



Planning Commission Agenda

June 27, 2016
7:00 p.m.

Introductory Proceedings

Roll Call

Approval of Minutes: Regular Planning Commission meeting of May 23, 2016.

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

Public Hearing

ITEM #2	16-SP-01	Consider a request for site plan approval for a community band shell at Veterans Memorial Park
ITEM #3	16-SP-02 16-VAR-04	Consider a request for site plan approval and variances to allow a conversion of the former Lariat Lanes bowling alley at 6320 Penn Avenue to office space
ITEM #4	16-VAR-03	Consider a request for a variance to allow a fence to exceed 4 feet in height in the front yard area at 7600 Clinton Avenue
ITEM #5	16-AUP-04	Continue the public hearing to consider land use applications for the Cedar Point Commons development to July 25, 2016

New Business

ITEM #1	PC Letter #1	Consideration of the 2018-2021 Capital Improvement Program and a finding of consistency with the Comprehensive plan of the Capital Improvement Program and the 2017 Capital Improvement Budget
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Old Business

Liaison Reports

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

City Planner's Report

Next Meeting Date: July 25, 2016

Adjournment

"Auxiliary aid for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612/861-9738".



Planning Commission Minutes

May 23, 2016

MEMBERS PRESENT: Chairperson Erin Vrieze Daniels and Commissioners Sean Hayford Oleary, Rick Jabs, Dan Kitzberger, Susan Rosenberg, Gordon Vizecky and Charles Standfuss

MEMBERS ABSENT: None

STAFF PRESENT: Melissa Poehlman, City Planner
Matt Brillhart, Planning Technician

OTHERS PRESENT: Jared Hensel, Lakewinds Co-op
Tim Carter, RB Honda
Jim Thomas, 608 64th Street

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

APPROVAL OF MINUTES

M/Vizecky, S/Standfuss to approve the minutes of the March 28, 2016 regular meeting.

Motion carried: 7-0

OPEN FORUM

No members of the public spoke.

PUBLIC HEARING(S)

ITEM #1

16-PUD-02, 16-FDP-02, 16-CUP-02 – Consider a request for a Planned Unit Development/Conditional Use permit/Final Development Plan to allow the construction of quasi-public shoreline improvements along the eastern edge of Richfield Lake

City Planner Melissa Poehlman presented the staff report.

Commissioner Rosenberg inquired about the parking plan for events.

M/Vizecky, S/Kitzberger to close the public hearing.

Motion carried: 7-0

In response to a question from Commissioner Jabs, Poehlman stated that the land use approvals run with the land, and would continue in the event that the property changed hands. Poehlman stated that the grant funds are specific to the shoreline improvements.

M/Hayford Oleary, S/Vizecky to recommend approval of the PUD/CUP/FDP.

Motion carried: 7-0

ITEM #2

16-IUP-02 – Consider a request for an interim use permit for temporary and occasional Lakewinds Co-op employee parking at 6430 Lyndale Avenue (vacant lot south of Lakewinds Co-op)

Poehlman presented the staff report.

In response to a question from Commissioner Hayford Oleary, Jared Hensel (Lakewinds) stated that employees of the veterinary clinic and of Lakewinds had been using the parking area prior to approvals. Poehlman stated that the area would be signed “Employee Parking”.

Jim Thomas (608 64th Street) stated that the apartment building at 6401 Lyndale was causing spillover parking onto 64th Street.

M/Vizecky, S/Kitzberger to close the public hearing.

Motion carried: 7-0

M/Vizecky, S/Standfuss to recommend approval of a two-year interim use permit.

Motion carried: 7-0

ITEM #3

16-IUP-03 – Consider a request for an Interim Use Permit for temporary automobile inventory storage parking at 6400 Lyndale Avenue (former Lyndale Gardens site)

Poehlman presented the staff report.

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

Motion carried: 7-0

In response to a question from Commissioner Hayford Oleary, Mr. Tim Carter (Honda) stated that a parking ramp is in the dealership’s long-term plans, but he still needed to find a medium-term solution before the expiration of the IUP at 6400 Lyndale.

In response to a question from Commissioner Standfuss, Poehlman stated that the Parks and Engineering Departments had reviewed the plans and did not anticipate any impact on the lake from the parking of vehicles on the pavement in its present state.

M/Vizecky, S/Standfuss to recommend approval of a four-month interim use permit.

Motion carried: 7-0

NEW BUSINESS

None.

OLD BUSINESS

None.

May 23, 2016

LIAISON REPORTS

Community Services Advisory Commission: Commissioner Jabs
City Council: Commissioner Rosenberg
HRA: Chair Vrieze Daniels
Richfield School Board: No report
Transportation Commission: Commissioner Hayford Oleary
Chamber of Commerce: No report

CITY PLANNER'S REPORT

Poehlman reminded commissioners of the May 24 joint worksession to discuss the Cedar Corridor Master Plan update and June 1 open house to follow.

ADJOURNMENT

M/Vizecky, S/Standfuss to adjourn the meeting.

Motion carried: 7-0

The meeting was adjourned by unanimous consent at **7:36 p.m.**

Gordon Vizecky
Secretary



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: JUNE 27, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Consideration of the 2018-2021 Capital Improvement Program and a finding of consistency with the Comprehensive Plan of the Capital Improvement Program and the 2017 Capital Improvement Budget.

I. RECOMMENDED ACTION:

By motion:

- 1. Recommend approval of the 2018-2021 Capital Improvement Program; and**
- 2. Adopt a resolution finding that the 2017 Capital Improvement Budget and 2018-2021 Capital Improvement Program are consistent with the Comprehensive Plan.**

II. BACKGROUND

Each year, the City Manager makes a recommendation to the City Council regarding the Capital Improvement Budget (CIB) for the upcoming year. The Planning Commission is responsible for reviewing the Capital Improvement Plan (CIP) and making a recommendation to the City Council. The Commission is also responsible for ensuring that the CIB and the CIP are consistent with the Comprehensive Plan.

Finance Manager, Chris Regis will present a summary and answer questions.

III. BASIS OF RECOMMENDATION

A. POLICY

- The CIB/CIP is the City's immediate budget and five-year plan for making investments in publicly owned facilities and infrastructure.

B. CRITICAL ISSUES

- The Planning Commission is being asked to recommend approval of the CIP and to adopt a resolution finding that the CIB and the CIP are consistent with the Comprehensive Plan.

C. FINANCIAL

- See the CIB/CIP document attached.

D. LEGAL

- The Planning Commission is required by City Charter to prepare and recommend a CIP for inclusion in the annual budget message of the City Council.
- The Planning Commission is required by State Statute to review all proposed capital improvements within the City and make written findings to the City Council for consistency with the Comprehensive Plan.

IV. ALTERNATIVE RECOMMENDATION(S)

- Recommend approval of the CIP with changes.
- Do not recommend approval of the CIP and determine that the CIB is not consistent with the Comprehensive Plan.

V. ATTACHMENTS

- Resolution
- Richfield City Charter, Chapter 7, Sections 7.05 and 7.06, Subd. 2(ii) and 2(iii) and Minnesota Statute, Section 462.356, Subd. 2
- 2017 Capital Improvement Budget and 2018-2021 Capital Improvement Program

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Chris Regis, City Finance Manager

RESOLUTION NO. _____

**RESOLUTION OF THE RICHFIELD PLANNING COMMISSION
FINDING THAT THE 2017 CAPITAL IMPROVEMENT BUDGET AND
2018-2021 CAPITAL IMPROVEMENT PROGRAM
ARE IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

WHEREAS, the Planning Commission has reviewed the Comprehensive Plan regarding the proposed capital improvements in the 2017 Capital Improvement Budget and 2018-2021 Capital Improvement Program; and

WHEREAS, the Planning Commission has found that the proposed capital improvements is consistent with the City's Comprehensive Plan,

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission finds that the proposed capital improvements found in the 2017 Capital Improvement Budget and the 2018-2021 Capital Improvement Program are in conformance with the City's Comprehensive Plan.

Adopted this 27th day of June, 2016 by the Planning Commission of the City of Richfield, Minnesota.

Erin Vrieze Daniels, Chairperson

ATTEST:

Gordon Vizecky, Secretary

**CHAPTER 7
RICHFIELD CITY CHARTER**

TAXATION AND FINANCES

Section 7.05. Preparation and Submission of Annual Budget. At a special budget meeting of the Council on or before September 8, the City Manager must submit to the Council a proposed budget and a budget message in the form and containing the information specified in Section 7.06. In preparing the budget and the budget message, the Manager must obtain from City department heads information regarding (i) proposed expenditures for the ensuing fiscal year, and (ii) capital projects and capital expenditures proposed to be undertaken in the ensuing budget year and in the following four fiscal years. The Council must hold one or more informational meetings on the proposed budget at which the public may provide comments and may thereafter revise the proposed expenditures and capital projects contained in the proposed budget document. (Amended Bill 1990-13; Bill No. 2003-23)

Section 7.06. Form of Annual Budget. Subdivision 1. The budget must contain a financial plan for the ensuing fiscal year. The financial plan must include: (i) a budget message, (ii) a general summary of the financial plan, (iii) estimates of revenues applicable to proposed expenditures, and, (iv) proposed expenditures. Proposed expenditures may not exceed proposed revenues. Proposed expenditures for the general and special revenue funds must (i) be listed by organization, unit or activity, and (ii) be in parallel columns opposite the major and minor object of the expenditure showing the amount of expenditure for the last fiscal year, the amount estimated for the current fiscal year and the proposed expenditure for the ensuing fiscal year. The revenues attributable to each general and special fund must be presented in a similar manner. The statement of revenues must include the source of and amount of miscellaneous revenues, the amount of surplus of prior fiscal year revenues, and the amount of revenues raised by property taxes in the prior fiscal year and estimated to be raised in the current fiscal year. (Amended Bill 1990-13; Bill No. 2003-23)

Subd. 2. The Budget Message. The budget message may be submitted by the Manager as a separate document but it must accompany the budget. The message must contain the following elements: (Amended Bill No. 2003-23)

(ii) Capital Improvements. The message must contain a description of pending and proposed capital projects together with estimates of the costs of those projects and the sources of funds to be used to pay for them. (Amended Bill 2003-23)

(iii) Capital Program. The message must contain, or have attached to it, a Capital Project Plan for the four fiscal years following the fiscal year of the budget. The Capital Project Plan is to be prepared by the Manager after consultation with the department heads and any informational meetings conducted under Section 7.05. (Amended Bill 1990-13; Bill No. 2003-23)

**462.356 Procedure to affect plan: generally.
Minnesota State Statute**

Subd. 2. Compliance with plan. After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan. Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

2017
CAPITAL IMPROVEMENT BUDGET
&
2018-2021
CAPITAL IMPROVEMENT PROGRAM

City Manager's Draft

2017 Capital Improvement Budget

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Park Maintenance	\$ 45,000	R
Wood Lake Fence Repair and Tree Removal	5,000	R
Ice Arena Restroom Fixtures	12,000	R
Ice Arena Conversion to Indirect Refrigeration	300,000	R
Wood Lake Perimeter Trail Restoration	50,000	R
Wood Lake Windows and Door Frames	38,000	R
TOTAL REC. & OPEN SPACE	\$ 450,000	
RIGHT OF WAY IMPROVEMENT		
66th Street Reconstruction	\$ 9,000,000	B
	1,500,000	M
	9,632,000	F
	25,900,000	C
	275,000	CB
	239,000	S
	750,000	X
77th Street Underpass	12,500,000	SB
	1,500,000	M
	8,500,000	S
Mill and Overlay Program	3,250,000	FF
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 73,046,000	
PUBLIC FACILITIES		
Replacement Central Garage Equipment	\$ 650,000	TL
Technology Replacement	135,000	TL
Lime Slaker Replacement	350,000	U
Sanitary Sewer Main Lining	70,000	U
Penn Liquor Store Remodel	850,000	U
TOTAL PUBLIC FACILITIES	\$ 2,055,000	
TOTAL USES OF FUNDS	\$ 75,551,000	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Street Reconstruction Bonds	\$ 9,000,000	
(C) Hennepin County	25,900,000	
(CB) City of Bloomington	275,000	
(F) Federal Funding	9,632,000	
(FF) Franchise Fees	3,250,000	
(M) Municipal State Aids	3,000,000	
(R) Special Revenue	450,000	
(S) State Grants	8,739,000	
(SB) State Bonding	12,500,000	
(TL) Tax Levy	785,000	
(U) User Fees	1,270,000	
(X) Xcel Energy Rate Payers	750,000	
TOTAL FUNDING BY SOURCE	\$ 75,551,000	

2018 Capital Improvement Plan

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Park Maintenance	\$ 45,000	R
Wood Lake Fence Repair and Tree Removal	5,000	R
Ice Arena Conversion to Indirect Refrigeration	300,000	R
Outdoor Pool Deck Repair	20,000	R
Taft Park LED Field Lighting	80,000	R
TOTAL REC. & OPEN SPACE	\$ 450,000	
 RIGHT OF WAY IMPROVEMENT		
66th Street Reconstruction	\$ 4,000,000	B
	1,000,000	M
Mill and Overlay Program	3,250,000	FF
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 8,250,000	
 PUBLIC FACILITIES		
Replacement Central Garage Equipment	\$ 665,000	TL
Technology Replacement	135,000	TL
Emergency Water Interconnect w/Neighboring Comm.	750,000	U
Water Plant Roof Replacement	450,000	U
Sanitary Sewer Main Lining	70,000	U
Liquor Operation Capital Improvements	50,000	U
TOTAL PUBLIC FACILITIES	\$ 2,120,000	
TOTAL USES OF FUNDS	\$ 10,820,000	
 ESTIMATED REVENUE BY SOURCE		
(B) G.O. Street Reconstruction Bonds	\$ 4,000,000	
(FF) Franchise Fees	3,250,000	
(M) Municipal State Aids	1,000,000	
(R) Special Revenue	450,000	
(TL) Tax Levy	800,000	
(U) User Fees	1,320,000	
TOTAL FUNDING BY SOURCE	\$ 10,820,000	

2019 Capital Improvement Plan

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Park Maintenance	\$ 45,000	R
Wood Lake Fence Repair and Tree Removal	5,000	R
Ice Arena Conversion to Indirect Refrigeration	300,000	R
	400,000	S
	500,000	I
Ice Arena Parking Lot Sealcoating	20,000	R
Wood Lake Boardwalk Replacement	80,000	R
TOTAL REC. & OPEN SPACE	\$ 1,350,000	
RIGHT OF WAY IMPROVEMENT		
66th Street Reconstruction	\$ 2,200,000	B
	1,500,000	M
Mill and Overlay Program	3,250,000	FF
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 6,950,000	
PUBLIC FACILITIES		
Replacement Central Garage Equipment	\$ 690,000	TL
Technology Replacement	135,000	TL
Water main(s) replacement under I-35W	750,000	U
Sanitary Sewer Main Lining	70,000	U
Penn Avenue Liquor Store Relocation	50,000	U
TOTAL PUBLIC FACILITIES	\$ 1,695,000	
TOTAL USES OF FUNDS	\$ 9,995,000	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Street Reconstruction Bonds	\$ 2,200,000	
(FF) Franchise Fees	3,250,000	
(I) Internal Funding	500,000	
(M) Municipal State Aids	1,500,000	
(R) Special Revenue	450,000	
(S) State Grants	400,000	
(TL) General Tax Levy	825,000	
(U) User Fees	870,000	
TOTAL FUNDING BY SOURCE	\$ 9,995,000	

2020 Capital Improvement Plan

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Park Maintenance	\$ 45,000	R
Wood Lake Fence Repair and Tree Removal	5,000	R
Ice Arena Conversion to Indirect Refrigeration	300,000	R
Wood Lake Boardwalk Replacement	100,000	R
TOTAL REC. & OPEN SPACE	\$ 450,000	
RIGHT OF WAY IMPROVEMENT		
66th Street Reconstruction	\$ 1,850,000	M
65th Street Reconstruction	6,000,000	B
	1,150,000	M
Mill and Overlay Program	3,250,000	FF
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 12,250,000	
PUBLIC FACILITIES		
Replacement Central Garage Equipment	\$ 715,000	TL
Technology Replacement	135,000	TL
Sanitary Sewer Main Lining	70,000	U
Liquor Operation Capital Improvements	50,000	U
TOTAL PUBLIC FACILITIES	\$ 970,000	
TOTAL USES OF FUNDS	\$ 13,670,000	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Street Reconstruction Bonds	\$ 6,000,000	
(FF) Franchise Fees	3,250,000	
(M) Municipal State Aids	3,000,000	
(R) Special Revenue	450,000	
(TL) General Tax Levy	850,000	
(U) User Fees	120,000	
TOTAL FUNDING BY SOURCE	\$ 13,670,000	

2021 Capital Improvement Plan

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Park Maintenance	\$ 45,000	R
Wood Lake Fence Repair and Tree Removal	5,000	R
Ice Arena Conversion to Indirect Refrigeration Ph. 1	70,000	R
Ice Arena Conversion to Indirect Refrigeration Ph. 2	230,000	R
Wood Lake Boardwalk Replacement	100,000	R
TOTAL REC. & OPEN SPACE	\$ 450,000	
RIGHT OF WAY IMPROVEMENT		
Penn Avenue Reconstruction	\$ 5,000,000	B
	8,000,000	C
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 13,000,000	
PUBLIC FACILITIES		
Replacement Central Garage Equipment	\$ 715,000	TL
Technology Replacement	135,000	TL
Sanitary Sewer Main Lining	70,000	U
Liquor Operation Capital Improvements	50,000	U
TOTAL PUBLIC FACILITIES	\$ 970,000	
TOTAL USES OF FUNDS		
TOTAL USES OF FUNDS	\$ 14,420,000	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Street Reconstruction Bonds	\$ 5,000,000	
(C) Hennepin County	8,000,000	
(R) Special Revenue	450,000	
(TL) General Tax Levy	850,000	
(U) User Fees	120,000	
TOTAL FUNDING BY SOURCE	\$ 14,420,000	
TOTAL FUNDING BY SOURCE	\$ 14,420,000	

Capital Improvement Plan - Beyond 2021

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Ice Arena Conversion to Indirect Refrigeration Ph. 2	\$ 520,000	R
	500,000	I
TOTAL REC. & OPEN SPACE	\$ 1,020,000	
 RIGHT OF WAY IMPROVEMENT		
70th Street Reconstruction	\$ 2,500,000	B
76th Street West Reconstruction	3,500,000	B
	1,000,000	M
	800,000	X
Humboldt Ave/Lakeshore Drive Reconstruction	4,000,000	B
Lyndale Avenue Reconstruction	10,000,000	B
Nicollet Avenue Reconstruction	5,000,000	B
	8,000,000	C
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 34,800,000	
 PUBLIC FACILITIES		
Sanitary Sewer Main Lining	\$ 70,000	U
TOTAL PUBLIC FACILITIES	\$ 70,000	
TOTAL USES OF FUNDS	\$ 35,890,000	
 ESTIMATED REVENUE BY SOURCE		
(B) G.O. Street Reconstruction Bonds	\$ 25,000,000	
(C) Hennepin County	8,000,000	
(M) Municipal State Aids	1,000,000	
(R) Special Revenue	520,000	
(I) Internal Funding	500,000	
(U) User Fees	70,000	
(X) Xcel Energy Rate Payers	800,000	
TOTAL FUNDING BY SOURCE	\$ 35,890,000	

2018 - 2021 CAPITAL IMPROVEMENT PLAN - CITY OF RICHFIELD, MINNESOTA

Recommended and Scheduled for Four Year Period

PROJECTS	TOTAL*	Recommended and Scheduled for Four Year Period				
	CIP COST	2018	2019	2020	2021	Beyond 2021
RECREATION						
OPEN SPACE DEVELOPMENT						
1 Park Maintenance	\$ 180,000	\$ 45,000 R	\$ 45,000 R	\$ 45,000 R	\$ 45,000 R	\$ -
2 Wood Lake Fence Repair and Tree Removal	\$ 20,000	5,000 R	5,000 R	5,000 R	5,000 R	-
3 Ice Arena Conversion to Indirect Refrigeration Ph. 1	\$ 970,000	300,000 R	300,000 R	300,000 R	70,000 R	-
4	\$ 400,000	-	400,000 S	-	-	-
5	\$ 500,000	-	500,000 I	-	-	-
6 Ice Arena Conversion to Indirect Refrigeration Ph. 2	\$ 750,000	-	-	-	230,000 R	520,000 R
7	\$ 500,000	-	-	-	-	500,000 I
8 Outdoor Pool Deck Repair	\$ 20,000	20,000 R	-	-	-	-
9 Taft Park LED Lighting	\$ 80,000	80,000 R	-	-	-	-
10 Ice Arena Parking Lot Sealcoating	\$ 20,000	-	20,000 R	-	-	-
11 Wood Lake Boardwalk Replacement	\$ 280,000	-	80,000 R	100,000 R	100,000 R	-
12 TOTAL RECREATION & OPEN SPACE	\$ 3,720,000	\$ 450,000	\$ 1,350,000	\$ 450,000	\$ 450,000	\$ 1,020,000
13						
14 (R) Special Revenue	\$ 2,320,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 520,000
15 (S) State Grants	\$ 400,000	-	400,000	-	-	-
16 (I) Internal Funding	\$ 1,000,000	-	500,000	\$ -	-	500,000
17 TOTAL FUNDING BY SOURCE	\$ 3,720,000	\$ 450,000	\$ 1,350,000	\$ 450,000	\$ 450,000	\$ 1,020,000
18						
19						
20						
21						
PROJECTS						
RIGHT OF WAY IMPROVEMENTS						
22						
23 66th Street Reconstruction	\$ 8,050,000	\$ 4,000,000 B	\$ 2,200,000 B	\$ 1,850,000 M	\$ -	\$ -
24	\$ 2,500,000	1,000,000 M	1,500,000 M	-	-	-
25 65th Street Reconstruction	\$ 6,000,000	-	-	6,000,000 B	-	-
26	\$ 1,150,000	-	-	1,150,000 M	-	-
27 Penn Avenue Reconstruction	\$ 5,000,000	-	-	-	5,000,000 B	-
28	\$ 8,000,000	-	-	-	8,000,000 C	-
29 70th Street Reconstruction	\$ 2,500,000	-	-	-	-	2,500,000 B
30 76th Street West Reconstruction	\$ 3,500,000	-	-	-	-	3,500,000 B
31	\$ 1,000,000	-	-	-	-	1,000,000 M
32	\$ 800,000	-	-	-	-	800,000 X
33 Humboldt Ave/Lakeshore Drive Recon.	\$ 4,000,000	-	-	-	-	4,000,000 B
34 Lyndale Avenue Improvements	\$ 10,000,000	-	-	-	-	10,000,000 B
35 Nicollet Avenue Reconstruction	\$ 5,000,000	-	-	-	-	5,000,000 B
36	\$ 8,000,000	-	-	-	-	8,000,000 C
37 Mill and Overlay Project	\$ 9,750,000	3,250,000 FF	3,250,000 FF	3,250,000 FF	-	-
38	\$ 75,250,000	\$ 8,250,000	\$ 6,950,000	\$ 12,250,000	\$ 13,000,000	\$ 34,800,000
39						
40						
41 (B) G.O. Improvement Bonds	\$ 42,200,000	\$ 4,000,000	\$ 2,200,000	\$ 6,000,000	\$ 5,000,000	\$ 25,000,000
42 (C) Hennepin County	\$ 16,000,000	-	-	-	8,000,000	8,000,000
43 (FF) Franchise Fees	\$ 9,750,000	3,250,000	3,250,000	3,250,000	-	-
44 (M) Municipal State Aid	\$ 6,500,000	1,000,000	1,500,000	3,000,000	-	1,000,000
45 (X) Xcel Energy Rate Payers	\$ 800,000	-	-	-	-	800,000
46 TOTAL FUNDING BY SOURCE	\$ 75,250,000	\$ 8,250,000	\$ 6,950,000	\$ 12,250,000	\$ 13,000,000	\$ 34,800,000
47						
48						
49						
PROJECTS						
PUBLIC FACILITIES						
50						
51 Replacement Central Garage Equipment	\$ 2,785,000	\$ 665,000 TL	\$ 690,000 TL	\$ 715,000 TL	\$ 715,000 TL	\$ -
52 Technology Replacement	\$ 540,000	135,000 TL	135,000 TL	135,000 TL	135,000 TL	-
53 Interconnect with Neighboring Communities	\$ 750,000	750,000 U	-	-	-	-
54 Water Plan Roof Replacement	\$ 450,000	450,000 U	-	-	-	-
55 Sanitary Sewer Main Lining	\$ 350,000	70,000 U	70,000 U	70,000 U	70,000 U	70,000 U
56 Water Main(s) Replacement Under I-35W	\$ 750,000	-	750,000 U	-	-	-
57 Liquor Operation Capital Improvements	\$ 200,000	50,000 U	50,000 U	50,000 U	50,000 U	-
58 TOTAL PUBLIC FACILITIES	\$ 5,825,000	\$ 2,120,000	\$ 1,695,000	\$ 970,000	\$ 970,000	\$ 70,000
59						
60 (TL) Tax Levy	\$ 3,325,000	\$ 800,000	\$ 825,000	\$ 850,000	\$ 850,000	\$ -
61 (U) User Fees	\$ 2,500,000	1,320,000	870,000	120,000	120,000	70,000
62 TOTAL FUNDING BY SOURCE	\$ 5,825,000	\$ 2,120,000	\$ 1,695,000	\$ 970,000	\$ 970,000	\$ 70,000
63						

2018 - 2021 CAPITAL IMPROVEMENT PLAN - CITY OF RICHFIELD, MINNESOTA

64

65 **SUMMARY PROJECTS**

66

67 Recreation/Open Space Development	\$ 3,720,000	\$ 450,000	\$ 1,350,000	\$ 450,000	\$ 450,000	\$ 1,020,000
68 Right of Way Improvements	\$ 75,250,000	8,250,000	6,950,000	12,250,000	13,000,000	34,800,000
69 Public Facilities	\$ 5,825,000	2,120,000	1,695,000	970,000	970,000	70,000
70 TOTAL CAPITAL PROJECTS	<u>\$ 84,795,000</u>	<u>\$ 10,820,000</u>	<u>\$ 9,995,000</u>	<u>\$ 13,670,000</u>	<u>\$ 14,420,000</u>	<u>\$ 35,890,000</u>

71

72 (B) G.O. Improvement Bonds	\$ 42,200,000	\$ 4,000,000	\$ 2,200,000	\$ 6,000,000	\$ 5,000,000	\$ 25,000,000
73 (C) Hennepin County	\$ 16,000,000	-	-	-	8,000,000	8,000,000
74 (FF) Franchise Fees	\$ 9,750,000	3,250,000	3,250,000	3,250,000	-	-
75 (I) Internal Funding	\$ 1,000,000	-	500,000	-	-	500,000
76 (M) Municipal State Aid	\$ 6,500,000	1,000,000	1,500,000	3,000,000	-	1,000,000
77 (R) Special Revenue	\$ 2,320,000	450,000	450,000	450,000	450,000	520,000
78 (S) State Grants	\$ 400,000	-	400,000	-	-	-
79 (TL) Tax Levy	\$ 3,325,000	800,000	825,000	850,000	850,000	-
80 (U) User Fees	\$ 2,500,000	1,320,000	870,000	120,000	120,000	70,000
81 (X) Xcel Energy Rate Payers	\$ 800,000	-	-	-	-	800,000
82 TOTAL FUNDING SOURCES	<u>\$ 84,795,000</u>	<u>\$ 10,820,000</u>	<u>\$ 9,995,000</u>	<u>\$ 13,670,000</u>	<u>\$ 14,420,000</u>	<u>\$ 35,890,000</u>

83 * Total CIP costs do not include any project costs reflected in the 2017 CIB.



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: JUNE 27, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Public hearing to consider a request for Site Plan Approval for a community band shell at Veterans Memorial Park.

I. RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of a Site Plan for a band shell at Veterans Memorial Park.

II. BACKGROUND

The City of Richfield has long-planned for an outdoor performance facility. The 1985 Veterans Memorial Park master plan identified a desire for a 1,500 seat amphitheater; the Richfield 2020 Visioning Project Report (2001) identified a desire for an amphitheater to support an expanded summer concert schedule; and finally, an outdoor performance stage is identified as a potential park improvement for Augsburg Park in the City's 2008 Comprehensive Plan.

On June 23, 2015 the City Council approved plans for the construction of a band shell at Veterans Memorial Park. Since that time, the City has continued to study site soils and has determined that construction of the band shell at a location nearer to the ice arena would be less expensive. The attached revised plans show the new location and revised orientation of the proposed band shell.

Staff has also continued to review the possible environmental impacts of the proposed building as additional public comment has been received. A letter from the Audubon Chapter of Minneapolis and a response from Recreation Services Director Topitzhofer have both been attached to this report for your review and consideration.

III. BASIS OF RECOMMENDATION

A. POLICY

Parks and related recreational facilities owned by a governmental unit are permitted in all zoning districts. Site plan approval is required prior to the construction of any building in the City. The revised location of the band shell has not changed its level of compliance with Zoning requirements.

General Requirements

The proposed band shell meets all dimensional (setback, height, bulk, lot coverage, impervious surface) requirements for nonresidential buildings as stated in Section 514 of

the Code. Performance standards related to screening, architectural design, stormwater management, and lighting are all met. A final landscaping plan shall be required prior to the issuance of building permits. Landscaping along the southern edge of the parking lot will be considered as part of the reconstruction of 66th Street.

Parking

The Code requires 90 parking stalls for a public place of assembly of this size that is within one-quarter mile of a frequently operating transit line. The lot immediately adjacent to the proposed band shell can accommodate 175 vehicles. The northern pavilion parking lot can hold an additional 110 vehicles and an agreement with the American Legion would allow shared parking for exceptionally large crowds. Additionally, the Richfield Recreation Department operates both the Ice Arena and Pool, and will program the band shell facility such that events are not scheduled simultaneously. The available parking, in addition to the fact that many users will potentially use alternate modes of transportation (bike, walk), exceeds Code requirements.

Noise

To comply with Code Section 930 related to noise, the following Noise Control Plan will be established:

All band shell performances shall be conducted by permit through the Recreation Services Department. A staff member of the Recreation Services Department will be present at all performances and will monitor the use of sound equipment and noise levels to ensure compliance with City Codes. A noise monitoring device will be required to be stored at the site at all times and noise measurements will be taken by City staff at intervals throughout each performance. No performances will be permitted beyond 10:00 P.M. or earlier than 7:00 A.M. unless approved by the City Council through a Community Event License.

General Criteria for Site Plan Evaluation

In evaluating a site plan, the Planning Commission and Council shall consider its compliance with the seven criteria outlined in Subsection 547.13 of the City Code. A full discussion of these requirements is provided as an attachment to this report. In general, the Council must consider the following:

- Consistency with the various elements and objectives of the Comprehensive Plan and other long-range plans;
- Site and building designs that offer integrated and thoughtful transitions from adjacent land and buildings;
- Functional connections for drivers, pedestrians and bicyclists;
- Energy-conservation through site or building design; and
- Protection of adjacent and neighboring properties from substantial negative effects.

Staff finds the identified criteria to be met.

Expiration

Land use approvals expire one year following the date of approval unless the use has commenced or a building permit has been obtained and construction begun. The previous approvals for the band shell expired on June 23, 2016.

B. CRITICAL ISSUES

- The community and Council have identified construction of a band shell in a community park as a goal in a variety of long-range plans.
- The proposed plans meet the requirements of the Zoning Code.

C. FINANCIAL

- The total budget for the band shell project is \$530,000.
 - Sources:
 - \$250,000 – Capital Improvement Budget
 - \$75,000 – Additional City funds approved by Council (July 8, 2014)
 - \$205,000– Donations

D. LEGAL

- Notification: Notice of this public hearing was published in the Sun Current in accordance with State and Local requirements. Properties within 350 feet were notified by mail.
- Council consideration is scheduled for July 12, 2016.

IV. ALTERNATIVE RECOMMENDATION(S)

- Recommend approval of the proposal with modifications.
- Recommend denial with a finding that the proposed use does not meet requirements.

V. ATTACHMENTS

- Resolution
- Requirements document
- Proposed plans
- Minneapolis Audubon Letter
- Recreation Services Director Topitzhofer Response Memo
- NHIS Report
- Report Supplemental Materials
- Planning & zoning maps

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Jim Topitzhofer, Recreation Services Director

RESOLUTION NO. _____

RESOLUTION GRANTING APPROVAL
OF A SITE PLAN
TO ALLOW A COMMUNITY BAND SHELL
AT VETERANS MEMORIAL PARK

WHEREAS, an application has been filed with the City of Richfield which requests approval of site plan to allow a community band shell Veterans Memorial Park;

WHEREAS, the requested site plan has been reviewed by the City Council and meets City requirements; and

WHEREAS, the proposed site plan will adequately serve the purpose for which it is proposed and will not have an adverse effect upon the public safety or general welfare; and

WHEREAS, the City has fully considered the request for approval of the site plan.

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. A site plan for a community band shell as described in City Council Report No. ____, on the Subject Property legally described above is approved.
3. The approved site plan is subject to the following conditions:
 - Final building material selections must be approved by the Community Development Director prior to the issuance of a building permit;
 - A final landscape plan including shade trees along the eastern parking lot edge is required. The final landscape plan, including tree/plant selection, must be approved by the Community Development and Public Works Departments;
 - A Noise Control Plan similar to, or more robust than, that described City Council Report No. _____ must be continuously in place;
 - The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report and compliance with all other City and State regulations. Permits are required prior to the commencement of any work;
 - This approval shall expire one year following the date of approval unless the use has commenced or a building permit has been obtained and construction begun.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of July 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

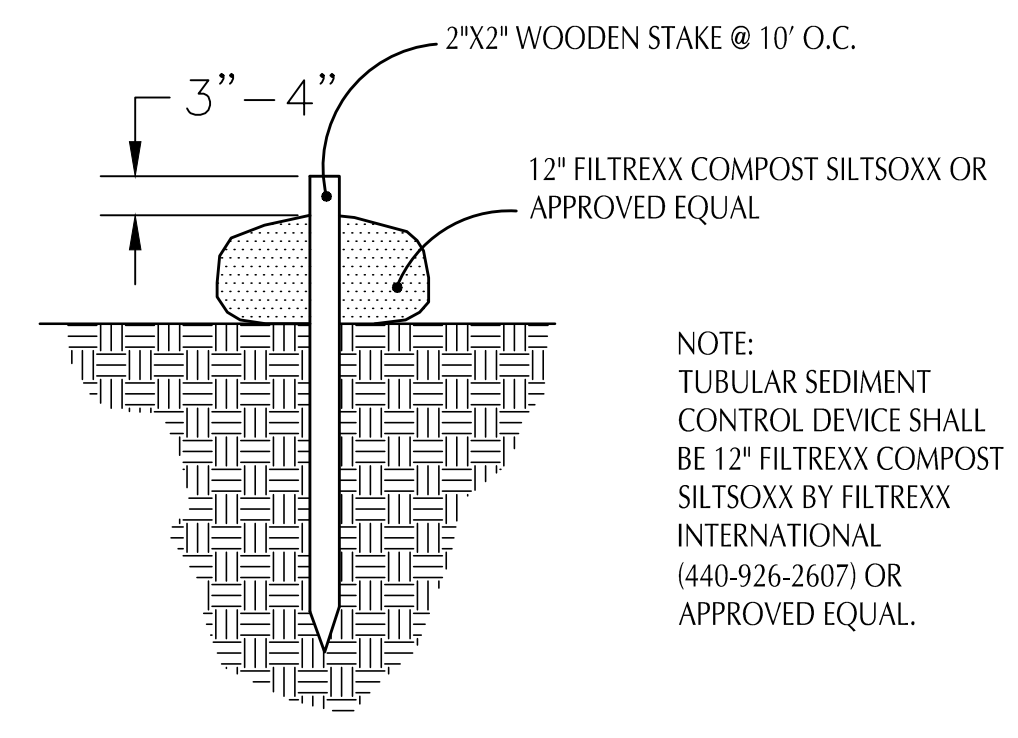
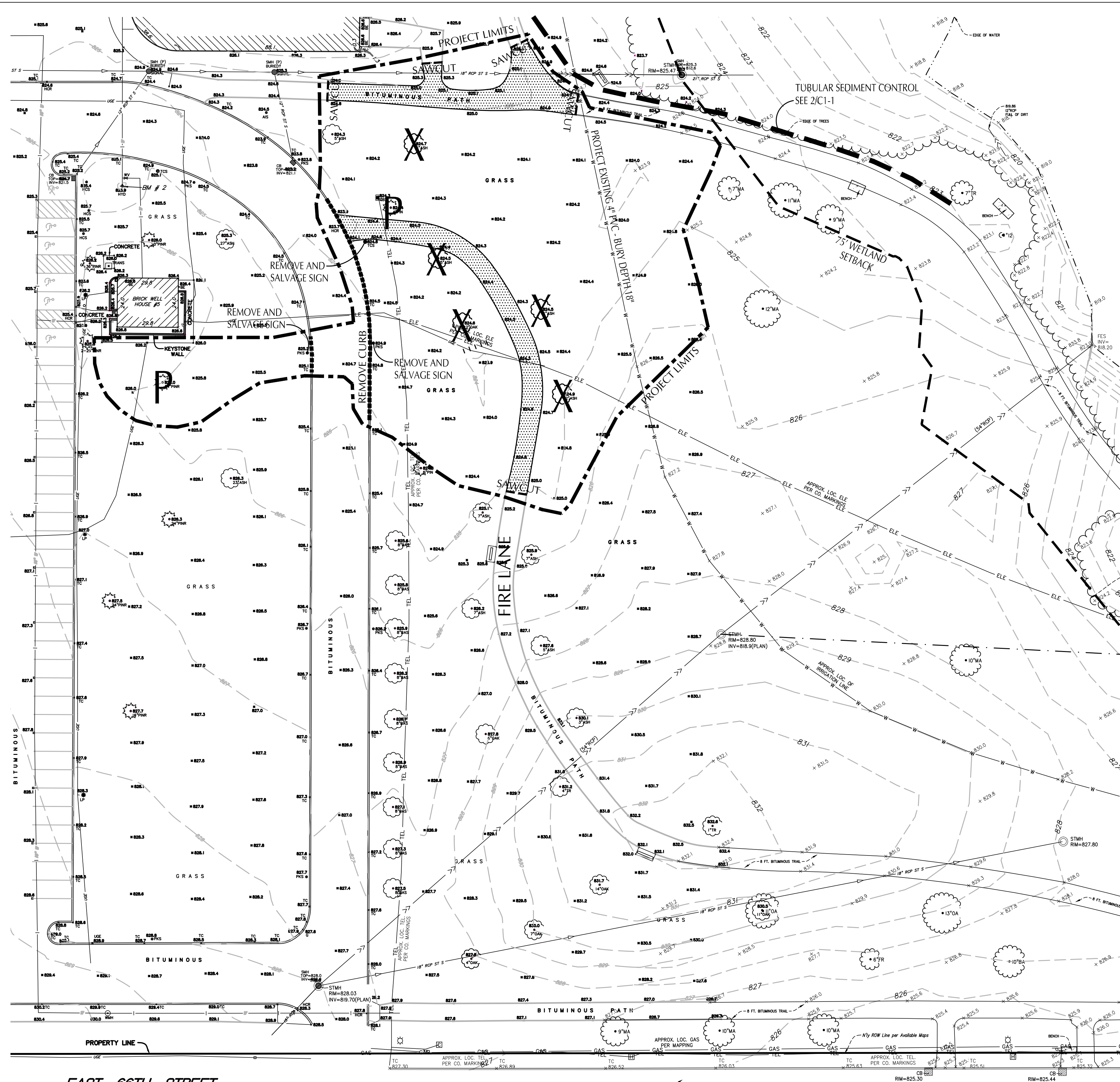
Site Plan Approval (Subsection 547.13)

In evaluating a site plan, the Planning Commission and Council shall consider its compliance with the following:

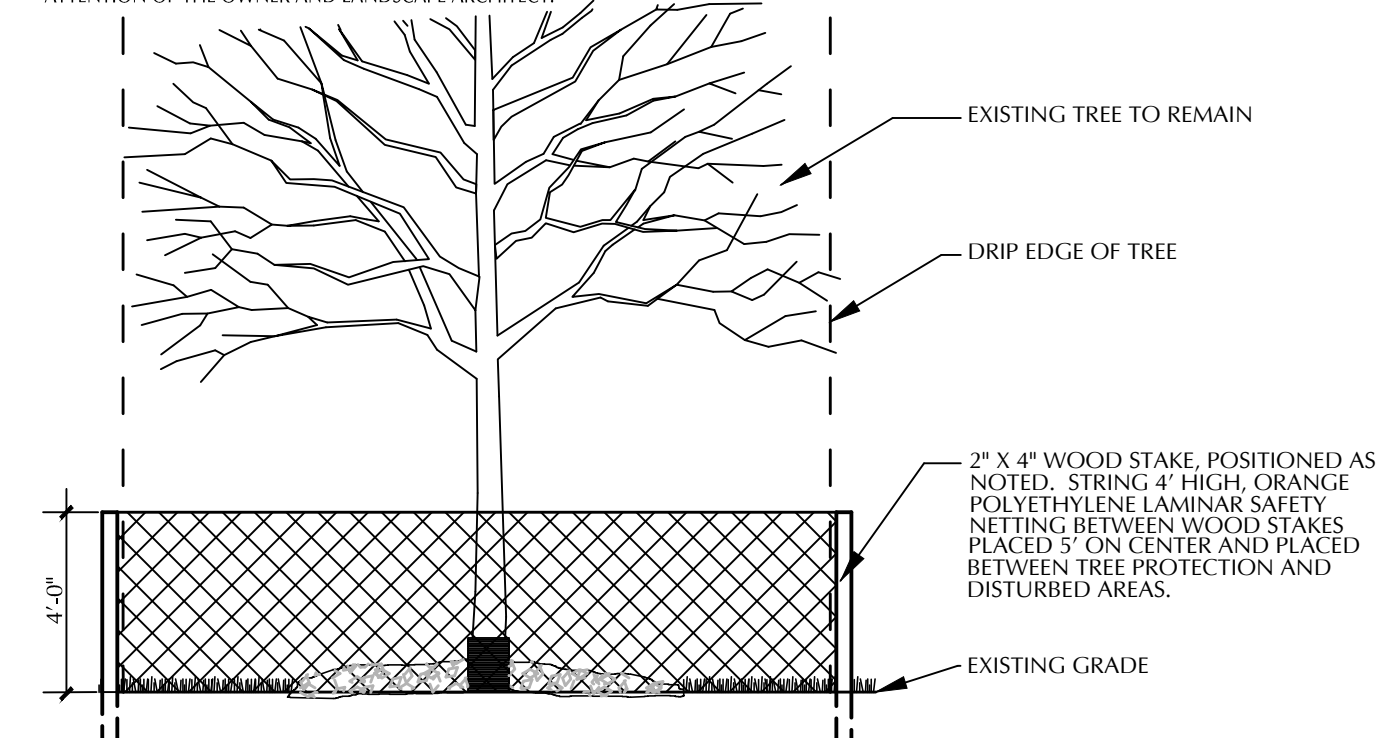
- a) *Consistency with the various elements and objectives of the City's long range plans including, but not limited to, the Comprehensive Plan.* A community band shell and/or amphitheater has been identified in numerous long-range policy documents over the past many years. These documents include the 1985 Veterans Memorial Park Master Plan, the 2001 Richfield 2020 Visioning Report, and the 2008 Comprehensive Plan.
- b) *Consistency with the purposes of the Zoning Code.* The purposes of the Zoning Code include: assisting in the implementation of the Comprehensive Plan; creating harmonious and workable relationships among land uses; and more. The proposal is not inconsistent with the purposes of the Zoning Code.
- c) *Preservation of the site in its natural state, insofar as practicable, by minimizing tree and soil removal, and designing any grade changes so as to be in keeping with the general appearance of neighboring developed or developing areas.* The proposed building has been designed so as to compliment the surrounding area.
- d) *Creation of a harmonious relationship of buildings and open spaces with the terrain and with existing and future buildings having a visual relationship to the proposed development.* Building materials, building location and building orientation have all been designed to coordinate with the surrounding natural and man-made amenities, in addition to the nearby residential neighborhoods.
- e) *Creation of a functional and harmonious design for structures and site features including:*
 - i. *Creation of an internal sense of order for the various functions and buildings on the site and provision of a desirable environment for occupants, visitors and the general community;*
 - ii. *Appropriateness of the amount and arrangement of open space and landscaping to the design and function of the development;*
 - iii. *Appropriateness of the materials, textures, colors and details of construction as an expression of the design concept of the project and the compatibility of the same with the adjacent and neighboring structures and functions; and*
 - iv. *Adequacy of vehicular, cycling and pedestrian circulation, including walkways, interior drives and parking, in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian, cycling and vehicular traffic and arrangement and amount of parking so as to be safe, convenient and, insofar as practicable, compatible with the design of proposed buildings, structures and neighboring properties.*

The proposed plans address internal circulation through the provision of adequate parking on site; additional accessible parking spaces and an accessible walkway; convenient additional bicycle parking; and integration with existing park paths/walkways. The building and location are sensitive to the surrounding buildings and park.

- f) *Creation of an energy-conserving design through design location, orientation and elevation of structures, the use and location of glass in structures, and the use of landscape materials and site grading. As a protective measure for area birds, no glass will be used in the structure.*
- g) *Protection of adjacent and neighboring properties through reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design, not adequately covered by other regulations, which may have substantial effects on neighboring land uses. Adequate provisions are in place to protect neighboring land uses from substantial effects, including a noise control plan.*



1 TUBULAR SEDIMENT CONTROL
C1-1 NOT TO SCALE



2 TREE PROTECTION
C1-1 SCALE: 1/2" = 1'-0"

SITE PREPARATION NOTES:

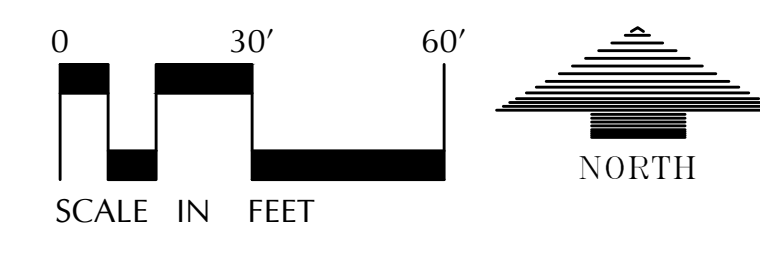
- CONTRACTOR SHALL VISIT THE SITE PRIOR TO SUBMITTING BID. INSPECT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF THE WORK.
- ASSURE COMPLIANCE WITH ALL APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK OR MATERIALS SUPPLIED.
- LOCATION AND SIZES OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE AND ARE SHOWN BASED ON FIELD LOCATION OF VIEWABLE FIXTURES. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES WITH GOPHER ONE AND LOCAL UTILITY SERVICES. PROVIDE THE NECESSARY PROTECTION FOR EXISTING UTILITIES BEFORE CONSTRUCTION OR MATERIAL INSTALLATION BEGINS (MINIMUM 10' CLEARANCE).
- NO CONSTRUCTION, DEMOLITION OR COMMERCIAL POWER MAINTENANCE EQUIPMENT SHALL BE OPERATED WITHIN THE CITY BETWEEN THE HOURS OF 6:00 PM AND 7:00AM ON WEEKDAYS OR DURING ANY HOURS ON SATURDAYS, SUNDAYS AND STATE AND FEDERAL HOLIDAYS, EXCEPT UNDER PERMIT.
- CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING SITE FEATURES TO REMAIN. ANY DAMAGE TO EXISTING SITE FEATURES SHALL BE REPORTED TO LANDSCAPE ARCHITECT AND OWNER PRIOR TO START OF CONSTRUCTION ACTIVITIES. ANY DAMAGE TO SAME SHALL BE REPAIRED AT NO COST TO THE OWNER.
- LOCATIONS FOR STORING CONSTRUCTION EQUIPMENT AND MATERIALS SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT.
- ANY DAMAGE TO THE PUBLIC SIDEWALKS AND CURBS DURING CONSTRUCTION MUST BE REPLACED BY A LICENSED CONTRACTOR WITH THE CITY OF RICHFIELD. RESTORATION WORK MUST BE DONE UNDER A PERMIT FROM PUBLIC WORKS.
- ALL CONSTRUCTION AND POST-CONSTRUCTION PARKING SHALL BE AS DIRECTED BY THE OWNER. NO ON-STREET PARKING / LOADING / UNLOADING ALLOWED.
- BITUMINOUS REMOVAL SHALL INCLUDE ALL SURFACING AND BASE MATERIAL.

EROSION CONTROL NOTES

- INSTALL EROSION CONTROL MEASURES AT LOCATIONS SHOWN ON EROSION CONTROL PLAN PRIOR TO ANY LAND DISTURBANCE. INSTALL SEDIMENT FILTERS IMMEDIATELY FOLLOWING INSTALLATION OF STRUCTURE.
- REMOVE ALL SOILS AND SEDIMENTS TRACKED OR OTHERWISE DEPOSITED ONTO PUBLIC AND PRIVATE AREAS. REMOVAL SHALL BE ON A DAILY BASIS WHEN TRACKING OCCURS AND MAY BE ORDERED BY INSPECTORS AT ANY TIME IF CONDITIONS WARRANT. SWEEPING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE CONSTRUCTION AND DONE IN A MANNER TO PREVENT DUST BEING BLOWN TO ADJACENT PROPERTIES.
- SLOPES MUST BE STABILIZED BY BEING SEEDED AND COVERED WITH AN EROSION CONTROL BLANKET OR MULCHED WITH A TACKIFYING AGENT AS SOON AS POSSIBLE AFTER GRADING AND NO LATER THAN 14 DAYS.
- ALL EROSION CONTROL INSTALLATIONS SHALL REMAIN IN PLACE AND BE MAINTAINED IN GOOD CONDITION BY THE CONTRACTOR/PERMITEE UNTIL THE SITE HAS BEEN RE-VEGETATED, AT WHICH TIME THEY SHALL BE REMOVED. INSPECT TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES ON A DAILY BASIS AND REPLACE DETERIORATED, DAMAGED, OR ROTTED EROSION CONTROL DEVICES IMMEDIATELY. FOR PROPOSED PAVED SURFACE AREA, THE CONTRACTOR MAY REMOVE NECESSARY SILT FENCING TO CONSTRUCT ROADWAY WHILE MAINTAINING ADEQUATE EROSION CONTROL IN ADJACENT AREAS.
- LOCATE SOIL OR DIRT STOCKPILES NO LESS THAN 25 FEET FROM ANY PUBLIC OR PRIVATE ROADWAY OR DRAINAGE CHANNEL. IF REMAINING FOR MORE THAN SEVEN DAYS, STABILIZE THE STOCKPILES BY MULCHING, VEGETATIVE COVER, TARPS, OR OTHER MEANS. CONTROL EROSION FROM ALL STOCKPILES BY PLACING SILT BARRIERS AROUND THE PILES. TEMPORARY STOCKPILES LOCATED ON PAVED SURFACES MUST BE NO LESS THAN TWO FEET FROM THE DRAINAGE/GUTTER LINE AND SHALL BE COVERED IF LEFT MORE THAN 24 HOURS. SUFFICIENT TOPSOIL SHALL BE STOCKPILED TO ALLOW FOR THE REPLACEMENT OF A MINIMUM OF 4" OF TOPSOIL FOR DISTURBED AREAS THAT ARE TO BE REVEGETATED.
- INSTALL INLET PROTECTION AT ALL PUBLIC AND PRIVATE CATCH BASIN INLETS, WHICH RECEIVE RUNOFF FROM THE DISTURBED AREAS. CATCH BASIN INSERTS OR OTHER APPROVED PRODUCT ARE REQUIRED IN UNDISTURBED AREAS THAT MAY RECEIVE RUNOFF FROM THE PROJECT AREA. HAY BALES OR FILTER FABRIC WRAPPED GRATES ARE NOT ALLOWED FOR INLET PROTECTION.
- THE CONTRACTOR/PERMITEE SHALL SCHEDULE SITE GRADING, UTILITY INSTALLATION AND SITE IMPROVEMENTS SO THAT THE GENERAL SITE CAN BE MULCHED AND RE-SEEDED SOON AFTER DISTURBANCE. ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED WITHIN 14 DAYS AFTER COMPLETION OF FINAL GRADING OR AFTER 14 DAYS OF GRADING INACTIVITY. ALL MULCH MATERIAL SHALL BE DISCED INTO THE SOIL IN DIRECTION PERPENDICULAR TO THE STORMWATER FLOW OVER SUCH AREAS. AN EARLY APPLICATION OF GRAVEL BASE ON AREAS TO BE PAVED IS RECOMMENDED THEREFORE MINIMIZING EROSION POTENTIAL.
- READY MIXED CONCRETE AND CONCRETE BATCH PLANTS ARE PROHIBITED WITHIN THE PUBLIC RIGHT OF WAY. ALL CONCRETE RELATED PRODUCTION, CLEANING AND MIXING ACTIVITIES SHALL BE DONE IN THE DESIGNATED CONCRETE MIXING/WASHOUT LOCATION AS SHOWN ON THE EROSION CONTROL PLAN. UNDER NO CIRCUMSTANCES MAY THE WASHOUT WATER DRAIN ONTO THE PUBLIC RIGHT OF WAY OR INTO ANY PUBLIC OR PRIVATE STORM SEWER CONVEYANCE.

FAST 66TH STREET
SITE PREPARATION / EROSION CONTROL:

- LEGEND**
- EXISTING TREE TO BE REMOVED
 - EXISTING TREE TO BE PROTECTED - SEE 2/C1-1
 - REMOVE CURB
 - REMOVE BITUMINOUS SURFACING



TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

David Linner Architects
10000 Hennepin Avenue, Suite 100
Bloomington, MN 55438
PHONE: (612) 884-6666
FAX: (612) 884-6666

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

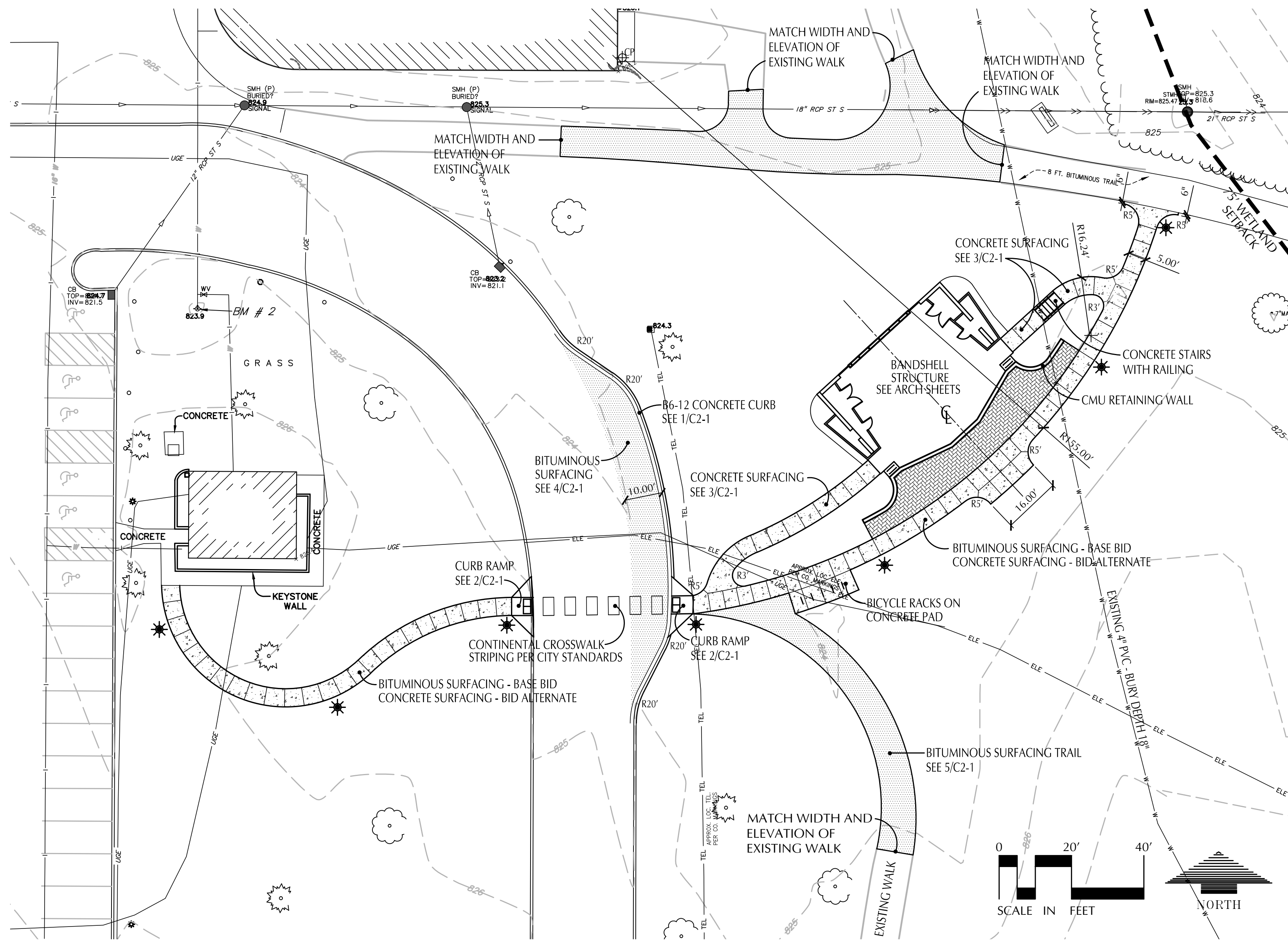
License No. 12579
Date July 23, 2015

BID SET

City of Richfield
BAND SHELL
VETERAN'S PARK
66th Street E. & Portland Avenue S.
Richfield, MN 55423

Revisions

Drawn	GAJ
Checked	LW
Date	23 July, 2015
Job Number	14249
SHEET	C1-1



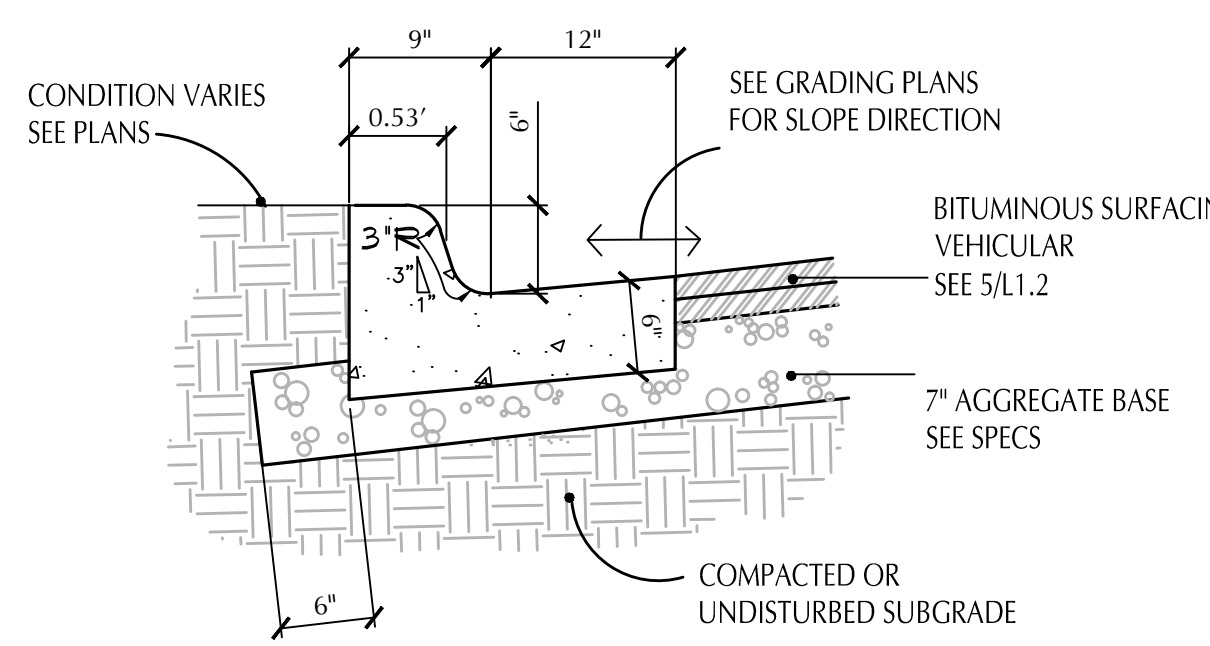
LAYOUT PLAN:

LAYOUT NOTES

1. ELECTRONIC DATA IS AVAILABLE FROM LANDSCAPE ARCHITECT FOR SITE LAYOUT.
2. VERIFY LAYOUT AND DIMENSIONS SHOWN AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT ANY DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN AND / OR INTENT OF THE PROJECT'S LAYOUT.
3. THE ALIGNMENT AND GRADES OF THE PROPOSED SITE AMENITIES ARE SUBJECT TO FIELD ADJUSTMENT REQUIRED TO CONFORM TO LOCALIZED TOPOGRAPHIC CONDITIONS AND TO MINIMIZE GRADING. ANY CHANGE IN ALIGNMENT MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.

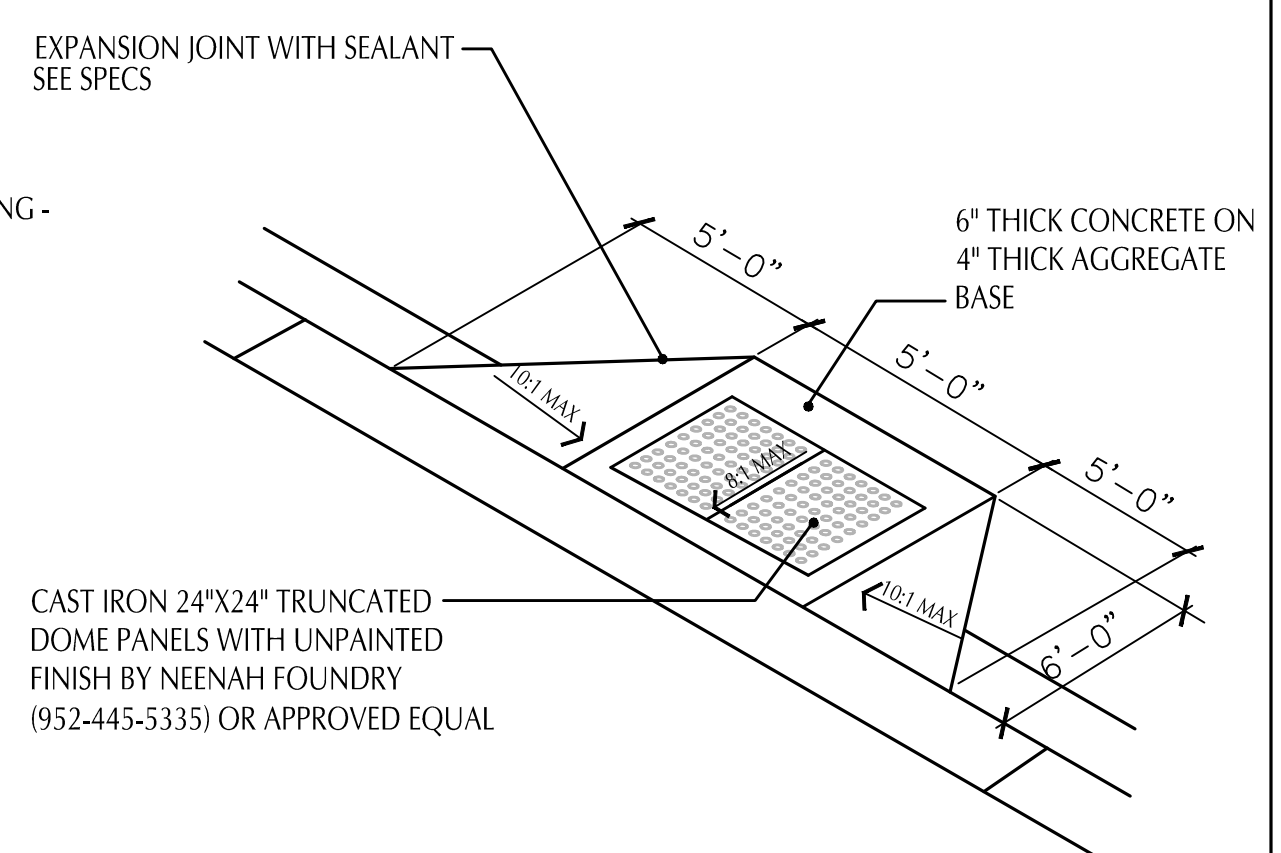
LEGEND

- BITUMINOUS OR CONCRETE SURFACING SEE LAYOUT PLAN
- BITUMINOUS SURFACING - SEE 2/C2-1
- CONCRETE PAVER SURFACING
- ORNAMENTAL LIGHT POLES

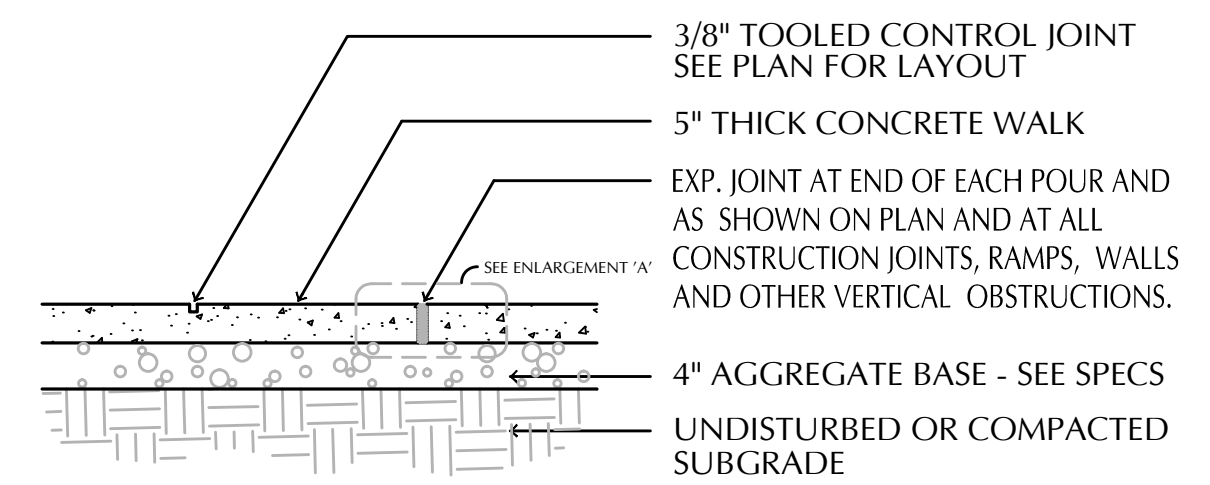
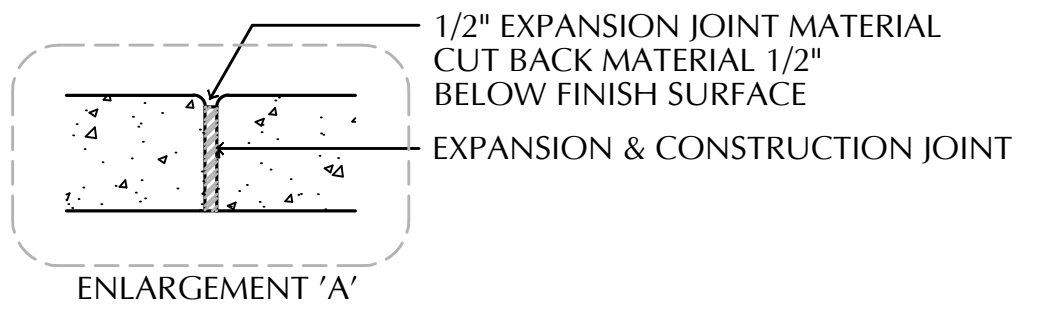


NOTES:
1. PLACE CONTRACTION JOINTS EVERY 10' O.C.

1 B6-12 CONCRETE CURB
SCALE: 1" = 1'-0"



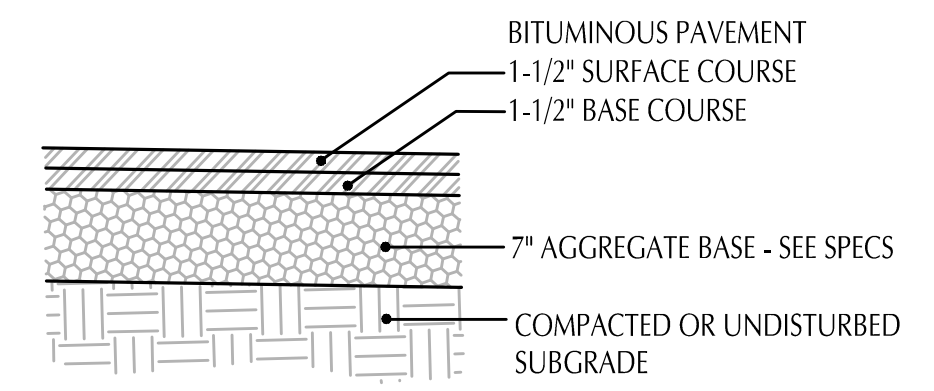
2 CURB RAMP
SCALE: 3/8" = 1'-0"



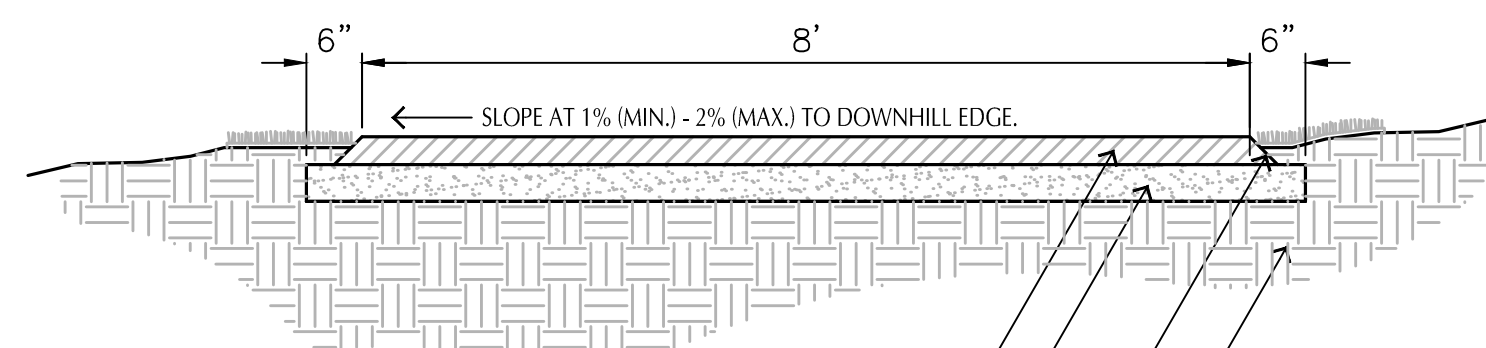
NOTES:
1. STANDARD FINISH TO BE MEDIUM BROOM FINISH PERPENDICULAR TO PEDESTRIAN TRAFFIC
2. MAXIMUM CONTROL JOINT GRID SIZE SHALL BE 6'x6'

PEDESTRIAN

3 CONCRETE SURFACING
SCALE: 1/2" = 1'-0"



4 BITUMINOUS SURFACING
SCALE: 1" = 1'-0"



PLACE ALL ASPHALT IN ONE LIFT TO PROVIDE A MINIMUM OF 3" COMPACTED DEPTH.
MINIMUM BASE OF 6" COMPACTED AGGREGATE.
BEVEL AND COMPACT ALL EDGES AT 45 DEGREES.
COMPACTED OR UNDISTURBED SUBGRADE.
PRIOR TO PAVING, COMPLETE TEST ROLL USING A FULLY LOADED 10 YARD MINIMUM DUMP TRUCK. OVEREXCAVATE AND BACKFILL WITH SELECT GRANULAR THOSE AREAS FAILING THE TEST ROLL. GEOTEXTILE FABRIC SHALL BE USED AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.

5 BITUMINOUS SURFACING - TRAIL
NOT TO SCALE

David Linner Architects
10100 Moore Avenue S.
Bloomington, MN 55421
PHONE: (612) 884-8600
FAX: (612) 884-8680

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
License No. 12579
Date July 23, 2015
Larry L. Walker - LA

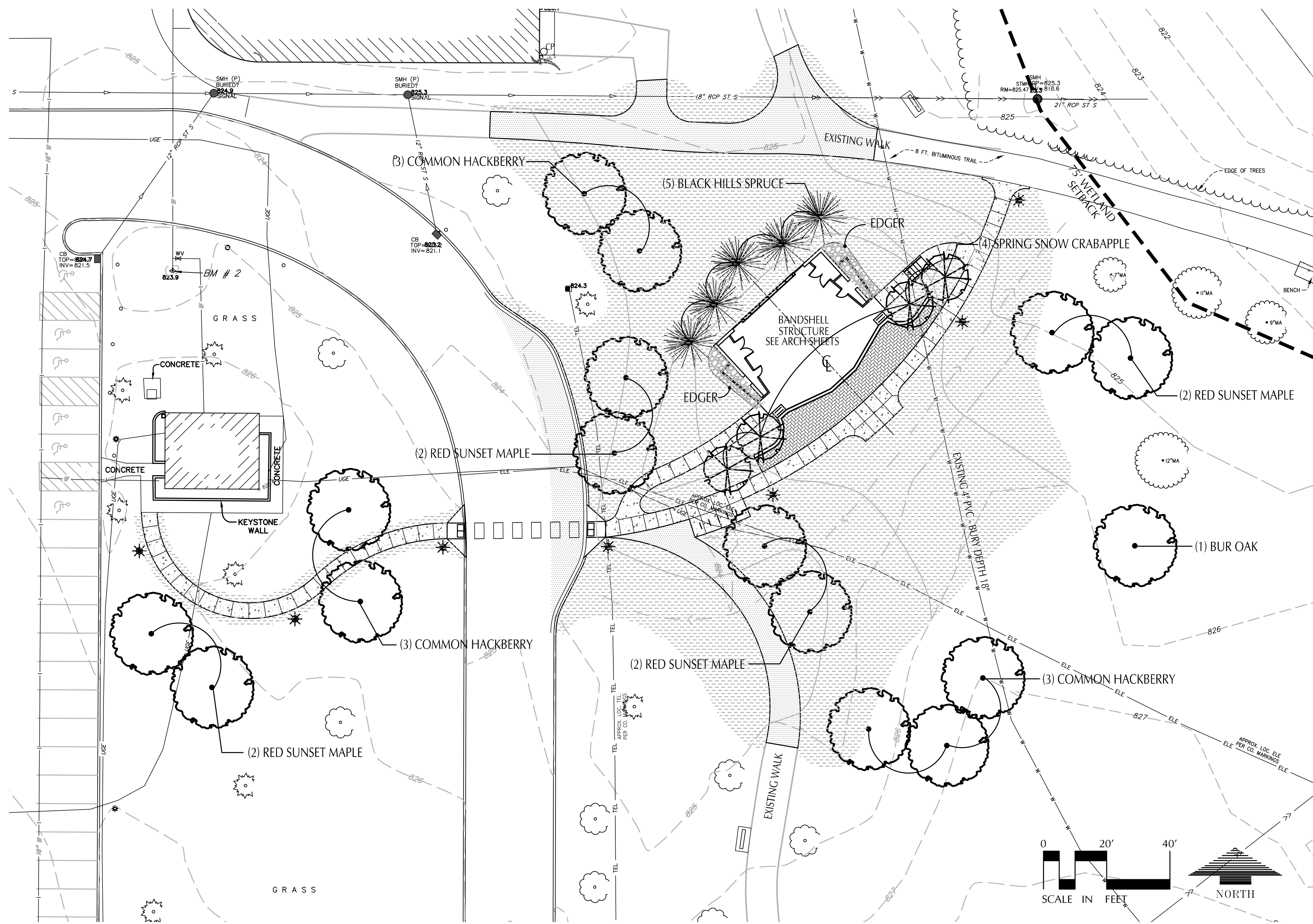
BID SET

City of Richfield
BAND SHELL
VETERAN'S PARK
68th Street E. & Portland Avenue S.
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LAYOUT PLAN / DETAILS

Revisions

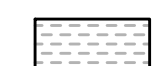

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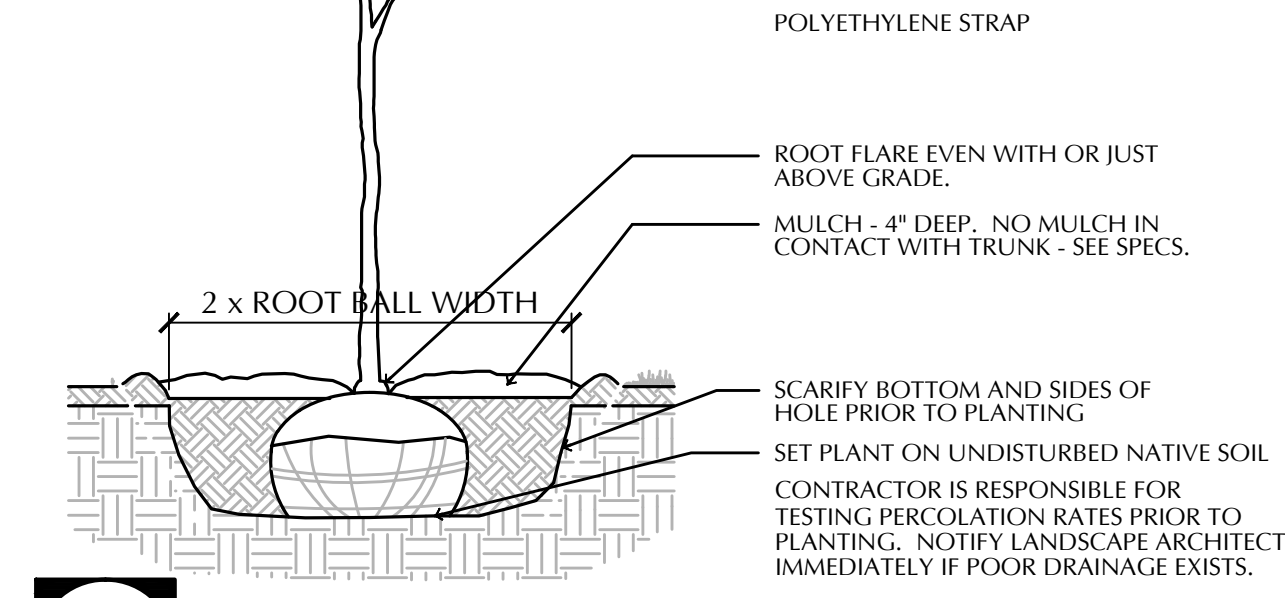
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LANDSCAPE PLAN

LEGEND:

-  TURF SEED MIX - MNDOT 25-131
-  ROCK MULCH - SEE NOTE #11



1
L1-1
TREE PLANTING DETAIL
SCALE: 1/2" = 1'-0"

THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL TREES IN A PLUMB POSITION THROUGH THE WARRANTY PERIOD. STAKING IS SUGGESTED, BUT NOT REQUIRED. ANY STAKING MUST CONFORM WITH PRACTICES AS DEFINED IN A.N.A. GUIDELINES FOR STANDARD PRACTICES.

PRUNE DAMAGED AND CROSSING BRANCHES AFTER PLANTING IS COMPLETE. CUT BACK WIRE BASKET REMOVE ALL FLAGGING AND LABELING FROM TREE.

WATER TREE THOROUGHLY DURING PLANTING OPERATIONS. PLACE BACKFILL IN 8-12" LIFTS AND SATURATE SOIL WITH WATER. DO NOT COMPACT MORE THAN NECESSARY TO MAINTAIN PLUMB.

POLYETHYLENE STRAP

ROOT FLARE EVEN WITH OR JUST ABOVE GRADE.

MULCH - 4" DEEP. NO MULCH IN CONTACT WITH TRUNK - SEE SPECS.

SCARIFY BOTTOM AND SIDES OF HOLE PRIOR TO PLANTING

SET PLANT ON UNDISTURBED NATIVE SOIL

CONTRACTOR IS RESPONSIBLE FOR TESTING PERCOLATION RATES PRIOR TO PLANTING. NOTIFY LANDSCAPE ARCHITECT IMMEDIATELY IF POOR DRAINAGE EXISTS.

LANDSCAPE NOTES

- SEED ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITY AND NOT COVERED BY BUILDINGS, PAVEMENT, OR PLANTING BEDS.
- LANDSCAPE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION AND PLANTING ACTIVITIES WITH GENERAL SITE CONTRACTOR.
- CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY SOIL OR WATER CONCERNS WHICH BECOME APPARENT AFTER DIGGING HOLES FOR PLANTING.
- CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES IN THE FIELD BEFORE ANY EXCAVATION FOR PLANTINGS. HAND DIGGING MAY BE NECESSARY.
- MULCH FOR SEEDED AREAS WITH SLOPES LESS THAN 15% SHALL BE TYPE 5 WOOD FIBER HYDROMULCH CONFORMING TO MnDOT 3884 PLACED AT 2000LBS. PER ACRE. MULCH FOR SEEDED AREAS GREATER THAN 15% SHALL BE MnDOT CATEGORY 1 STRAW RD 15 BLANKET CONFORMING TO mNDOT SPECIFICATION SECTION 3885.
- ALL DISTURBED AREAS TO BE SEEDED WITHIN 48 HOURS OF ROUGH GRADING, WITH REVEGETATION TO OCCUR WITHIN 48 HOURS.
- ALL AREAS SEEDED WITH TURF SEED MIX SHALL RECEIVE 10-10-10 FERTILIZER @ 200LBS. PER ACRE.
- ALL AREAS ARE REQUIRED TO BE STABILIZED WITHIN 24 HOURS AFTER WORK HAS BEEN COMPLETED.
- SCARIFY ALL LAWN AREAS TO A DEPTH OF 6" PRIOR TO INSTALLING TURF SEED MIX.
- EDGING SHALL BE 3/16"x4" BLACK STEEL LANDSCAPE EDGING BY RYERSON OR APPROVED EQUAL.
- ROCK MULCH SHALL BE 3" LAYER OF 3/4 CRUSHED GRANITE OR TRAP ROCK PLACED OVER PRO 5 WEED BARRIER BY DEWITT OR APPROVED EQUAL.

PLANT LIST

QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COMMENTS
	CONIFEROUS TREES			
5	BLACK HILLS SPRUCE	<i>Picea glauca densata</i>	8' B.B.	
	DECIDUOUS TREES			
7	COMMON HACKBERRY	<i>Celtis occidentalis</i>	2-1/2" B.B.	
6	RED SUNSET MAPLE	<i>Acer rubrum 'Franksred'</i>	2-1/2" B.B.	
2	IMPERIAL HONEYLOCUST	<i>Gleditsia triacanthos inermis 'Impcole'</i>	2-1/2" B.B.	
1	BUR OAK	<i>Quercus macrocarpa</i>	2-1/2" B.B.	
4	SPRING SNOW CRABAPPLE	<i>Malus 'Spring Snow'</i>	2" B.B.	

David Linner Architects
 ARCHITECTS
 10000 W. 54TH ST.
 BLOOMINGTON, MN 55431
 PHONE: (612) 884-8800
 FAX: (612) 884-8800

License No. Larry L. Wacker - LA 12579
 Date July 23, 2015

BID SET

City of Richfield
BAND SHELL
 VETERANS PARK
 66th Street E. & Portland Avenue S.
 Richfield, MN 55423
 LANDSCAPE PLAN

Revisions

Drawn
GAJ

Checked
LW

Date
23 July, 2015

Job Number
14249

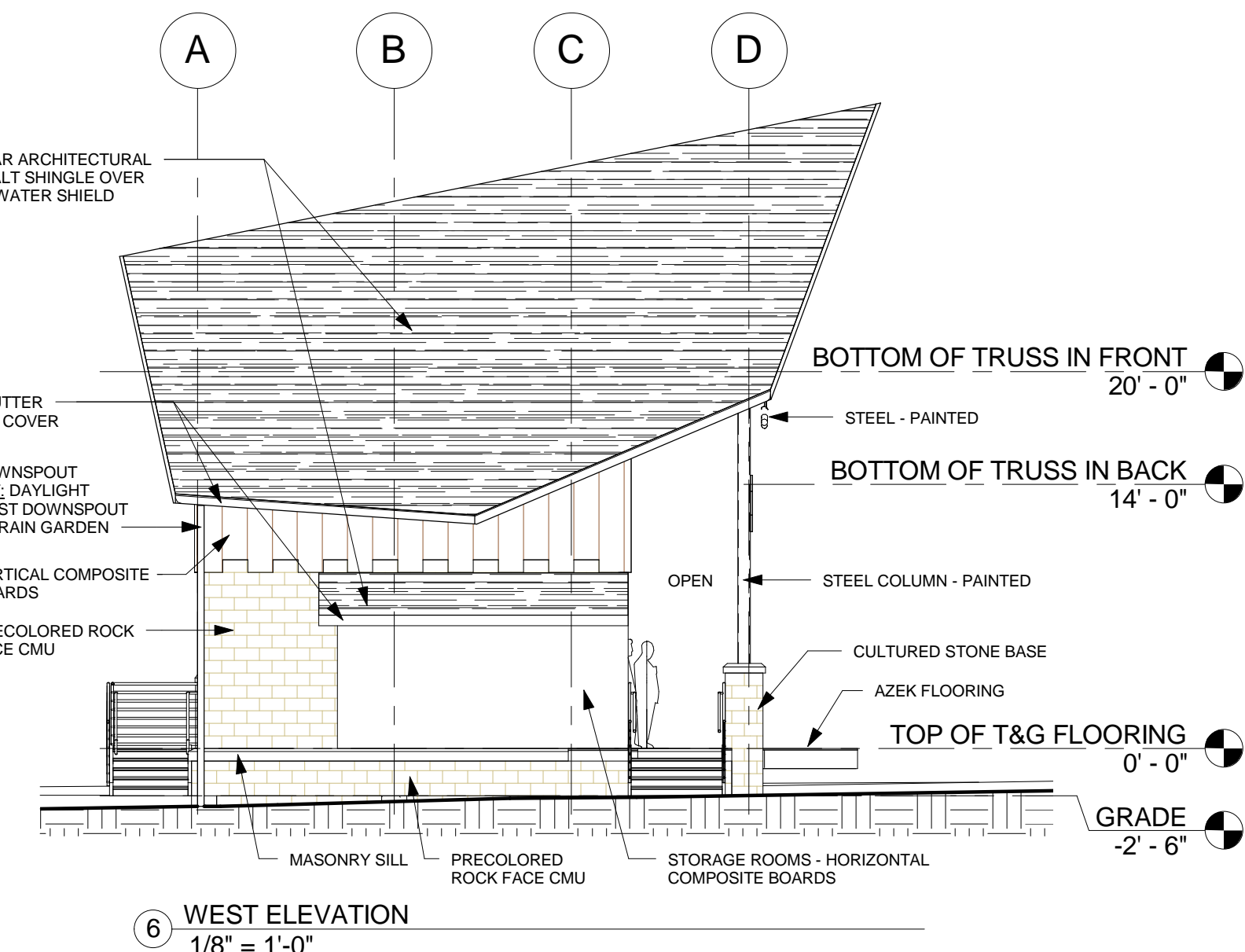
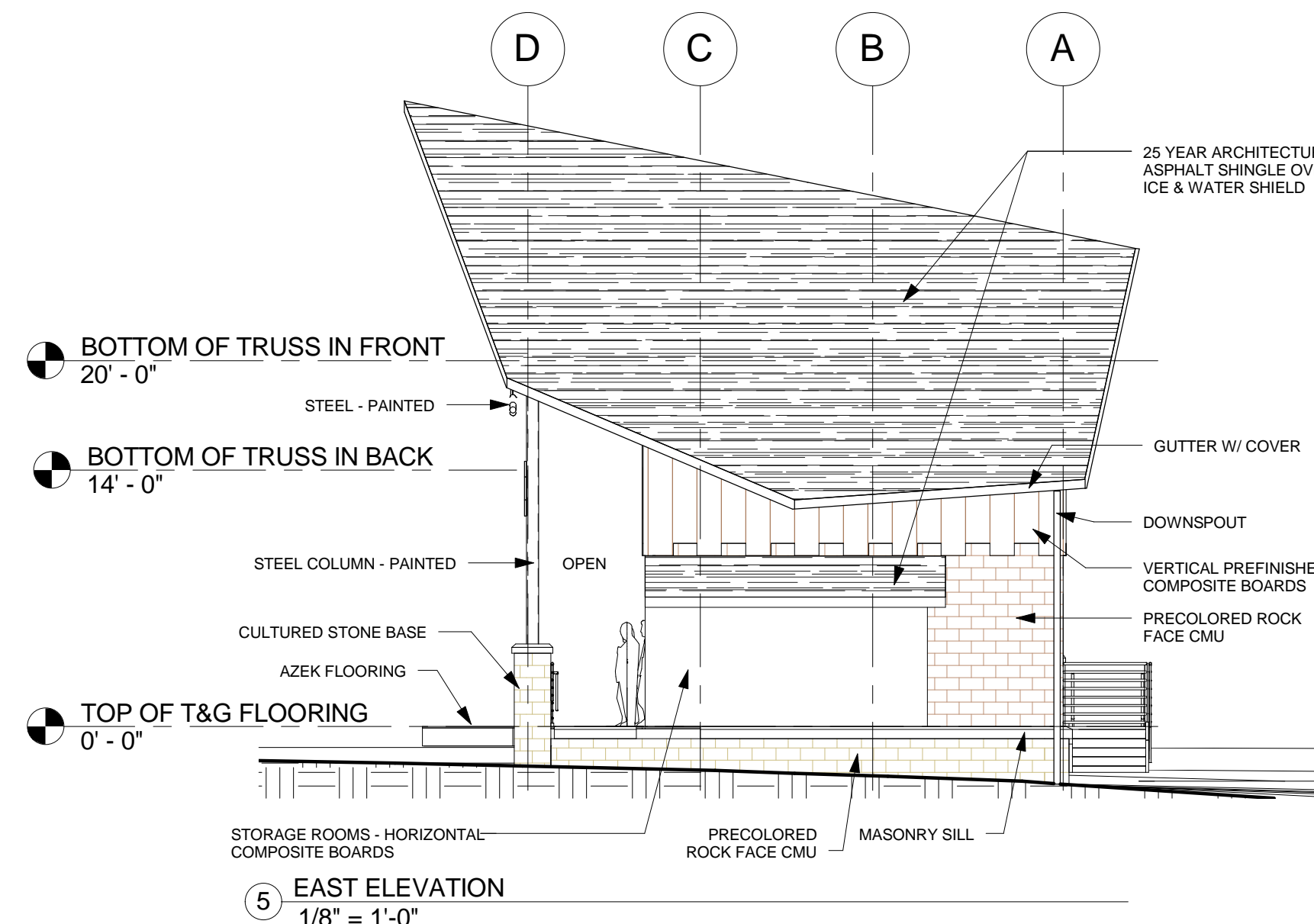
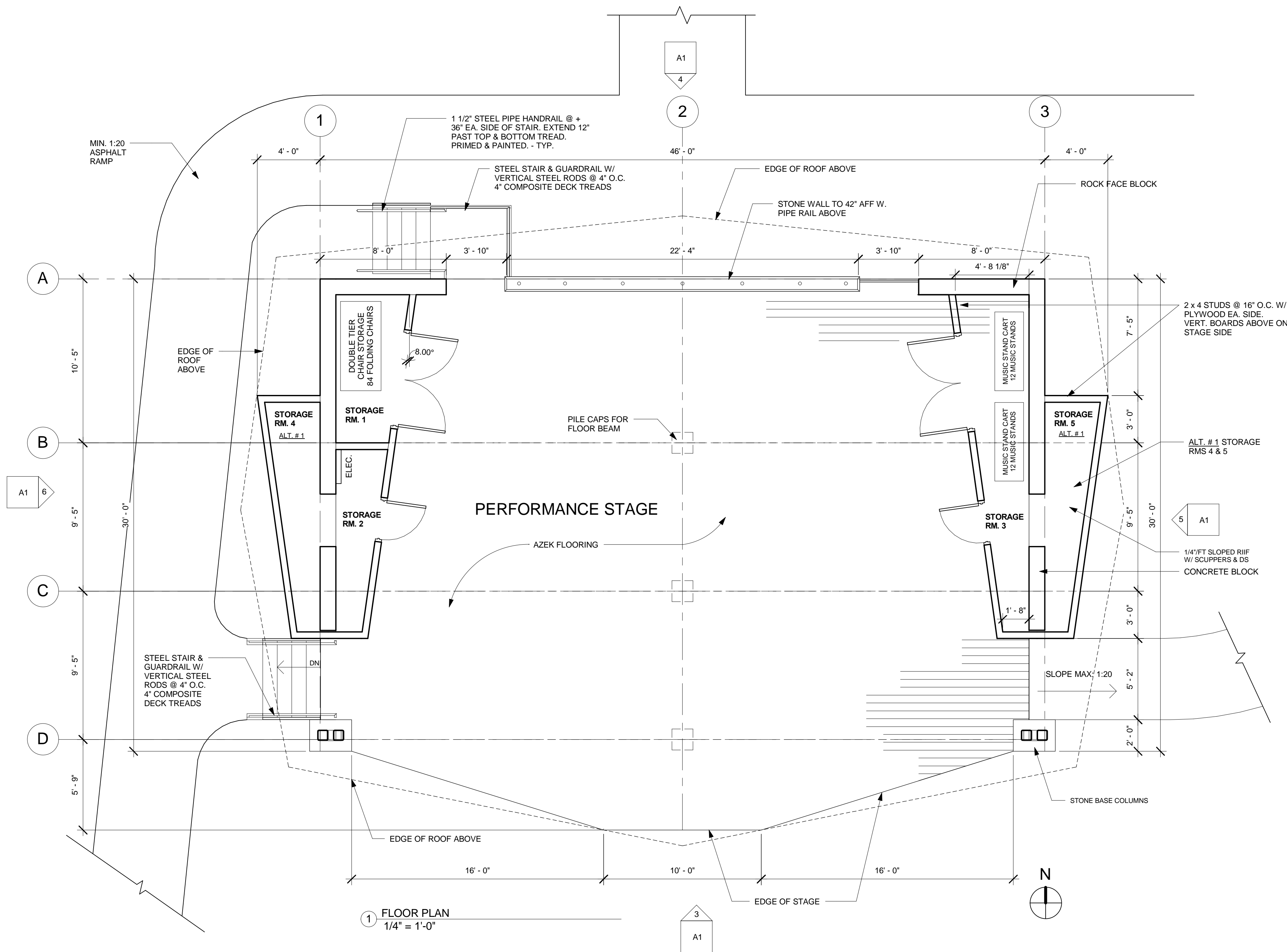
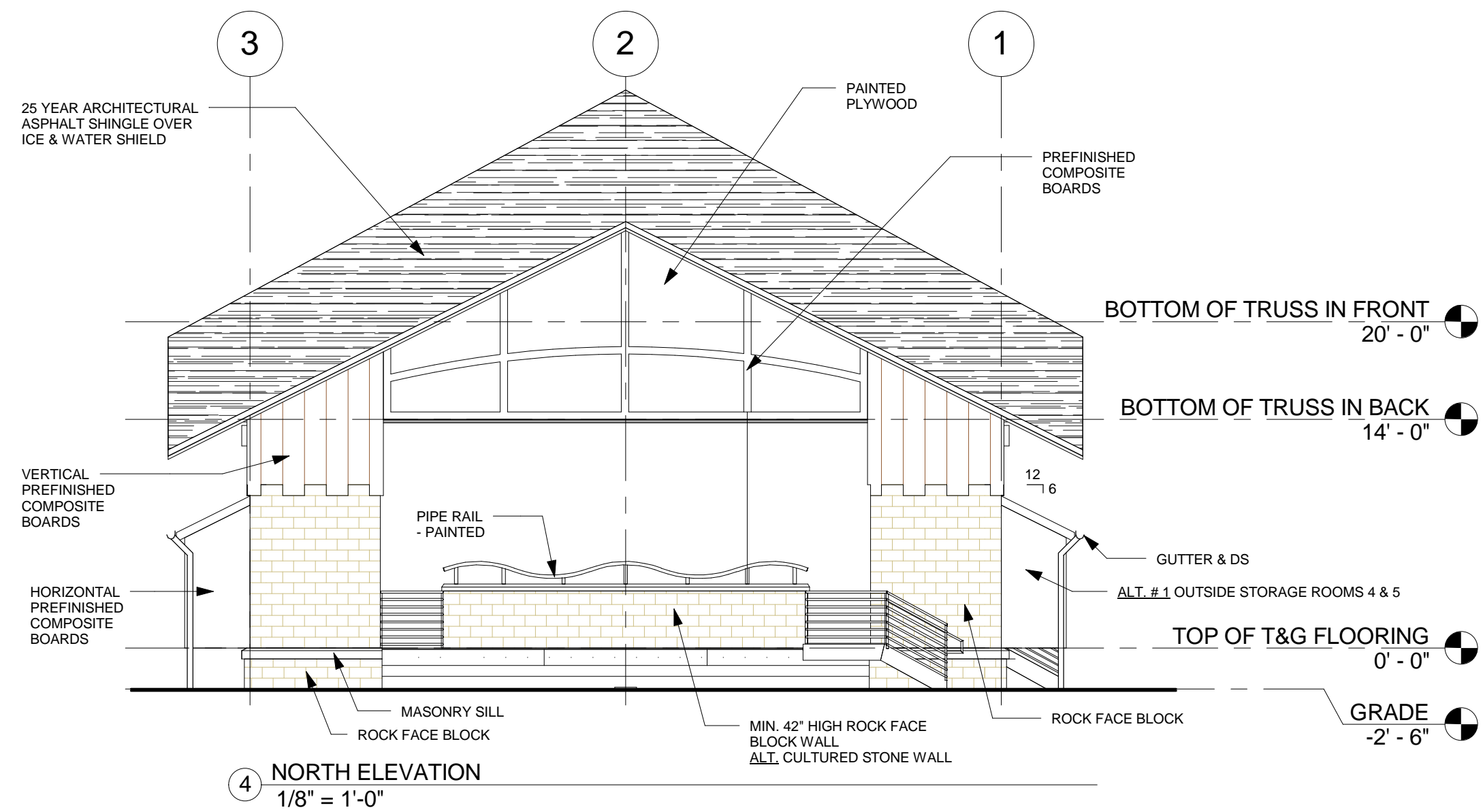
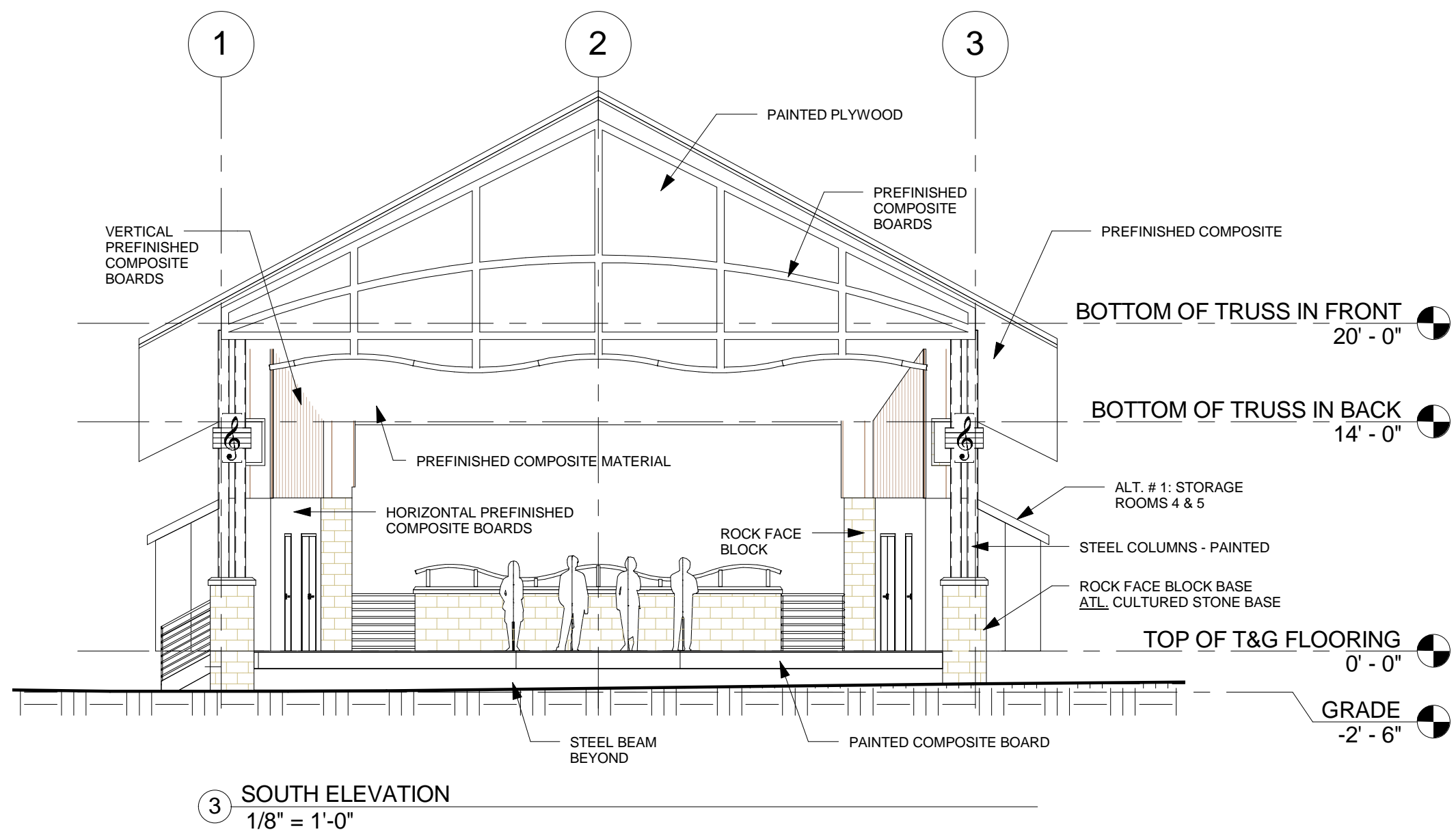
SHEET
L1-1

Handwritten signature

BAND SHELL

FOR THE CITY OF RICHFIELD

RICHFIELD, MN



David Linner Architects
10100 Morgan Avenue S
RICHFIELD, MN 55121
PHONE: (952) 984-6455
FAX: (952) 984-9860

PROJECT: BAND SHELL
DATE: 11/15/14
SCALE: 1/4" = 1'-0"
SHEET: A1

PRELIMINARY

City of Richfield
BAND SHELL
FLOOR PLAN & ELEVATIONS

Revisions
5-15-15
6-3-15
Drawn
MDG
Checked
DPL
Date
5-13-15
Job Number
1521
SHEET
A1



PARKING STUDY:

PARKING PLAN:

PARKING FOR THE RICHFIELD COMMUNITY BANDSHELL WILL BE SHARED WITH EXISTING PARKING LOCATED AT THE RICHFIELD ICE ARENA AND POOL, 636 EAST 66th STREET, THE AMERICAN LEGION POST 435, 6501 PORTLAND AVENUE, AND THE RICHFIELD PICNIC PAVILION PARKING LOT IN VETERANS PARK, 6335 PORTLAND AVENUE.

THE RICHFIELD RECREATIONAL SERVICE DEPARTMENT OPERATES THE RICHFIELD ICE ARENA, OUTDOOR POOL AND PICNIC SHELTER, ALLOWING THE USE OF THE BAND SHELL TO BE COORDINATED WITH OTHER SCHEDULED EVENTS IN THE SURROUNDING FACILITIES. BAND SHELL CONCERTS AND ACTIVITIES WILL NOT BE SCHEDULED AT THE SAME TIME EVENTS ARE SCHEDULED AT THE RICHFIELD ICE ARENA, RICHFIELD POOL AND PICNIC PAVILION.

PARKING CAPACITY:

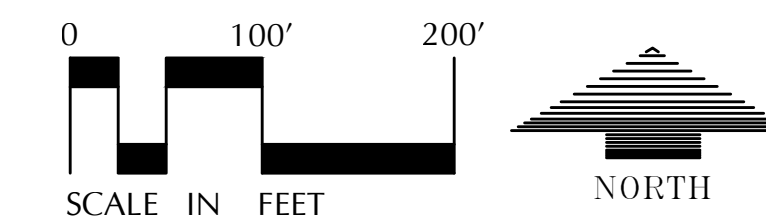
ARENA / POOL PARKING LOT	_____ 175
AMERICAN LEGION	_____ 249 TOTAL, 23 NET
PICNIC PAVILION PARKING LOT	_____ 110
TOTAL PARKING CAPACITY	534 TOTAL, 308 NET

NOISE CONTROL:

TO COMPLY WITH CITY CODE OF ORDINANCES SECTION 930, THE FOLLOWING NOISE CONTROL PLAN WILL BE ESTABLISHED FOR THE BAND SHELL.

ALL BAND SHELL PERFORMANCES SHALL BE CONDUCTED BY PERMIT THROUGH THE RECREATION SERVICES DEPARTMENT. A STAFF MEMBER OF THE RECREATION SERVICES DEPARTMENT WILL BE PRESENT AT ALL PERFORMANCES AND WILL MONITOR THE USE OF SOUND EQUIPMENT AND NOISE LEVELS IN ACCORDANCE TO CITY CODES. A NOISE MONITORING DEVICE WILL BE REQUIRED TO BE STORED AT THE SITE AT ALL TIMES AND NOISE MEASUREMENTS WILL BE TAKEN AT INTERVALS THROUGHOUT EACH PERFORMANCE BY CITY STAFF.

NO PERFORMANCES WILL BE PERMITTED BEYOND THE HOURS OF 10:00 PM OR BEFORE THE HOURS OF 7:00 AM UNLESS APPROVED BY CITY COUNCIL THROUGH COMMUNITY EVENT LICENSE.



Project Name:

VETERANS PARK
BANDSHELL

Richfield, Minnesota

Owner/Developer:

Professional Services:

**LOUCKS
ASSOCIATES**

Planning • Civil Engineering • Land Surveying
Landscape Architecture • Environmental

7200 Hemlock Lane - Suite 300
Maple Grove, MN 55369
Telephone: (763) 424-5505
www.LoucksAssociates.com

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CADD Qualification:

CADD files prepared by the Consultant for this project are instruments of the Consultant's professional services for use solely with respect to this project. These CADD files shall not be used on other projects, for additions to this project, or for completion of this project by others without written approval by the Consultant. With the Consultant's approval, others may be permitted to obtain copies of the CADD drawing files for information and reference only. All intentional or unintentional revisions, additions, or deletions to these CADD files shall be made at the full risk of that party making such revisions, additions or deletions and that party shall hold harmless and indemnify the Consultant from any & all responsibilities, claims, and liabilities.

14249 - C2-0 PARKING STUDY.DWG/Existing

Submital:

Professional Signature:

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

License No. _____ Date _____

Quality Control: _____ GAJ

Project Lead: _____ Drawn By: _____

LW 5/14/15

Checked By: _____ Review Date: _____

Sheet Index:

Sheet Title:

PARKING STUDY

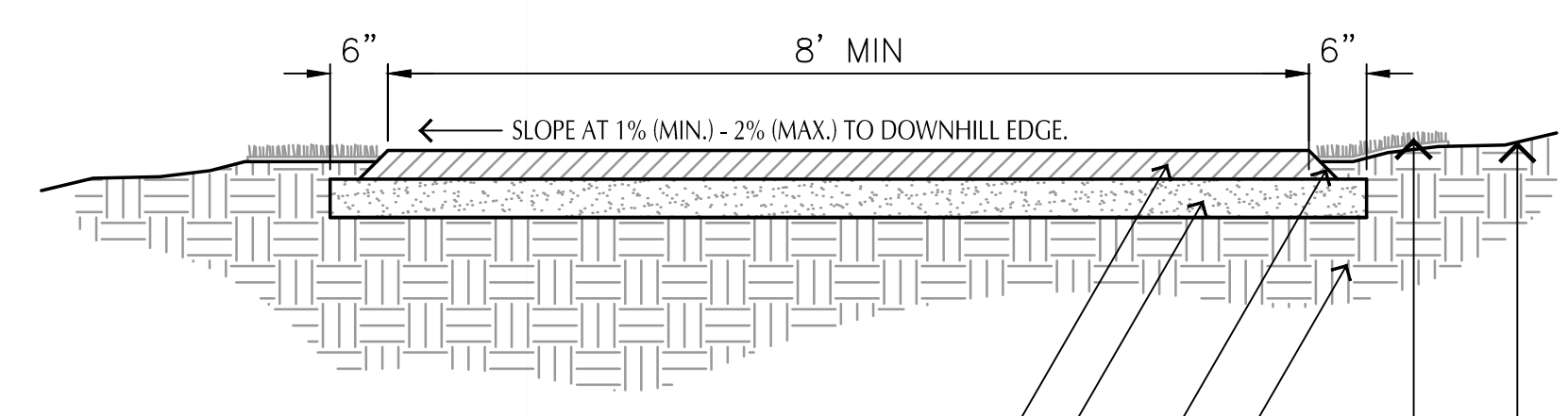
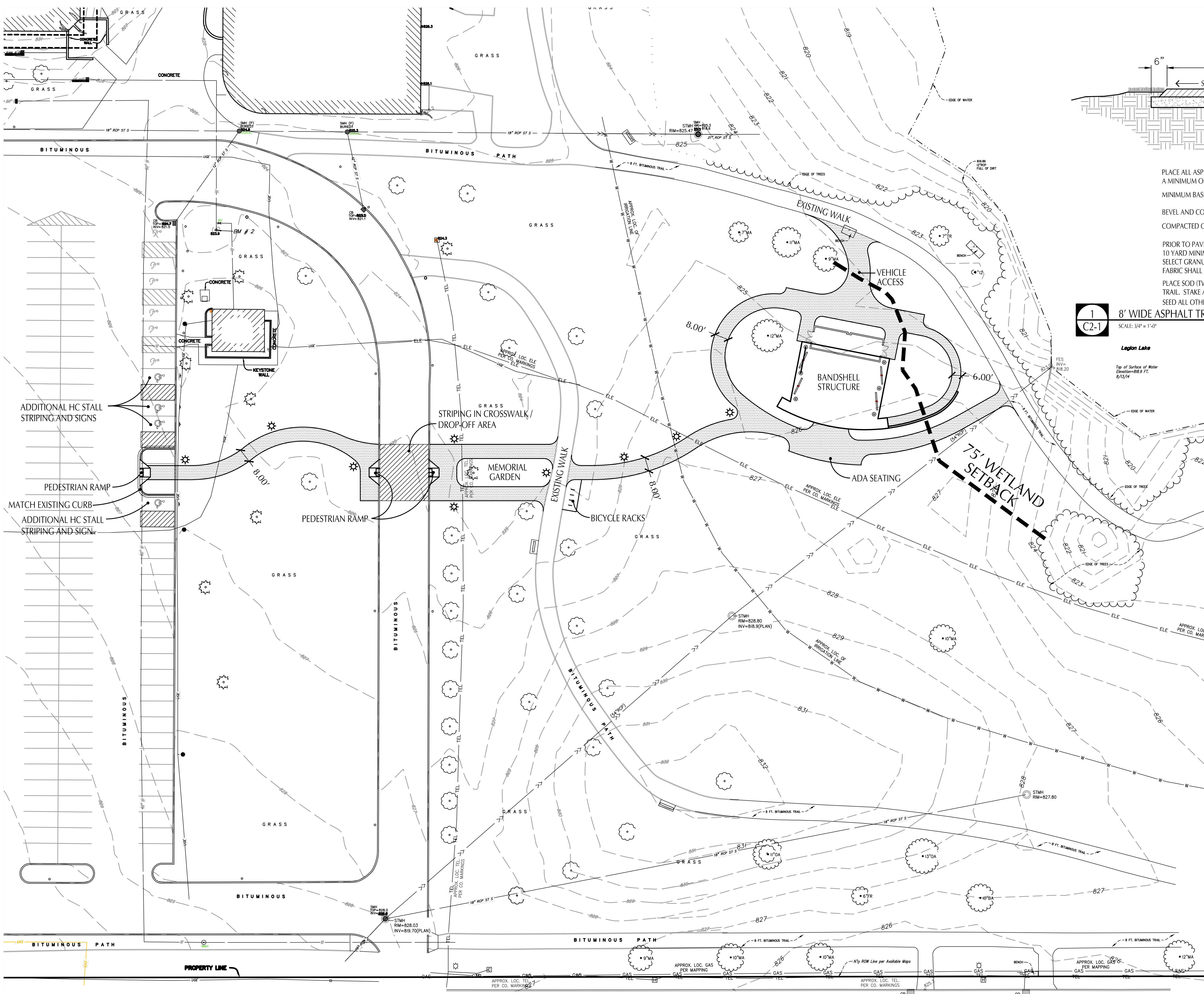
Project No.:

14249

Sheet No.:

C2-0

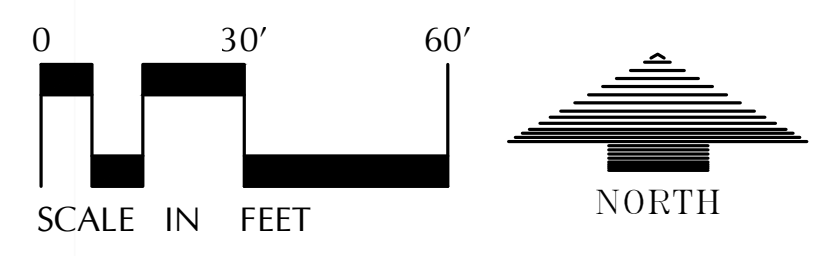
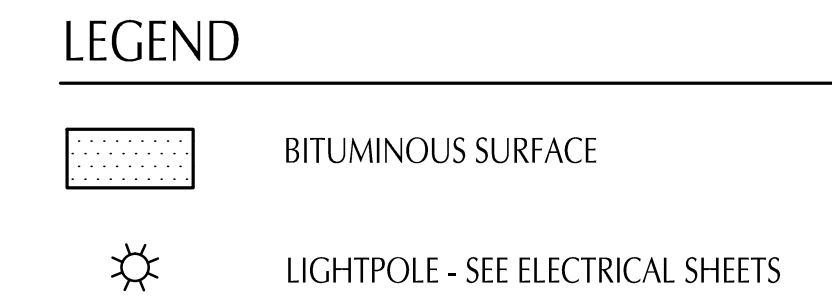
2015 APPROVED PLAN



PLACE ALL ASPHALT IN ONE LIFT TO PROVIDE A MINIMUM OF 3" COMPACTED DEPTH.
 MINIMUM BASE OF 4" COMPACTED AGGREGATE.
 BEVEL AND COMPACT ALL EDGES AT 45 DEGREES.
 COMPACTED OR UNDISTURBED SUBGRADE.
 PRIOR TO PAVING, COMPLETE TEST ROLL USING A FULLY LOADED 10 YARD MINIMUM DUMP TRUCK. OVEREXCAVATE AND BACKFILL WITH SELECT GRANULAR THOSE AREAS FAILING THE TEST ROLL. GEOTEXTILE FABRIC SHALL BE USED AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.
 PLACE SOD (TWO ROLL WIDTH) ON EACH SIDE OF ENTIRE LENGTH OF TRAIL. STAKE AS NECESSARY ON ALL SLOPES 3:1 OR GREATER.
 SEED ALL OTHER DISTURBED AREAS- SEE SPECS

1
C2-1
SCALE: 3/4" = 1'-0"

Lapton Lake
 Top of Surface of Water
 Elevation=88.9 FT.
 8/25/14



Project Name: **VETERANS PARK BANDSHELL**

Richfield, Minnesota

Owner/Developer:

Professional Services:
LOUCKS ASSOCIATES
 Planning • Civil Engineering • Land Surveying
 Landscape Architecture • Environmental

7200 Hemlock Lane - Suite 300
 Maple Grove, MN 55369
 Telephone: (763) 424-5505
 www.LoucksAssociates.com

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14249 - C2-1 SITE PLAN.DWG/Site Plan

Submitted:

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

License No. _____ Date _____

Quality Control: **GAJ**

Project Lead: **LW** Drawn By: **5/14/15**

Checked By: _____ Review Date: _____

Sheet Index:

Sheet Title: **SITE LAYOUT PLAN**

Project No.: **14249**

Sheet No.: **C2-1**

Plotted: 05/14/2015 11:47 AM W:\2014\14249\CADD DATA\CIVIL.dwg Sheet Files

SITE LAYOUT PLAN:



*Audubon Chapter of Minneapolis
PO Box 3801
Minneapolis, Minnesota 55403*

May 9, 2016

Jim Topitzhofer
Director of Parks and Recreation
Richfield Community Center
7000 Nicollet Ave. S.
Richfield, MN 55423

Re: Veterans Park Bandshell

Dear Director Topitzhofer,

Audubon Chapter of Minneapolis (ACM) is affiliated with the National Audubon Society in Minneapolis and greater Hennepin County including Richfield. Among the multiple uses of Veterans Memorial (Vets) Park in Richfield, ACM recognizes the importance of the woods and wetlands to many birds, with dozens of bird species observed nesting there, including black-crowned night heron, and nearly 200 species observed¹, including numerous types of owls, herons, warblers, waterbirds, and raptors. The natural areas at Vets Park support threatened and near-threatened birds (such as the Golden-winged warbler), as well as rare birds such as the Kentucky warbler and Worm-eating warbler. This area is a priceless asset for Richfield residents, and many ACM members and other wildlife enthusiasts from around the region join Richfield residents in visiting Vets Park and watching birds there.

Given the small area of woods on the east and southeast sides of the park, the large number of migrants seen there every year is remarkable, with possibly more rare species than at Wood Lake Nature Center. Veterans Memorial Park and Wood Lake as well as Richfield Lake form a habitat corridor that is essential in modern conservation planning. We also understand that Vets Park plays an important role in protecting the city's water supply, with a recent capital investment of over \$3 million by the City of Richfield and the Minnehaha Creek Watershed District to improve water quality².

If public support and funding exist for an additional bandshell in Richfield, as efforts proceed to find a suitable site in Vets Park, ACM urges the city to restrict the search to parts of the park that are already developed, and avoid impact to the natural areas on the east and southeast sides. Though urban birds such as house sparrows, starlings, and mallards are acclimated to noise, migrant species and wetland residents would be disturbed by sound and traffic from a bandshell³. Water quality would also be adversely affected by increasing impervious surfaces with a bandshell and additional paving for access roads or bandshell amenities.

ACM supports the Richfield Comprehensive Plan's calls for natural resource preservation and for existing natural areas in Vets Park to be better preserved⁴. As serious and growing challenges to birds--such as habitat loss and extreme weather events--continue to cause declines in bird populations, ACM strongly supports the preservation and

(Continued on back of this letter)

Sincerely,

Jerry Bahls, President
Audubon Chapter of Minneapolis
763-572-2333

enhancement of existing bird habitat. We respectfully ask the City of Richfield to eliminate sites from consideration that are within 200 feet of the wooded or wetland areas of Veterans Memorial Park, in order to avoid any disruption to nesting, reduction of habitat, or other cumulative negative impact to birds that rely on this important natural area. ACM recommends a minimum 200-foot buffer, in keeping with guidance provided by state environmental resources such as the Sustainable Building Guidelines. These guidelines recommend a buffer zone of up to 300 feet in areas that provide habitat for any animal or plant species on the Federal or State threatened or endangered list. Any additional construction needed to support use of the bandshell (such as roads, paths, or parking) should follow the same buffer guidelines as the bandshell structure.

References

1. Reports from Cornell University's eBird database and records maintained by and available from the Audubon Chapter of Minneapolis.
2. Minnehaha Creek Watershed District Capital Improvement Project to improve water quality Taft Lake and Legion Lake, <http://www.minnehahacreek.org/project/taft-legion-volume-and-load-reduction-project>. Feasibility Study at: <http://www.minnehahacreek.org/sites/minnehahacreek.org/files/FINAL%20TAFT%20FEASIBILITY.pdf> Project Costs \$3.3 million (page 22).
3. Francis, Clinton D. and Jesse R. Barber. 2013. A framework for understanding noise impacts on wildlife: an urgent conservation priority. *Frontiers in Ecology and the Environment* 11: 305–313. *"Chronic and frequent noise interferes with animals' abilities to detect important sounds, whereas intermittent and unpredictable noise is often perceived as a threat. Importantly, these effects can lead to fitness costs, either directly or indirectly."*
4. Richfield Comprehensive Plan, Chapter 6, The Parks System <http://www.cityofrichfield.org/home/showdocument?id=22>. *"Community input suggests a growing desire for natural resource preservation and environmental sustainability in part due to concerns about climate change, invasive species, awareness raised through the Nature Center and other factors. Richfield parks are highly developed and all but a few lack natural character. There is a desire for passive areas of parks to be restored to a more natural character, and for existing natural areas to be better preserved. There is also a growing desire for more environmentally sustainable maintenance management practices including best practices for stormwater management, and the incorporation of environmental sustainability into new facility programs."* pp. 6–

ATTACHMENT TO AMENDED SITE PLAN REVIEW APPLICATION FOR RICHFIELD BANDSHELL

**RESPONSE TO RECOMMENDATIONS FROM AUDUBON CHAPTER OF MINNEAPOLIS
REGARDING SITE SELECTION FOR THE RICHFIELD BAND SHELL**

June 7, 2016

The attached letter was delivered to the City on May 9, 2016 from Jerry Bahls, president of the Audubon Chapter of Minneapolis asking the City to eliminate sites from consideration for the proposed band shell that are within 200 feet of the wooded or wetland areas of Veterans Memorial Park (also known as Legion Lake). The proposed location for the band shell is 154 feet from the delineated wetland. This compares to a distance of 80' in the prior site plan review submittal. The current band shell location is 72' from the nearest tree canopy to the building. This compares to a distance of 63' in the prior site plan review submittal. Although the proposed site is farther away from both the wetland and wooded areas compared to the site originally approved, the proposed site selection would not be eligible should policy makers accept Mr. Bahls' recommendation.

Mr. Bahls urges the City to restrict the selection of the band shell site to parts of the park that are already developed and to avoid impact to the natural areas on the east and southeast sides. To the contrary, the proposed band shell site is on the southwest side of the wetland in an area that is already developed and that has been mowed for years. The proposed site is adjacent to the frequently used ice arena and outdoor pool and is nearly the exact location that the Fourth of July Committee sets up a portable stage for their Fourth of July Celebration, which accommodates thousands of people every year. The proposed band shell location is 74 feet further away from the delineated wetland than the location originally approved by the Planning Commission and City Council.

Mr. Bahls indicated that a minimum 200-foot buffer from wooded or wetland areas was needed to avoid any disruption to nesting, reduction of habitat, or other cumulative negative impacts to birds, in keeping with State Sustainable Building Guidelines. He was referring to Minnesota Sustainable Building Guidelines (B3 Guidelines), Site and Water Guidelines, S.1 Identification and Avoidance of Critical Sites, subparagraph D. The guideline recommends to avoid selecting sites that contain land which provides habitat for any animal or plant species on the Federal or State threatened or endangered list. If rare, threatened, or endangered species occur on maps of subject site, the guideline suggests contacting the County Biological Survey (CBS) for exact coordinates of the said species. If these species are present and/or if the site provides habitat for any rare animal or plant species using County Biological Survey (CBS), the land which is within 300 feet of these areas which should function as a buffer zone.

This guideline is a requirement for all construction projects that are funded by State bonding funds. This guideline is not a requirement for the band shell project and is not associated with the State Building Code; however it does serve as a general guide for sustainable building design.

A query was requested from the Minnesota Natural Heritage Information System to determine if any rare, protected or endangered species have been documented within a one mile radius of Veterans Park

(see attached report). The report indicates that three such species are included on State and/or Federally listed species, Blanding's turtles, Forster's terns, and the Northern Long-Eared Bat.

Blanding's turtles have been reported from the lakes and wetlands in the surrounding area, although there are no records directly from Legion Lake or within the project site. Legion Lake appears to have suitable but not ideal habitat and it is possible that turtles may be encountered on site, but the report's author indicated that it is unlikely. The report offers the following summary of recommendations for avoiding and minimizing impacts to blanding's turtle populations:

- Avoid Type 2 & 3 wetlands (Legion Lake is a type 3 wetland),
- To avoid any incidental takings, avoid filling or dewatering wetlands during the winter,
- Implement stringent sediment and erosion control methods,
- Use wildlife-friendly erosion control methods (see enclosed fact sheet),
- Monitor for turtles during construction and report any sightings to the DNR,
- Please refer to the first list of recommendations in the enclosed Blanding's Turtle Fact Sheet. If greater protection for turtles is desired, the second list of recommendations can be implemented as well.

If the City proceeds with the proposed band shell site, the attached flyer can be given to each contractor with instructions to remove any and all turtles, including western painted and snapping turtles from the construction site. Contractors can also be required to set up silt fencing to keep turtles out of the construction area and to promptly remove the fencing upon completion of the project. Other applicable recommendations for avoiding and minimizing impacts to blanding's turtles as indicated above can be followed.

The report indicates that Forster's terns, a state-listed bird of special concern, were documented nesting on Legion Lake in 1999. The nesting area was inactive from 2000-2003 and no further observations of this species have been reported from the lake. Legion Lake does appear to have suitable habitat for Forster's terns, but the author of the report said she believes they are not present.

The Northern Long-Eared Bat federally listed as threatened and state listed as special concern can be found throughout Minnesota and it is possible that they may be found in Veterans Park, however no sightings have been reported. Legion Lake does appear to have suitable habitat for Northern Long-Eared Bats. The report includes the attached US Fish and Wildlife Service's Key to the Northern Long-Eared Bat 4(d) Rule for Non-Federal Activities to determine if a project may cause prohibited take of the species. The USFWS was contacted and their specialist determined that the band shell project would not cause prohibited take.

Mr. Bahls asserts that migrant species and wetland residents would be disturbed by sound and traffic from a band shell. He references the attached study, 'A framework for understanding noise impacts on wildlife: an urgent conservation priority', which states that chronic and frequent noise interferes with animals' abilities to detect important sounds, whereas intermittent and unpredictable noise is often perceived as a threat. The study concludes that these effects can lead to fitness costs directly or indirectly (fitness cost refers to an animal's ability to survive to reproductive age, find a mate, and produce offspring). The study indicates that although animal species differ in their sensitivities to noise exposure, noise is problematic to wildlife and disrupts their activities which interfere with the daily needs of survival. The study also points out that more research is needed to have a basic framework for

determining what situations can be harmful for wildlife so that rules and regulations can be developed to help curtail noise where it has the potential for causing harm.

Only more research will tell us if or what the long term harm is on birds from repeated episodes of noise. However, the existing wildlife in Veterans Park has endured noise exposure for decades from airplanes, traffic noise, and the day to day activities that have been conducted in this highly used community park. It is difficult to know and measure the impact that the proposed band shell will have on wildlife. However, in the case of Lake Harriet Band Shell, Minneapolis Park Board staff has said the facility has been found compatible with the adjacent bird sanctuary and both facilities are flourishing.

In conclusion, the concerns outlined by Mr. Bahls are understandable and well presented. To know if the proposed band shell site and project will have an effect on avoiding any disruption to birds is difficult to discern given the fact that the proposed location is in an already developed area and that has been subject to noise exposure for years. This is ultimately a judgement call for policy makers. However, it is comforting to know that whether a band shell is built on the proposed site or not, suitable habitat for migratory birds is present in the undeveloped areas of the park that are located on the east side of this community park.

Submitted by Jim Topitzhofer, Recreation Services Director, June 7, 2016



Minnesota Department of Natural Resources

Division of Ecological and Water Resources, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4025

Phone: 651-259-5109 E-mail: lisa.joyal@state.mn.us

May 24, 2016

Correspondence # ERDB 20160419

Mr. Jim Topitzhofer
City of Richfield, Parks and Recreation Department
7000 Nicollet Avenue
Richfield, MN 55423

RE: Natural Heritage Review of the proposed Richfield Band Shell,
T28N R24W Section 26, Hennepin County

Dear Mr. Topitzhofer,

As requested, the Minnesota Natural Heritage Information System (NHIS) has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, rare features have been documented within the search area (for details, see the enclosed database reports; please visit the Rare Species Guide at <http://www.dnr.state.mn.us/rsg/index.html> for more information on the biology, habitat use, and conservation measures of these rare species). Please note that the following **rare features may be adversely affected** by the proposed project:

State-listed Species

- Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been reported from the lakes and wetlands in the surrounding area. Although we have no records directly from Legion Lake or within the project site, the area appears to have suitable habitat and it is possible that turtles may be encountered on site. Blanding's turtles use upland areas up to and over a mile distant from wetlands, as well as wetlands. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Actions to avoid or minimize potential disturbance to this state-protected turtle may include, but are not limited to, the following recommendations:
 - Avoid Type 2 & 3 wetlands,
 - To avoid any incidental takings, avoid filling or dewatering wetlands during the winter,
 - Implement stringent sediment and erosion control methods,
 - Use wildlife-friendly erosion control methods (see enclosed fact sheet),
 - Monitor for turtles during construction and report any sightings to the DNR,
 - Please refer to the first list of recommendations in the enclosed Blanding's Turtle Fact Sheet. If greater protection for turtles is desired, the second list of recommendations can be implemented as well.

The attached flyer should be given to all contractors working in the area. If Blanding's turtles are encountered on site, please remember that state law and rules prohibit the destruction of threatened or endangered species, except under certain prescribed conditions. If turtles are in imminent danger they should be moved by hand out of harm's way, otherwise they should be left undisturbed.

- Forster's terns (*Sterna forsteri*), a state-listed bird of special concern, were documented nesting on Legion Lake in 1999. The nesting area was inactive from 2000-2003 and no further observations of this species have been reported from the lake.

Federally Listed Species

- The northern long-eared bat (*Myotis septentrionalis*), federally listed as threatened and state-listed as special concern, can be found throughout Minnesota. During the winter this species hibernates in caves and mines, and during the active season (approximately April-October) it roosts underneath bark, in cavities, or in crevices of both live and dead trees. Pup rearing is during June and July. Activities that may impact this species include, but are not limited to, wind farm operation, any disturbance to hibernacula, and destruction/degradation of habitat (including tree removal).

The U.S. Fish and Wildlife Service (USFWS) has published a final 4(d) rule that identifies prohibited take. To determine whether you need to contact the USFWS, please refer to the USFWS Key to the Northern Long-Eared Bat 4(d) Rule (see links below). Please note that the NHIS does not contain any known occurrences of northern long-eared bat roosts or hibernacula within an approximate one-mile radius of the proposed project.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. **If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.**

The enclosed results include an Index Report of records in the Rare Features Database, the main database of the NHIS. To control the release of specific location data, the report is copyrighted and only provides rare features locations to the nearest section. The Index Report may be reprinted, unaltered, in any environmental review document (e.g., EAW or EIS), municipal natural resource plan, or report compiled by your company for the project listed above. If you wish to reproduce the Index Report for any other purpose, please contact me to request written permission.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or for an updated review if construction has not occurred within one year.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,



Lisa Joyal
Endangered Species Review Coordinator

enc. Rare Features Database: Index Report
Blanding's Turtle Fact Sheet and Flyer
Wildlife Friendly Erosion Control

Links: USFWS Key to the Northern Long-Eared Bat 4(d) Rule for Non-Federal Activities
<http://www.fws.gov/midwest/angered/mammals/nleb/KeyFinal4dNLEB.html>
USFWS Key to the Northern Long-Eared Bat 4(d) Rule for Federal Actions
<http://www.fws.gov/midwest/angered/mammals/nleb/KeyFinal4dNLEBFedProjects.html>
USFWS Northern Long-eared Bat Website
<http://www.fws.gov/midwest/angered/mammals/nleb/index.html>
USFWS Northern Long-eared Bat Fact Sheet
<http://www.fws.gov/midwest/angered/mammals/nleb/nlebFactSheet.html>

cc: Becky Horton

Printed May 2016
Data valid for one year

Minnesota Natural Heritage Information System
Index Report of records within 1 mile radius of:
Richfield Band Shell
T28N R24W Section 26
Hennepin County

Rare Features Database:

Element Name and Occurrence Number	Federal Status	MN Status	Draft Status	SGCN Status	State Rank	Global Rank	Last Obs Date	EO ID #
Vertebrate Animal								
<u>Bartramia longicauda</u> (Upland Sandpiper) #53 T28N R24W S36, T28N R23W S30, T28N R23W S31, T28N R24W S35, T [...]; Hennepin County		Watchlist		SGCN	S4B	G5	1978-07	7923
<u>Emydoidea blandingii</u> (Blanding's Turtle) #119 T28N R24W S22, T28N R24W S23; Hennepin County		THR		SGCN	S2	G4	1986-09-24	6823
<u>Emydoidea blandingii</u> (Blanding's Turtle) #679 T27N R24W S3, T28N R24W S33, T27N R24W S4, T28N R24W S27, T [...]; Hennepin County		THR		SGCN	S2	G4	1993-05-07	16923
<u>Emydoidea blandingii</u> (Blanding's Turtle) #1091 T28N R24W S24; Hennepin County		THR		SGCN	S2	G4	2009-03-22	38201
<u>Haliaeetus leucocephalus</u> (Bald Eagle) #2657 T28N R24W S24; Hennepin County		Watchlist			S3B,S3N	G5	2007-03-28	34376
<u>Sterna forsteri</u> (Forster's Tern) #10 T28N R24W S33, T28N R24W S27, T28N R24W S28, T28N R24W S34; Hennepin County		SPC		SGCN	S3B	G5	1986	25179
<u>Sterna forsteri</u> (Forster's Tern) #30 T28N R24W S24, T28N R24W S23, T28N R24W S25, T28N R24W S26; Hennepin County		SPC		SGCN	S3B	G5	1995	25157
<u>Sterna forsteri</u> (Forster's Tern) #53 T28N R24W S22, T28N R24W S27, T28N R24W S23, T28N R24W S26; Hennepin County		SPC		SGCN	S3B	G5	1999	26333
Animal Assemblage								
<u>Colonial Waterbird Nesting Area</u> (Colonial Waterbird Nesting Site) #988 T28N R24W S22, T28N R24W S23; Hennepin County		N/A			SNR	GNR	1998	23723

Records Printed = 9

Minnesota's endangered species law (*Minnesota Statutes*, section 84.0895) and associated rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the taking of threatened or endangered species without a permit. For plants, taking includes digging or destroying. For animals, taking includes pursuing, capturing, or killing.

An Explanation of Fields:

Element Name and Occurrence Number: The Element is the name of the rare feature. For plant and animal species records, this field holds the scientific name followed by the common name in

Printed May 2016
Data valid for one year

Minnesota Natural Heritage Information System
Index Report of records within 1 mile radius of:
Richfield Band Shell
T28N R24W Section 26
Hennepin County

parentheses; for all other elements it is solely the element name. Native plant community names correspond to Minnesota's Native Plant Community Classification (Version 2.0). The Occurrence Number, in combination with the Element Name, uniquely identifies each record.

Federal Status: The status of the species under the U.S. Endangered Species Act: LE = endangered; LT = threatened; LE,LT = listed endangered in part of its range, listed threatened in another part of its range; LT,PDL = listed threatened, proposed for delisting; C = candidate for listing. If null or 'No Status,' the species has no federal status.

MN Status: The legal status of the plant or animal species under the Minnesota Endangered Species Law: END = endangered; THR = threatened; SPC = special concern; NON = tracked, but no legal status. Native plant communities, geological features, and colonial waterbird nesting sites do not have any legal status under the Endangered Species Law and are represented by a N/A.

Draft Status: Proposed change to the legal status of the plant or animal species under the Minnesota Endangered Species Law: END = endangered; THR = threatened; SPC = special concern; Watchlist = tracked, but no legal status.

SGCN Status: SGCN = The species is a Species in Greatest Conservation Need as identified in Minnesota's State Wildlife Action Plan (<http://www.dnr.state.mn.us/cwcs/index.html>). This designation applies to animals only.

State Rank: Rank that best characterizes the relative rarity or endangerment of the taxon or plant community in Minnesota. The ranks do not represent a legal status. They are used by the Minnesota Department of Natural Resources to set priorities for research, inventory and conservation planning. The state ranks are updated as inventory information becomes available. S1 = Critically imperiled in Minnesota because of extreme rarity or because of some factor(s) making it especially vulnerable to extirpation from the state. S2 = Imperiled in Minnesota because of rarity or because of some factor(s) making it very vulnerable to extirpation from the state. S3 = Vulnerable in Minnesota either because rare or uncommon, or found in a restricted range, or because of other factors making it vulnerable to extirpation. S4 = Apparently secure in Minnesota, usually widespread. S5 = Demonstrably secure in Minnesota, essentially ineradicable under present conditions. SH = Of historical occurrence in the state, perhaps having not been verified in the past 20 years, but suspected to be still extant. An element would become SH without the 20-year delay if the only known occurrences in the state were destroyed or if it had been extensively and unsuccessfully looked for. SNR = Rank not yet assessed. SU = Unable to rank. SX = Presumed extinct in Minnesota. SNA = Rank not applicable. S#S# = Range Rank: a numeric range rank (e.g., S2S3) is used to indicate the range of uncertainty about the exact status of the element. S#B, S#N = Used only for migratory animals, whereby B refers to the breeding population of the element in Minnesota and N refers to the non-breeding population of the element in Minnesota.

Global Rank: The global (i.e., range-wide) assessment of the relative rarity or imperilment of the species or community. Ranges from G1 (critically imperiled due to extreme rarity on a world-wide basis) to G5 (demonstrably secure, though perhaps rare in parts of its range). Global ranks are determined by NatureServe, an international network of natural heritage programs and conservation data centers.

Last Observed Date: Date that the Element Occurrence was last observed to be extant at the site in format YYYY-MM-DD.

EO ID #: Unique identifier for each Element Occurrence record.

Element Occurrence: An area of land and/or water in which an Element (i.e., a rare species or community) is, or was, present, and which has practical conservation value for the Element as evidenced by potential continued (or historical) presence and/or regular recurrence at a given location. Specifications for each species determine whether multiple observations should be considered 1 Element Occurrence or 2, based on minimum separation distance and barriers to movement.

Endangered, Threatened, and Special Concern Species of Minnesota

Blanding's Turtle
(Emydoidea blandingii)

Minnesota Status: Threatened
Federal Status: none

State Rank¹: S2
Global Rank¹: G4

HABITAT USE

Blanding's turtles need both wetland and upland habitats to complete their life cycle. The types of wetlands used include ponds, marshes, shrub swamps, bogs, and ditches and streams with slow-moving water. In Minnesota, Blanding's turtles are primarily marsh and pond inhabitants. Calm, shallow water bodies (Type 1-3 wetlands) with mud bottoms and abundant aquatic vegetation (e.g., cattails, water lilies) are preferred, and extensive marshes bordering rivers provide excellent habitat. Small temporary wetlands (those that dry up in the late summer or fall) are frequently used in spring and summer -- these fishless pools are amphibian and invertebrate breeding habitat, which provides an important food source for Blanding's turtles. Also, the warmer water of these shallower areas probably aids in the development of eggs within the female turtle. Nesting occurs in open (grassy or brushy) sandy uplands, often some distance from water bodies. Frequently, nesting occurs in traditional nesting grounds on undeveloped land. Blanding's turtles have also been known to nest successfully on residential property (especially in low density housing situations), and to utilize disturbed areas such as farm fields, gardens, under power lines, and road shoulders (especially of dirt roads). Although Blanding's turtles may travel through woodlots during their seasonal movements, shady areas (including forests and lawns with shade trees) are not used for nesting. Wetlands with deeper water are needed in times of drought, and during the winter. Blanding's turtles overwinter in the muddy bottoms of deeper marshes and ponds, or other water bodies where they are protected from freezing.

LIFE HISTORY

Individuals emerge from overwintering and begin basking in late March or early April on warm, sunny days. The increase in body temperature which occurs during basking is necessary for egg development within the female turtle. Nesting in Minnesota typically occurs during June, and females are most active in late afternoon and at dusk. Nesting can occur as much as a mile from wetlands. The nest is dug by the female in an open sandy area and 6-15 eggs are laid. The female turtle returns to the marsh within 24 hours of laying eggs. After a development period of approximately two months, hatchlings leave the nest from mid-August through early-October. Nesting females and hatchlings are often at risk of being killed while crossing roads between wetlands and nesting areas. In addition to movements associated with nesting, all ages and both sexes move between wetlands from April through November. These movements peak in June and July and again in September and October as turtles move to and from overwintering sites. In late autumn (typically November), Blanding's turtles bury themselves in the substrate (the mud at the bottom) of deeper wetlands to overwinter.

IMPACTS / THREATS / CAUSES OF DECLINE

- loss of wetland habitat through drainage or flooding (converting wetlands into ponds or lakes)
- loss of upland habitat through development or conversion to agriculture
- human disturbance, including collection for the pet trade* and road kills during seasonal movements
- increase in predator populations (skunks, raccoons, etc.) which prey on nests and young

*It is illegal to possess this threatened species.

RECOMMENDATIONS FOR AVOIDING AND MINIMIZING IMPACTS

These recommendations apply to typical construction projects and general land use within Blanding's turtle habitat, and are provided to help local governments, developers, contractors, and homeowners minimize or avoid detrimental impacts to Blanding's turtle populations. **List 1** describes minimum measures which we recommend to prevent harm to Blanding's turtles during construction or other work within Blanding's turtle habitat. **List 2** contains recommendations which offer even greater protection for Blanding's turtles populations; this list should be used *in addition to the first list* in areas which are known to be of state-wide importance to Blanding's turtles (contact the DNR's Natural Heritage and Nongame Research Program if you wish to determine if your project or home is in one of these areas), or in any other area where greater protection for Blanding's turtles is desired.

List 1. Recommendations for all areas inhabited by Blanding's turtles.	List 2. Additional recommendations for areas known to be of state-wide importance to Blanding's turtles.
GENERAL	
A flyer with an illustration of a Blanding's turtle should be given to all contractors working in the area. Homeowners should also be informed of the presence of Blanding's turtles in the area.	Turtle crossing signs can be installed adjacent to road-crossing areas used by Blanding's turtles to increase public awareness and reduce road kills.
Turtles which are in imminent danger should be moved, by hand, out of harms way. Turtles which are not in imminent danger should be left undisturbed.	Workers in the area should be aware that Blanding's turtles nest in June, generally after 4pm, and should be advised to minimize disturbance if turtles are seen.
If a Blanding's turtle nests in your yard, do not disturb the nest.	If you would like to provide more protection for a Blanding's turtle nest on your property, see "Protecting Blanding's Turtle Nests" on page 3 of this fact sheet.
Silt fencing should be set up to keep turtles out of construction areas. It is <u>critical</u> that silt fencing be removed after the area has been revegetated.	Construction in potential nesting areas should be limited to the period between September 15 and June 1 (this is the time when activity of adults and hatchlings in upland areas is at a minimum).
WETLANDS	
Small, vegetated temporary wetlands (Types 2 & 3) should not be dredged, deepened, filled, or converted to storm water retention basins (these wetlands provide important habitat during spring and summer).	Shallow portions of wetlands should not be disturbed during prime basking time (mid morning to mid- afternoon in May and June). A wide buffer should be left along the shore to minimize human activity near wetlands (basking Blanding's turtles are more easily disturbed than other turtle species).
Wetlands should be protected from pollution; use of fertilizers and pesticides should be avoided, and run-off from lawns and streets should be controlled. Erosion should be prevented to keep sediment from reaching wetlands and lakes.	Wetlands should be protected from road, lawn, and other chemical run-off by a vegetated buffer strip at least 50' wide. This area should be left unmowed and in a natural condition.
ROADS	
Roads should be kept to minimum standards on widths and lanes (this reduces road kills by slowing traffic and reducing the distance turtles need to cross).	Tunnels should be considered in areas with concentrations of turtle crossings (more than 10 turtles per year per 100 meters of road), and in areas of lower density if the level of road use would make a safe crossing impossible for turtles. Contact your DNR Regional Nongame Specialist for further information on wildlife tunnels.
Roads should be ditched, not curbed or below grade. If curbs must be used, 4 inch high curbs at a 3:1 slope are preferred (Blanding's turtles have great difficulty climbing traditional curbs; curbs and below grade roads trap turtles on the road and can cause road kills).	Roads should be ditched, not curbed or below grade.

ROADS cont.	
Culverts between wetland areas, or between wetland areas and nesting areas, should be 36 inches or greater in diameter, and elliptical or flat-bottomed.	Road placement should avoid separating wetlands from adjacent upland nesting sites, or these roads should be fenced to prevent turtles from attempting to cross them (contact your DNR Nongame Specialist for details).
Wetland crossings should be bridged, or include raised roadways with culverts which are 36 in or greater in diameter and flat-bottomed or elliptical (raised roadways discourage turtles from leaving the wetland to bask on roads).	Road placement should avoid bisecting wetlands, or these roads should be fenced to prevent turtles from attempting to cross them (contact your DNR Nongame Specialist for details). This is especially important for roads with more than 2 lanes.
Culverts under roads crossing streams should be oversized (at least twice as wide as the normal width of open water) and flat-bottomed or elliptical.	Roads crossing streams should be bridged.
UTILITIES	
Utility access and maintenance roads should be kept to a minimum (this reduces road-kill potential).	
Because trenches can trap turtles, trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade.	
LANDSCAPING AND VEGETATION MANAGEMENT	
Terrain should be left with as much natural contour as possible.	As much natural landscape as possible should be preserved (installation of sod or wood chips, paving, and planting of trees within nesting habitat can make that habitat unusable to nesting Blanding's turtles).
Graded areas should be revegetated with native grasses and forbs (some non-natives form dense patches through which it is difficult for turtles to travel).	Open space should include some areas at higher elevations for nesting. These areas should be retained in native vegetation, and should be connected to wetlands by a wide corridor of native vegetation.
Vegetation management in infrequently mowed areas -- such as in ditches, along utility access roads, and under power lines -- should be done mechanically (chemicals should not be used). Work should occur fall through spring (after October 1 st and before June 1 st).	Ditches and utility access roads should not be mowed or managed through use of chemicals. If vegetation management is required, it should be done mechanically, as infrequently as possible, and fall through spring (mowing can kill turtles present during mowing, and makes it easier for predators to locate turtles crossing roads).

Protecting Blanding's Turtle Nests: Most predation on turtle nests occurs within 48 hours after the eggs are laid. After this time, the scent is gone from the nest and it is more difficult for predators to locate the nest. Nests more than a week old probably do not need additional protection, unless they are in a particularly vulnerable spot, such as a yard where pets may disturb the nest. Turtle nests can be protected from predators and other disturbance by covering them with a piece of wire fencing (such as chicken wire), secured to the ground with stakes or rocks. The piece of fencing should measure at least 2 ft. x 2 ft., and should be of medium sized mesh (openings should be about 2 in. x 2 in.). It is *very important* that the fencing be **removed before August 1st** so the young turtles can escape from the nest when they hatch!

REFERENCES

- ¹Association for Biodiversity Information. "Heritage Status: Global, National, and Subnational Conservation Status Ranks." NatureServe. Version 1.3 (9 April 2001). <http://www.natureserve.org/ranking.htm> (15 April 2001).
- Coffin, B., and L. Pfanmuller. 1988. Minnesota's Endangered Flora and Fauna. University of Minnesota Press, Minneapolis, 473 pp.

REFERENCES (cont.)

- Moriarty, J. J., and M. Linck. 1994. Suggested guidelines for projects occurring in Blanding's turtle habitat. Unpublished report to the Minnesota DNR. 8 pp.
- Oldfield, B., and J. J. Moriarty. 1994. Amphibians and Reptiles Native to Minnesota. University of Minnesota Press, Minneapolis, 237 pp.
- Sajwaj, T. D., and J. W. Lang. 2000. Thermal ecology of Blanding's turtle in central Minnesota. *Chelonian Conservation and Biology* 3(4):626-636.

CAUTION



BLANDING'S TURTLES MAY BE ENCOUNTERED IN THIS AREA

The unique and rare Blanding's turtle has been found in this area. Blanding's turtles are state-listed as Threatened and are protected under Minnesota Statute 84.095, Protection of Threatened and Endangered Species. Please be careful of turtles on roads and in construction sites. For additional information on turtles, or to report a Blanding's turtle sighting, contact the DNR Nongame Specialist nearest you: Bemidji (218-308-2641); Grand Rapids (218-327-4518); New Ulm (507-359-6033); Rochester (507-206-2820); or St. Paul (651-259-5772).

DESCRIPTION: The Blanding's turtle is a medium to large turtle (5 to 10 inches) with a black or dark blue, dome-shaped shell with muted yellow spots and bars. The bottom of the shell is hinged across the front third, enabling the turtle to pull the front edge of the lower shell firmly against the top shell to provide additional protection when threatened. The head, legs, and tail are dark brown or blue-gray with small dots of light brown or yellow. A distinctive field mark is the bright yellow chin and neck.

**BLANDING'S TURTLES DO NOT MAKE GOOD PETS
IT IS ILLEGAL TO KEEP THIS THREATENED SPECIES IN CAPTIVITY**

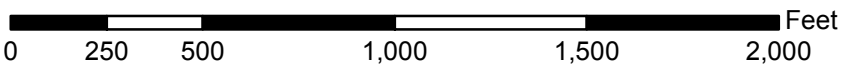
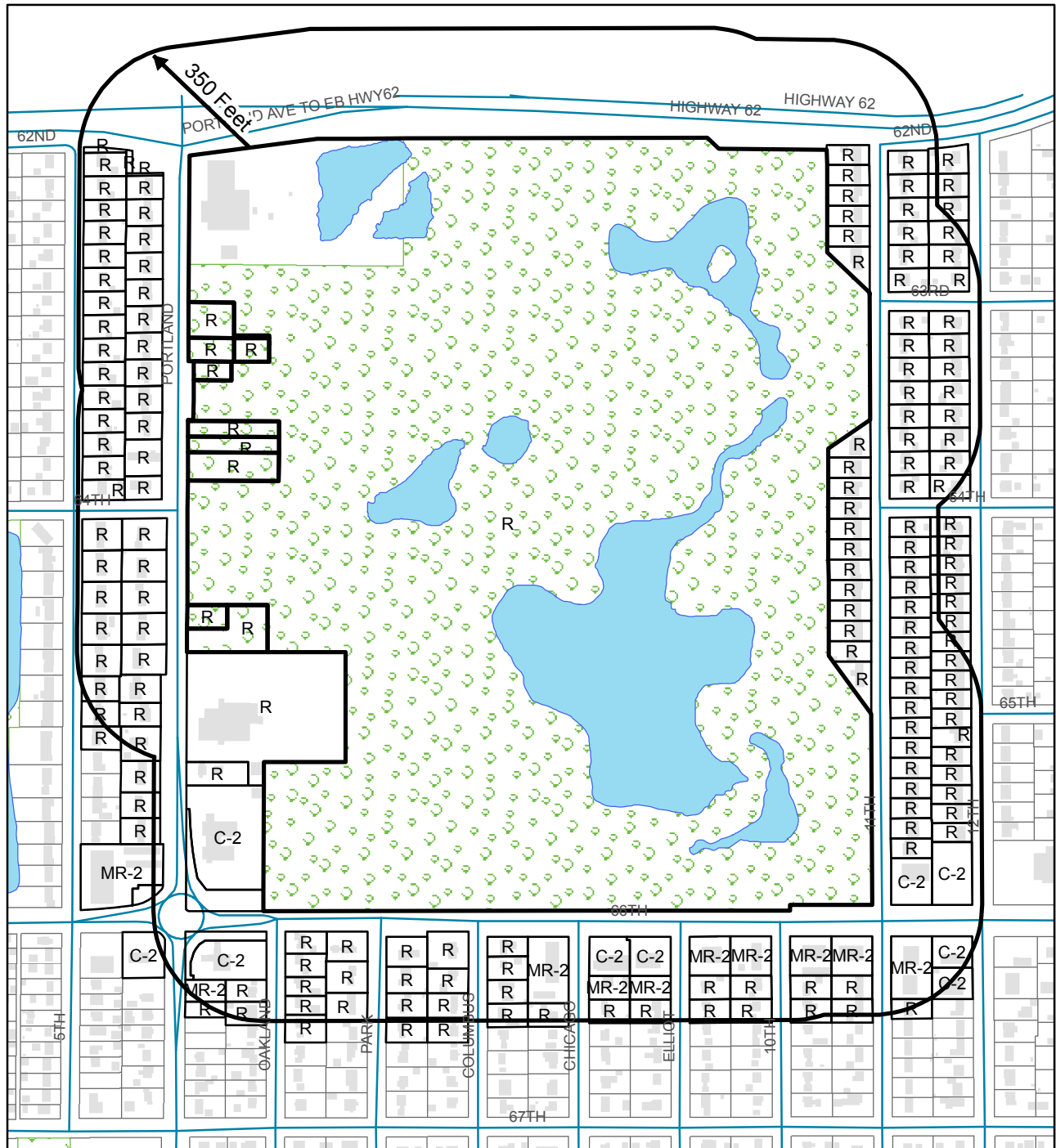
SUMMARY OF RECOMMENDATIONS FOR AVOIDING AND MINIMIZING IMPACTS TO BLANDING'S TURTLE POPULATIONS

(see Blanding's Turtle Fact Sheet for full recommendations)

- This flyer should be given to all contractors working in the area. Homeowners should also be informed of the presence of Blanding's turtles in the area.
- Turtles that are in imminent danger should be moved, by hand, out of harm's way. Turtles that are not in imminent danger should be left undisturbed to continue their travel among wetlands and/or nest sites.
- If a Blanding's turtle nests in your yard, do not disturb the nest and do not allow pets near the nest.
- Silt fencing should be set up to keep turtles out of construction areas. It is critical that silt fencing be removed after the area has been revegetated.
- Small, vegetated temporary wetlands should not be dredged, deepened, or filled.
- All wetlands should be protected from pollution; use of fertilizers and pesticides should be avoided, and run-off from lawns and streets should be controlled. Erosion should be prevented to keep sediment from reaching wetlands and lakes.
- Roads should be kept to minimum standards on widths and lanes.
- Roads should be ditched, not curbed or below grade. If curbs must be used, 4" high curbs at a 3:1 slope are preferred.
- Culverts under roads crossing wetland areas, between wetland areas, or between wetland and nesting areas should be at least 36 in. diameter and flat-bottomed or elliptical.
- Culverts under roads crossing streams should be oversized (at least twice as wide as the normal width of open water) and flat-bottomed or elliptical.
- Utility access and maintenance roads should be kept to a minimum.
- Because trenches can trap turtles, trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade.
- Terrain should be left with as much natural contour as possible.
- Graded areas should be revegetated with native grasses and forbs.
- Vegetation management in infrequently mowed areas -- such as in ditches, along utility access roads, and under power lines -- should be done mechanically (chemicals should not be used). Work should occur fall through spring (after October 1st and before June 1st).

Veterans Park Bandshell Site Plan 6/2016

Surrounding Zoning

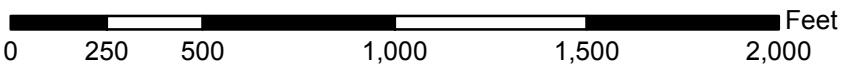
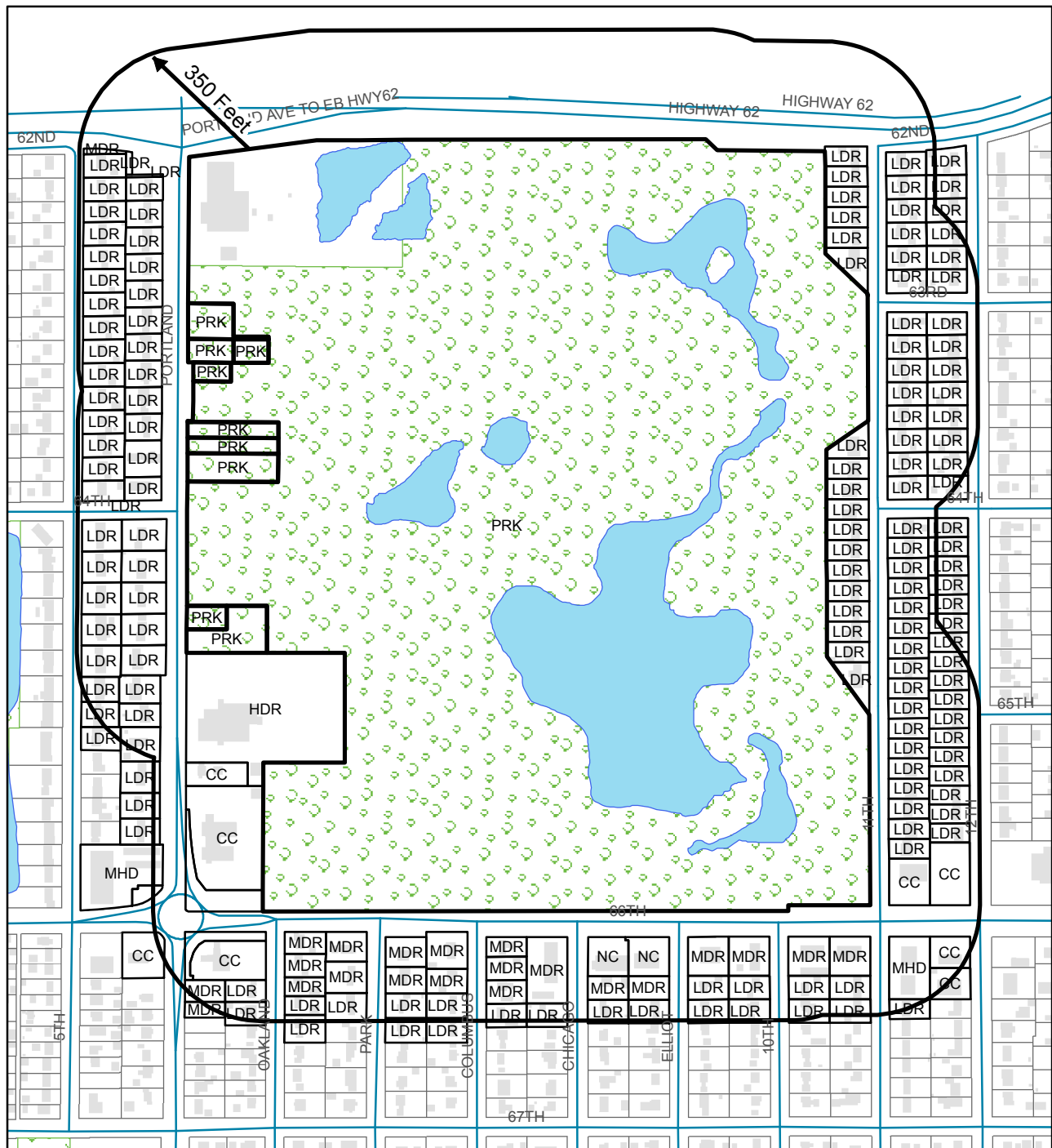


C-2 - General Commercial
 R - Single Family Residential
 MR-2 Multi-Family Residential



Veterans Park Bandshell Site Plan 6/2016

Surrounding Comprehensive Plan



- PRK - Parkland
- LDR - Low Density Residential
- MDR - Medium Density Residential
- MHD - Medium-High Density Residential
- HDR - High Density Residential
- CC - Community Commercial
- NC - Neighborhood Commercial





PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: JUNE 27, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Public hearing to consider a request for approval of a site plan and variances to allow a conversion of the former Lariat Lanes bowling alley at 6320 Penn Avenue to office space.

I. RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of a site plan and variances to allow a conversion of the former Lariat Lanes bowling alley at 6320 Penn Avenue to office space.

II. BACKGROUND

Originally constructed in 1958, Lariat Lanes bowling alley operated at 6320 Penn Avenue (herein, "the Property") for 57 years, until closing in May 2015. The applicant, Fraser, has purchased the Property and would like to remodel the building for use as office space. With the addition of this property, Fraser's holdings would constitute a four building "campus" at the northwest corner of Penn Avenue and 64th Street. Fraser plans to relocate administrative departments from the main building at 2400 West 64th Street into the proposed office space at 6320 Penn Avenue. This shift would allow for the expansion of clinical services offered at the main building. Fraser's long-term plan for the campus is to remove the buildings at 6320, 6328, and 6344 Penn Avenue and develop a single administrative office building, allowing 2400 West 64th Street to be used exclusively as a clinic and school.

Because the building has now been vacant for over one year, all legally nonconforming status has expired; any new user must meet current Code requirements or apply for variances. The applicant has requested variances to parking lot and building setbacks, impervious surface maximums, and landscaping regulations. The proposed use is reasonable and offers many aesthetic improvements to the site and building. Staff recommends approval of the proposed site plan and variances.

III. BASIS OF RECOMMENDATION

A. POLICY

6320 Penn Avenue is zoned Mixed Use – Community (MU-C) and is within the Penn Avenue Corridor (PAC) Overlay District. The Penn Avenue Corridor District allows for a balanced mix of commercial, office and residential uses that together create a cohesive and pedestrian-friendly area. Site plan approval is required prior to the change in use of a building. The proposed site plan will improve upon existing conditions, while allowing for reuse and aesthetic improvements.

General Requirements - Parking

Office uses require 3.3 parking stalls per 1,000 feet of gross floor area. The minimum parking requirement for a 10,570 square foot office building is 35 stalls; the maximum allowed parking for this use is 45 stalls. The applicant is proposing 58 parking stalls on site, exceeding the maximum number allowed by 13 stalls. An applicant may request a modification of the maximum allowed number of parking spaces by submitting a study of anticipated parking demand, prepared by a professional engineer with expertise in traffic and parking analysis. Staff also requested a narrative of the overall parking needs at the Fraser campus.

As stated above, 6320 Penn Avenue would become the fourth building in a campus of office, clinic, and school space. While the four properties do not have direct interconnected parking access, the various parking areas serve the needs of the entire campus. Engineering firm Wenck Associates conducted a parking study, which is attached to this report. The study found the existing peak parking demand to be 160 spaces. Before adding the Property to the campus, the study found a 17 space deficit. The Property will provide 58 additional parking spaces, for a total supply of 201 spaces throughout the campus. Following the relocation of administrative services and subsequent clinical space expansion at the main building, total peak parking demand for the campus is projected at 207 spaces, including a 5% "design safety factor" surplus. The future parking supply would be 6 spaces less than anticipated peak demand. On-street parking is allowed on 64th Street, which could help accommodate peak demand.

With regards to the parking lot layout, Fraser is proposing several changes to improve vehicle circulation, pedestrian safety, and add landscaping to an area that currently has none. Six parking spaces facing Penn Avenue would be removed, while six compact stalls would be added behind the building. The applicant is proposing to close one of the two curb cuts from Penn Avenue, and to add a direct pedestrian connection from the sidewalk to the front door, via the access aisle between accessible parking spaces. A bike rack will be provided near the front entrance.

Architectural standards

The proposed building façade along Penn Avenue is complimentary to the adjacent Fraser property to the south. As a condition of approval, the applicant shall submit a revised drawing of the north building elevation. The north façade of the building shall be finished with materials of consistent quality as those of the front wall, in accordance with City Code Subsection 544.07, Subd. 6. At a minimum, staff is recommending that the north façade shall include a small awning over the door and a secondary paint color, to match the east façade and provide visual interest.

Variances

The applicant is requesting variances from building and parking lot setbacks, impervious surface regulations, and landscaping requirements.

Required (R), Proposed (P):

- Minimum parking lot setback (R: 5 ft.; P: 0 ft.)
 - o The existing parking lot directly borders the north and south property lines. No changes are proposed.
- Maximum building setbacks (R: all sides- 15 ft.; P: front - 65 ft., north side - 58 ft., rear - 84 ft.)
 - o No changes are proposed to the building dimensions.

- Maximum impervious surface coverage (R: 80%; P: 81.8%)
 - o The applicant is reducing impervious surface coverage on the site from 83.7% to 81.8%. An additional 765 square feet of pervious/landscape area will be added to the boulevard area in public right-of-way along Penn Avenue that is currently impervious.
- Landscaping requirements
 - o The applicant is proposing new landscaping areas to screen the parking lot facing Penn Avenue. These plantings must be maintained to meet the intent of the Penn Avenue Design Guidelines. The applicant must submit a revised landscaping plan to be approved by staff, providing further detail of the proposed landscaping areas along the east and west property lines. Along the north and south property lines, no major changes to existing conditions are proposed and screening requirements will not be met.

Additional information related to the requested variances and required findings can be found in the attached document.

General Criteria for Site Plan Evaluation

In evaluating a site plan, the Planning Commission and City Council shall consider its compliance with the following criteria which are discussed more fully in the attached code requirements / findings document:

- Consistency with the various elements and objectives of the City’s Comprehensive Plan.
- Consistency with the purposes of the City Code.
- Consistency and harmony with the general appearance of neighboring developed areas and open spaces.
- An internal sense of order and provision of a desirable environment.
- Appropriateness of the amount and arrangement of open space and landscaping, the building materials, textures and colors.
- Adequacy of circulation and parking for all modes of transport.
- Use of energy-conserving design.
- Protection of adjacent and neighboring properties from negative environmental impacts.

Criteria listed are all met or improved by the proposed site plan.

B. CRITICAL ISSUES

- None.

C. FINANCIAL

- The required application fee has been paid.

D. LEGAL

- Notification: Notice of this public hearing was published in the Sun Current in accordance with State and Local requirements. Properties within 350 feet were notified by mail.
- Council consideration is scheduled for July 12, 2016.

IV. ALTERNATIVE RECOMMENDATION(S)

- Recommend approval of the proposal with modifications.
- Recommend denial with a finding that the proposed use does not meet requirements.

V. ATTACHMENTS

- Resolution
- Requirements document
- Proposed plans
- Fraser campus narrative and parking study
- Planning & zoning maps

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Dale Raasch – Property and Facilities Director, Fraser

RESOLUTION NO. _____

**RESOLUTION GRANTING APPROVAL
OF A SITE PLAN
AND VARIANCES AT
6320 PENN AVENUE**

WHEREAS, an application has been filed with the City of Richfield which requests approval of site plans for an office building on the parcel of land located at 6320 Penn Avenue (the "Property"), legally described in the attached Exhibit A; and

WHEREAS, the Planning Commission of the City of Richfield held a public hearing and recommended approval of the requested conditional use permit and variances at its June 27, 2016 meeting; and

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

WHEREAS, the Zoning Code requires a minimum parking lot setback of 5 feet from adjacent commercial and mixed-use property, while the proposed site plan allows for parking lot setbacks of 0 feet along the north and south property lines; and

WHEREAS, the existing building at 6320 Penn Avenue does not meet various building setback requirements specified in the Mixed Use Community (MU-C) District; and

WHEREAS, impervious surfaces are proposed to cover 81.8 percent of the site, exceeding the maximum coverage of 80 percent; and

WHEREAS, the site does not meet general landscaping and screening requirements, as described in Zoning Code Subsection 544.03; and

WHEREAS, Minnesota Statutes Section 462.357, Subdivision 6, provides for the granting of variances to the literal provisions of the zoning regulations in instances where their enforcement would cause "practical difficulty" to the owners of the Property under consideration; and

WHEREAS, based on the findings below, the Richfield City Council approves the requested variances from Richfield City Code Subsection 537.07, Subdivision 1; Subsection 544.03; and Subsection 544.13, Subd. 5; and

WHEREAS, the City has fully considered the request for approval for the site plan with variances; and

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

1. The City Council makes the following general findings:
 - a. The Property is zoned Mixed Use Community (MU-C) and is located in the Penn Avenue Corridor overlay.
 - b. Office uses are permitted in the MU-C District. The Penn Avenue Corridor District provides for a balanced mix of commercial, office and residential uses that together create a cohesive and pedestrian-friendly area.

- c. The site and building are existing, and were previously used as a bowling alley from 1958 to 2015.
 - d. Reuse of this building on this site in any fashion will require variances.
 - e. Code states that the minimum parking lot setback from adjacent mixed-use property is 5 feet. A variance from Subsection 544.13, Subd. 5 is required.
 - f. Code states that the maximum front, side, and rear setbacks for a principal building shall not exceed 15 feet. The proposed setbacks are 65 feet, 60 feet, and 84 feet, respectively. Code states that the maximum impervious surface area shall not exceed 80%. The proposed impervious surface area is 81.8%. Variances from Subsection 537.07, Subd. 1 are required.
 - g. Proposed landscaping and screening plans do not meet several requirements. A variance from Subsection 544.03 is required.
2. With respect to the application for variances from the above-listed requirements, the City Council makes the following findings:
 - a. Strict enforcement of the Richfield Zoning Code Subsections listed above would cause a practical difficulty. The existing property cannot be used in any fashion without variances. It is reasonable to allow the reuse of an existing building on an existing lot.
 - b. Unique circumstances affect the Property that were not created by the land owner. The existing building was constructed in 1958, prior to the adoption of current Codes. These circumstances were not created by the land owner.
 - c. Granting the requested variances will not alter the essential character of the neighborhood. The requested variances will allow for the reuse and improvement of a vacant building. The improvements proposed will benefit the surrounding neighborhood by improving the aesthetics of the site, particularly along Penn Avenue. No negative impacts are expected.
 - d. The variances requested are the minimum necessary to alleviate the practical difficulty. The proposed variances are the minimum necessary to reuse this property.
 - e. The variances are in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan. The proposed plans are consistent with the general purposes and intents of the Zoning Ordinance and Comprehensive Plan.
3. With respect to the proposed site plan, the City Council finds that it will adequately serve the purpose for which it is proposed and will not have adverse effect upon the public safety or general welfare.
4. Based upon the above findings, variances to the above-specified requirements are hereby approved.
5. Based upon the above findings and variances, the proposed site plan is hereby approved according to the terms of Richfield City Code Subsection 547.13 with the following additional stipulations:
 - a) The parking lot must be re-striped in accordance with the approved plan. Compact stalls and accessible stalls must be identified by appropriate signage.
 - b) The building entrance facing Penn Avenue shall be covered by an awning, as shown on the proposed plans. The applicant shall submit a revised drawing of the north building elevation, to be approved by the Community Development Department. The north façade of the building shall be finished with materials of consistent quality as those of the front wall, in accordance with City Code Subsection 544.07, Subd. 6. At a minimum, the façade shall include a small awning over the door and a second paint color, to match the east façade and provide visual interest.
 - c) The applicant shall submit a final landscaping plan to be approved by the Community Development Department, including further detail of the proposed

- landscaping areas along the east and west property lines. Required plantings must be maintained to meet the intent of the Penn Avenue Design Guidelines.
- d) Prior to the issuance of an occupancy permit, the applicant shall submit a surety equal to 125% of the value of any improvements (based on two bids including labor cost) not yet complete.
 - e) All trash must be stored inside the building.
 - f) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated June 2, 2016, and compliance with all other City and State regulations. Permits are required prior to commencement of any work;
 - g) That the recipient of this approval record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7. Proof of recording is required prior to the issuance of a building permit;
 - h) This approval shall expire one year from the date of approval unless the use has commenced or a building permit has been obtained and construction begun.

Adopted by the City Council of the City of Richfield, Minnesota this 12th day of July 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

Code Requirements / Required Findings

Part 1 - Site Plan Approval (Subsection 547.13)

In evaluating a site plan, the Planning Commission and Council shall consider its compliance with the following:

- a) *Consistency with the various elements and objectives of the City's long range plans including, but not limited to, the Comprehensive Plan.* In the Penn Avenue Corridor, the Mixed Use District is intended to be a vibrant, pedestrian-oriented neighborhood center. The District can accommodate a variety of uses. The proposed use of the property as an office building is in keeping with these intentions.
- b) *Consistency with the purposes of the Zoning Code.* The purposes of the Zoning Code include: assisting in the implementation of the Comprehensive Plan; creating harmonious and workable relationships among land uses; enhancing and protecting the physical appearance of the City and more. The proposal is consistent with these purposes of the Zoning Code.
- c) *Preservation of the site in its natural state, insofar as practicable, by minimizing tree and soil removal, and designing any grade changes so as to be in keeping with the general appearance of neighboring developed or developing areas.* The site is already fully developed and is over 80 percent impervious. The proposed site plan has been designed so as to compliment and improve the surrounding area, by reducing impervious surfaces and adding landscaping where possible.
- d) *Creation of a harmonious relationship of buildings and open spaces with the terrain and with existing and future buildings having a visual relationship to the proposed development.* The proposed building façade is complimentary to the adjacent Fraser property to the south. The proposed improvements to the site, particularly the removal of a curb cut along Penn Avenue, will reduce auto and pedestrian safety issues.
- e) *Creation of a functional and harmonious design for structures and site features including:*
 - i. *Creation of an internal sense of order for the various functions and buildings on the site and provision of a desirable environment for occupants, visitors and the general community;*
 - ii. *Appropriateness of the amount and arrangement of open space and landscaping to the design and function of the development;*
 - iii. *Appropriateness of the materials, textures, colors and details of construction as an expression of the design concept of the project and the compatibility of the same with the adjacent and neighboring structures and functions; and*
 - iv. *Adequacy of vehicular, cycling and pedestrian circulation, including walkways, interior drives and parking, in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian, cycling and vehicular traffic and arrangement and amount of parking so as to be safe, convenient and, insofar as practicable, compatible with the design of proposed buildings, structures and neighboring properties.*

In order to justify exceeding parking maximums, the applicant has provided a professionally conducted parking study and a narrative of parking demands at the overall Fraser campus. The study found the existing peak parking demand to be 160 spaces. Before adding 6320 Penn to the campus, the study found a 17 space deficit. 6320 Penn will provide 58 additional parking spaces, for a total supply of 201 spaces throughout the campus. Following the relocation of administrative services and subsequent clinical space expansion at the main building, total peak parking demand for the campus is projected at 207 spaces, including a 5% “design safety factor” surplus. The future parking supply would be 6 spaces less than anticipated peak demand. On-street parking is allowed on 64th Street, which could help accommodate peak demand. The striping of accessible parking spaces and a sidewalk connection near the front building entrance will bring the building into compliance with ADA requirements. A bike rack will be provided near the front entrance. Landscaping areas facing Penn Avenue will be added to screen the parking lot and to improve curb appeal of the building. Along the north and south property lines, there is limited opportunity to improve the site further given the placement and size of the building.

- f) *Creation of an energy-conserving design through design location, orientation and elevation of structures, the use and location of glass in structures, and the use of landscape materials and site grading.* The proposal will not worsen conditions.
- g) *Protection of adjacent and neighboring properties through reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design, not adequately covered by other regulations, which may have substantial effects on neighboring land uses.* No changes to surface water drainage, sound and/or sight impacts, views, etc. are anticipated.

Part 2 - Variances:

The proposed site plan will improve upon existing conditions, including functional and aesthetic improvements to the site. The applicant is requesting variances from parking lot setbacks, building setbacks, impervious surface regulations, and landscaping requirements.

Subsection 544.13, Subd. 5:

- Parking lot setback – 5 feet from adjacent mixed-use (proposed – 0 feet)

Subsection 537.07, Subd. 1:

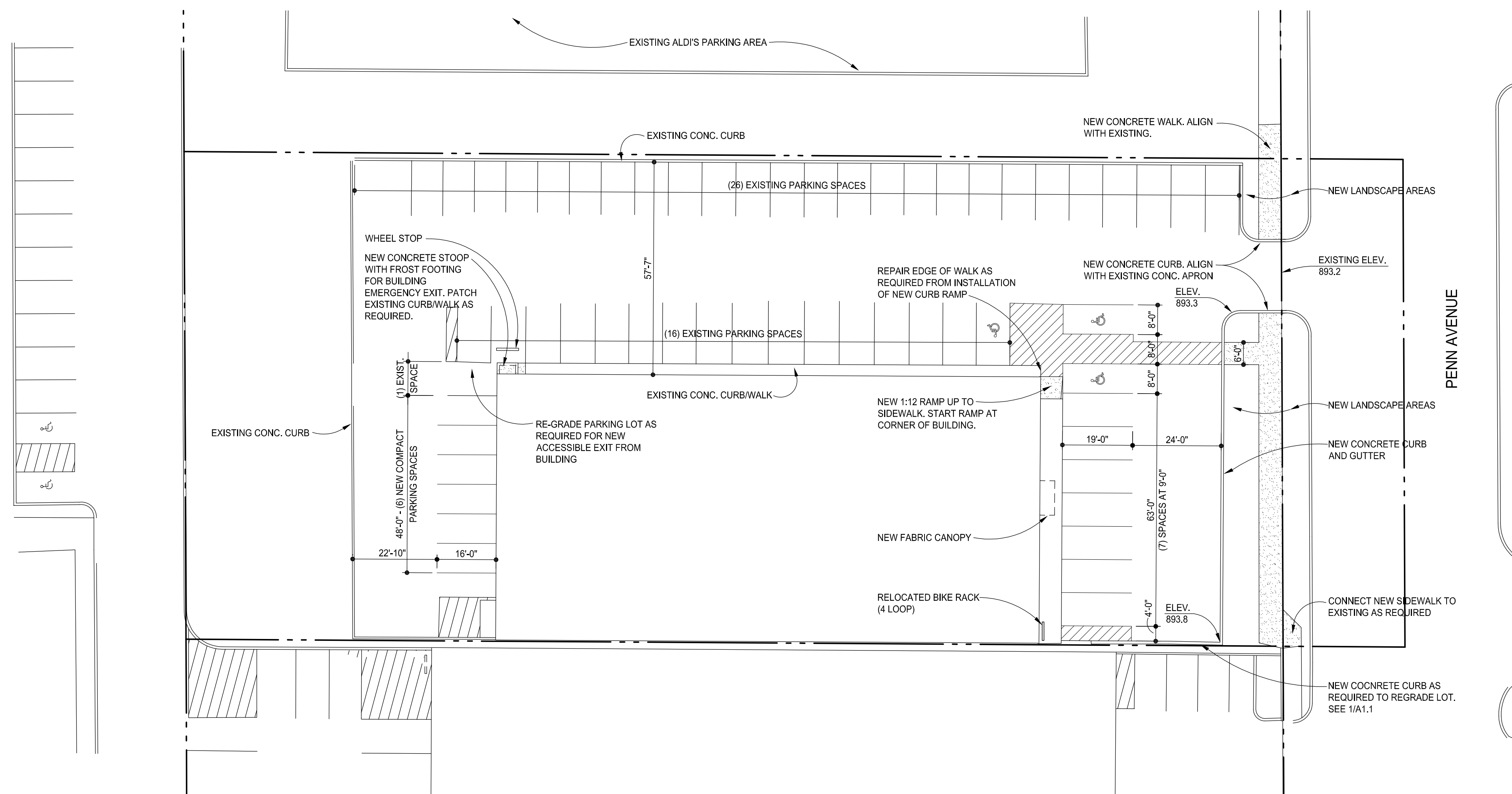
- Front, side (north), and rear building setbacks – 15 feet maximum (proposed – 65 feet, 60 feet, and 84 feet, respectively)
- Impervious surface regulations – 80% maximum (proposed – 81.8%) The applicant is reducing impervious surface coverage on the site from 83.7% to 81.8%. An additional 765 square feet of pervious / landscape area will be added to the boulevard area in public right of way along Penn Avenue that is currently impervious.

Subsection 544.03:

- Landscaping requirements – New landscaping areas are proposed to screen the parking lot facing Penn Avenue. The applicant must submit a revised landscaping plan to be approved by staff, including further detail of proposed landscaping areas along the east and west property lines. Along the north and south property lines, no major changes to existing conditions are proposed and screening requirements will not be met.

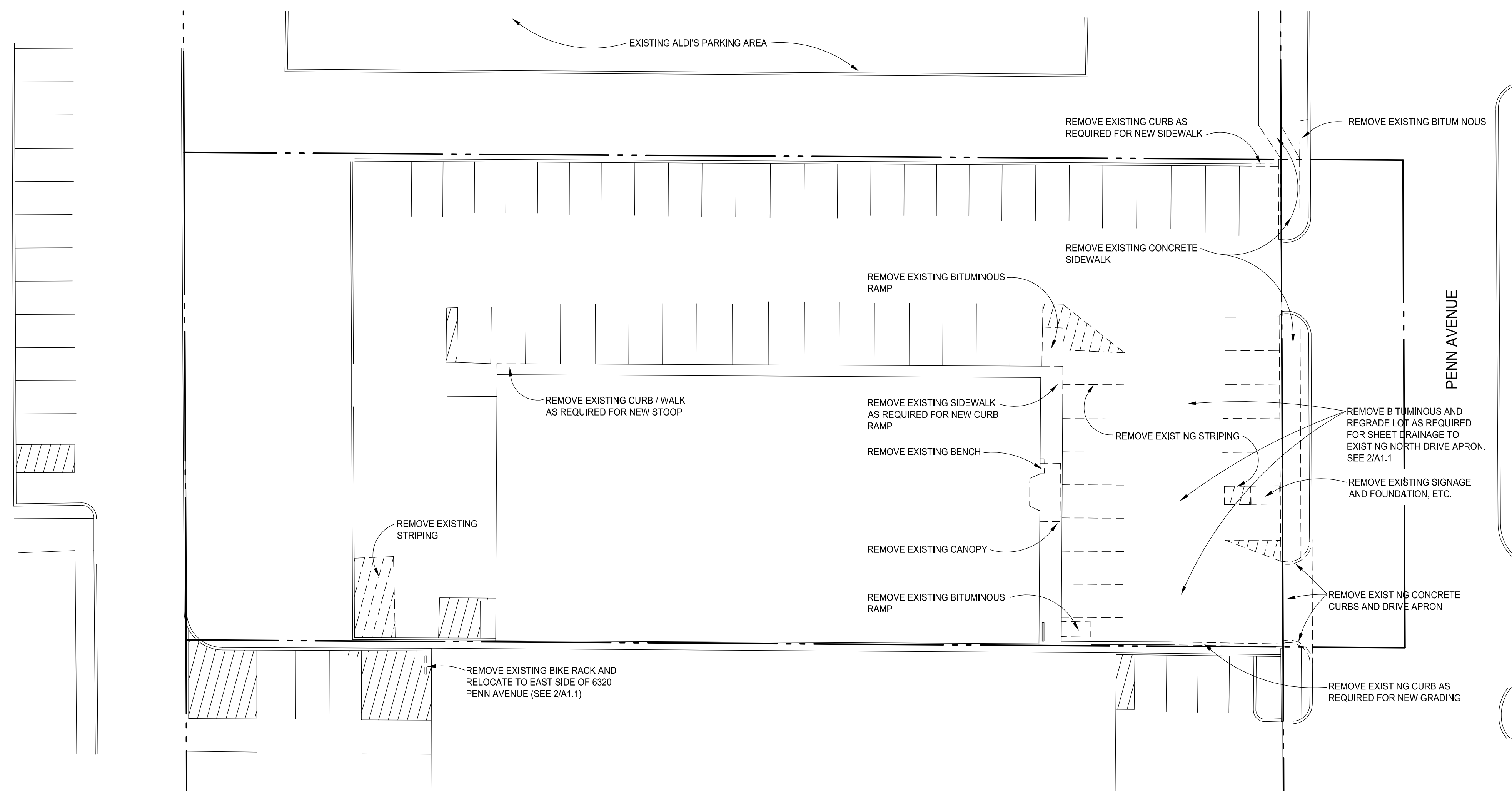
The findings necessary to approve variances are as follows (Subsection. 547.11):

- a) *There are “practical difficulties” that prevent the property owner from using the property in a reasonable manner.* The existing property cannot be used in any fashion without variances. It is reasonable to allow the reuse of an existing building on an existing lot.
- b) *There are usual or unique circumstances that apply to the property which were not created by the applicant and do not apply generally to other properties in the same zone or vicinity.* The building was constructed in 1958, prior to the adoption of current Codes. These circumstances were not created by the land owner.
- c) *The variance would not alter the character of the neighborhood or the locality.* The requested variances will allow for the reuse and improvement of a vacant building. The improvements proposed will benefit the surrounding neighborhood by improving the aesthetics of the site, particularly along Penn Avenue. No negative impacts are expected.
- d) *The variance is the minimum necessary to alleviate the practical difficulty.* The proposed variances are the minimum necessary to reuse this property.
- e) *The variance is in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.* The proposed plans are consistent with the general purposes and intents of the Zoning Ordinance and Comprehensive Plan as discussed further in Part 1 of this document.

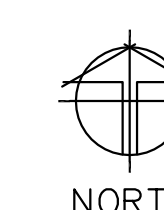


SITE DATA	
ZONING DISTRICT:	MU-C, PENN AVENUE CORRIDOR
SITE AREA	39,206 S.F. (.9 ACRES)
EXISTING BUILDING AREA	10,570 S.F.
BUILDING COVERAGE (25% MIN., 50% MAX.)	27%
MAXIMUM IMPERVIOUS SURFACE ALLOWED (80%)	31,365 S.F.
IMPERVIOUS SURFACE PROVIDED	
EXISTING	32,828 S.F. (83.7%)
PROPOSED	32,075 S.F. (81.8%)
NOTE: 765 S.F. OF ADDITIONAL PERVIOUS / LANDSCAPE AREA WILL BE PROVIDED OUTSIDE PROPERTY LIMITS FRONTING PENN AVENUE THAT IS CURRENTLY IMPERVIOUS.	
PARKING SPACES	
EXISTING PARKING SPACES	60 SPACES
SPACES PROPOSED	58 SPACES

2 SITE PLAN
A1.1 1"=20'-0"



1 SITE DEMOLITION PLAN
A1.1 1"=20'-0"



DEMOLITION
SITE PLAN

SITE PLAN

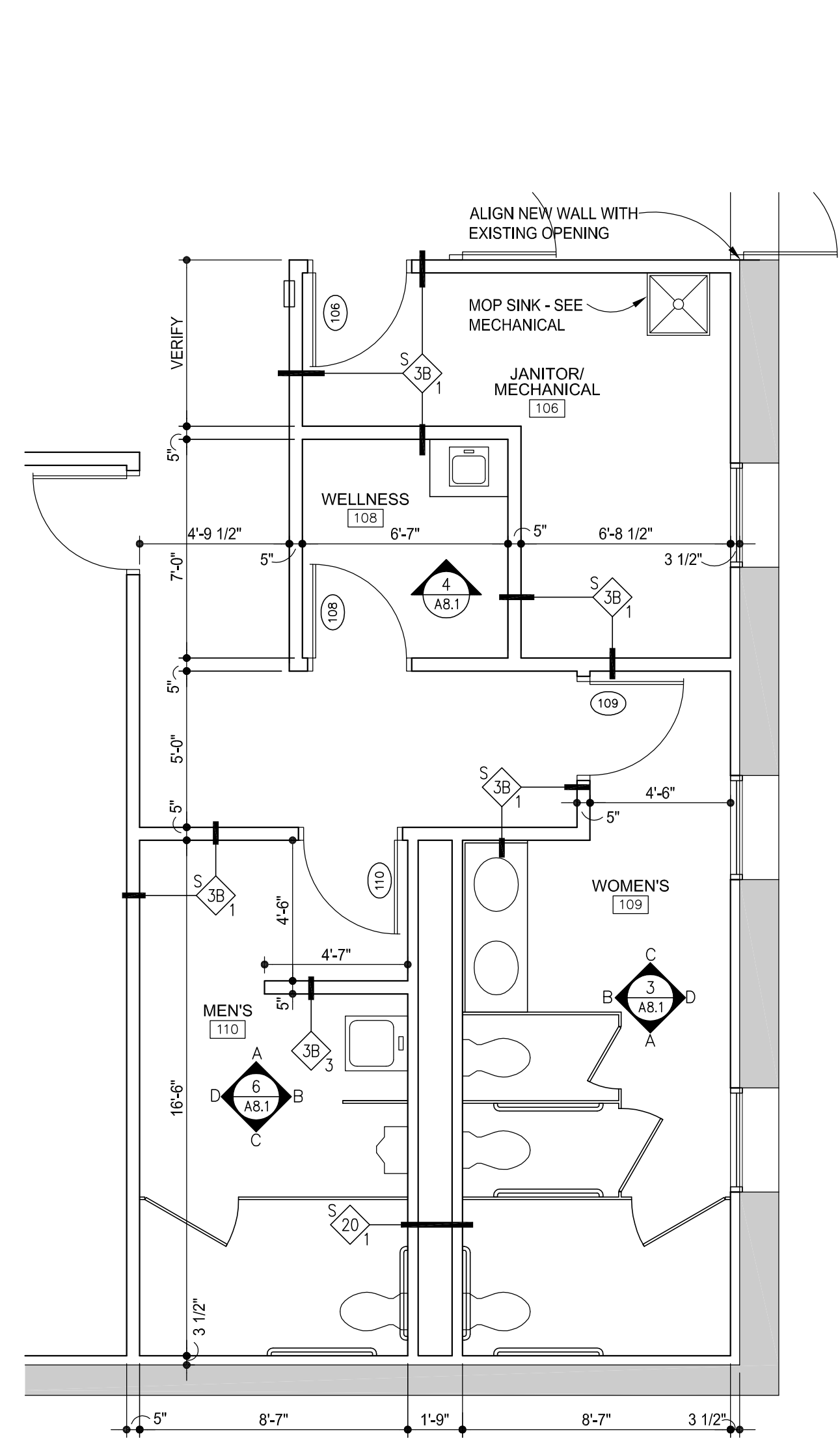
Issues and Revisions:

SITE PLAN REVIEW	5/23/16
SITE PLAN REVIEW - REVISED	6/13/16

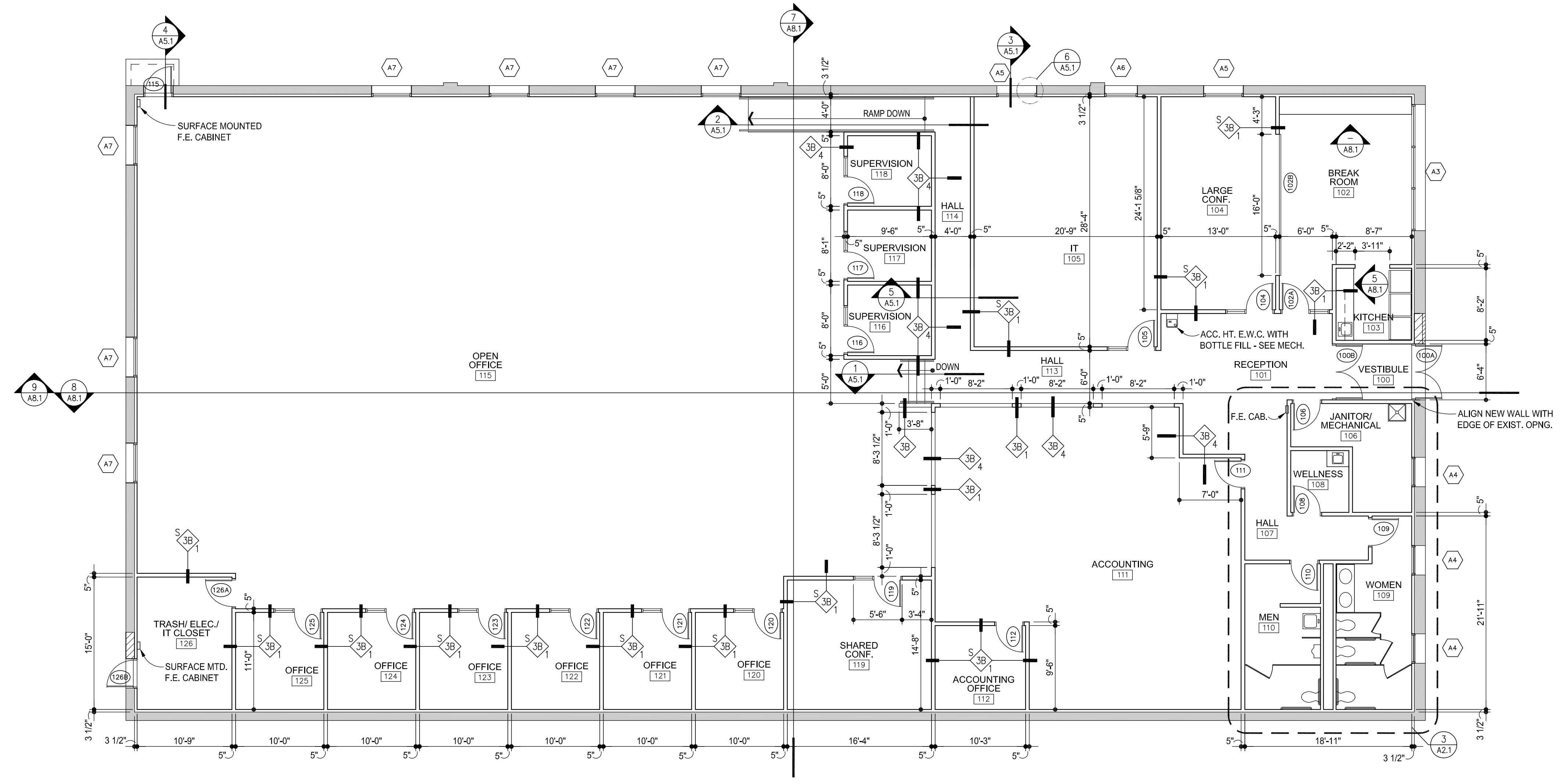
Commission No.	26173-16046
Drawn by	JL, LO, MX
Checked by	JL, RO

SHEET

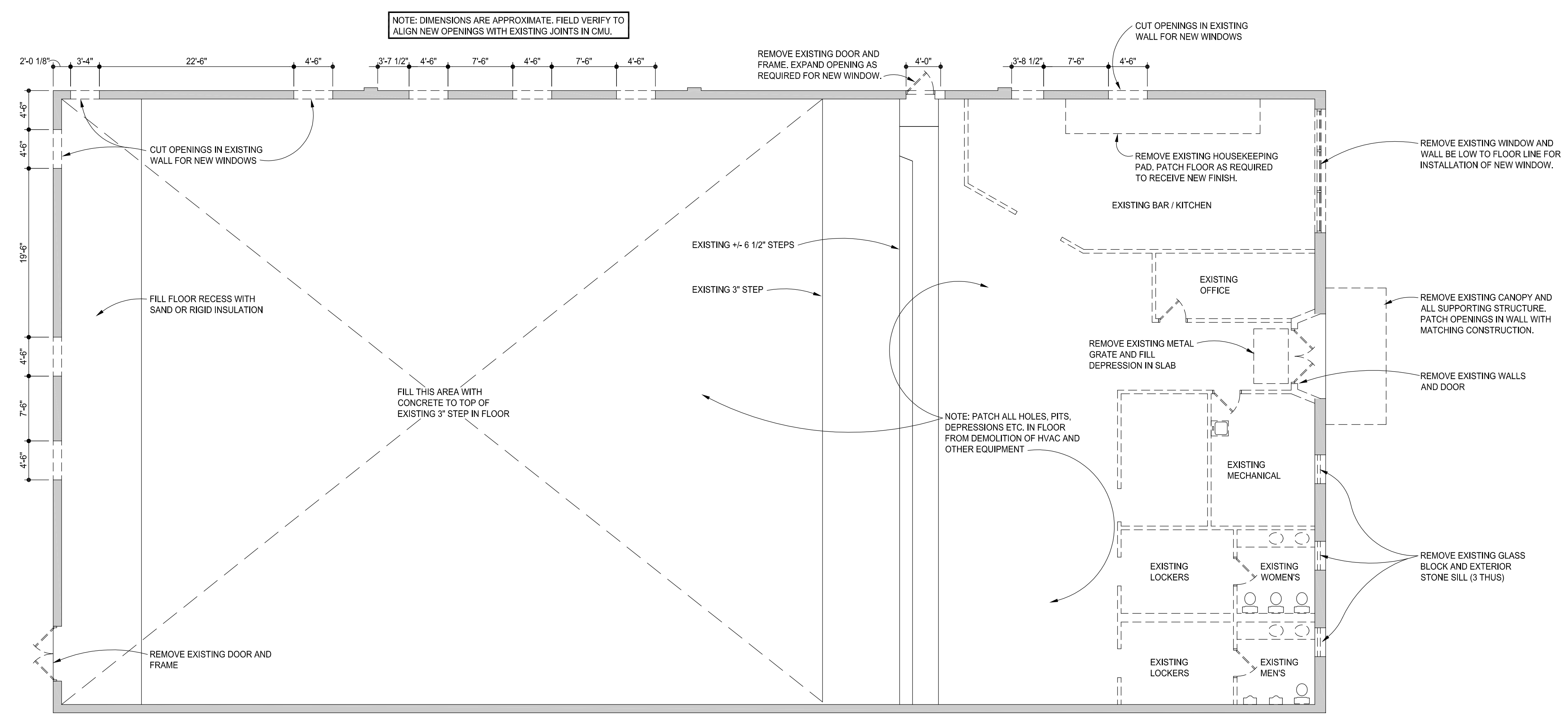
A1.1



3 ENLARGED RESTROOM PLAN
A2.1 1/8"=1'-0"
NORTH



2 FLOOR PLAN
A2.1 1/8"=1'-0"
NORTH

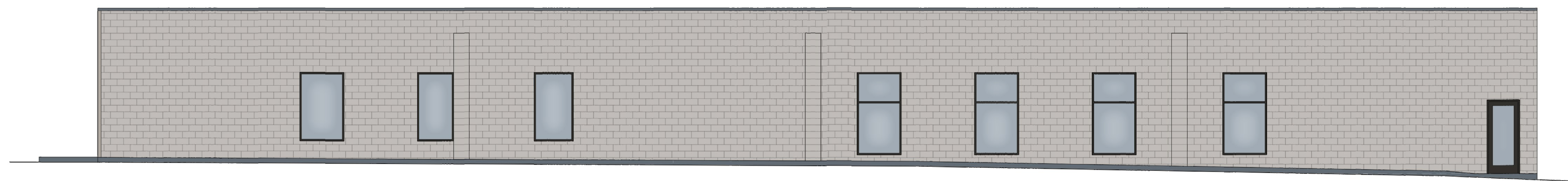
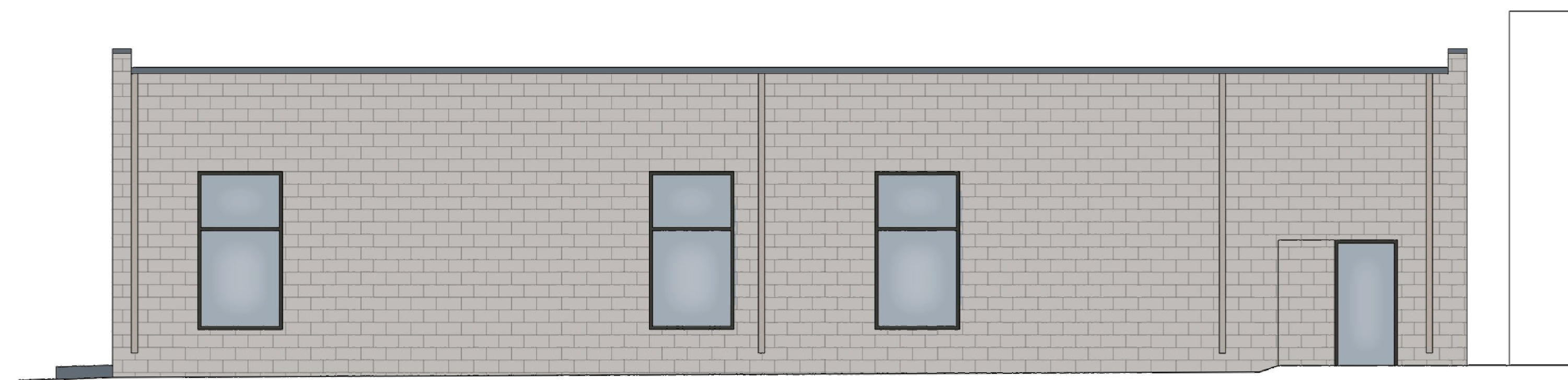


1 DEMOLITION PLAN
A2.1 1/8"=1'-0"
NORTH

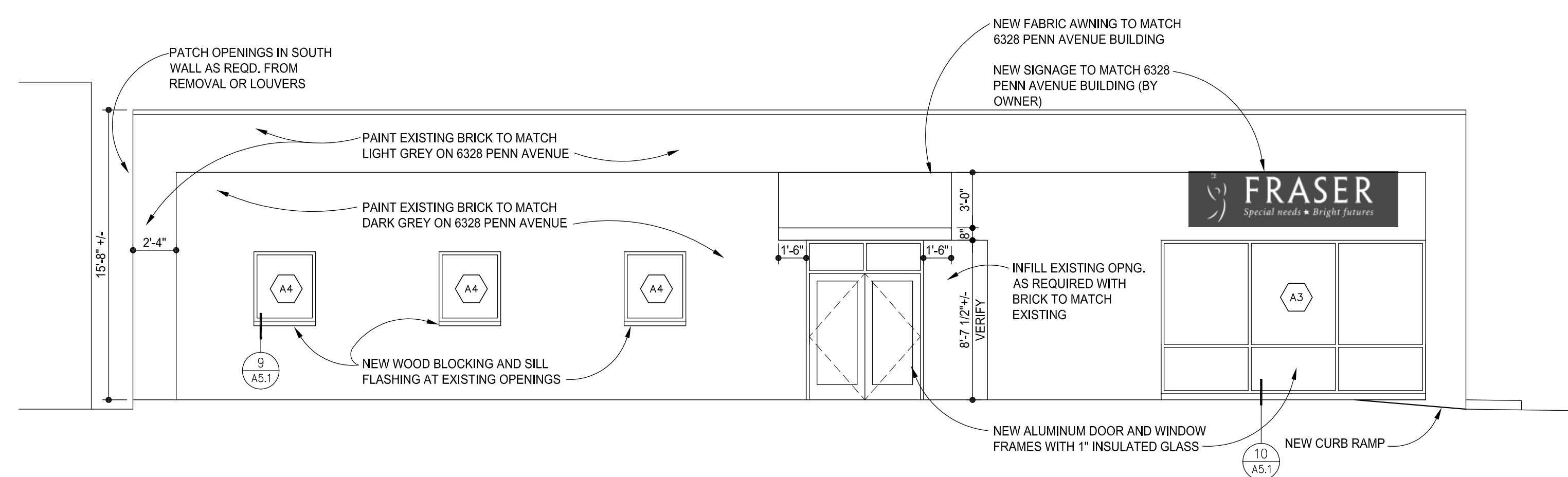
DEMOLITION PLAN
FLOOR PLAN

Issues and Revisions:
SITE PLAN REVIEW 5/23/16
SITE PLAN REVIEW - REVISED 6/13/16

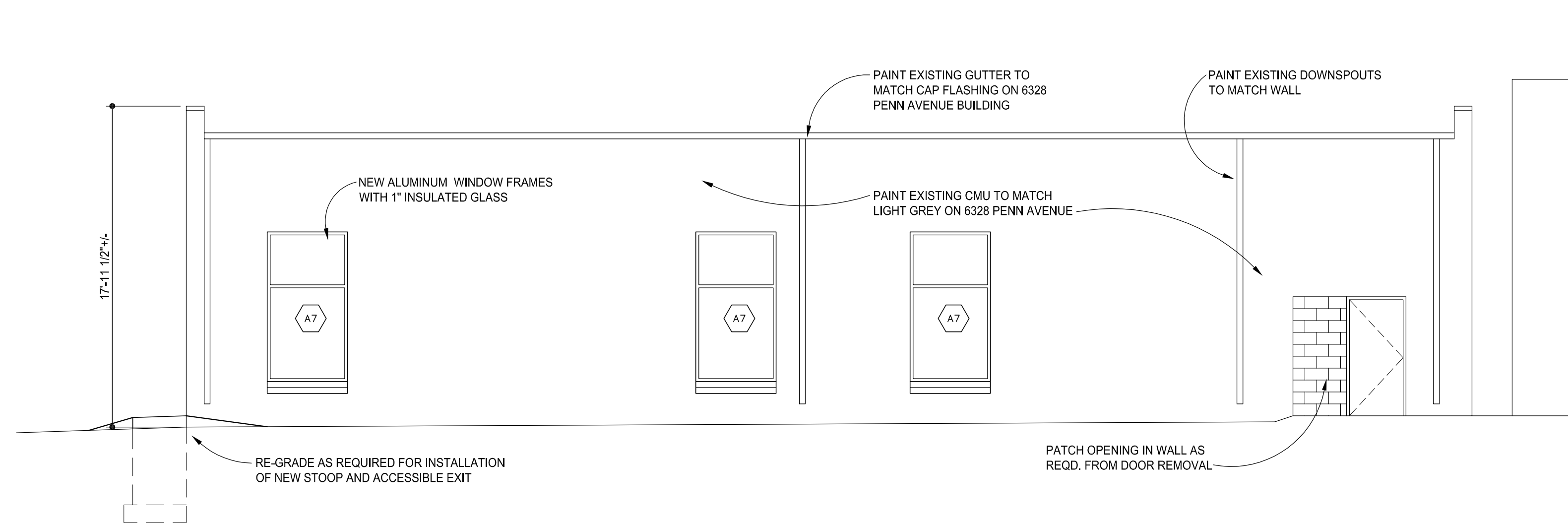
Commission No. 26173-16046
Drawn by JL, LO, MX
Checked by JL, RO



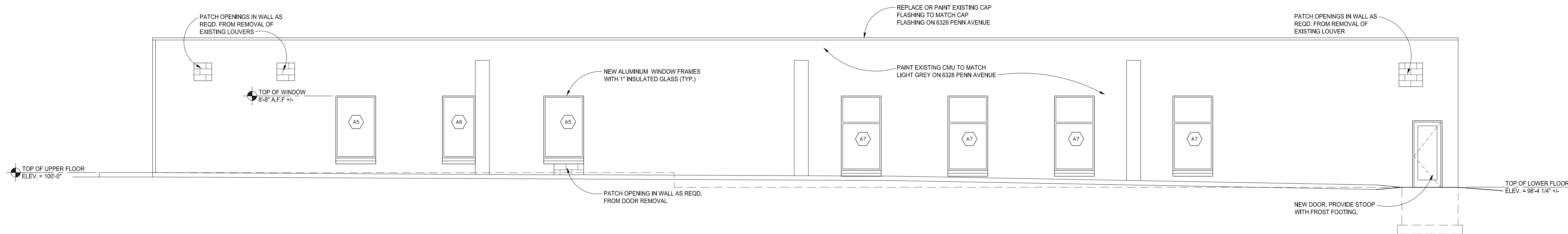
4
A3.1 COLORED ELEVATION IMAGES
3/16"=1'-0"



3
A3.1 EAST ELEVATION
3/16"=1'-0"



2
A3.1 WEST ELEVATION
3/16"=1'-0"



1
A3.1 NORTH ELEVATION
3/16"=1'-0"

EXTERIOR
ELEVATIONS

Issues and Revisions:

SITE PLAN REVIEW	5/23/16
SITE PLAN REVIEW - REVISED	6/13/16

Commission No.	26173-16046
Drawn by	JL, LO, MX
Checked by	JL, RO

SHEET

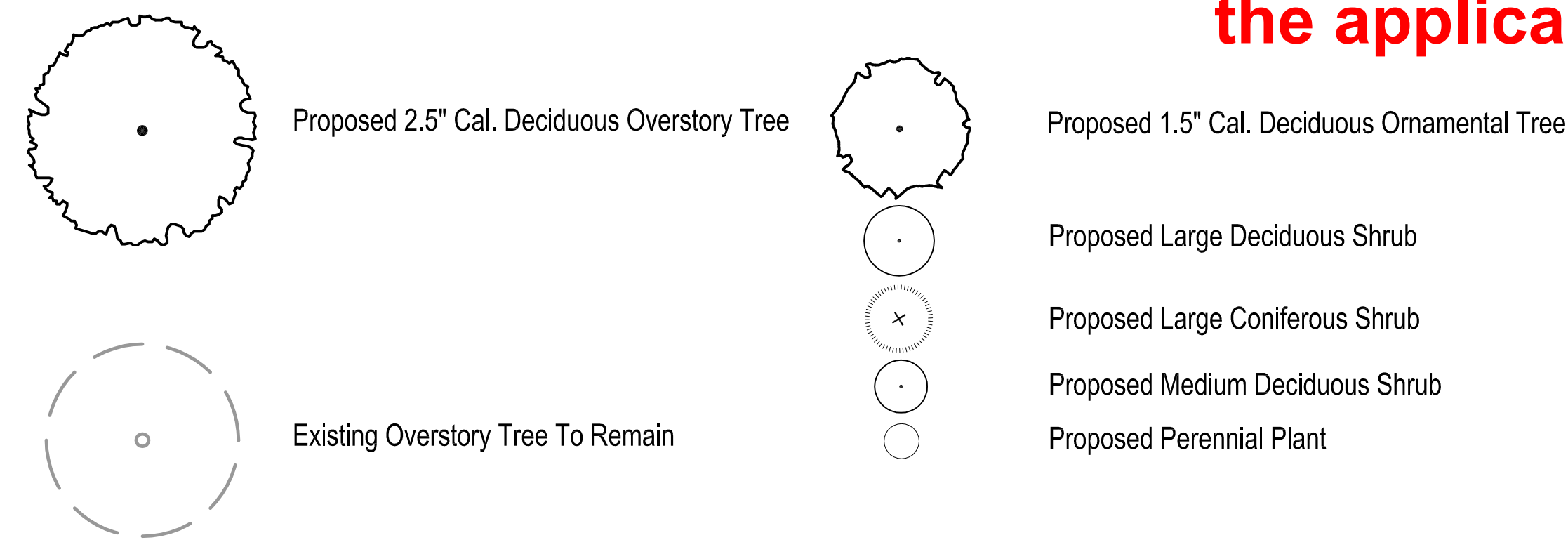
A3.1

TRUE SHEET SCALE
0" 10" 1"

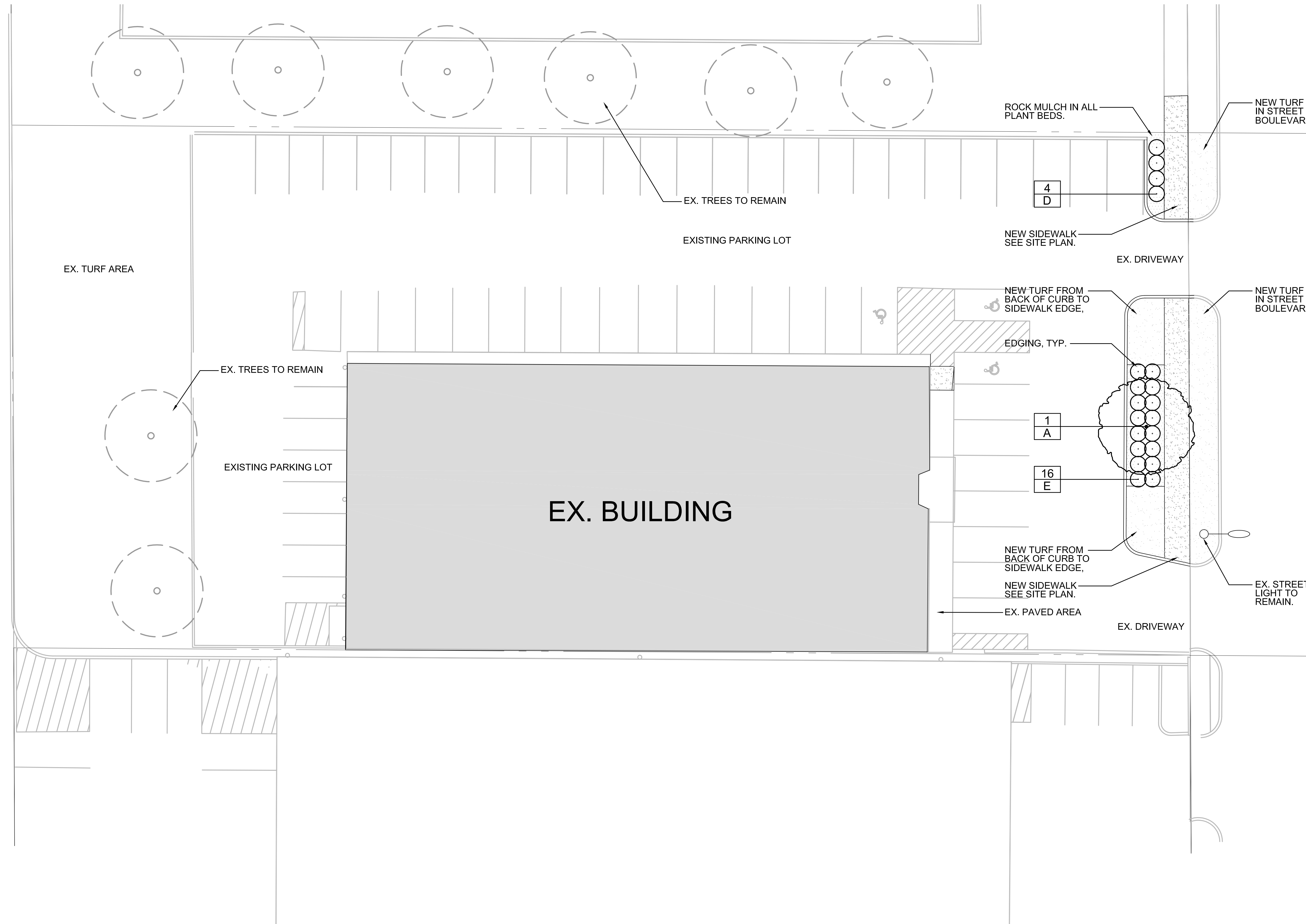
General Notes:

1. Refer to Sheet L2 for Plant Schedule, Details, Notes, and Requirements.
2. See Civil Engineer's plans for grading layout and requirements
3. Contractor to coordinate all work in the city right-of-way with City of Richfield Public Works Department.
4. See Architect's plans for additional requirements regarding the site plan layout.
5. All existing concrete base materials from the driveway and gravel in the proposed turf to be removed and 4" (min.) topsoil be installed before turf is placed.

