



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: SEPTEMBER 28, 2009

ITEM FOR PLANNING COMMISSION CONSIDERATION:

Public hearing regarding site plan approval for the new City Hall/Fire/Police Facility (City Hall) and adjacent Heredia Park.

I. RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of the attached resolution constituting site plan approval for 6700 – 6758 Portland Avenue.

II. BACKGROUND

In 2004, the City Council created the City Hall Advisory Task Force (CHAT) to study the feasibility of remodeling the existing City Hall Facility versus constructing a new facility. Lack of office and meeting space, dated technology, rising maintenance costs and failure to meet the Americans with Disabilities Act (ADA) requirements were just a few of the reasons CHAT recommended construction of a new facility.

A second Council-appointed task force (CHAT II) examined potential locations for the new facility as well as preliminary site plans. A third iteration of CHAT has continued to provide resident input regarding the details of the project.

The proposed site plan is designed to provide a building that accommodates the needs of City Hall Administration, the Police & Fire Departments, as well as community meeting space, while protecting as much of Heredia Park as possible. The attached site plan does not include final detailed plans for Heredia Park; however, it does illustrate the basic layout. Final plans for the Park will continue to be discussed by the Community Services Commission, the Recreation Department and the Community.

III. BASIS OF RECOMMENDATION

A. POLICY

- Site plan approval is required for construction of a building.
- There are a number of currently separate parcels that make up the future site of City Hall and Heredia Park. The City Council will consider the combination (platting) of these parcels at their meeting on October 13th.
- The proposed site plan assumes that the City Council will approve the combination of all parcels.

- In evaluating a site plan, the Planning Commission and City Council shall consider its compliance with the following:
 - a) Consistency with the elements and objective of the City's development guides, including the Comprehensive Plan and any redevelopment plans established for the area;

The proposed site plan is consistent with a proposed amendment to the City's Comprehensive Plan.
 - b) Consistency with the requirements of the Zoning Ordinance;

The proposed site plan is consistent with all but two requirements of the Zoning Ordinance. The following variances are required:

 - The Zoning Ordinance requires 179 parking spaces. The proposed plan provides 162 spaces. The current City Hall facility includes 147 spaces.
 - The Zoning Ordinance requires buildings to be set back 30 feet from the property line on a corner. At its southern-most point, the building will be 19.39 feet from the property line, but is still 80 feet from the nearest residential property line. From that point, the building gradually pulls back to meet the setback requirement at the southeast corner.
 - Variances may be granted if four specific criteria are met. The criteria and the ways in which they are met are detailed below:
 - **The property cannot be put to a reasonable use if the regulations of the Code are enforced:**
 - It is reasonable to allow a new and up-to-date City Hall/Fire/Police Facility to be constructed on the existing site while minimizing impact to the adjacent Park amenity. It is also reasonable that the new Fire Facility include the pull-through truck bays that encroach into the setback. Not only are these bays considered "best practices" when constructing a fire facility, but with parking allowed in the fire truck drive aisle (due to limited parking elsewhere), it is unsafe to have fire trucks backing into the bays.
 - **There are unusual or unique circumstances that apply to the property which do not apply generally to other properties in the same zone or vicinity.**
 - While governmental buildings are a permitted use in the Single-Family (R) District, they are not the norm and it is difficult to anticipate the specific needs of these structures when drafting ordinances. Most sites do not need to accommodate underground Police parking (to protect and extend the life of equipment), pull-through

truck bays for fire engines, or customer parking. Add to this the site constraints brought about by trying to minimally impact the adjacent Park – a community asset that deserves protection.

- **The variance will not alter the character of the neighborhood.** The reduced setback is along a right-of-way as opposed to being adjacent to another lot line or structure and the overall on-site parking will increase from what is currently available.
 - **The variance is the minimum necessary to alleviate the undue hardship.** The proposed design accommodates the needs of a shared City Hall/Fire/Police Facility and increases the overall available parking while protecting as much of Heredia Park as possible. The pull-through fire engine bays are necessary to ensure safety. The existing shared facility includes 147 parking spaces and has in most instances been sufficient. The proposed plan will increase the overall parking by 15 spaces and should meet the needs of the new building.
- c) Creation of a design for structures and site features which promote the following:
- i. An internal sense of order among the buildings and uses;
This requirement is met.
 - ii. The adequacy of vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking;
This requirement is met.
 - iii. Energy conservation through the design of structures and the use of landscape materials and site grading;
This requirement is met:
 - *Re-use of a previously developed site;*
 - *Utilization of native and low-maintenance plants;*
 - *Daylighting and light controls*
 - *Energy-efficient building shell*
 - *High-performance lighting and electrical systems*
 - *High-performance mechanical / ventilation systems*
 - *Environmentally-sensitive building products and materials*
 - *Indoor air quality*
 - *Acoustical, thermal and visual comfort*
 - *Water conservation / storm water management*
 - iv. The minimization of adverse environmental effects on persons using the development and adjacent properties.
This requirement is met.

B. CRITICAL ISSUES

- The proposed plans provide the necessary City Hall/Police/Fire space with as little encroachment on the Park as possible.
- Park Plans will continue to be evaluated.
- A preliminary tree protection plan has been included. Final staff approval is required prior to any clearing.
- Final landscaping and lighting plans must be approved by the Community Development Department prior to construction.
- Plans for the replacement telecommunication tower will be evaluated separately.

C. FINANCIAL

- It has been administrative policy to waive local permit fees for City applications.

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 or amendments.
- Recommend denial of the proposed site plan.

V. ATTACHMENTS

- Draft Resolution
- Proposed site plan
- Draft landscaping plan
- Draft tree protection plan

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- Consultant representatives (Wold Architects and Engineers, Anderson – Johnson Associates, Close Landscape Architecture)

RESOLUTION NO. _____

**RESOLUTION GRANTING APPROVAL
OF A SITE PLAN FOR
6700 - 6758 PORTLAND 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 6700 – 6758 Portland Avenue, legally described as:

Lot 1, Block 1, RICHFIELD CITY HALL, Hennepin County, Minnesota

WHEREAS, the requested site plan has been reviewed by staff and meets City requirements except as follows:

WHEREAS, the proposed site plan includes 162 parking stalls rather than the required 179 parking stalls, and provides a 19.39-foot side setback along the southern property boundary as opposed to the required 30-foot setback.

WHEREAS, Minnesota Statutes Section 462.357, Subdivision 6, provides for the granting of variances to the literal provisions of the zoning regulations in instances where their enforcement would cause undue hardship to the owners of the property under consideration. In determining whether to grant or deny the proposed variances, the Council specifically makes the following conclusions:

The Richfield City Council concludes that strict enforcement of Richfield Zoning Code Subsections 544.13 and 514.13 would cause undue hardship because they deny the property owner the ability to construct a new and up-to-date City Hall/Fire/Police Facility on the existing site while minimizing impact to the adjacent Park amenity. It is reasonable and a matter of safety that the new Fire Facility includes the pull-through truck bays that encroach into the setback. It is further reasonable to assume that since the existing parking lot consisting of 147 parking stalls adequately serves the existing facility, that a modest increase will be sufficient to serve a new facility housing the same services.

The Richfield City Council concludes that unique circumstances affecting the property and which were not created by the land owner exist. Governmental buildings and parks are permitted uses within the Single-Family (R) District; however, they are not the norm. This site needs to accommodate the specific needs of the City Government while protecting and minimally impacting the adjacent park – a community asset that deserves protection.

The Richfield City Council concludes that granting the variances will not alter the essential character of the neighborhood. The proposed plan minimizes impact to Heredia Park and the reduced setback is adjacent to a street as opposed to another property or structure.

The Richfield City Council concludes that the variances requested are the minimum necessary to alleviate the undue hardship. The proposed plans protect Heredia Park while providing the minimum requirements necessary for the City Hall/Police/Fire Facility.

WHEREAS, based on the followings above, the Richfield City Council approves the requested variances from Richfield Zoning Code Subsections 544.13 and 514.13; and

WHEREAS, the proposed site plan is consistent with the elements and objectives of the City's development guides, including the Comprehensive Plan and any redevelopment plans established for the area; and

WHEREAS, the proposed site plan promotes an internal sense of order among buildings and uses, provides adequate vehicular and pedestrian circulation, promotes energy conservation, and minimizes the any adverse environmental effects; and

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

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

That the proposed site plan is hereby approved with the following additional stipulations:

- a) That final landscaping, tree protection, lighting, and screening plans be approved by the Community Development Director prior to the issuance of any permits;
- b) That final grading, erosion control, storm water management, utility, ingress/egress and boulevard plans be approved by the Public Works Director prior to the issuance of any permits; and
- c) That final Heredia Park plans be approved by the Recreation Services Director prior to the issuance of any permits.

Adopted by the City Council of the City of Richfield, Minnesota this 13th day of October 2009.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk