



# Planning Commission Minutes

July 25, 2011

- MEMBERS PRESENT: Chair Rick Jabs, Commissioners Robert Hall, Daniel Kitzberger, Josh Root, Tom Rublein, Maureen Scaglia, Dennis Schuller and Gordon Vizecky
- MEMBERS ABSENT: None
- STAFF PRESENT: Melissa Poehlman, City Planner  
Karen Barton, Assistant Community Development Director
- OTHERS PRESENT: Pat Elliot, Council Member

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

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## APPROVAL OF MINUTES

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M/Vizecky, S/Root to approve the minutes of the June 27, 2011 regular meeting July 11, 2011 study session.

***Motion carried: 7-0***

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## OPEN FORUM

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None

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## PUBLIC HEARING(S)

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### ITEM #1

**Case No. 11-CUP-01 – Continue the public hearing to consider a Conditional Use Permit allowing a restaurant with seating at 6439 and 6463 Lyndale Avenue to August 22, 2011.**

City Planner Melissa Poehlman (Poehlman) explained that the application related to this request was incomplete. The applicant has been notified of the outstanding items and this item will be considered once the materials have been submitted.

July 25, 2011

M/Root, S/Vizecky to continue the public hearing to consider a Conditional Use Permit allowing a restaurant with seating at 6439 and 6463 Lyndale Avenue to August 22, 2011.

***Motion carried: 7-0***

**ITEM #2**

**Case Nos. 11-PUD-01 & 11-FDP-01 – Consideration of a final development plan and conditional use permit for a planned unit development at 6501 Lyndale Avenue and the immediately adjacent Housing and Redevelopment Authority land.**

Poehlman presented the staff report, highlighting requested deviations from the underlying zoning district requirements and specific stipulations recommended by staff.

Commissioner Vizecky asked if a stipulation related to windows on the L.A. Fitness building would be disruptive to patrons. Poehlman and Assistant Community Development Director Karen Barton (Barton) responded that there are a variety of ways to meet this requirement and that staff does not believe the outcome would be disruptive.

Developer Steve Wellington (Wellington) introduced the development team: Tanya Bell (Bell), Pete Keely (Keely), Paul Schroeder (Schroeder) and Ali Newton (Newton).

Commissioner Scaglia arrived.

Various commissioners stated that they found the redesign of the site to be a significant improvement; however the area along 65<sup>th</sup> Street is lacking.

Schroeder responded to questions regarding parking, entrances, and traffic management / circulation.

At the request of commissioners and the developer, staff proposed language related to windows that would be more flexible than the prescribed 25 percent, but still require building improvements. Commissioner Jabs reiterated that he was uncomfortable with the current presentation along 65<sup>th</sup> Street and hoped that this requirement would help to address that.

In response to a concern of the developer related to a stipulation tying certificates of occupancy for Phase I buildings (L.A. Fitness and retail) to the permitting of the Phase II (restaurant) building, various other methods to ensure development of the corner were discussed. Staff and the developer indicated that requiring a land contract with the HRA as a stipulation of approval would be satisfactory.

The developer agreed to comply with stipulations related to architecture and lighting.

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

***Motion carried: 8-0***

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M/Vizecky, S/Hall to recommend approval of a final development plan and conditional user permit for a planned unit development at 6501 Lyndale Avenue and the immediately adjacent Housing and Redevelopment Authority land with the following amendments to the resolution:

Stipulation #2 to read: That the developer enters into an agreement to acquires the required Housing and Redevelopment Authority parcel.

Stipulation #5 to read: That revised building renderings including 1)vertical architectural elements at the northwest corner of the L.A. Fitness building and the southern end of the retail building and 2) additional windows with two-way visibility on both the L.A. fitness (~~minimum 25% of wall area along east side and along 65<sup>th</sup> Street~~) and retail building be submitted to and approved by the Community Development Director.

Stipulation #15 to read: Prior to the issuance of an occupancy permit for either L.A. Fitness or the retail building, Wellington Management, Inc. shall:

- a) ~~Have secured building permits for Phase II of the project.~~
- b) Submit a surety equal to 125% of the value of any landscaping improvements not yet complete.

***Motion carried: 8-0***

**ITEM #3**

**PC Letter #18 – Consideration of amendments to the City’s Zoning Ordinance that will increase permissions for horticulture/community gardens, animal kennels and tattoo shops in certain areas; reduce commercial setbacks in certain areas and remove contradictory minimum lot area requirements from multi-family districts.**

Poehlman presented the staff report, highlighting the specific changes that proposed.

The Commission discussed requiring fences for community gardens, but ultimately decided not to add this.

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

***Motion carried: 8-0***

M/Vizecky, S/Root to recommend approval of the attached ordinance related to horticulture, animal kennels, minimum lot areas, setbacks and tattoo shops.

***Motion carried: 8-0***

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**NEW BUSINESS**

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**ITEM #4**

July 25, 2011

**PC Letter #19 – Consider adoption of a resolution finding that 1) a modification to the Redevelopment Plan for the Richfield Redevelopment Project Area is consistent with the Richfield Comprehensive Plan; and 2) establishment of the Lyndale Garden Tax Increment Financing District and Tax Increment Financing Plan are consistent with the Richfield Comprehensive Plan.**

Barton presented the staff report and answered questions from the Commission. Barton emphasized that this did not constitute approval a specific plan, but rather that use of Tax Increment in this area is consistent with the Comprehensive Plan.

M/Vizecky, S/Kitzberger to approve the attached resolution.

***Motion carried: 6-2 (Root dissenting, Hall abstaining)***

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**OLD BUSINESS**

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None

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**LIAISON REPORTS**

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Community Services Advisory Commission: No report  
City Council: No report  
HRA: Report by Commissioner Root  
Richfield School Board: No report  
Transportation Commission: No report  
Chamber of Commerce: No report  
Other: No reports

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**ADJOURNMENT**

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

***Motion carried: 8-0***

The meeting was adjourned by unanimous consent at **9:21 p.m.**

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Robert Hall  
Secretary