Landscape Symbols Legend:

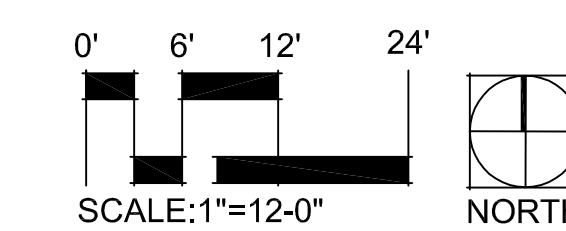


Note: Landscaping plan is preliminary and does not show the proposed closure of the south curb cut. As a condition of approval, the applicant must submit a revised landscaping plan.



PENN AVENUE S.

PRELIMINARY LANDSCAPE PLAN:



POPE ARCHITECTS
1295 BANDANA BLVD N, SUITE 200
ST. PAUL, MN 55108-2735
(651) 642-9200 | FAX (651) 642-1101
www.popearch.com



ADMINISTRATIVE OFFICES
6320 PENN AVENUE
RICHFIELD, MN 55423



CALYX DESIGN GROUP
Landscape Architecture
Sustainable Design
Master Planning

370 Selby Avenue | Suite 301
Saint Paul, MN 55102
telephone: 651.788.9018
internet: www.calyxdesigngroup.com

Issues and Revisions:

No.	Description

Preliminary Landscape Plan

Commission No. 26173-16046
Drawn by BH
Checked by BH

SHEET

L1



Date June 13, 2016

Project Statement – 6320 Penn Avenue South Rezoning Request

Fraser owns four properties in Richfield. They are grouped around the corner of Penn Ave., South and W. 64th St. Fraser is requesting that the property at 6320 Penn Ave. S. be rezoned for office use. This is a change in use from a bowling alley into office space for use by our administrative support services. Administrative departments located in the 2400 W. 64th St. building, which currently houses Fraser HQ, Richfield Clinic and Fraser School will relocate to 6320 Penn Ave. to consolidate with other administrative departments. This shift is to allow for the expansion of clinical services offered at the 2400 W. 64th Street.

Fraser's combined parking spaces will be shared by the four properties. The long-term plan for the "campus" is to remove the buildings, 6320, 6328, 6344, on Penn Avenue and develop a single Administrative Office building on the corner of Penn and West 64th Street and for the 2400 W. 64th building to be used exclusively as a clinic and school.

Dale Raasch

Director, Property and Facilities





Responsive partner.
Exceptional outcomes.

To: Dale Raasch, Fraser
From: Ed Terhaar, P.E.
Date: June 13, 2016
Subject: Parking Study for the Fraser Campus in Richfield, MN
Wenck project number 6078-01

PURPOSE AND BACKGROUND

This memorandum presents the results of our parking study for the Fraser campus in Richfield, MN. Changes are proposed for the campus that include additional building space. A parking study was completed to examine the existing conditions and determine the overall impact of the proposed changes.

PROPOSED DEVELOPMENT CHARACTERISTICS

The proposed development consists of renovating a former bowling alley building into 10,570 square feet of office space. As a result of the project, approximately 7,000 square feet of existing office space will be converted to clinic space. A total of 3,570 square feet of new office space will be added to the campus.

PARKING STUDY

Existing Parking Supply and Demand

We performed a parking usage survey for the existing Fraser campus on Tuesday, June 7 and Wednesday, June 8, 2016. Parking usage data was collected for the entire campus, which was divided into the sub-areas shown in **Figure 1**. Parking usage data was collected from 8:00 a.m. to 5:00 p.m. for each sub-area. The results of the parking survey by sub-area are shown in **Tables 1 and 2**.



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Exceptional outcomes.

PARKING STUDY FOR
THE FRASER CAMPUS
IN RICHFIELD, MN

FIGURE 1
PARKING SUB-AREAS

Table 1
Parking Survey Results for Existing Fraser Campus
On Tuesday June 7, 2016

Time of Day	Spaces Used By Sub-area							Total Vehicles Parked
	A	B	C	D	E	F	G	
8:00	10	10	12	19	5	3	0	59
8:30	11	12	20	26	8	19	2	98
9:00	22	13	26	34	10	24	1	130
9:30	20	14	21	39	10	23	1	128
10:00	14	13	19	41	11	26	1	125
10:30	16	14	19	40	11	27	1	128
11:00	16	14	19	39	11	27	1	127
11:30	19	14	22	38	10	27	1	128
12:00	17	14	29	42	13	28	1	135
12:30	16	14	17	50	10	30	1	138
1:00	16	14	17	50	10	30	2	139
1:30	17	14	17	52	10	31	4	145
2:00	17	14	17	52	11	33	5	148
2:30	18	14	17	53	11	34	6	151
3:00	17	14	17	53	11	34	6	152
3:30	15	12	20	52	9	33	6	147
4:00	18	9	17	46	7	30	6	133
4:30	16	8	15	44	5	27	5	120
5:00	15	6	15	40	3	25	4	108

Table 2
Parking Survey Results for Existing Fraser Campus
On Wednesday June 8, 2016

Time of Day	Spaces Used By Sub-area							Total Vehicles Parked
	A	B	C	D	E	F	G	
8:00	16	15	10	21	6	6	1	75
8:30	19	16	18	39	6	18	2	118
9:00	23	18	26	47	10	21	2	147
9:30	19	18	25	48	11	25	4	150
10:00	16	19	21	46	10	28	4	144
10:30	16	19	21	47	10	29	4	146
11:00	15	18	22	47	10	29	4	145
11:30	16	17	23	48	11	28	4	147
12:00	16	18	24	49	11	27	4	149
12:30	15	17	20	46	10	28	4	140
1:00	16	18	19	44	8	29	4	138
1:30	16	19	18	41	8	29	4	135
2:00	14	17	17	37	7	31	4	127
2:30	13	17	18	39	8	32	4	131
3:00	14	16	20	36	8	28	4	126
3:30	15	14	17	35	8	29	4	122
4:00	12	11	15	33	8	28	4	111
4:30	12	9	15	30	6	26	3	101
5:00	11	7	13	28	5	23	2	89

As shown in the tables, the observed peak parking demand occurred on Tuesday at 3:00 p.m. with 152 vehicles parked. The observed peak parking demand on Wednesday occurred at 9:00 a.m. with 150 vehicles parked. The variation between the two days is due to an off campus meeting that occurred Tuesday morning. During that time period, 40-50 staff people were off campus. These staff members returned to the campus in the afternoon, resulting in higher demand in the afternoon.

Standard parking analysis calculations include a design safety factor that is applied to the parking demand to account for parking space turnover, vehicles using two spaces, peak surges, etc. A design safety factor of 5 percent is used for this purpose. Therefore, the peak parking demand would be 5 percent greater than the observed peak.

Under existing conditions, the required number of parking spaces is 160 spaces, or $152 * 1.05$. The parking supply without the bowling alley property was 143 spaces, or 17 spaces less than the peak demand. Therefore, under conditions without the bowling alley parking, there was a deficit of 17 parking spaces.

Since the addition of the bowling alley, employees have been using the parking spaces on the property. This added 58 parking spaces to the supply, bring the total to 201 spaces. Under this scenario, the supply is 41 spaces greater than the peak demand.

Future Parking Demand

The future parking demand was calculated using industry standard parking generation rates published by the Institute of Transportation Engineers (ITE) for the proposed uses.

Based on information presented in the ITE Parking Generation, 4th Edition, the 7,000 square feet of clinic space will generate a peak parking demand of 35 spaces and the 3,570 square feet of office space will generate a peak parking demand of 10 spaces, for a total of 45 spaces. Applying the design safety factor of 5 percent results in a peak parking demand of 47 additional spaces.

Future Parking Supply

As described earlier, the bowling alley property includes 58 parking stalls over previous conditions. Therefore, the future parking supply for the entire campus will be 201 stalls.

Parking Supply and Demand Analysis

The total peak parking demand using the ITE data is 207 spaces. The future parking supply of 201 spaces is 6 spaces less than the peak demand. On-street parking is allowed on 64th Street, which will be able to accommodate this amount of excess parking demand. The addition of the 58 parking stalls as part of the bowling alley renovation are critical to accommodating the expected parking demand on the campus.

PARKING LOT DIMENSIONS

The proposed site plan for the bowling alley renovation project includes a layout for the parking areas surrounding the building. The area north of the building includes two parking rows separated by a two-way drive aisle with a total width of 57'-9". The area on the west side of the building includes one parking row against the building and a two-way drive aisle with a total width of 38'-6". Since both of these areas are smaller than required by City code, additional information on parking lot dimensions was obtained and reviewed.

Information from the City of Minneapolis indicates the minimum parking space and aisle dimensions in Minneapolis are 18 feet for standard stalls and 22 feet for two-way drive aisles, resulting in 58 feet of space for two parking rows and a two-way drive aisle. Minneapolis also allows compact parking spaces, which have dimensions of 15 feet for stalls and 22 feet for two-way drive aisles, resulting in 52 feet of space for two parking rows and a two-way drive aisle. Therefore, the size range for two parking rows and a two-way drive aisle is 52 to 58 feet and 37 to 40 feet for one parking row and a two-way drive aisle. Both of the proposed parking areas are within these size ranges.


In addition, the low turnover nature of parking stalls used office employees lends itself to smaller parking dimensions. Fewer parking maneuvers are made each day compared to high turnover uses such as retail or restaurants.

CONCLUSIONS AND RECOMMENDATIONS

Based on the information presented in this memorandum, we have made the following conclusions and recommendations:

- The observed peak parking demand occurred on Tuesday at 3:00 p.m. with 152 vehicles parked. The observed peak parking demand on Wednesday occurred at 9:00 a.m. with 150 vehicles parked.
- Under existing conditions, the required number of parking spaces is 160 spaces, which includes a five percent design safety factor. The parking supply without the bowling alley property was 143 spaces, or 17 spaces less than the peak demand. Therefore, under conditions without the bowling alley parking, there was a deficit of 17 parking spaces.
- The acquisition of the bowling alley property added 58 parking spaces to the supply, bringing the total to 201 spaces. Under this scenario, the supply is 41 spaces greater than the existing peak demand.
- Based on information presented in the ITE Parking Generation, 4th Edition, the proposed development will generate a peak parking demand of 45 spaces. Applying the design safety factor of five percent results in a peak parking demand of 47 additional spaces.
- The total peak parking demand using the ITE data is 207 spaces. The future parking supply of 201 spaces is 6 spaces less than the peak demand. On-street parking is allowed on 64th Street, which will be able to accommodate this amount of excess parking demand.
- The proposed parking areas on the bowling alley property are within the City of Minneapolis size ranges for standard and compact parking areas.

I hereby certify that this report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

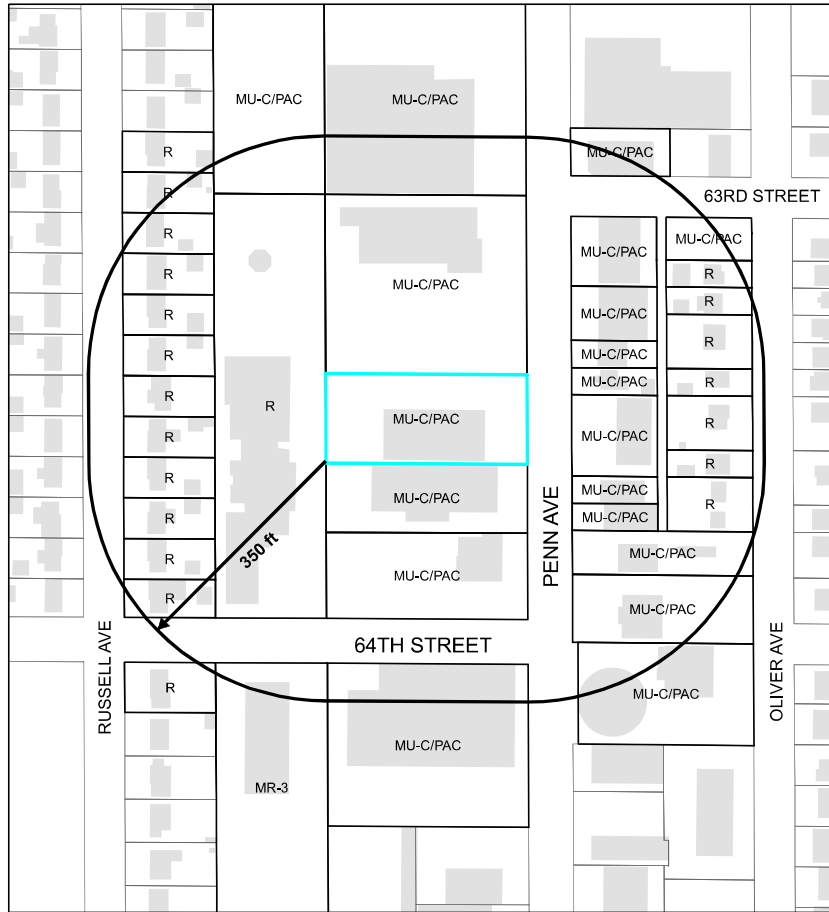


Edward F. Terhaar
License No. 24441

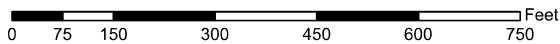
DATE: June 13, 2016

6320 Penn Ave - SP, VAR 6/2016

Surrounding Zoning

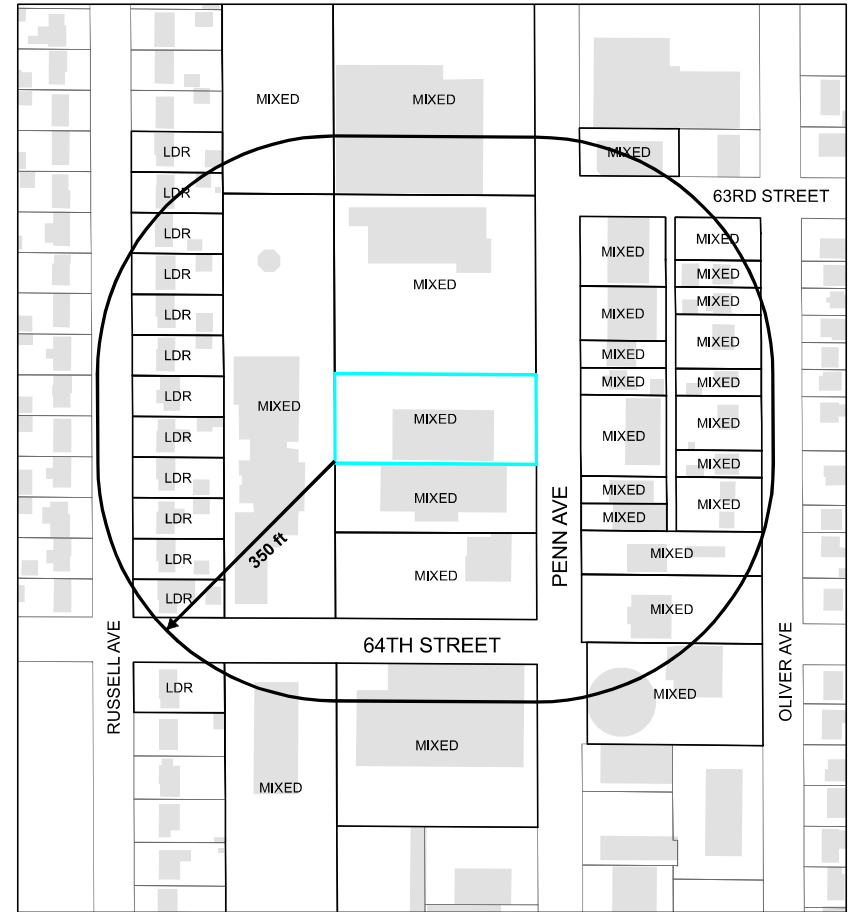


MU-C - Mixed-Use Community
 PAC - Penn Avenue Corridor Overlay
 MR-3 - High Density Multifamily Residential
 R - Single Family Residential

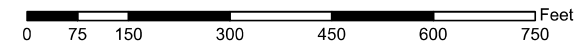


6320 Penn Ave - SP, VAR 6/2016

Surrounding Comprehensive Plan



MIXED - Mixed-Use
 LDR - Low Density Residential





PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: JUNE 27, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Public hearing to consider a request for a variance to allow a fence higher than 4 feet in the front yard area at 7600 Clinton Avenue.

I. RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Approve a variance to allow a fence higher than 4 feet in a portion of the front yard area at 7600 Clinton Avenue.

II. BACKGROUND

See "Policy" section below.

III. BASIS OF RECOMMENDATION

A. POLICY

The single-family home at 7600 Clinton Avenue is located on a corner lot on a dead-end street, directly adjacent to Roosevelt Park. The front of the house faces 76th Street, and the side of the house faces the dead-end Clinton Avenue. Despite how the house itself is oriented, the Zoning Code defines the front lot line for a corner lot to be the shorter of the two lot lines abutting a street. Therefore the front yard area technically faces Clinton Avenue, and the corner side yard faces 76th Street. The interior side lot line runs directly adjacent to the ballfields at Roosevelt Park. Due to busy activity at the park, including public pedestrian access and vehicle parking or drop-offs occurring on the dead-end Clinton Avenue, the homeowner wishes to construct a 6-foot tall fence in a portion of the front yard area, in order to gain greater privacy from park activities.

Fences are regulated by Section 509.15 of the Zoning Code, which states that no fence more than 4 feet in height shall be constructed forward of the front line of the principal building extended to the side lot lines. For the homeowner to construct the 6-foot tall fence as desired, a variance from Section 509.15, Subd. 3 is required.

The findings necessary to approve a variance are as follows (Subsection 547.11):

1. *There are "practical difficulties" that prevent the property owner from using the property in a reasonable manner.* Strict enforcement of the Zoning Code subsection listed above would cause a practical difficulty by limiting the property owner's privacy from activity at the adjacent public park.
2. *There are unusual or unique circumstances that apply to the property which were not created by the applicant and do not apply generally to other properties in the*

same zone or vicinity. The orientation of the house relative to the front lot line is unusual, when combined with the proximity to the ballfields and the use of the dead-end street for public park access. These circumstances are unique to this property and potentially up to five other properties along 76th Street, adjacent to Roosevelt Park in the same manner. These circumstances do not apply to other properties within the single-family residential district or the City as a whole.

3. *The variance would not alter the character of the neighborhood or the locality.* Granting the variance will not alter the character of the neighborhood. The proposed section of fence requiring the variance would be adjacent only to Roosevelt Park and Clinton Avenue, and would not share a property line with any other property.

4. *The variance is the minimum necessary to alleviate the practical difficulty.* The variance requested is the minimum necessary to provide additional privacy from activity at the adjacent public park. As a condition of approval, the property owner would be restricted from constructing additional 6-foot tall fence along the north property line adjacent to 76th Street, effectively “trading” the rights to build a 6-foot tall fence from one area of the lot to another. The property owner would retain the rights to build a 4-foot tall fence anywhere on the lot.

5. *The variance is in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.* The proposed fence will not adversely impact the aesthetics of the community or its health, safety and welfare.

B. CRITICAL ISSUES

- None

C. FINANCIAL

- The required application fee has been paid.

D. LEGAL

- Notification: Notice of this public hearing was published in the Sun Current in accordance with State and Local requirements. Properties within 350 feet were notified by mail.

IV. ALTERNATIVE RECOMMENDATION(S)

- Deny with a finding that the requested variance does not meet requirements.

V. ATTACHMENTS

- Resolution
- Site plan
- Planning & zoning maps

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Derek Boerner, property owner

RESOLUTION NO. _____

**RESOLUTION OF THE RICHFIELD PLANNING COMMISSION
GRANTING APPROVAL OF A VARIANCE AT
7600 CLINTON AVENUE**

WHEREAS, an application has been filed with the City of Richfield which requests approval of a variance on the parcel of land commonly known as 7600 Clinton Avenue (the "Property") and legally described as:

Lot 1, Block 4, Nicollet Garden Lots Third Addition, Hennepin County, Minnesota

WHEREAS, the property is located in the Single-Family Residential (R) district and the proposed fence will exceed four (4) feet in height in the front yard area; and

WHEREAS, Subsection 509.15, Subdivision 3 states that "No fence, wall, or hedge more than four (4) feet in height shall be constructed or permitted to grow forward of the front line of the principal building extended to the side lot lines"; and

WHEREAS, Minnesota Statutes Section 462.357, Subdivision 6, provides for the granting of variances to the literal provisions of the zoning regulations in instances where their enforcement would cause "practical difficulty" to the owners of the property under consideration; and

WHEREAS, the Planning Commission of the City of Richfield held a public hearing for the requested variance at its June 27, 2016 meeting; and

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

WHEREAS, based on the findings below, the Richfield Planning Commission approves the requested variance from Richfield City Code Subsection 509.15, Subd. 3; and

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

1. The Planning Commission makes the following general findings:
 - a. The Property is zoned Single-Family Residential (R).
 - b. The proposed fence would exceed the maximum allowed height of four (4) feet in the front yard area. A variance from Subsection 509.15, Subd. 3 is required.
2. With respect to the application for a variance from the above-listed requirements, the Planning Commission makes the following findings:
 - a. Strict enforcement of the Zoning Code subsection listed above would cause a practical difficulty by limiting the property owner's privacy from activity at the adjacent public park.
 - b. Unique circumstances affect the Property that were not created by the land owner. The orientation of the house relative to the front lot line is unusual, when combined with the proximity to the ballfields and the use of the dead-end street for public park access. These circumstances are unique to this property and potentially up to five other properties along 76th Street, adjacent to Roosevelt Park in the same manner. These circumstances do not apply to other properties within the single-family residential district or the City as a whole.

- c. Granting the variance will not alter the character of the neighborhood. The proposed section of fence requiring the variance would be adjacent only to Roosevelt Park and Clinton Avenue, and would not share a property line with any other property.
 - d. The variance requested is the minimum necessary to provide additional privacy from activity at the adjacent public park. As a condition of approval, the property owner would be restricted from constructing additional 6-foot tall fence along the north property line adjacent to 76th Street, effectively “trading” the rights to build a 6-foot tall fence from one area of the lot to another. The property owner would retain the rights to build a 4-foot tall fence anywhere on the lot.
 - e. The variance is in harmony with the general purpose and intent of the ordinance and consistent with the comprehensive plan. The proposed fence will not adversely impact the aesthetics of the community or its health, safety and welfare.
3. Based upon the above findings, a variance to the above-specified requirement is hereby approved according to the terms of Richfield City Code Subsection 547.11 with the following additional stipulations:
- a) That no fence, wall, or hedge more than four (4) feet in height shall be constructed or permitted to grow north of the principal building, extended to the east and west lot lines; and
 - b) That the recipient of this approval record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City’s Zoning Ordinance Section 547.11, Subd. 7; and
 - c) This approval shall expire one year from the date of approval unless construction has begun.

Adopted by the Planning Commission of the City of Richfield, Minnesota this 27th day of June 2016.

Planning Commission Chair

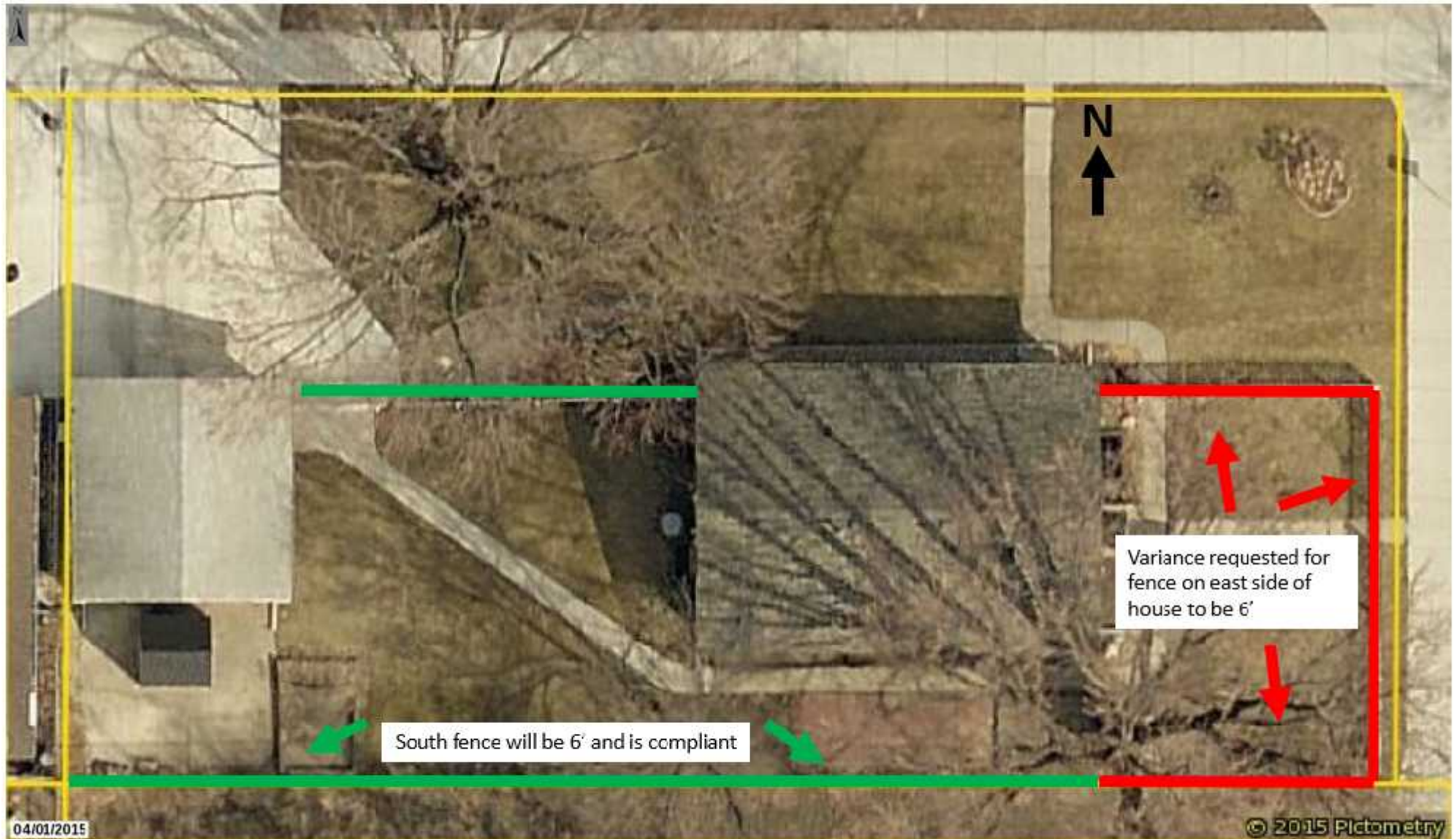
ATTEST:

Planning Commission Secretary

7600 Clinton Avenue and houses adjacent to Roosevelt Park

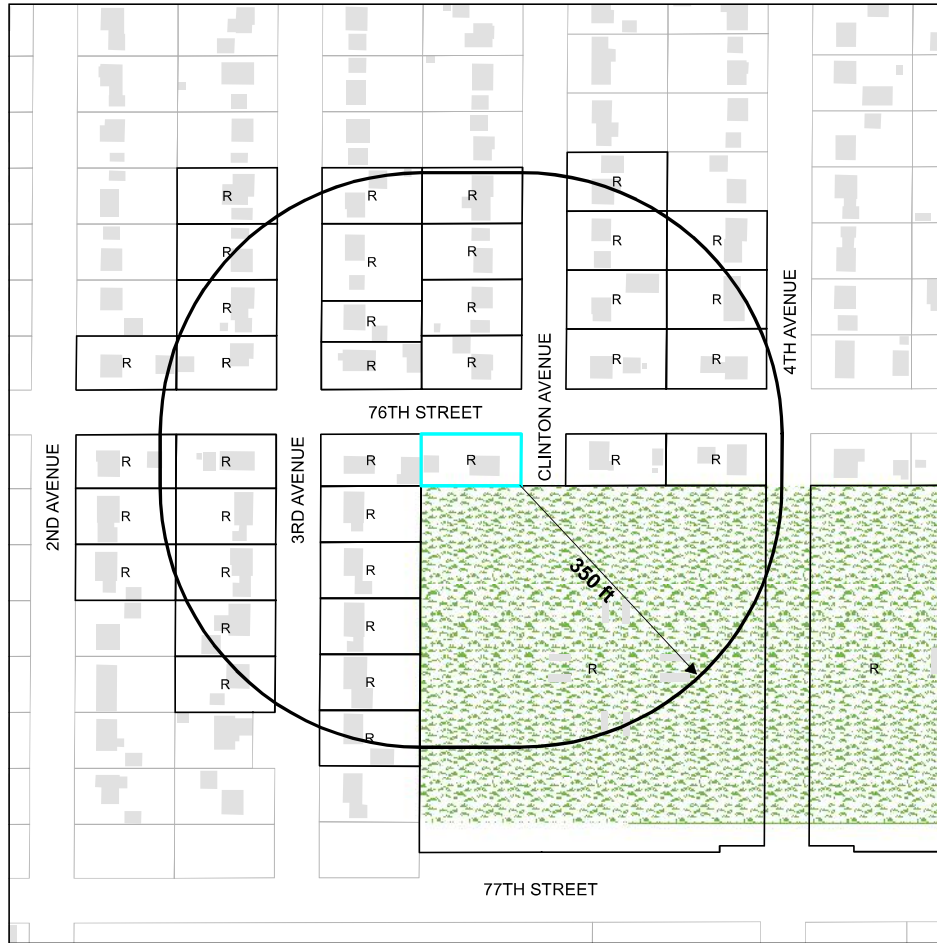


7600 Clinton Avenue – proposed 6 foot tall fence in front yard area

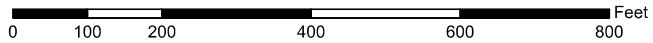


7600 Clinton Ave - VAR 6/2016

Surrounding Zoning



R - Single Family Residential



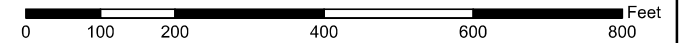
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7600 Clinton Ave - VAR 6/2016

Surrounding Comprehensive Plan



LDR - Low Density Residential
PRK - Park



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PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: JUNE 27, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Continue a public hearing to consider land use applications related to revised plans for the Cedar Point Commons retail development at the intersection of 66th Street and Richfield Parkway to July 25, 2016.

I. RECOMMENDED ACTION:

By motion: Continue the public hearing to consider land use applications for the Cedar Point Commons development to July 25, 2016.

II. BACKGROUND

Application materials were not received by the deadline for this meeting. This public hearing will be rescheduled for the July 25th meeting.

III. BASIS OF RECOMMENDATION

A. POLICY

B. CRITICAL ISSUES

C. FINANCIAL

D. LEGAL

- Notification: Notice of this public hearing was published in the Sun Current in accordance with State and Local requirements.

IV. ALTERNATIVE RECOMMENDATION(S)

V. ATTACHMENTS

None.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING