



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: AUGUST 23, 2010

ITEM FOR PLANNING COMMISSION CONSIDERATION:
Public hearing regarding a major site plan amendment at 6315 Penn Avenue to allow retail furniture sales.

I. RECOMMENDED ACTION:
Conduct and close a public hearing and by motion: Recommend approval of the attached resolution for a major site plan amendment at 6315 Penn Avenue.

II. BACKGROUND

On July 13, 2010 the owners of 6315 Penn Avenue and the City agreed to terms related to the use of 6315 Penn Avenue for a furniture store. A copy of this agreement is attached. Per this agreement, the applicant is required to submit an application for site plan approval. The City has agreed to allow the proposed furniture store with only 10 parking stalls. Parking cannot be considered as part of the site plan approval process. All other requirements related to site plan approval are to be considered.

III. BASIS OF RECOMMENDATION

A. POLICY

- A major site plan amendment requires a public hearing before the Planning Commission and final approval by the Council.
- General building and performance standards for the MU-C District cannot be met on the existing site. Subsection 509.25, Subd. 6 of the Zoning Code allows for alternative landscaping, screening, and other site improvements, where, due to existing structure placement, lot dimensions, parking requirements, or other improvements, it is not possible to provide what is required. The alternative plan must comply with the purpose and intent of City standards.
- The existing conditions and proposed plan include 166 square feet of landscape area in front of the building. The applicant proposes to landscape this area in accordance with the attached plan. There will be no change in impervious surface.
- The proposed plan adds to parallel parking stalls behind the building, in accordance with the approved settlement agreement. These stalls are to be striped in accordance with City standards and signed for employee use. Employees may not use the parking stalls in front of the building.

- Parking is not compliant with current Code requirements. In accordance with the approved settlement agreement, the City can require the applicant to make all reasonable efforts to arrange for shared parking with neighboring properties if the lack of on-site parking causes traffic or site-management problems.
- The proposed plan does not include an outdoor trash enclosure. Trash must be kept within the building.
- The Penn Avenue Design Guidelines require parking to be screened from Penn Avenue. The applicant should be required to install a 30” to 36” high fence, wall, or solid hedge on the west side of the lot. The fence can be wrought iron or painted wood; a wall must be masonry, similar to the building.
- The proposed plan does not include the fence on the south side of the front parking lot. This fence is in poor condition. It should be repaired, replaced or removed.
- In evaluating a site plan, the Planning Commission and Council shall consider its compliance with the following:
 - *Consistency with the various elements and objectives of the City’s long range plans, including, but not limited to, the Comprehensive Plan;* Retail use is consistent with the Penn Avenue Corridor Master Plan and the Comprehensive Plan. Every effort should be made to comply with Performance Standards and Design Guidelines.
 - *Consistency with the purposes of the Zoning Code;*
 - *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; N/A*
 - *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 Penn Avenue Master Plan, Design Guidelines and the new Penn Avenue Streetscape Improvement Grants all strive to improve the aesthetics, functionality and walkability of this area. The requirement for this property to comply with those standards is important to integrity of this Plan and a matter of consistency with requirements made for neighboring properties (e.g. Mother Duck Learning Center).
 - *Creation of a functional and harmonious design for structures and site features including:*
 - *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;*
 - *Appropriateness of the amount and arrangement of open space and landscaping to the design and function of the development;*
 - *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*
 - *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.

- No redesign of the property is proposed.
- *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; N/A*
- *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.*

B. CRITICAL ISSUES

- The proposed plans are for nonconforming site improvements. The Planning Commission and City Council should consider whether the proposed plans meet the intent of City regulations.
- The number of parking stalls may not be considered as part of this review.

C. FINANCIAL

- The required processing 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. Residents and property owners within 350 feet were notified by mail.

IV. ALTERNATIVE RECOMMENDATION(S)

- Recommend approval of the proposed site plan with additional stipulations.
- Recommend denial of the proposed site plan with a finding that the proposal does not meet the intent and/or requirements of the Zoning Code.

V. ATTACHMENTS

- Resolution
- Settlement Agreement
- Site Plan, Landscape Plan, Elevations/Lighting Plan
- Planning & Zoning Maps

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Lisa Christianson, owner

RESOLUTION NO. _____

**RESOLUTION GRANTING APPROVAL
OF A SITE PLAN AMENDMENT FOR
6315 PENN AVENUE**

WHEREAS, an application has been filed with the City of Richfield which requests approval of site plan for the parcel of land located at 6315 Penn Avenue, legally described as:

Lots 20-21, Block 12, RAYS LYNNHURST ADDITION, Hennepin County,
Minnesota

WHEREAS, the requested site plan amendment 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 for the site plan amendment; and

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

1. That the proposed site plan, including 10 parking stalls in accordance with a settlement agreement dated July 13, 2010, is hereby approved.
2. This approval is valid only for the proposed furniture store only. Any subsequent retail use or any other use requires a new site plan approval.
3. All parking spaces must be striped in accordance with City standards.
4. All parking spaces must be accessible year round.
5. Employees may not park in the eight parking stalls on the west side of the building (Penn Avenue).
6. If traffic or site-management problems occur due to the reduced on-site parking, the owners are required to make all reasonable efforts to arrange for shared parking with neighboring properties.
7. Final landscaping and lighting plans must be approved by the Community Development Department and must include a 30" to 36" high fence, wall or solid hedge to screen parked cars on the west side of the building (Penn Avenue).
8. The existing fence along the south side of the front parking lot must be repaired, replaced or removed.
9. All landscaping, including fences, must be continuously maintained and not be unsightly in appearance or in a state of disrepair.

Adopted by the City Council of the City of Richfield, Minnesota this 14th day of September 2010.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk