



Planning Commission Agenda

September 26, 2016
7:00 p.m.

Introductory Proceedings

Roll Call

Approval of Minutes: Regular Planning Commission meeting of August 22, 2016.

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

Public Hearing

- | | | |
|----------------|----------------------|--|
| ITEM #1 | PC Letter #12 | Consider amendments to the City's Zoning Ordinance to update the floodplain management regulations. |
| ITEM #2 | 16-SP-03 | Consider site plans and an ordinance amendment related to parking lot modifications at 6600 Cedar Avenue (Municipal Liquor Store). |

New Business

- | | | |
|----------------|----------------------|---|
| ITEM #3 | PC Letter #13 | Reschedule regularly scheduled December 26, 2016 meeting to December 12, 2016 |
|----------------|----------------------|---|

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: October 24, 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

August 22, 2016

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

MEMBERS ABSENT: Commissioners Gordon Vizecky and Charles Standfuss

STAFF PRESENT: John Stark, Community Development Director
Matt Brillhart, Associate Planner

OTHERS PRESENT: Michelle Mongeon Allen, JLG Architects
See attached sign-in sheet for additional speakers.

Chairperson Vrieze Daniels called the meeting to order at 7:00 p.m. and appointed Commissioner Jabs as Acting Secretary.

APPROVAL OF MINUTES

M/Rosenberg, S/Jabs to approve the minutes of the July 25, 2016 regular meeting.

Motion carried: 5-0

OPEN FORUM

No members of the public spoke.

PUBLIC HEARING(S)

ITEM #1

16-IUP-04 – Consider a request for an interim use permit to allow Minnesota Life College to use the property at 2000 West 76th Street for social, meeting, and office space for their Community Living Program.

Associate Planner Matt Brillhart presented the staff report.

In response to a question from Commissioner Hayford Oleary, Brillhart stated that the property had a two-car garage and long driveway to accommodate any parking needs, and that the expectation was that most visitors would walk over from the college, rather than drive.

Amy Gudmestad of Minnesota Life College provided additional information about Minnesota Life College and several other attendees spoke in support of the interim use permit.

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

Motion carried: 5-0

M/Rosenberg, S/Kitzberger to recommend approval of the interim use permit.

Motion carried: 5-0

ITEM #2

PC Letter No. 11 – Consider proposed amendment to the Richfield Comprehensive Plan. The proposed amendment will change the guide plan designation for properties within the Cedar Avenue Corridor (generally the area east of 17th Avenue, between 66th and 77th Streets).

Community Development Director John Stark presented the staff report and Michelle Mongeon Allen of JLG Architects provided additional information.

In response to a question from Commissioner Hayford Oleary, Stark stated that in his experience, the minimum footprint of a single townhome or apartment development was approximately 6 single family lots or half of a city block.

In response to questions from Steve Wickham (7425 18th Avenue), Stark stated that one of the reasons for planning higher density and taller structures east of 18th Avenue was to help buffer properties west of 18th Avenue from airport noise. Stark stated he did not expect new single family structures to be a part of any development east of 18th Avenue.

In response to a question from Liz Berres (6732 17th Avenue), Stark stated that Richfield Parkway could possibly be aligned slightly east of the existing footprint of 18th Avenue, leaving excess right-of-way that could be added to the half-block depth of parcels on the west side of 18th Avenue.

In response to questions from Ruth Hoglund (7415 18th Avenue), John Nielsen (7311 17th Avenue), Alan Cole (7327 17th Avenue), Katie Downs (6821 18th Avenue), and Evelyn Rhines (7035 18th Avenue), Stark stated that there were no active development proposals south of 68th Street at this time. Stark stated that this was a long-range plan, and that total completion was expected to take 15 years or more. Stark stated that Richfield Parkway would not be constructed on each block until there was a redevelopment proposal in that area. Stark stated that the overlay zoning district would help ensure consistency among blocks developed at different times. Stark stated that a developer would have to negotiate purchase offers with each individual property owner.

In response to a question from Randy Hohbein (Short Stop, 7034 Cedar Avenue), Stark stated that there were a variety of options for development of the block that Short Stop sits on, ranging from development occurring around Short Stop to incorporating the business into a new mixed-use development.

(Name not legible) inquired if information had been provided in other languages, noting the large Hispanic, Oromo, and Somali populations in the area, and noted the connection between housing disruption and educational attainment.

In response to a question from Stephanie Guerrero (6901 16th Avenue), Stark stated that Inland Development Partners were working on the development north of 68th Street, and staff anticipated groundbreaking in 2017. Guerrero also noted the lack of meeting materials available in other languages, noting the large Spanish-speaking population in the area.

Terry Straub (7430 Portland Avenue) stated frustration with the loss of existing businesses and residential properties, and the effects of uncertainty on property values.

August 22, 2016

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

Motion carried: 5-0

Chair Vrieze Daniels stated concern with the potential for leaving isolated pockets of land undeveloped, and suggested stronger language in the plan to prevent such an outcome.

Commissioner Hayford Oleary stated that existing single-family homes and townhomes could coexist on a block, with architectural guidelines in place. Commissioner Rosenberg noted the 7600 block of Aldrich Avenue as an example of existing single-family homes and newer townhomes coexisting. Commissioner Hayford Oleary stated concerns with the loss of naturally occurring affordable housing in the existing apartment buildings along Cedar Avenue.

M/Jabs, S/Rosenberg to recommend approval of the Comprehensive Plan amendment.

Motion carried: 5-0

NEW BUSINESS

None.

OLD BUSINESS

None.

LIAISON REPORTS

Community Services Advisory Commission: Commissioner Jabs

City Council: No report

HRA: Chair Vrieze Daniels

Richfield School Board: Commissioner Kitzberger

Transportation Commission: Commissioner Hayford Oleary

Chamber of Commerce: No report

CITY PLANNER'S REPORT

Brillhart reminded commissioners of the study session on August 23rd.

ADJOURNMENT

M/Jabs, S/Hayford Oleary to adjourn the meeting.

Motion carried: 5-0

The meeting was adjourned by unanimous consent at **8:43 p.m.**

Rick Jabs
Acting Secretary

PLANNING COMMISSION MEETING SIGN-IN SHEET

Name (print legibly)

Address or Organization

Tom KIRCHNER	7517 WASHINGTON AVE S EDINA
Sara Aase	Best Buy 7600 Penn Ave. S.
JEFF THAYER	7526 MORGAN AVES.
Ann Clithorn	7425 18 th AVE. S.
Ruth Hoglund	7415 - 18 th Ave S
Liz Bernes	6732 17 th Ave S.
John Nielsen	7311 17 th Ave. S.
Alan Cal	7324 17 Ave S
Katie Downs	6821 18 th Ave. S.
RANDY HonBen	7034 CEDAR
Evelyn Rhines	7035 18 th Ave. S.
D. Gordon	6844 N
Stephanie Klipatnick Guerrero	6901 110 th Ave South
Terry STRAUB	7430 Portland S

AGENDA SECTION:	PUBLIC HEARING
AGENDA ITEM #	1
PC LETTER #	12
CASE #	



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: SEPTEMBER 26, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Public hearing to consider amendments to the City's Zoning Ordinance. The proposed ordinance updates the City's Floodplain Management Regulations in order to maintain the community's eligibility in the National Flood Insurance Program.

I. RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of the attached ordinance updating the City's Floodplain Management Regulations.

II. BACKGROUND

This update is a housekeeping item to maintain Richfield's eligibility in the National Flood Insurance Program. There are no residential structures in the floodplain. The attached map shows a small area in northeast Richfield located in a floodplain.

On September 2, 2004, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued Flood Insurance Rate Maps (FIRMs) that identified the Special Flood Hazard Areas, the areas subject to inundation by the base (1-percent-annual-chance) flood, in Richfield. Recently, FEMA completed a re-evaluation of flood hazards in Richfield.

On December 31, 2005, and August 17, 2012, and FEMA provided the City with Preliminary copies of the FIRMs and Flood Insurance Study (FIS) report that identify existing flood hazards in Richfield, including Base Flood Elevations. The proposed flood hazard determinations (FHDs) for Richfield were published by FEMA in the *Star Tribune* on March 29, 2013, and April 5, 2013. During a statutory 90-day appeal period, FEMA did not receive any appeals of the proposed FHDs and therefore the FHDs for Richfield are considered final.

On May 4, 2016, the City was formally notified through a Letter of Final Determination that the FIRMs for Richfield will become effective on November 4, 2016. Prior to November 4, 2016, the City is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of the NFIP regulations (44 CFR 59, etc.).

City staff provided the Minnesota Department of Natural Resources (DNR) a draft floodplain management ordinance on August 17, 2016. The DNR reviewed the draft ordinance and on September 2, 2016, gave conditional state approval, provided one definition addition. City staff

included the definition of Flood Insurance Rate Map, as requested by the DNR, into the ordinance presented here. Recommending approval will ensure the ordinance is updated before the November 4 deadline, as required by FEMA.

III. BASIS OF RECOMMENDATION

A. POLICY

- Regulations for floodplain management are necessary to ensure Richfield's eligibility in the National Flood Insurance Program.

B. CRITICAL ISSUES

- The City must adopt the updated floodplain management regulations ordinance to maintain Richfield's eligibility in the National Flood Insurance Program.
- Approval is required by November 4, 2016 to maintain Richfield's eligibility in the National Flood Insurance Program.

C. FINANCIAL

- N/A

D. LEGAL

- Notice of this public hearing was published in the Sun Current in accordance with State and Local requirements.
- Other Actions:
 - Council: The recommendation of the Planning Commission will go to the City Council for two readings. If the City Council adopts the recommended changes, they will take effect the day following publication in the Sun Current newspaper.

IV. ALTERNATIVE RECOMMENDATION(S)

- None. Approval is required to maintain Richfield's eligibility in the National Flood Insurance Program.

V. ATTACHMENTS

- Ordinance
- Conditional State approval of Floodplain Ordinance letter
- Map

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- N/A

BILL NO. 2016-

**AN ORDINANCE REPEALING SECTION 550 OF RICHFIELD CITY
CODE PERTAINING TO FLOODPLAIN MANAGEMENT REGULATIONS
AND REPLACING IT WITH A NEW SECTION 550**

THE CITY OF RICHFIELD DOES ORDAIN:

SECTION 1. Section 550 of the Richfield City Code is hereby deleted in its entirety and replaced as follows:

SECTION 550 - FLOODPLAIN MANAGEMENT REGULATIONS.

550.01. - Statutory Authorization and Purpose.

Subdivision 1. Statutory Authorization. The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462, delegated the responsibility to local government units to adopt regulations designed to minimize flood losses.

Subd. 2. Purpose.

(a) This ordinance regulates development in the flood hazard areas of Richfield. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.

(b) National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59-78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.

(c) This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

550.03. - General Provisions.

Subdivision 1. Lands to Which Ordinance Applies. This ordinance applies to all lands within the jurisdiction of the City of Richfield shown on the Flood Insurance Rate Maps adopted in Subsection 550.03, Subdivision 2 as being located within the boundaries of the Floodplain District. The Floodplain District is an overlay district that is superimposed on all existing zoning districts. The standards imposed in the overlay districts are in

addition to any other requirements in this ordinance. In case of a conflict, the more restrictive standards will apply.

Subd. 2. Adoption of Flood Insurance Study and Maps. The following maps together with all attached material are hereby adopted by reference and declared to be a part of the Official Zoning Map and this ordinance. The attached material includes the Flood Insurance Study for Hennepin County, Minnesota, and Incorporated Areas, dated November 4, 2016 and the Flood Insurance Rate Map panels enumerated below, dated November 4, 2016, all prepared by the Federal Emergency Management Agency. These materials are on file in the Public Works Maintenance Facility at 1901 E 66th St, Richfield, MN 55423.

Effective Flood Insurance Rate Map panels:

27053C0364F	27053C0369F	27053C0452F	27053C0457F
27053C0368F	27053C0388F	27053C0456F	27053C0476F

Subd. 3. Interpretation. The boundaries of the Floodplain District are determined by scaling distances on the Flood Insurance Rate Map.

(a) Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations must be the governing factor. The Zoning Administrator must interpret the boundary location based on the ground elevations that existed on the site on the date of the first National Flood Insurance Program map showing the area within the regulatory floodplain, and other available technical data.

(b) Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Planning Commission and to submit technical evidence.

Subd. 4. Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

Subd. 5. Warning and Disclaimer of Liability. This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This ordinance does not create liability on the part of the City of Richfield or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

Subd. 6. Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.

Subd. 7. Definitions. Unless specifically defined below, words or phrases used in this ordinance must be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

(a) Base Flood – the flood having a one percent chance of being equaled or exceeded in any given year.

(b) Base Flood Elevation – The elevation of the “regional flood,” as defined. The term “base flood elevation” is used in the flood insurance survey.

(c) Development – any man-made change to improved or unimproved real estate including, but not limited to, buildings, manufactured homes, and other structures, recreational vehicles, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials or equipment.

(d) Farm Fence – A fence as defined by Minn. Statute §344.02 Subd. 1(a)-(d). An open type fence of posts and wire is not considered to be a structure under this ordinance. Fences that have the potential to obstruct flood flows, such as chain link fences and rigid walls, are not permitted in the Floodplain District.

(e) Flood Fringe – the portion of the floodplain located outside of the floodway. Flood fringe is synonymous with the term “floodway fringe” used in the Flood Insurance Study, Hennepin County, Minnesota and Incorporated Areas.

(f) Flood Insurance Rate Map – an official map on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

(g) Floodplain – the areas adjoining a watercourse which have been or hereafter may be covered by the regional flood.

(h) Floodway – the bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.

(i) Manufactured Home – a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include the term “recreational vehicle.”

(j) Obstruction – any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence (with the exception of farm fences), stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede,

retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

(k) Recreational Vehicle – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term “travel trailer/travel vehicle.”

(l) Regional Flood – a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 1% chance / 100-year recurrence interval. Regional flood is synonymous with the term “base flood” used in the Flood Insurance Study.

(m) Regulatory Flood Protection Elevation – an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.

(n) Structure – anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, and other similar items.

(o) Substantial Damage - damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(p) Substantial Improvement - within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

(i) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

(ii) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” is as defined in 44 Code of Federal Regulations, Part 59.1.

550.05. - Establishment of Floodplain District.

Subdivision 1. Areas Included. The Floodplain District for the City of Richfield includes those areas designated as Zone AE on the Flood Insurance Rate Maps adopted in Subsection 550.03, Subdivision 2. The Floodplain District is an overlay district to all existing land use districts. The requirements of this ordinance apply in addition to other legally established regulations of the community. Where this ordinance imposes greater restrictions, the provisions of this ordinance apply.

Subd. 2. Compliance. No new structure or land shall hereafter be used and no structure shall be constructed, located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations. Within the Floodplain District, all uses not listed as permitted uses in Subsection 550.07 are prohibited.

550.07. - Permitted Uses and Standards in the Floodplain District.

Subdivision 1. Permitted Uses. The following uses are permitted within the Floodplain District without a permit provided that they are allowed in any underlying zoning district and not prohibited by any other ordinance; and provided that they do not require structures, fill, obstructions, excavations, drilling operations, storage of materials or equipment or any other form of development as defined in Subsection 550.03, Subdivision 7 of this ordinance. If the use does require fill, obstruction, excavation, storage of materials or any other form of development as defined in Subsection 550.03, Subdivision 7 of this ordinance, a permit and compliance with Subsection 550.07, Subdivision 2 of this ordinance is required. The permit requirement may be waived if there is an application for a public waters work permit from the Department of Natural Resources.

- (a) Agricultural uses such as general farming, pasture, grazing, forestry, sod farming, and wild crop harvesting. Farm fences that do not obstruct flood flows are permitted.
- (b) Outdoor plant nurseries and horticulture.
- (c) Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, shooting preserves, target ranges, hunting and fishing areas, and single or multiple purpose recreational trails.
- (d) Lawns, gardens, parking areas, and play areas.
- (e) Railroads, roads, bridges, utility transmission lines, pipelines and other public utilities, provided that the Department of Natural Resources is notified at least ten (10) days prior to issuance of any permit.

Subd. 2. Standards for Permitted Uses.

- (a) The use must have low flood damage potential.
- (b) The use must not cause any increase in the stage of the 1% chance or regional flood or cause an increase in flood damages in the reach or reaches affected. This provision applies to structures (temporary or permanent), fill (including fill for roads and levees), deposits, obstructions, storage of materials or equipment, and all other uses.
- (c) Floodplain developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.
- (d) Public utilities, roads, railroad tracks and bridges to be located within the floodplain must be designed in accordance with Subsection 550.07, Subdivision 2, Clauses (b) and (c) above, or must obtain a Conditional Letter of Map Revision meeting the requirements of 44 CFR 603(d).
 - (i) When failure or interruption of these public facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area, such facilities must be elevated to the regulatory flood protection elevation.
 - (ii) Where failure or interruption of service would not endanger public health or safety, minor or auxiliary roads, railroads or utilities may be constructed at a lower elevation.
- (e) New or replacement water supply systems and sanitary sewage systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

550.09. - Administration.

Subdivision 1. Zoning Administrator. A Zoning Administrator or other official designated by the City Council must administer and enforce this ordinance.

Subd. 2. Development Approvals. Any construction, enlargement, alteration, repair, improvement, moving or demolition of any building or structure must comply with the requirements of this ordinance. No mining, dredging, filling, grading, paving, excavation, obstruction, drilling operation or other form of development as defined in Subsection 550.03 of this ordinance are allowed, other than the uses permitted in Subsection 550.07, Subdivision 1 and the activities allowed under Subsection 550.11.

Subd. 3. Permit Required. A permit must be obtained from the Zoning Administrator prior to conducting the following activities:

- (i) Expansion, change, enlargement, or alteration of a nonconforming use as specified in Subsection 550.11 of this ordinance. Normal maintenance and repair also

requires a permit if such work, separately or in conjunction with other planned work, constitutes a substantial improvement as defined in Subsection 550.03, Subdivision 7 of this ordinance.

(ii) Any use that requires fill, obstruction, excavation, storage of materials, or any other form of development as defined in Subsection 550.03, Subdivision 7 of this ordinance.

(a) Permit applications must be submitted to the Zoning Administrator on forms provided for that purpose and shall include the following where applicable: plans drawn to scale, showing the nature, location, dimensions, and elevations of the lot; existing or proposed structures, fill, or storage of materials; and the location of the foregoing in relation to the stream channel.

(b) Prior to granting a permit, the Zoning Administrator must verify that the applicant has obtained all necessary state and federal permits.

Subd. 4. Variances. An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with applicable state statutes. A variance to the standards outlined in this Section may be requested under City zoning code Section 547.11.

(a) A variance must not allow a use that is not allowed in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law.

(b) The following additional variance criteria of the Federal Emergency Management Agency must be met:

(i) Variances must not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

(ii) Variances may only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(iii) Variances may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(c) The City Council must submit hearing notices for proposed variances to the Department of Natural Resources sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

(d) A copy of all decisions granting variances must be forwarded to the Commissioner of the Department of Natural Resources within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.

(e) The Zoning Administrator must notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and 2) Such construction below the base or regional flood level increases risks to life and property.

(f) The Zoning Administrator must maintain a record of all variance actions, including justification for their issuance, and must report such variances in an annual or biennial report to the Administrator of the National Flood Insurance Program, when requested by the Federal Emergency Management Agency.

Subd. 5. Notifications for Watercourse Alterations. Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters pursuant to Minnesota Statute, Chapter 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).

Subd. 6. Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations. As soon as is practicable, but not later than six months after the date such supporting information becomes available, the Zoning Administrator must notify the Chicago Regional Office of FEMA of the changes by submitting a copy of the relevant technical or scientific data.

550.11. - Nonconformities.

Subdivision 1. Continuance of Nonconformities. A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions. Historic structures, as defined in Subsection 550.03, Subdivision 7, Clause (o)(2) of this ordinance, are subject to the provisions of Subsection 550.11, Subdivision 1, Clauses (a) - (d) of this ordinance.

(a) A nonconforming use, structure, or occupancy must not be expanded, changed, enlarged, or altered in a way that increases its nonconformity. There shall be no expansion to the outside dimensions of any portion of a nonconforming structure located within the Floodplain District.

(b) The cost of all structural alterations or additions to any nonconforming structure over the life of the structure may not exceed 50 percent of the market value of the

structure unless the conditions of this Subsection are satisfied. The cost of all structural alterations and additions must include all costs such as construction materials and a reasonable cost placed on all manpower or labor. If the cost of all previous and proposed alterations and additions exceeds 50 percent of the market value of the structure, then the structure must meet the standards of Subsection 550.11, Subdivision 2 of this ordinance.

(c) If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance. The Assessor must notify the Zoning Administrator in writing of instances of nonconformities that have been discontinued for a period of more than one year.

(d) If any nonconformity is substantially damaged, as defined in Subsection 550.03, Subdivision 7 of this ordinance, it may not be reconstructed unless it is located in the flood fringe portion of the floodplain and it is reconstructed in accordance with the standards of Subsection 550.11, Subdivision 2 of this ordinance.

(e) Any substantial improvement, as defined in Subsection 550.03, Subdivision 7 of this ordinance, to a nonconforming structure, then the existing nonconforming structure must be located in the flood fringe portion of the floodplain and meet the requirements of Subsection 550.11, Subdivision 2 of this ordinance.

Subd. 2. Standards for Reconstruction of Nonconforming Structures. The following standards and procedures apply to nonconforming structures in the flood fringe portion of the floodplain, as allowed under Subsection 550.11, Subdivision 1.

(a) All structures, including manufactured homes, must be elevated on fill so that the lowest floor including basement floor is at or above the regulatory flood protection elevation. The finished fill elevation for structures shall be no lower than one foot below the regulatory flood protection elevation and the fill shall extend at such elevation at least 15 feet beyond the outside limits of the structure.

(b) Fill must be properly compacted and the slopes must be properly protected by the use of riprap, vegetative cover or other acceptable method.

(c) Floodplain developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

(d) All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.

(e) On-site Sewage Treatment and Water Supply Systems. Where public utilities are not provided: 1) On-site water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems; and 2) New or replacement on-site sewage treatment systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the State's current statewide standards for on-site sewage treatment systems shall be determined to be in compliance with this Subsection.

(f) Certification. The applicant is required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this ordinance. Floodproofing measures must be certified by a registered professional engineer or registered architect.

(g) Record of First Floor Elevation. The Zoning Administrator must maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations to existing structures in the floodplain. The Zoning Administrator must also maintain a record of the elevation to which structures and alterations or additions to structures are floodproofed.

550.13. - Penalties and Enforcement.

Subdivision 1. Violation Constitutes a Misdemeanor. Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances) constitutes a misdemeanor and is punishable as defined by law.

Subd. 2. Other Lawful Action. Nothing in this ordinance restricts the City of Richfield from taking such other lawful action as is necessary to prevent or remedy any violation. If the responsible party does not appropriately respond to the Zoning Administrator within the specified period of time, each additional day that lapses will constitute an additional violation of this ordinance and will be prosecuted accordingly.

Subd. 3. Enforcement. In responding to a suspected ordinance violation, the Zoning Administrator and City Council may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance availability to the guilty party. The City must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

550.15. - Amendments.

Subdivision 1. Floodplain Designation – Restrictions on Removal. The floodplain designation on the Official Zoning Map shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the Commissioner of the Department of Natural Resources if the Commissioner determines that, through other measures, lands are adequately protected for the intended use.

Subd. 2. Amendments Require DNR and FEMA Approval. All amendments to this ordinance must be submitted to and approved by the Commissioner of the Department of Natural Resources (DNR) prior to adoption. The Commissioner of the DNR must approve the amendment prior to community approval.

Subd. 3. Map Amendments Require Ordinance Amendments. The floodplain district regulations must be amended to incorporate any revisions by the Federal Emergency Management Agency to the floodplain maps adopted in Subsection 550.03, Subdivision 2 of this ordinance.

SECTION 2. This Ordinance will be effective in accordance with Section 3.09 of the City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 11th day of October, 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL OFFICE
500 LAFAYETTE ROAD, BOX 25
SAINT PAUL, MN 55155
651-296-6157
888-646-6367

September 2, 2016

The Honorable Debbie Goettel
Mayor, City of Richfield
6700 Portland Avenue
Richfield, MN 55423

CONDITIONAL STATE APPROVAL OF FLOODPLAIN ORDINANCE & REQUIRED NEXT STEPS

Dear Honorable Mayor Goettel,

The Department of Natural Resources (DNR) received via email on August 17, 2016, a draft floodplain management ordinance for the City of Richfield from Public Works Administrative Aide, Jared Voto. This ordinance is being adopted in order to incorporate the *Flood Insurance Study, Hennepin County, Minnesota and Incorporated Areas* and the accompanying Flood Insurance Rate Map panels with an effective date of November 4, 2016.

We would suggest the city incorporate one minor addition to the draft ordinance to meet state and FEMA standards:

- Consider adding definition for "Flood Insurance Rate Map" consistent with 44 CFR §59.1. While this definition was not in the model, adding this definition will add clarity when cross referencing the Flood Insurance Study.

These suggested changes are noted in the relevant page of the enclosed draft. We apologize for the omission and are planning to correct the model accordingly.

Apart from the above item, the draft floodplain management ordinance is in compliance with the state floodplain management rules (MR 6120.5000 to 6120.6200) and, to the best of my knowledge, with the floodplain management standards of the Federal Emergency Management Agency. Therefore, in accordance with Minnesota Statutes, Chapter 103F, I hereby give conditional state approval of the draft floodplain management ordinance, provided the above - mentioned revision is made.

This approval is valid upon adoption of the draft ordinance by the city and receipt by this office of **one (1) copy each of the adopted ordinance (signed and stamped with the community seal), the affidavit of publication, and the completed "Ordinance Certification Checklist"** that I have enclosed. Please forward these documents to Ceil Strauss, the DNR's State NFIP Coordinator in St.



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Paul at the address above in the header. Upon receipt and verification, Ms. Strauss will transmit one copy of these materials to Mr. John Devine at FEMA's Chicago Regional Office.

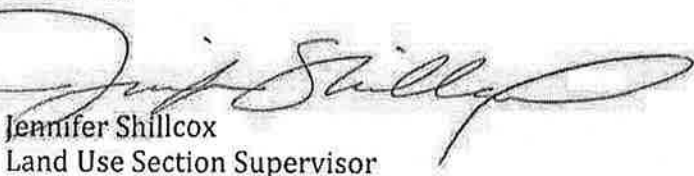
Please remember, FEMA must receive a signed, certified, and in-effect ordinance no later than November 4, 2016. To allow sufficient time for processing and transmittal, we request that you submit the requested materials to the DNR no later than November 1, 2016. ***If FEMA has not received the documentation by the map effective date, FEMA will suspend the City from the National Flood Insurance Program.***

Please be advised that any future amendments of this ordinance or change in the designation of flood prone areas require prior approval of the Commissioner. In addition, you are required to send copies of hearing notices and final decisions pertaining to variance, conditional uses, and ordinance amendments to this agency. Please send those to State NFIP Coordinator Ceil Strauss at the above address. Should you have any questions on this ordinance or related matters, please contact Ms. Strauss at (651) 259-5713 or ceil.strauss@state.mn.us.

While our office in St. Paul will continue to be the main contact for the ordinance update, your DNR Area Hydrologist will continue to be your main contact for day to day assistance with administering your floodplain management ordinance and questions about other DNR water-related programs and permits. Your Area Hydrologist is Kate Drewry, who can be contacted at 651-259-5753 or kate.drewry@state.mn.us.

The DNR greatly appreciates your community's cooperation and initiative in providing for the reduction of flood damages through the adoption and administration of this ordinance.

Sincerely,



Jennifer Shillcox
Land Use Section Supervisor

Enclosures: Ordinance Certification Checklist

ec: Jared Voto, Public Works Administrative Aide/Analyst – City of Richfield
Terri Yearwood, DNR Eco-Waters' Regional Manager
Jeanne Daniels, DNR Eco-Waters' District Manager
Kate Drewry, Area Hydrologist

ORDINANCE CERTIFICATION CHECKLIST

Please sign and return the checklist and all required documents to the DNR Floodplain Program office when completed.

1. _____ Date(s) of published hearing notice.

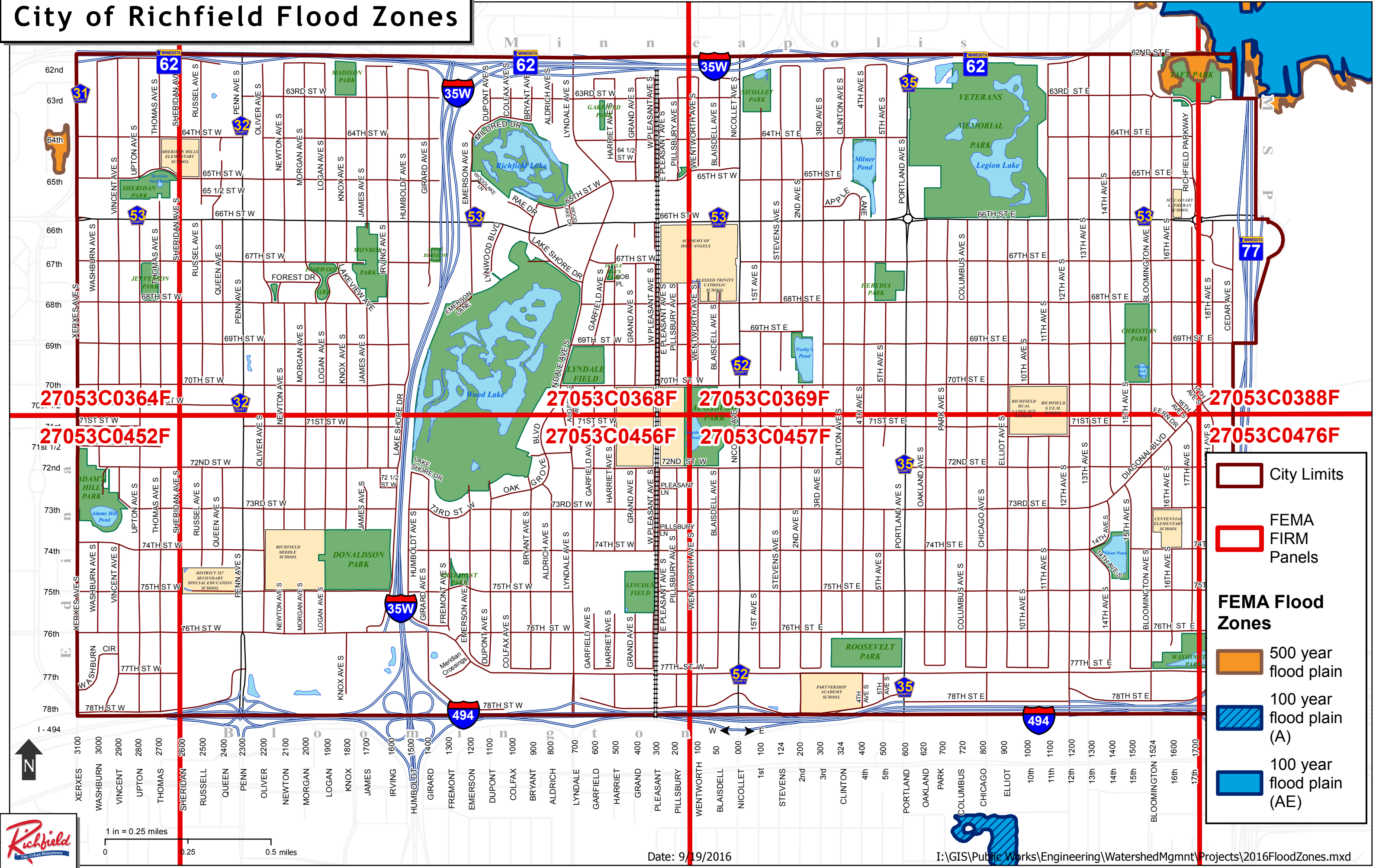
2. _____ Date(s) of public hearing.

3. _____ Date of ordinance adoption. Include 1 certified copy of the adopted ordinance text in its entirety including the signature of the chief elected official and the stamped seal of the community.
4. _____ Date of newspaper publication of adopted ordinance. Include 1 copy of affidavit of publication of the adopted ordinance. Publication of an ordinance summary is acceptable by statute.
5. _____ Date of official filing of adopted ordinance with County Recorder (_____ record book number and _____ page number). If filing of an adopted ordinance with the county auditor is not a standard practice, please indicate "N/A."
6. _____ Board of Adjustment/Appeals has been established (yes or no).

Note: Cities under charter must also submit a list of any additional requirements for hearings, notices, etc. stated in their charter and not required by statute. Please specify:

Signature of Clerk/Auditor

City of Richfield Flood Zones





PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: SEPTEMBER 26, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Public hearing to consider a request for Site Plan Approval at the Cedar Avenue Liquor Store (6600 Cedar Avenue).

I. RECOMMENDED ACTION:

Conduct and close a public hearing and by motion:

- 1. Recommend approval of a Site Plan for a modified parking lot at 6600 Cedar Avenue.**
- 2. Recommend approval of an ordinance amending Appendix I to designate new City land as part of the General Business (C-2) Zoning District.**

II. BACKGROUND

In conjunction with the remodeling of the Cedar Avenue Liquor Store, the City is acquiring additional adjacent land from the Minnesota Department of Transportation (Mn-DOT) in order to expand and reconfigure the parking lot. A primary concern is removal and replacement of six parking stalls from the north side of the building. Use of these stalls frequently conflicts with ingress and egress to the site and safety concerns warrant their relocation. An additional six stalls will be added to bring the site up to the allowable maximum. As part of this process, the parking lot itself will be made compliant with regulations related to setbacks, landscaping, parking lot islands, and screening.

In addition to consideration of a site plan, the City must apply a zoning designation to the newly acquired property and legally combine the land with the existing site. The attached Ordinance would zone the additional land (approximately 30 ft. x 233 ft.) as General Business (C-2) to match the adjacent Liquor Store property. The attached Resolution requires that this new land be combined with the existing parcel via a plat within one year.

III. BASIS OF RECOMMENDATION

A. POLICY

Site plan approval is required prior to the construction of any building in the City.

General Requirements

The proposed parking lot meets all dimensional requirements and will comply with stormwater management regulations. A preliminary landscape plan is included with the attached plans; a final plan shall be required prior to installation of plant materials.

Parking

A 5,900 square foot retail business requires 30 parking stalls. Maximum allowable parking is 120 percent of this requirement – 36 stalls. The proposed site plan provides 36 parking stalls. Two bicycle parking stalls are required. The proposed plan moves bicycle parking to the peninsula near the entrance to the store. Staff is exploring the possibility of an art-inspired bike rack at this location.

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.

B. CRITICAL ISSUES

- The proposed plans meet the requirements of the Zoning Code.

C. FINANCIAL

- The proposed project will go out for bid and the City Council will be asked to approve a final contract for the work.

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 tomorrow night, September 27, 2016. The unusual timing is due to construction timing and the City's hope to have this work complete before the asphalt plants close for the winter.

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

- Ordinance
- Resolution
- Requirements document
- Proposed plans
- Planning & zoning maps

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Bill Fillmore, Director of Municipal Liquor Operations

ORDINANCE NO. _____

**AN ORDINANCE RELATING TO ZONING;
AMENDING APPENDIX 1 TO THE RICHFIELD CITY
CODE BY ADDING NEW LAND
ADJACENT TO 6600 CEDAR AVENUE AND
DESIGNATING SAID LAND AS
GENERAL BUSINESS (C-2)**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Section 3, Paragraph (75) of Appendix 1 of the Richfield Zoning Code is amended to read as follows:

(75) M-49 (15th to Cedar Avenues and East 66th Street). That area lying between the center line of 15th and a line 33 feet east of the center line of Cedar Avenues, and between the center line of 66th Street and a line distant 250 feet southerly thereof and parallel thereto; except that area where zone PC-2 (5) overlaps with said zone in the block bounded by Cedar and 18th Avenues and by 66th and 67th Streets.

Sec. 2. This ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

RESOLUTION NO. _____

**RESOLUTION GRANTING APPROVAL
OF A SITE PLAN
TO ALLOW MODIFICATIONS TO THE PARKING LOT
AT 6600 CEDAR AVENUE**

WHEREAS, an application has been filed with the City of Richfield which requests approval of site plan to allow modifications to the parking lot at 6600 Cedar Avenue and adjacent land, legally described in the attached Exhibit A; and

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 modified parking lot 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:
 - The property must be platted within one year of this approval.
 - This approval is contingent upon approval of a second reading of the rezoning of Proposed Parcel 2 as described in the attached Exhibit A.
 - A final landscape plan, including tree/plant selection, must be approved by the Community Development and Public Works Departments;
 - 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 27th day of September 2016.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

EXHIBIT A

Legal Description

Parcel 1 (Fee Ownership - City of Richfield):

That part of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 26, Township 28 North, Range 24 West, lying north of the south 430.00 feet thereof, and east of the west 125.00 feet thereof, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

Abstract Property

Parcel 2 (Fee Ownership - Bernard W. Jorgensen & Robert C. Jorgensen):

The North 233 feet of the West 233 feet of the Northwest Quarter of the Southwest Quarter in Section 25, Township 28, Range 24, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

Torrens Property

Being registered land as evidenced by Certificate of Title No. 123118.

Parcel 3 (Fee Ownership - Irwin Ketrosier & State of Minnesota):

Easement in favor of the State of Minnesota as evidenced by Final Certificate filed January 15, 1965 as Document No. 797648:

All that part of the following described tract:

The Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section 25, Township 28 North, Range 24 West, lying west of the east 690 feet thereof, except the north 233 feet of the west 233 feet of said Northwest Quarter of the Southwest Quarter of Section 25, situate in Hennepin County, Minnesota, the title thereto being registered and evidenced by Certificate of Title No. 123119;

which lies within a distance of 60 feet westerly and 144 feet easterly of the following described line:

From the southwest corner of Section 36, Township 28 North, Range 21 West, run northerly on the west line of said Section 36 for 1000 feet; thence deflect to the right at an angle of 90°00' for 74.5 feet; thence deflect to the left at an angle of 90°01' for 2893 feet; thence deflect to the right at an angle of 5°37' for 1434.45 feet; thence deflect to the left at an angle of 5°36' for 1180.86 feet to the point of beginning of the line to be described; thence continue along the last described course for 1363.79 feet and there terminating; Together with all that portion of the above described tract lying westerly of the westerly boundary of the above described strip and which lies northeasterly of the following described line: Beginning at a point on a line run parallel with and distant 60 feet westerly of the above described line distant 1088.79 feet south of the point of termination of the above described line; thence run northwesterly to the intersection of the easterly line of Cedar Avenue with a line run westerly at right angles to the above described line at a point distant 813.79 feet southerly of its point of termination (both distances being measured along same line);

Also together with all that portion lying easterly of the first above described strip and which lies westerly of the following described line: Beginning at a point on a line run parallel with and distant 144 feet easterly of the first above described line at its intersection with the

south line of the Northwest Quarter of the Southwest Quarter of said Section 25; thence run northeasterly to the intersection of a line run parallel with and distant 340 feet easterly of the first above described line with a line run easterly at right angles to said first above described line, from a point distant 663.79 feet south of its point of termination (when measured along said first above described line); thence run northerly parallel with and distant 340 feet easterly of said first above described line to the east and west quarter line of said Section 25.

Said easement lies within the following described parcel of land:

That part of the Northwest Quarter of the Southwest Quarter lying west of the east 690 feet thereof, Section 25, Township 28, Range 24, except that part thereof embraced within the following described three tracts:

1) The north 233 feet of the west 233 feet of said Northwest Quarter of the Southwest Quarter

2) That part of the above described tract lying easterly of that part thereof taken under condemnation proceedings by the State of Minnesota for highway purposes, more particularly described as: that part thereof which lies within a distance of 60 feet westerly and 144 feet easterly of the following described line: from the southwest corner of Section 36, Township 28, Range 24, run northerly on the west line of said Section 36 for 1000 feet; thence deflecting to the right at an angle of 90 degrees for 74.5 feet; thence deflecting to the left at an angle of 90 degrees 01 minute for 2893 feet; thence deflecting to the right at an angle of 5 degrees 37 minutes for 1434.45 feet; thence deflecting to the left at an angle of 5 degrees 36 minutes for 1180.86 feet to the point of beginning of the line to be described; thence continue along the last described course for 1363.79 feet and there terminating, together with all that portion of the above described tract lying westerly of the westerly boundary of the above described strip and which lies northeasterly of the following described line: Beginning at a point on a line run parallel with and distant 60 feet westerly of the above described line distant 1088.79 feet south of the point of termination of the above described line; thence run northwesterly to the intersection of the easterly line of Cedar Avenue with a line run westerly at right angles to the above described line at a point distant 813.79 feet southerly of its point of termination (both distances being measured along same line); also together with all that portion lying easterly of the first above described strip and which lies westerly of the following described line: Beginning at a point on a line run parallel with and distant 144 feet easterly of the first above described line at its intersection with the south line of the Northwest Quarter of the Southwest Quarter of said Section 25; thence run northeasterly to the intersection of a line run parallel with and distant 340 feet easterly of the first above described line with a line run easterly at right angles to said first above described line, from a point distant 663.79 feet south of its point of termination (when measured along said first above described line); thence run northerly parallel with and distant 340 feet easterly of said first above described line to the east and west quarter line of said Section 25.

