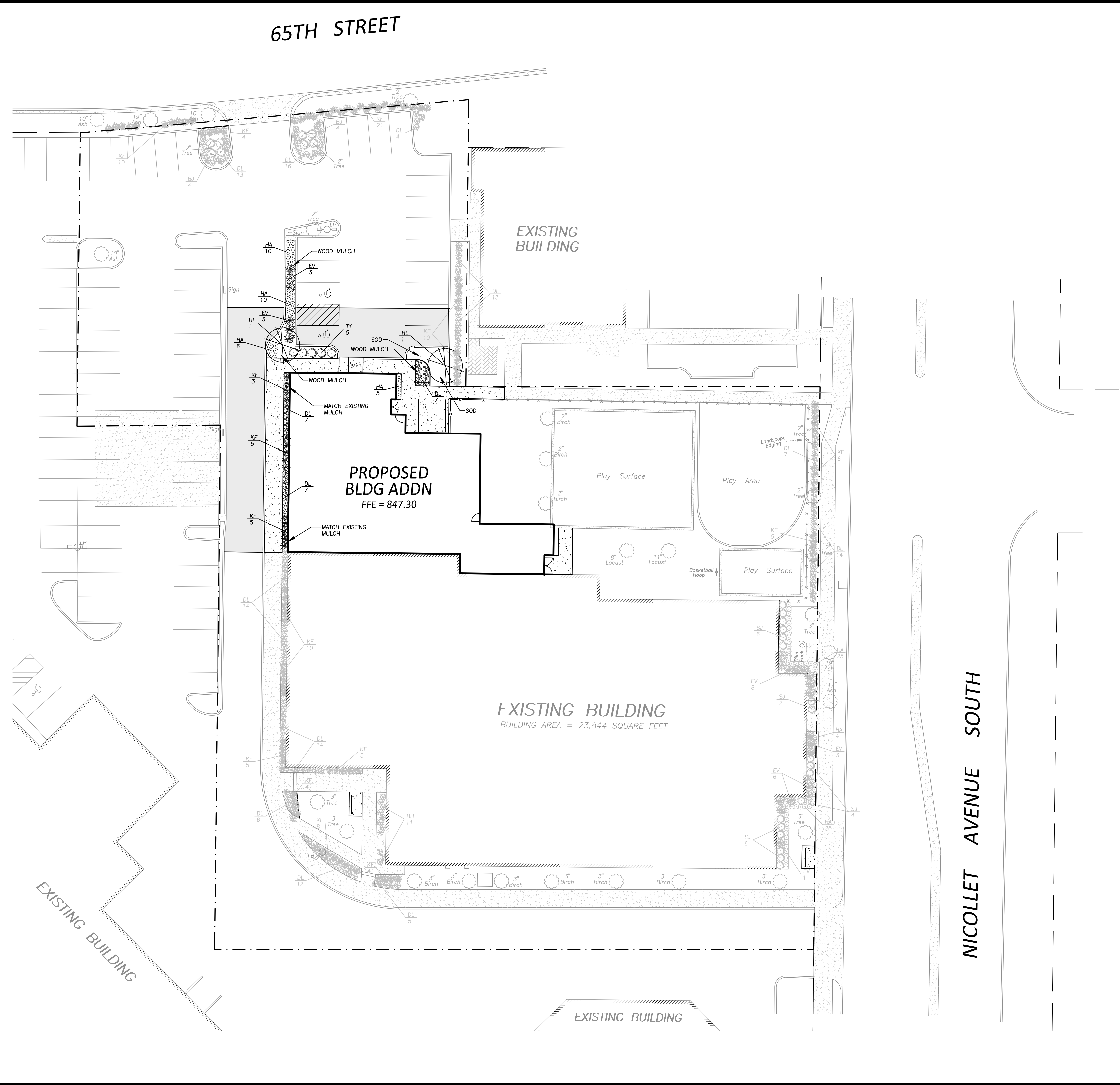


9  
C5  
PEDESTRIAN RAMP  
NO SCALE









PLANT, SHRUB AND TREE LIST (PER 2018 PLANS)

PLANTS & SHRUBS				
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
HA	88	Hosta	Hosta	#1 Pot
TY	7	Taxus x media 'Tauntonii'	Taunton Yew	#5 Pot
EV	26	Viburnum opulus 'Nanum'	Dwarf European Viburnum	#5 Pot
BJ	8	Juniperus sabina 'Broadmoor'	Broadmoor Juniper	#5 Pot
BH	11	Hydrangea arborescens	Bella Anna Hydrangea	#5 Pot
DL	128	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	#1 Pot
KF	94	Calamagrostis acutiflora	Karl Foerster	#2 Pot
SJ	16	Juniperus chinensis 'Spartan'	Spartan Juniper	#7 Pot
TOTAL	378			

TREES				
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
DE	5	Ulmus davidiana var. japonica 'Discovery'	Discovery Elm	2 - 1/2" B&B
HL	5	Gleditsia triacanthos var. inermis 'Harve'	Northern Acclaim Honeylocust	2 - 1/2" B&B
RB	10	Betula nigra	River Birch (1-stem)	2 - 1/2" B&B
PC	3	Malus 'Prairifire'	Prairifire Crabapple	1 - 1/2" B&B
TOTAL	23			

PLANT, SHRUB AND TREE LIST (POST CONSTRUCTION)

PLANTS & SHRUBS				
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
HA	85	Hosta	Hosta	#1 Pot
TY	5	Taxus x media 'Tauntonii'	Taunton Yew	#5 Pot
EV	24	Viburnum opulus 'Nanum'	Dwarf European Viburnum	#5 Pot
BJ	8	Juniperus sabina 'Broadmoor'	Broadmoor Juniper	#5 Pot
BH	11	Hydrangea arborescens	Bella Anna Hydrangea	#5 Pot
DL	139	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	#1 Pot
KF	107	Calamagrostis acutiflora	Karl Foerster	#2 Pot
SJ	16	Juniperus chinensis 'Spartan'	Spartan Juniper	#7 Pot
TOTAL	395			

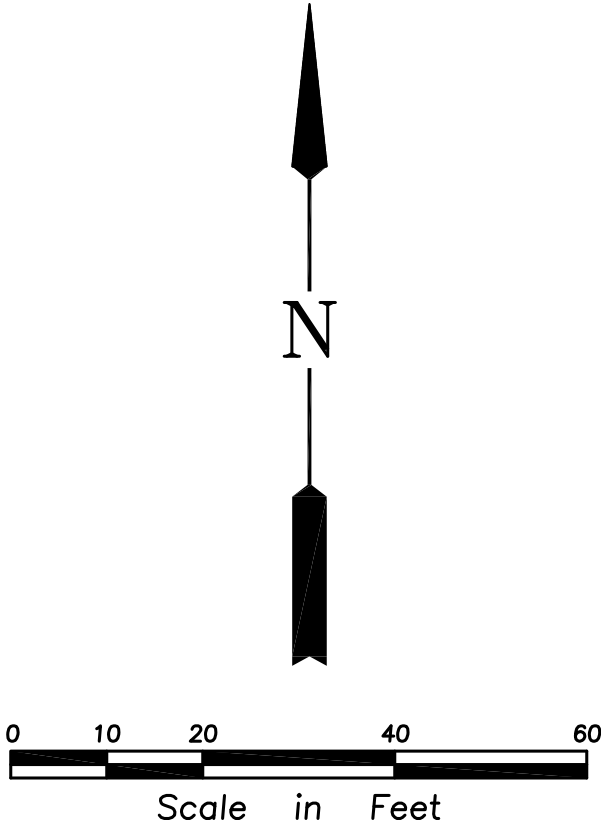
TREES				
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
DE	5	Ulmus davidiana var. japonica 'Discovery'	Discovery Elm	2 - 1/2" B&B
HL	5	Gleditsia triacanthos var. inermis 'Harve'	Northern Acclaim Honeylocust	2 - 1/2" B&B
RB	10	Betula nigra	River Birch (1-stem)	2 - 1/2" B&B
PC	3	Malus 'Prairifire'	Prairifire Crabapple	1 - 1/2" B&B
TOTAL	23			

LANDSCAPING QUANTITIES

DEVELOPABLE LANDSCAPING AREA = 78,102 SQ.FT.  
TREE REQUIREMENTS = 1 TREE PER 2,500 SQ.FT  
TREES REQUIRED = 32  
SHRUB REQUIREMENTS = 1 SHRUB PER 1,000 SQ.FT.  
SHRUBS REQUIRED = 79

LEGEND

- BOUNDARY/ROW/BLOCK LINE
- PROPOSED CONCRETE
- PROPOSED BITUMINOUS
- PROPOSED SHRUB
- EXISTING SHRUB
- PROPOSED TREE
- EXISTING TREE



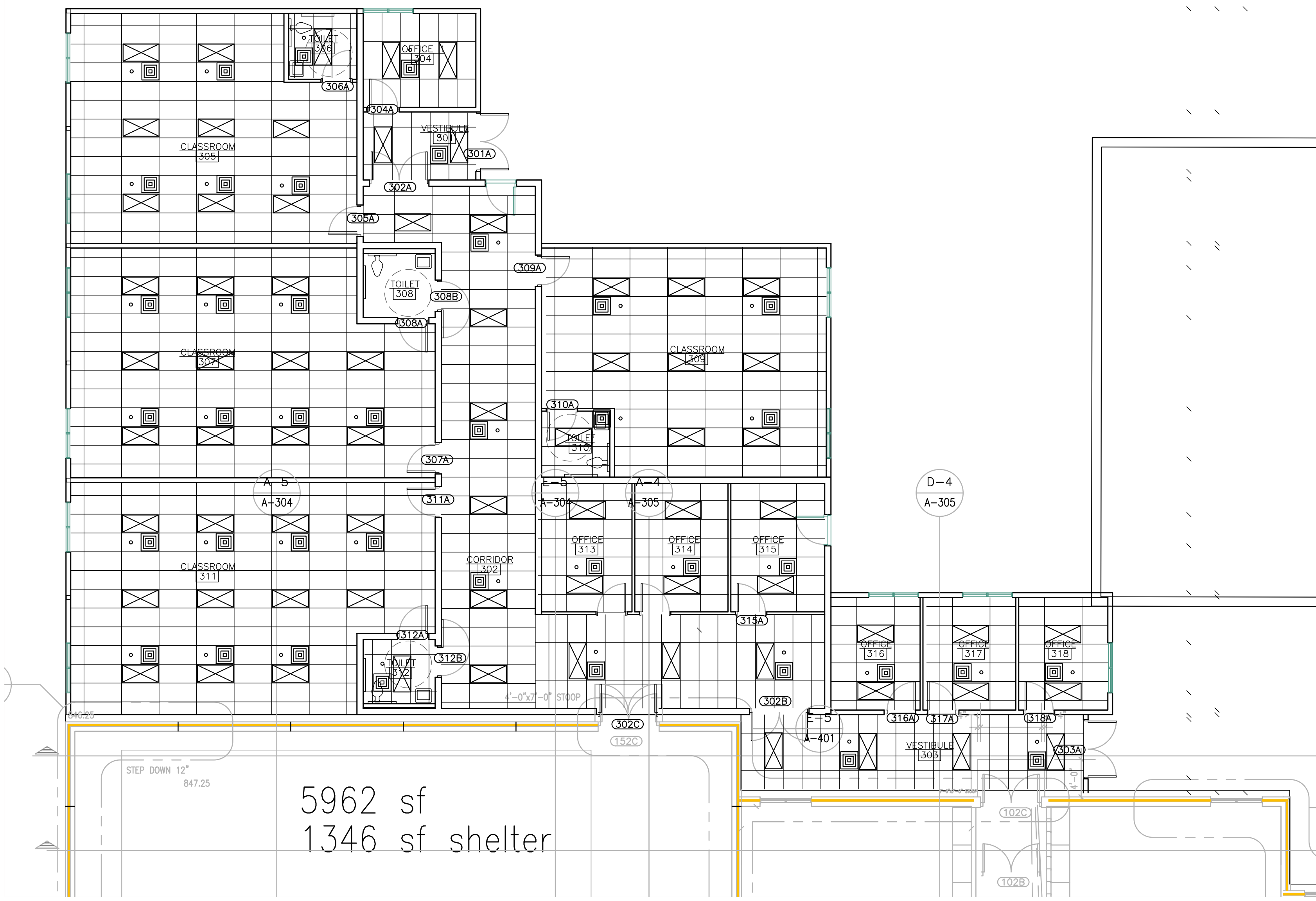




STORM SHELTERS NEED TO HAVE A SIGN INCLUDING  
DESIGN OCCUPANT CAPACITY,  
STORM TYPE, DESIGN WIND SPEED  
EDITIONS OF THE ICC 500 USED FOR THE DESIGN  
NAME OF MANUFACTURER OR BUILDER OF THE STORM SHELTER

PROJECT NUMBER  
**PA22321**  
SHEET NUMBER  
**A-101**





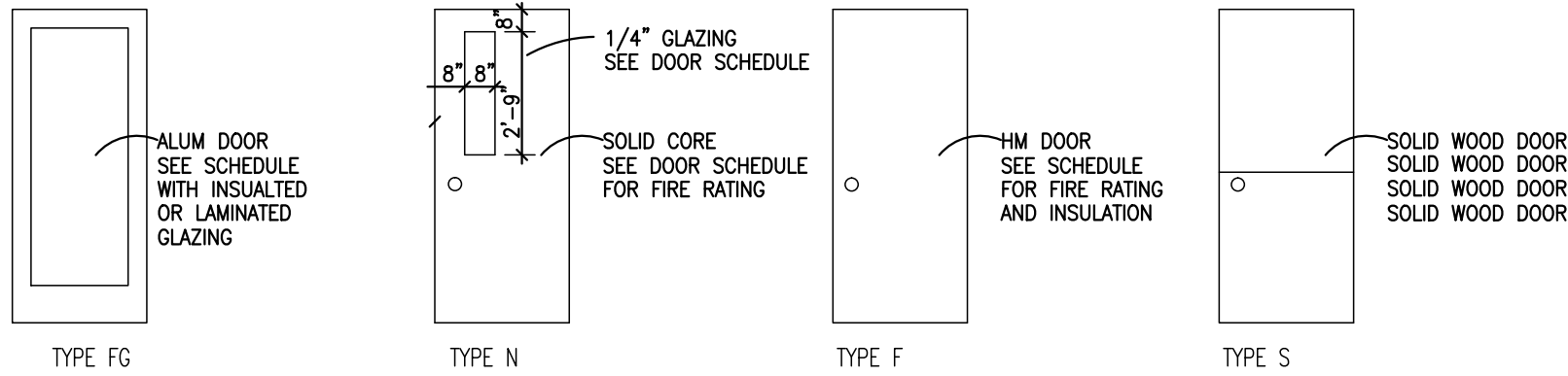
5962 sf  
1346 sf shelter

A-1  
A101  
REFLECTED CEILING PLAN  
SCALE: 1/8"=1'-0"

HARDWARE SETS													
DESCRIPTION		GENERAL NOTES											
1	CLASSROOM/STORAGE	HINGES	DOORS	ROTATION	PASSAGE	INDUOS	INDUOS	INDUOS	INDUOS	INDUOS	INDUOS	INDUOS	INDUOS
	CLASSROOM/STORAGE SS												
	PRIVACY												
	PRIVACY SS												
	HOLLOW METAL PAIR												
	PAIR ALUM EXT												
LOCKSETS													
1. LOCKSETS ARE BASED ON SCHLAGE LOCKSETS. RHODES LEVER DESIGN 626 SATIN CHROME													
2. REMOVABLE MULLION													
3. REMOVABLE MULLION													

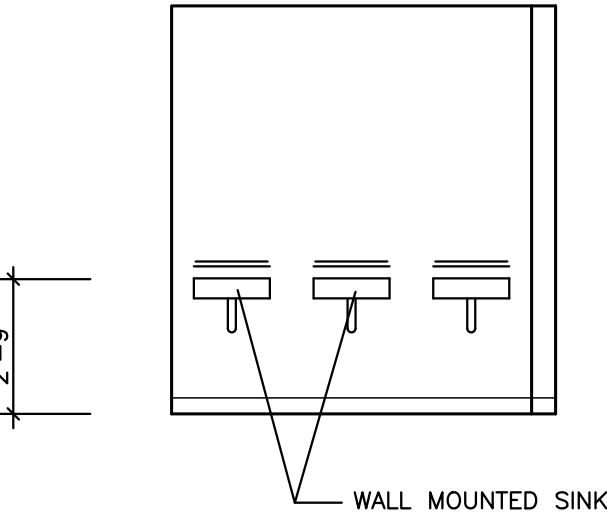
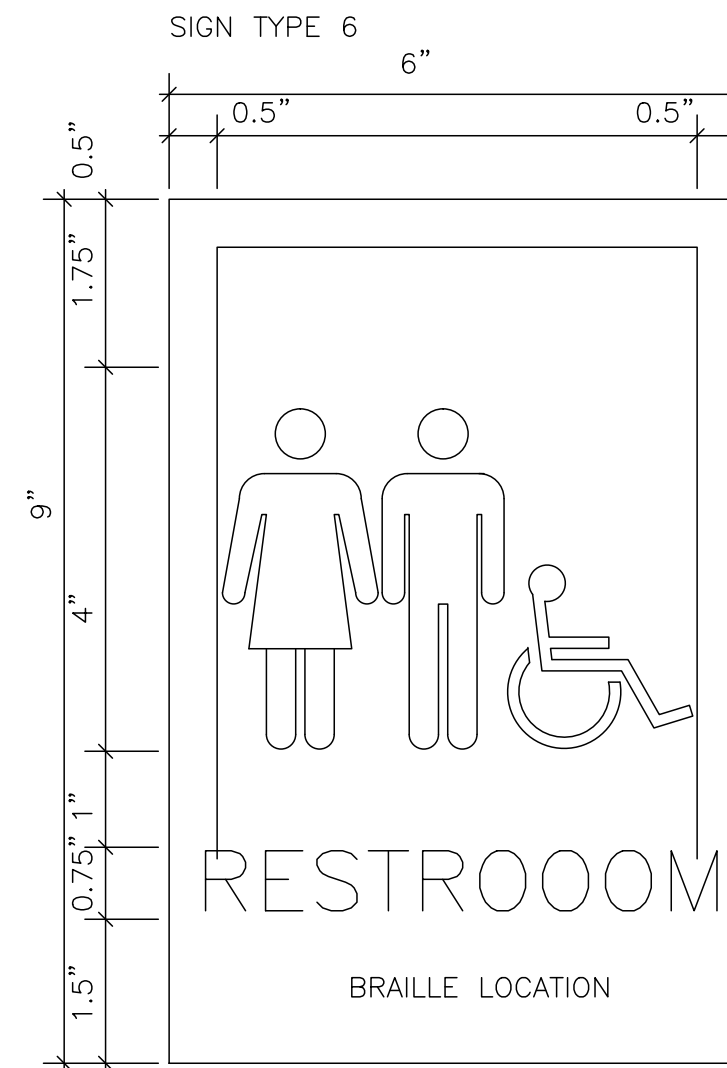
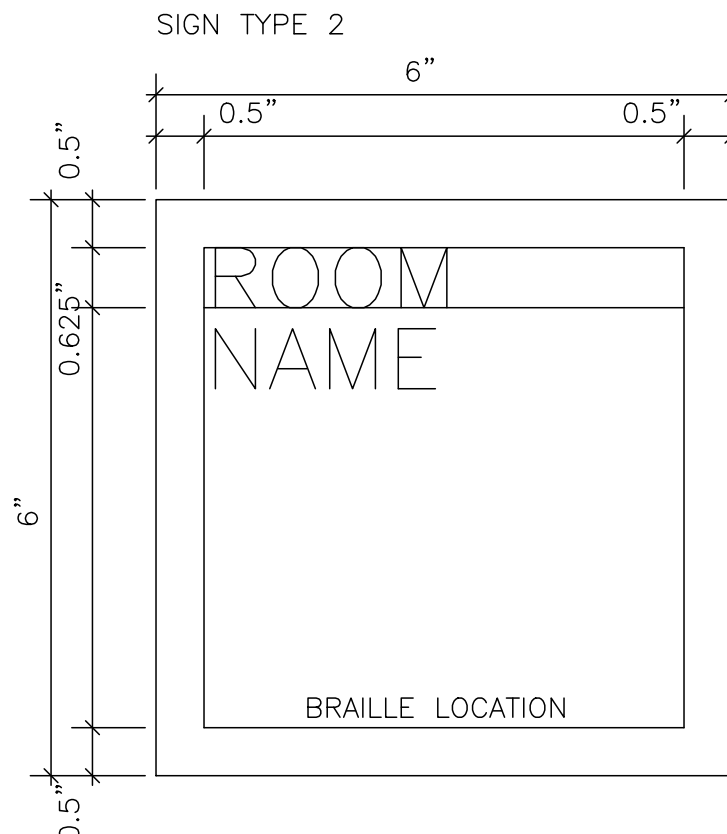
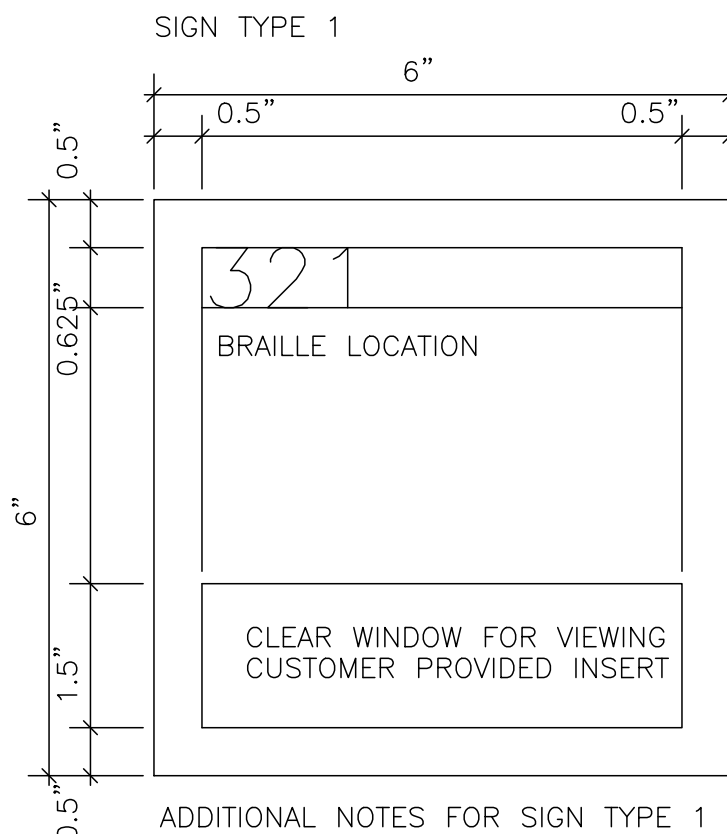
DOOR SCHEDULE													
NO.	ROOM NAME	DOOR		TYPE	FRAME		TYPE	FRAME		TYPE	GLAZING	REMARKS	
		SIZE	TYPE		MAT'L	FINISH		MAT'L	FINISH				
301A	VESTIBULE	3'-0"x7'-0"x1 3/4"	FG	ALUM	ML	2	ALUM	ML	2	ALUM	1" INSUL		
302A	CORRIDOR SS	3'-0"x7'-0"x1 3/4"	F	HM	PT	2	HM	PT	2	HM	5		
302B	CORRIDOR SS	3'-0"x7'-0"x1 3/4"	F	HM	PT	2	HM	PT	2	HM	5		
302C	CORRIDOR SS	3'-0"x7'-0"x1 3/4"	F	HM	PT	2	HM	PT	2	HM	5		
303A	VESTIBULE	3'-0"x7'-0"x1 3/4"	FG	ALUM	ML	1	ALUM	ML	1	ALUM	1" INSUL		
304A	OFFICE	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	1	HM	1/4"		
305A	CLASSROOM - SS	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	2	HR	2	CERAMIC	
306A	TOILET	3'-0"x7'-0"x1 3/4"	F	WD	ST	1	HM	PT	1	HM	3		
307A	CLASSROOM - SS	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	2	HR	2	CERAMIC	
308A	TOILET - SS	3'-0"x7'-0"x1 3/4"	F	WD	ST	1	HM	PT	2	HR	4		
308B	TOILET	3'-0"x7'-0"x1 3/4"	F	WD	ST	1	HM	PT	2	HR	2		FULL OPEN SWING
309A	CLASSROOM - SS	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	2	HR	2	CERAMIC	
310A	TOILET	3'-0"x7'-0"x1 3/4"	F	WD	ST	1	HM	PT	1	HM	4		
311A	CLASSROOM - SS	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	2	HR	2	CERAMIC	
312A	TOILET - SS	3'-0"x7'-0"x1 3/4"	F	WD	ST	1	HM	PT	2	HR	4		
312B	TOILET	3'-0"x7'-0"x1 3/4"	F	WD	ST	1	HM	PT	1	HM	3		FULL OPEN SWING
314A	OFFICE	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	1	HM	1		
315A	OFFICE	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	1	HM	1		
316A	OFFICE	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	1	HM	1		
317A	OFFICE	3'-0"x7'-0"x1 3/4"	N	WD	ST	1	HM	PT	1	HM	1		
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## DOOR TYPES

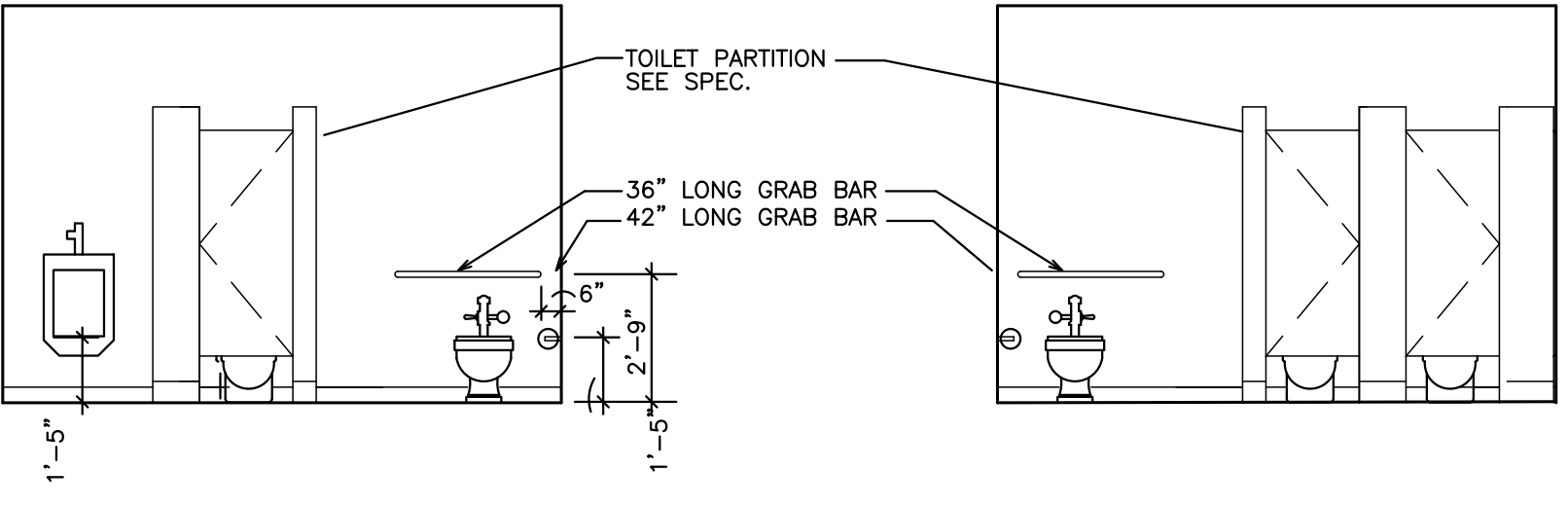


E-8  
A301  
DOOR TYPE LEGEND  
SCALE: NTS

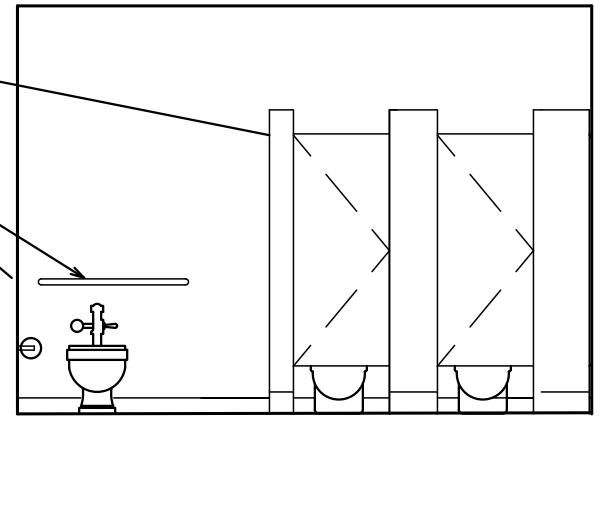
IDENTIFICATION SIGN SCHEDULE  
PLEASE NOTE:  
ROOM NUMBERS ON THE PLANS ARE FOR CONSTRUCTION PURPOSES  
FOR CORRECT ROOM ID NUMBERS SEE SIGN PLAN.  
GENERAL NOTES  
SIGN FACE:  
0.80 NON-GLARE CLEAR ACRYLIC  
SQUARE CORNERS SIZE AS SHOWN ON DRAWING  
SUBSURFACE PAINT COLOR BY OWNER  
SUBMIT SAMPLE FOR OWNER APPROVAL  
RAISED TEXT:  
ROWMARK 311-204  
BRIGHT WHITE PROFILE  
HELVETICA BOLD, SIZE AND POSITION AS SHOWN ON DRAWING.  
BRAILLE:  
CLEAR RASTERS  
1/2" BOTTOM/CENTER U.N.O.  
MOUNTING:  
4611 VHB TAPE ON BACK



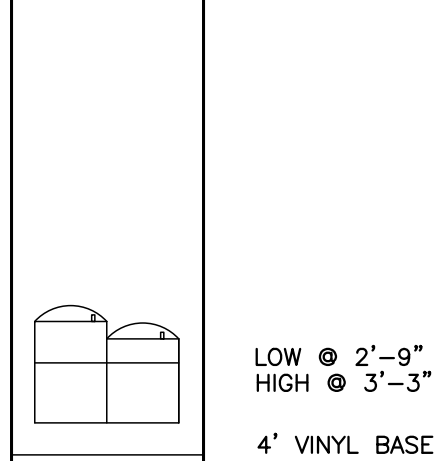
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A-101  
HAND SINK DETAILS  
SCALE: 1/4"=1'-0"



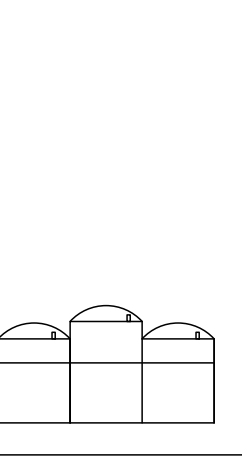
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A-101  
TOILET ROOM DETAILS  
SCALE: 1/4"=1'-0"



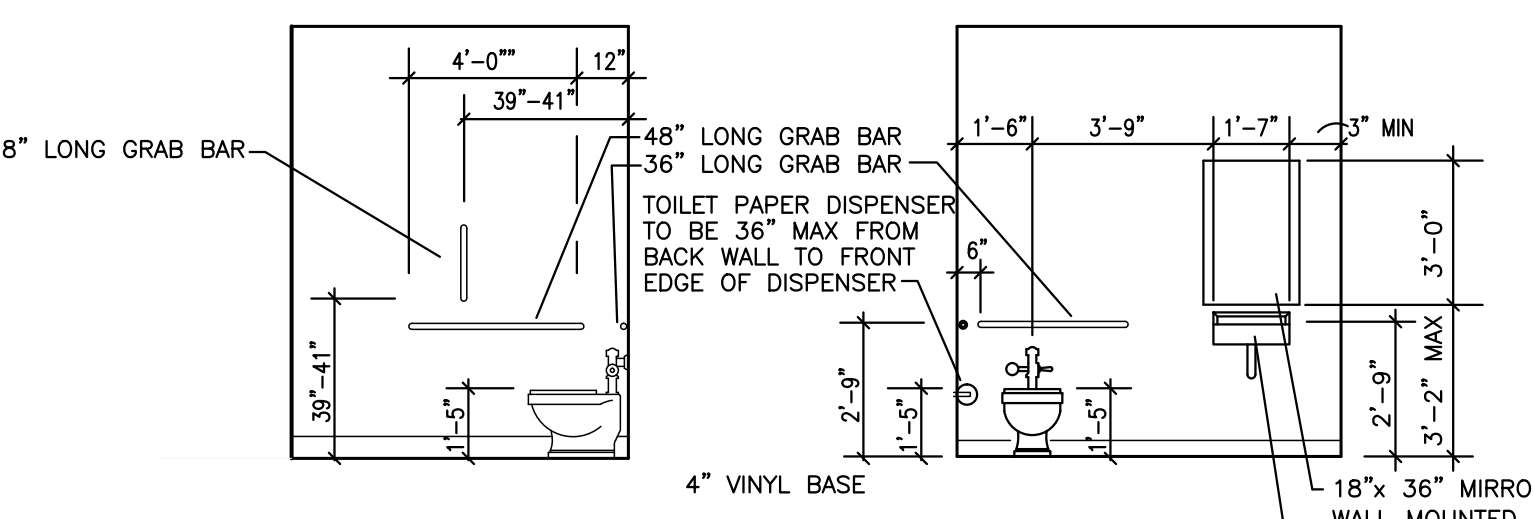
A-6  
A-101  
TOILET ROOM DETAILS  
SCALE: 1/4"=1'-0"



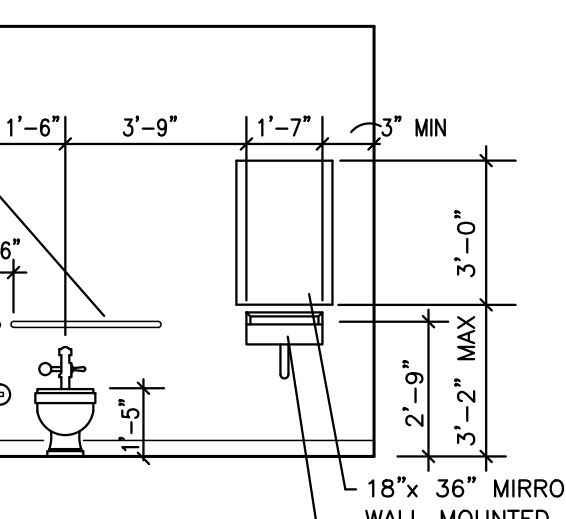
A-7  
A-101  
DF DETAILS  
SCALE: 1/4"=1'-0"



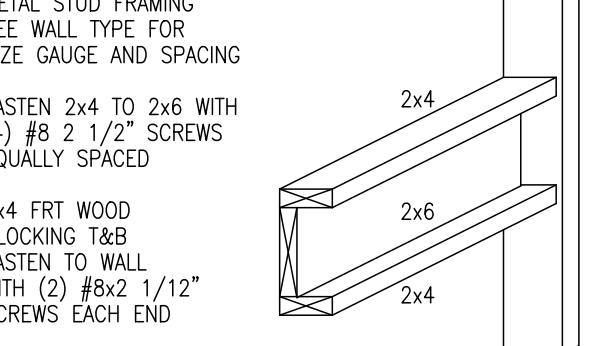
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A-101  
DF DETAILS  
SCALE: 1/4"=1'-0"



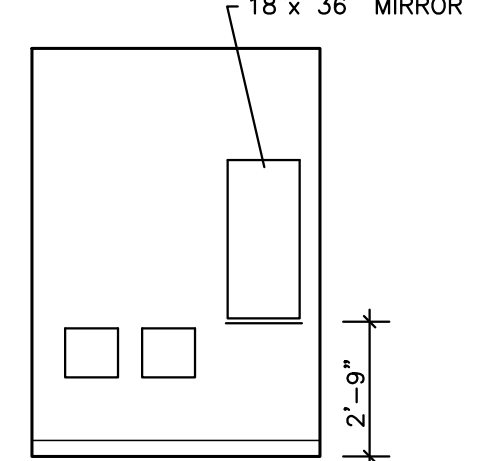
B-4  
A-101  
TOILET ROOM DETAILS  
SCALE: 1/4"=1'-0"



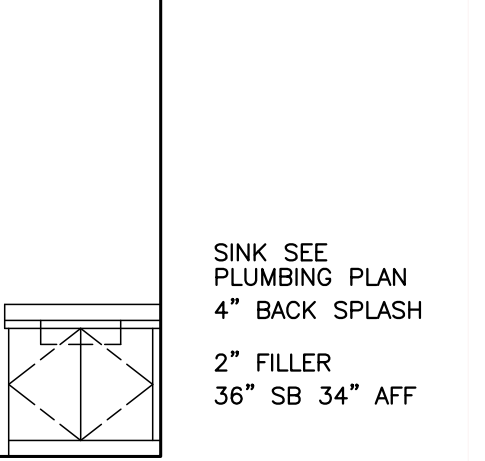
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A-101  
TOILET ROOM DETAILS  
SCALE: 1/4"=1'-0"



B-6  
A-101  
TOILET ROOM BLOCKING  
SCALE: NTS



B-7  
A-101  
MIRROR DETAIL  
SCALE: 1/4"=1'-0"



B-8  
A-101  
SINK DETAIL  
SCALE: 1/4"=1'-0"

REVIEW  
SIGN OFF  
DATE

PARTNERSHIP ACADEMY ADDITION  
6500 NICOLLET  
RICHFIELD, MINNESOTA



ISSUED FOR:

DATE:

ISSUED FOR:

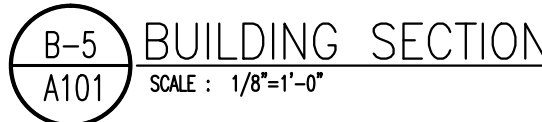
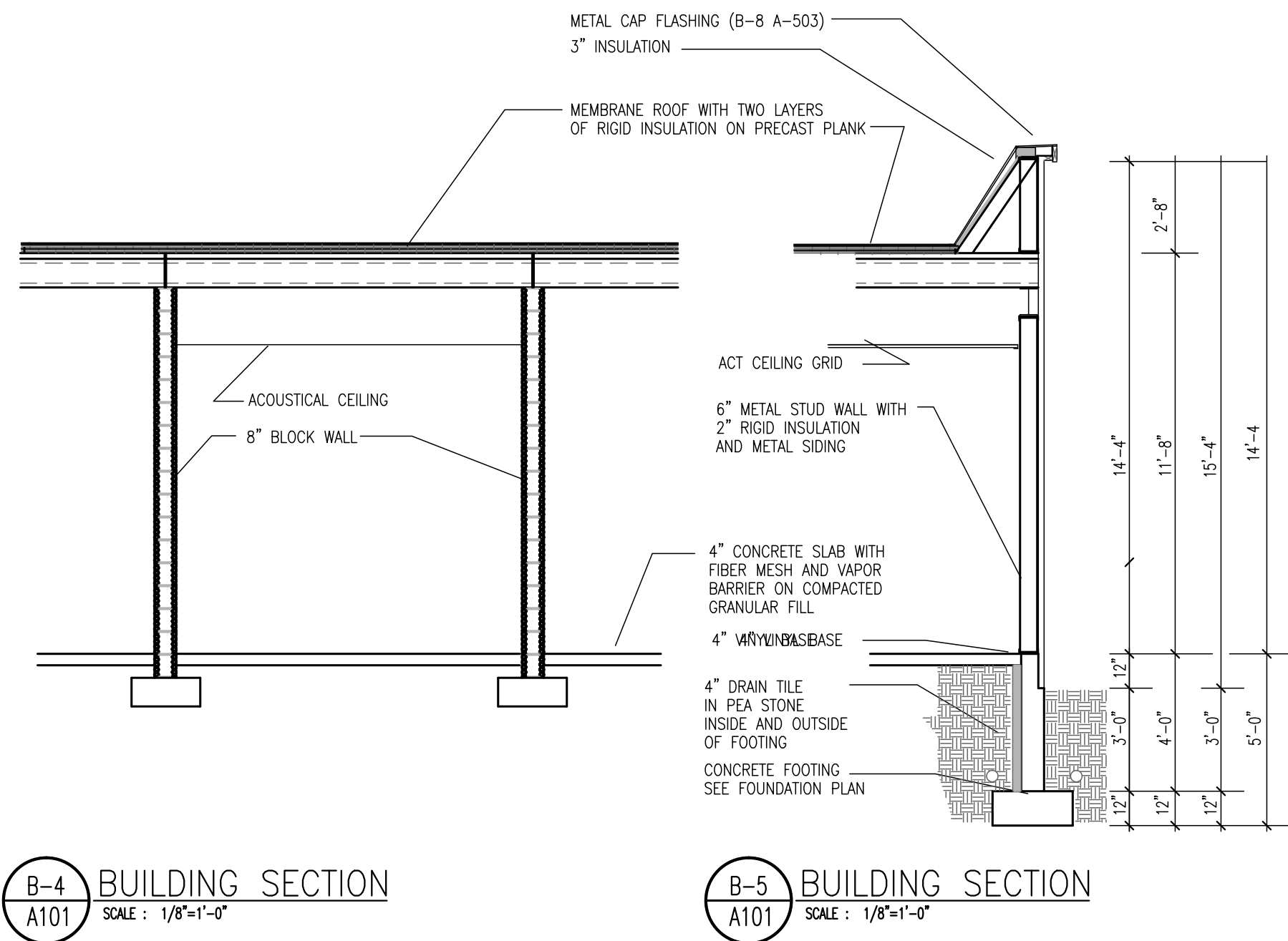
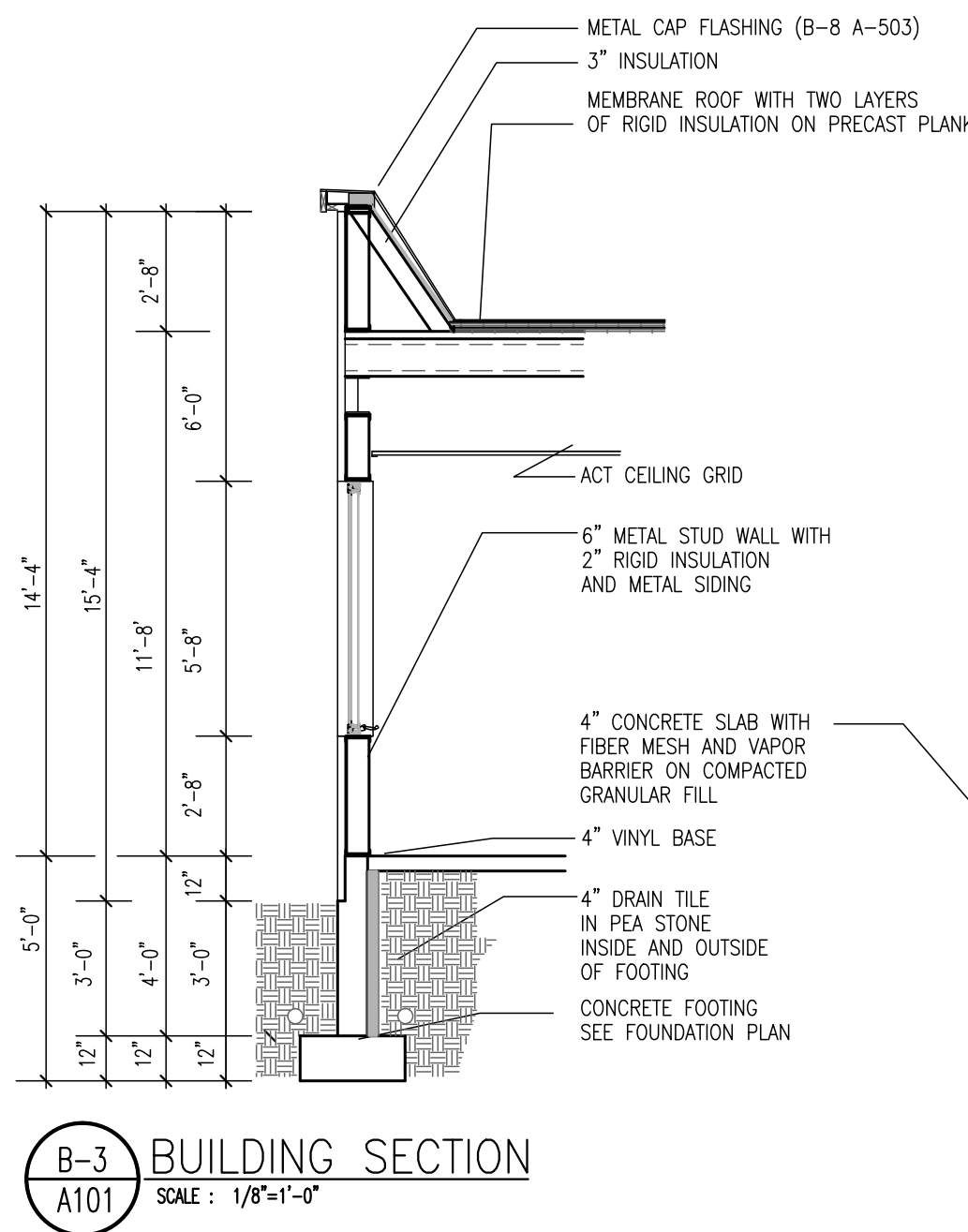
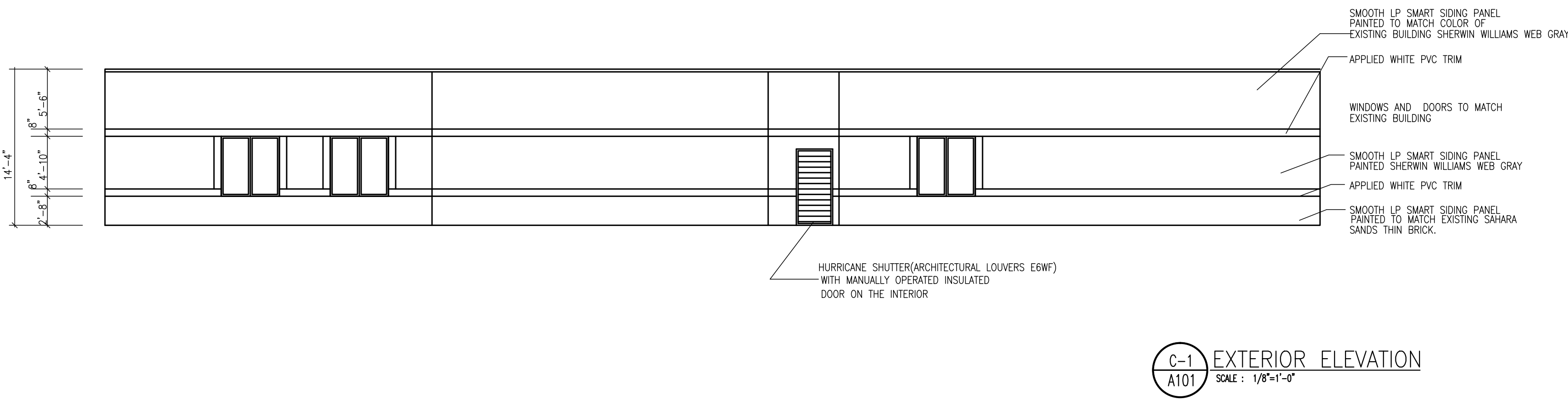
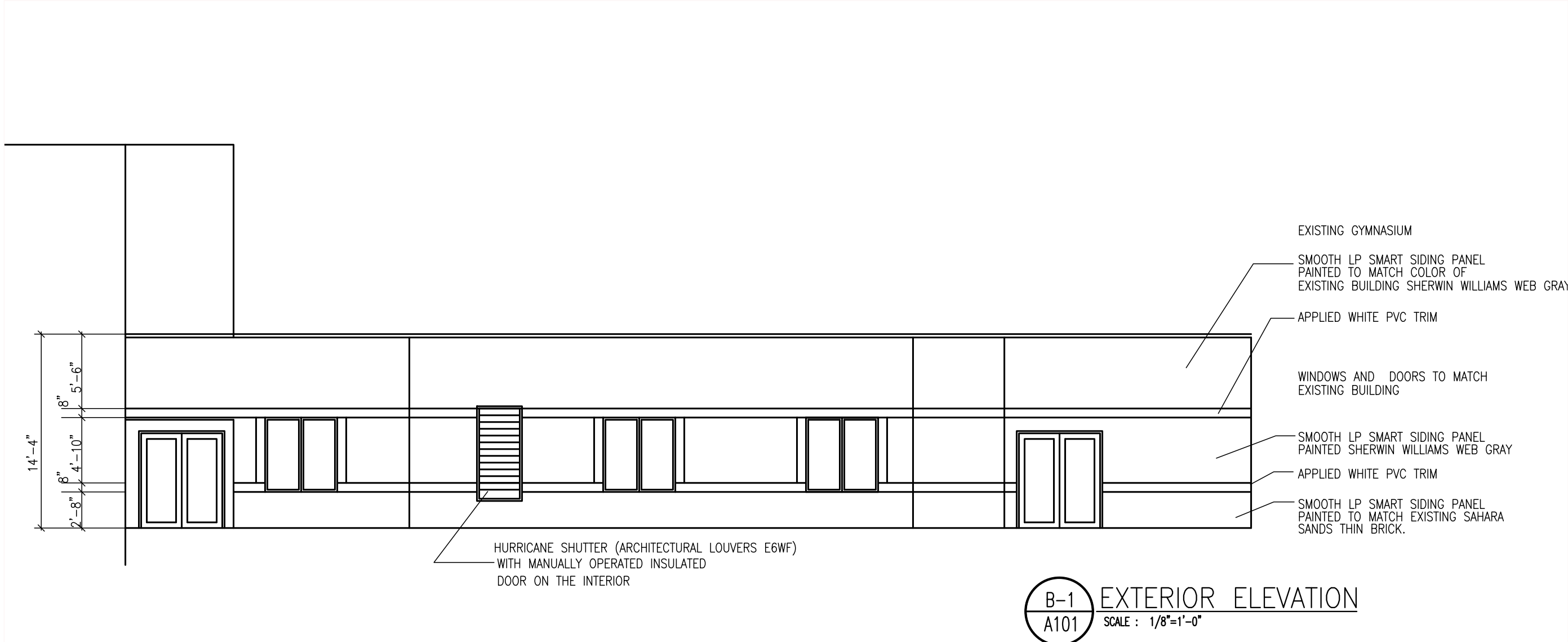
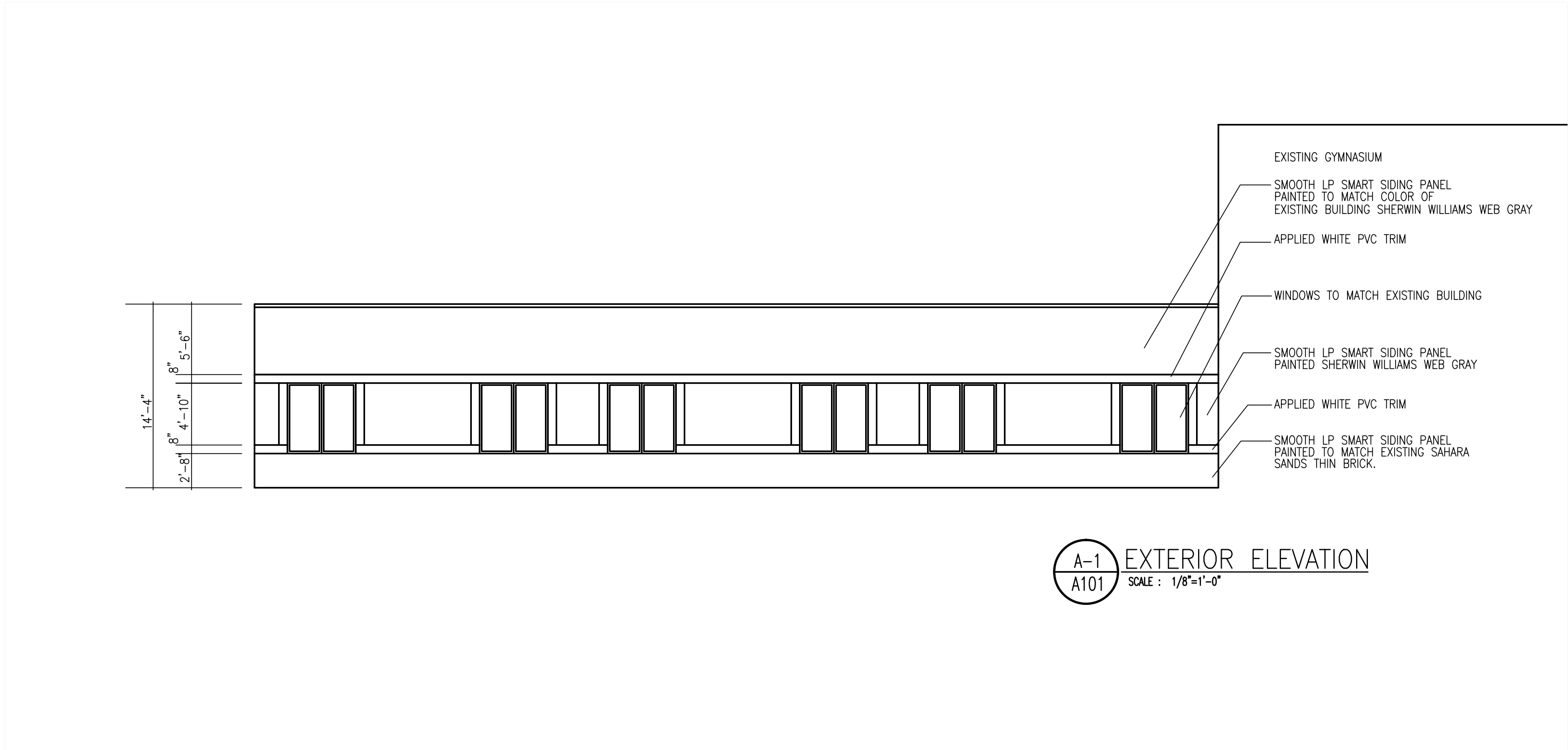
DATE:

ISSUED FOR:

DATE:

PROJECT NUMBER  
PA22321  
SHEET NUMBER  
A-102



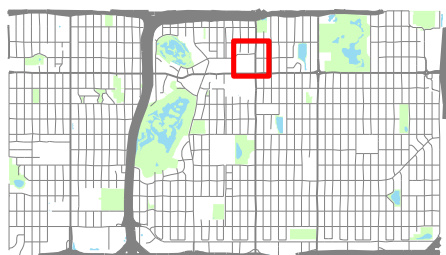
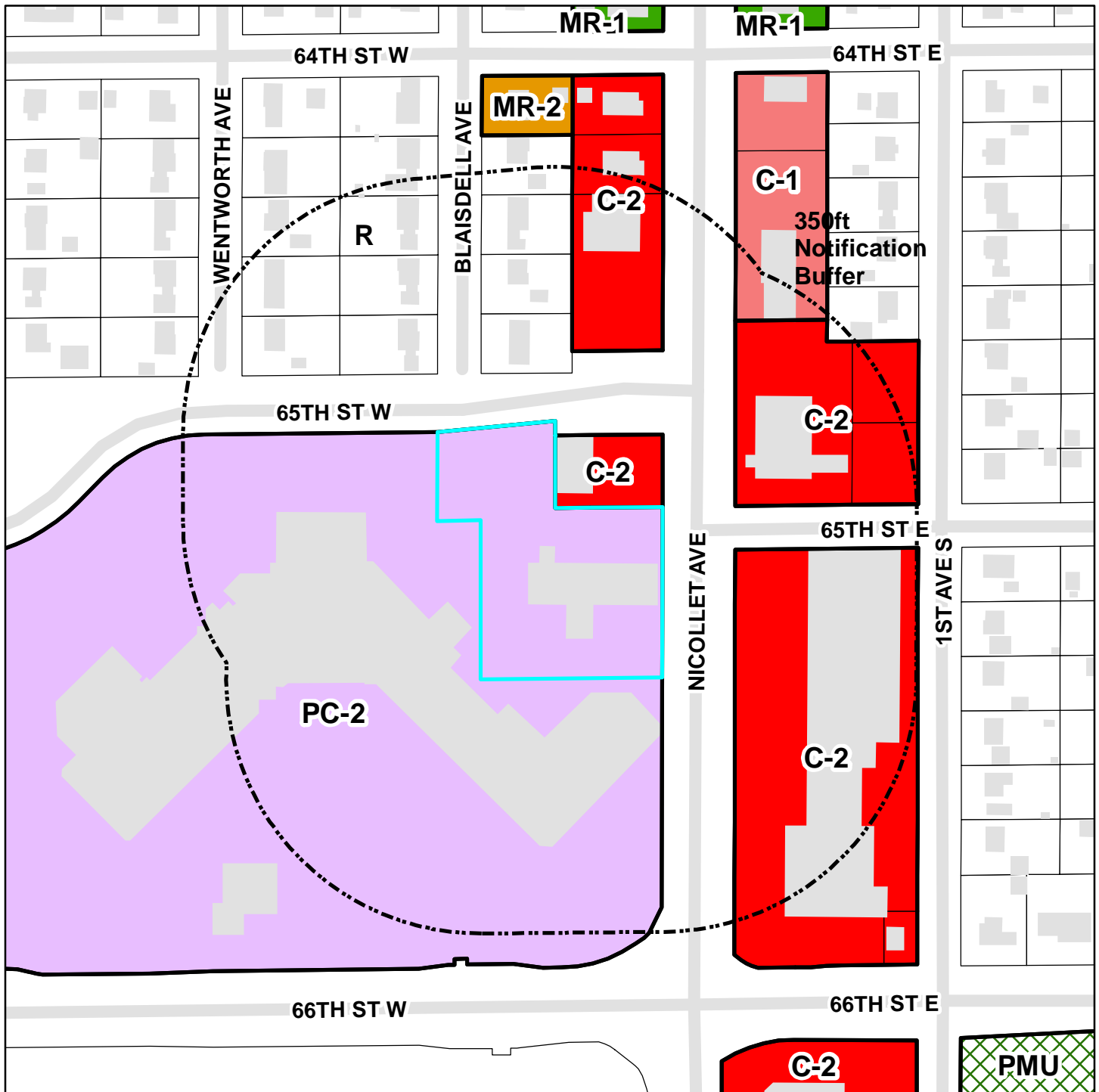




# 2500 Nicollet Ave

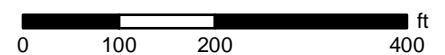
## Surrounding Zoning

Case No: 22-APUD-01



### Zoning Districts

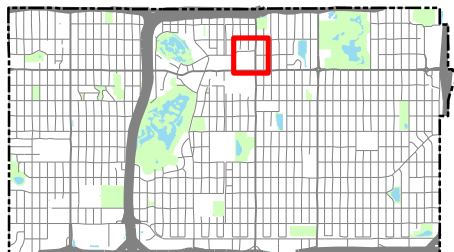
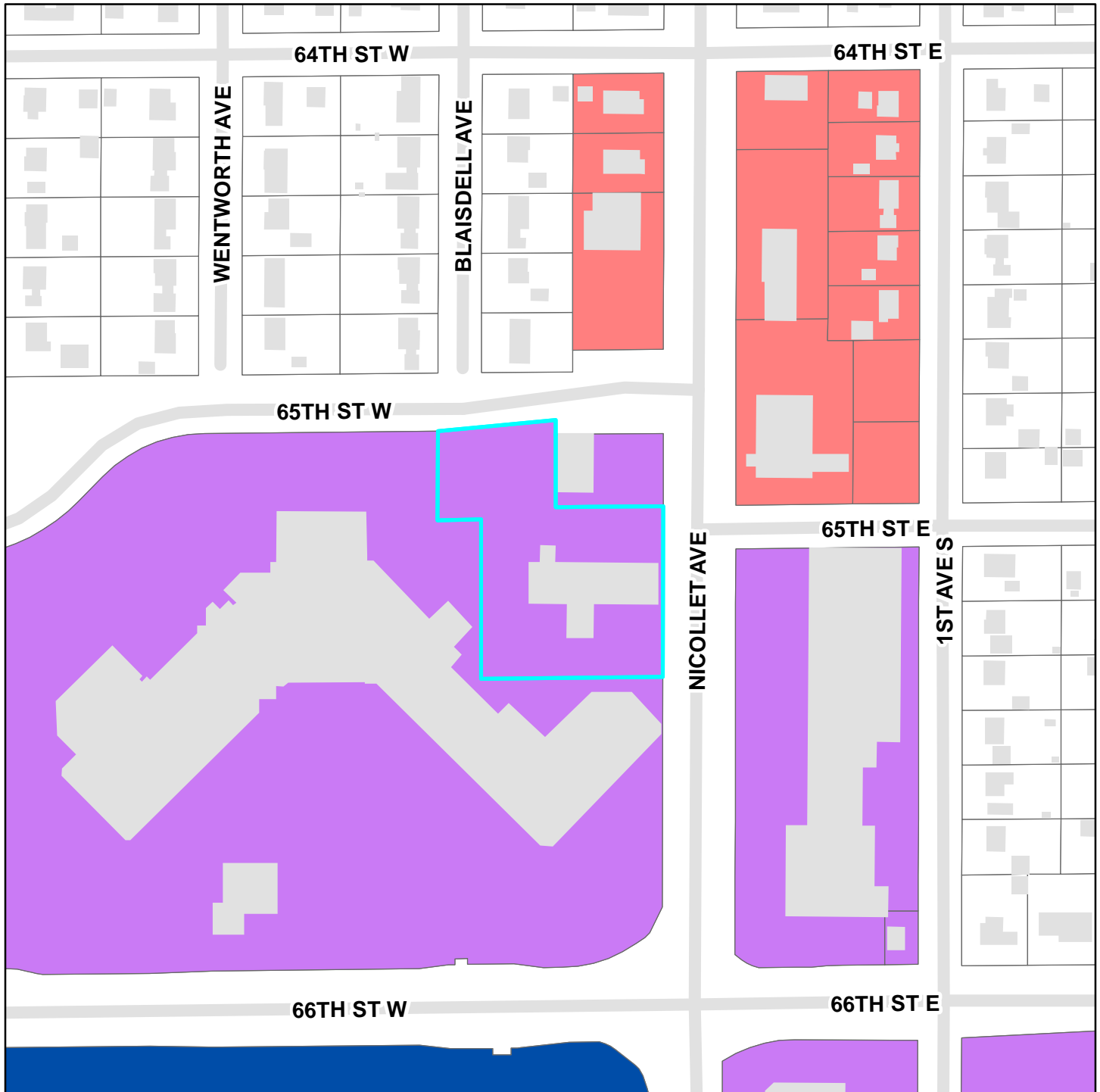
R Single-Family	MR-2/CAC Multi-Fam + Cedar Overlay	PC-2 Planned General Commercial	MU-C/PAC Mixed Use + Penn Overlay
R-1 Low-Density Single-Family	MR-3 High-Density Multi-Family	PMU Planned Mixed Use	MU-N Mixed Use-Neighborhood
MR-1 Two-Family	SO Service Office	MU-C Mixed Use-Community	MU-R Mixed Use-Regional
PMR Planned Multi-Family	C-1 Community Commercial	MU-C/CAC Mixed Use + Cedar Overlay	I Industrial
MR-2 Multi-Family	C-2 General Commercial		





# 2500 Nicollet Ave

## 2040 Comprehensive Plan Designations



### 2040 Planned Land Use

- |                          |                            |
|--------------------------|----------------------------|
| Mixed Use                | Medium Density Residential |
| Regional Commercial      | Low Density Residential    |
| Community Commercial     | Park                       |
| Neighborhood Commercial  | Quasi-Public               |
| High Density Residential | Right-of-Way (ROW)         |



## PLANNING COMMISSION MEETING

1/24/2022

REPORT PREPARED BY: Melissa Poehlman, Interim Community Development Director

CITY PLANNER REVIEW:

### **ITEM FOR COMMISSION CONSIDERATION:**

**Public hearing regarding proposed changes to zoning regulations for firearm sales, repair, and other related uses.**

### **EXECUTIVE SUMMARY:**

In May 2021, the City Council approved a six-month moratorium on the establishment of any new commercial use involving firearms in order to allow time to study and consider existing regulations. The moratorium was extended for an additional six months on September 14, 2021. Based on significant research and two work sessions with the Planning Commission and Council, the attached Ordinance Amendment updating zoning regulations for firearm sales, repair, and related uses is presented for your consideration.

The purposes of the proposed changes are:

- Clarify the applicability of the regulations (applicable to all uses involving firearms).
- Address Code ambiguities.
- Address online firearms sales.
- Revise district permissions and buffering distances.

Proposed revisions:

- Add Mixed Use Community (MU-C) sites to conditionally permitted locations.
- Increase required buffer from residential uses from 100 feet to 250 feet.
- Clarify that residential buffers are applicable to both residentially used and zoned property.
- Add "parks" to list of protected uses from which buffer distance is required (300 feet).
- Clarify and update protected use terminology.
- Prohibit such uses in downtown Richfield (in and around the area of 66th Street and Lyndale and Nicollet Avenues).
- Directly address internet-based and mail-order sales; prohibiting such uses unless there is no display, inspection, or physical transfer of firearms on or near the premises.

The proposed rules continue to allow firearm sales, repair, and other related uses in certain areas of the City, as recommended by the City Attorney. Adoption of new regulations does not impact existing uses, who are allowed to continue indefinitely as they exist. New rules could limit the expansion of these businesses, as new regulations would be applicable to expanded areas.

### **RECOMMENDED ACTION:**

**Conduct and close the public hearing and by motion: Recommend approval of the attached Ordinance amending Richfield City Code regulations in the General Business and Mixed Use Districts related to**

uses involving firearms.

**BASIS OF RECOMMENDATION:**

**A. HISTORICAL CONTEXT**

- The City last reviewed regulations related to firearms in 2004.
- Public testimony related to current regulations led the City Council to adopt a moratorium on the establishment of new uses involving firearms in order to study and consider possible changes.

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

- MN State Law prohibits local regulation of firearms with certain exceptions.
- MN Statute 571.635 states that cities "may regulate by reasonable, nondiscriminatory, and nonarbitrary zoning ordinances," the location of uses involving firearms.
- The City Attorney recommends against a outright prohibition or effective prohibition through zoning.

**C. CRITICAL TIMING ISSUES:**

- The current moratorium expires May 11, 2022. New regulations should be adopted prior to that date.

**D. FINANCIAL IMPACT:**

None

**E. LEGAL CONSIDERATION:**

- The City Attorney has reviewed the proposed Ordinance changes.
- Notice of the public hearing was published in the Sun Current Newspaper as required.
- A first reading of the proposed ordinance is scheduled for consideration by the City Council on February 8, followed by a second reading on March 8.

**ALTERNATIVE RECOMMENDATION(S):**

- Recommend approval with additional changes.
- Recommend denial, allowing current regulations to stand.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description		Type
□	Ordinance	Ordinance
□	Sites for Firearm Uses Map	Exhibit

BILL NO. \_\_\_\_\_

**AMENDMENT TO RICHFIELD CITY CODE RELATED TO ZONING  
AMENDING REGULATIONS IN THE  
GENERAL BUSINESS (C-2) AND MIXED USE (MU-C AND MU-R) DISTRICTS  
RELATED TO USES INVOLVING FIREARMS**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1 Subsection 512.09 of the Richfield City Code related to permitted, conditional, accessory and prohibited uses in the Mixed-Use Districts is amended to read as follows:

**512.09. Permitted, Conditional, Accessory and Prohibited Uses in Mixed-Use Districts.**

The following table summarizes which land uses are classified as permitted, accessory, conditional or prohibited in the Mixed-Use Districts. Refer to Section 537 for complete regulations.

P: Permitted

A: Accessory

C: Conditional

N: Null or not Permitted

Land Use	MU-N	MU-C	MU-R
Residential			
Assisted living facilities, nursing, rest homes	P	P	N
Dwelling, multifamily (min. 3 units)	P	P	P (but see 537.07, Subd. 2a)
Dwelling, townhouse	P	N	N
Live-work units	P	P	N
Commercial, Institutional and Public			
Adult business establishments as defined and regulated under City Code Subsection 1196	N	P	P
Animal kennels	C	C	C
Assembly and manufacturing accessory and subordinate to a retail use	N	A	A
Auto detailing	N	C	C
Auto mechanical or body repair shops	N	C	C
Auto rental facilities accessory to a primary office or hotel use	N	A	A
Auto sales or lease - new vehicles	N	N	C
Convenience store	P	P	P
Day care facilities	P	P	P
Drive-up window or teller service	N	C	C
<del>Firearms related uses</del>	<del>N</del>	<del>N</del>	<del>C</del>
Funeral homes, mortuaries	N	P	N
Government buildings	A	P	A
<u>Gun or ammunition sales/repair and firearms-related uses</u>	<u>N</u>	<u>C</u>	<u>C</u>
Health or athletic clubs, spas, yoga studios	P	P	P
Hospitals	N	N	P
Hotel/motel (defined as 6 or more rooms)	N	P	P
Libraries, public	P	P	N
Marijuana (medical) dispensaries	N	N	N

Marijuana (recreational) sales outlets	N	N	N
Micro-production facility (micro-brewery/micro-distillery)	N	C	C
Offices and clinics	P	P	P
Public utilities, major	N	C	C
Public utilities, minor	A	A	A
Religious institutions	P	P	A
Restaurant Class I (serving alcohol)	N	C	P
Restaurant Class II (traditional/cafeteria)	P	P	P
Restaurant Class III (fast food with drive-thru)	N	C	C
Restaurant Class IV (take out only)	P	P	P
Retail services, general	C	P	P
Retail services, neighborhood	P	P	P
Retail services, regional	N	C	P
Schools, public or private	P	P	C
Service station/convenience store	N	C	C
Taproom/cocktail room	N	A/C	A/C
Tattoo shops	N	P	P
Theaters, movie, or live entertainment	N	N	P
Transit facilities	A	A	A

\*Conditions apply, see section 537 for complete regulations.

(Amended, Bill No. 2011-13; 2011-19; 2014-4; 2015-5; 2015-15; 2019-4; 2022-x)

Sec. 2

Subsection 534.07, Subdivision 17 of the Richfield City Code is amended as follows:

**Subdivision 1.** The uses listed in this Subsection are conditional uses in the C-2 District, and are subject to the conditional use permit provisions outlined in subsection 547.09 of this Code.

...

**Subd. 17.** Gun or ammunition sales/repair and firearms-related uses (as defined in Subsection 507.07, Subd. 50) provided the following conditions are met:

- a) Such uses shall be licensed under Section 920 of the City Code;
- b) Such uses shall be located not less than 250 feet from residentially zoned or used property; ~~Such uses shall be located not less than 300 feet from any school, church, daycare center, public library, or governmental building;~~
- c) ~~Such uses shall be located not less than 300 feet from any school, religious facility, licensed daycare center, public library, park, or regularly-occupied governmental building; Such uses shall be located not less than 1,000 feet from other gun or ammunition sales/repair businesses or firearms related uses;~~
- d) Such uses shall not be located in downtown. For the purposes of this Subsection, downtown shall be defined as an area within 1,000 feet of 66th Street between Lyndale Avenue and Nicollet Avenue;
- e) Such uses shall be located not less than 1,000 feet from other gun or ammunition sales/repair businesses or firearms-related uses; ~~Such uses shall be located not less than 100 feet from residentially zoned property;~~
- ~~e)f) Firearms-related uses shall~~ Such uses shall not operate before 8:00 a.m. or after 9:00 p.m.;
- ~~f)g)~~ Firearms-related uses shall only be allowed within an enclosed structure that is soundproofed to prevent the sound to be heard by persons on adjoining property;
- ~~g)h)~~ No firearms-related use shall be allowed in a trailer or other nonpermanent building;

~~h)j)~~ Any firing-range existing in the City on or prior to January 1, 2004, shall be allowed to continue;

~~i)j)~~ The design and construction of any firearm-related use shall totally confine all ammunition rounds within the building and in a controlled manner. The design and construction of the firing range shall be certified by a registered architect and engineer in the State of Minnesota. The certified plans shall include the specifications and construction of the bullet trap(s), ceilings, exterior and interior walls, and floors. The certified plans shall state what type and caliber of ammunition the range is designed to totally confine;

~~j)k)~~ No ammunition shall be used in any firearms-related use that exceeds the certified design and construction specifications of the firing range;

~~k)l)~~ A written log of users of any firing range or other firearms-related use shall be maintained by the range operator. The log shall include the name and address of the range user, and the time and date the user was in the range. The name and address of the user shall be verified by photo identification;

~~l)m)~~ An alarm system, cut wire protected, shall be supplied to provide security for a building containing any firearm-related use;

~~m)n)~~ Firearms that are stored on the premises shall be stored in a vault when the range is closed for business. An alarm system, independent of the general alarm system and cut wire protected, shall be supplied for the firearm vault;

~~n)o)~~ Ammunition shall not be stored in the firearm vault;

~~o)p)~~ On site supervision at any firearm-related use shall be supplied at all times by an adult with credentials as qualified range master;

~~p)q)~~ An outside security plan for the general grounds of any firearm-related use shall be submitted to the City Manager or designee for review and approval;

~~q)r)~~ The transport of firearms on the premises shall conform to State Law;

~~r)s)~~ Minors shall not be allowed in any firearm-related use unless accompanied by an adult at all times. This provision shall not be interpreted to prohibit minors from participating in a firearm safety class, which is supervised by an adult instructor; and

~~s)t)~~ The Council reserves the authority to review or modify the performance standards for the firing range.

u) Federally-licensed firearms dealers engaged only in processing Internet-based or mail-order sales to other licensed dealers where neither the display, inspection nor physical transfer of the firearm occurs on or near the premises are exempted from the provisions of this Subsection.

Sec. 3

Subsection 537.03, Subdivision 1 of the Richfield City Code related to permitted, conditionally permitted and accessory uses in the Mixed Use Districts is amended to read as follows:

**537.03. Permitted Uses.**

**Subdivision 1.** The following table establishes permitted, conditionally permitted and accessory uses for the Mixed Use Districts:

Table 1. Uses of the Mixed-Use District

**Note**—The following abbreviations are used within the use table:

P= permitted use

A= accessory use

C= conditionally permitted

N= not permitted



Use	MU-N	MU-C	MU-R
<b>Residential</b>			
Assisted living facilities, nursing, rest homes	P	P	N
Dwelling, multifamily (min. 3 units)	P	P	P (but see 537.07, Subd. 2a)
Dwelling, townhouse	P	N	N
Live-work units	P	P	N
<b>Commercial, Institutional and Public</b>			
Adult business establishments as defined and regulated under City Code Subsection 1196	N	P	P
Animal kennels	C	C	C
Assembly and manufacturing accessory and subordinate to a retail use	N	A	A
Auto detailing	N	C	C
Auto mechanical or body repair shops	N	C	C
Auto rental facilities accessory to a primary office or hotel use	N	A	A
Auto sales or lease - new vehicles	N	N	C
Convenience store	P	P	P
Day care facilities	P	P	P
Drive-up window or teller service	N	C	C
<del>Firearms related uses</del>	<del>N</del>	<del>N</del>	<del>C</del>
Funeral homes, mortuaries	N	P	N
Government buildings	A	P	A
<u>Gun or ammunition sales/repair and firearms-related uses</u>	<u>N</u>	<u>C</u>	<u>C</u>
Health or athletic clubs, spas, yoga studios	P	P	P
Hospitals	N	N	P
Hotel/motel (defined as 6 or more rooms)	N	P	P
Libraries, public	P	P	N
Marijuana (medical) dispensaries	N	N	N
Marijuana (recreational) sales outlets	N	N	N
Micro-production facility (micro-brewery/micro-distillery)	N	C	C
Offices and clinics	P	P	P
Public utilities, major	N	C	C
Public utilities, minor	A	A	A
Religious institutions	P	P	A
Restaurant Class I (serving alcohol)	N	C	P
Restaurant Class II (traditional/cafeteria)	P	P	P
Restaurant Class III (fast food with drive-thru)	N	C	C
Restaurant Class IV (take out only)	P	P	P
Retail services, general	C	P	P
Retail services, neighborhood	P	P	P
Retail services, regional	N	C	P
Schools, public or private	P	P	C
Service station/convenience store	N	C	C
Taproom/cocktail room	N	A/C	A/C
Tattoo shops	N	P	P
Theaters, movie, or live entertainment	N	N	P
Transit facilities	A	A	A

(Amended, Bill No. 2011-13; 2011-19; 2014-4; 2015-15; 2019-4; 2022-x)

Sec. 4 Subsection 537.05, Subdivision 10 of the Richfield City Code is amended as follows:

**Subdivision 1.** Generally. Conditional uses listed in Table 1 are subject to the conditional use permit provisions outlines in Subsection 547.09 of this Code and the following conditions:

. . .

Subd. 10. ~~Firearms Related Uses.~~ Gun or ammunition sales/repair and firearms-related uses in the MU-C and MU-R Districts. ~~Firearms-related uses~~ Gun or ammunition sales/repair and firearms-related uses provided the conditions detailed in the C-2 District are met (534.07 Subd. 17).

Sec. 5 This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter. Adoption of this Ordinance constitutes the repeal of Transitory Ordinance \_\_\_\_ establishing a moratorium on new uses involving firearms adopted by the Richfield City Council on May 25, 2021 and extended by Resolution No. \_\_\_\_ on September 14, 2021.

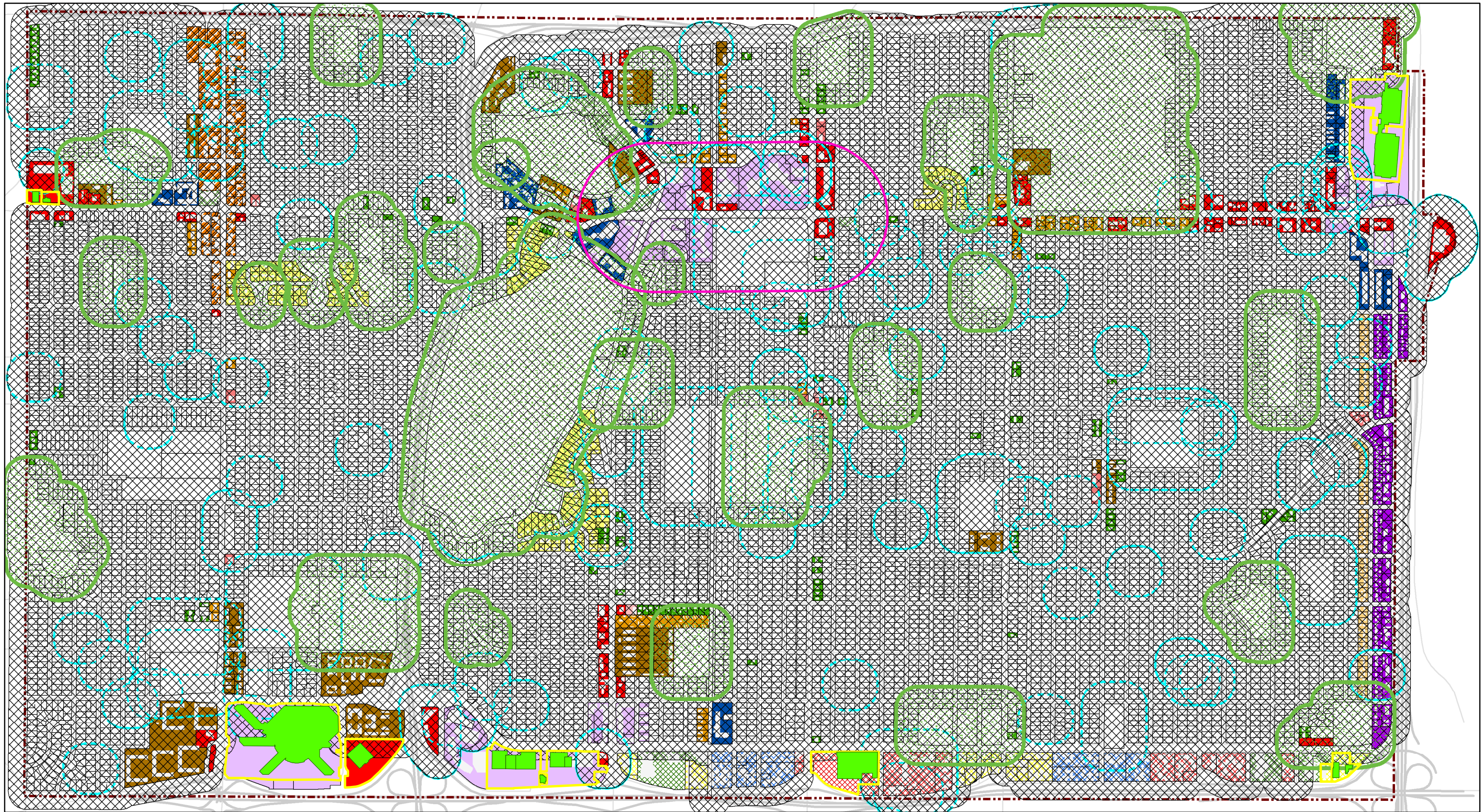
Passed by the City Council of the City of Richfield, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Maria Regan Gonzalez, Mayor





ATTEST:

\_\_\_\_\_  
Kari Sinning, City Clerk









## Legend






-  Revised Buffer (250 ft from Residential Zoning or Use AND 300 ft from certain uses, 1,000 ft from existing FA uses, & 1,000 ft from DT)
-  Buildings where a portion of floor area would be eligible
-  300 ft buffer from Parks
-  1000 ft Buffer From 66th St Between Lyndale & Nicollet Aves






NOTE: Sites identified as eligible may be arranged such that only portions of the building may have fire arms tenants, or they were deemed to have sufficient area for a building addition or where a building could be elsewhere constructed.





## Sites for Fire Arms Uses

### Zoning Districts

-  R Single-Family
-  R-1 Low-Density Single-Family
-  MR-1 Two-Family
-  PMR Planned Multi-Family

-  MR-2 Multi-Family
-  MR-2/CAC Multi-Fam + Cedar Overlay
-  MR-3 High-Density Multi-Family
-  SO Service Office
-  C-1 Community Commercial

-  C-2 General Commercial
-  PC-2 Planned General Commercial
-  PMU Planned Mixed Use
-  MU-C Mixed Use-Community
-  MU-C/CAC Mixed Use + Cedar Overlay

-  MU-C/PAC Mixed Use + Penn Overlay
-  MU-N Mixed Use-Neighborhood
-  MU-R Mixed Use-Regional
-  I Industrial



0 0.25 0.5 1 Miles



AGENDA SECTION: Public Hearings  
AGENDA ITEM #  
CASE NO.:



## PLANNING COMMISSION MEETING

1/24/2022

REPORT PREPARED BY: Ryan Krzos, Planner

CITY PLANNER REVIEW:

### **ITEM FOR COMMISSION CONSIDERATION:**

**Cancel a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.**

### **EXECUTIVE SUMMARY:**

Benefactor Brewing (Applicant) has submitted requests for land use approvals for a micro-brewery and taproom at 6402 Lyndale Avenue South. The Applicant is continuing to work with neighbors to address their concerns and has requested that the hearing be postponed until February 28, 2022. Since the public hearing for this request was continued once already, the public hearing should be cancelled. A new public hearing notice will be published and mailed to properties within 350 feet of the site in advance of the February meeting.

### **RECOMMENDED ACTION:**

**By Motion: Cancel a public hearing to consider a request for an amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a micro-brewery and brewpub/taproom at 6402 Lyndale Avenue South.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

None

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

None

#### **C. CRITICAL TIMING ISSUES:**

None

#### **D. FINANCIAL IMPACT:**

None

#### **E. LEGAL CONSIDERATION:**

- Notice of this public hearing was published in the Sun Current newspaper on December 2, 2021.
- Postcards will be mailed to properties within 350 feet of the property and notice will be published in advance of the rescheduled public hearing.

**ALTERNATIVE RECOMMENDATION(S):**

None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None