REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
APRIL 11, 2017
7:00 PM

INTRODUCTORY PROCEEDINGS

Call to order

Open forum (15 minutes maximum)

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

Pledge of Allegiance

Approval of the minutes of the: (1) Special Concurrent City Council and HRA Work Session of March 20, 2017; (2) Special City Council Work Session of March 27, 2017; (3) Special City Council Work Session of March 28, 2017; (4) Regular City Council Meeting of March 28, 2017; and (5) Special City Council Work Session of April 5, 2017.

PRESENTATIONS

1. Presentation by Hennepin County Attorney Mike Freeman

COUNCIL DISCUSSION

2. Hats Off to Hometown Hits

AGENDA APPROVAL

3. Approval of the Agenda

4. Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.

A. Consideration of the approval of a resolution in support of the The Convention on the Elimination of all Forms of Discrimination Against Women.

   Staff Report No. 62

B. Consideration of the approval of a resolution amending a Planned Unit Development, Conditional Use Permit, and Final Development Plan to allow construction of a new Panera Bread restaurant building with a drive-thru at The Shops at Lyndale.

   Staff Report No. 63

C. Consideration of the approval of a contract in the amount of $42,211 with Ron Kassa Construction, Inc. for
the 2017 Alley Paving project.

D. Consideration of the approval of a resolution appointing election judges for the May 23, 2017, Special Election.

E. Consideration of the approval of a request for a new Therapeutic Massage Enterprise license for Concierge Spa, LLC, located at 7620 Penn Avenue South.

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

PROPOSED ORDINANCES

6. Consideration of the approval of ordinance amendments creating a Cedar Corridor Overlay District and change the zoning of properties with the Cedar Corridor area (roughly 66th Street to 77th Street, east of 17th Avenue) to match the designations in the Comprehensive Plan and approval of a resolution for summary publication of the same.

RESOLUTIONS

7. Consideration of the approval of a resolution granting a six-month interim use permit, with staff discretion to issue two three-month extensions, to allow the continued use of 6529 Penn Avenue for used car sales.

CITY MANAGER’S REPORT

8. City Manager's Report

CLAIMS AND PAYROLLS

9. Claims and Payrolls

Open forum (15 minutes maximum)

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

10. 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.
CALL TO ORDER

The concurrent work session was called to order by HRA Chair Supple at 6:00 p.m. in the Bartholomew Room.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Michael Howard; and Maria Regan Gonzalez.

HRA Members Present: Mary Supple, Chair; Pat Elliott; Michael Howard; Doris Rubenstein; and Sue Sandahl.

Staff Present: Steven L. Devich, City Manager/Executive Director; and John Stark, Community Development Director.

<table>
<thead>
<tr>
<th>Item #1</th>
<th>DISCUSSION REGARDING THE FORMATION OF AN ECONOMIC DEVELOPMENT AUTHORITY (COUNCIL MEMO NO. 28/HRA MEMO NO. 8)</th>
</tr>
</thead>
</table>

City Manager/Executive Director Steve Devich introduced the topic of creating a Economic Development Authority (EDA).

Community Development Director John Stark presented background for considering the establishment of an EDA. Stark presented the authority for and mission of an EDA.

Council Member/HRA Commissioner Michael Howard asked staff to look at what the needs are and how the funding would be used.

There was general consensus from the Council Members and HRA Commissioners that the City move ahead with the EDA.

The concurrent work session was adjourned by unanimous consent at 6:43 p.m.

Date Approved: April 11, 2017

Pat Elliott
Mayor

Jared Voto
Steven L. Devich
Executive Aide/Analyst
City Manager
The work session was called to order by Mayor Elliott at 5:50 p.m. in the Fred Babcock Room.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Maria Regan Gonzalez; and Michael Howard

Staff Present: Melissa Poehlman, City Planner.

<table>
<thead>
<tr>
<th>Item #1</th>
<th>INTERVIEWS FOR COMPREHENSIVE PLAN ADVISORY COMMITTEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aimee Miller</td>
<td>Toby Bohlke</td>
</tr>
<tr>
<td>Summer Nimz</td>
<td>Jennifer Lewis</td>
</tr>
<tr>
<td>Lindsay Bork</td>
<td>Laurel Nightingale</td>
</tr>
</tbody>
</table>

The work session was adjourned by unanimous consent at 7:50 p.m.

Date Approved: April 11, 2017

____________________________
Pat Elliott
Mayor

____________________________
Jared Voto
Executive Aide/Analyst

____________________________
Steven L. Devich
City Manager
CALL TO ORDER

The work session was called to order by Mayor Elliott at 6:30 p.m. in the Bartholomew Room.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Maria Regan Gonzalez; and Michael Howard

Staff Present: Steven L. Devich, City Manager; Kristin Asher, Public Works Director; Jack Broz, Transportation Engineer; and Jared Voto, Executive Aide/Analyst.

Item #1 DISCUSSION REGARDING 66TH STREET STREETSCAPE

City Manager Steve Devich and Public Works Director Kristin Asher introduced Jack Broz, Transportation Engineer, and Joel Odens, Landscape Architect with Bolton & Menk, who would present the streetscape project.

Odens and Broz presented an overview of the project background and location, timeline, and schematic design for the corridor. The schematic design included funded and non-funded elements and corridor concepts. The project includes landscaping and streetscaping, but not hardscape. Work on these elements will follow the hardscape work by a year (e.g. 2017 hardscape work, 2018 landscape/streetscape work).

Mayor Elliott commented he felt people were excited about the variety and diversity of trees for the corridor. Council Member Howard echoed these thoughts.

Council Member Regan Gonzalez asked for clarification on the non-funded elements and reuse of bus shelters. Broz responded.

Mayor Elliott commented on the banners shown in the renderings and having them associated with neighborhoods and greater community. Council Member Howard agreed and commented it could be part of the Comprehensive Plan Advisory Committee.

ADJOURNMENT

The work session was adjourned by unanimous consent at 6:53 p.m.
Date Approved: April 11, 2017

Pat Elliott
Mayor

Jared Voto
Executive Aide/Analyst

Steven L. Devich
City Manager
CALL TO ORDER

The meeting was called to order by Mayor Elliott at 7:01 p.m. in the Council Chambers.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Maria Regan Gonzalez; and Michael Howard.

Staff Present: Steven L. Devich, City Manager; Mary Tietjen, City Attorney; John Stark, Community Development Director; Jay Henthorne, Public Safety Director/Police Chief; Kristin Asher, Public Works Director; Jim Topitzhofer, Recreation Services Director; Elizabeth VanHoose, City Clerk; Chris Regis, Finance Manager; and Jared Voto, Executive Aide/Analyst.

OATH OF OFFICE OF RICHFIELD MAYOR, PAT ELLIOTT

City Clerk VanHoose administered the oath of office the Mayor Pat Elliott.

OPEN FORUM


Birgit Johnson, 6332 13th Ave S, spoke regarding “all politics is local”.

Item #1 SWEARING-IN CITY OF RICHFIELD POLICE OFFICERS JOSEPH CARROLL AND MIRANDA SOLDOW

Mayor Elliott introduced Public Safety Director/Chief of Police Henthorne. Chief Henthorne introduced Officers Joseph Carroll and Miranda Soldow and administered the swearing-in of both Officers.

PLEDGE OF ALLEGIANCE

Mayor Elliott led the Pledge of Allegiance.
APPROVAL OF MINUTES

M/Howard, S/Garcia to approve the minutes of the: (1) Regular City Council Meeting of February 28, 2017; (2) Special City Council Work Session of March 6, 2017; (3) Special City Council Meeting of March 10, 2017; and (4) Special City Council Work Session of March 14, 2017.

Motion carried 4-0.

Item #2  PRESENTATION OF 2016 FOOD SAFETY AWARDS

Council Member Regan Gonzalez invited Kristine Klos, Chair of the Advisory Board of Health, and Betsy Osborn, Support Services Supervisor and Advisory Board of Health Staff Liaison, to present the awards. Klos presented the 2016 Food Safety Awards:

- Full Service Restaurant
  - Winner – Broadway Pizza – 7514 Lyndale Ave S
  - Runner-up – Pizza Luce – 800 W. 66th St
- Fast Food/Pizza Carry Out/Cafeteria
  - Winner – Arby’s – 7744 5th Ave S
  - Runner-up – DQ Grill and Chill – 2800 W. 66th St

Council Member Regan Gonzalez thanked the Advisory Board of Health and staff for their work on the Food Safety Awards.

Item #3  COUNCIL DISCUSSION

- Hats Off to Hometown Hits

Mayor Elliott invited Hennepin County Commissioner Debbie Goettel to speak. Commissioner Goettel spoke and invited everyone to attend an open house at her District 5 Office (300 S 6th St, Minneapolis, MN 55487; A-2400) on April 5.

Council Member Garcia mentioned a Walk for Autism event on April 8 at the Mall of America and Caring for Caregivers event on April 27 at Friendship Village of Bloomington.

Council Member Howard mentioned the Richfield Egg Scramble on April 8 at Veterans Memorial Park and the start of the 66th Street Reconstruction project.

Council Member Regan Gonzalez mentioned the League of Women Voter’s Public Forum held on March 11; the article in the Star Tribune on March 19 stating Richfield has the hottest housing market in the area; the Wellness Expo on April 8 at the Richfield High School; and, the Friends of Wood Lake (FOWL) benefit dinner on April 28.

Mayor Elliott commented on the Star Tribune article and League of Women Voter’s Public Forum.

Item #4  APPROVAL OF THE AGENDA
M/Garcia, S/Regan Gonzalez to approve the agenda.

Motion carried 4-0.

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<tr>
<th>Item #5</th>
<th>CONSENT CALENDAR</th>
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City Manager Devich presented the Consent Calendar.

A. Consideration of the approval of the 2017 Revised Richfield Bicycle Master Plan system map. (S.R. NO. 45)

B. Consideration of the approval of a resolution amending the 2016 General Fund Budget by authorization of a transfer of appropriations from the Public Safety Department to the Fire Department. (S.R. NO. 46)

RESOLUTION NO. 11338
RESOLUTION AUTHORIZING REVISION OF 2016 BUDGETS OF VARIOUS DEPARTMENTS

This resolution appears as Resolution No. 11338.

C. Consideration of the approval of a resolution accepting a donation received by Wood Lake Nature Center from Marlene Glaus in the amount of $50,000 and authorizing the Recreation Services Director to apply the funds for Wood Lake site improvements. (S.R. NO. 47)

RESOLUTION NO. 11339
RESOLUTION ACCEPTING A DONATION RECEIVED BY WOOD LAKE NATURE CENTER FROM MARLENE GLAUS IN THE AMOUNT OF $50,000, FOR SITE IMPROVEMENTS AT WOOD LAKE NATURE CENTER

This resolution appears as Resolution No. 11339.

D. Consideration of the approval of a resolution authorizing acceptance of donations, totaling $750, from six donors for the purchase of the Robert T. Hintgen Fountain Memorial and authorizing the Public Works Operations Superintendent to apply the funds as intended by the donors. (S.R. NO. 48)

RESOLUTION NO. 11340
RESOLUTION ACCEPTING DONATIONS RECEIVED BY MULTIPLE DONORS IN THE AMOUNT OF $750 IN HONOR OF THE ROBERT T. HINTGEN FOUNTAIN MEMORIAL

This resolution appears as Resolution No. 11340.

E. Consideration of the approval of a resolution modifying a Health Care Savings Plan for the General Services Employees. (S.R. NO. 49)

RESOLUTION NO. 11341
RESOLUTION AMENDING THE GENERAL SERVICES POST EMPLOYMENT HEALTH CARE SAVINGS PLAN

This resolution appears as Resolution No. 11341.
F. Consideration of the approval of a resolution supporting local decision-making authority. (S.R. NO. 50)

RESOLUTION NO. 11342
RESOLUTION SUPPORTING LOCAL DECISION-MAKING AUTHORITY

This resolution appears as Resolution No. 11342.

G. Consideration of the approval of a resolution opposing proposed legislation HF739/SF561 regarding unregulated access to public right-of-way for installation of small cell wireless equipment and distributed antenna systems. (S.R. NO. 51)

RESOLUTION NO. 11343
RESOLUTION OPPOSING THE PROPOSED LEGISLATION HF739/SF561 REGARDING UNREGULATED ACCESS TO PUBLIC RIGHT-OF-WAY FOR INSTALLATION OF SMALL CELL WIRELESSS EQUIPMENT AND DISTRIBUTED ANTENNA SYSTEMS

This resolution appears as Resolution No. 11343.

H. Consideration of the approval of the second reading of an ordinance regulating trapping, snaring, hawking and falconry in the City of Richfield. (S.R. NO. 52)

I. Consideration of the approval of the second reading of an ordinance amending City Code Subsection 710.23 related to private water supplies and cross-connection control and approval of a resolution authorizing summary publication. (S.R. NO. 53)

RESOLUTION NO. 11344
RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDMENT TO SUBSECTION 710.23 OF THE RICHLFIEFD CITY CODE PERTAINING TO PRIVATE WATER SUPPLIES AND CROSS-CONNECTION CONTROL

This resolution appears as Resolution No. 11344.

J. Consideration of the approval of the second reading of an ordinance amending City Code Section 205 related to Rules of Council Procedure and approval of a resolution authorizing summary publication. (S.R. NO. 54)

RESOLUTION NO. 11345
RESOLUTION APPROVING SUMMARY PUBLICATION OF AN ORDINANCE AMENDING SECTION 205 OF RICHFIELD CITY CODE PERTAINING TO RULES OF COUNCIL PROCEDURE

This resolution appears as Resolution No. 11345.

K. Consideration of the approval of the first reading of ordinance amendments that will create a Cedar Corridor Overlay District and change the zoning of properties with the Cedar Corridor area (roughly 66th Street to 77th Street, east of 17th Avenue) to match the designations in the Comprehensive Plan and schedule the second reading April 11, 2017. (S.R. NO. 55)

M/Regan Gonzalez, S/Howard to approve the consent calendar.

Council Member Howard commented on the importance of Item #5.F.
Council Member Regan Gonzalez echoed Council Member Howard’s comments on Item #5.F. and thanked staff and the League of Minnesota Cities for their work on this item. She also thanked those who donated for Item #5.C. and #5.D.

Motion carried 4-0.

<table>
<thead>
<tr>
<th>Item #6</th>
<th>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</th>
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<td></td>
<td>None.</td>
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<tr>
<th>Item #7</th>
<th>PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF THE SECOND READING OF A TRANSITORY ORDINANCE PROVIDING FUNDING FOR CERTAIN CAPITAL IMPROVEMENTS FROM THE SPECIAL REVENUE FUND. (S.R. NO. 56)</th>
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<td></td>
<td>Council Member Howard presented Staff Report No. 56. He asked staff to provide more information on the Ice Arena Refrigeration project.</td>
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<td>Finance Manager Regis responded the funds are the first year of savings, part of the financing plan to convert the refrigeration units at the two rinks.</td>
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<td>M/Howard, S/Garcia to close the public hearing.</td>
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<td>Motion carried 4-0.</td>
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<td>M/Howard, S/Elliott to approve second reading of the transitory ordinance providing for the expenditure of funds from the Special Revenue Fund for certain capital improvements.</td>
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<td>Motion carried 4-0.</td>
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<tr>
<th>Item #8</th>
<th>PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF THE SECOND READING OF AN INTERIM ORDINANCE MODIFYING REGULATIONS RELATED TO TEMPORARY SIGNS ALONG 66TH STREET AND A RESOLUTION AUTHORIZING SUMMARY PUBLICATION. (S.R. NO. 57)</th>
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<tr>
<td></td>
<td>Council Member Regan Gonzalez presented Staff Report No. 57.</td>
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<td>M/Howard, S/Garcia to close the public hearing.</td>
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<td>Motion carried 4-0.</td>
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<td>Council Member Howard encouraged residents to visit local businesses on 66th Street during construction.</td>
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<td></td>
<td>Mayor Elliott added he is encouraged the City was able to respond to the requests of the businesses that will be impacted during the construction.</td>
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</table>
M/Regan Gonzalez, S/Garcia to approve the second reading of an interim ordinance modifying regulations related to temporary signs along 66th Street and a resolution authorizing summary publication.

RESOLUTION NO. 11346
RESOLUTION APPROVING SUMMARY PUBLICATION OF AN INTERIM ORDINANCE REGULATING TEMPORARY SIGNS

Motion carried 4-0. This resolution appears as Resolution No. 11346.

| Item #9 | PUBLIC HEARING AND CONSIDERATION OF THE APPROVAL OF A RESOLUTION GRANTING APPROVAL OF THE FINAL PLAT OF THE RICHFIELD ASSISTED LIVING ADDITION. (S.R. NO. 58) |

Council Member Regan Gonzalez presented Staff Report No. 58.

M/Howard, S/Garcia to close the public hearing.

Motion carried 4-0.

M/Regan Gonzalez, S/Garcia to approve a resolution granting approval of the final plat of the Richfield Assisted Living Addition.

RESOLUTION NO. 11347
RESOLUTION GRANTING PRELIMINARY APPROVAL OF A PLAT FOR RICHFIELD ASSISTED LIVING ADDITION

Motion carried 4-0. This resolution appears as Resolution No. 11347.

| Item #10 | CONSIDERATION OF THE APPROVAL OF A RESOLUTION AWARDSING FOR THE SALE OF $9,335,000 GENERAL OBLIGATION STREET RECONSTRUCTION BONDS, SERIES 2017A. (S.R. NO. 59) |

Mayor Elliott presented Staff Report No. 59. He invited Rebecca Kurtz, Ehlers & Associates, to provide additional information.

Kurtz presented the City received eight (8) bids, with the low bid from PNC Capital Markets of Philadelphia, PA, for 2.49%; Ehlers had estimated 2.90%. This reduced the bond size from $9,335,000 to $9,130,000, due to a premium bid, lower discount rate, and lower cost of issuance. She also discussed the bonds were rated through Standard & Poors and affirmed the S&P AA+ rating.

Mayor Elliott commented on the Standard & Poors rating and read from the report.

M/Elliott, S/Howard to approve a resolution awarding the sale of General Obligation Street Reconstruction Bonds, Series 2017A, in the original aggregate principal amount of $9,335,000; fixing their form and specifications; directing their execution and delivery; and providing for their payment.

RESOLUTION NO. 11348
A RESOLUTION AWARDSING THE SALE OF GENERAL OBLIGATION STREET RECONSTRUCTION BONDS, SERIES 2017A, IN THE
ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF $9,130,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT

Motion carried 4-0. This resolution appears as Resolution No. 11348.

Item #11

CONSIDERATION OF THE APPROVAL OF A RESOLUTION DECLARING A VACANCY IN THE OFFICE OF COUNCIL MEMBER WARD ONE, CALLING FOR A SPECIAL ELECTION, AND ESTABLISHING A FILING PERIOD FOR NOMINATION PETITIONS (S.R. NO. 60)

Mayor Elliott presented Staff Report No. 60.

M/Elliott, S/Garcia to approve the resolution declaring a vacancy in the Office of Council Member Ward One, calling for a Special Election, and establishing a filing period for nomination petitions.

RESOLUTION NO. 11349
RESOLUTION DECLARING A VACANCY IN THE OFFICE OF COUNCIL MEMBER, CALLING FOR A SPECIAL ELECTION, AND ESTABLISHING A FILING PERIOD FOR NOMINATION PETITIONS

Motion carried 4-0. This resolution appears as Resolution No. 11349.

Item #12

CONSIDERATION OF THE FOLLOWING ITEMS RELATED TO THE RICHFIELD COMMUNITY BAND SHELL PROJECT:
1. REJECT ALL BIDS RECEIVED FEBRUARY 9, 2017, FOR BID DIVISIONS RSB-03-1 EARTHWORK, CONCRETE, MASONRY AND MISCELLANEOUS METALS; RSB-07-1 ROOFING ARCHITECTURAL SHINGLES; AND RSB-26-1 ELECTRICAL AND TEMPORARY POWER.
2. REJECT ALL BIDS RECEIVED MARCH 20, 2017, FOR BID DIVISION RSB-09-1 ROUGH AND FINISH CARPENTRY, STRUCTURAL WOOD, PAINTING, AND MISCELLANEOUS FINISHES.
3. AUTHORIZE STAFF TO RE-BID THE PROJECT AT A FUTURE DATE. (S.R. NO. 61)

Council Member Garcia presented Staff Report No. 61. She invited Sue Sandahl to say a few words.

Sandahl, 7601 Bryant Ave S, stated she was speaking on behalf of Friends of the Richfield Band Shell, a non-profit organization. She stated they are committed to a band shell in Veterans Park and provided information on the group and its recent fundraising.

M/Garcia, S/Elliott to reject all bids received February 9, 2017, for bid divisions RSB-03-1 Earthwork, Concrete, Masonry and Miscellaneous Metals; RSB-07-1 Roofing Architectural Shingles; and RSB-26-1 Electrical and Temporary Power. Reject all bids received March 20, 2017, for bid division RSB-09-1, Rough and Finish Carpentry, Structural Wood, Painting, and Miscellaneous Finishes. Authorize staff to re-bid to project at a future date.

Motion carried 4-0.
Item #13  CITY MANAGER’S REPORT

None.

Item #14  CLAIMS AND PAYROLLS

M/Garcia, S/Elliott that the following claims and payrolls be approved:

**U.S. Bank**  
03/14/17

A/P Checks: 257328 - 257631  
Payroll: 126069 - 126386  
TOTAL  

$1,283,903.17  
589,925.74  
$1,873,828.91

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**U.S. Bank**  
03/28/17

A/P Checks: 257632 - 257912  
Payroll: 126387 - 126710, 42711 - 42753  
TOTAL  

$1,204,467.93  
603,795.45  
$1,808,263.38

Motion carried 4-0.

OPEN FORUM

None.

Item #15  ADJOURNMENT

The City Council Meeting was adjourned by unanimous consent at 8:12 p.m.

Date Approved:  April 11, 2017

Pat Elliott  
Mayor

Jared Voto  
Executive Aide/Analyst

Steven L. Devich  
City Manager
CALL TO ORDER

The work session was called to order by Mayor Elliott at 6:30 p.m. in the Fred Babcock Room.

Council Members Present: Pat Elliott, Mayor; Edwina Garcia; Maria Regan Gonzalez; and Michael Howard

Staff Present: Melissa Poehlman, City Planner.

Item #1 INTERVIEWS FOR COMPREHENSIVE PLAN ADVISORY COMMITTEE

<table>
<thead>
<tr>
<th>Paul Densmore</th>
<th>Bethany Schmoll</th>
<th>Michele McGee</th>
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</thead>
<tbody>
<tr>
<td>Rick Jabs</td>
<td>Candace Johnson</td>
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</tbody>
</table>

ADJOURNMENT

The work session was adjourned by unanimous consent at 8:03 p.m.

Date Approved: April 11, 2017

______________________________
Pat Elliott
Mayor

______________________________
Jared Voto
Executive Aide/Analyst

______________________________
Steven L. Devich
City Manager
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution in support of the The Convention on the Elimination of all Forms of Discrimination Against Women.

EXECUTIVE SUMMARY:
In September 2016, a Richfield resident, Grace Verbrugge, presented to the Richfield Human Rights Commission requesting their consideration to pass a resolution in support of The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). CEDAW is a global international treaty that was first adopted by the United Nations in 1979.

The Human Rights Commission unanimously passed the resolution at their November 2016 meeting and is requesting consideration of passing a resolution in support of CEDAW.

RECOMMENDED ACTION:
By Motion: Approve a resolution in support of the The Convention on the Elimination of all Forms of Discrimination Against Women.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
   - Information contained in the Executive Summary.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
   - With the resolution, we affirm the following commitments to our residents:
     - We desire to ensure that females of all ages living in Richfield enjoy all the rights and privileges and remedies that are bestowed on all U.S. Citizens, regardless of gender.
     - Richfield is a Minnesota city in which discrimination and violence against women and girls will never be tolerated.
     - Richfield is a city in which females from all ages can thrive.

C. CRITICAL TIMING ISSUES:
   - None

D. FINANCIAL IMPACT:
E. **LEGAL CONSIDERATION:**
   - There are no legal considerations.

**ALTERNATIVE RECOMMENDATION(S):**
   - Council may choose to not approve the resolution and direct staff how to proceed.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
Mark Westergaard and Grace Verbrugge

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>Resolution</td>
<td>Resolution Letter</td>
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<tr>
<td>CEDAW Supporting Documentation</td>
<td>Backup Material</td>
</tr>
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</table>
RESOLUTION NO.

RESOLUTION SUPPORTING RESIDENTS FOR THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) INITIATIVE

WHEREAS, the Richfield Human Rights Commission was chartered to secure human rights and equal opportunity for the citizens of Richfield in the areas of housing, employment, public accommodations, public services, and education and to align its goals with those who set forth in the Minnesota Human Rights Act.

WHEREAS, the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) was adopted by the United Nations General Assembly on December 18, 1979, and became an international treaty as of September 3, 1981, and 189 UN member nations have agreed to bound by The Convention on the Elimination of all forms of Discrimination Against Women’s provisions; and

WHEREAS, although women have made gains in the struggle for equality in many areas, we must accomplish more to fully eradicate gender based discrimination and to achieve one of the most basic human rights – equality; and

WHEREAS, in 2014, Minnesota passed the Women’s Economic Security Act (WESA) which included steps toward closing the gender pay gap, expanding family and sick leave for working families, helping older women be economically secure, and providing support for women-owned small businesses; and

WHEREAS, the Richfield City Council desires to ensure that females of all ages living in Richfield enjoy all the rights and privileges and remedies that are bestowed on all United States Citizens, regardless of gender. Richfield is a Minnesota city in which discrimination and violence against females will never be tolerated. Richfield is a city in which females can thrive; and

WHEREAS, the CEDAW provides a comprehensive framework for governments to examine their policies and practices relating to females and to rectify gender based discrimination; and

WHEREAS, City and County governments have an appropriate and legitimate role affirming the importance of eliminating all forms of discrimination against women in communities as universal norms and to serve as guides for public policy; and

WHEREAS, the Richfield Human Rights Commission requests passage of a resolution supporting the CEDAW.
NOW, THEREFORE, BE IT RESOLVED, that the City Council supports the CEDAW and is committed to eliminating all forms of violence against women, to promote the health and safety of women, and to affording them equal academic, economic, and business opportunities in Richfield, Minnesota.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of April, 2017.

ATTEST:

Pat Elliott, Mayor

__________________________
Elizabeth VanHoose, City Clerk
What is CEDAW?

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

- to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.

The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.

# Cities for CEDAW: Status of Local Activities

## Cities with CEDAW Ordinance

<table>
<thead>
<tr>
<th>City/County/State</th>
<th>State</th>
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<tbody>
<tr>
<td>San Francisco</td>
<td>California</td>
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<td>Los Angeles</td>
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<td>Berkeley</td>
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<td>Honolulu</td>
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## Cities with CEDAW Resolution

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Cincinnati</td>
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<td>Tampa</td>
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<td>West Hollywood</td>
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## Cities Exploring Possible CEDAW Ordinance or Resolution

<table>
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<tr>
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<tbody>
<tr>
<td>Ashland</td>
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<td>New York</td>
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<td>Orange County</td>
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<td>Cities for CEDAW: Status of Local Activities</td>
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<thead>
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<td>Tacoma</td>
<td>Washington</td>
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<tr>
<td>Ypsilanti</td>
<td>Michigan</td>
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¹ For further information on Cities for CEDAW, please visit citiesforcedaw.org
² These cities have adopted a resolution affirming support for the principles of CEDAW, or have one pending.
³ Note: this was passed by the Kentucky House of Representatives. There is no similar resolution in the State Senate.
⁴ This ordinance has been proposed but not yet been adopted by the DC City Council.
⁵ These include cities that have begun organizing Cities for CEDAW activity (e.g., forming coalitions of civil society organizations; meeting with city council members), but have not yet formally introduced a resolution or ordinance.
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution amending a Planned Unit Development, Conditional Use Permit, and Final Development Plan to allow construction of a new Panera Bread restaurant building with a drive-thru at The Shops at Lyndale.

EXECUTIVE SUMMARY:
Final development plans for The Shops at Lyndale were approved by the City Council in 1994. The development includes a variety of big box retail anchors and smaller retail and restaurant businesses. A standalone restaurant building located near the center of the development has been vacant since the Don Pablo's restaurant closed in mid-2016. CSM Corporation ("the Developer") is proposing to demolish the former Don Pablo's building and construct a new Panera Bread restaurant building with a drive-thru. The Developer met with City staff in January of this year to discuss the proposal and is now applying for an amendment to the Planned Unit Development, Conditional Use Permit, and Final Development Plan.

The proposed use is substantially similar to previously approved plans, replacing the former "full service" restaurant with a "convenience" restaurant with drive-thru. Proposed changes to the site include reconfiguration of the parking lot to accommodate the drive-thru service, resulting in a net loss of one parking space. No other changes are proposed elsewhere in The Shops at Lyndale development at this time. The Planning Commission reviewed the proposal and recommended approval with an additional stipulation to require a pedestrian connection to the existing pedestrian network within the development, subject to approval by City staff. Staff supports the inclusion of a pedestrian connection as well. Finding that the proposal meets requirements, staff recommends approval of the amended Planned Unit Development, Conditional Use Permit and Final Development Plan.

RECOMMENDED ACTION:
By motion: Approve a resolution amending a Planned Unit Development, Conditional Use Permit and Final Development Plan to allow construction of a new Panera Bread restaurant building with a drive-thru at The Shops at Lyndale.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
• Discussed in Executive Summary.

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

- **Planned Unit Development / Conditional Use Permit / Final Development Plan:** There are a number of sets of review criteria that apply to this proposal. A full discussion of all requirements is included as an attachment to this report.

- **Proposed changes from previously approved plans:** The proposal requests to replace a 7,600 square foot "Class I: full-service" restaurant with a 4,916 square foot "Class III: convenience" restaurant with drive-thru service. Proposed changes to the site include reconfiguration of the parking lot to accommodate the drive-thru service, resulting in a net loss of one parking space. For both uses, parking requirements are calculated separately from the overall shopping center. While "convenience" restaurants carry higher parking requirements than "full-service" restaurants (17 per 1,000 square feet vs. 10 per 1,000 square feet), there is a net surplus of parking available in the overall Shops at Lyndale development. The Developer has provided the necessary cross-access agreements to share parking across the various parcels of the development.

- **The following variations from standard requirements are requested:**
  - **Building orientation:** Code requires that buildings be oriented such that at least one primary entrance faces the public street rather than the interior of the site. Given the location of this building within the overall development, this requirement is not met. Orienting the building to face 77th Street would have minimal benefit, as it is set back over 300 feet from the street and lacks a direct pedestrian connection to 77th Street. As noted in the Executive Summary, the Planning Commission recommended the inclusion of a pedestrian connection to the existing pedestrian network within the development. This connection will bring the proposal closer to meeting the intent of this regulation, as well as Subsection 544.15, which guides pedestrian circulation and access.

C. **CRITICAL TIMING ISSUES:**

- **60-DAY RULE:** The 60-day clock started when a complete application was received on March 9, 2017. A decision is required by May 8, 2017 or the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

D. **FINANCIAL IMPACT:**

- None

E. **LEGAL CONSIDERATION:**

- A public hearing was held before the Planning Commission on March 27, 2017.
- Notice of the public hearing was published in the *Sun Current* on March 16, 2017, and mailed to properties within 350 feet of the site. No members of the public spoke at the public hearing.
- The Planning Commission recommended approval of the proposal, with an additional stipulation to require a pedestrian connection to the existing pedestrian network at Shops at Lyndale, subject to approval by City staff.

**ALTERNATIVE RECOMMENDATION(S):**

- Approve the amended Planned Unit Development, Conditional Use Permit and Final Development Plan with additional and/or modified stipulations.
- Deny the request with a finding that the proposal does not meet City requirements.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Justin Wing, CSM Corporation

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>Resolution</td>
<td>Resolution Letter</td>
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<tr>
<td>Requirements attachment</td>
<td>Backup Material</td>
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RESOLUTION NO. ______

RESOLUTION APPROVING AN AMENDED
FINAL DEVELOPMENT PLAN
AND CONDITIONAL USE PERMIT
FOR THE SHOPS AT LYNDALE
PLANNED UNIT DEVELOPMENT

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 a new restaurant building with a drive thru to replace the former Don Pablos restaurant building in the planned unit development known at The Shops at Lyndale, located at approximately 77th Street West and Lyndale Avenue, property legally described as:

LOTS 1, 2, 3, 4, 5 AND OUTLOT A, BLOCK 1, THE SHOPS AT LYNDALE, 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 March 27, 2017 meeting; and

WHEREAS, the Planning Commission recommended the inclusion of a pedestrian connection to the existing pedestrian network within the development; and

WHEREAS, notice of the public hearing was mailed to properties within 350 feet of the subject property on March 14, 2017 and published in the Sun-Current on March 16, 2017 and; and

WHEREAS, the requested amendment to the final development plan and conditional use permit meets those requirements necessary for approving a planned unit development as specified in Richfield’s Zoning Code, Section 542.09, Subd. 3 and as detailed in City Council Staff Report No.______; and

WHEREAS, the request meets those requirements necessary for approving a conditional use permit as specified in Richfield’s Zoning Code, Section 547.09, Subd. 6 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 new restaurant building with a drive thru to replace the former Don Pablos restaurant 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.
   • A pedestrian connection to the existing pedestrian network is required, subject to approval by Community Development and Public Works staff.
   • A minimum of 4 bicycle parking spaces are required near the main entrance. Include on revised plans sufficient parking for a minimum of 4 bikes.
   • 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 March 10, 2017 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 11th day of April, 2017.

   ________________________________
   Pat Elliott, Mayor

   ATTEST:

   ________________________________
   Elizabeth VanHoose, 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.* The Comprehensive Plan guides this area for regional commercial development. The proposed building and use would replace a vacant former restaurant building.

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 has been designed to function in a substantially similar manner as the building it replaces.

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 development is in substantial compliance with the intent of the guiding C-2 District.

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 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.

6. *The terms and conditions proposed to maintain the integrity of the plan are sufficient to protect the public interest.* This requirement is met; appropriate stipulations have been incorporated into the final resolution.

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 use is consistent with the intent of the Planned General Business District and the underlying General Business District. The proposal provides complementary commercial development that is compatible with adjacent properties and no significant adverse impacts are anticipated.
3. The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines. The proposed use is similar to the previous use and is consistent with the previously adopted Planned Unit Development for this area.

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, with the following exception: Code requires that buildings be oriented such that at least one primary entrance faces the public street rather than the interior of the site (544.07, Subd. 2.) Given the location of this building within the overall development, this requirement is not met. Orienting the building to face 77th Street would have minimal benefit, as it is set back over 300 feet from the street and the site lacks a direct pedestrian connection to 77th Street. The Planning Commission recommended the inclusion of a pedestrian connection to the existing pedestrian network within the development, subject to approval by City staff. This connection will bring the proposal closer to meeting the intent of this regulation and Subsection 544.15, which guides pedestrian circulation and access.

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.

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.
ACCORDANCE WITH LOCAL CODES.

RESPONSIBLE FOR SIZING AND SPECIFYING BACKFLOW PREVENTER IN
INSTALLED BY IRRIGATION CONTRACTOR. IRRIGATION DESIGNER SHALL BE
ALL UTILITIES.

THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO
ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF
THE LANDSCAPE INSTALLER.

LOCATE ALL UTILITIES AND SITE LIGHTING CONDUITS BEFORE
LANDSCAPE CONSTRUCTION BEGINS.

CALL before you dig.

NOTE: SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE.

FROM TOP 1/3 OF THE BALL
REMOVE BURLAP & ROPE
UNDISTURBED SUBSOIL
4 INCHES MULCH
WHITE FLAGGING (TYP.)
PAINTED FLUORESCENT ORANGE
COVERED W/2-PLY RUBBER HOSE
8" 2-PLY RUBBER HOSE
PAINTED FLUORESCENT ORANGE

DRIVE BOX 1900

DEAL WITH BY 1000 FT. MOUTH

TREE WRAP

20' 20'

SHRUB PLANTING

#2 POT CONT.

PLANT AS SHOWN

COMMON NAME/
COMMON NAME/
GOLDSTRUM BLACK EYED SUSAN
GOLDSTRUM BLACK EYED SUSAN
Hermerocallis
Hermerocallis KARL FOERSTER - REED GRASS
KARL FOERSTER - REED GRASS
Calamagrostis x Acutiflora
Calamagrostis x Acutiflora
GOLDSTRUM BLACK EYED SUSAN
GOLDSTRUM BLACK EYED SUSAN
Bearded Iris
Bearded Iris

GAS
GAS

GAS
GAS

LANDSCAPE DETAILS

PROPOSED LEGEND

N.T.S.
N.T.S.

NOTE: SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE.

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GAS
GAS

GAS
GAS

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N.T.S.

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Bearded Iris
Bearded Iris

GAS
GAS

GAS
GAS

LANDSCAPE DETAILS

PROPOSED LEGEND

N.T.S.
N.T.S.

NOTE: SEE LANDSCAPE NOTES FOR THE TYPE OF MULCH MATERIAL TO USE.
All electrical signs shall comply with the National Electric Code (Article 600) and be manufactured according to Underwriters Laboratories U.L. 4879 standards and labeled accordingly.

28962-1

SUPERVISION

Jim M. - Wendy R.

#6021

980 78th Street
RICHFIELD, MN

LOCATION

12/21/16

28962.7
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a contract in the amount of $42,211 with Ron Kassa Construction, Inc. for the 2017 Alley Paving project.

EXECUTIVE SUMMARY:
There are four partial alleys in Richfield that have yet to be paved. Due to several complaints about the condition of the unpaved alleys as well as ongoing maintenance concerns, staff recommended in 2016 that the Council consider paving the remaining alleys.

On January 24, 2017, the City Council approved a resolution ordering plans and specifications for the paving of three of the remaining alleys. The alley on 63rd Street between James and Irving Avenues was removed based on comments at the January 24 public hearing.

Because the total estimate for the project was below the amount required to go to a competitive sealed bid process, staff obtained quotes from three reputable concrete contractors. All three contractors have previously worked with the City. The lowest responsive and responsible quote was received from Ron Kassa Construction, Inc. for the amount of $42,211.00. This quote is consistent with engineering estimates and staff recommends approval of the contract for this amount.

RECOMMENDED ACTION:
By Motion: Approve a contract in the amount of $42,211 with Ron Kassa Construction, Inc. for the 2017 Alley Paving project.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
   • On October 11, 2016, the City Council ordered the preparation of a preliminary report for the 2017 Alley Paving project.
   • A resolution receiving the preliminary report was approved on December 13, 2016. At the same time, the City Council set a public hearing on the project for January 24, 2017.
   • A public meeting for affected residents was held on Wednesday, January 11, 2017 from 4:30 – 6:30 p.m. at the Wood Lake Nature Center.
   • Notices of the informational meeting and notices of the public hearing were mailed out separately
to impacted residents. A public comment form was also mailed to impacted properties to allow those not able to attend the public hearing an opportunity to provide input.

- All comment forms received by staff before the January 24, 2017, City Council meeting were provided to council members as part of the Public Hearing.

**Alley Paving Policy History**

- **1981** - The City Council established a policy providing for the improvement of the City’s alleys by concrete paving upon the receipt of petitions.
- **April 28, 1986** – At a study session, the City Council supported a recommendation to pave all remaining alleys without submittal of petitions.
- Alleys with questionable futures (alleys that fell within project areas) were excluded from the final paving project until plans for adjacent projects were finalized (including the Crosstown Project).

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

- It is City policy to pave all alleys with concrete.
- It is City policy to assess the adjacent property owner for the cost of the alley paving.

**C. CRITICAL TIMING ISSUES:**

- Per the contract, work may begin as soon as June 1, 2017, and must be completed by August 30, 2017.
- Contractor shall work with the Engineer to coordinate with the current 66th Street Reconstruction Project to ensure no interference between the two projects.

**D. FINANCIAL IMPACT:**

- It is anticipated that 100% of the project cost will be assessed to adjacent property owners over a 7-year period at a 3% interest rate.
- The estimated cost of the improvements is $48,542.65 (includes estimated 15% administration & engineering costs).
- Assessed amount will be based on actual costs after construction completion.

**E. LEGAL CONSIDERATION:**

- The City Attorney will be available to answer questions.
- Staff is following Minnesota Statute 429 (local improvements) process for the assessment.

**ALTERNATIVE RECOMMENDATION(S):**

- None.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

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<th>Description</th>
<th>Type</th>
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<tr>
<td>Revised Alley Locations</td>
<td>Exhibit</td>
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<tr>
<td>Alley Typical Section</td>
<td>Exhibit</td>
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</table>
74th St – Between 5th Ave and Portland Ave
CONCRETE PAVEMENT, 6 INCHES DEEP.

SUBCUT 10 INCHES DEEP. COMPACT EXCAVATED SURFACE TO 100% OF STD PROCTOR DENSITY.
REPLACE WITH 4 INCHES OF CLASS 5 AGGREGATE.
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution appointing election judges for the May 23, 2017, Special Election.

EXECUTIVE SUMMARY:
The Special Election for Ward One is on Tuesday, May 23, 2017.

The City Clerk’s office is updating and verifying the City’s election judge availability list. All individuals who have previously served as an election judge, were on the list submitted to the County Auditor by the major political parties, or have expressed an interest in serving as an election judge were asked to complete an online election judge application.

Election judges will be assigned to the precincts based on availability, party balance, and the number required for each election.

RECOMMENDED ACTION:
By Motion: Approve a resolution appointing election judges for the May 23, 2017, Special Election.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
  - Minnesota Statute 204B.21 Subd. 2 provides that election judges for precincts in a municipality shall be appointed by the governing body of the municipality and that the appointments be made at least 25 days before the election at which the election judges will serve.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
  - The City Council is required by State Statute to make election judge appointments at least 25 days prior to the election. The proposed resolution contains names of those qualified individuals who have indicated a willingness and ability to serve as an election judge for the May 23, 2017 Special Election.

C. CRITICAL TIMING ISSUES:
  - If the City Council does not appoint election judges, the conduct of the election would not be valid.
D. **FINANCIAL IMPACT:**
   - Having a Special Election will result in having to schedule election judges for appropriate coverage, which will increase election costs.

E. **LEGAL CONSIDERATION:**
   - The City Council must appoint election judges to serve at these elections to comply with Minnesota Statute 204B.21, Subd. 2. The names come from a list of people who have indicated their interest in serving as an election judge to the County Auditor pursuant to the provisions of M.S. 204B.21 Subd. 1 and those who have previously served or indicated interest in serving.

**ALTERNATIVE RECOMMENDATION(S):**
   - The City Council may choose to appoint other individuals as election judges who are not named in the resolution.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
None

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution</td>
<td>Resolution Letter</td>
</tr>
</tbody>
</table>
RESOLUTION NO.

RESOLUTION APPOINTING ELECTION JUDGES FOR
THE MAY 23, 2017, SPECIAL ELECTION

WHEREAS, a Special Election will be held on Tuesday, May 23, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of
Richfield, Minnesota, that the following are hereby appointed as judges for said elections:

Elizabeth VanHoose  Sandra Decker  Michele McGee
Yvonne Atkins       Liz Ekholm     Sandy Menning-Glavan
Donna Englerd       Betty Elenbaas Richard Morey
Angie Faison        Carolyn Engeldinger Linda Nemitz
Sharon Flick        Jeanne Exline Marilyn Nienkerk
Nancy Gibbs         Denise Famodu Cindy Norland
John Holter         Edward Fletcher Martha(Betty)Obenchain
Sally Morton        Francie Fletcher Chris Okey
Veronica Martinez-Hernandez Sharon Foster Joan Olinge
Kari Sinning        Robert Hall Robert Olson
Julie Smith         Cheryl Hjortaas Monica Petrov
Marlys Solt         Janette Holter Roger Swanson
Judy Wood           Christopher Irving Mark Tilc
Maggie Johnson      Kathy Johnson John Twisk
Janis Anderson      Sita Johnson David Vrieze Daniels
James Atkins        Thomas Keegan Erin Vrieze Daniels
Linda Boyd          Claire Killian Nancy Walstrom
Marjorie Cain       Elisabeth Kingdon Sandra Walstrom
Ellen Cutter        Nancy Lindberg Molly Weber
David Dahl          Richard Loney Elaine Wetsch
Scott Dahlquist     Cynthia Mandl Brenda Kupfer
Erin Vrieze Daniels Lawrence Martin Eileen Davenport

BE IT FURTHER RESOLVED that the City Clerk is with this, authorized to make
any substitutions or additions as deemed necessary.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of April,
2017.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a request for a new Therapeutic Massage Enterprise license for Concierge Spa, LLC, located at 7620 Penn Avenue South.

EXECUTIVE SUMMARY:
On March 10, 2017, the City received an application for a new Therapeutic Massage Enterprise license for Concierge Spa, LLC, located at 7620 Penn Avenue South. All required information, documents, and fees have been received.

The Public Safety background investigation has been completed. The Public Safety Director has reviewed the background investigation report. None of the information in the report would cause the Public Safety Director to recommend denial of the requested license.

RECOMMENDED ACTION:
By Motion: Approve the request for a new Therapeutic Massage Enterprise license for Concierge Spa, LLC, located at 7620 Penn Avenue South.

BASIS OF RECOMMENDATION:
A. HISTORICAL CONTEXT
   - The Public Safety background investigation has been completed and reveals the following:
     - The applicant has paid the required licensing fees.
     - The required proof of liability insurance has been submitted showing Allied Professionals Insurance as affording coverage.
     - All real estate and personal property taxes due and payable for the premises have been paid.
     - The business is owned solely by Christopher Kohler.
     - A criminal background check was conducted on Christopher Kohler and shows he has no known criminal history.
     - An application for a massage therapist was submitted by Blythe Davis. She has no known criminal history, and she is in good standing with the National Certification Board for Therapeutic Massage and Bodywork.
B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**
   - The applicant has complied with all the provisions of the application process.

C. **CRITICAL TIMING ISSUES:**
   - There are no critical timing issues.

D. **FINANCIAL IMPACT:**
   - Licensing fees have been received.

E. **LEGAL CONSIDERATION:**
   - There are no legal considerations.

**ALTERNATIVE RECOMMENDATION(S):**
- Deny the request for the Therapeutic Massage Enterprise license for Concierge Spa, LLC; however, Public Safety has not found any basis for denial.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
Representative of Concierge Spa, LLC
ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of ordinance amendments creating a Cedar Corridor Overlay District and change the zoning of properties with the Cedar Corridor area (roughly 66th Street to 77th Street, east of 17th Avenue) to match the designations in the Comprehensive Plan and approval of a resolution for summary publication of the same.

EXECUTIVE SUMMARY:
On September 27, 2016, the City Council adopted a Comprehensive Plan Amendment related to the Cedar Avenue Corridor area. The Master Plan and Amendment depict the City's vision for the future of this area and not imminent development plans. This amendment was approved by the Metropolitan Council on January 25, 2017. The City is now required to amend the Zoning Ordinance to agree with the Comprehensive Plan.

The vision put forth by the adopted Cedar Avenue Corridor (CAC) Master Plan is:
- To establish a renewed brand at a signature gateway to the City.
- To extend Richfield Parkway as an important north-south connector, as a neighborhood amenity, and as a transitional element between new land uses and the existing single-family neighborhood.
- To introduce new commercial uses that capitalize on the site's unique resources that directly serve the local community and that provide employment opportunities.
- To increase the diversity of housing options.
- To encourage rehabilitation and replacement of the lowest-quality housing stock.

With help from consultant JLG Architects, staff has drafted Overlay District regulations. These regulations will apply in addition to the zoning regulations of the underlying districts. Proposed regulations are based on the vision discussed in the CAC Master Plan; feedback received at community open houses (March 10, 2016 and June 1, 2106); and work sessions with the City Council, Housing and Redevelopment Authority, and Planning Commission (January 19, April 12, and May 24, 2016).

