



**PLANNING COMMISSION MEETING
VIRTUAL MEETING HELD VIA WEBEX
JANUARY 25, 2021
7:00 PM**

Call to Order

Approval of the Minutes

Opportunity for Citizens to Address the Commission on items not on the Agenda

Agenda Approval

Public Hearings

1. Public hearing to consider an ordinance amending the Zoning designation for the property at 6945 Penn Avenue South.

Liaison Reports

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

City Planner's Reports

2. Next Meeting Time and Location
 - Work Session - Monday February 22 at 5:45 p.m. via Webex
 - February 22 at 7:00 p.m. via Webex
3. 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.



Planning Commission Minutes

October 26, 2020

- MEMBERS PRESENT: Chair Kathryn Quam, Commissioners Bryan Pynn, Sean Hayford O'Leary, Peter Lavin, James Rudolph, and Brett Stursa
- MEMBERS ABSENT: Commissioner Susan Rosenberg
- STAFF PRESENT: Melissa Poehlman, Asst. Director of Community Development
Nellie Jerome, Assistant Planner
Dave Anderson, City Attorney
- OTHERS PRESENT: Keith Ainsley, for Public Hearing Item #1

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

APPROVAL OF MINUTES

M/Pynn, S/Stursa to approve the minutes of the September 28, 2020, meeting.

Motion carried: 6-0

OPEN FORUM

No members of the public spoke, no comments received.

APPROVAL OF AGENDA

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

M/Lavin, S/Rudolph to add a discussion item about variance language in the Zoning Code to the agenda ahead of the Public Hearing.

Motion as amended carried: 6-0

OTHER BUSINESS

Discussion of the variance language in the Zoning Code. Commissioner Lavin stated that in the past, the variance language in the staff report was not the same as the language in the Zoning Code. City Attorney Dave Anderson noted that all language in the resolutions and in the accompanying documents was concise and was reflective of the correct state standard, even if the language was paraphrased.

PUBLIC HEARINGS

ITEM #1

Public hearing to consider a request for variance at 7329 4th Avenue for an air conditioner located approximately 2 feet from the lot line. Assistant Planner Nellie Jerome read the staff report for this variance application. Commissioners discussed possibilities of moving the exterior unit, the addition of sound barriers and fencing, and the differences between central air conditioning systems and split-system air conditioning units.

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

Motion carried: 6-0

M/Rudolph, S/Rosenberg to approve a resolution allowing a variance at 7329 4th Avenue for an air conditioner located closer to the lot line than allowed by code.

September 28, 2020

Motion carried: 6-0

LIAISON REPORTS

Community Services Advisory Commission: The dog park is now open at Roosevelt Park
City Council: no report

Housing and Redevelopment Authority (HRA): no report

Richfield School Board: Enrollment is down from last year but is still better than projections.

Transportation Commission: 65th Street will be redone next year, 65th and Pillsbury is planned to be open in both directions but HUB traffic will be discouraged from cutting through to the north. The 77th Street underpass has been fully funded under the state bonding bill.

Chamber of Commerce: Commissioner Stursa will start as a liaison for the Chamber of Commerce

CITY PLANNER'S REPORT

Nothing to report

ADJOURNMENT

The next regular meeting will be Monday, November 23, 2020, at 7pm on Webex online meeting platform.

M/Quam, S/Pynn Oleary to adjourn the meeting.

Motion carried: 6-0

The meeting was adjourned by unanimous consent at **7:55 p.m.**

Planning Commission Secretary

AGENDA SECTION: Public Hearings
AGENDA ITEM # 1.
CASE NO.:



PLANNING COMMISSION MEETING

1/25/2021

REPORT PREPARED BY: Ryan Krzos, AICP, Planner

CITY PLANNER REVIEW: Melissa Poehlman, Asst. Community Development Director
1/15/2021

ITEM FOR COMMISSION CONSIDERATION:

Public hearing to consider an ordinance amending the Zoning designation for the property at 6945 Penn Avenue South.

EXECUTIVE SUMMARY:

The property at 6945 Penn Avenue South is currently used as a dental clinic and is zoned Single Family Residential (R). Since the business use pre-dates the application of the current zoning designation it is considered a legal non-conforming use. The 2040 Comprehensive Plan designated the subject site within the Community Commercial planned land use category. The property owner is requesting to rezone the property to Neighborhood Business (C-1). No site improvements are requested at this time.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of a rezoning of 6945 Penn Avenue South from Single Family Residential (R) to Neighborhood Business (C-1).

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

In 1987 the subject site was rezoned from MR-2 (Multiple Residence) to C-1 (Limited Business) to facilitate development of the dental clinic constructed shortly thereafter.

The 1997-2007 Comprehensive Plan designated the property as Single Family Residential-High Density. The rationale at that time was to establish areas along the Penn Avenue corridor for attached single-family developments which would result in fewer access points and back up to detached single family dwellings. Zoning of the property remained C-1 at that time.

The 2008 Comprehensive Plan continued guiding the site for residential uses by designating the site as Low Density Residential (the High Density Single Family category was eliminated). In 2010, after adoption of this plan update, the property was rezoned from C-1 to R, in order to conform with the Comprehensive Plan.

To reflect the commercial use of the property, the 2040 Comprehensive Plan designated the site within the Community Commercial planned land use category.

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

See Executive Summary.

C. CRITICAL TIMING ISSUES:

The rezoning application was deemed complete on January 7, 2021 which starts the "60-day clock". The City must make a decision or extend the deadline by an additional 60 days, by March 8, 2021.

D. FINANCIAL IMPACT:

None.

E. LEGAL CONSIDERATION:

Notice of this hearing was mailed to properties within 500 feet of the proposed development and published in the Sun Current Newspaper.

Schedule for City Council actions:

- February 9, 2021 - 1st Reading of the rezoning ordinance.
- February 23, 2021 - 2nd Reading of the rezoning ordinance.

Since the proposed rezoning is from a residential district to a commercial zoning district a two-thirds affirmative vote of the City Council is required per State Statute.

ALTERNATIVE RECOMMENDATION(S):

None.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Jeffery O'Neil, property owner

ATTACHMENTS:

Description	Type
☐ Draft Rezoning Ordinance	Ordinance
☐ Zoning Map	Exhibit
☐ Planned Land Uses Map	Exhibit

ORDINANCE NO.

**AN ORDINANCE RELATING TO ZONING;
AMENDING APPENDIX I TO THE RICHFIELD CITY CODE
BY REZONING LAND AT 6945 PENN AVENUE SOUTH
AS NEIGHBORHOOD BUSINESS DISTRICT (C-1)**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Section 2 of Appendix I of the Richfield Zoning Code (Neighborhood Business District (C-1)) is amended to add a new Paragraph 10 to read as follows:

(19) M-7 (NE Corner 70th and Penn): Lots 13 and 14 and the South 14 feet of Lot 15, Block 10, Tingdale Brothers Lincoln Hills Second Addition.

Sec. 2. 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 23rd day of February, 2021.

Maria Regan Gonzalez, Mayor

ATTEST:

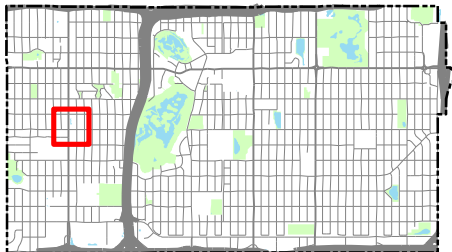
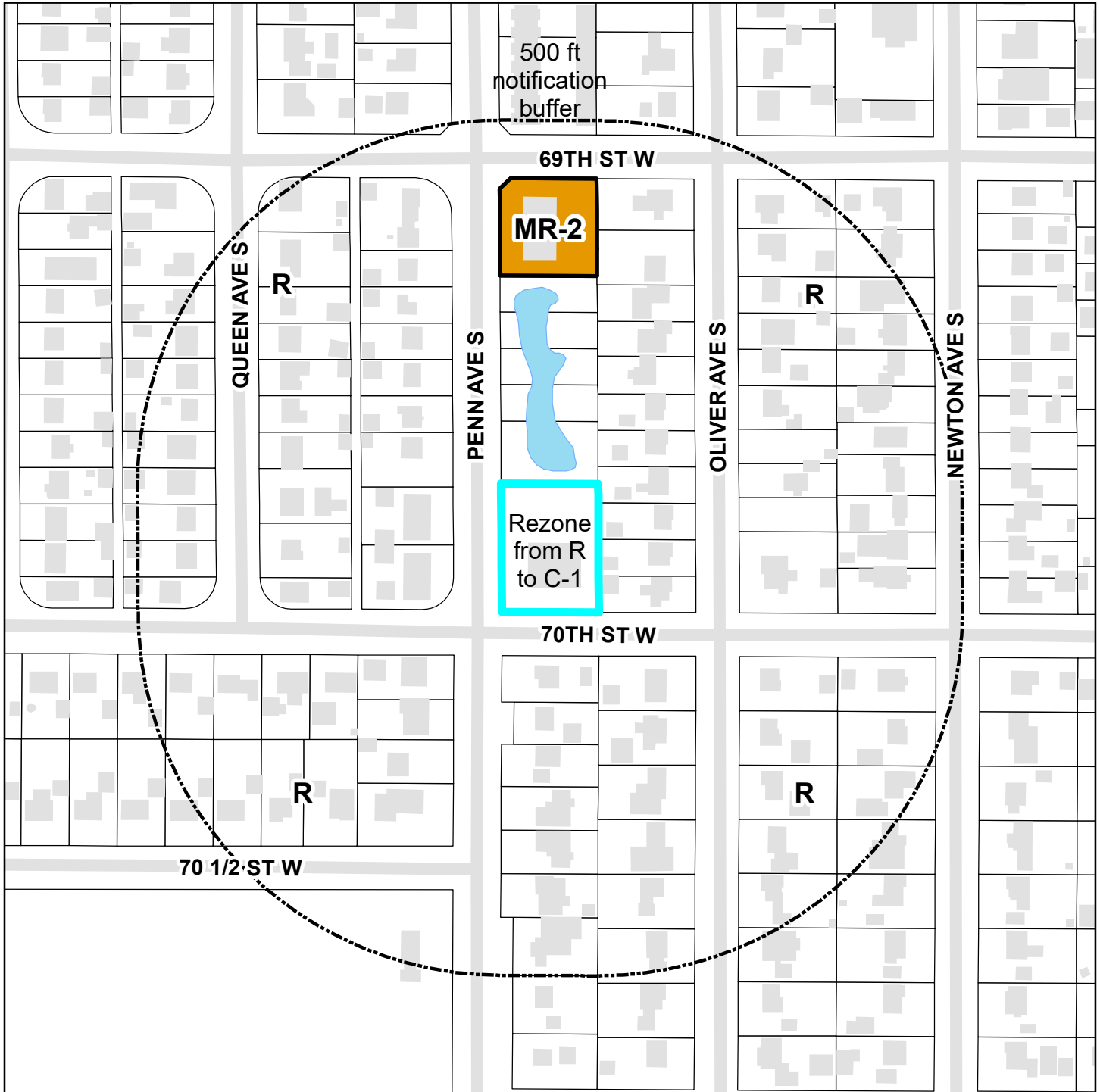
Elizabeth VanHoose, City Clerk



6945 Penn Avenue S

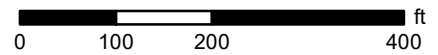
Surrounding Zoning

Case No: 21-RZN-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 | | |

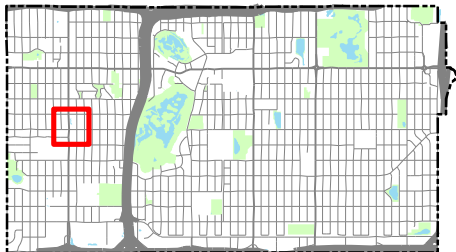
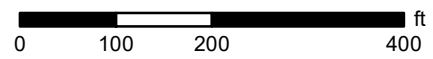




6945 Penn Avenue S

2040 Planned Land Uses

Case No: 21-RZN-01



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) |