3) Commencing at the west quarter corner of said Section 25; thence South 00 degrees 03 minutes 22 seconds East along the west line of said Northwest Quarter of the Southwest Quarter for 859.97 feet; thence North 89 degrees 56 minutes 38 seconds East, 419.87 feet to the point of beginning of the tract being described; thence northeasterly for 279.23 feet on a non-tangetial curve, concave to the southeast, having a radius of 378 feet, a delta angle of 42 degrees 19 minutes 28 seconds and a chord bearing of North 30 degrees 34 minutes 17 seconds East and a chord length of 272.92 feet; thence North 00

degrees 00 minutes 51 seconds East for 574.28 feet; thence South 49 degrees 38 minutes 54 seconds West for 85.11 feet; thence South 06 degrees 15 minutes 07 seconds West for 300.80 feet; thence deflect to the left on a tangential curve, having a radius of 5674.58 feet and a delta angle of 02 degrees 16 minutes 26 seconds for 225.19 feet; thence southerly for 67.13 feet on a non-tangential curve, concave to the east, having a radius of 6536 feet, a delta angle of 00 degrees 35 minutes 19 seconds, a chord bearing of South 08 degrees 24 minutes 44 seconds and a chord length of 67.13 feet to said point of beginning.

Torrens Property

Being registered land as evidenced by Certificate of Title No. 1184055.5

PROPOSED PARCEL 2:

The West 33.00 feet of the North 233 feet of the West 233 feet of the Northwest Quarter of the Southwest Quarter in Section 25, Township 28, Range 24, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

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.* The Comprehensive Plan describes the community's desire for reinvestment and revitalization of its commercial areas. This is important for both municipally-owned and privately-owned properties.
- 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. Requiring site plan approval for site modifications provides the City with the opportunity to require that properties be improved to meet or approach current site design expectations.
- 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.* NA
- 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.* NA
- 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 addresses current vehicle circulation issues and improves pedestrian and bicycle access to 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. NA*
- 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 related to the parking lot modifications.*

6600 Cedar Ave S.
Richfield, MN 55423




woldae.com | 651 227 7773

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

under the laws of the State of

Comm: _____
Date: _____
Drawn: _____
Check: _____


North

Scale:

C000



1
C000

EXISTING CONDITIONS
1" = 20'

City of Richfield
6700 Portland Ave S.
Richfield, MN 55423



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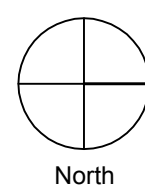
Revision Schedule		
Description	Date	Num

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**

Thomas J. Cesare
Registration Number **27031** Date **08-26-2016**

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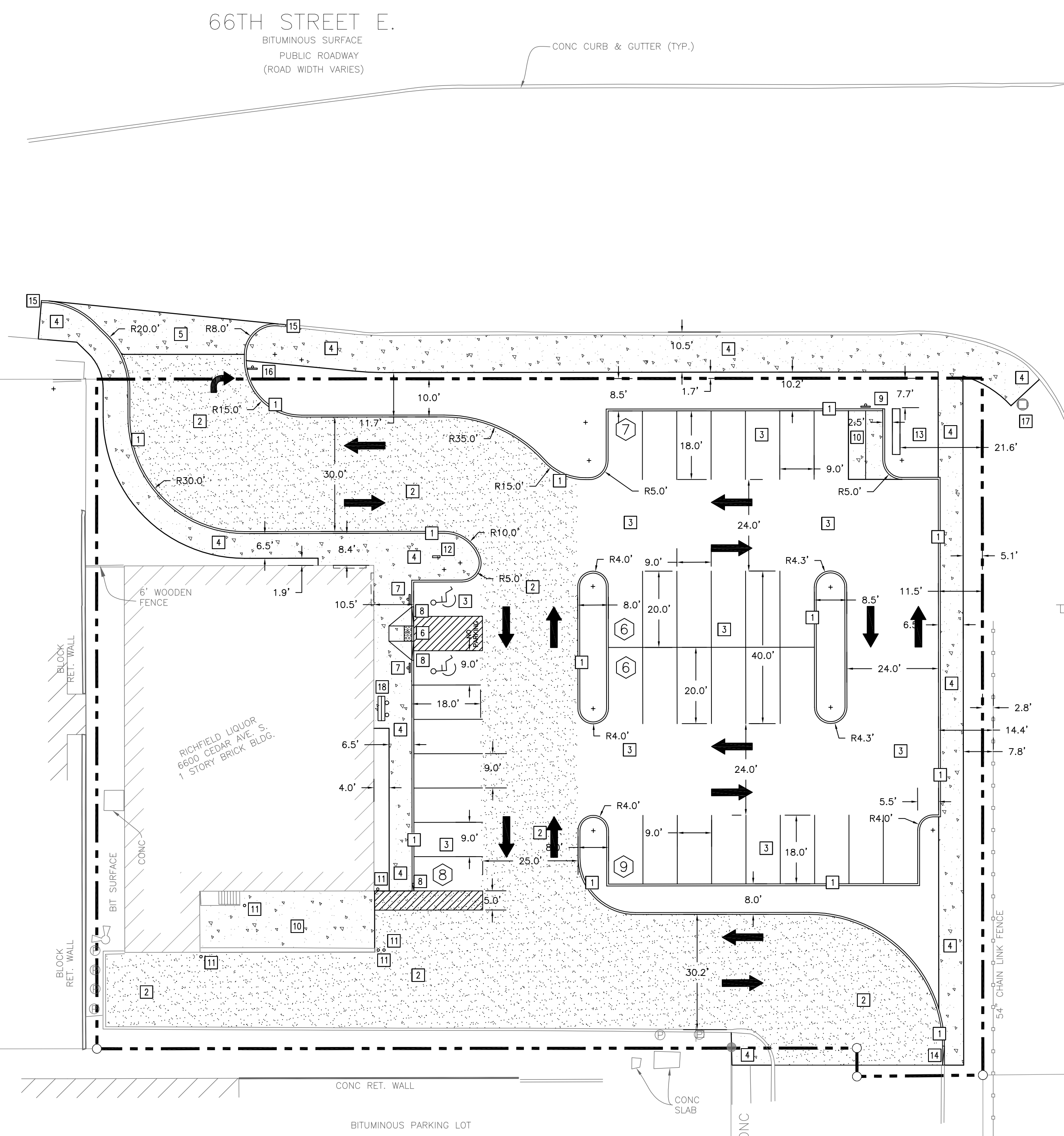
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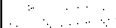



PAVING AND GEOMETRIC PLAN

Scale

C400



1 PAVING AND GEOMETRIC PLAN
C400 1" = 20'

PROPOSED PLAN SYMBOLS	
CONSTRUCTION LIMITS	
PROPERTY LINE	
SAWCUT LINE (APPROX.)	
BITUMINOUS PAVEMENT	
CONCRETE PAVEMENT/SIDEWALK	
PEDESTRIAN CURB RAMP	
ACCESSIBLE PARKING SYMBOL	
SIGN	
PARKING STALL COUNT	

ABBREVIATIONS	
BLDG	Building
BM	Bench Mark
CONC	Concrete
ELEV	Elevation
EX	Existing
MAX	Maximum
MIN	Minimum
R	Radius
TYP.	Typical

NOTE:
 CONTRACTOR IS TO ADJUST ALL UTILITY COVERS, VALVE BOXES, HANDHOLES, ETC., TO MATCH FINISHED GRADE ELEVATION. COORDINATE ALL WORK WITH UTILITY OWNERS PRIOR TO START OF CONSTRUCTION.

NOTES:

1. ALL DISTURBED AREAS ARE TO BE SODDED EXCEPT EAST ON NORTH SIDE OF BUILDING. COORDINATE LANDSCAPING IN THESE AREAS WITH OWNER.
2. PRIOR TO START OF CONSTRUCTION COORDINATE SITE LIGHTING WITH ELECTRICAL ENGINEER

KEYED NOTES

KEYED NOTES ARE DENOTED BY NO ON PLAN.

- 1 INSTALL B612 CONCRETE CURB AND GUTTER. REFER TO DETAIL 4/C500.
- 2 INSTALL HEAVY-DUTY BITUMINOUS PAVEMENT. REFER TO DETAIL 9/C500.
- 3 INSTALL LIGHT-DUTY BITUMINOUS PAVEMENT. REFER TO DETAIL 8/C500.
- 4 INSTALL CONCRETE WALK. REFER TO DETAIL 11/C500. REFER TO LAYOUT PLAN FOR CONCRETE FINISH AND JOINTING.
- 5 INSTALL CONCRETE DRIVE ENTRANCE. REFER TO DETAIL 3/C500.
- 6 INSTALL PEDESTRIAN CURB RAMP. REFER TO DETAIL 12/C500. REFER TO MN/DOT STANDARD PLAN 5-297.250 AND MN/DOT STANDARD PLATE 7038.
- 7 INSTALL ACCESSIBLE PARKING SIGN. REFER TO DETAIL 13/C500.
- 8 INSTALL NOSEWOOD CURB SECTION. REFER TO DETAIL 7/C300.
- 9 INSTALL MOTORCYCLE PARKING SIGN. REFER TO DETAIL 15/C500.
- 10 INSTALL CONCRETE PAVEMENT. REFER TO DETAIL 10/C500.
- 11 INSTALL BOLLARD. REFER TO DETAIL 14/C500.
- 12 INSTALL SALVAGED BIKE RACK.
- 13 INSTALL MONUMENT SIGN.
- 14 TRANSITION B612 TO B618 CONCRETE CURB AND GUTTER AT THIS LOCATION. REFER TO DETAIL 5/C500.
- 15 INSTALL B624 CONCRETE CURB AND GUTTER IN THE DRIVEWAY ENTRANCE. REFER TO DETAIL 6/C500.
- 16 INSTALL STOP SIGN.
- 17 EXISTING SIGN POLE TO REMAIN. PROTECT AT ALL TIMES.
- 18 INSTALL SALVAGED BENCH.

GENERAL NOTES:

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
2. ALL CURB AND GUTTER IS TO BE B612 CONCRETE CURB AND GUTTER UNLESS NOTED OTHERWISE.
3. NO SIDEWALK IS TO HAVE MORE THAN A 2% CROSS SLOPE OR MORE THAN A 5% LONGITUDINAL SLOPE.
4. TO EXIST. ALL CITY OF RICHFIELD AND HENNINGEN COUNTY RULES, REGULATIONS AND SPECIFICATIONS WHEN WORKING IN PUBLIC RIGHT OF WAY.
5. NO FLOODING OF WATER OR ABRUPT TRANSITIONS WILL BE ALLOWED WHERE NEW SIDEWALKS, CURBS, SIDEWALKS, OR GUTTERS ARE INSTALLED.
6. ALL PARKING STALLS, AGAINST CURB, ARE TO BE 3 FEET WIDE BY 18 FEET LONG, ALL CAR TO CAR PARKING STALLS ARE TO BE 9 FEET WIDE BY 20 FEET LONG.
7. ALL PARKING FOR 10 FEET OR MORE TO BE 20 FEET WIDE. A SIGNWALL FOR THE EXACT PROTECTION OF FIRE LINES, YELLOW-PAINTED CURBING AND NO PARKING AREAS FOR FIRE PREVENTION PURPOSE.
8. ALL BICYCLE PARKING STALLS ARE TO BE 4.5 FEET WIDE AND 18 FEET LONG.

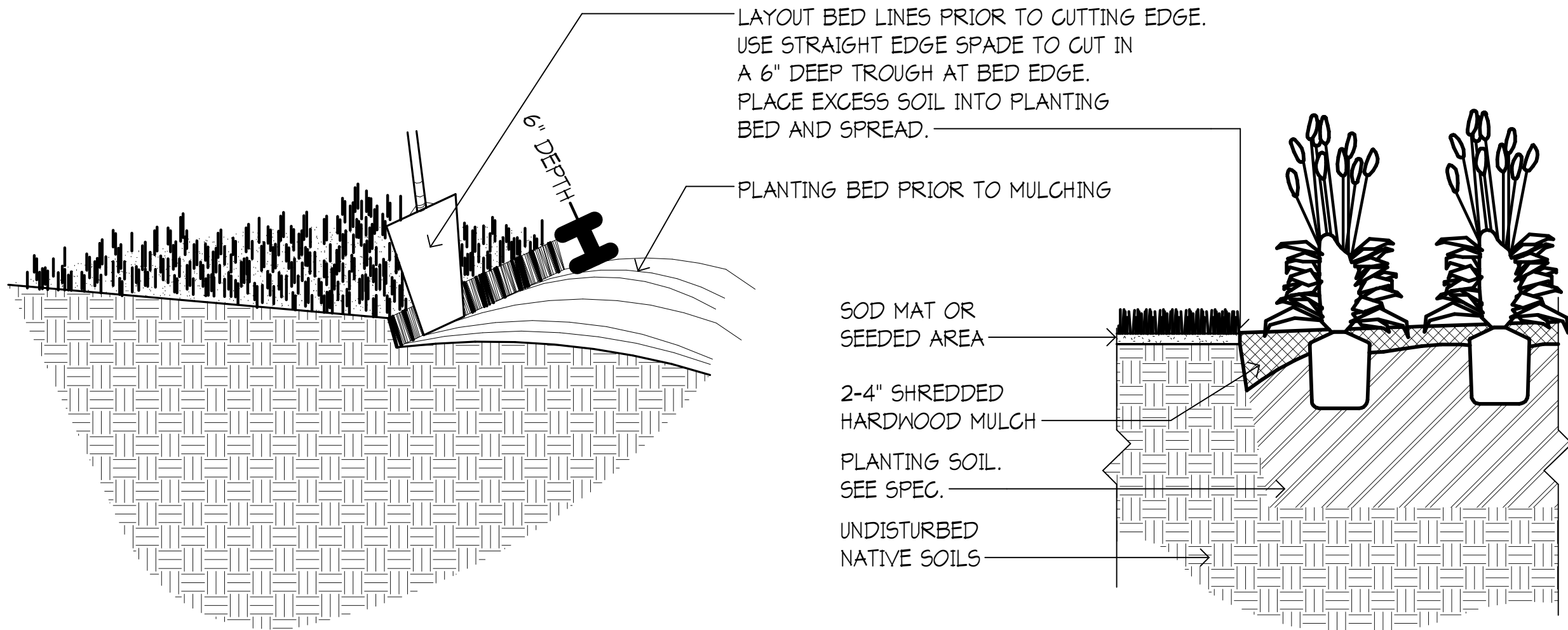
PAVING NOTES:

1. INSTALL APPROPRIATE EXPANSION MATERIAL WHERE CONCRETE IS ADJACENT TO BUILDING FACE.
2. SAWCUT AND MATCH NEW BITUMINOUS PAVEMENT INTO EXISTING PAVEMENT. NO ABRUPT GRADE TRANSITIONS OR PONDING OF WATER WILL BE ALLOWED.
3. MATCH NEW CONCRETE CURB AND GUTTER INTO EXISTING. FOLLOW ALL CITY OF RICHFIELD STANDARDS AND SPECIFICATIONS FOR CURB TYPE, MATERIAL, AND INSTALLATION METHODS.
4. SAWCUT EXISTING BITUMINOUS PAVEMENT AND CURB AND GUTTER TO NEAREST JOINT. COORDINATE WITH UTILITIES WITH SURVEYOR AND CONSTRUCTION MANAGER. INSTALL DRIVE ENTRANCE PER CITY OF RICHFIELD STANDARDS AND SPECIFICATIONS. FOLLOW ALL CITY OF RICHFIELD AND HENNEPIN COUNTY REQUIREMENTS FOR TRAFFIC CONTROL.

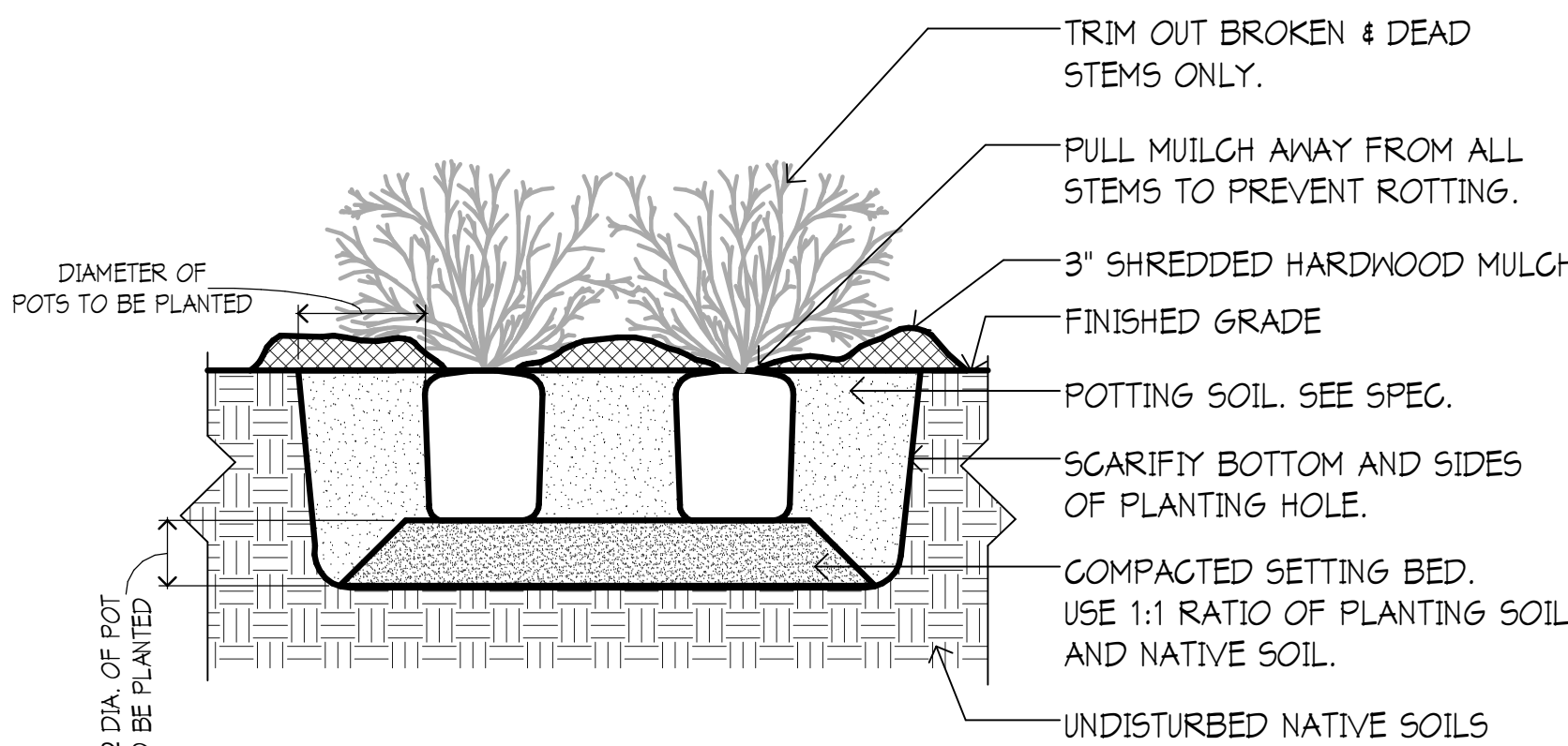
1. All quantities, shapes of beds and locations shall be verified and adjusted as required to conform to the exact conditions of the site. Review with landscape architect prior to digging.
2. Locate all utilities, including irrigation lines, with the Owner. Notify the Landscape Architect of any conflicts to facilitate plan relocation. Contractor shall be responsible for the repair of any damages to same.
3. The Contractor shall be responsible for complying with all applicable codes, regulations and permits governing the work.
4. The Contractor shall be responsible for all mulches and planting soil quantities to complete the work shown on the plan. Verify all quantities shown on the plant schedule.
5. The Contractor shall remove from the site all sod/turf which has been removed for new plan beds. Long- term storage of materials or supplies on-site will not be allowed. And plant stock not planted on day of delivery shall be heeled in watered until installation. Plants not maintained in this manner will be rejected.
6. The Contractor shall keep pavements, planters and buildings clean and unstained. All waste shall be promptly removed from the site. Any damage to existing facilities shall be repaired at the Contractor's expense.
7. The plan takes precedence over the plant schedule if discrepancies exist. The specifications take precedence over the planting notes and general notes.
8. Amend pH of bed with Iron Sulfate.
9. No substitutions of plant materials shall be accepted unless approved in writing by the landscape architect.
10. All planting stock shall conform to the 'American Standard for Nursery Stock' ANSI, latest edition, of the American Association of Nurserymen, Inc.
11. All plants shall be guaranteed for one year unless otherwise specified. The guarantee shall cover the full cost of replacemen, including labor and plants.

12. Seasons/Time of Planting:
Deciduous potted plants: April 1 - June 1 +/- Aug. 21 - Nov. 1
Deciduous B&B: April 1 - June 1 +/- Aug. 21 - Nov. 1
13. Planting soil for tree and shrub pits: By volume, mix 1/2 native soils with 1/2 imported planting soils. See specs.
14. Planting soil for shrub and perennial beds. Thoroughly mixed in equal parts by volume - 1/3 amended topsoil, 1/3 washed sand, 1/3 peat or organic compost. See specs.
15. Fracture all compacted soils. See Soil Decompaction Notes
16. Irrigation system, if specified, shall be fully operational and tested at the time of planting. During first season, contractor shall monitor moisture conditions and adjust irrigation as needed to avoid over and under watering of plant materials during establishment.
17. Mulch: Double shredded hardwood mulch - clean and free of noxious weeds, soil, and other deleterious material. Use for all tree planting and over all planting beds for shrubs and perennials. Deliver mulch on planting day and mulch all material within 24 hours of installation. Use the following depths: 4 inches for trees, 3 inches for shrubs, 2 inches for perennials. PULL MULCH AWAY FROM THE TRUNKS AND STEMS OF ALL PLANT MATERIAL.
18. Maintenance shall begin immediately after each portion of the work is in place. Plant materials shall be protected and maintained until the installation of all plants is complete inspection has been made and the planting accepted, exclusive of the guarantee. Maintenance shall include watering, cultivating, mulching, pruning and removal of dead material, and keeping the plants in a plumb position. After acceptance, the Owner shall assume maintenance responsibilities. The Contractor shall maintain all materials in a plumb position for the duration of the guarantee period.
19. The Contractor shall request in writing a final acceptance inspection.
20. Geotextile fabric shall not be used under mulch. Shrub and perennial bed shall have spaded edges unless plans indicate otherwise.

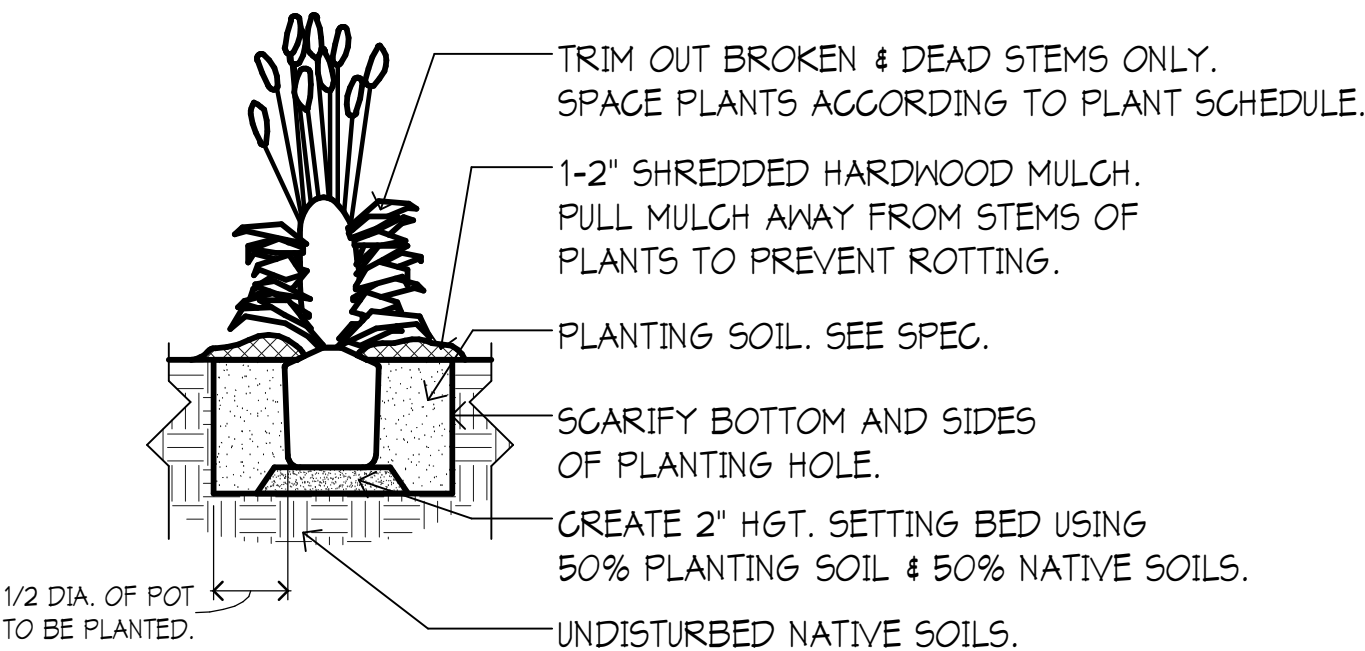
C1 PLANTING NOTES



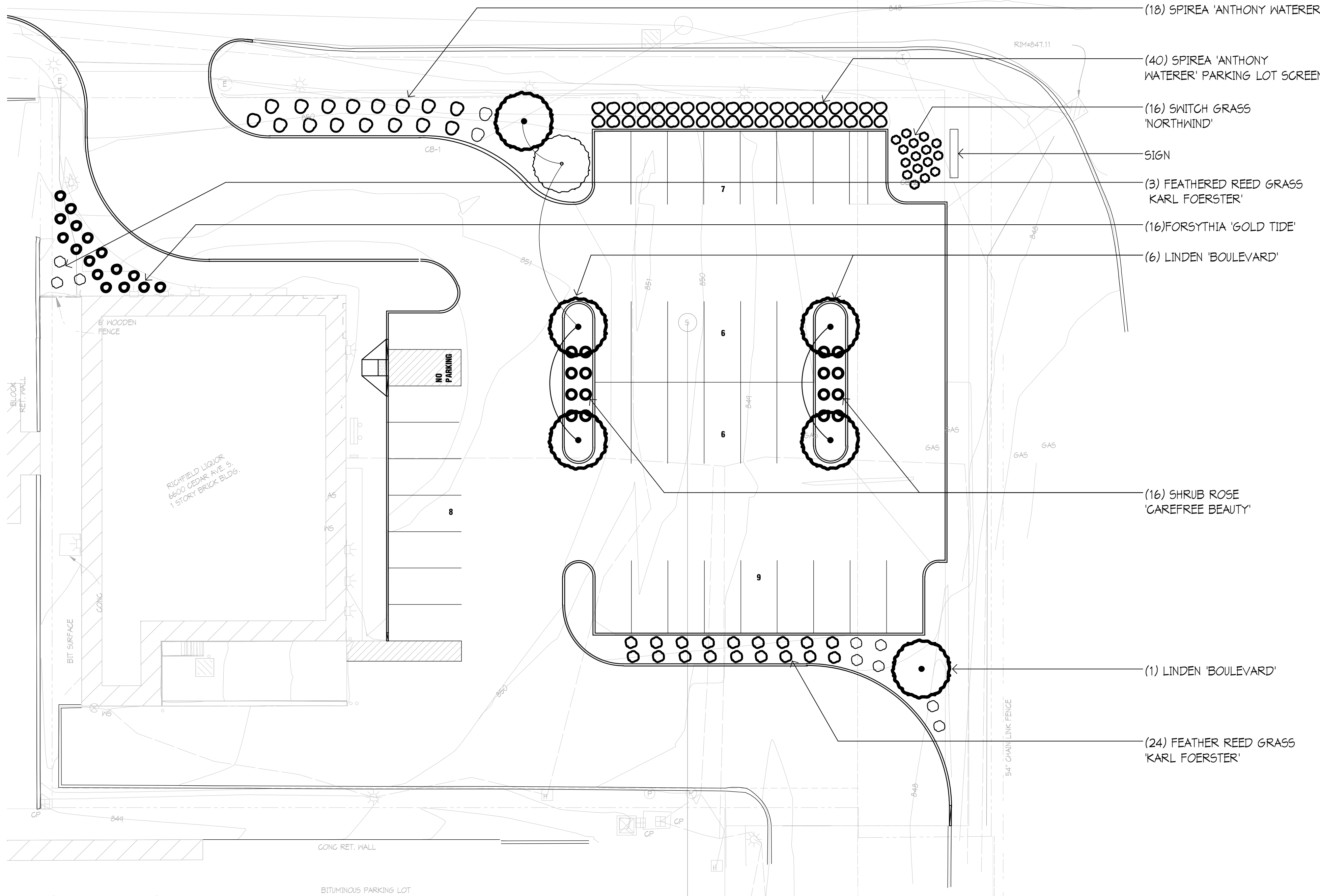
D1 SPADED PLANTING BED EDGE



E1 SHRUB PLANTING DETAIL



F1 PERENNIAL DETAIL



D4 OVERALL SITE PLANTING PLAN

1/16" = 1'-0"

TREE WILL BE REJECTED FOR THE FOLLOWING REASONS:
- POOR FORM
- DAMAGED TRUNK
- BURIED ROOT FLARES
- ENCIROLING TRANSPRT ROOTS
- UNGCONSOLIDATED ROOTBALL SOIL (DUE TO EXCESSIVE HANDLING)

AFTER INSTALLATION, TRIM OUT DEADWOOD AND/OR DEFORMED TWIGS. DO NOT CUT LEADER.

STAKES AND GUY WIRES - SEE NOTES BELOW.

FLARE, SET AT 1'-2" ABOVE SURROUNDING GRADE. SEE NOTE ABOVE

DISH PLANTING PIT. SCARIFY BOTTOM AND SIDES OF PIT

UNDISTURBED SOIL OR COMPACTED SUBGRADE

NOTES:
1) CONTRACTOR SHALL LOCATE WITH PIN THE ROOT FLARE OF EACH TREE PRIOR TO DIGGING THE PLANTING PIT. (THE FLARE IS THE TRANSITION ZONE BETWEEN THE MAIN STEM AND THE ROOT SYSTEM.)
2) REMOVE SOIL FROM TOP OF ROOTBALL TO EXPOSE TOP OF FLARE. TREES WITH MORE THAN 2" OF EXCESS SOIL ABOVE THE FLARE WILL BE REJECTED. MEASURE DISTANCE BETWEEN FLARE AND BOTTOM OF ROOTBALL. SUBTRACT 10% TO DETERMINE DEPTH OF PLANTING PIT.
3) DIG PIT TO DEPTH DETERMINED ABOVE. PIT SHALL BE DISHED WITHSIDEWALLS AS SHOWN BELOW. SCARIFY WALLS AND BOTTOMOG PIT.
4) SET TREE IN PIT SO THAT FLARE IS ONE-TWO INCHES ABOVE SURROUNDING GRADE.
5) IN ALL AREAS WITH HEAVY CLAY OR POORLY DRAINED SOILS (MOTTLING), CONTACT LANDSCAPE ARCHITECT. TREE MAY BE RELOCATED OR ROOTBALL FURTHER ELEVATED.

RODENT TRUNK PROTECTION: CORRUGATED POLYETHYLENE DRAINAGE PIPE SLIT VERTICALLY OR 1/2" HARDWIRE-CLOTH MESH CYLINDER. DIMENSIONS: 4" DIAMETER (OR GREATER) x 36" HGT. SEE SPECIFICATION

SHREDDED HARDWOOD MULCH - 4" DEPTH x 5 FT DIAMETER PULL AWAY FROM TRUNK OF TREE

BACKFILL WITH 1/2 NATIVE SOILS AND 1/2 PLANTING SOIL. MIX THOROUGHLY. SEE SPEC.

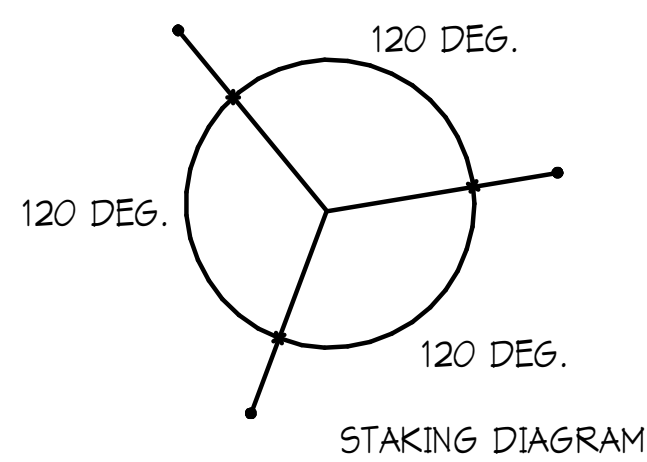
AFTER SETTING ROOT BALL IN PIT, BACKFILL TO WITHIN 12" OF TOP OF ROOT BALL AND SATURATE WITH WATER.
- CUT AND REMOVE TO BACKFILL LINE ALL TWINE, WIRE, AND/OR BURLAP.
- BACKFILL UNTIL PIT IS FULL, WATER AGAIN.

LANDSCAPE CONTRACTOR SHALL SCHEDULE INSPECTION BY THE ARCHITECT 48 HOURS PRIOR TO PLACING MULCH AROUND THE TREE PLANTINGS.

STAKING:
GUY ASSEMBLY NOT MANDATORY BUT, CONTRACTOR SHALL MAINTAIN TREE IN A PLUMB POSITION FOR THE DURATION OF THE GUARANTEE PERIOD.

GUY ASSEMBLY: 16" POLYPTOPYLENE OR POLYETHYLENE (40 MIL) 1-1/2" WIDE STRIP - (TYP.) DOUBLE STRAND 12 GA WIRE & 3 STEEL STAKES OR SIGN POSTS @ 120 DEG. O.C. (SEE STAKING DIAGRAM).

COORDINATE STAKING TO INSURE UNIFORM ORIENTATION OF GUY LINES AND STAKES.



F5 TREE PLANTING DETAIL

NOT TO SCALE

Richfield Cedar Liquor Store- 2016 Parking Upgrade

6600 Cedar Ave S.
Richfield, MN 55423

City of Richfield
6700 Portland Ave S.
Richfield, MN 55423



WOLD ARCHITECTS
AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101

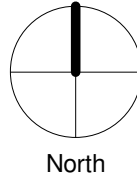
woldac.com | 651 227 7773

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 ARCHITECT under the laws of the State of Reg State

License Number: Arch Num Date Issue Date

Description	Revisions Date	Num

Comm: Project Number
Date: Issue Date
Drawn: LH
Check: MS



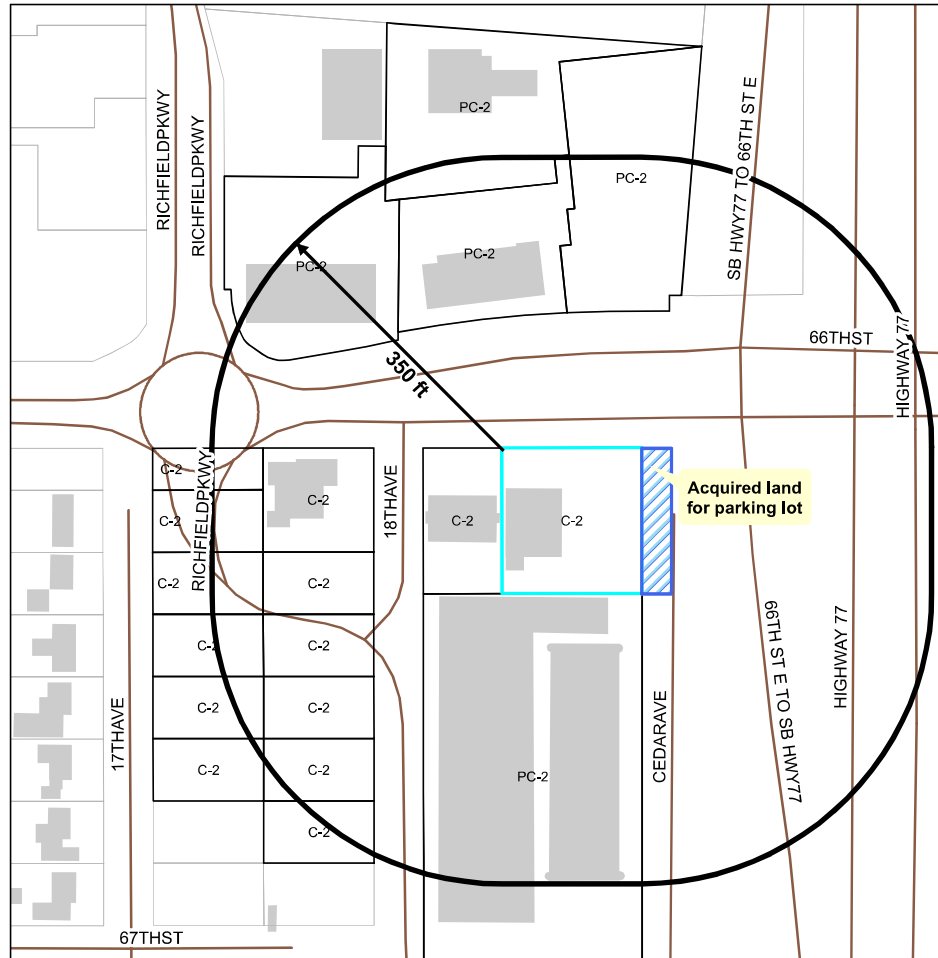
PARKING LANDSCAPE PLAN

Scale: As indicated

L100

6600 Cedar Avenue - SP 9/2016

Surrounding Zoning

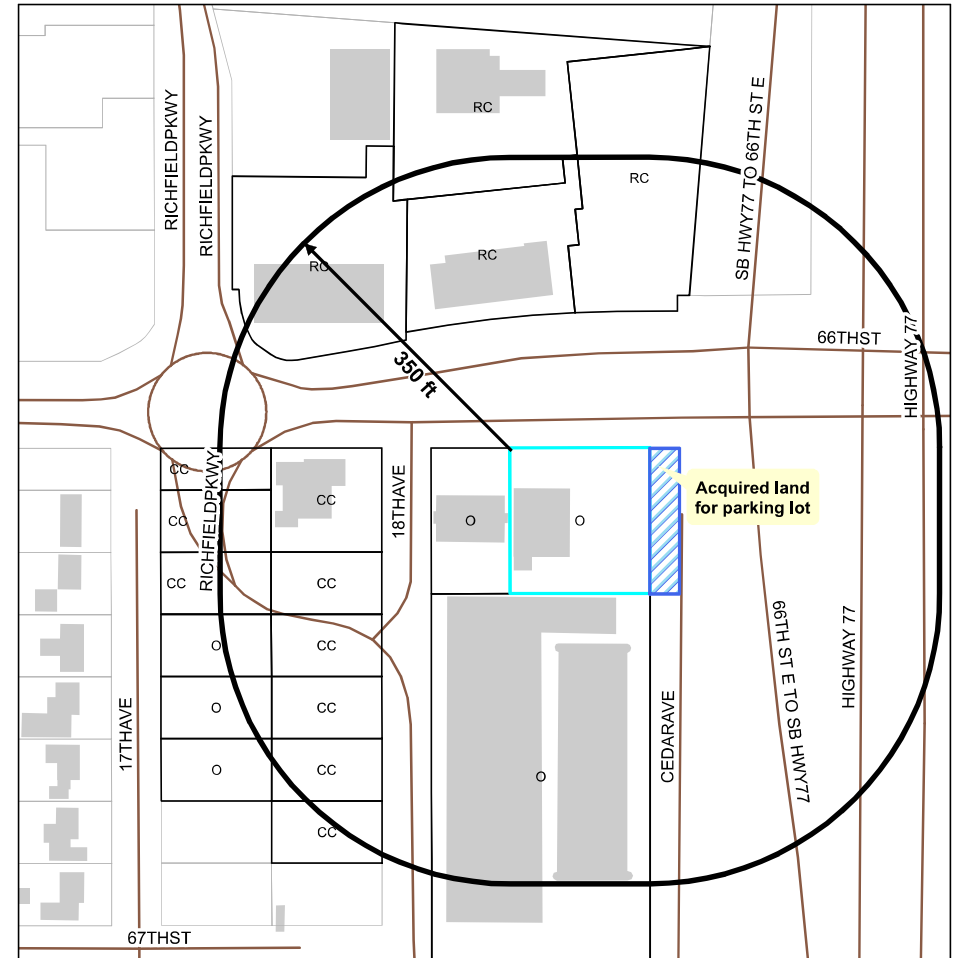


C-2 - General Commercial
PC-2 - Planned General Commercial
— Streets
■ Buildings

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6600 Cedar Avenue - SP 9/2016

Surrounding Comprehensive Plan



CC - Community Commercial
RC - Regional Commercial
O - Office
— Streets
■ Buildings

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AGENDA SECTION:	NEW BUSINESS
AGENDA ITEM #	3
REPORT #	13
CASE #	



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: SEPTEMBER 26, 2016

ITEM FOR PLANNING COMMISSION CONSIDERATION:
Consideration of a motion rescheduling the regular December Planning Commission meeting.

I. RECOMMENDED ACTION:

By Motion: Approve the rescheduling of the regular December Planning Commission meeting from December 26, 2016 to December 12, 2016.

II. BACKGROUND

The regularly scheduled December Planning Commission meeting falls on Monday, December 26, 2016. City offices will be closed on this date for the Christmas Holiday. Staff recommends rescheduling the regular meeting to the second Monday of the month, Monday, December 12, 2016.

III. BASIS OF RECOMMENDATION

Regular meeting falls on a holiday.

IV. ATTACHMENTS

None