Summary of proposed regulations:

MR-2 USE MODIFICATIONS IN CAC OVERLAY DISTRICT
- Twin homes - Permitted (currently prohibited)
- Cluster Home Development - Remain conditional use, but prohibit detached single-family developments...
Bed and breakfast inns - Permitted (currently prohibited)
Exemptions for established single-family detached dwellings:
  - No new single-family homes shall be constructed or established.
  - Existing single-family detached dwellings shall be allowed to expand with a conditional use permit. Expansions are limited as follows:
    - Habitable space expansions limited to 300 square feet.
    - Total garage space cannot exceed 520 square feet and limited to one story.

MU-C USE MODIFICATIONS IN CAC OVERLAY DISTRICT
- Multi-family - Add minimum lot sizes of 0.5 acres
- Restaurants serving alcohol and taprooms/cocktail rooms - Permitted (currently conditioned on location along arterial or collector street)
- Theaters, movie, or live entertainment - Conditional (currently prohibited)
- Adult business establishments - Prohibited (currently permitted)
- Regional retail - Prohibited (currently conditionally permitted)
- Assembly and manufacturing - Conditional (currently only allowed as accessory and subordinate to retail)
- Outdoor storage - Prohibited (not explicitly addressed currently)
- Exemptions for established single-family detached dwellings (limitations are the same as in the MR-2 District, as described above)

BULK & DIMENSIONAL MODIFICATIONS IN CAC OVERLAY DISTRICT
- Allow buffer reduction between MR-2 (west side of 18th/Richfield Pkwy) and R (Single-Family) when additional landscaping and fencing creates 100 percent all-season opacity.
- Odor and noise provisions explicitly stated.
- Delivery traffic and operations must be oriented away from Richfield Parkway.
- Richfield Parkway designated as front yard (not Cedar Avenue).

Themes articulated by the neighborhood focused on allowing for business that could provide good jobs, but controlling for negative impacts (noise, odor, etc.). The neighborhood expressed a clear dislike for regional retail development and preferred encouragement of commercial development that would serve the area residents. Finally, the design regulations are intended to create a appropriate scale around the future Richfield Parkway. As is the case with any and all land use regulations, especially in fully-developed communities, application of these rules to a specific project can identify issues or additional opportunities. The proposed regulations are intended to help achieve the vision articulated by the Cedar Avenue Corridor Master Plan. However, modifications may be necessary in the future to accommodate development that meets the "spirit and intent" of the Master Plan even if it may not meet the more stringent zoning regulations.

In addition to the adoption of regulations specific to the Cedar Avenue Corridor, staff has made a number of administrative corrections to Appendix I of the City Code. This Appendix legally describes the boundaries of each zoning district and boundaries have been adjusted accordingly in the Cedar Corridor. Additionally, map numbers have been updated to reflect a revised internal numbering system and legal descriptions for properties that have been replatted in the last few years have been updated.

A public hearing was held before the Planning Commission on February 27, 2017. Although well-attended, only one resident addressed the Commission with questions. Written comments in support of the proposed amendment were received from the owners of one commercial property within the Corridor. The Planning Commission recommended approval of the proposed ordinance.

RECOMMENDED ACTION:
By Motion: Approve ordinance amendments creating a Cedar Avenue Corridor Overlay District, rezoning properties with the Cedar Avenue Corridor area, and making a number of administrative corrections to Appendix I of the City Code and approve a resolution for summary publication of the same.

BASIS OF RECOMMENDATION:
A. **HISTORICAL CONTEXT**
   - In 2004, the Minneapolis-St. Paul International Airport constructed a new "north-south" runway approximately 1,200 feet from residential areas in Richfield. In anticipation of the opening of the runway, the City of Richfield and the Metropolitan Airports Commission (MAC) commissioned a study to identify potential impact to nearby properties. The study, entitled Findings of the Low Frequency Noise Expert Panel, identified an area in Richfield where low frequency noise would create unacceptable negative impacts and the at noise insulation would not be fully adequate nor economically feasible. As a result, it was determined that Richfield would need to redevelop within this "low frequency noise impact area." The Cedar Avenue Corridor (CAC) Master Plan was last-updated in 2004 to address these impacts. With renewed interest in this area and expected transportation and access changes on the horizon, an update to the 2004 plan was needed. After several months of work, a new CAC Master Plan was adopted by the City Council on September 27, 2016. The proposed ordinance attempts to codify the vision put forth by this Master Plan.

B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**
   - The Comprehensive Plan is a vision and guide to future land use decisions in the City. The Zoning Code is one of the tools used to effectuate the vision and land use plans described by the Comprehensive Plan. State Statute requires that the Zoning Code and Comprehensive Plan agree.
   - In instances where the full text of an amendment is cumbersome and the expense of publication of the full text is not justified, the City is permitted to publish a summary of the approved text.

C. **CRITICAL TIMING ISSUES:**
   - Revised zoning regulations should be adopted as soon as possible so that the City's requirements for this area are clear to both residents and potential developers.
   - If approved, these regulations will take effect upon publication in the Sun Current Newspaper.

D. **FINANCIAL IMPACT:**
   - N/A

E. **LEGAL CONSIDERATION:**
   - A public hearing was held before the Planning Commission on February 27, 2017.
   - Notice of the hearing was mailed to properties within 350 feet of all properties proposed for rezoning and published in the *Sun Current* on February 16, 2017.
   - The Planning Commission recommended approval of the attached ordinance.
   - A first reading of the attached ordinance was approved by the City Council on March 28, 2017.

**ALTERNATIVE RECOMMENDATION(S):**
   - Recommend approval of the ordinance with amendments.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**
None

**ATTACHMENTS:**
<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>Ordinance</td>
<td>Ordinance</td>
</tr>
<tr>
<td>Resolution</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>Map - Current &amp; Proposed Zoning</td>
<td>Exhibit</td>
</tr>
<tr>
<td>Cedar Corridor Master Plan</td>
<td>Exhibit</td>
</tr>
</tbody>
</table>
ORDINANCE NO. ______
AN ORDINANCE RELATING TO ZONING; ESTABLISHING REGULATIONS
FOR A NEW CEDAR AVENUE CORRIDOR OVERLAY DISTRICT;
AMENDING SUBSECTION 512.01 OF THE RICHFIELD CITY CODE;
AMENDING THE RICHFIELD CITY CODE BY CREATING NEW
SUBSECTION 541.23; AMENDING SUBSECTION 537.07; AMENDING
APPENDIX I TO THE RICHFIELD CITY CODE BY REZONING
PROPERTIES WITHIN THE CEDAR AVENUE CORRIDOR AREA AS
MEDIUM DENSITY RESIDENTIAL AND MIXED-USE COMMUNITY AND
ALSO SUBJECT TO THE CEDAR AVENUE CORRIDOR OVERLAY
DISTRICT REGULATIONS

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Subsection 512.01, Subdivision 1 of the Richfield City Code is amended to read as
follows:

**512.01. Zoning districts.** Subdivision 1. Establishment of districts. In order to
carry out the purposes and provisions of this code, the city is hereby divided into the
following zoning districts:

<table>
<thead>
<tr>
<th>Residential Districts</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>R</td>
</tr>
<tr>
<td>Low Density Single Family Residential</td>
<td>R-1</td>
</tr>
<tr>
<td>Two Family Residential</td>
<td>MR-1</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>MR-2</td>
</tr>
<tr>
<td>High Density Multi-Family Residential</td>
<td>MR-3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Districts</th>
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</thead>
<tbody>
<tr>
<td>Service Office</td>
<td>S-O</td>
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<tr>
<td>Neighborhood Business</td>
<td>C-1</td>
</tr>
<tr>
<td>General Commercial</td>
<td>C-2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mixed-Use Districts</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed-Use Regional</td>
<td>MU-R</td>
</tr>
<tr>
<td>Mixed-Use Community</td>
<td>MU-C</td>
</tr>
<tr>
<td>Mixed-Use Neighborhood</td>
<td>MU-N</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Industrial Districts</th>
<th></th>
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<tbody>
<tr>
<td>Industrial</td>
<td>I</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Planned Unit Development Districts</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Planned Residential</td>
<td>PR</td>
</tr>
<tr>
<td>Planned Two Family Residential</td>
<td>PMR-1</td>
</tr>
<tr>
<td>Planned Multi-Family Residential</td>
<td>PMR</td>
</tr>
<tr>
<td>Planned Neighborhood Commercial</td>
<td>PC-1</td>
</tr>
</tbody>
</table>
Sec. 2.  Section 541 of the Richfield City Code is amended by adding new subsections after Subsection 541.17, the new subsections to read as follows:

541.19.  Cedar Avenue Corridor Overlay District.  Subdivision 1.  Purpose and intent.  The Cedar Avenue Corridor District promotes both redevelopment of existing structures and new development of consistent character to provide a balanced mix of compatible uses.  Design regulations are provided to produce structures of consistent character and of appropriate scale that transition from single family residential to higher density mixed use.  The intent of the Overlay District is to guide the design character of redevelopment and revitalization in ways that are sensitive to the intent of the Comprehensive Plan.

Subd. 2.  Creation of district and applicability.  The Cedar Avenue Corridor Overlay (CAC) District shall apply to properties designated within Appendix 1 of this Code.

Subd. 3.  Applicable regulations.  All permitted, accessory, conditional, and interim uses allowed in the underlying Districts shall be allowed in the CAC Overlay District with the following additions, qualifications, and/or exceptions:

The following abbreviations are used below:
Permitted use – P
Accessory use – A
Conditional use – C
Not permitted/prohibited - N

a)  MR-2 in the CAC Overlay District:
   •  Funeral Homes – P
   •  Twin Homes – P
   •  Cluster Home Development – C
     o  In addition to the conditions listed in Subsection 525.07, Subd. 3, no detached single-family dwellings are permitted.
   •  Bed and Breakfast Inns – P
   •  Outdoor Storage – N
   •  Exemption for established single-family detached dwellings:
     o  Single-family detached dwellings and associated garages existing prior to the adoption of this ordinance (xx/xx/2017) shall be allowed to expand through the issuance of a Conditional Use Permit.  Expansions shall be limited as follows:
- Habitable space expansions shall not exceed 300 square feet.
- Total garage space shall not exceed 520 square feet (or the square footage of the associated dwelling, whichever is smaller) and garage height shall be limited to 14 feet.
- The setback regulations and reductions of the Single-Family R District shall apply.

b) MU-C in the CAC Overlay District:
- Multi-Family (minimum lot size 0.5 acres)
- Restaurant Class I (serving alcohol) – P
- Taproom/Cocktail Room – A/C
  - All conditions of Subsection 537.05, Subd. 13 apply except Clause b related to location along an arterial or collector street.
- Theaters, movie or live entertainment – C
- Adult business establishments – N
- Regional retail services - N
- Assembly and manufacturing – C
- Outdoor storage – N
- Exemption for established single-family detached dwellings:
  - Single-family detached dwellings and associated garages existing prior to the adoption of this ordinance (xx/xx/2017) shall be allowed to expand through the issuance of a Conditional Use Permit. Expansions shall be limited as follows:
    - Habitable space expansions shall not exceed 300 square feet.
    - Total garage space shall not exceed 520 square feet (or the square footage of the associated dwelling, whichever is smaller) and garage height shall be limited to 14 feet.
    - The setback regulations and reductions of the Single-Family R District shall apply.

Subd. 4. Bulk and dimensional standards. All bulk and dimensional standards applicable in the underlying districts, as found in Subsections 525.11 (MR-2) and 537.07 (MU) of this Code, shall apply in the CAC District with the following additions, qualifications, and/or exceptions:

a) MR-2 in the CAC Overlay District:
- Minimum building height: 2 Stories
- Minimum front building setback: 10 feet
- Minimum parking required: 1.5 spaces per dwelling unit

b) MU-C in the CAC Overlay District:
- Maximum building height: 8 Stories
- A mix of uses, as prescribed by Subsection 537.07, Subd. 2 (b) is not required in the CAC District.
- Front yard setback for upper stories over the 5th Story: 75 ft.

Subd. 5. Other performance standards. All additional performance standards applicable in underlying districts shall apply in the CAC District with the following additions, qualifications, and/or exceptions:

a) Buffer standards between MR-2 and adjacent Single Family: The Council may reduce the requirements of Subsection 544.13, Subd. 5 to less than 15 feet if significant additional landscaping and fencing, with 100 percent all-season opacity, is provided.
b) The open space requirement described by Subsection 537.11, Subd. 9 does not apply in the CAC District.
c) Odor and Noise: No activity or operation shall be established or maintained that by reason of its nature or manner or operation will cause the emission of noise, odor, toxic or noxious fumes, smoke, dust, or particle matter that is perceptible beyond the property line.
d) Deliveries: Delivery traffic and operations must be oriented away from Richfield Parkway.
e) The through lot provision described by Subsection 509.07, Subd. 3 does not apply in the CAC District. Richfield Parkway is the designated front yard.

Sec. 3. Section 537.07, Subdivision 1 of the Richfield City Code related to bulk and dimensional standards in the Mixed Use Districts is amended to read as follows:

537.07. – Bulk and Dimensional Standards

Subdivision 1. The following table establishes certain bulk standards for the MU Districts:

Table 2.
Mixed Use Bulk and Dimensional Standards

<table>
<thead>
<tr>
<th>Standard</th>
<th>MU-R</th>
<th>MU-C</th>
<th>MU-N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Stories ¹</td>
<td>2 min</td>
<td>No max</td>
<td>2 min</td>
</tr>
<tr>
<td>Building Coverage</td>
<td>50% min</td>
<td>75% max</td>
<td>30% min</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>50% max</td>
</tr>
<tr>
<td>Maximum Impervious Surface</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>30% min</td>
<td>75% max</td>
<td>25% min</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>50% max</td>
</tr>
<tr>
<td></td>
<td>85% of gross</td>
<td>80% of gross</td>
<td>75% of gross</td>
</tr>
<tr>
<td>Coverage</td>
<td>parcel area</td>
<td>parcel area</td>
<td>parcel area</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>--------------------------------------------------</td>
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<tr>
<td>Usable Open Space Requirement</td>
<td>5% of gross parcel area</td>
<td>5% of gross parcel area</td>
<td>10% of gross parcel area</td>
</tr>
<tr>
<td>Street Level Active Use Building Frontage (^2)</td>
<td>60% minimum</td>
<td>50% minimum</td>
<td>No minimum</td>
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</table>

<table>
<thead>
<tr>
<th>Residential Setbacks (^3) (standard setbacks)</th>
<th>MU-R</th>
<th>MU-C</th>
<th>MU-N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front - build to line</td>
<td>10' min</td>
<td>20' max</td>
<td>10' min</td>
</tr>
<tr>
<td>Side</td>
<td>5' min</td>
<td>20' max</td>
<td>5' min</td>
</tr>
<tr>
<td>Rear (zero lot line setbacks)</td>
<td>5' min</td>
<td>20' max</td>
<td>5' min</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential Setbacks (^3) (zero lot line setbacks)</th>
<th>MU-R</th>
<th>MU-C</th>
<th>MU-N</th>
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</thead>
<tbody>
<tr>
<td>Front - build to line</td>
<td>10' min</td>
<td>20' max</td>
<td>10' min</td>
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<tr>
<td>Side</td>
<td>0' min</td>
<td>20' max</td>
<td>0' min</td>
</tr>
<tr>
<td>Rear</td>
<td>0' min</td>
<td>20' max</td>
<td>0' min</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial and Mixed Use Setbacks (^3) (standard setbacks)</th>
<th>MU-R</th>
<th>MU-C</th>
<th>MU-N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (build to line)</td>
<td>0' min</td>
<td>15' max</td>
<td>0' min</td>
</tr>
<tr>
<td>Side</td>
<td>5' min</td>
<td>15' max</td>
<td>5' min</td>
</tr>
<tr>
<td>Rear (zero lot line setbacks)</td>
<td>5' min</td>
<td>15' max</td>
<td>5' min</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial and Mixed Use Setbacks (^3) (zero lot line setbacks)</th>
<th>MU-R</th>
<th>MU-C</th>
<th>MU-N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front - build to line</td>
<td>0' min</td>
<td>15' max</td>
<td>0' min</td>
</tr>
<tr>
<td>Side</td>
<td>0' min</td>
<td>15' max</td>
<td>0' min</td>
</tr>
</tbody>
</table>
Rear | 0’ min | 15’ max | 0’ min | 15’ max | 0’ min | 15’ max
--- | --- | --- | --- | --- | --- | ---
Front yard setback for upper stories after the 3rd story | 20’ min | 45’ max | 20’ min | 45’ max | 20’ min | 15’ max
Set backs and landscape area (front yard parking) | 5’ min | 15’ max | 5’ min | 15’ max | 5’ min
Set backs and landscape area to I-494 | 15’ min | 45’ max | 15’ min | 45’ max | 15’ min | 15’ max

1 Parking structures shall not be included in calculation of building stories. Single story portions of structures may be allowed provided they are attached to a principal structure that is two (2) or more stories in height and that the footprint of the single story portion of the structure is no more than 40 percent of the total structure's footprint.

2 For buildings with multiple street frontages, the Street Level Active Use Building Frontage requirement shall apply to the primary street and other pedestrian oriented streets as determined by the Director. In cases where active use, pedestrian-oriented building frontage along secondary streets is not supportive of the purposes and intent of the mixed use districts (Subsection 537.01, Subd. 2) the Director may waive or reduce the required minimum percentage of Street Level Active Use Building Frontage on those secondary streets.

3 Standard setbacks apply to all uses except zero lot line developments. The front setback is a build-to line designed to locate buildings in close proximity to the public street. Zero lot line setbacks allow buildings to be placed on an interior property line if that structure and the adjacent structure are designed with that placement in mind and a compatible relationship of uses results, including consideration of circulation drives, open space, easements, utility parking areas and glazed facades.

Subd. 2. Mix of Uses Required. A mix of uses within a building is required in the MU-C district and other building use criteria apply to the MU-R and MU-N districts.

a) In the MU-R district a mix of uses is not required, however, residential uses are permitted up to 25 percent of the total building floor area on the site. i.e. if a site contains 100,000 square feet of building floor area, no more than 25,000 square feet of building area can be devoted to residential units and the common areas or associations that serve residential units.

b) In the MU-C district a mix of uses is required for development sites that exceed two (2) acres in size. No single use type (retail, office, service, hotel, residential, etc.) can exceed 75 percent of the total building floor area on the site.

c) In the MU-N district a mix of uses is not required, however, no more than 10% of the total building floor area on the site or within the development can be devoted to nonresidential uses. Total nonresidential floor area in a residential development or building shall not exceed 10,000 square feet.

Sec. 4. Appendix I of the Richfield City Code describing the boundaries of Zoning Districts is amended to read as follows:

Appendix I - BOUNDARIES OF ZONING DISTRICTS

Note— (M = Map Number of Official Zoning Map)
The zoning classifications of the City of Richfield are found in Section 512 of the City Code. The boundaries of these districts, as set forth by legal description, are as follows:

Section 1. - Industrial District (I).
(1) (Repealed, Bill No. 2009-7)
(2) (Repealed, Bill No. 2009-7)
(3) (Repealed, Bill No. 2009-7)
(4) (Repealed, Bill No. 2006-1)
(5) (Repealed, Ord. No. 2016-9)
(6) (Repealed, Bill No. 1998-17)
(7) (Repealed, Bill No. 2006-9)
(8) (Repealed, Bill No. 2006-9)
(9) (Repealed, Bill No. 2010-9)
(10) (Repealed, Bill No. 1998-17)

Section 2. - Neighborhood Business District (C-1).
(1) (Repealed, Bill No. 2010-22)
(2) (Repealed, Bill No. 2010-22)
(3) (Repealed, Bill No. 1999-11)
(4) M-54 (SE corner, 64th and Nicollet) Lots 1, 2, 3, and 4, Block 8, Towns Edge Addition.
(5) (Repealed, Bill No. 2011-27)
(6) (Repealed, Bill No. 1996-23)
(7) M-4512 (SE corner, 70th and Nicollet). That area lying between the center line of Nicollet Avenue and a line distant 93.5 feet west of the center line of First Avenue and parallel thereto, and between the center line of 70th Street and a line distant 152 feet southerly and parallel thereto. (Amended, Bill No. 1999-15)
(8) M-68 (NW corner, 70th and Nicollet). That area lying between the center line of Nicollet Avenue and a line distant 175 feet westerly and parallel thereto, and between the center line of 70th Street and a line distant 175 feet northerly and parallel thereto.
(9) M-68 (NE corner, 70th and Nicollet). That area lying between the center line Nicollet Avenue and the west line of Meredith's Addition, and between the center line of 70th Street and a line distant 133 feet northerly and parallel thereto. (Amended, Bill No. 2004-13)
(10) M-4713 (W side of Chicago, 71st to 72nd). That area lying between the east line of Block 1, Wallaces Sunnyside Acres 6th Addition and the center line of Chicago Avenue, and between the center line of 72nd Street and a line distant 200 ft. south and parallel to the center line of 71st Street. (Amended, Bill No. 1999-15, Bill No. 2010-22)
(11) (Repealed, Bill No. 1999-15)
(12) M-17 (NW corner, 74th and Cedar). Outlot 1, Evergreen Gardens Second Addition except for the North 465 feet thereof.
(13) M-25-83 (65th and Rae Drive). Tract D, R.L.S. No. 642, and that part of Tract E, R.L.S. No. 642, lying northerly of a line described as follows: commencing at a point on the westerly boundary line of said Tract E, which point is 201 feet southerly from the northwest corner of said Tract E, thence easterly at right angles to the westerly boundary line of said Tract E to a point on the easterly boundary line of said Tract E and there ending.
(14) (Repealed, Bill No. 2010-22)
(15) (Repealed, Bill No. 2010-22)
(16) M-4713 Block 2, Engberg Walden 2nd Addition. (Added, Bill No. 2010-22)
Section 3. - General Commercial District (C-2).

(1) M-9, 106 (S side of 66th at Washburn). That area lying between the center lines of Xerxes and Vincent Avenues, and between the center line of east-west alleys in Blocks 7 and 8, Tingdale Brothers Lincoln Hills Addition and the center line of 66th Street.

(2) M-9, 102. That area lying between the center lines of Xerxes and Vincent Avenues, and between the center lines of 65th and 66th Streets.


(4) M-106 (66th and Queen; 68th and Penn). Lot 1 and the east 33 feet of Lot 2 of Block 2, Tingdale Brothers Lincoln Hills Addition; and Lots 1 and 2, Block 1, Tingdale Brothers Lincoln Hills Third Addition. (Amended, Bill No. 2009-7)

(5) (Repealed, Bill No. 2010-22)

(6) (Repealed, Bill No. 2011-2)

(7) (Repealed, Bill No. 2000-20)

(8) M-41, 1214 That area lying between the west line of Penn Avenue and a line distant 200 feet westerly of and parallel to the west line of Penn Avenue within 200 feet of the north right-of-way line of Interstate Highway 494.

(9) (Repealed, Bill No. 2010-9)

(10) (Repealed, Bill No. 2009-7)

(11) M-83 (NW corner, 66th and Oliver). Lot 1, Block 6, Fairwood Park Addition. (Amended, Bill No. 2009-7)

(12) (Repealed, Bill No. 2010-22)

(13) M-73 (NW corner, 63rd and Lyndale). That area lying between the center line of Lyndale Avenue and a line distant 175 feet westerly and parallel thereto, and between the center lines of 62nd and 63rd Streets.

(14) M-73 (SW of 63rd and Lyndale). Lots 1, 2, 3, and 4, Block 1, Ray's Lynnhurst Second Addition; and that part of Government Lot 3 in Section 28, Township 28, Range 24 lying south of Block 1, Ray's Lynnhurst Second Addition and east of a line drawn parallel with and 125 feet east from the southerly extension of the west line of said Block 1, and north of a line drawn west at right angles from a point on the east line of Government Lot 3 a distance of 1060.94 feet south from the northeast corner thereof except road. (Amended, Ord. No. 2013-4)

(15) M-73 (Between 65th and 66th near Richfield Lake). That area lying south of 65th Street and north of the south line of the North Half of Section 28, Township 28, Range 24, and extending south to 66th Street, between Graham Avenue extended and a line running parallel with the easterly line of said section, distant 410 feet westerly of said easterly line. (See Reference #2 of attached Boundary Conflicts).

(16) (Repealed, Bill No. 2010-22)

(17) M-4, 17 (W side of Cedar near Diagonal Boulevard). That area lying between the center line of Cedar Avenue and a line distant 173 feet westerly and parallel thereto, and from the northerly line of Lot 7, Block 1 Cedar Sunrise Third Addition to the center line of 73rd Street.

(18) M-18 (SW corner, 74th and Cedar). Lot 1, Block 1, Bassetts First Addition, plus extensions to center lines of Cedar Avenue and 74th Street.

(19) M-18 (Cedar Ave, S of 74th) Lot 2, Block 1, Bassetts First Addition. (Added, Bill No. 2011-7)

(20) M-18 (Cedar Ave, N of 75th). The south 150 feet of that part of the east 1/4 of the north 1/4 of the northeast 1/4 of the southeast 1/4 of Section 35, Township 28, Range 24, lying east of the west 153.15 feet thereof. (Added, Bill No. 2011-7)

(21) M-18 (NW corner, 75th and Cedar). That area which lies between the center line of Cedar Avenue and a line distant 173 feet westerly and parallel thereto, and between the center line of 75th Street and a line parallel and 327.45 feet north of said center line. (See Reference #4 of attached Boundary Conflicts).
(22) M-18 (W side of Cedar near 76th). That area which lies between the center line of Cedar Avenue and a line distant 173 feet westerly and parallel thereto, and between the north line of R.L.S. 734 and a line distant 330 feet southerly and parallel to the center line of 76th Street. (See Reference #5 of attached Boundary Conflicts).

(23) (Repealed, Bill No. 2010-22)

(24) (Repealed, Bill No. 2000-22)

(25) (Repealed, Bill No. 2000-22)

(26) M-4415 (W of Lyndale, 7400 block). That area lying between the center lines of Lyndale Avenue and Block 10, Irwin Shores Addition, and between the center lines of 74th and 75th Streets.

(27) M-4415 (W of Lyndale between 75th and 76th). That area lying between the center lines of Lyndale Avenue and the alley of Block 25, Irwin Shores Addition, and between the centerlines of 75th and 76th Streets. (Amended, Bill No. 1999-11)

(28) M-54 (E of Lyndale between 64th and 65th). Lots 3 through 5 and Lots 18 through 20, Block 6, Lyndale Oaks Addition except for the Northwesterly 25 feet of Lot 18; and Lot 2, Block 2, J.N. Hauser's Second Addition. (Amended, Bill No. 1992-11, 2011-22)

(29) (Repealed, Bill No. 1998-17)

(30) M-68. That area lying between the center lines of the Soo Line Railway right-of-way and Nicollet Avenue, and between the center line of 66th Street and a line distant 200 feet southerly thereof and parallel thereto.

(31) (Repealed, Bill No. 2000-20)

(32) M-16 (SE corner, 74th and Lyndale) That area lying between the center line of Lyndale Avenue and a line distant 175 feet easterly thereof and parallel thereto, and between the center line of 74th Street and a line distant 334 feet southerly thereof and parallel thereto.

(33) M-16 (E of Lyndale near 76th). That area lying between the center lines of Lyndale Avenue and Block 8 of Sunset Terrace Addition, and between the center line of 76th Street and the north line of Sunset Terrace Addition. (Amended, Bill No. 1999-11)

(34) M-54 (NE corner, 65th and Nicollet). Lots 1 through 3, Block 1, First Federal Richfield Addition. (Amended, Bill No. 1994-1)

(35) M-68 (SW corner, 66th and Portland). Lots 1, 2 and 3 including the adjacent ½ of vacated alley subject to street, Block 1, McCutchan's Portland Avenue Park Addition. (Amended, Bill No. 2010-22)

(36) M-54. That area lying between the center line of the Soo Line Railway right-of-way and a line distant 178.84 feet westerly thereof and parallel thereto, and between the center lines of 65th and 66th Streets.

(37) M-54 (Surrounds "HUB" Center). The area lying between the center lines of the Soo Line Railway right-of-way and Nicollet Avenue, and between the center line of 66th Street and the south line of Rearrangement of Nicollet Homes Second Addition except that part of the above described property described as follows:

A That area lying between the center lines of the Soo Line Railway right-of-way and Pillsbury Avenue, and between the center line of 65th Street and the south line of Rearrangement of Nicollet Homes Second Addition.

B Beginning at the southeast corner of the Northwest Quarter of Section 27, Township 28, Range 24, then north along the center line of said Section 27, a distance of 685.9 feet to an extension of the south line of Tract C, R.L.S. 692, then westerly along the extension of the south line of said Tract C 50 feet to the southeast corner of said Tract C, then westerly 148 feet along the south line of said Tract C to the southwesterly corner of Tract B, R.L.S. 692, then north 154.13 feet, then westerly to a point on the easterly line of Block 1, Richfield Plaza Addition 48 feet south of the southeast corner of Lot 5, Block 7, Nicollet Homes Second Addition, as measured at right angles to the south line of Nicollet Homes Second Addition; then westerly 321.19 feet parallel to the north line of Block 1, Richfield Plaza Addition, then southwesterly 181.21 feet along a tangential curve, concave to the southeast, radius 230 feet central angle 45 degrees, 08 minutes, 32 seconds, then southwesterly 47.92 feet tangent to said curve, then southwesterly 180.64 feet along a tangential curve concave to the northwest, radius 230 feet, central angle 45 degrees, then westerly 244 feet to the east right-
of-way line of the Soo Line Railway, then south along said railroad right-of-way line to a point 141.56 feet north of the center line of 66th Street, then east and at right angles to the railroad right-
of-way 282 feet, then south and at right angels to the north right-of-way line of 66th Street 71.56 feet, then west and parallel to the north right-of-way line of 66th Street 15 feet, then south and at right angles to the north right-of-way line of 66th Street to the center line of 66th Street, then east on said center line to the point of beginning. (Amended, Bill No. 1999-15)

(38) M-54 (NW corner, 65th and Nicollet). That area lying between the center lines of Nicollet Avenue and Block 8, Rearrangement of Nicollet Homes Second Addition, and between the south line of said Block 8 and the north line of Lot 2, said Block 8.

(39) M-54. That area lying between the center lines of Nicollet and First Avenues, and between the center lines of 65th and 66th Streets.

(40) M-68 (SE corner, 66th and Nicollet). Lots 10, 11, and 12 of Goodspeed's First Plat.

(41) M-54 (NW corner, 66th and Portland). That area lying between the center lines of 66th Street and a line distant 150 feet north and parallel to said center line, and between the west right-of-way line of Portland Avenue and a line distant 125 feet west and parallel to said right-of-way line, excluding public streets. (Amended, Bill No. 1999-15)

(42) M-35 (Taft Park area). That area lying between a line distant 165 feet easterly of and parallel to the center line of 16th Avenue and the center line of Cedar Avenue, and between the center lines of 62nd and 63rd Streets.

(43) M-35 (NE corner, 66th and Portland). That area lying between the center line of Portland Avenue and a line distant 310.6 feet easterly thereof and parallel thereto, and between the center line of 66th Street and a line distant 434.12 feet northerly thereof and parallel thereto, except the northerly 75 feet of the easterly 30.3 feet of said area.

(44) (Repealed, Bill No. 2006-9)

(45) M-49. That area lying between the center lines of Portland and Oakland Avenues, and between the center line of 66th Street and the northern line of Auditor's Subdivision No. 340. (Amended, Bill No. 2010-22)

(46) M-54 (NE corner, 63rd and Lyndale). That area lying between the center line of Lyndale Avenue and a line distant 175 feet easterly thereof and parallel thereto, and between the center lines of 62nd and 63rd Streets.

(47) M-54 (NE corner, 64th and Lyndale). That area lying between the center line of Lyndale Avenue extended and a line distant 175 feet easterly thereof and parallel thereto, and between the center line of 64th Street and the north line of Block 5, Lyndale Oaks Addition.

(48) M-35. That area between the west line of 11th Avenue and the center line of 13th Avenue, and between the center line of 66th Street and a line distant 250 feet northerly thereof and parallel thereto; except Lot 17 Eliason Second Addition. (Amended, Bill No. 2000-11)

(49) M-49. That area lying between the western boundary of the Eastern ½ of Lot 1, Block 1 Jerpbaks 1st Addition and the center line of 13th Avenue, and between the center line of 66th Street and a line distant 250 feet southerly thereof and parallel thereto. (Amended, Bill No. 2000-11, Bill No. 2010-22)

(50) (Repealed, Bill No. 2006-1)

(51) (Repealed, Bill No. 2006-16)

(52) M-4817 (NE corner, 77th and Bloomington). That area lying between the center lines of Bloomington and Cedar Avenues, and between the center line of 77th Street and a line distant 177 feet northerly thereof and parallel thereto; and the area between the east line of 18th Avenue extended and the center line of Cedar Avenue, and between the center line 177 feet northerly and parallel to the center line of 77th Street and a line distant 330 feet southerly and parallel to the center line of 76th Street.

(53) M-1, 2, 418. That area lying between the center lines of Cedar and 19th Avenues, and between the center lines of 66th and 68th Streets, except any portion lying outside the Richfield City limits. (Amended, Bill No. 2010-9) Richfield Maintenance Facility, Lot 1, Block 1

(54) (Repealed, Bill No. 2006-9)
(55) M-1, 2 (N of 66th near T.H. 77). Lots 13 and 14 of Block 1, Lots 10 through 14 of Block 2, and Lots 10 through 14 of Block 3, all in New Ford Town Addition.

(56) M-49 (SE corner, 66th and Chicago). Lots 1, 2, and 3, Block 3, Terrace Gardens Addition. (Amended, Bill No. 2010-22)

(57) M-1, 2, 4. That area lying between the center lines of Cedar Avenue and Block 4, Rich Acres Addition, and between the center lines of 68th and 69th Streets. (Amended, Bill No. 2010-9)

(58) M-54 (NE of 66th and Lyndale). Lots 5 through 8, Block 3, J.N. Hauser's Second Addition, except the west 10 feet thereof.

(59) M-7, 83 (NE corner, 66th and Rae Drive). Commencing at a point on the westerly boundary line of Tract E, R.L.S. No. 642, which point is 201 feet southerly from the northwest corner of said Tract E; thence easterly at right angles to said westerly boundary line of said Tract E; thence southerly along the easterly boundary line of said Tract E to the northeasterly corner of Tract C, R.L.S. No. 642, thence southerly along the easterly boundary line of said Tract C to the southeasterly corner thereof, thence westerly along the southerly boundary line of said Tract E to the southeasterly corner thereof, thence northerly along the westerly boundary line of said Tract E and all of said Tract C, subject to an easement for street purposes.


(61) M-4415 (SE corner, I-35W and 76th). Lot 1, Block 1, Bourbon and Basin First Addition; and that area bounded by said Block 1, the northerly extension of the east line of said Block 1, the south right-of-way line of 76th Street and the east right-of-way line of Interstate Highway 35W. (Amended, Bill No. 2006-5)

(62) (Repealed, Bill No. 2000-20)

(63) M-4 (W of Cedar, 67th to 68th). Lots 1-8, Block 4, Wexler's Addition.

(64) (Repealed, Bill No. 1998-17)

(65) M-106 (SE corner 66th and Russell). Lots 4, and 5, Block 2, Tingdale Brothers Lincoln Hills Addition.

(66) (Repealed, Bill No. 2009-7)

(67) (Repealed, Bill No. 2006-1)

(68) M-4415. Lots 1 through 5, Block 1, Strand's 2nd Addition. Lot 3, Block 1, Shops at Lyndale Addition

(69) (Repealed, Bill No. 2006-1)

(70) (Repealed, Bill No. 2006-16)

(71) (Repealed, Bill No. 2006-1)

(72) M-49 (13th Avenue and East 66th Street). That area lying between the center line of 13th Avenue and the center line of 14th Avenue, and between the center line of 66th Street and the center line of the alley southerly thereof and parallel to. (Added, Bill No. 2000-11)

(73) M-49 (14th Avenue and East 66th Street). That area lying between the center line of 14th Avenue and 15th Avenues, and between the center line of 66th and a line distant 158 feet southerly thereof and parallel thereto. (Amended, Bill No. 2000-14)

(74) (Repealed, Bill No. 2000-14)

(75) M-9 (15th to Cedar Avenues and East 66th Street). That area lying between the center line of 15th and a line 33 feet east of the center line of Cedar Avenue, and between the center line of 66th Street and a line distant 250 feet southerly thereof and parallel thereto; except that area where zone PC-2 (5) overlaps with said zone in the block bounded by Cedar and 18th Avenues and by 66th and 67th Streets. (Added, Bill No. 2000-11; amended, Ord. No. 2016-18)

(76) M-35. That area lying between the center lines of 13th and Bloomington Avenues, and between the center line of 66th Street and the center line of the alley norththerly thereof and parallel thereto. (Added, Bill No. 2000-11; Bill No. 2010-22)

(77) M-35 (East 66th Street, Bloomington and 16th Ave area). Lots 8-15, Block 12, Nokomis Gardens Rearrangement of Blocks 7, 11 and 12, Girard Parkview; and that area lying between the center line of 16th Avenue and the west line of Cedar Point Commons Addition extended and between the center line
of 66th Street and a line distant 250 feet northerly thereof and parallel thereto. (Added, Bill No. 2000-11; Amended, Bill No. 2006-9; Bill No. 2010-22)


(79) M-35 (SE Corner 65th and 16th). That area lying between the center line of 16th Avenue and a line 164 feet easterly thereof and parallel thereto, and between the center line of 65th Street and a line distant 180 feet southerly thereof and parallel thereto. (Added, Bill No. 2010-22)

(80) M-4 Block 2, Lots 4-13, Wexlers Addition. (Added, Bill No. 2010-22)

(81) M-4 (18th Ave at 67th) Lots 9-16, Block 4, Wexlers Addition. (Added, Bill No. 2010-22)

(82) M-4 Block 1, Cedar Sunrise 2nd Addition. (Added, Bill No. 2010-22)

(83) M-4, 17 (18th and Cedar Aves, 69th and 70th) Lots 1-6 and 9-16, Block 1, Cedar Sunrise 3rd Addition and Lot 2, Block 1, Engberg-Walden 2nd Addition. (Added, Bill No. 2010-22)

(84) M-17 Lots 1 and 12-23, Block 3, Engberg-Walden 2nd Addition. (Added, Bill No. 2010-22)

(85) M-17 (E side of 18th Ave, N of 72nd). Tracts F, G, H, I and J of R.L.S. No. 495. (See Reference #3 of attached Boundary Conflicts). (Added, Bill No. 2010-22)

(86) M-17 (E side of 18th Ave between 72nd and 73rd). Lots 1 through 7, Block 1, Elder Grove 4th Addition, and that part of the south 62 feet of the north 112 feet of the West 1/2 of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 35, Township 28, Range 24 lying between the extensions of the east and west lines of Lot 1, Block 1, Elder Grove 4th Addition. (See Reference #3 of attached Boundary Conflicts.) (Added, Bill No. 2010-22)

(87) M-18 (NE corner, 75th and 18th). Lots 1 through 4, Block 1, Zubert’s Southview Gardens Third Addition. (See Reference #4 of attached Boundary Conflicts.) (Added, Bill No. 2010-22)

(88) M-18 (SE corner, 75th and 18th). Lots E, F, G, H, R.L.S. No. 734, and Lots 1 through 4, Block 1, Zubert’s Southview Gardens Fourth Addition. (See Reference #5 of attached Boundary Conflicts.) (Added, Bill No. 2010-22)

(89) M-10 (SW corner, 66th and Queen). Lot 3 and the West 20 feet of Lot 2, Block 2, Tingdale Brothers Lincoln Hills Addition. (Added, Bill No. 2010-22)

(90) M-17 (SW corner, 73rd and Cedar). The North 465 feet of Outlot 1 of Evergreen Gardens 2nd Addition. (Added, Bill No. 2010-22)

(91) M-5 (SW corner, 64th and Nicollet). Lot 1, Block 8, Rearrangement of Nicollet Homes 2nd Addition. (Added, Bill No. 2010-22; amended, Bill No. 2014-4)

(92) M-12 (76th and PortlandPenn). The East 330 feet of the South 230 feet of the Northeast 1/4 of the Southeast 1/4 of Section 34, Township 28, Range 24. (Added, Bill No. 2010-22)

Section 4. - High Density Commercial District (C-3).

(1) (Repealed, Bill No. 2006-5)

(2) (Repealed, Bill No. 2006-1)

Section 5. - Multiple Residence District (MR).

(1) (Repealed, Bill No. 1993-12)

(2) (Repealed, Bill No. 1993-14)

(3) (Repealed, Bill No. 1993-14)

(4) (Repealed, Bill No. 1996-13)

(5) (Repealed, Bill No. 2010-22)

(6) (Repealed, Bill No. 1993-14)

(7) (Repealed, Bill No. 1993-17)

(8) (Repealed, Bill no. 1995-14)

(9) [Reserved].

(10) (Repealed, Bill No. 1993-14)
(11) (Repealed, Bill No. 1993-15)
(12) (Repealed, Bill No. 1994-8)
(13) (Repealed, Bill No. 2010-9)
(14) (Repealed, Bill No. 1993-17)
(15) (Repealed, Bill No. 1995-14)
(16) (Repealed, Bill No. 1993-20)
(17) (Repealed, Bill No. 1994-8)
(18) (Repealed, Bill No. 1993-20)
(19) [Reserved].
(20) (Repealed, Bill No. 1993-15)
(21) (Repealed, Bill No. 1993-17)
(22) (Repealed, Bill No. 1993-15)
(23) (Repealed, Bill No. 1993-17)
(24) (Repealed, Bill No. 2010-9)
(25) [Reserved].
(26) (Repealed, Bill No. 1993-15)
(27) (Repealed, Bill No. 1994-8)
(28) (Repealed, Bill No. 1994-8)

Section 6. - Residence District (R).
(1) That area not assigned to any other district.

Section 7. - Planned General Commercial District (PC-2).
(1) M-54 (NE corner, 66th and Lyndale). Heyman Addition.

(2) M-54 ("HUB" Center). Beginning at the southeast corner of the Northwest Quarter of Section 27, Township 28, Range 24, then north along the center line of said Section 27, a distance of 685.9 feet to an extension of the south line of Tract C, R.L.S. No. 692, then westerly along the extension of the south line of said Tract C 50 feet to the southeast corner of said Tract C, then westerly 148 feet along the south line of said Tract C to the southwesterly corner of Tract B, R.L.S. No. 692, then north 154.13 feet, then westerly to a point on the easterly line of Block 1, Richfield Plaza Addition 48 feet south of the southeast corner of Lot 5, Block 7, Nicollet Homes Section Addition, as measured at right angles to the south line of Nicollet Homes Second Addition; then westerly 321.19 feet parallel to the north line of Block 1, Richfield Plaza, then southwesterly 181.21 feet along a tangential curve concave to the southeast, radius 230 feet central angle 45 degrees, 08 minutes, 32 seconds, then southwesterly 47.92 feet tangent to said curve, then southwesterly 180.64 feet along a tangential curve concave to the northwest, radius 230 feet, central angle 45 degrees, then westerly 244 feet to the east right-of-way line of the Soo Line Railway, then south along said railroad right-of-way line to a point 141.56 feet north of the center line of 66th Street, then east and at right angles to the railroad right-of-way 282 feet, then south and at right angels to the north right-of-way line of 66th Street 71.56 feet, then west and parallel to the north right-of-way line of 66th Street 15 feet, then south and at right angles to the north right-of-way line of 66th Street to the center line of 66th Street, then east on said center line to the point of beginning.

(3) (Repealed, Ord. No. 2013-4)

(4) M-68 (SE corner, 66th and Lyndale). Lots 1-3, Block 1, Richfield Bank Addition, Block 1 JN Hauser's Addition, and Block 1, Lyndale Shores on Wood Lake. Richfield Urban Village Addition.

(5) M-49 (NW corner, 67th and Cedar). Lots 1 through 10, Block 1, Wexler's Addition and all that part of Cedar Avenue South described as follows:

Beginning at the southeast corner of Lot 5, Block 1, Wexler's Addition; thence easterly on the extension of the south line of said Lot 5 to a point 33 feet west of the east line of Section 26, Township 28, Range
24, which point is referred to herein as "Point A"; thence north on a line parallel with and 33 feet west of said east line of said Section 26 to the intersection with the easterly extension of the north line of Lot 1, Block 1, Wexler's Addition, which line is referred to herein as "Line X"; thence west along said extension of the north line of said Lot 1 to the northeast corner of Lot 1; thence south along the east line of Lots 1 through 5 of Block 1, Wexler's Addition to the point of beginning, and there terminating; AND

All that part of Cedar Avenue lying westerly and northerly of the following described lines: Beginning at "Point A" described above; thence southerly on the extension of "Line X" described above to the intersection with the easterly extension of the north line of Lot 1, Block 4, Wexler's Addition; thence west along said extension of the north line of said Lot 1 to the northeast corner of said Lot 1, and there terminating; and

That part of east 67th Street lying between the southerly prolongation of the easterly line of 18th Avenue and the southerly prolongation of the westerly line of Cedar Avenue.

(6) M-1415 (SW corner, 77th and LyndaleShops at Lyndale except City parcel). That area bounded by the original centerline of 77th Street on the north, Lyndale Avenue on the east, I-494 on the south, and Emerson Avenue on the west; except for Lots 1 through 5, Block 1, Strand's 2nd Addition. Lots 1, 2, 4, 5, and Outlot A, Block 1, Shops at Lyndale Addition.

(7) M-14. That part of the following described property lying southwesterly of 77th Street West as constructed in 1994:

The East Half of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter;

The West Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter;

The North 225.00 feet of the South 310.00 feet of the West Half of the East Half of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter;

Except that part of the Southwest Quarter of the Southeast Quarter described as commencing at the Northwest corner of said Southwest Quarter of the Southeast Quarter; thence North 89 degrees 57 minutes 53 seconds East along the north line of said Southwest Quarter of the Southeast Quarter a distance of 347.71 feet; thence South 00 degrees 00 minutes 58 seconds West a distance of 259.80 feet; thence North 89 degrees 57 minutes 55 seconds East a distance of 31.00 feet to the beginning of the land to be described; thence North 89 degrees 57 minutes 55 seconds East a distance of 39.81 feet; then North 00 degrees 00 minutes 05 seconds West a distance of 28.23 feet; thence northeasterly a distance of 114.12 feet along a tangential curve concave to the southeast having a radius of 114.00 feet and a central angle of 57 degrees 21 minutes 23 seconds; thence North 89 degrees 57 minutes 55 seconds East a distance of 41.80 feet; thence North 08 degrees 42 minutes 04 seconds West a distance of 15.21 feet; thence northerly a distance of 29.35 feet along a tangential curve concave to the east having a radius of 114.23 feet and a central angle of 14 degrees 43 minutes 12 seconds; thence North 06 degrees 01 minute 08 seconds East a distance of 27.54 feet; thence southeasterly a distance of 148.71 feet along a non-tangential curve concave to the southwest having a radius of 511.33 feet, a central angle of 48 degrees 18 minutes 26 seconds and a chord bearing of South 18 degrees 47 minutes 01 seconds East; thence South 72 degrees 02 minutes 05 seconds West a distance of 263.91 feet; thence South 89 degrees 57 minutes 05 seconds West a distance of 118.93 feet; thence North 00 degrees 00 minutes 58 seconds East a distance of 52.00 feet to the point of beginning.

Also except that part of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 33, Township 28, Range 24, Hennepin County, Minnesota which lies northerly and westerly of that property deeded from the Housing and Redevelopment Authority in and for the City of Richfield to Emerson Avenue Congregational Church of the United Church of Christ by quit claim deed dated August 3, 1994.
The East Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter and the
West Half of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter EXCEPT that
part taken by the State of Minnesota for Highway purposes.

All in Section 33, Township 28, Range 24, Hennepin County, Minnesota.

[The property in paragraph 7 is now known as Lots 2 and 3, Block 3, Cloverleaf Addition, Resolution No. 8350.]

(8) (Repealed, Bill No. 2006-1)

(9) M-4415, 16 (E and W sides of Lyndale Avenue, between 76th and 77th). That area lying between the
center line of Aldrich and 164.5 feet east of the center line of Garfield Avenue and between the
centerlines of 76th and 77th Streets. (Added, Bill No. 1999-11).

(10) M-4415 (Southeast of 76th and PennBest Buy Campus). That area bounded by the centerline of Penn
Avenue on the west; the south border line of Section 33, Township 28, Range 24, Hennepin County,
Minnesota on the south; the centerline of Knox Avenue on the east; and the centerline of 76th Street on
the north. Best Buy Campus Addition. (Added, Bill No. 2000-20)

(11) M-6, 67 (SW corner 66th and Lyndale). Lots 1 through 4 and Lots 11 through 19 of Block 1, and all of
Block 2, and Lots 1 through 5 and Lots 16 through 18 of Block 3, Fairwood Shores Addition. Also,
Graham Avenue and Circle Place, including the vacated portion of Circle Place, between the west right
of way line of Lyndale Avenue and the east line of the vacated section of Graham Avenue lying within
PMR zone No. 2. Also;

All of the alley parallel to and between Lake Shore Drive and Graham Avenue except those parts
included in PMR zones Nos. 2 and 5. Also;

The dedicated public walkway lying along the south east lines of Lots 6 and 18, Block 3, Fairwood
Shores Addition, except that part included in PMR zone No. 5. City Bella Addition. (Added, Bill No.
2000-22)

(12) M-35 (NW Corner of 66th Street and Cedar AvenueCedar Point Commons area). That area lying
between the center line of 17th Avenue and the west right-of-way line of Trunk Highway 77, and
between 63rd Street and the center line of 66th Street, excluding Lots 1, 2, 16, and 17, and Block 6,
Iverson's Second Addition, and Lots 6, 7, and 8, Block 3, Iverson's Third Addition, and including Block 3
of Iverson's Second Addition and Block 5 of Iverson's Third Addition extended to the center line of 66th
Street–Blocks 1, 2, and Outlots A and B, Cedar Point Commons Addition.(Added, Bill No. 2006-9)

Section 8. - Planned Mixed Use (PMU).

(1) M-92 (Northwest corner 66th and Penn). That part of Lot 16, "Richfield Gardens", which lies southerly of
e line described as commencing at the southeast corner of said Lot 16; thence northerly, along the
easterly line of said Lot 16; a distance of 219.69 feet to the point of beginning of the line to be
described; thence westerly, deflecting to the left 90 degrees 00 minutes 00 seconds, to the west line of
said Lot 16 and said line there terminating; together with: Lot 3, Block 3, Harry Tickner's Subdivision of
Lot 15, Richfield Garden. Lot 1, Block 1, Richfield Gardens Second Addition.(Added, Bill No. 2011-2)

(2) M-16 (301 77th Street West). Lot 1, Block 1, Candlewood Hotel Addition. (Added, Bill No. 2012-8)

(3) M-73 (Lyndale Gardens Area). Lots 1, 2, 3, 4 and Outlots B and C, Lyndale Gardens Addition. (Added,
Ord. No. 2013-04)

(4) M-16 (Honda). Lot 1, Block 1, Wood Minnesota re Addition. (Added, Ord. No. 2013-12)

(5) M-4817 (Audi). Lot 1, Block 1, Richfield Properties, LLC. (Added, Bill No. 2015-6)

Section 9. - Planned Multiple Residential District (PMR).

(1) M-73 (SW of Richfield Lake). All that part of Section 28, Township 28, Range 24 described as follows: Beginning at a point marked "Judicial Landmark No. 10" on the east and west quarter line of said section distant 410 feet west measured along said line from the east quarter corner of said section; thence south at right angles to said east and west quarter line 74.6 feet to a point marked "Judicial Landmark No. 11", on the original Military Reservation line; thence south 79 degrees 38 minutes west 140.14 feet to a point marked "Judicial Landmark No. 12", thence south 7 degrees 10 minutes west
115.44 feet to a point marked "Judicial Landmark No 13"; thence north 71 degrees 32 minutes west 585.9 feet to a point marked "Judicial Landmark No. 14", which is the actual point of beginning of the land to be described; thence north 13 degrees east 333.15 feet to a point marked "Judicial Landmark No 18"; thence continuing on an extension of said line 665 feet, more or less, to its point of intersection with a line between a point marked "Judicial Landmark No. 21" on the westerly meander line of Grass Lake and a point marked "Judicial Landmark No. 8", marking an angle point in the mean center line of Grass Lake; thence north 71 degrees 44 minutes east along said line a distance of 104 feet more or less to said point marked "Judicial Landmark No. 8", thence northwesterly along the mean center line of said Grass Lake to its intersection with the north line of Government Lot 5 extended, which said point is marked "Judicial Landmark No. 7"; thence west along said extension of the north line of Government Lot 5 a distance of 206.3 feet; thence southerly to a point on the heretofore described line between the point marked "Judicial Landmark No. 21", and said point marked "Judicial Landmark No. 8", said point on said line begin north 71 degrees 44 minutes east of said point marked "Judicial Landmark No. 21", a distance of 49 feet thence south 1 degree 11 minutes east 128 feet more or less to the intersection of the extension eastward of the south line of 65th Street as laid out in the plat of Silverwood Second Addition; thence west along said extension of said south line of 65th Street 42.3 feet to its intersection with the east line of said Silverwood Second Addition; thence south 1 degree 11 minutes east a distance of 594.7 feet more or less to a point marked "Judicial Landmark No. 17"; thence continuing south on said line a distance of 33 feet to the point of intersection with said east-west quarter line, which point of intersection is 1100.43 feet east of the southwest corner of Government Lot 5, as shown by the plat on file in Torrens Case Number 1487; thence east along said quarter line 278.81 feet to a point marked "Judicial Landmark No. 15" thence south 71 degrees 32 minutes east 104.4 feet to point of beginning; except that part of the property herein before described lying north of the following described line: Commencing at a point heretofore described as "Judicial Landmark No. 14"; thence north 13 degrees east 333.15 feet to a point marked "Judicial Landmark No. 18"; thence continuing on an extension of said line, a distance of 205.5 feet to the actual point of beginning of line to be described; thence northwesterly to a point 42.3 feet east of a point heretofore described as the intersection of the south line of 65th Street as laid out in the plat of Silverwood Second Addition and the east line of Silverwood Second Addition. Also, the north 180.00 feet of Lot A, Silverwood Second Addition, the east line of which was determined in Land Registration Proceeding No. 1487 according to the plat thereof on file or of record in the office of the Register of Deeds in and for Hennepin County, Minnesota. Also, except that part of the above property described in the following paragraph as "Tract A".

Tract A: Commencing at the intersection of the east line of Silverwood Second Addition and the south line of 65th Street. Thence east (assumed bearing) along the easterly extension of said south line of 65th Street 42.3 feet. Thence south 74 degrees bearing 19 minutes 32 seconds east 236.17 feet to the actual point of beginning of the tract of land to be described. Thence south 50 degrees 11 minutes 27 seconds east 280.95 feet. Thence north 13 degrees 00 minutes east 115 feet to the intersection with a line bearing southerly 74 degrees 19 minutes 32 seconds east from the actual point of beginning. Thence north 74 degrees 19 minutes 32 seconds west 251.02 feet to the actual point of beginning.

Also including all that part of Section 28, Township 28, Range 24 described as follows:

Commencing at the intersection of the east line of Silverwood Second Addition and the south line of 65th Street. Thence east (assumed bearing) along the easterly extension of said south line of 65th Street 42.3 feet to the actual point of beginning of the tract of land to be described. Thence south 74 degrees 19 minutes 32 seconds east 236.17 feet. Thence north 50 degrees 11 minutes 27 seconds west 298.55 feet to the intersection with a line running northerly from the actual point of beginning and parallel with the east line of said Silver Wood Second Addition. Thence southerly 127.35 feet along said parallel line to the actual point of beginning.

Subject to an easement for street purposes only over and across the following described property, to wit: Commencing at a point heretofore described as "Judicial Landmark No. 14", thence north 13 degrees east 333.15 feet to a point marked "Judicial Landmark No. 18"; thence continuing on an extension of said line, a distance of 5.7 feet to the actual point of beginning of land to be described; thence north 77 degrees west, a distance of 30 feet; thence north 13 degrees east, a distance of 196.8 feet; thence south 77 degrees east a distance of 30 feet; thence south 13 degrees west, a distance of 196.8 feet to the point of beginning, as shown in deed Doc. No. 501976, Files of Registrar of Titles. (Woodlake School Site).
(2) M-87 (SENE of 66th and Lake Shore Drive) Lots 5 through 10 of Block 1 and Lots 6 through 15 of Block 3, Fairwood Shores Addition. Also, the northeasterly extension of the southeasterly line of said Lot 15 and the southerly right-of-way line of West 66th Street, as shown on said plat. Also,
That part of Graham Avenue as shown and dedicated on said plat lying northerly of a curved line concave to the southeast, having a radius of 65 feet, said curve being drawn through the most southerly corner of said Lot 10, Block 1, and the most easterly corner of said Lot 6, Block 3. Also,
That part of vacated 66th Street as shown and dedicated on said plat, adjoining said Lot 11, Block 3, laying between the northerly extensions of the northeasterly and southwesterly lines of said Lot 11, Block 3. Also;
That part of vacated 66th Street as shown and dedicated on said plat, adjoining said Lot 12, Block 3, lying between the northerly extensions of the northeasterly and southwesterly lines of said Lot 12, Block 3. Gramercy Park Richfield Addition.

(3) M-5, 7 3 (NW corner, 66th and Lyndale).
Tract 1: All that part of the following described premises lying easterly of the center line of Graham Avenue as deeded to Richfield in Deed recorded in Book 2052 of Deeds, page 639; that part of Government Lot 2 described as beginning at the intersection of the center line of 66th Street with the westerly line of Government Lot 2, which is the old Military Reservation line; thence northwesterly 114.6 feet along the said Military Reservation line to Judicial Landmark No. 11 set pursuant to Torrens Case No. A-2547; thence north along a line extended to Judicial Landmark No. 9 set pursuant to Torrens Case No. A-2547 to the intersection of said line with the southerly line of 65th Street, which is the southerly line of premises conveyed to the Village of Richfield in Deed recorded in Book 2053 of Deeds, page 131; thence northeasterly along the southerly line of 65th Street, which is the southerly line of the premises conveyed to the Village of Richfield in said deed to the east line of Government Lot 2; thence south along the east line of Government Lot 2 to the center line of 66th Street; thence west along the center line of 66th Street to the place of beginning; all in Section 28, Township 29, Range 24, according to the recorded plat thereof, and situated in Hennepin County, Minnesota. (See Reference #2 of attached Boundary Conflicts).

Tract 2: That part of Government Lot 1, Section 27, Township 28, Range 24, described as beginning at the southwest corner of said Government Lot 1; thence east along the south line of said Government Lot 1 a distance of 64.8 feet; thence north, parallel with the west line of said Government Lot 1 and its extension north, to the southerly line of R.L.S. No. 1318, Files of the Registrar of Titles, County of Hennepin; thence southeasterly along the southerly line of said R.L.S. No. 1318 to the west line of said government Lot 1; thence south along said west line to the point of beginning, and situated in Hennepin County, Minnesota.

Tract 3: That part of Government Lot 1, Section 27, Township 28, Range 24, described as beginning at a point on the south line of said Government Lot 2 distant 64.8 feet east from the southwest corner of said Government Lot 1; thence east along said south line a distance of 88 feet; thence north, parallel with the west line of said Government Lot 1 and its extension north, to the southerly line of R.L.S. No. 1318, Files of the Registrar of Titles, County of Hennepin; thence southeasterly along the southerly line of said R.L.S. No. 1318 to its intersection with a line drawn north, parallel with the west line of said Government Lot 1 and its extension north, from the point of beginning; thence south along the last described parallel line to the point of beginning. That the east boundary line of said tract has been judicially determine and Judicial Landmarks set pursuant to Torrens Case No. 17641, and situated in Hennepin County, Minnesota.

Tract 4, Parcel 1: That part of Government Lot 1, Section 27, Township 28, Range 24, commencing at a point, which point is marked by Judicial Landmark, and is located 256.6 feet east and 33 feet north of the southwest corner of Government Lot 1; thence north parallel with west line of said lot 90.7 feet to a point marked by Judicial Landmark; thence at right angles East 229.2 feet to the point of intersection with the westerly line of Lyndale Avenue, which point is marked by Judicial Landmark; thence southwesterly along said line of Lyndale Avenue 95.5 feet to the point of intersection with the north line of 66th Street, which point is marked by Judicial Landmark; thence west along said line 195.7 feet to the point of beginning.

Tract 4, Parcel 2: That part of Government Lot 1, Section 27, Township 28, Range 24, described as beginning at a point in the south line of said Government Lot; distant of 152.80 feet east of the
southwest corner of said Government Lot 1; thence easterly along the south line of said Government Lot 1 a distance of 103.80 feet; thence northerly parallel with the west line of said Government Lot 1, a distance of 229.60 feet; thence at a right angle westerly 2.20 feet; thence northerly deflecting to the right 89 degrees 38 minutes a distance of 104.07 feet to the southerly line of R.L.S. No. 1318; files of Registrar of Titles; County of Hennepin; thence westerly along last said southerly line to an intersection with a line drawn northerly from the point of beginning and parallel with the west line of said Government Lot 1; thence southerly along last said parallel line to the point of beginning. That the east line of said tract has been judicially determined and marked by Judicial Landmarks set pursuant to Torrens Case Nos. 10017 and 17641 and west line of said tract has been judicially determined and Judicial Landmarks set pursuant to Torrens Cast No. 17641, according to the Government Survey thereof.

Tract 4, Parcel 3: All that part of Government Lot 1, Section 27, Township 28, Range 24, described as follows: Commencing on a line parallel to and 256.6 feet east of the west line of said Section 27 at a point therein which is 123.7 feet north along said line from the south line of said Government Lot 1, which point is marked by a Judicial Landmark; thence north along said parallel line a distance of 105.9 feet; thence east a distance of 306.5 feet, more or less, to an intersection with the westerly line* of Lyndale Avenue, which point of intersection is determined by returning to the point of beginning of said line and continuing north along said parallel line a distance of 103 feet; thence south 82 degrees 56 minutes east 141.7 feet; thence north 82 degrees, 34 minutes east to the west line of Lyndale Avenue; thence southerly along said latter line, 115 feet to said point of termination of the north line of the land now being described; thence southwesterly along the westerly line of Lyndale Avenue a distance of 113.4 feet, more or less, to a Judicial Landmark located in said line at a distance of 95.5 feet northeasterly along said line from a Judicial Landmark placed at the intersection of the westerly line of Lyndale Avenue and the north line of 66th Street; thence west 229.2 feet to the point of beginning, according to the Government Survey thereof. (See Reference #6 of attached Boundary Conflicts).

*This reference to the westerly line of Lyndale Avenue appears to be in error, and should be the center line of Lyndale Avenue. However, the Judicial Landmarks referred to later may be on the westerly line.

Tract 4, Parcel 4: Tract D, R.L.S. No. 1318, Files of Registrar of Titles, County of Hennepin.

Tract 5: That part of Government Lot 1, Section 27, Township 28, Range 24 described as follows: Commencing 229.6 feet north and 256.6 feet east from the southwest corner of Lot 1, thence northerly parallel with the west line of said Government Lot 1, a distance of 103 feet; thence south 82 degrees 56 minutes east 141.7 feet; thence north 82 degrees, 34 minutes east to center line of Lyndale Avenue, thence southerly along the center line of Lyndale Avenue 115 feet, thence west 306.5 feet to beginning, and situated in Hennepin County, Minnesota.

Tract 7: Tracts B and C, R.L.S. No. 1318, Files of Registrar of Titles, County of Hennepin, State of Minnesota.

Tract 8: Tract E, R.L.S. No. 1318, Files of Registrar of Titles, County of Hennepin, State of Minnesota.

That part of Government Lot 1, Section 27, Township 28, Range 24, described as beginning at a point in the south line of said Government Lot 1, distance 256.6 feet east of the southwest corner of said Government Lot 1; thence northerly parallel with the west line of said Government Lot 1 a distance of 229.60 feet to the point of beginning; thence at a right angle westerly 2.20 feet; thence northerly deflecting to the right 89 degrees 38 minutes, a distance of 104.7 feet to the southerly line of R.L.S. No. 1318, Files of the Registrar of Titles, County of Hennepin; thence easterly along said southerly line of R.L.S. No. 1318, Files of the Registrar of Titles, County of Hennepin, to its intersection with a line drawn northerly from the point of beginning and parallel with the west line of said Government Lot 1, thence southerly along said last parallel line to the point of beginning, according to the Government Survey thereof. The west line of said tract has been judicially determined and marked by Judicial Landmarks set pursuant to Torrens Case No. 17641, and situated in Hennepin County, Minnesota.

(4) M-9, 10 2 (N side of 66th between Russell and Sheridan). Lot 7 of Jacobsen's Subdivision of the west half of Lot 14, Richfield Gardens; and Lot 1 of Richfield Gardens Pree Manor Addition.

(5) M-6, 87(NW corner, Lyndale and Lake Shore Drive). That area lying between the center lines of Lake Shore Drive and the alley, parallel to and between Lake Shore Drive and Graham Avenue, and between the center lines of Lyndale Avenue and the dedicated public walkway. Lot 1, Block 1, Gramercy Park Richfield. (Added, Bill No. 1998-20)
Section 10. - Planned Two-Family Residential District (PMR-1).

(1) (Repealed, Bill No. 2010-22)

Section 11. - Residence District (R-1).

(1) M-87 (Between Knox and Penn, and 67th and 68th). Block 7 except Lot 8 and Lot 10, and Blocks 8, 9 and 10, Fairwood Park Addition.

(2) M-87 (Between 67th and 68th, near Knox). Commencing at a point 390 feet south and 100 feet west of the northeast corner of Block 11, Fairwood Park Addition thence northwesterly 79.3 feet to a point 125 feet west of the east line of said block thence west parallel with the north line of said Block 11 to the west line thereof thence southerly along said west line to a point due west of beginning thence east 94.4 feet to beginning.

(3) M-87 (Between 67th and 68th, near Knox). Commencing at a point 315 feet south and 125 feet west of the northeast corner of Block 11, Fairwood Park Addition thence northwesterly 75.8 feet to a point 135 feet west of the east line of said block thence west parallel with the north line of said Block 11 a distance of 189.7 to the west line thereof thence southeasterly along said west line to a point due west of beginning thence east 124.5 feet to beginning.

(4) M-87 (Between 67th and 68th, near Knox). That part of the south 72 feet of the north 240 feet of Block 11, Fairwood Park Addition lying west of the east 135 feet thereof and the south 8 feet of the north 168 feet of the west 113.7 feet of the east 248.7 feet of Block 11, Fairwood Park Addition.

(5) M-87 (S of 67th near Knox). Commencing 210 feet west and 80 feet south of the northeast corner of Block 11, Fairwood Park Addition thence northwesterly 110.3 feet to a point 135 feet west of the east line of said block thence west parallel with the north line of said Block 11 thence southeasterly parallel with the east line of said Block 11, 8 feet thence parallel with the north line of said Block 11 to the westerly line of said Block 11 thence northwesterly along said west line to a point 80 feet south of the north line of said Block 11 thence east 190.5 feet to the point of beginning.

(6) M-87 (S side of 67th at Knox). That part of the north 80 feet of Block 11, Fairwood Park Addition lying west of the east 210 feet thereof.

(7) M-87 (NW of 68th and James). Tracts A and B of Registered Land Survey Number 174.

(8) M-87 (Between 66th and Wood Lake). Lots 1 through 4 and Lots 8 through 24 of Block 1, and Lots 1, 2, and the east half of Lot 3, and Lots 6 through 15 of Block 2, Lynnwood Addition.

(9) M-4311 (W side of Lyndale at 71st). Lots 1 through 4 and Lots 14 through 22, Block 1, Wood Lake Shores Addition.

(10) M-4311 (W side of Lyndale at 72nd). Block 2, Wood Lake Shores Addition, except Lots 12 through 15 and the south 1/2 of Lot 11.

(11) M-4311 (Between Lyndale and Wood Lake). Blocks 3 through 6 and Block 8, Wood Lake Shores Addition.

(12) M-4311 (Between Lyndale and Wood Lake). Lots 1 through 10, Block 7, Wood Lake Shores Addition.


(14) M-54 (N side of 66th, near Fourth). All of Ralph Milner's Addition except Lot 21; and the east four feet of Block 3 and all of Block 4, Ralph Milner's Second Addition.

Section 12. - Two-Family Residential District (MR-1).

(1) M-9, 102 (SE corner, Xerxes and Crosstown Highway). Lots 23 through 34, Block 2, Lein's Richfield Second Addition. (Amended, Bill No. 1993-12)

(2) M-11, 1210 (NE of 71st and Xerxes). Lots 9 through 11, Block 1, Joe Maurer's First Addition.

(3) M-9, 106 (NE of 70th and Washburn). Lots 14 through 16, Block 10, Tingdale Brothers Lincoln Hills Third Addition.

(5) M-11-1214 (W side of Queen, S of 74th). Lots 2 and 3 and the south ten feet of Lot 1, Block 2, Vick's Terrace Addition.

(6) M-11-1214 (E side of Queen, S of 74th). Lot 2, Block 1, Vick's Terrace Addition.

(7) (Repealed, Bill No. 2000-20)

(8) (Repealed, Bill No. 2000-20)

(9) M-73 (NW corner, 66th and James). Lot 8, Block 12, Fairwood Park First Addition.

(10) (Repealed, Bill No. 2000-20)


(12) M-4311 (Aldrich near 73rd). Lot 21, Block 1, Irwin Shores No. 2 Addition.

(13) M-4311 (W side of Lyndale, N of 73rd) Lots 12 through 15 and the south half of Lot 11, Block 2, Wood Lake Shores Addition.

(14) M-4512 (E side of Lyndale, S of 72nd). The north 40 feet of Lot 22, and all of Lot 23 except the north 10 feet thereof, Block 4, Irwindale Addition.

(15) M-4512 (NE corner, 74th and Nicollet). Lots 5 through 8 and the west ten feet of Lots 1 through 4, Block 4, Nicollet Garden Lots Second Addition.

(16) M-68 (SW corner, 68th and Nicollet). Lot 3 through 4, A.A. Roger's Second Addition.

(17) M-68 (NE corner, 67th and Nicollet). The south half of the west half of Lot 10, Goodspeed's Second Plat.

(18) M-54 (NW corner, 64th and Nicollet). Lots 1 through 3, Block 1, Rearrangement of Nicollet Homes Second Addition.

(19) M-54 (NE corner, 64th and Nicollet). Lots 1 through 5, Block 1, Towns Edge Addition.

(20) M-54 (SW corner, 63rd and Nicollet). Lot 1, Block 8, Nicollet Homes Addition.

(21) M-68 (SE corner, 66th and Second). The west half of Lot 1 except the east 7 feet, Goodspeed's First Plat.

(22) M-54 (Fifth Ave near 65th). Lot 1, Block 2, Bauman-Whelock Addition.

(23) M-4512 (W side of Fifth Ave, S of 70th). Lots 13 through 15, Block 2, Savage's First Addition.


(25) M-4713 (NE corner, 73rd and Portland). Lots 5 through 8, Block 4, Henry Thernell Addition.

(26) M-4817 (NE corner, 77th and Portland). Lots 7 through 10, Block 3, Mattson Heights Third Addition.


(28) M-4713 (W side of Chicago, S of 70th). Lots 2, 3, and 4A, and the south 43.5 feet of Lot 1, all in Zubert's Chicago Avenue Addition.


(30) M-4713 (W side of Elliott, S of 71st). Lots 1 and 2, Block 4, Zubert's Elliott Addition.

(31) M-4713 (SW corner, 72nd and Bloomington). Lots 1 and 2, Block 1, Fallden's Fourth Addition.

(32) (Repealed, Bill No. 2010-22)

(33) (Repealed, Bill No. 2010-22)

(34) (Repealed, Bill No. 2010-22)

(35) (Repealed, Bill No. 2010-22)

(36) (Repealed, Bill No. 2010-22)

(37) (Repealed, Bill No. 2010-22)
(38) (Repealed, Bill No. 2011-7)
(39) (Repealed, Bill No. 2010-9)
(40) (Repealed, Bill No. 2010-9)
(41) (Repealed, Bill No. 2010-9)
(42) (Repealed, Bill No. 2010-9)
(43) (Repealed, Bill No. 2010-9)
(44) (Repealed, Bill No. 2010-9)
(45) M-1713 (SW corner, 72nd and Diagonal Boulevard). Lots 1 and 2, Block 3, Fallden's Fourth Addition.
(46) M-54 (NE corner, 64th and Harriet). Lots 1 through 3, Block 4, Lyndale Oaks Addition.
(47) (Repealed, Bill No. 2010-22)
(48) M-87 (SE corner, 66th and Girard). Lot 23 and Lot 24 except the north 11 feet, Block 1, Blossom Park Addition.
(49) M-87 (S side of 66th, near Lake Shore Drive). Lots 5 through 7, Block 1, Lynnwood Addition.
(50) M-11, 1210 (SE corner, 71st and Xerxes). Lot 8, Block 2, Joe Maurer's First Addition.
(51) M-16 (SW of 75th and Wentworth). Lot 2, Block 6, Nicollet View Gardens Addition.
(52) M-68 (NE corner, 69th and Lyndale). Lots 10 through 12, Block 4, Wooddale Addition.
(55) M-68 (NW corner, 70th and First). Lot 5, Meridith's Addition.
(56) M-87 (SW corner, 66th and Girard). Lots 1 and 2, Block 2, Blossom Park Addition.
(57) M-54 (NE corner, 64th and Grand). Lot 3, Block 1, Lyndale Oaks Addition.
(58) (Repealed, Bill No. 2010-22)
(59) M-87 (S side of 66th, near Emerson). Lots 4 and 5 and the west half of Lot 3, Block 2, Lynnwood Addition.
(60) M-68 (Third Ave, N of 70th). Lot 11, Block 4, D.L. Tate's Addition.
(61) M-4817 (Bloomington, N of 77th). Tracts A and B, R.L.S. No. 1003.
(62) (Repealed, Bill No. 2010-22)
(63) [Reserved.]
(64) [Reserved.]
(65) M-87 (SW corner, 66th and Irving). The north 103 feet of the east 165 feet of the west 330 feet of the East Half of the Northeast Quarter of the Southwest Quarter of Section 28, Township 28, Range 24.
(66) M-4512 (E side of Nicollet, S of 73rd). The south 75 feet of the north 255 feet of that area lying west of the east 154.48 feet of the west quarter of the north 10 acres of the south 20 acres of the Southwest Quarter of the Northeast Quarter of Section 34, Township 28, Range 24.
(67) M-4512 (SE corner, 73rd and Nicollet). The north 105 feet of that area lying west of the east 150.48 feet of the north 10 acres of the south 20 acres of the Southwest Quarter of the Northeast Quarter of Section 34, Township 28, Range 24.
(68) M-68 (Nicollet near 69th). The north 85 feet of the south third of the west 1/8 of the Southwest Quarter of the Southeast Quarter of Section 27, Township 28, Range 24.
(69) (Repealed, Bill No. 1997-9)
(70) M-4817 (E side of Portland, N of 75th). That part of the north 63.9 feet of the south 267.8 feet of the West Half of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 35, Township 28, Range 24 lying west of the east 153 feet thereof.
(71) M-1713 (SE corner, 71st and Chicago). The East 161 40/100 feet of the West 325 3/10 feet of that part of the Northeast Quarter of the Northwest Quarter of Section 35, Township 28, Range 24 lying south of the north 690 feet thereof and north of a line parallel with and 70 feet north from the north line of Zuberts Elliott Avenue Addition. (Amended, Bill No. 2010-22)

(72) M-411, 4214 (SE corner, 74th and Queen). The east 133 feet of the west 163 feet of that part of the east quarter of the Northeast Quarter of the Southeast Quarter of Section 32, Township 28, Range 24 lying north of the south 1226.25 feet of said east quarter.

(73) M-4512 (SE corner, 70th and Third). The north 123 feet of the west 160 feet of the east 320 feet of the West Half of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of Section 34, Township 28, Range 24.

(74) M-68 (NE corner, 70th and First). That part of the west 165 feet of the east 660 feet of the south third of the three quarters of the Southwest Quarter of the Southeast Quarter of Section 27, Township 28, Range 24 lying south of the north 300 feet thereof.

(75) M-63 (NE corner, 66th and Humboldt). The east 100 feet of the west 130 feet of the south 200 feet of Government Lot 5, Section 28, Township 28, Range 24.

(76) M-4713 (E side of Portland, S. of 70th). That part of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 35, Township 28, Range 24, lying between the north line of the south 130 feet thereof and the south line of the north 109.6 feet thereof and west of the east 120 feet thereof.

(77) M-63 (NE corner, 66th and Girard). The southerly 180.2 feet of the block lying between 65th and 66th Streets between Girard Avenue and Trunk Highway No. 65.

(78) M-16 (S side of 74th, W of Pleasant). That area east of the west quarter of the north five acres of the Northwest Quarter of the Southwest Quarter of Section 34, Township 28, Range. 24.

(79) M-54 (E side of Pillsbury, N of 63rd). Lot 9, Block 3, and that portion of the now vacated portion of 63rd Street in the plat of Betcher's Addition to Richfield, lying between the southward extension of the east and west lines of Lot 9, Block 3, Betcher's Addition to Richfield.

(80) M-49 (E side of Chicago, S of 69th). The west half of the north half of Lot 33, Baumgartner's First Addition. (Added, Bill No. 1993-15)

(81) M-16 (NE corner, 77th and Nicollet). The northerly 8 feet of Lot 9 and all of Lot 10 in Block 4, A.G. Bogen Company's Nicollet Avenue Addition. (Added, Bill No. 1996-23)

Section 13. - Multiple Family Residential District (MR-2).

(1) (Repealed, Bill No. 2009-7)

(2) M-9, 106 (NW corner, 67th and Queen). Lots 6 through 14, Block 2, Tingdale Brothers Lincoln Hills Addition.

(3) (Repealed, Bill No. 2010-22)

(4) M-54 (NW corner, 65th and Grand). Lot 1, Block 2, J.N. Hauser's Second Addition.

(5) (Repealed, Bill No. 2010-22)

(6) (Repealed, Bill No. 2010-22)

(7) (Repealed, Bill No. 2009-7)

(8) M-68 (W side of Nicollet, N. of 70th). The east 175 feet of the South 1/4 of the East 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 27, Township 28, Range 24, except the south 175 feet thereof.

(9) (Repealed, Bill No. 2010-22)

(10) M-73 (Between 65th Street and Rae Drive). Tracts B and C, R.L.S. No. 793.

(11) M-54 (NW corner, 65th and Pleasant). Lot 1, Block 1, J.N. Hauser's Second Addition; and Lot 6, Block 2, Lyndale Oaks Addition.

(12) (Repealed, Bill No. 2010-22)

(13) (Repealed Bill No. 2010-22)
(14) M-54 (E side of Pleasant, between 63rd and 64th). Lots 6 through 10, Block 5, Nicollet Homes Addition; and Lots 4 and 5, Block 4, Rearrangement of Nicollet Homes Second Addition.

(15) M-54 (Pleasant, E side, 64th to 65th). Lots 6 through 10, Block 5, Rearrangement of Nicollet Homes Second Addition and that area between Pleasant and Pillsbury Avenues between 65th Street and the south line of Rearrangement of Nicollet Homes Second Addition, except that area between the west right-of-way line of Pillsbury Avenue and a line distant 122 feet west and parallel to said right-of-way line, and between the south line of Rearrangement of Nicollet Homes Second Addition and a line distant 65 feet south and parallel to said south line. (Amended, Bill No. 1999-15)

(16) M-54 (SE corner, 64th and Blaisdell). Lot 10, Block 8, Rearrangement of Nicollet Homes 2nd Addition. (Amended, Bill No. 2010-22)

(17) (Repealed, Bill No. 2010-9)

(18) (Repealed, Bill No. 2010-9)

(19) (Repealed, Bill No. 2010-22)

(20) (Repealed, Bill No. 2009-7)

(21) M-49 (SW corner, 66th and Chicago) Lots 1, 2, and 3, Okstad Addition.

(22) M-49 (SE corner, 66th and 10th) Lots 1, 2, and 3, Block 1, Terrace Gardens Addition.

(23) (Repealed, Bill No. 2000-20)

(24) M-87 (SE corner, 69th and Penn). Lots 17 and 18, Block 10, Woodlake Highlands.

(25) (Repealed, Bill No. 2009-7)

(26) M-87 (E side of Penn, S of 67th). Lot 10, Block 7, Fairwood Park Addition.

(27) M-87 (E of Penn, N of 68th). Lot 8, Block 7, Fairwood Park Addition.

(28) M-18 (SE of 18th and 76th). That area lying between the center line of 76th Street and a line distant 330 feet southerly thereof and parallel thereto, and between the east line of 18th Avenue extended and a line running parallel with Cedar Avenue, distant 173 feet west of the center line of Cedar Avenue.

(29) (Repealed, Bill No. 2011-7)

(30) (Repealed, Bill No. 2011-27)

(31) M-11, 1214 (SW corner, 74th and Penn). The north 252.23 feet of the south 1283.70 feet of the east eighth of the Northeast Quarter of the Southeast Quarter of Section 32, Township 28, Range 24.

(32) M-16 (NW of 77th and Pleasant). The east half of Lots 2 through 7, Block 2, Sunset Terrace Addition. (Added, Bill No. 1993-15)

(33) (Repealed, Bill No. 2010-22)

(34) M-49 (SE corner, 66th and Elliot). Lots 1 through 3, Block 2, Terrace Gardens Addition. (Added, Bill No. 1993-20)

(35) (Repealed, Bill No. 2010-22)

(36) (Repealed, Bill No. 2010-9)

(37) M-54 (NE corner of 66th Street and 5th Avenue). That area lying between the center lines of Fifth and Portland Avenues, and between the center line of 66th Street and the south line of Block 1, Bauman-Wheelock Addition, except that area distant 150 feet north and parallel to said center line, and between the west right-of-way line of Portland Avenue and a line distant 125 feet west and parallel to said right-of-way line, and excluding public streets. (Added, Bill No. 1999-15)

(38) (Repealed, Bill No. 2010-22)

(39) M-49 (SE Corner of 66th and 11th). The Western 1/2 of Lot 1, Block 1, Jerpbaks 1st Addition. (Added, Bill No. 2010-22)

(40) M-54 (64th near Lyndale). Lots 4 - 6, Block 5, Lyndale Oaks Addition. (Added, Bill No. 2010-22)

(41) M-9, 102 (NW corner, 66th and Thomas). Lot 7, Block 1, Andersen-Erichsen Addition. (Added, Bill No. 2010-22)
(42) M-49 (SE corner, 66th and Chicago). Lots 4 and 15, Block 3, Terrace Garden Addition. (Added, Bill No. 2010-22)


(44) M-16 (S of 74th between Lyndale and Pleasant). The south 5 acres of the north 10 acres of the Northwest Quarter of the Southwest Quarter of Section 34, Township 28, Range 24, and the north 4 feet of that part of said Northwest Quarter lying immediately south of said 5 acres tract, except that part of said tracts which are designated as General Commercial Areas. (Added, Bill No. 2011-27)

(45) M-9 (W of 18th, between 67th and 68th). Lots 1-8, Block 3, Wexlers Addition.

(46) M-9 (W of 18th, between 69th and 70th). Lots 1-8, Block 2, Cedar Sunrise Third Addition.

(47) M-13 (W of 18th, between 72nd and 73rd). Lots 1-10, Block 2, Elder Grove Fourth Addition.

(48) M-13 (W of 18th, between 73rd and 74th). The North 105 feet of the East ½ of the West ½ of the Southeast ¼ of the Southeast ¼ of the Northeast ¼, except part taken for road; and Lots 1-8, Block 1, Evergreen Gardens 2nd Addition.

(49) M-17 (West of 18th, between 74th and 75th). Lots 1-5, Block 2, Zuberts South View Gardens 3rd Addition and the area between the northerly extensions of the western and eastern property lines of Lots 1-5, Block 2, Zuberts South View Gardens 3rd Addition to the center line of 74th Street.

(50) M-17 (West of 18th, between 75th & 76th). Lots 1-4, Block 1, Zuberts South View Gardens 1st Addition and Lots 1-5, Block 2, Larsons South View Gardens 2nd Addition.

(23) M-17 Lots 1-10, Block 4, Engberg-Walden 2nd Addition.

(24) M-17 Lots 1-5, Block 1, John Engbergs 2nd Addition.

**Section 14. - High Density Multiple Residential (MR-3).**

(1) M-16 (E of Lyndale at 75th). That area lying between Lyndale Avenue and Lincoln Field, and Between the north line of Sunset Terrace Addition and a line running parallel with and 334 feet south of the north line of the South Half of Section 34, Township 28, Range 24.

(2) M-64 (SE corner, 63rd and Lyndale). That area between the center line of Lyndale Avenue and the west line of Adolfson and Peterson's First Addition, and between 63rd Street and the north line of Lyndale Oaks Addition.

(3) M-41, 1214 (SW 76th and Penn). That area lying between the west line of Penn Avenue and the center line of Thomas Avenue, and between the center line of 76th Street and the north right-of-way line of Interstate Highway 494 except the following described areas: 1. That area lying between the west line of Penn Avenue and a line 200 feet west of and parallel to said line within 200 feet north of the north right-of-way line of Interstate Highway 494; 2. that area lying between the center lines of Sheridan and Thomas Avenues and the center line of 76th and 77th Streets; 3 that area lying between the center line of Sheridan Avenue and a line 170 feet east of and parallel to said center line, and between the center line of 76th Street and a line 258 feet south of and parallel to said center line, and 4. The East 330 feet of the South 230 feet of the Northeast 1/4 of the Southeast 1/4 of Section 34, Township 28, Range 24. (Amended, Bill No. 2010-22)

(4) M-5-73 (N of 65th, W of Lyndale). The west 55 feet of Tract B and all of Tract C, R.L.S. No. 675; and all of Tract B of R.L.S. No. 1131.

(5) M-4415 (SW, 76th and I-35W). The north 538.21 feet of that area lying between the center lines of 76th Street and 77th Street, and between the centerline of Knox Avenue and the west right-of-way line of Highway I-35W.

(6) (Repealed Bill No. 2010-22)

(7) (Repealed Bill No. 2006-1)

(8) M-73 (W of 63rd and Dupont). That part of Block 5, Ray's Lynnhurst Second Addition lying between 63rd Street and Mildred Drive, and between Dupont and Emerson Avenues; and that portion of Block 2, Ray's Lynnhurst Addition lying south and east of Highway I-35W and west of Emerson Avenue and north of 64th Street; and including Parcel 4600, R.L.S. No. 877 on Dupont Avenue.

(9) (Repealed, Bill No. 1998-17)

(10) (Repealed, Bill No. 1998-17)
(11) (Repealed, Bill No. 2010-22)

(12) M-18 (7500 Cedar Ave). That part of the east quarter of the North Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section 35, Township 28, Range 24, lying east of Zubert's South View Gardens Fourth Addition. (Added, Bill No. 1993-17)

(13) M-54 (N of 63rd, E of Railroad). Lots 1 through 8, except the east 135 feet thereof, Block 4, Betcher's Addition, and Lot 2, Block 4, Nicollet Homes Addition and that portion of vacated 63rd Street north of and adjacent to said Lot 2. (Added, Bill No. 1994-8)

(14) M-73 (Rae Drive, N side, W half of block). Tracts D and E, R.L.S. No. 793. (Added, Bill No. 1994-8)

(15) M-92 (W side of Queen, near 64th). That area lying between the east line of Harry Tickner's Subdivision of Lot 2, Richfield Gardens, and the center line of Queen Avenue extended; and between the center lines of 64th and 65th Streets.

(16) M-92 (N side 66th at Upton). The west 1/2 of the south 1/2 of lot 12, Richfield Garden and Lot A of Registered Land Survey No. 1018. (Amended, Bill No. 1999-15)

(17) (Repealed, Bill No. 2006-1)

(18) M-35 (16th Ave between 63rd and 65th). Lots 2-8, Block 1, Iversons 2nd Addition and Lots 1-8, Block 2, Iversons 2nd Addition. (Added, Bill No. 2010-22)

(19) M-35 (17th Ave between 63rd and 65th). Lots 9-4, Block 1, Iversons 2nd Addition and Lots 1-8, Block 2, Iversons 2nd Addition. (Added, Bill No. 2010-22)

(20) M-17 Block 3, Wexlers Addition. (Added, Bill No. 2010-22)

(21) M-17 Block 2, Cedar Sunrise 2nd Addition. (Added, Bill No. 2010-22)

(22) M-17 Block 2, Cedar Sunrise 3rd Addition. (Added, Bill No. 2010-22)

(23) M-17 Lots 1-10, Block 4, Engberg-Walden 2nd Addition. (Added, Bill No. 2010-22)

(24) M-17 Lots 1-5, Block 1, John Engbergs 2nd Addition. (Added, Bill No. 2010-22)

(25) M-73 (NW corner, 66th and Rae Drive). Lots 1-3, Block 1, Rae 2nd Addition; Lots 1-5, Block 1, Rae 3rd Addition; and Lots 1-5, Block 2, Rae 3rd Addition. (See Reference #7 of attached Boundary Conflicts.) (Added, Bill No. 2010-22)

(26) M-9, 102 (NW corner, 66th and Queen). Lot 4, Block 2 of Harry Tickner's Subdivision of Lot 15, Richfield Gardens. (Added, Bill No. 2010-22)

(27) M-4Z13 (SE corner, 71st and Chicago). The West 163 9/10 ft of that part of the Northeast Quarter of the Northwest Quarter of Section 35, Township 28, Range 24 lying south of the north 690 feet thereof and north of a line parallel with and 70 feet north from the north line of Zuberts Elliott Avenue Addition. (Added, Bill No. 2010-22)

(28) M-4Z12 (NW corner, 73rd and Portland). The south 1/2 of the area between 72nd and 73rd Streets, and between Portland Avenue and the center line of the alley in Block 2, Blair's Wooddale 3rd Addition extended. (Added, Bill No. 2010-22)

(29) M-4Z15 (74th to 76th, between Penn and Oliver). That area lying between the center lines of Penn and Oliver Avenues, and between 74th and 76th Streets. (Added, Bill No. 2010-22)

(30) M-4Z15 (NW corner, 76th and I-35W). The South 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 33, Township 28, Range 24, except roads and highway. (Added, Bill No. 2010-22)

(31) M-4Z13 (SW corner, 71st and Chicago). That area lying between the east line of Block 1, Wallaces Sunnyside Acres 6th Addition and the center line of Chicago Avenue, and between the center line of 71st Street and a line distant 200 feet south and parallel to said center line. (Added, Bill No. 2010-22)

(32) M-Z13 (East side Chicago, 71st to 72nd). That area lying between the center line of Chicago Avenue and the east line of Lot 4, Block 4, Zuberts Elliot Avenue Addition extended, and between the north line of Lot 4, Block 4, Zuberts Elliot Avenue Addition and the center line of 72nd Street. (Added, Bill No. 2010-22)

(33) M-54 (NW corner, Lyndale and 64th). Lots 7 and 8, Block 5, Lyndale Oaks Addition. (Added, Bill No. 2010-22)
Section 15. - Service Office District (SO-1).

1. M-68 (NE corner, 70th and Nicollet). That area lying between a line distant 133 feet northerly of the center line of 70th street and parallel thereto, and a line 147 feet northerly of said line and parallel thereto, and lying between the center line of Nicollet Avenue and the west line of Meredith’ Addition. (Added, Bill No. 2004-13)

2. M-16 (SW of 74th and Garfield). The west quarter of the north 5 acres of the Northwest Quarter of the Southwest Quarter of Section 34, Township 28, Range 24 except west 175 feet thereof. (Added, Bill No. 2011-27)

Section 16. - Mixed Use - Neighborhood District (MU-N)

1. M-16 (NE corner of 78th and Wentworth). Lot 4, Block 6, R.C. Soen's Addition.

2. M-16 (SE Corner of 77th and Wentworth). That area lying between the center lines of 77th and 78th Streets and between Wentworth Avenue and the east lines of Lots 4, 5, and 6, Block 7, R.C. Soen's Addition, and excluding Lot 4, Block 6, R.C. Soen's Addition.

3. M-4817 (South of 77th Street, Park to 10th). That area lying between 77th and 78th Streets and between the center lines of Park Avenue extended and 10th Avenue extended.

4. M-4817 (S of 77th, 14th to Bloomington). That area lying between the center lines of 77th and 78th Streets and between the center lines of 14th Avenue and Bloomington Avenue.

5. M-16 (S of 77th, Soo Line Railway to Wentworth). That area lying between the original center line of 77th Street and the center line of 78th Street, and between the center line of Wentworth Avenue and the West right-of-way line of the Soo Line Railway. (Added, Bill No. 2006-16)

Section 17. - Mixed Use - Community District (MU-C).

1. M-16 (S of 77th, Nicollet to 4th). That area lying between the original center line of 77th Street and the center line of 78th Street, and between the east lines of lots 4, 5, and 6, Block 7, R.C. Soen's Addition and the center line of 4th Avenue.

2. M-4817 (S of 77th, 10th to 12th). That area lying between 77th and 78th Streets and between the center lines of 10th Avenue extended and 12th Avenue.

3. M-4817 (E side of 12th S of 77th). That area lying between the center lines of 77th and 78th Streets, and between the center line of 12th Avenue and a line parallel to and 230 feet east of the center line of 12th Avenue.

4. M-4817 (S of 77th, 13th to 14th). That area lying between the center lines of 77th and 78th Streets, and between the center line of 14th Avenue and a line parallel to and 230 feet east of the center line of 12th Avenue.

5. M-4817 (77th Street and Bloomington Avenue). The East 198 feet of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter, except roads and highway, of Section 35, Township 28, Range 24. (Added, Bill No. 2006-16; amended, Bill No. 2015-6)

6. M-9, 10, 2, 3 (W of Penn, 62 to 67th, except 66th and Penn corner). That area lying between the center lines of state highway 62 and 67th Street, and between the center lines of Penn Avenue and Queen Avenue extended north, except that part of Lot 16, “Richfield Gardens”, which lies southerly of a line described as commencing at the southeast corner of said Lot 16; thence northerly, along the easterly line of said Lot 16, a distance of 219.69 feet to the point of beginning of the line to be described; thence westerly, deflecting to the left 90 degrees 00 minutes 00 seconds, to the west line of said Lot 16 and said line there terminating; together with: Lot 3, Block 3, Harry Tickner's Subdivision of Lot 15, Richfield Gardens—Lot 1, Block 1, Richfield Gardens Second Addition. (Added, Bill No. 2009-7; Amended Bill No. 2011-2)

7. M-92 (S of 62, W of Penn). That area lying between the center lines of state highway 62 and 63rd Street extended westerly, and between the east line of Leslie Terrace Addition and a line parallel with and 330 feet westerly of the center line of Penn Avenue. (Added, Bill No. 2009-7)

8. M-496 (W of Penn, between 67th and 68th). Lots 1 through 12 of Block 16, Tingdale Brothers Lincoln Hills Addition. (Added, Bill No. 2009-7)
(9) M-73 (E of Penn, between 62 and 63rd). That area lying between the center lines of state highway 62 and 63rd Street, and between the center lines of Penn Avenue and Oliver Avenue. (Added, Bill No. 2009-7)

(10) M-73 (SE of 63rd and Penn). That area lying between the center lines of Penn Avenue and the alley in Block 12, Ray's Lynnhurst Addition, and between the south line of said Block 12 and the center line of 63rd Street. (Added, Bill No. 2009-7)

(11) M-73 (E of Penn, near 64th to 66th). That area lying between the center lines of Penn Avenue and Oliver Avenue, and between the center lines of Oliver Avenue and the east line of Dolphins Addition. (Added, Bill No. 2009-7)

(12) M-87 (E of Penn, 66th to 67th). Lots 6 though 10 of Block 6, Fairwood Park Addition. (Added, Bill No. 2009-7)

(13) M-73 (E of Oliver, 62 to 63rd). That area lying between the center lines of state highway 62 and 63rd Street, and between the center lines of Oliver Avenue and the east line of Dolphins Addition. (Added, Bill No. 2009-7)

(14) M-73 (SW corner of 63rd and Oliver). Lots 1 and 2 of Block 12, Ray's Lynnhurst Addition. (Added, Bill No. 2009-7)

(15) (Repealed, Bill No. 2012-8)

(16) M-9 (S of roundabout, 17th to 18th). Lots 4-16, Block 2, Wexler's Addition.

(17) M-9 (18th to Cedar, 67th to 68th). Block 4, Wexler's Addition.

(18) M-9 (West side 6800 block of 18th). Lots 1-8, Block 2, Cedar Sunrise Second Addition.

(19) M-9 (N of 68th, E of Cedar). That area lying between the center line of Cedar Avenue and State Highway 77 between 66th and 68th Streets.

(20) M-9 (S of 68th, 18th to Cedar). Block 1, Cedar Sunrise Second Addition.

(21) M-9 (S of 68th, E of Cedar). Block 4, Rich Acres, between the center lines of 68th and 69th Street extended to eastern City boundary.

(22) M-9 (S of 69th, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, and between the center lines of 69th Street and Diagonal Boulevard.

(23) M-13 (S of Diagonal, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of Diagonal Boulevard and 72nd Street.

(24) M-13 (S of 72nd, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 72nd Street and 73rd Street.

(25) M-13 (S of 73rd, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 73rd Street and 74th Street.

(26) M-17 (S of 74th, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 73rd Street and 74th Street.

(27) M-17 (S of 75th, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 75th Street and 76th Street.

(28) M-17 (S of 76th, East of Washington Park). That area lying between the center line of 18th Avenue extended south to the center line of 77th and Cedar Avenue, between the center lines of 76th Street and 77th Street.

Section 18. - Mixed Use - Regional District (MU-R)

(1) M-16. Lot 1 and Outlot A, Hampton Richfield Addition. (Amended, Bill No. 2013-12)

(2) M-16 (SW of 77th and Soo Line Railway). Lot 2, Block 1, Candlewood Hotel Addition. (Amended, Bill No. 2009-18)

(3) M-16, 4817 (S of 77th, 4th to Park). That area lying between the original center line of 77th Street and the center line of 78th Street, and between the center lines of 4th Avenue and Park Avenue extended.

(4) M-4817 (S of 77th, Bloomington to Cedar). That area lying between the center lines of 77th and 78th Streets, and between the center lines of Cedar Avenue and Bloomington Avenue.
Section 19. - Airport Runway Overlay District (AR)

(1) The Airport Runway Overlay District (AR) shall apply to all land within the City of Richfield designated as Safety Zone B and Safety Zone C in the 2004 MSP Zoning Ordinance and shown on MSP Zoning Map Safety Zones - Plates SZ-14, Plate SZ-15 and Plate SZ-20.

Section 20. - Penn Avenue Corridor Overlay District (PAC)

(1) M-9, 102.6 (W of Penn, 62 to 67th). That area lying between the center lines of state highway 62 and 67th Street, and between the center lines of Penn Avenue and Queen Avenue extended north.

(2) M-92 (S of 62, W of Penn). That area lying between the center lines of state highway 62 and 63rd Street extended westerly, and between the east line of Leslie Terrace Addition and a line parallel with and 330 feet westerly of the center line of Penn Avenue.

(3) M-496 (W of Penn, between 67th and 68th). Lots 1 through 12 of Block 16, Tingdale Brothers Lincoln Hills Addition.

(4) M-73 (E of Penn, between 62 and 63rd). That area lying between the center lines of state highway 62 and 63rd Street, and between the center lines of Penn Avenue and Oliver Avenue.

(5) M-73 (SE of 63rd and Penn). That area lying between the center lines of Penn Avenue and the alley in Block 12, Ray's Lynnhurst Addition, and between the south line of said Block 12 and the center line of 63rd Street.

(6) M-73 (E of Penn, near 64th to 66th). That area lying between the center lines of Penn Avenue and Oliver Avenue, and between the south line of Block 12, Ray's Lynnhurst Addition and the center line of 66th Street.

(7) M-87 (E of Penn, 66th to 67th). Lots 6 though 10 of Block 6, Fairwood Park Addition.

(8) M-73 (E of Oliver, 62 to 63rd). That area lying between the center lines of state highway 62 and 63rd Street, and between the center lines of Oliver Avenue and the east line of Dolphins Addition.

(9) M-73 (SW corner of 63rd and Oliver). Lots 1 and 2 of Block 12, Ray's Lynnhurst Addition.

(Added: Bill No. 2009-7)

Section 21. Cedar Avenue Corridor Overlay

(1) M-9 (S of roundabout between 17th & 18th) Lots 4-16, Block 2, Wexlers Addition.

(2) M-9 (18th to Cedar, 67th to 68th). Block 4, Wexler's Addition.

(3) M-9 (W of 18th, 68th to 69th). Lots 1-8, Block 2, Cedar Sunrise Second Addition.

(4) M-9 (W of 18th, 69th to 70th). Lots 1-8, Block 2, Cedar Sunrise Third Addition.

(5) M-17 Lots 1-10, Block 4, Engberg-Walden 2nd Addition.

(6) M-17 Lots 1-5, Block 1, John Engbergs 2nd Addition.

(7) M-9 (N of 68th, E of Cedar). That area lying between the center line of Cedar Avenue and State Highway 77 between 66th and 68th Streets.

(8) M-9 (S of 68th, 18th to Cedar). Block 1, Cedar Sunrise Second Addition.

(9) M-9 (S of 68th, E of Cedar). Block 4, Rich Acres, between the center lines of 68th and 69th Street extended to eastern City boundary.

(10) M-9 (S of 69th, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, and between the center lines of 69th Street and Diagonal Avenue.

(11) M-13 (S of Diagonal, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of Diagonal Boulevard and 72nd Street.

(12) M-13 (S of 72nd, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 72nd Street and 73rd Street.

(13) M-13 (W of 18th, between 72nd and 73rd). Lots 1-10, Block 2, Elder Grove Fourth Addition.
(14) M-13 (W of 18th, between 73rd and 74th). The North 105 feet of the East ½ of the West ½ of the Southeast ¼ of the Southeast ¼ of the Northeast ¼, except part taken for road; and Lots 1-8, Block 1, Evergreen Gardens 2nd Addition.

(15) M-13 (S of 73rd, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 73rd Street and 74th Street.

(16) M-17 (West of 18th, between 74th and 75th). Lots 1-5, Block 2, Zuberts South View Gardens 3rd Addition and the area between the northerly extensions of the western and eastern property lines of Lots 1-5, Block 2, Zuberts South View Gardens 3rd Addition to the center line of 74th Street.

(17) M-17 (West of 18th, between 75th & 76th). Lots 1-4, Block 1, Zuberts South View Gardens 1st Addition and Lots 1-5, Block 2, Larsons South View Gardens 2nd Addition.

(18) M-17 (S of 74th, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 73rd Street and 74th Street.

(19) M-17 (S of 75th, 18th to Cedar). That area lying between the center lines of 18th Avenue and Cedar Avenue, between the center lines of 75th Street and 76th Street.

(20) M-17 (S of 76th, East of Washington Park). That area lying between the center line of 18th Avenue extended south to the center line of 77th and Cedar Avenue, between the center lines of 76th Street and 77th Street.

BOUNDARY CONFLICTS

Reference #1 - I Zone, Item 2 (p. 1) and MR-2 Zone, Item 25 (p. 38)
These two zones use differing assumptions to set their common boundary; they probably do not coincide. There is probably a gap of 1.5 feet (plus or minus) between the two zones.

Reference #2 - C-2 Zone, Item 15 (p. 6) and PMR zone, Item 3 [Tract 1] (p. 22)
The eastern boundary is "Graham Avenue Extended". On the map we use the center line of Graham Avenue, which is vacated. There is uncertainty whether the center line or the west line of vacated Graham Avenue should be used.

Reference #3 - C-2 Zone, Item 17 (p. 7) and MR-1 Zone, Items 33 and 34 (p. 31)
The common boundaries between the C-2 zone and the two MR-1 zones, by definition, do not coincide exactly. They range from an overlap of 0.16 feet to a gap of 0.02 feet.

Reference #4 - C-2 Zone, Item 19 (p. 7) and MR-1 Zone, Item 35 (p. 31)
The same common boundary problem as in Reference 3 above. They overlap approximately 9.8 feet.

Reference #5 - C-2 Zone, Item 20 (p. 7) and MR-1 Zone, Item 36 (p. 31)
The same common boundary problems in Reference 3 above. They overlap approximately 11.1 feet.

Reference #6 - PMR Zone, Item 3 [Tract 4, Parcel 3] (p. 24)
There is definitely an error but we don't have the information needed to correct it. A survey would be required to find the problem.

Reference #7 - PMR-1 Zone, Item 1 (p. 26)
Reference to "Official Zoning Map" is required.
Sec. 5. This ordinance constitutes a rezoning of the following properties: 6601 17th Ave, 6609 17th Ave, 6615 17th Ave, 6621 17th Ave, 6627 17th Ave, 6633 17th Ave, 6639 17th Ave, 6645 17th Ave, 6620 18th Ave, 6626 18th Ave, 6632 18th Ave, 6638 18th Ave, 6644 18th Ave, 6701 17th Ave, 6709 17th Ave, 6715 17th Ave, 6721 17th Ave, 6727 17th Ave, 6733 17th Ave, 6739 17th Ave, 6745 17th Ave, 6700 18th Ave, 6708 18th Ave, 6714 18th Ave, 6720 18th Ave, 6726 18th Ave, 6732 18th Ave, 6738 18th Ave, 6744 18th Ave, 6701 18th Ave, 6709 18th Ave, 6715 18th Ave, 6721 18th Ave, 6727 18th Ave, 6733 18th Ave, 6739 18th Ave, 6745 18th Ave, 6700 Cedar Ave, 6720 Cedar Ave, 6730 Cedar Ave, 6744 Cedar Ave, 6733 Cedar Ave, 6801 17th Ave, 6809 17th Ave, 6815 17th Ave, 6821 17th Ave, 6827 17th Ave, 6833 17th Ave, 6839 17th Ave, 6845 17th Ave, 6800 18th Ave, 6808 18th Ave, 6814 18th Ave, 6820 18th Ave, 6826 18th Ave, 6832 18th Ave, 6838 18th Ave, 6844 18th Ave, 6801 18th Ave, 6809 18th Ave, 6815 18th Ave, 6821 18th Ave, 6827 18th Ave, 6833 18th Ave, 6839 18th Ave, 6845 18th Ave, 6800 Cedar Ave, 6808 Cedar Ave, 6814 Cedar Ave, 6820 Cedar Ave, 6826 Cedar Ave, 6832 Cedar Ave, 6838 Cedar Ave, 6844 Cedar Ave, 6801 Cedar Ave, 6809 Cedar Ave, 6813 Cedar Ave, 6821 Cedar Ave, 6825 Cedar Ave, 6829 Cedar Ave, 6833 Cedar Ave, 6839 Cedar Ave, 6841 Cedar Ave, 6901 17th Ave, 6909 17th Ave, 6915 17th Ave, 6921 17th Ave, 6927 17th Ave, 6933 17th Ave, 6939 17th Ave, 6945 17th Ave, 6900 18th Ave, 6908 18th Ave, 6914 18th Ave, 6920 18th Ave, 6926 18th Ave, 6932 18th Ave, 6938 18th Ave, 6944 18th Ave, 6901 18th Ave, 6909 18th Ave, 6915 18th Ave, 6921 18th Ave, 6927 18th Ave, 6933 18th Ave, 6939 18th Ave, 6945 18th Ave, 7001 18th Ave, 7005, 18th Ave, 6900 Cedar Ave, 6908 Cedar Ave, 6914 Cedar Ave, 6920 Cedar Ave, 6924 Cedar Ave, 6932 Cedar Ave, 6938 Cedar Ave, 6958 Cedar Ave, 7030 18th Ave, 7034 18th Ave, 7038 18th Ave, 7044 18th Ave, 7048 18th Ave, 7100 18th Ave, 7104 18th Ave, 7110 18th Ave, 7114 18th Ave, 7120 18th Ave, 7124 18th Ave, 7128 18th Ave, 7134 18th Ave, 7138 18th Ave, 7144 18th Ave, 7025 18th Ave, 7029 18th Ave, 7033 18th Ave, 7035 18th Ave, 7039 18th Ave, 7045 18th Ave, 7049 18th Ave, 7101 18th Ave, 7105 18th Ave, 7111 18th Ave, 7115 18th Ave, 7121 18th Ave, 7127 18th Ave, 7131 18th Ave, 7137 18th Ave, 7145 18th Ave, 7000 Cedar Ave, 7034 Cedar Ave, 7040 Cedar Ave, 7048 Cedar Ave, 7100 Cedar Ave, 7116 Cedar Ave, 7134 Cedar Ave, 1717 72nd St E, 7204 18th Ave, 7210 18th Ave, 7214 18th Ave, 7220 18th Ave, 7224 18th Ave, 7228 18th Ave, 7234 18th Ave, 7238 18th Ave, 7244 18th Ave, 7201 18th Ave, 7209 18th Ave, 7215 18th Ave, 7221 18th Ave, 7227 18th Ave, 7235 18th Ave, 7243 18th Ave, 7200 Cedar Ave, 7214 Cedar Ave, 7226 Cedar Ave, 7244 Cedar Ave, 7300 18th Ave, 7308 18th Ave, 7314 18th Ave, 7320 18th Ave, 7324 18th Ave, 7328 18th Ave, 7334 18th Ave, 7338 18th Ave, 7344 18th Ave, 7301 18th Ave, 7309 18th Ave, 7315 18th Ave, 7321 18th Ave, 7325 18th Ave, 7329 18th Ave, 7335 18th Ave, 7339 18th Ave, 7345 18th Ave, 7300 Cedar Ave, 7320 Cedar Ave, 7334 Cedar Ave, 7344 Cedar Ave, 7400 18th Ave, 7408 18th Ave, 7414 18th Ave, 7420 18th Ave, 7424 18th Ave, 7428 18th Ave, 7428 18th Ave, 7434 18th Ave, 7444 18th Ave, 7401 18th Ave, 7409 18th Ave, 7415 18th Ave, 7421 18th Ave, 7425 18th Ave, 7429 18th Ave, 7439 18th Ave, 7443 18th Ave, 7400 Cedar Ave, 7408 Cedar Ave, 7420 Cedar Ave, 7444 Cedar Ave, 7500
Sec. 9. This ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Pat Elliott, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk
RESOLUTION NO. _____

RESOLUTION APPROVING SUMMARY PUBLICATION
OF BILL NO. 2017-___

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

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

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

SUMMARY PUBLICATION
BILL NO. 2017-___

AN ORDINANCE RELATING TO ZONING; ESTABLISHING REGULATIONS FOR A CEDAR CORRIDOR OVERLAY DISTRICT; AMENDING SUBSECTION 512.01 OF THE RICHFIELD CITY CODE; AMENDING THE RICHFIELD CITY CODE BY CREATING A NEW SUBSECTION 541.23; AMENDING SUBSECTION 537.07; AMENDING APPENDIX I TO THE RICHFIELD CITY CODE BY REZONING PROPERTIES WITHIN THE CEDAR AVENUE CORRIDOR AREA AS MEDIUM DENSITY RESIDENTIAL AND MIXED-USE COMMUNITY AND ALSO SUBJECT TO THE CEDAR AVENUE CORRIDOR OVERLAY DISTRICT REGULATIONS

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

This ordinance establishes a new Cedar Corridor Overlay District. The ordinance regulates the land uses that are permitted, conditionally permitted, or prohibited in the District. It establishes building setback and minimum and maximum building height requirements. It also establishes requirements for parking, buffer areas between uses, and delivery traffic. In general, the Overlay District allows for more intense use than is currently present in the area, but is of a similar or lesser intensity to that which the previous General Commercial and High-Density Multi-Family Districts would have allowed. The ordinance requires site plan approval for all development within the Cedar Avenue Corridor and establishes regulations for uses and structures that do not conform to the new regulations. The regulations include allowing some expansion of existing single-family homes.

The ordinance also rezones most of the properties within an area bounded by 66th Street (north), Highway 77 (east), 77th Street (south), and 17th Avenue (west). Properties west of 18th Avenue (which will become Richfield Parkway in the future) will be zoned Medium and Low-Density. Properties west of 18th Avenue will be zoned Mixed Use – Community. The Overlay District will apply to all rezoned properties with the exception of the Low-Density area along 17th Avenue.

Copies of the ordinance are available for public inspection in the City Clerk’s office during normal business hours or upon request by calling the
Department of Community Development at (612) 861-9760. A map showing the new zoning district boundaries, as well as a list of the addresses of properties that are being rezoned can be obtained from the Department of Community Development.

/s/
Elizabeth VanHoose, City Clerk

BE IT FURTHER RESOLVED, that the city clerk is directed to keep a copy of the ordinance in her office at city hall for public inspection and to post a full copy of the ordinance in a public place in the City for a period of two weeks.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of April, 2017

Pat Elliott, Mayor

ATTEST:

______________________________
Elizabeth VanHoose, City Clerk
Cedar Avenue Corridor Zoning Districts

<table>
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<th>Current</th>
<th>Proposed</th>
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### Zoning Designations
- **Park (Zoning District is R)**
- **R Single-Family**
- **MR-1 Two-Family**
- **MR-2 Multi-Family**
- **MR-3 High-Density Multi-Family**
- **SO Service Office**
- **C-1 Community Commercial**
- **C-2 General Commercial**
- **PC-2 Planned Gen.Commercial**
- **MU-N Mixed Use-Neighborhood**
- **MU-C Mixed Use-Community**
- **MU-R Mixed Use-Regional**
- **PMU Planned Mixed Use**
- **MU-C/CAC Mixed Use + Cedar Overlay**
- **MR-2/CAC Multi-Family + Cedar Overlay**

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Current Zoning Districts:
- **I-494**
- **Cedar Avenue Corridor**

Proposed Zoning Districts:
- **Park (Zoning District is R)**
- **R Single-Family**
- **MR-1 Two-Family**
- **MR-2 Multi-Family**
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- **MR-2/CAC Multi-Family + Cedar Overlay**

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Legend:
- **Park (Zoning District is R)**
- **R Single-Family**
- **MR-1 Two-Family**
- **MR-2 Multi-Family**
- **MR-3 High-Density Multi-Family**
- **SO Service Office**
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- **MU-R Mixed Use-Regional**
- **PMU Planned Mixed Use**
- **MU-C/CAC Mixed Use + Cedar Overlay**
- **MR-2/CAC Multi-Family + Cedar Overlay**
PROJECT TEAM

CITY OF RICHFIELD COMMUNITY DEVELOPMENT
Contact: John Stark, Community Development Director
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CONTENTS

EXECUTIVE SUMMARY ......................................................... 3
INTRODUCTION ................................................................. 5
PURPOSE ................................................................. 7
VISION ................................................................. 9
PLAN ELEMENTS ........................................................... 11
RICHFIELD PARKWAY .................................................. 11
MIXED-USE DEVELOPMENT PATTERN ...................... 12-13
HOUSING DIVERSITY .................................................. 15

EXECUTIVE SUMMARY

Cedar Avenue defines the eastern boundary of Richfield. Land uses along the roadway corridor include a mix of single-family homes, apartments, and a number of free-standing businesses; the neighborhood continues to be impacted by the proximity to the Minneapolis St. Paul International Airport in a variety of ways.

In 2016, the City updated the 2004 Redevelopment Master Plan for the Cedar Avenue Corridor. While the initial study had successfully guided the Cedar Point redevelopment in 2007, the national recession that followed stalled initiatives south of 66th Street for the next decade. The plan update responds to a clearer understanding of the noise impacts resulting from the north-south runway addition at the airport – which is less than what was anticipated – and is more reflective of current market conditions, including development pressure that may arise with the construction of the new underpass at 77th Street, which received $12.5M in funding in 2015. Additionally, the study parameters were adjusted to generally encompass the area from 66th Street on the north to 77th Street on the south, and from the City’s eastern edge at 77th to 17th Avenue on the west.

In 2014, 17th Avenue between 63rd and 65th Streets was reconstructed to become a “complete street” named Richfield Parkway, and a primary focus of the corridor plan update was the continuation and alignment of this parkway south of 66th Street. Calling for medium-density residential and mixed-use along the parkway spine, the proposed alignment and land use recommendations were established to better position the City of Richfield to meet its land-use goals:

- To maintain and enhance the “urban hometown” character of Richfield
- To develop identifiable nodes, corridors and gateways throughout the community
- To provide an economic climate within Richfield that will encourage the availability of quality goods, services and employment opportunities
The Cedar Avenue area of Richfield is very reflective of the community as a whole. Predominantly residential, the neighborhood was developed primarily in the 1940’s and 1950’s around a grid street system containing homes with consistent scales and setbacks. It has a very traditional feel and includes schools, churches, parks and a mature tree canopy, like the city itself, this neighborhood conveys an image of being established.

For the sixty-plus years that have followed, the Cedar Avenue neighborhood has been impacted by the growth of the Minneapolis St. Paul International Airport, expansion of the regional highway network, and birth of second- and third-ring suburbs. As a result, development along the neighborhood’s eastern edge has leaned towards a mix of low-rise rental apartment units and a sprinkling of small-scale commercial businesses, much of which is deteriorating due to age and environmental impacts.

A fully developed first-ring suburb, Richfield has been cognizant of the opportunity to redevelop and reshape these outdated areas of the city in order to position itself for a strong future, and understands that places like the Cedar Avenue Corridor can – properly planned – help to redefine Richfield for the next generation. Convenient transportation (including proximity to the airport), homogeneous housing stock, access to shopping and transit, and the community’s changing demographics are all defining characteristics that are capable of both constraining and inspiring solutions as Richfield seeks to compete with other communities as a desirable place to live, work and play.

INTRODUCTION
In seeking to maintain a competitive position, Richfield continues its decades-long course of strategic investments that promote redevelopment in selected areas while broadly promoting policies and programs that improve neighborhoods and business areas throughout.

In 2004, the city created a Redevelopment Master Plan for the Cedar Avenue Corridor. While this initial study had successfully guided the Cedar Point redevelopment in 2007, the national recession that followed stalled initiatives south of 66th Street for the next decade. And so this plan update was commissioned in 2016 to assess and respond to current challenges and opportunities. Specifically, the plan update responds to a clearer understanding of the noise impacts resulting from the north-south runway addition at the airport - which is less than what was anticipated - and is more reflective of current market conditions, including development pressure that may arise with the construction of the new underpass at 77th Street, which received $12.5M in funding in 2015. Additionally, the study parameters were adjusted to generally encompass the area from 66th Street on the north to 77th Street on the south, and from the city’s eastern edge at 77th to 17th Avenue on the west.

The purpose of the plan is to help frame regulatory tools and policy, to guide public improvements, and to convey the community’s vision for development to prospective developers, architects, planners and property owners.
The Cedar Avenue Corridor is envisioned as an area that takes full advantage of the opportunities unique to its location, to the betterment of the neighborhood and to the city as a whole. The defining characteristics of this corridor – visibility, proximity to the airport, access to convenient transportation and transit, adjacency to regional shopping and business, a shifting demographic, and an established neighborhood with quality, albeit aging and homogeneous, housing stock – serve to both define parameters of and inspire the vision for this corridor.

The Master Plan update seeks to align with the over-arching goals of the Richfield Comprehensive plan, including enhanced connectivity, neighborhood stabilization/revitalization, targeted redevelopment and expanded business opportunities. The study assessed, and specifically addresses, gateways and nodes, connections, place-making elements and land-use within the corridor.

The vision for this targeted redevelopment masterplan of the neighborhood’s eastern edge is:

- To establish a renewed brand at a signature gateway to the city
- To extend Richfield Parkway as an important north-south connector, as a neighborhood amenity, and as a transitional element between new land-uses and the existing single-family neighborhood
- To introduce new commercial uses that capitalize on the site’s unique resources, that directly serve the local community, and that provide employment opportunities
- To increase the diversity of housing options
- To encourage the rehabilitation and replacement of the lowest-quality housing stock
The Cedar Avenue Corridor masterplan is intended to help create an economically viable place for residents to live, work, and play at the city’s eastern edge. In assessing current conditions and future opportunity, three key plan elements ultimately rose to the top as drivers of the final plan:

- Alignment of Richfield Parkway
- Mixed-use Development Pattern
- Housing Diversity

RICHFIELD PARKWAY

In 2014, 17th Avenue between 63rd and 65th Streets was reconstructed to become a “complete street” named Richfield Parkway, and a primary focus of the corridor plan update was the continuation and alignment of this parkway south of 66th Street.

This study identifies the alignment of Richfield Parkway to be along 18th Avenue from 66th Street on the north to 77th Street on the south. Two key contributors to that decision were 1.) the design and construction of a new underpass at 77th Street at 77th, and 2.) the ability to assemble property necessary to support appropriate and impactful development.

Richfield Parkway along 18th Avenue will follow the design established at the Cedar Point development north of 66th Street and will ultimately be classified as an ‘A’ Minor Arterial roadway. It is a divided-lane vehicular and greenway corridor that, by design, accommodates the needs of pedestrians and bicyclists in addition to vehicles, and includes enhanced landscaping.

Right-of-way alignment for the parkway will, at a minimum, preserve existing property boundaries to the west of 18th Avenue, and a variety of traffic calming measures such as roadway configuration and roundabouts will be further studied as detailed plans are developed. Important nodes along this extension of Richfield Parkway include a major gateway to the City of Richfield at 66th Street, a neighborhood node at Diagonal Blvd, the intersection at the “complete street” on 76th, and the terminus at 77th Street.

Ultimately, Richfield Parkway will be more than just an improved north-south connector. Enhanced with landscaping and well-designed bike and pedestrian paths, it will become an amenity that successfully seams together new mixed-use development with a revitalized single-family residential neighborhood.
MIXED-USE DEVELOPMENT PATTERN

The intent of the land-use plan for the Cedar Avenue Corridor redevelopment is to stabilize and revitalize the existing low density residential (LDR) by introducing mixed-use development that accommodates the density necessary to support neighborhood-commercial type goods and services. Mixed-use development refers to the integration of residential, commercial, retail, employment, civic, recreations and educational uses in a way that not only supports and enhances each element in the development, but provides residents in the surrounding neighborhood a rich and diverse environment in which to live, work, shop, play and learn.

Generally, the redevelopment area east of the proposed Richfield parkway seeks to support a residential density of 24-50 units per acre, with predominantly ground floor retail and commercial and vertical integration of residential and office functions. The intent is to support mixed-use developments that represent a blend of the functions commonly associated with High Density Residential (HDR and HDR0), Neighborhood Commercial (NC), and Community Commercial (CC and CCO) as defined in the 2018 Richfield Comprehensive Plan and attached in the Appendix section of this report, for an overall mix of approximately 60% commercial and 40% residential.

For the half block west of the parkway, Medium Density Residential (MDR) is planned to help transition density from the Mixed-used development area to the existing single-family residential neighborhood (designated “Low Density Residential (LDR”)). This classification accommodates attached housing - predominantly townhomes or condominiums - ranging from seven to twelve units per acre. Overlay language will address the accommodation of and improvements to existing single-family residential units that are currently located in that area.

Detailed direction in terms of form, setbacks and other requirements will be addressed via zoning and an overlay district for this corridor, which will include guidance on such things as setbacks from parkway, height limitations in relation to those setbacks, requirements for entrances/window/plazas and other semi-public activity space to front the parkway, limitations on service access, parking, open space, landscaping, and screening, to name a few. A conceptual cross-section through the study area has been developed to direct the massing of the mixed-use and commercial projects within the development area, with upper story setbacks to ensure pedestrian-scaled enclosure of the parkway.

The overall intent of the mixed-use classification is to encourage a pedestrian-friendly environment that fronts the parkway, provides lifestyle goods and services for the adjacent neighborhood, sensitively incorporates parking and service requirements, increases housing density and diversity, offers employment opportunities, invigorates with its architecture, and ultimately re-energizes the city’s eastern edge.
HOUSING DIVERSITY

Housing is the largest component of the existing land use in the Cedar Avenue neighborhood, and the community understands that to remain competitive in retaining and attracting new residents, it needs to:

- Expand housing choices
- Promote the stabilization, revitalization and modernization of the existing housing stock
- Maintain affordability
- Support attractive neighborhoods

Richfield has a limited amount of diversity in its housing stock. Most of the units are single-family detached structures constructed in the mid-twentieth century and generally reflect the styles popular at that time - one story ramblers and one-and-a-half story expansion bungalows. The homes are also smaller, with most less than 1,200 square feet, and commonly lacking in the lifestyle amenities found in new construction.

Despite the age of the homes, the Hennepin County Assessor’s office generally ranks the stock as average or better - though the homes still may not have the features currently sought by homeowners. And so development that encourages reinvestment in the existing single-family structures in the form of renovations and expansions will not only expand housing choices, but will help attract and retain families in the community.

This reinvestment in the existing single-family housing stock, combined with diverse offerings in the medium-density and mixed-use redevelopment projects will ultimately result in housing options for all points in a person’s life, also known as “life-cycle housing”, which typically includes:

- Rental housing for young adults without the interest or financial capacity for ownership
- Units for first-time home buyers
- “Move-up” housing that allows growing families to move to a larger home
- Maintenance free housing for empty nesters
- Housing with supporting services for the elderly

Richfield is an affordable place to live, as well, and needs to remain affordable. But parts of the neighborhood have also been designated as an Area of Concentrated Poverty where 50% or more of residents are people of color (ACP50). The intent of the updated plan is to support development that offers high-quality affordable housing options as well as desirable market-rate units and a strong employment base, resulting in a revitalized neighborhood that is culturally rich.

The plan specifically addresses redevelopment along the Richfield Parkway in order to enhance the existing neighborhood and protect it from undue encroachments. The parkway serves as a clear delineator between higher-density mixed-used and the existing lower-density residential area. To further ease the transition, the half-block to the west of the parkway is designated Medium-density Residential (MDR) to both step down the physical scale and provide that low-rise attached product that is a key product in “life-cycle housing”.

Ultimately, the Redevelopment Master Plan is intended to further the community’s goals in regards to housing:

- To maintain and enhance her image as a community with strong, desirable and livable neighborhoods, and
- To ensure sufficient diversity in the housing stock to provide for a range of household sizes, income levels and needs
At #1316, JLG is the highest-ranked architecture firm on the list of the top 5000 fastest-growing private companies in America.

**2015 Architect 50 Top Firms in Business #19**
JLG is #19 of the top 50 firms in business, and the only firm in North Dakota or South Dakota to make the list.

**2015 ENR Top 500 #386**
JLG is the only North Dakota or South Dakota architecture firm to ever make this 60-year old national ranking.

**2015 Building Design+Construction Giants 300 Design Firms #38**
JLG has been named one of the Top 300 Architecture Firms and Top 60 BIM Architecture Firms in the United States.

**2016 Zweig Group Hot Firm List #75**
JLG is the only architecture firm in the top 10 of the 100 fastest-growing A/E/C/P firms in the US and Canada.

**2016 Minneapolis-St. Paul Business Journal Top 25 Firms #5**
JLG has been on the list of the top firms, ranked by billings, in the metro area since 2013.

**2015 Architecture Record Top 300 Architecture Firms in the US #89**
JLG is the only North Dakota or South Dakota architecture firm to have ever made the ranking of top firms in the United States.

**2016 Zweig Group Best Firm to Work For #4**
JLG is the #1 ranked architecture firm on this national list of the best places to work in the A/E/C industry in the US and Canada.

**2015 Prairie Business Magazine Top 50 Best Places to Work**
JLG has been named a best place to work by this regional publication, covering North Dakota, Minnesota and South Dakota.

**National American Institute of Architects Intern Development Program Outstanding Firm Award**
JLG was recognized as the national leader in developing and training new architects.
STAFF REPORT NO. 68
CITY COUNCIL MEETING
4/11/2017

ITEM FOR COUNCIL CONSIDERATION:
Consideration of the approval of a resolution granting a six-month interim use permit, with staff discretion to issue two three-month extensions, to allow the continued use of 6529 Penn Avenue for used car sales.

EXECUTIVE SUMMARY:
The property at 6529 Penn Avenue was first approved for use as a used car sales lot in 1990. The use was not consistent with the Comprehensive Plan then, and remains at odds with the current Comprehensive Plan. This use has always been considered temporarily acceptable while waiting for the Penn Avenue Corridor to redevelop. The existing permit for this use expires June 8, 2017 and the applicant is applying for a new one-year interim use permit.

The purpose of an interim use permit is to allow a use that may not be compatible with the Comprehensive Plan to operate for a limited period of time. Interim use permits are designed to meet the problem that arises when a City designates an area for redevelopment or revitalization, but the market has yet to react to those changes. In 2009 the City completed a visioning process for the Penn Avenue Corridor, and the vision for this area does not include used car sales businesses; however, market conditions and the difficulty of assembling small sites have hampered redevelopment/revitalization projects and no major changes have occurred within the Corridor since adoption of the Penn Avenue Plan. The property owner (Penn Avenue Partners II) also owns two adjacent properties at the corner of Penn Avenue and 66th Street (Aida and the former Flowerama building). The property owner is currently working with a coffee/restaurant tenant to redevelop the CarHop and Flowerama sites, but has not yet submitted a formal land use application. A letter from the property owner is attached to this report.

To approve an interim use permit, the Council must find that the temporary nature of this permit makes the nonconforming use permissible at this time. Staff recommends a six-month interim use permit to allow CarHop to continue to operate while the property owner firms up redevelopment plans. At the discretion of the Community Development Director, the interim use permit may be extended twice, in three (3) month periods, not to exceed a total length of one year. A clause terminating the interim use permit 30 days after approval of any new land use approvals has been included in the resolution. Should redevelopment plans not move forward, a six-month term will allow the Council to re-evaluate the compatibility of this interim use within the Penn Avenue Corridor later this year.
RECOMMENDED ACTION:
By Motion: Approve a resolution granting a six-month interim use permit, with staff discretion to issue two three-month extensions, to allow the continued use of 6529 Penn Avenue for used car sales.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT
   - Discussed in Executive Summary.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):
   - In 2007 the City Council adopted a revised Zoning Ordinance that made used automobile sales permissible only as an integral part of a new automobile sales business (Section 534.07, Subd. 7e). The business at 6529 Penn Avenue has been operating as a legally nonconforming use since the adoption of this Ordinance.
   - Approval of an interim use permit is conditioned upon continued compliance with the landscape plan (submitted April 2010), maintaining window planter boxes throughout growing season and adding seasonal décor in winter, performing patch repair of the parking lot as necessary and regularly clearing the lot of any debris, compliance with sign rules, and compliance with the Penn Avenue Design Guidelines.
   - In order to approve the interim use permit, the Council must find that the temporary nature of the business warrants waiving certain provisions of the Zoning Code, specifically the prohibition of used car sales businesses in this future pedestrian-friendly district and the allowance of nonconforming uses.
   - Staff recommends a six-month interim use permit so that the compatibility of this use within the Penn Avenue Corridor can be re-evaluated later this year. By Ordinance, interim use permits terminate upon the occurrence of any of the following events, whichever first occurs:
     - The date stated in the permit; or
     - Upon violation of conditions under which the permit was issued.
   - In addition to termination at the end date of the permit or upon violation of the conditions under which the permit is issued, staff recommends that the permit terminate upon termination or sale of the current business, or upon the sale of the property by the current owner, or 30 days following City Council approval of a site plan for a different use of the property, whichever occurs first.

C. CRITICAL TIMING ISSUES:
   - 60-DAY RULE: The 60-day clock 'started' when a complete application was received on February 16, 2017. A decision is required by April 17, 2017 or the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

D. FINANCIAL IMPACT:
   - None

E. LEGAL CONSIDERATION:
   - A public hearing was held before the Planning Commission on March 27, 2017.
   - Notice of the public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site. No members of the public spoke at the public hearing.
   - The Planning Commission recommended approval of the interim use permit (6-0).

ALTERNATIVE RECOMMENDATION(S):
   - Approve an interim use permit for a different length of time (up to five years maximum) or with additional conditions.
   - Deny the request with a finding that the requirements necessary to issue an interim use permit are not met.

PRINCIPAL PARTIES EXPECTED AT MEETING:
Property owner representative and CarHop representative
### ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>Resolution</td>
<td>Resolution Letter</td>
</tr>
<tr>
<td>Requirements attachment</td>
<td>Backup Material</td>
</tr>
<tr>
<td>Letter from property owner</td>
<td>Backup Material</td>
</tr>
<tr>
<td>Site plan, consent agreement, photos, zoning maps</td>
<td>Backup Material</td>
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RESOLUTION APPROVING AN INTERIM USE PERMIT TO ALLOW USED AUTO SALES BY INTERSTATE AUTO GROUP DBA CARHOP AT 6529 PENN AVENUE

WHEREAS, the City of Richfield (the City) adopted a Comprehensive Plan in 2009 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning Ordinance or other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, an application has been filed with the City of Richfield which requests an interim use permit to allow Interstate Auto Group dba CarHop (the “Applicant”) to conduct used automobile sales at 6529 Penn Avenue; and

WHEREAS, the Property is zoned Mixed Use – Community (MU-C) and within the Penn Avenue Corridor Overlay District (PAC); and

WHEREAS, the requested interim use of the property is not permitted in the MU-C District; and

WHEREAS, the City Council finds that the temporary nature of the proposed interim use eliminates the adverse effects the prohibition was intended to prevent. Compliance with performance and landscaping standards, Penn Avenue Design Guidelines, and termination of the permit in six months eliminates the detriment that a used auto sales business will have on the creation of a pedestrian-friendly corridor; and

WHEREAS, the Planning Commission held a public hearing on March 27, 2017 to review the application for an interim use permit, following mailed and published notice as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

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

1. The proposed interim use permit request meets all applicable conditions and restrictions stated in Subsection 547.15 of the 2007 Zoning Ordinance except as follows:
   a. The proposed interim use is not a permitted use within the Penn Avenue Corridor Overlay District. In accordance with Subsection 547.15 Subd. 3e the City Council finds that the temporary nature of the interim use eliminates the detriment that a used auto sales business will have on the pedestrian-friendly vision of the Corridor given that pedestrian upgrades have yet to occur elsewhere in the area.
   b. In accordance with Subsection 547.15, Subd. 3e the City Council finds that the purpose of the interim use permit in this instance is to allow productive use of a
property that is not yet ready for redevelopment given current market conditions. The temporary nature of the interim use will ensure that the nonconforming use not be allowed to continue so long as to become a detriment to the implementation of the Comprehensive Plan.

2. An interim use permit for used auto sales by Interstate Auto Group dba CarHop at 6529 Penn Avenue, as described in City Council Staff Report No. ______ is approved with the following conditions:
   a. The interim use permit will expire six (6) months from its effective date (June 8, 2017), or upon termination or sale of the current business (CarHop), or upon the sale of the subject property by the current owner (Penn Avenue Partners II), or 30 days following City Council approval of a site plan for a different use of the property, or upon violation of the conditions under which the permit was issued, whichever occurs first.
   b. That the Community Development Director shall hold discretion to grant a maximum of two (2) three-month extensions of the Interim Use Permit, to expire no later than June 8, 2018.
   c. That the parking lot be kept in a good state of repair, performing sealcoating and/or patch repair as necessary and regularly clearing the lot of any debris.
   d. That a 22-foot minimum drive aisle be maintained in the parking area, a maximum of 32 vehicles be on site including inventory, customer and employee parking, and that no vehicles be parked or stored on grass buffer areas.
   e. That landscaping be installed and maintained in accordance with the previously approved plan, dated April 2010, and that seasonal décor be installed in winter.
   f. That all trash containers be kept inside the building and not stored in the parking lot.
   g. The interim use permit shall be reviewed periodically by the City to ensure compliance with the conditions set forth in this resolution.

   Adopted by the City Council of the City of Richfield, Minnesota this 11th day of April 2017.

______________________________
Pat Elliott, Mayor

ATTEST:

______________________________
Elizabeth VanHoose, City Clerk
Interim Use Permit Requirements
Subsection 547.15 Subd. 3.

a) *The period of time for which the interim use permit is to be granted will terminate before any adverse impacts are felt upon adjacent properties.* Staff recommends that the permit expire in six months. At the discretion of the Community Development Director, the interim use permit may be extended twice, in three (3) month periods, not to exceed a total length of one year. At that time, if conditions continue to warrant, the Council may issue a new interim use permit.

b) *The use will terminate upon a date or event that can be identified with certainty. Interim use permits may not be granted for a period greater than five (5) years.* Staff recommends termination on December 8, 2017. At the discretion of the Community Development Director, the interim use permit may be extended twice, in three (3) month periods, and terminate no later than June 8, 2018.

c) *The use will not adversely impact the health, safety and welfare of the community during the period of the interim use.* It is not anticipated that used auto sales will adversely impact the community or this area within the next six months.

d) *The use is similar to existing uses in the area.* Used auto sales and other auto-oriented businesses are no longer permitted within this area; however see below.

e) *An interim use shall conform to zoning regulations except the City Council may waive ordinance provisions upon a finding that the temporary nature of the interim use will eliminate the adverse effects the provisions were intended to prevent.* The rezoning and preparation of design guidelines for the Penn Avenue Corridor is intended to create a cohesive, pedestrian-friendly environment. Auto-oriented businesses were not found to be consistent with this vision and most are not permitted under the Penn Avenue Corridor Overlay. However, market conditions have not made it imperative that nonconforming uses be ushered out as quickly as possible. As the pedestrian improvements in particular have yet to happen along the Corridor, the continuation of an auto-related business for a limited period of time is not detrimental to this vision. The proposed interim use of this property will allow the property to be used productively for the short-term and avoid a vacant storefront. Expiration of the interim use permit in six months will assure that this use, which is not compatible with the overall revitalization plan for the area, will not impede future efforts to that end. The property will be required to meet landscaping, performance standards and Design Guidelines requirements to partially mitigate the impacts of this auto-oriented use.

f) *There is adequate assurance that the property will be left in suitable condition after the use is terminated.* N/A.

g) *By agreement, the use will not impose additional costs on the public if it is necessary for the public to take the property in the future.* The property owner has signed a consent agreement agreeing to this condition.

h) *The property owner, by agreement, agrees to any conditions that the City Council has deemed appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and interim structures upon the expiration of the interim use permit.* The applicant must continue to comply with all conditions of the existing interim use permit.

i) *The property owner agrees to abide by any additional conditions that the Council deems appropriate for permission of the use.*
March 24, 2017

City of Richfield Planning Commission
c/o Ms. Melissa Poehlman
City of Richfield
6700 Portland Ave
Richfield, MN 55423

Re: Carhop - 6529 Penn Avenue S
Interim Use Permit - Renewal

Dear Planning Commission Members:

As you may know, a representative from Penn Avenue Partners II LLC ("Owner") is unable to attend the Planning Commission meeting on Monday, March 27th 2017 at which the above referenced item is scheduled on the agenda. Please accept this letter as an expression of Owner’s position with respect to the matter and deliver the same to those Members attending the scheduled Planning Commission meeting.

We would like to strongly reiterate our support for approval of a one (1) year extension of the IUP as requested by Carhop, with our reasoning for the same outlined below:

1. Owner has been actively working in good faith to redevelop this parcel (along with the neighboring parcel to the south) for several years and with thousands of dollars spent and hundreds of hours of time working on a redevelopment plan that would work for the City, any potential tenant, and the Owner. This effort is evidenced by continued meetings with John Stark and Melissa Poehlman to discuss various concept site plans and how a redevelopment might work to best suit the needs of the City while remaining economically feasible for the Owner.

2. Just recently (mid-March) and for the first time, we received an indication from staff that they would possibly support the latest site plan iteration that proposes (among other things) a new Dunkin’ Donuts restaurant on the parcel currently occupied by Carhop.

3. With that support, we are now comfortable engaging our engineers and architects to complete plans and other required materials to submit for formal Site Plan approval and we are waiting on bids for this work to come in so we can engage as early as next week. As Ms. Poehlman can confirm, we will need variances and have a lot of work to do to get through the City’s approval process, which approval is of course, never guaranteed.
4. Aside from the City approval process, there are a handful of other factors that need to be vetted, negotiated, and/or approved by various parties in order to complete a development deal, including but not limited to:

   a. Civil Engineer to confirm site conditions (grading, utilities, storm water, etc.)
   b. Budget based on drawings from Civil Engineer to confirm construction economics are still feasible
   c. Tenant Negotiations – need to negotiate a lease with Dunkin’ and all other Tenant related items and this usually takes months;
   d. Financing/Equity Placement; and
   e. Timing of Construction- cannot complete site work late in year and winter conditions are too expensive for a site this small.

Even if everything went exactly as planned from this day forward, it would be highly unlikely that we would be able to begin construction this fall, meaning Carhop would remain in the building until the ground thaws in Spring 2018.

Due to all the variables that surround this redevelopment, we believe that a one (1) year IUP renewal is warranted. We have shown good faith in attempting to meet the City’s redevelopment vision and will continue to do so throughout the course of this potential redevelopment, with the expectation that the City would reciprocate the same good faith and grant the one (1) year renewal currently being requested.

Please also note that if we are in the position to move dirt sooner than the termination date of the IUP, we would exercise our early termination rights in our lease with Carhop such that no delay in the project would occur.

Now that you are equipped with more detailed information surrounding the redevelopment of the property, we hope that you better understand our position for the full one (1) year renewal request.

Should you have any questions or require any additional information, please do not hesitate to contact Rick Hauser or me.

Sincerely,

PENN AVENUE PARTNERS II LLC

Karla R. Carlson
PARKING PLAN
EXISTING 32 STALLS

EXISTING BUILDING
EXTERIOR=1,512 SQFT.
FIRST FLOOR
ELEVATION=860.48

PARCEL 1

7 STALLS

9 STALLS

7 STALLS

33 42

N89°30'50"W
124.42
6.6
12

166.01

9

59.3
59.4

CONC. CURB
LIGHT POLE
CONC. CURB
FENCE

REBAR
MONTGOMERY WELLS

PINE 15
PINE 17
PINE 18
PINE 19
UTILITY POLE

CONC. CURB, AND CEMENT

PENN AVENUE

GROUND SPICE 1 CONCRETE

5.5
18
CONSENT AGREEMENT

WHEREAS, on November 13, 2007 the City Council of the City of Richfield adopted Ordinance No. 2007-19, which establishes a framework for regulating temporary use of land through the issuance of interim use permits; and

WHEREAS, Section 547.15 Subdivision 2 of this Ordinance requires an applicant for an interim use permit to sign a Consent Agreement wherein the applicant acknowledges and agrees that the proposed interim use will not impose additional costs on the public if there is a future need for public acquisition of the applicant’s property through eminent domain, that the applicant has no entitlement to future reapproval of the interim use permit and that the applicant will abide by the conditions of approval that the City Council attaches to the interim use permit;

NOW, THEREFORE, ___Penn Avenue Partners II LLC___, as applicant for an interim use permit for ___used car sales___ at ___6529 Penn Ave S, Richfield, MN___ (use of property) (location) agree as follows:

1. If this application is approved by the Richfield City Council and an interim use permit is issued, the interim use of the property will not impose additional costs on the City or any other public entity if it is necessary to acquire the property or a portion thereof by eminent domain after issuance of the interim use permit.

2. The applicant acknowledges that the proposed use is temporary and terminates upon expiration of the interim use permit. The applicant has no legal or equitable right to future reapproval of the interim use permit and must file a new application for that purpose.

3. The applicant will comply with all conditions imposed by the City Council on the interim use permit.

4. This Consent Agreement shall be binding on any owner, operator, tenant and/or user of the property for which the interim use permit has been granted and the applicant is authorized to sign this Consent Agreement on behalf of said owner, operator, tenant and/or user of the property.

DATED: 2/16/17

Applicant (Applicant must be the Property Owner)

STATE OF MINNESOTA  )
  SS
COUNTY OF HENNEPIN  )

The foregoing instrument was acknowledged before me this ___10___ day of February, 2017, by ___Kara Carlson___, the Vice Manager of ___Penn Avenue Partners II___, a Minnesota Limited Liability Company on behalf of said company.

ELIZABETH G. RAULISSIAN
Notary Public
Minnesota
My Commission Expires January 31, 2021

Notary Public