

HOPKINS CITY COUNCIL

AGENDA

Tuesday, June 2, 2020

7:00 pm

**THIS AGENDA IS SUBJECT TO CHANGE
UNTIL THE START OF THE CITY COUNCIL MEETING**

I. CALL TO ORDER

II. ADOPT AGENDA

III. PRESENTATIONS

IV. CONSENT AGENDA

1. Minutes of the May 19, 2020 City Council Regular Meeting Proceedings
2. Minutes of the May 27, 2020 City Council Emergency Meeting Proceedings
3. Approval of Business and Liquor License Renewals for the term of July 1, 2020 to June 30, 2021; Domeier
4. Authorize the Execution of First Amendment to Temporary Easement Agreement SWLRT Green Line Extension; Stanley
5. Minnesota Brownfields GAP Financing Program Grant for Community Housing Development Corporation; Elverum

V. PUBLIC HEARING

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Site Plan Review for Rehabilitation of 1201 Mainstreet – Bear Cave Brewing Brewpub; Lindahl
2. 227 Homedale Road Side Yard Setback Variance; Lindahl
3. First Reading: Ordinance Amending Chapter 6 of the Hopkins City Code Regarding Animals; Domeier
4. First Reading: Ordinance Amending Chapter 4 of the Hopkins City Code Regarding Off-Sale Licenses; Domeier
5. Resolution Approving Refunds for On-Sale Liquor License Fees; Domeier
6. Creation of 2020 Early Retirement Incentive Program; Lenz

VIII. ANNOUNCEMENTS

- Next Regular City Council Meeting: Tuesday, June 16 at 7:00 p.m.

IX. ADJOURN

DUE TO THE COVID-19 HEALTH PANDEMIC, THE CITY COUNCIL'S REGULAR MEETING PLACE IS NOT AVAILABLE TO THE PUBLIC. MEMBERS OF THE PUBLIC WHO DESIRE TO VIEW THE MEETING REMOTELY OR GIVE INPUT OR TESTIMONY DURING THE MEETING CAN FIND INSTRUCTIONS AT www.hopkinsmn.com/virtualmeetings OR BY CALLING CITY HALL AT 952-548-6302 (DURING NORMAL BUSINESS HOURS 8 AM TO 4:30 PM.)

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MAY 19, 2020**

CALL TO ORDER

Pursuant to due call and notice the regular meeting of the Hopkins City Council was held by conference call through GoToMeeting pursuant to Minnesota Statue 13D.021 in response to the COVID-19 emergency on Tuesday, May 19 at 7:00 p.m.

Mayor Gadd called the meeting to order and conducted roll call of City Council participating in the meeting. Council Members present included Beck, Brausen, Halverson and Hunke. Others attending included City Manager Mornson, City Clerk Domeier, Assistant City Manager Lenz, Finance Director Bishop and Director of Planning and Development Elverum.

Mayor Gadd provided information on the meeting format and other opening remarks.

ADOPT AGENDA

Motion by Halverson. **Second** by Brausen.

Motion to Adopt Agenda.

Ayes: Beck, Hunke, Brausen, Halverson, Gadd.

Nays: None. Motion carried.

CONSENT AGENDA

Motion by Halverson. **Second** by Brausen.

Motion to Approve the Consent Agenda.

1. Minutes of the May 5, 2020 City Council Regular Meeting Proceedings
2. Amendment to the 2020 City Council Meeting Schedule; Domeier
3. Second Reading of Ordinance 2020-1148; Domeier
4. Second Reading of Ordinance 2020-1152; Lindahl
5. Resolution Cancelling Collection of Special Assessment on one parcel of Levy No. 20406; Bishop
6. Resolution Approving Adjustment of Special Assessment on one parcel of Levy No. 20406; Bishop

Ayes: Beck, Hunke, Brausen, Halverson, Gadd.

Nays: None. Motion carried.

NEW BUSINESS

VII.1. Award the Sale of \$8,585,000 General Obligation Bonds, Series 2020A; Bishop

Finance Director Bishop introduced the item for Council Report 2020-035 where bonds will be used to fund three projects: a portion of the 2020/2021 street improvement project, mill and overlay in the Central Business District and purchase of equipment.

Stacie Kvilvang of Ehlers and Associates provided a summary of the bonding process and rating call. The City's AA+ rating was upheld due to strong management with strong financial policies and practices, adequate budgetary performance with operating results that are good, very strong budget flexibility and strong liquidity.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MAY 19, 2020**

Mayor Gadd commented on the bond rating, pointing out the very strong management with our financials. He provided information on the comments given regarding the strong management.

Motion by Hunke. **Second** by Halverson.

Motion to adopt Resolution 2020-028 awarding the sale of General Obligation Bonds, Series 2020A, in the original aggregate principal amount of \$8,585,000, fixing their form and specifications, directing their execution and delivery, and providing for their payment.

Ayes: Beck, Hunke, Brausen, Halverson Gadd.

Nays: None. Motion carried.

VII.2. First Quarter Financial Report; Bishop

Finance Director Bishop provided a presentation on the first quarter financial results, 2020 budget projections after COVID-19, and the results of the 2021 Budget Survey.

2020 First Quarter Financial Report

Mr. Bishop provided information on general fund revenues and expenditures; special revenue funds revenues, expenditures and financial position; and enterprise fund revenues, expenses and financial position.

Council Member Beck commented on the depreciation chart. Mr. Bishop noted it was three months of depreciation.

2020 Budget Projections after COVID-19

Mr. Bishop provided information on the 2020 budget projections; revenue assumptions; minor and major impacts to the general fund revenue; expenditures; and revenue and expenditures for the Art Center, Pavilion, Depot and Utility Funds.

Council Member Hunke questioned if the Depot have they reduced their hours to save money. He also asked if staff has looked into the effects of the light rail construction and how that will affect them. Mr. Bishop stated that staff reduces their winter hours as part of the 2020 budget. Staff did budget for a sizeable decrease to their coffee budget due to the light rail construction. He stated that most the budget reductions are happening right now. The reduced hours are in connection to buildings being closed, frozen training and traveling expenditures, etc. being implemented right now.

City Manager Mornson thanked staff for working on this since March 13. All departments have put effort into finding the \$500,000 in budget reductions. He added that staff would go to another layer of budget cuts if needed. We are not counting on federal or state money but people are working behind the scenes.

Mayor Gadd commented on staff moving to work from home scenario referring to the projects funded for digitizing and scanning of files and upgrades to technology. Investments early on have allowed us to move to a work from home environment and continue operations inexpensively.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MAY 19, 2020**

Mayor Gadd also commented on the Center for the Arts noting that some concerts have been rescheduled and that revenue going forward may be dependent on the group size limitations. Council Member Brausen questioned conversation with the Center for the Arts tenants. Mr. Bishop stated that that the school district has indicated they will continue their lease there and at the Pavilion. He will get back to the City Council on the lease with Stages.

Mayor Gadd asked when the next budget update will be provided. Mr. Bishop plans to provide a monthly update going forward. Mayor Gadd thanked the City Manager and staff for reviewing their budgets and operations noting he understands the difficulty.

Results of 2021 Budget Survey

Mr. Bishop provided an overview of the budget survey responses. Mayor Gadd thanked everyone that completed the survey.

Next Steps

Mr. Bishop stated that staff will begin preparing the 2021 Budget. Mayor Gadd noted that the effects of COVID-19 will play a part in the 2021 budget process. Council Member Hunke questioned what other budget outreach measures will be taken to include residents on the process. Mr. Gadd stated that a plan was in place for public engagement and education as well as resident feedback sessions but with the physical distancing and technology issues will play a factor in the planning.

Mr. Mornson stated that staff will be addressing on how to engage with the public. The next hearing was set for August. We are uncertain of the group limits and the potential of using Zoom meetings. The process is uncertain at this time. Council Member Brausen mentioned that last year transparency was an issue and moving forward we need to move forward making sure all are heard. An option would be to meet in smaller groups.

ANNOUNCEMENTS

City Manager Mornson provided an update on the COVID-19 planning within the City. He highlighted the positive and pragmatic measures that have been taken by staff including the budget reductions, facility closures and reopening plans, public safety and employee health, City Hall operations including appointments, changing council meetings back to normal with public participating virtually, possible refunds for liquor license fees, business outreach, recreation changes, and shared how proud he was of all City employees for their efforts and the positive feedback from residents.

Mr. Mornson also provided an update on Sarah Foster's request for chickens. Staff will work on going through the ordinance process working with Ms. Foster and bring back to the Council later this summer. While a petition was submitted to go through the Charter process, Ms. Foster will work with staff instead of using that process. There are concerns about allowing for comments during the process. Staff will continue conversations with Ms. Foster and work with the City Attorney on the proposed ordinance. Mayor Gadd thanked Mr. Mornson for working with Ms. Foster.

**HOPKINS CITY COUNCIL
REGULAR MEETING PROCEEDINGS
MAY 19, 2020**

Council Member Halverson announced that the WCCO morning show will be highlighting downtown Hopkins on May 20.

The next City Council meeting will be held on Tuesday, June 2 at 7 p.m.

ADJOURNMENT

Motion by Rick. **Second** by Beck.

Motion to adjourn.

Ayes: All.

Nays: None. Motion carried.

The meeting was adjourned at 8:14 p.m.

Respectfully Submitted,
Amy Domeier City Clerk

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk

**HOPKINS CITY COUNCIL
EMERGENCY MEETING PROCEEDINGS
MAY 27, 2020**

CALL TO ORDER

Pursuant to due call and notice an emergency meeting of the Hopkins City Council was held by conference call through GoToMeeting pursuant to Minnesota Statue 13D.021 in response to the COVID-19 emergency on Tuesday, May 27 at 4:00 p.m.

Mayor Gadd called the meeting to order and conducted roll call of City Council participating in the meeting. Council Members present included Beck, Brausen, Halverson and Hunke. Others attending included City Manager Mornson, City Clerk Domeier, Assistant City Manager Lenz, City Attorney Riggs, Fire Chief Specken, Director of Public Works Stadler and Director of Planning and Development Elverum.

Mayor Gadd provided information on the meeting format and other opening remarks.

NEW BUSINESS

II.1. Resolution Authorizing the Granting of Regulatory Flexibility to Local Businesses; Mornson

City Manager Mornson provided a summary of Council Report 2020-039. On May 20, 2020 Governor Walz issued Executive Order 20-56 outlining plans for bars and restaurants to open on June 1 for outdoors services so long as certain conditions, including social distancing, are maintained to prevent the spread of COVID-19. Staff is receiving requests for temporary outdoor seating as part of the order. The proposed resolution will allow staff some flexibility in granting temporary outdoor seating areas.

Mayor Gadd confirmed that City Attorney Riggs has reviewed the resolution. Mr. Riggs stated that the resolution was prepared by the Kennedy & Graven team and that a few cities are considering adoption of the same or similar resolution. The goal of the resolution is to provide staff flexibility with zoning and license processes to get businesses up and running.

Mayor Gadd questioned if the checklist of items were from the Governor's office. Mr. Riggs clarified that the requirements following those normally requested for a new space or liquor license. The checklist gives the City broad latitude and allows flexibility to get creative with requests.

Council Member Brausen questioned the timeline for the temporary seating. Mr. Mornson stated the proposed end date is October 31, 2020. Mr. Riggs added that the timeline is at the Council's discretion and they can revert back to normal policy at any time.

Mayor Gadd questioned the areas of town where businesses have requested additional seating. City Clerk Domeier stated that most requests have been on Mainstreet and one from the Blake Road area.

Motion by Beck. **Second** by Halverson.

Motion to approve Resolution 2020-031 a Resolution Authorizing the Granting of Regulatory Flexibility to Local Businesses.

HOPKINS CITY COUNCIL
EMERGENCY MEETING PROCEEDINGS
MAY 27, 2020

Ayes: Beck, Brausen, Halverson , Hunke, Gadd.
Nays: None. Motion carried.

ADJOURNMENT

Motion by Halverson. **Second** by Hunke

Motion to adjourn.

Ayes: All.

Nays: None. Motion carried.

The meeting was adjourned at 4:14 p.m.

Respectfully Submitted,
Amy Domeier City Clerk

ATTEST:

Jason Gadd, Mayor

Amy Domeier, City Clerk



June 2, 2020

Council Report 2020-040

**Approval of Business and Liquor License Renewals for
the term of July 1, 2020 through June 30, 2021**

Proposed Action

Staff recommends adoption of the following motion: Move to approve the submitted list of Business and Liquor License renewals for the term of July 1, 2020 through June 30, 2021.

Overview

Applications for renewal of liquor and business licenses are required for the attached listing of establishments. Most application materials have been reviewed and are ready for renewal. Because of COVID-19, staff has been flexible in the receipt of all documents. The applicants will need to submit all necessary paperwork in accordance with the City’s licensing ordinances and State Statutes and pay their required license fees to receive their license. For on-sale liquor licenses the applicants had the option of only paying half of their fee on May 15 and the remainder is due November 15.

The renewal date for all liquor licenses is July 1, 2020. After City Council approves the renewals, staff will forward the liquor license documentation to the State of Minnesota, Alcohol and Gambling Division.

Primary Issues to Consider

- All liquor and business license applications are routine license renewals.

Supporting Documents

- List of renewals by category.
- Full applications are available in the City Clerk’s office.

Amy Domeier

Amy Domeier, City Clerk

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| Financial Impact: \$ _____ Budgeted: Y/N _____ Source: _____ Related Documents (CIP, ERP, etc.): _____ Notes: _____ |
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Tobacco Licenses (\$200):

Backdoor Smoke Shop
Blake Grocery and Deli
Casablanca Market
Driskill's Downtown Market
Holiday Station Store #261 and #413
Hopkins Express
Hopkins Liquor
Hopkins Vaping Studio
Jim's Liquor
Mainstreet Bar & Grill
Mac's Liquor
MGM Liquor Warehouse
Midnite Market
Richard's Liquor
The Liquor Store and More
US Grocery and Tobacco
Walgreens #6730 and #4260

Tobacco Establishment License (\$100):

Hopkins Vaping Studio

Off-Sale Liquor (\$200):

Ace Wine & Spirits
Hopkins Liquor
Jim's Liquor
Mac's Liquor
MGM Liquor Warehouse
Pub 819
Richard's Liquor
The Liquor Store & More

Off-Sale Brewer Malt Liquor/Sunday Sales (\$200):

LTD Brewing Co.

On-Sale 3.2 % Malt Liquor/On-Sale Wine (\$1,400):

B-Dubs Express
Cam Ranh Bay
Chipotle Mexican Grill #593
Cream and Amber
Nachos Mexican Grill, LLC
Samba Taste of Brazil
The Vine Room

On-Sale Brewer Taproom/Sunday Sales (\$700):

LTD Brewing Co.

On-Sale Liquor/Sunday Sales (\$7,700):

El Lorito
Mainstreet Bar & Grill
Pizza Luce VI
Pub 819
The Caterers
Thirty Bales
Tuttles Hopkins Bowl
Wild Boar

On-Sale Alcohol Extended Hours (\$1,300):

Mainstreet Bar & Grill
Pizza Luce VI
Wild Boar

Club Sales/Sunday Sales (Fee based on membership):

George R. Wolff VFW Post 425
Hopkins Elks Lodge #2221
John Wilbur Moore Post
Oak Ridge Country Club

Refuse Collectors (\$75)/Refuse Vehicles (\$25 ea.):

Aspen Waste Services, Inc.
Dick's Sanitation
Randy's Environmental Services
Republic Services
Schill's Dumpster Service
Waste Management of MN, Inc.

Motor Vehicle Sales (\$400) :

Bellmobile, Inc.
Luther
Metro Motor Car Inc.
Omega Auto Group
Swedish Motor Sales
Walser Chrysler-Plymouth, Inc.

Car Wash (\$100):

Hopkins Express
Sunshine Car Wash
Wash Me Car Wash

Bus Bench (\$45 ea.):

U.S. Bench Corporation

Bulk Petroleum Storage (\$100):

Walser Chrysler-Plymouth, Inc.

Gasoline Station (\$75)/Add'l Pumps (\$12 ea.):

Holiday Station Store #261
Holiday Station Store #413
Hopkins Express
Midnite Market
Wm. H. McCoy Petro Fuels Inc.

Amusement Devices (\$15)/Add'l Devices (\$15 ea.):

John Wilbur Moore Post
Mainstreet Bar & Grill
Oakridge Apartments
SS Billiards
Tuttles Hopkins Bowl

Movie Theater (\$375)/Add'l Auditorium (\$120 ea.):

Hopkins Cinema 6



**AUTHORIZE THE EXECUTION OF FIRST AMENDMENT
TO TEMPORARY EASEMENT AGREEMENT
SWLRT GREEN LINE EXTENSION**

Proposed Action.

Staff recommends that the Council approve the following motion: Adopt Resolution 2020-031 Authorizing the Execution of First Amendment to Temporary Easement Agreement.

Overview:

In January of 2019, the City entered into a temporary construction easement agreement with the Met Council to enable the Met Council to construct the SWLRT Green Line Extension project. The easement agreement involves landfill property owned by the city and, therefore, the MPCA had to first consent to the agreement before the city could enter into it. The Met Council recently determined that the easement area described in the original agreement must be enlarged to properly construct the project, they are asking for an additional 9.4-feet of room along the west side of the property to construct a haul road adequate for crane access. Staff has reviewed this request and have no problem granting the additional area. To accommodate such modification, a First Amendment to Temporary Easement Agreement has been prepared, reviewed by the city attorney's office, and is presented for approval tonight. The resolution in the packet conditions the approval on the MPCA first signing a separate consent document regarding the modification, which will direct city staff to only execute the agreement after it receives proof that the MPCA has signed the separate consent.

Supporting Information:

- First Amendment to Temporary Easement Agreement
- Resolution 2020-031

A handwritten signature in blue ink, appearing to read 'Nate Stanley', with a horizontal line underneath.

Nate Stanley, PE
City Engineer

PARCELS P4002, P4003, P4004
FIRST AMENDMENT TO TEMPORARY EASEMENT AGREEMENT

THIS FIRST AMENDMENT TO TEMPORARY EASEMENT AGREEMENT (this "**First Amendment**") is made and entered into this ___ day of _____, 2020, by and between the CITY OF HOPKINS, a Minnesota municipal corporation ("**Grantor**"), and the METROPOLITAN COUNCIL, a public corporation and political subdivision under the laws of the State of Minnesota ("**Grantee**"). This Agreement sometimes refers to Grantor and Grantee individually as a "**Party**" and collectively as the "**Parties.**"

WITNESSETH:

WHEREAS, the Grantor and Grantee entered into a Temporary Construction Easement Agreement, on or about January 11, 2019 to enable the Grantee to construct the Green Line Extension, also referred to as the Southwest Light Rail Project (Original Agreement).

WHEREAS, subsequent to the Parties' execution of the Original Agreement, the Parties have determined that the depiction of the Temporary Construction Easement Area, as defined in the Original Agreement, must be modified to completely construct a 25'-0" wide access road for crane access and bridge construction of the Project. The additional Temporary Construction Easement Area will require the removal and replacement of an existing fence on the Property, as defined in the Original Agreement.

WHEREAS, pursuant to that certain Easement, Declaration of Restrictions and Covenants, and Landfill Cleanup Agreement, recorded with Hennepin County as Document Nos. 6566524, 6566525, and 6566526, respectively, the Minnesota Pollution Control Agency ("MPCA") has consented to this First Amendment, as indicated in that certain First Amendment to Consent and authorization of the Commissioner of the Minnesota Pollution Control Agency Pursuant to Landfill Cleanup Agreement, which has been executed by both the MPCA and Grantee and is attached hereto as Exhibit A.

WHEREAS, the Parties desire to execute this First Amendment to Temporary Construction Easement Agreement to modify the existing depiction of the Temporary Construction Easement Area set forth in Exhibit C to the Original Agreement with the substitution of a new exhibit.

WHEREAS, the Parties desire that all other terms of the Original Agreement continue unchanged and remain in full force and effect.

NOW THEREFORE, in consideration for the mutual promises made herein, the Parties agree as follows:

1. **Amendment of Temporary Construction Easement Agreement.** Exhibit C of the Original Agreement shall be replaced with Exhibit C.1 attached hereto and made a part hereof. Exhibit C of the Original Agreement shall be of no further force and effect.

2. **Execution.** This First Amendment may be executed and delivered in counterparts, each of which shall be deemed to be an original and all of which, taken together, shall be deemed to be one document.
3. **Effect of Amendment.** The Original Agreement remains in full force and effect and is not modified except as expressly provided herein.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first set forth above.

METROPOLITAN COUNCIL,
a public corporation and political subdivision under the
laws of the State of Minnesota,

By: _____
Title: Regional Administrator

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, a Notary Public in and for Ramsey County, Minnesota, do hereby certify that Meredith Vadis, the Regional Administrator of the Metropolitan Council, a public body appeared before me this day in person and acknowledged that she signed and delivered said instrument on behalf of said public body.

Given under my hand and official seal this _____ day of _____, 2020.

Notary Public

EXHIBIT A

FIRST AMENDMENT TO CONSENT AND AUTHORIZATION

[to be attached once executed]

CITY OF HOPKINS, MINNESOTA

RESOLUTION NO. 2020-031

**RESOLUTION AUTHORIZING THE EXECUTION OF
FIRSTAMENDMENT TO TEMPORARY EASEMENT AGREEMENT**

WHEREAS, on January 11, 2019, the City of Hopkins (the “City”) and the Metropolitan Council (the “Council”) entered into a Temporary Construction Easement Agreement (the “Agreement”) to enable the Council to construct the Green Line Extension, also referred to as the Southwest Light Rail Project (the “Project”); and

WHEREAS, subsequent to the execution of the Agreement, the Council determined that the depiction of the Temporary Construction Easement Area, as defined in the Agreement, must be modified to properly construct the Project; and

WHEREAS, to accommodate such modification, a First Amendment to Temporary Easement Agreement (the “First Amendment”) has been prepared, reviewed by the city attorney’s office, and presented to the City Council on the date of this Resolution; and

WHEREAS, pursuant to that certain Easement, Declaration of Restrictions and Covenants, and Landfill Cleanup Agreement, recorded with Hennepin County as Document Nos. 6566524, 6566525, and 6566526, respectively, the Minnesota Pollution Control Agency (“MPCA”) previously consented to the Agreement and must also consent to the First Amendment before the City may execute.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hopkins, Minnesota that the recitals above are fully incorporated into and made a part of this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Hopkins, Minnesota that the First Amendment is approved and the Mayor and City Manager are authorized to execute said document, provided, however, that such approval and execution are expressly conditioned on the MPCA first executing a written consent to the First Amendment in a form approved by the city attorney.

NOW, THEREFORE, BE IT FINALLY RESOLVED, by the City Council of the City of Hopkins, Minnesota that the Mayor, City staff, City attorney and City consultants are hereby authorized and directed to take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Resolution.

Approved this 2nd day of June, 2020, by the City Council of the City of Hopkins, Minnesota.

CITY OF HOPKINS, MINNESOTA

Jason Gadd, Mayor

Attest:

Amy Domeier, City Clerk

MINNESOTA BROWNFIELDS GAP FINANCING PROGRAM GRANT FOR COMMUNITY HOUSING DEVELOPMENT CORPORATION

Proposed Action

Staff recommends adoption of the following motion: Move to approve Resolution 2020-032 in support of the Community Housing Development Corporation’s application to the Minnesota Brownfields Gap Financing Program for environmental investigation funding.

With this motion, the resolution of support will be included in the grant application.

Overview

Community Housing Development Corporation (CHDC) is developing plans to construct a 37-unit apartment building on the current parking lot for Hopkins Village Apartments. CHDC presented a preliminary concept of the development to the City Council on January 14, 2020, and have since been working on refining the project concept and conducting due diligence including environmental review.

As part of the Phase I site investigation process, CHDC found some debris and possible contamination in the soil borings on the Hopkins Village Phase II new construction site, suggesting a need to do a Phase II environmental review. CHDC would like to make application to Brownfields funding to pay for a Phase II. A resolution of support for the application is required.

A City resolution in support of the grant application does not grant any development approvals to CHDC, they would still work through the traditional land use approval process. It does provide them with more information about the site and what will be necessary to move forward with development.

Primary Issues to Consider

The City of Hopkins has historically supported environmental investigation grant applications in an effort to better understand, and hopefully remediate, environmental contamination within the City. This action does not commit any City funds or waive any land use approvals.

Supporting Information

- Resolution 2020-032

 Kersten Elverum
 Director of Planning & Development

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| Financial Impact: \$ <u>0</u> Budgeted: Y/N <u> </u> Source: _____ Related Documents (CIP, ERP, etc.): _____ Notes: _____ |
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**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2020-032

**RESOLUTION SUPPORTING A COMMUNITY HOUSING DEVELOPMENT
CORPORATION APPLICATION FOR MINNESOTA BROWNFIELDS GAP FINANCING
PROGRAM GRANT**

WHEREAS, Community Housing Development Corporation owns a 1.07 acre parcel at the southwest corner of Mainstreet and 6th Avenue South that is adjacent to Hopkins Village Apartments and is referred to as the HV II Parking Lot; and

WHEREAS, Community Housing Development Corporation is conducting due diligence for a potential affordable housing development on the HV II Parking Lot; and

WHEREAS, Community Housing Development Corporation had a Phase I Environmental Site Assessment prepared, which recommended that a Phase II Environmental Site Assessment be performed to assess how the environmental condition of the property will affect proposed development: and

WHEREAS, Minnesota Brownfields offers a Brownfield Gap Financing Program, which is funded with an Environmental Response Fund grant from Hennepin County Department of Environmental Services, that provides grants to nonprofits and government entities for environmental assessment of property in Hennepin County: and

WHEREAS, Minnesota Brownfields requires a City Council resolution in support of a project's application for funding through the Brownfield Gap Financing Program.

NOW THEREFORE BE IT RESOLVED, that the City Council supports a Community Housing Development Corporation application to the Minnesota Brownfields' Brownfield Gap Financing program for a grant to conduct a Phase II Environmental Site Assessment of the HV II Parking Lot.

Adopted by the City Council of the City of Hopkins this 2nd day of June, 2020.

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

BACKGROUND

In March of 2019, the City Council approved rezoning the subject property from B-3, General Business to B-2, Central Business District. This rezoning was done to resolve the inconsistency that the subject property was zoned B-3, General Business but also located within the Downtown Overlay district intended for the core downtown area along either side of Mainstreet in the B-2 Zone.

When considering the rezoning, the City weighed how the subject property could accommodate development under the B-2, Central Business District standards. It was determined that the surrounding development pattern was more consistent with the proposed B-2, Central Business District rather than the current B-3, General Business District zoning. At the time, it was noted that the most impactful changes from the rezoning would likely be the elimination of auto related uses like auto sales, auto repair and car washes and the removal of the requirement for off-street parking. It was anticipated that future reuse or redevelopment of the site would follow the more urban and pedestrian scale land use pattern along Mainstreet and rely on the City's Downtown parking system like other properties in downtown.

Development Proposal. Attached for your reference is a letter from the applicant dated April 23, 2020 detailing their proposal. It describes rehabilitating the former auto use into a Brewpub with brewery facilities, tasting room, event space, ground level outdoor patio and rooftop patio. The ground level outdoor patio space will be located in the former parking lot at the corner of Mainstreet and 12th Avenue North while the rooftop patio space will be located above the former service bays abutting the alley on the northern edge of the property. The building would have 180 interior seats and 222 outdoor seats. Improvements to the building also call for a "speak-easy" style lounge space in the lower level, main level kitchen for pizzas and "elegant hors d'oeuvres" and a catering kitchen on the upper level to support banquets and private events. The COVID-19 pandemic has caused the applicant to re-evaluate their project timeline but they still plan to open by the spring of 2021.

Neighborhood Meeting. Chapter 7 of the City's Legislative Policy Manual requires applicants for certain types of zoning applications to hold a neighborhood meeting in addition to the City's required public hearing process. The purpose of the neighborhood meeting is to expand and enhance the dissemination of information to the residents of the City and to encourage involvement by residents in the planning process. Given the current COVID-19 Emergency Declaration, staff found it was unsafe to require the applicant to hold a typical in-person public meeting. As an alternative, the applicant sent a direct mailing (attached) to neighbors within 350' of the subject property directing them to a website where they could review their plans and provide comments.

In response, the applicant received three comments which are summarized below. The applicant's full Virtual Neighborhood Plan Review Comment report is also attached for your reference.

- Barb Legrand 21 -12th Avenue North. Excited for the new business in Hopkins but concerned about noise and hours of operation.
- Steve Anderson 1211 Mainstreet. Concerned that he could not see the plans clearly on the website. No specific concerns about the proposed development.
- Steve Baiel 14 – 12th Avenue North. Excited about the new business in Hopkins but had

questions about removing the tire shed in the back of the site along the alley, use of the rear stairs and activity, noise and light from the rooftop patio.

Planning & Zoning Commission Action. The Planning & Zoning Commission held a public hearing to review this item (Planning Application 2020-09) during its regular meeting on May 26, 2020. During that meeting, the Commission heard a summary presentation from staff and no new comments from public. Due to the ongoing coronavirus pandemic and the related statewide emergency declaration, notice of the public hearing for this item directed all interested parties to make their comments to City Planner Jason Lindahl by mail, phone or e-mail before noon on Tuesday, May 26, 2020. Prior to the meeting, staff received two comments which are summarized below and attached for your reference.

- Elizabeth Wright 10 – 12th Avenue North. Concerned with Building Height, Noise and Privacy from Rooftop Patio.
- Pete Hasse 10 – 12th Avenue North. Concerned with Parking, Litter, Noise and Privacy from Rooftop Patio.

In response to public concerns the applicant has revised their plans to provide additional screening along the north side of the proposed rooftop patio (see attached). The revised plans now call for a 6.5' screen along the entire north side of the proposed rooftop patio. This screen consisting of a 3.5' masonry wall (matching the existing building) with an additional 3' of privacy screening on top of the base wall. This design is acceptable to staff.

SITE PLAN REVIEW

Standards for reviewing site plan applications are detailed in Article IV of the City Code. This section establishes site plan review procedures and provides regulations pertaining to the enforcement of site design standards. These procedures are established to promote high quality development to ensure the long-term stability of residential neighborhoods and enhance the built and natural environment within the City as new development and redevelopment activities occur. Section 102-126(3) call for site plan review of any developments that “expand or change the use of a building or parcel of land or modify a building, accessory structure or land feature in any manner which results in a greater intensity of use, including the construction of additional parking. In this case, the proposed development will rehabilitate a vacant automobile repair use into a Brewpub which will result in a more intense use of the property.

Site plan review applications are considered quasi-judicial actions. In such cases, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance or Subdivision Ordinances are being followed. Generally, if this application meets the City's established requirements, it should be approved. Standards to consider for site plan review of this proposal include those in Article VII - the B-2, Central Business District, Article XVII - the Downtown Overlay District and Article IV - Site Plan Review Standards. Staff's review of those standards that apply to this application is provided below.

Land Use and Zoning Standards. The proposed Brewpub is consistent with the subject property's future land use and zoning designation. The subject property is guided Commercial by the Comprehensive Plan and zoned B-2, Central Business. The property also lies within the Downtown Overlay District, which serves to preserve the small-town, unique character of Mainstreet Hopkins; complement the existing historic architecture; enhance the pedestrian orientation of Downtown Hopkins; encourage streetscape design that is inviting and on a

human scale; and communicate the community's vision for the Mainstreet area.

According to the 2030 Comprehensive Plan, the Commercial land uses category offers a wide variety of goods and services and Commercial uses located downtown largely to serve local needs and specialty market niches. The B-2 Central Business zoning district includes Brewpubs as a permitted use. Therefore, rehabilitation of the subject property into a Brewpub is consistent with Commercial land use and B-2, Central Business district zoning standards. The Downtown Overlay District has additional standards that are evaluated below.

By comparison, the 2040 Comprehensive Plan Update – Cultivate Hopkins guides this property as Downtown Center. The City envisions this area as the central economic, social and civic district for Hopkins and the region. Maintaining downtown Hopkins' unique identity and sense of place must be a central consideration when planning for future growth. Mixed uses (vertical or horizontal) are encouraged. Overall, this land use category should include medium to larger scale neighborhood and regional uses. The estimated mix of uses throughout the land use category should be 40% commercial and 60% residential.

The 2040 Comprehensive Plan organizes goals and policies by the four environments – Built, Natural, Social and Economic. Goals and policies that support this proposal are listed below by those environments.

Built Environment - Land Use Goals

1. Welcome growth to the city by directing most of new housing and employment to the city's mixed use centers and employment districts, allowing for the continuation of the scale and character of Hopkins' existing neighborhoods.
 - Encourage the development of housing and employment in Neighborhoods, Centers, and Districts future land use categories, as defined and designated in the comprehensive plan.
 - Encourage transit-oriented development (development that emphasizes pedestrian and bicycle connectivity and a broader mix of uses at densities that support transit) in areas with high quality transit service, especially within a quarter mile of light rail stations or high frequency bus routes.
 - Plan for the transition of low density housing and jobs areas into moderate to higher density mixed use areas, particularly in the Neighborhood Center, Activity Center, and Downtown Center future land use categories or other areas in close proximity to transit.
2. Create and develop mixed use centers and districts throughout the city, to support livability and community vitality.
 - Encourage the transition of selected auto-oriented areas into Activity Centers, as defined and designated in the comprehensive plan.
 - Improve pedestrian and bicycle access throughout the community, particularly in the Centers future land use categories as defined and designated in the comprehensive plan or other areas in close proximity to transit.
5. Reinforce Hopkins' unique identity and sense of community through high quality urban design.
 - Reinforce the distinctive characteristics of Downtown and existing neighborhoods by encouraging developments that are compatible in design and supportive within their context.
6. Create appropriate transitions between areas of the city where there are potential

incompatibilities in land use or scale.

- Carefully manage vehicular access and parking to minimize its impact on individual developments, the public realm, and the overall fabric of the community.
7. Encourage all public and private developments to be well designed, durable, human-scaled, and pedestrian oriented.
- Encourage all new projects to have a positive relationship to the street by orienting main entrances to the front of the property, connecting the front door to the sidewalk, and reducing parking between the building and the street as much as possible.
 - Encourage all development projects to be durable and environmentally responsible.
 - Encourage all developments to incorporate common spaces (interior or exterior) that help enhance the public realm and sense of community.

Economic Environment – Downtown

1. Maintain a viable downtown core that serves as an economic and social center for the community.
 - Encourage creative placemaking throughout Downtown that expresses the identity of the entire community of Hopkins.
 - Continue the active management of public parking as a means of promoting efficient land use and creating high quality urban form.
 - Promote public places and Mainstreet in Downtown as places of business, social activity and gathering, thereby creating a Downtown that embodies the inclusive and welcoming goals of the City.
2. Continue to grow Downtown's population and jobs base.
 - Attract specialty retail and destination uses including arts, entertainment, recreation, antiques, hobbies and crafts, gifts, and family-oriented uses.
 - Encourage commercial development to be clustered along Mainstreet where it reinforces and is consistent with existing establishment types.
 - Create a public realm throughout Downtown, the Avenues, and Excelsior Boulevard that is human scaled, pedestrian oriented and welcoming to all.

Outdoor Patio Spaces. Section 102-128(6) of the Site Plan Review standards requires all developments to protect adjacent and neighboring properties through reasonable provision for 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. This standard applies when reviewing the proposed outdoor patio areas. It should be noted that all of the comments from the both the virtual neighborhood meeting and the public hearing expressed concern with noise and light from the outdoor patio spaces. To protect adjacent and neighboring properties, staff recommended the applicant revise their plans to include an adequate screen along the entire north side of the rooftop patio.

In response to public concerns and direction from staff, the applicant has revised their plans to provide additional screening along the north side of the proposed rooftop patio (see attached). The revised plans now call for a 6.5' screen along the entire north side of the proposed rooftop patio. This screen consisting of a 3.5' masonry wall (matching the existing building) with an additional 3' of privacy screening on top of the base wall.

Signage. Signage standards in the Downtown Overlay District require signs be compatible with the style, composition, materials, colors and details of the building and with signs on other

nearby buildings. Internally illuminated or ground signs are prohibited. Projecting signs are allowed provided they do not exceed 12 square feet nor 3 feet in width. The maximum area of a single sign in the B-2 Central Business zoning district is 60 square feet. The applicants have yet to finalize their sign plan. When complete, the applicant may submit them to City staff for a separate administrative sign permit review provided they are consistent with the B-2, Central Business district and the Downtown Overlay district standards.

Building Height. New buildings, buildings and additions and redeveloped or remodeled buildings will complement the existing pattern of building heights. Buildings in the Overlay District may not exceed four stories or 45 feet in height. The applicant's plans call for the addition of a rooftop patio but the building will still be well under the 45 foot height limit.

Buildings. Buildings in the Overlay District will together create the wall of buildings effect associated with traditional Main Street areas. The applicant plans to maintain the building's existing footprint and orientation to the street. This design conforms to this standard.

Roofs and Parapets. Rooflines will mimic the separate yet complementary character and design of historic Main Street buildings. The existing building has a varying roofline consistent with this standard. New roof coping will enhance and complement its appearance.

Utility Areas, Mechanical Equipment and Screening. Utility areas, mechanical equipment, and screening will be designed so that they do not detract from the aesthetic appeal of the district. The screening of exterior trash, storage areas, service yards, loading areas, transformers, heating, and air conditioning units must use the same materials, color and/or style as the primary building in order to be architecturally compatible with the primary building and the building it is adjacent to. If the utility area is separate from the building it serves, it should be consistent with the city streetscape theme. All roof equipment will be screened from public view so as not to be visible from the street. All exterior trash and storage areas, service yards, loading, areas, heating, and air conditioning units must be screened from view. Camouflaging heating and air conditioning units is an acceptable screening method.

The applicant's plans show a new elevator penthouse made of split-face masonry block matching the existing building. The plans also show a proposed dumpster enclosure in the northeast corner of the site behind the building. This enclosure shall be designed to meet the screening requirements detailed in the City Code and Downtown Overlay District.

Facades. To break up the monotonous appearance of long facades, the exterior of buildings will be designed with visual breaks. A building more than 45 feet in width will be divided into increments of no more than 45 feet through articulation of the facade. This can be achieved through combinations of the following techniques: divisions or breaks in materials; window bays, separate entrances and entry treatments; variation in roof lines; or building setbacks. The existing building conforms to this standard and the addition of more and larger windows will enhance the building's façade.

Windows and Doors. The Downtown Overlay District requires that a minimum of 30 percent of the ground level façade and side of buildings adjacent to public streets consist of transparent materials. Windows are required on upper levels, and should provide privacy while aesthetically and functionally serving the building. Reflective glass or glass tinted more than 40 percent is not allowed.

The subject property was constructed prior to creation of the Downtown Overlay district and fails to meet the 30 percent transparent materials on the ground floor standard. However, as mentioned above the applicant's rehabilitation plans call for new windows on the east side of the upper level as well as on the south side of the lower level looking from the new ground floor outdoor patio space into the brewery production area. These new and enlarged windows bring the site closer to compliance with the Downtown Overlay district's windows and doors standards.

Materials and Detailing. The Downtown Overlay District requires building renovations be constructed to be long lasting and use materials that maintain the distinct character and harmony of the downtown. In this case, the applicant plans only minor changes to update the existing façade with new paint, accenting materials and windows. As stated above, the colors and design of the exterior shall be consistent with the distinct character and harmony of downtown.

Franchise Architecture. To maintain the unique character of the city downtown, buildings will not be constructed or renovated using franchise architecture. Franchise architecture is not allowed. The term "franchise architecture" means building design that is trademarked or identified with a particular franchise, chain or corporation and is generic or standard in nature. In this case, the applicant plans only minor changes to update the existing façade with new paint, accenting materials and windows. The addition of the ground floor and rooftop patio areas will also help create a district architecture unique to both the business and downtown Hopkins.

Streetscape. The streetscape will be uniform so that it acts to provide continuity throughout the downtown. When a redevelopment project disturbs existing streetscape elements, those items must be replaced with approved city streetscape elements compatible with the character of downtown Hopkins. This project makes no changes to the existing streetscape along either Mainstreet or 12th Avenue North.

Exterior Lighting. Lighting in the Overlay District should serve to illuminate facades, entrances, and signage to provide an adequate level of personal safety while enhancing the aesthetic appeal of the buildings. Building and signage lighting must be indirect, with the light sources hidden from direct pedestrian and motorist view. The district standards encourage shaded gooseneck lamps for sign illumination.

The applicant has yet to finalize their exterior lighting plan. The applicant shall prepare a detailed exterior lighting and photometric plan. This plan shall include exterior lighting for the building and both the ground floor and rooftop patio areas and pay particular attention to minimizing and managing the impact of any exterior lighting on neighboring properties. A condition of approval shall require the applicant to receive staff approval of their exterior lighting and photometric plan prior to issuance of a building permit.

Vehicle Parking. Parking standards are detailed in both Article XV – Off-Street Parking and Section 102-560 of the Downtown Overlay district. The subject property is zoned B-2, Central Business District which does not have off-street parking requirements for individual businesses but rather manages parking in the City's Downtown district parking system. Even with no specific off-street parking requirement for individual properties within the B-2 district, the City's site plan review standards still require individual properties to demonstrate proposed developments will have adequate parking and will not create traffic hazards or excessive traffic

through residential areas or otherwise cause adverse effects on residential areas or dwellings. The Overlay District also requires individual developments to adequately serve the users without detracting from the compact design that makes it a successful commercial center. If provided, off-street parking must be located in the rear of buildings on Mainstreet.

To assist in the parking analysis for this site, the applicant agreed to conduct a site specific traffic and parking study which is attached for your reference. Key findings and recommendations from this study are listed below.

Based on this study, there is expected to be a parking surplus of 274 spaces within two-blocks of the proposed development but a parking deficit of up to 145 spaces within 300 feet (or 1 city block) of the proposed development. As a result of this finding, staff asked the applicant to seek a shared parking agreement with surrounding properties that have existing private off-street parking. According to the applicant, they reached out to both St. Joseph's Church and the dentist across the street but neither would agree to a shared parking arrangement.

As a result, staff recommends a condition of approval require the applicant to implement the potential solutions detailed in the traffic study (see Item 8 below) to manage potential parking demand and direct it to the downtown parking system.

1. Since current ADT volumes within the study area are generally 5,400 vpd or less, there is more than 30 percent reserve capacity remaining along study area roadways before roadway capacity/geometric improvements may be needed.
2. There are approximately 800 parking spaces within a two-block radius of the proposed development, including public parking lot 400; there are approximately 65 public parking spaces within 300 feet of the proposed development.
3. The existing peak parking demand within 300 feet of the proposed development and within the overall study area were observed to be approximately 40 spaces and 450 spaces, respectively; there is an existing surplus of approximately 25 spaces within 300 feet of the proposed development and 350 spaces within a two-block radius of the proposed development.
4. Since the proposed development is zoned B-2 Central Business District, the proposed development has no off-street parking requirement; however, the City's site plan review standards still require individual properties to demonstrate a proposed development will have adequate parking and will not create traffic hazards or excessive traffic through residential areas or otherwise cause adverse effects on residential areas or dwellings.
5. The proposed development is expected to generate a range from 60 to 135 p.m. peak hour and 629 to 1,405 daily trips, depending on the time of the year (Winter versus Summer).
6. The average and 85th percentile parking demand for the proposed development is estimated to range from approximately 47 to 76 spaces during the winter and from approximately 106 to 170 spaces during the summer; the City parking requirement would equate to approximately 60 to 135 parking spaces, depending on the time of the year, if parking was required to be provided.
7. Based on the peak 85th percentile parking demand, there is expected to be a parking deficit of approximately 50 to 145 spaces within 300 feet of the proposed development and a parking surplus ranging from 180 to 274 spaces within two-blocks of the proposed development.

8. Patrons are expected to park as close to the proposed development as possible, which is generally on-street, and would be distributed relatively evenly surrounding the proposed development and not necessarily over-burden any one area.
 - a. Parking along Mainstreet (west of the proposed development) and along 12th Avenue (north and south of Mainstreet) will be most impacted.
 - b. There is a segment of parking on the east side of 12th Avenue between Mainstreet and 1st Street North that is already signed as “Parking by Permit Only”; the proposed development is not expected to impact parking for the single-family residents in this area.
9. The current site plan shows 14 U-shaped bicycle racks, which provides the opportunity for at least 28 bicycle parking spaces that can accommodate the expected bicycle demand.
10. To reduce potential impacts, several potential solutions should be considered, such as:
 - a. Promote and incentivize alternative modes of transportation, such as walk, bike, transit, and Uber/Lyft options.
 - b. Identify a shared parking agreement with an adjacent private business(s)/lot(s), particularly for peak event conditions, but also for regular use; the City could consider a shared parking agreement with the applicant for special event parking at Meatzold Field.
 - c. Review on-street parking regulations along Mainstreet between 11th Avenue and 12th Avenue and along 12th Avenue between Mainstreet and the alley immediately north of the proposed development/theater to determine if an alternative regulation (i.e. from the current no parking, loading zone) can be provided to allow on-street parking, which could increase the parking supply by approximately 15 spaces within 300 feet of the proposed development.
 - d. List specific parking areas on the business website/information page, such as public parking is provided in parking lot 400, to limit potential impacts to adjacent on-street parking.
 - e. Discuss parking with project stakeholders to determine the optimal solution for the area.
11. Accounting for the existing ADT volumes along area roadways and expected general background growth, future area roadway volumes are expected to be 5,600 vpd or less.
 - a. Knowing the planning level capacity of these roadways is between 8,000 and 10,000 vpd, the additional traffic from the proposed development (+ 629 to 1,405 daily trips) is not expected to result in any capacity related issues on area roadways.
12. Truck maneuverability should be reviewed to ensure adequate access can be provided.

ALTERNATIVES

1. Approve the requested site plan application. Voting to approve the requested site plan application would allow rehabilitation of the existing property into a brewpub.
2. Deny the requested site plan application. Voting to deny the requested site plan application would prohibit rehabilitation of the existing property into a brewpub. Should the City Council consider this option, it must also identify specific findings that support this alternative.
3. Continue for further information. If the City Council concludes that further information is needed, the items should be continued.

CITY OF HOPKINS
Hennepin County, Minnesota

RESOLUTION NO. 2020-033

**A RESOLUTION APPROVING THE SITE PLAN APPLICATION FROM BEAR CAVE
BREWING TO REHABILITATE THE PROPERTY LOCATED AT 1201 MAINSTREET (PID
24-117-22-31-0059) INTO A BREWPUB, SUBJECT TO CONDITIONS**

WHEREAS, the applicant, Brian Grafton of FMD Architects on behalf of Bear Cave Brewing, initiated an application for site plan approval to Rehabilitate the Property Located at 1201 Mainstreet (PID 24-117-22-31-0059) into a Brewpub, and;

WHEREAS, the subject property is legally described as Lots 10 & 11, West Minneapolis Second Addition, Hennepin County, Minnesota; and

WHEREAS, the procedural history of the application is as follows:

1. That the above stated application was initiated by the applicant on April 24, 2020;
2. That the applicant held a virtual neighborhood meeting in accordance with Chapter 7 of the City's Legislative Policy Manual to expand and enhance the dissemination of information to the residents of the City and to encourage involvement by residents in the planning process.
3. That the Hopkins Planning and Zoning Commission, pursuant to published and mailed notice, held a public hearing on the application and reviewed such application on May 26, 2020 in accordance with all applicable state and local laws: all persons present were given an opportunity to be heard; and,
4. That comments and analysis of all persons present, including City staff, were considered by the Hopkins Planning and Zoning Commission who, pursuant to Planning and Zoning Resolution 2020-01, recommended the City Council approve said Application following the aforementioned public hearing; and

WHEREAS, City staff has also recommended approval of the Application based on the findings outlined in the staff report presented to the City Council on the date of this Resolution, which is incorporated into this Resolution as additional findings of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopkins that all recitals set forth in this Resolution are incorporated into and made part of this Resolution, and more specifically, constitute the express findings of the City Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Hopkins, Minnesota that based on the findings contained herein, the Application meets all of the City's applicable regulations and is hereby approved, subject to the conditions listed below:

1. Conformance with all applicable standards of the City Code in Article VII - the B-2, Central Business District, Article XVII - the Downtown Overlay District and Article IV - Site Plan Review Standards.
2. Adherence to all necessary permits and requirements of the City's building, engineering and

fire departments.

3.

4. Conformance with City Code Chapter 28, Article I – Nuisances which prohibits activity in any outdoor areas between the hours of 10:00 p.m. and 7:00 a.m.
5. The applicant shall prepare and receive staff approval of a detailed exterior lighting and photometric plan prior to issuance of a building permit. This plan shall include any exterior lighting for the building and both the ground floor and rooftop patio areas and minimizing and managing the impact of any exterior lighting on neighboring properties.
6. The applicant shall implement the potential solutions listed in the Traffic and Parking Study prepared by SRF Consulting dated May 20, 2020 to manage potential parking demand and direct it to the downtown parking system.
7. The plans also show a proposed dumpster enclosure in the northeast corner of the site behind the building. The applicant's trash shall be stored inside the building or located in an enclosure that meets the design requirements of the City Code and the Downtown Overlay District.
8. Approval of the development project by the Minnehaha Creek Watershed District and any other entity with jurisdiction, and adherence to all related conditions.
9. Payment of all applicable development fees including, but not limited to SAC and City Attorney fees.

Adopted by the City Council of the City of Hopkins this 2nd day of June 2020.

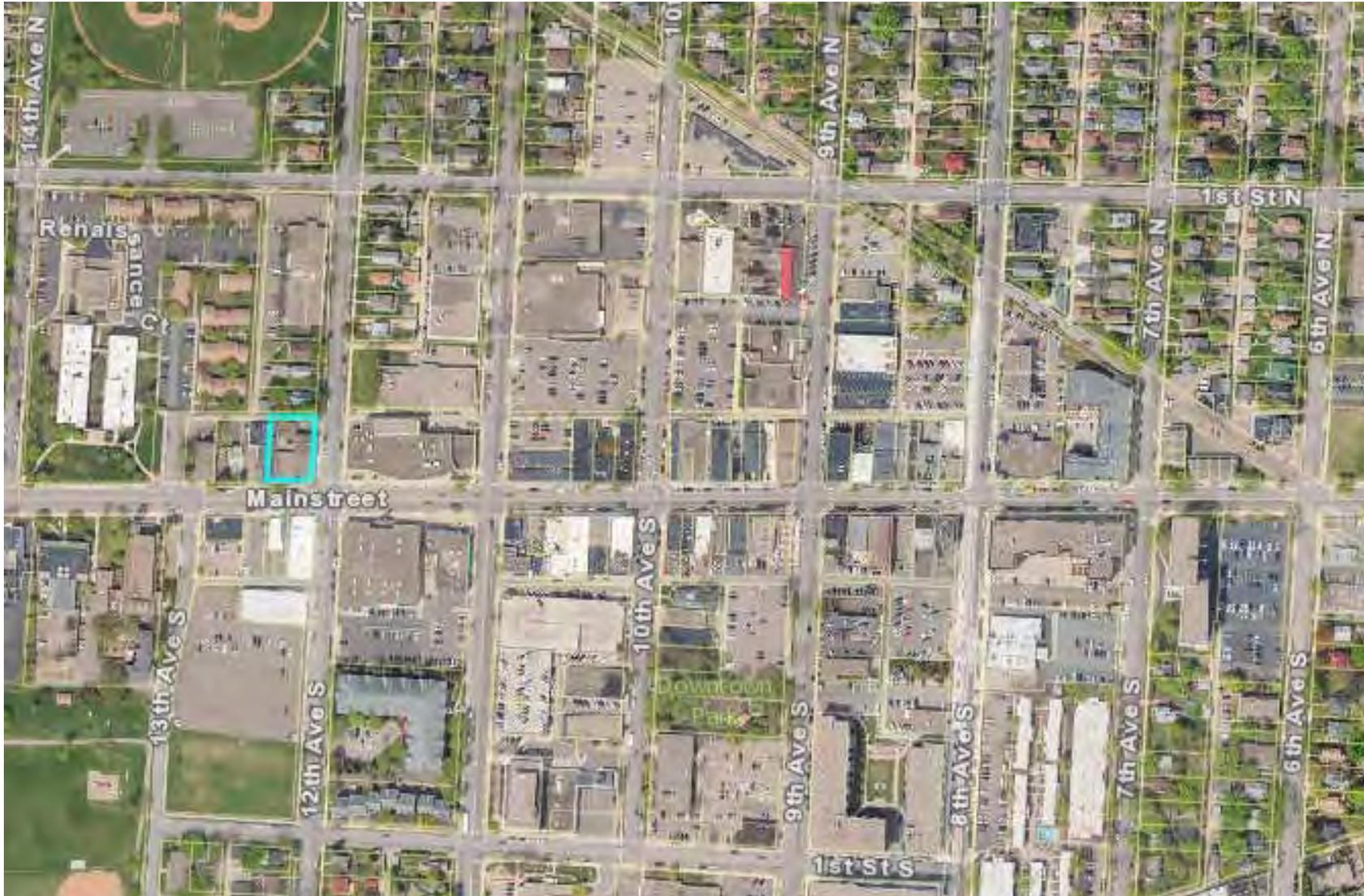
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk

Site Location Map

1201 Mainstreet – Bear Cave Brewing Brewpub





Brian Grafton
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Fairlawn, OH 44333, Suite 200
330-836-2343 X 2100
BGrafton@fmdarchitects.com

04/23/2020

Mr. Jason Lindahl
City Planner
City Of Hopkins Zoning Department
1010 1st Street South
Hopkins, MN 55343

Re: Bear Cave Brewing – Planning Commission and Zoning Submittal

Dear Mr. Lindahl,

We are pleased to submit this narrative to describe the proposed brewpub project located at 1201 Main Street, Hopkins MN 55343.

The project put forth in front of the Hopkins Planning Commission will be an adaptive re-use of the existing brick and block building formally housing a Firestone Tire Center. An open and inviting tasting room will occupy the first floor along Main Street, and connect to a large outdoor patio area that anchors the corner of Main Street and 12th Ave. To the rear of the property, a new production brewery will be built out in the formal tire center service bays and a rooftop patio will be located above it. The alterations to the building will also include a speak-easy lounge on the lower level, and an event area above the tasting room on the upper level. A kitchen is provided in the center of the ground level and customers can order specialty pizzas and elegant hors d'oeuvres directly from their phones. A catering kitchen is provided on the upper level to support banquet and private events. All alterations occur within the existing footprint of the building and paved areas on site.

The project is in the B-3 District in Downtown Hopkins and seeks to work in harmony and enhance the streetscape and pedestrian activity along Main Street. The primary entrance to the business, and main public areas are on the southern side of the building and utilize the existing structure to buffer the new use from the residential areas to the north. While the seasonal rooftop patio is on the northern side of the property, measures have been taken to be considerate of neighbors including adding screening to the railings, and an enclosable sunroom. To further work in harmony with the property neighbors, the hours of operation will be complementary to other businesses in the area along Main Street.

Parking for Bear Cave Brewing is provided by the City of Hopkins parking garages, surface lots, and street parking. The owners recognize that city lots are within 1-block and have retained a parking study consultant to review and evaluate the needs and potential demands for parking. Opportunities for shared parking agreements are also being investigated at the time of this letter. Bike parking on site is provided free of charge and the property is located within short walking distance of two bus stops. Technology will be featured part of the business including self-serve beer taps and mobile food ordering. It is anticipated that other app-based technologies such as Uber and Lyft can be utilized by potential customers as an additional means of transportation. Ride sharing and customer drop-off are encouraged and is supported by an existing drop-off zone in front of the building. This zone allows vehicles to pull over and drop off/pick up patron's safety without blocking traffic along Main Street.

The renovations will use existing and new large window openings to showcase the activity inside the building, including the brewery equipment, and use decorative elements such as railing planters and pergola structures to accent and beautify the exterior. Bear Cave Brewing will be a Bike Friendly Businesses and a portion of the patio along main street will be dedicated to bike parking. 12-14 Inverted-U bike racks and a bike maintenance station will be provided free of charge.

We look forward to the opportunity to work with the you and the Planning Commission and are excited to help bring a new destination to the City of Hopkins. Should you have any questions or would like to discuss any aspect of the project in greater detail, we would love to hear from you.

Sincerely,

Brian Grafton

Brian Grafton,

Project Architect

FMD Architects

BEAR CAVE BREWING

BUILD OUT AND RENOVATION

APRIL 23, 2020 PLANNING COMMISSION SUBMITTAL



FMD | ARCHITECTS
 ARCHITECTS • PLANNERS • INTERIORS • CONSTRUCTION
 ADMINISTRATION • LEED ACCREDITED
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ARCHITECT

FMD ARCHITECTS
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 PROJECT MANAGER: BRIAN GRAFTON (BGRAFTON@FMDARCHITECTS.COM)



OWNERS

BEAR CAVE BREWING
 1201 MAIN STREET
 HOPKINS, MN 55343

PROJECT TEAM

STRUCTURAL ENGINEER
 LARSON ENGINEERING, INC.
 3524 LABORE ROAD
 WHITE BEAR LAKE, MN 55110
 (P) 651-481-9120 (F) 651-481-9201



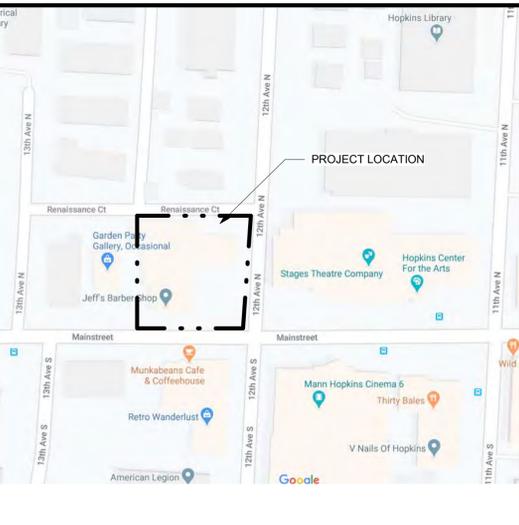
MEP ENGINEERS
 THORSON BAKER + ASSOCIATES
 330 W. STREETSBORO ROAD
 RICHFIELD, OH 44286
 (P) ENGINEER (F) ENGINEER



DRAWING LEGEND

| | |
|-----------------------|---------------------------|
| MATERIALS | SYMBOLS |
| EARTH | ROOM NAME - ROOM NUMBER |
| POROUS FILL | DOOR NUMBER |
| CONCRETE | WINDOW TYPE |
| CONCRETE MASONRY UNIT | WALL TYPE |
| BRICK | SECTION NUMBER |
| STEEL | SHEET NUMBER |
| WOOD-ROUGH | DETAIL NUMBER |
| GYPSUM BOARD | SHEET NUMBER |
| RIGID INSULATION | EXTERIOR ELEVATION NUMBER |
| BATT INSULATION | SHEET NUMBER |
| PLYWOOD | FINISH CODE |
| | FINISH TAG |
| | FINISH CLASSIFICATION |
| | CODED NOTE |
| | ALTERNATE |

LOCATION MAP



GENERAL NOTES

- COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS, SAFETY ORDERS, AND DIRECTIVES OF THE STATE, COUNTY AND CITY.
- EACH CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS, FEES, CERTIFICATES OF INSPECTION AND APPROVAL, ETC, UNLESS OTHERWISE NOTED.
- THE SUBMISSION OF A BID BY CONTRACTOR SHALL INDICATE HE HAS BECOME FAMILIAR WITH ALL THE CONSTRUCTION DOCUMENTS, AND UNDERSTANDS THE LABOR AND MATERIALS REQUIRED TO COMPLETE THE PROJECT.
- PRIOR TO CONSTRUCTION EACH CONTRACTOR SHALL VISIT THE SITE, AND VERIFY ALL DIMENSIONS AND CONDITIONS. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO BEGINNING CONSTRUCTION.
- IN THE CASE OF DISCREPANCIES OR INCONSISTENCIES APPEARING IN THE CONSTRUCTION DOCUMENTS, OR FIELD CONDITIONS, THE ARCHITECT SHALL BE NOTIFIED. IN NO CASE SHALL WORK PROCEED IN UNCERTAINTY OR WITH INSUFFICIENT DATA. BID PLANS TO THE MOST RESTRICTIVE WAY.
- ALL WORK, FIXTURES AND THE STRUCTURE SHALL BE PROTECTED IN ALL RESPECTS FROM WEATHER, CONSTRUCTION HAZARDS, FIRE, UNNECESSARY INTRUSIONS, DUST, DIRT OR DEBRIS.
- EACH CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN, FOR THE DURATION OF CONSTRUCTION, ALL REQUIRED SCAFFOLDS, TARPULINS, WARNING SIGNS, FENCES, AND OTHER TEMPORARY CONSTRUCTION ITEM FOR THE PROPER AND SAFE COMPLETION OF THEIR WORK AND FOR COMPLIANCE WITH ALL APPLICABLE REGULATIONS, INCLUDING OSHA.
- THE CONTRACTORS SHALL DETERMINE CONSTRUCTION PROCEDURES AND SEQUENCES, AND ENSURE THE SAFETY OF THE STRUCTURE AND ITS COMPONENTS DURING CONSTRUCTION. SAFETY MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO BRACING, SHORING FOR LOADS DUE TO CONSTRUCTION EQUIPMENT, MATERIALS, ETC.
- ALL MATERIALS, FABRICATION, AND/OR INSTALLATION SHALL COMPLY WITH ALL TECHNICAL AND INDUSTRY STANDARDS AND SPECIFICATIONS FOR EACH DIVISION OF WORK.
- ALL WORK SHALL BE CHECKED AND ACCEPTED BY THE ARCHITECT AND OWNER BEFORE CONSIDERED COMPLETE.
- ALL CONSTRUCTION MATERIALS, IF PLACED ON ROOF, SHALL BE SPREAD OUT TO ADEQUATELY DISTRIBUTE THE LOAD ON THE STRUCTURE. EACH CONTRACTOR SHALL PROVIDE ADEQUATE SHORING AND/OR BRACING WHERE THE STRUCTURE DOES NOT PROVIDE ADEQUATE STRENGTH.
- THE CERTIFICATE OF PLAN APPROVAL SHALL BE POSTED IN A CONSPICUOUS LOCATION OUTSIDE OF THE BUILDING AND IN THE FRONT PART OF THE PREMISES WHERE THE BUILDING WILL BE LOCATED. THE CONSTRUCTION MANAGER AND CONTRACTOR SHALL, SO FAR AS POSSIBLE, PRESERVE AND KEEP THE CERTIFICATE OF PLAN APPROVAL POSTED UNTIL THE WORK IS COMPLETED PER THE OBC.
- AN APPROVED SET OF PLANS FROM THE BUILDING DEPARTMENT SHALL BE KEPT AT THE SITE AND SHALL BE AVAILABLE FOR REFERENCE BY THE BUILDING OFFICIAL AT ALL TIMES DURING WORKING HOURS WHILE SUCH WORK IS IN PROGRESS PER THE OBC.
- THE CONTRACTOR SHALL SCHEDULE ALL REQUIRED INSPECTIONS AND THE BUILDING DEPARTMENT SHALL PERFORM INSPECTIONS BEFORE ANY WORK IS COVERED UP BY OTHER CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO ALL REINFORCING, FRAMING, PLUMBING, MECHANICAL AND ELECTRICAL WORK PER THE OBC.
- ALL SHOP DRAWINGS, INCLUDING SUBMITTALS FROM SUB-CONTRACTORS, SHALL BE REVIEWED BY GENERAL CONTRACTOR PRIOR TO FORWARDING TO ARCHITECT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING SHOP DRAWINGS ARE COMPLETED BASED ON MOST RECENT CONSTRUCTION DRAWINGS/BULLETIN(S) AND NOT SOLELY RELY UPON ORIGINAL BID SET.
- CHANGES BY THE CONTRACTOR TO THE DESIGN INTENT SHALL BE HIGHLIGHTED TO THE ARCHITECT IN SHOP DRAWINGS. ACCEPTANCE OF NON-CONFORMING SHOP DRAWINGS DOES NOT RELIEVE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE WHAT IS IN THE CONTRACT DOCUMENTS.
- ALL COLOR SELECTIONS SHALL BE APPROVED BY OWNER/ARCHITECT. CONTRACTOR SHALL LEAVE COLOR SELECTIONS OPEN IN SHOP DRAWINGS. HIGHLIGHT WHERE SELECTIONS NEED TO BE MADE, AND PROVIDE FULL RANGE OF SAMPLES BY LEVEL OF FINISH NOTED IN FINISH SCHEDULE.
- DO NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- IF ANY QUESTIONS OCCUR DURING THE BID PROCESS THE CONTRACTOR IS RESPONSIBLE TO SUBMIT AN (RFI) REQUEST FOR INFORMATION TO THE ARCHITECT FOR CLARIFICATION AND INTENT.
- EACH CONTRACTOR TO FULLY REVIEW ALL SHEETS IN THE CONSTRUCTION DOCUMENTS FOR OWN SCOPE OF WORK AND COORDINATE SEQUENCE OF WORK BETWEEN TRADES.

ABBREVIATIONS

| | |
|-----------|-------------------------|
| A.F.F. | ABOVE FINISH FLOOR |
| ALUM. | ALUMINIUM |
| BD. | BOARD |
| B/O | BOTTOM OF... |
| C.J. | CONTROL JOINT |
| C.L. | CENTERLINE |
| CMU | CONCRETE MASONRY UNITS |
| CONC. | CONCRETE |
| DIA. | DIAMETER |
| DIM/DIM'S | DIMENSIONS |
| D.O. | DOOR OPENING |
| D.S. | DOWNSPOUT |
| DWG(S) | DRAWING(S) |
| E.J. | EXPANSION JOINT |
| EQ. | EQUAL |
| EWC | ELECTRIC WATER COOLER |
| EXIST. | EXISTING |
| EXT. | EXTERIOR |
| F.E. | FIRE EXTINGUISHER |
| FD | FLOOR DRAIN |
| FF | FINISH FLOOR |
| FIN | FINISH |
| FLR | FLOOR |
| F.R.T. | FIRE RETARDANT TREATED |
| FT. | FEET/FOOT |
| GALV. | GALVANIZED |
| GC | GENERAL CONTRACTOR |
| GWB | GYPSUM WALL BOARD |
| HT. | HEIGHT |
| HM | HOLLOW METAL |
| INT. | INTERIOR |
| JAN. | JANITOR |
| LAV | LAVATORY |
| MFR | MANUFACTURER |
| MAX | MAXIMUM |
| MECH | MECHANICAL |
| MTL | METAL |
| MIN | MINIMUM |
| N.I.C. | NOT IN CONTRACT |
| N.T.S. | NOT TO SCALE |
| O.C. | ON CENTER |
| P.LAM | PLASTIC LAMINATE |
| PLUMB. | PLUMBING |
| PLYWD. | PLYWOOD |
| PT | PAINTED |
| RD | ROOF DRAIN |
| REQ'D. | REQUIRED |
| RCP | REFLECTED CEILING PLAN |
| RTU | ROOF TOP UNIT |
| SF | SQUARE FOOT |
| SIM. | SIMILAR |
| SPECS | SPECIFICATIONS |
| S.S. | STAINLESS STEEL |
| S.S.M. | SOLID SURFACE MATERIAL |
| STRUCT. | STRUCTURAL |
| T/O | TOP OF... |
| TYP. | TYPICAL |
| U.L. | UNDERWRITERS LABORATORY |
| U.N.O. | UNLESS NOTED OTHERWISE |
| V.I.F. | VERIFIED IN FIELD |
| W/ | WITH |
| W/O | WITHOUT |
| WD | WOOD |

DRAWING INDEX

| | | |
|---------------|--------|--|
| GENERAL | TS-101 | TITLE SHEET - PLANNING COMMISSION |
| ARCHITECTURAL | A-001 | ARCHITECTURAL SITE PLAN |
| | A-200 | PLANNING COMMISSION ARCHITECTURAL ELEVATIONS |
| INTERIORS | F-200 | GROUND FLOOR AND LOWER LEVEL EQUIPMENT PLANS |
| | F-201 | UPPER LEVEL EQUIPMENT PLANS |

BEAR CAVE BREWING
 BUILD OUT AND RENOVATION
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 HOPKINS, MN 55343
 PLANNING COMMISSION REVIEW

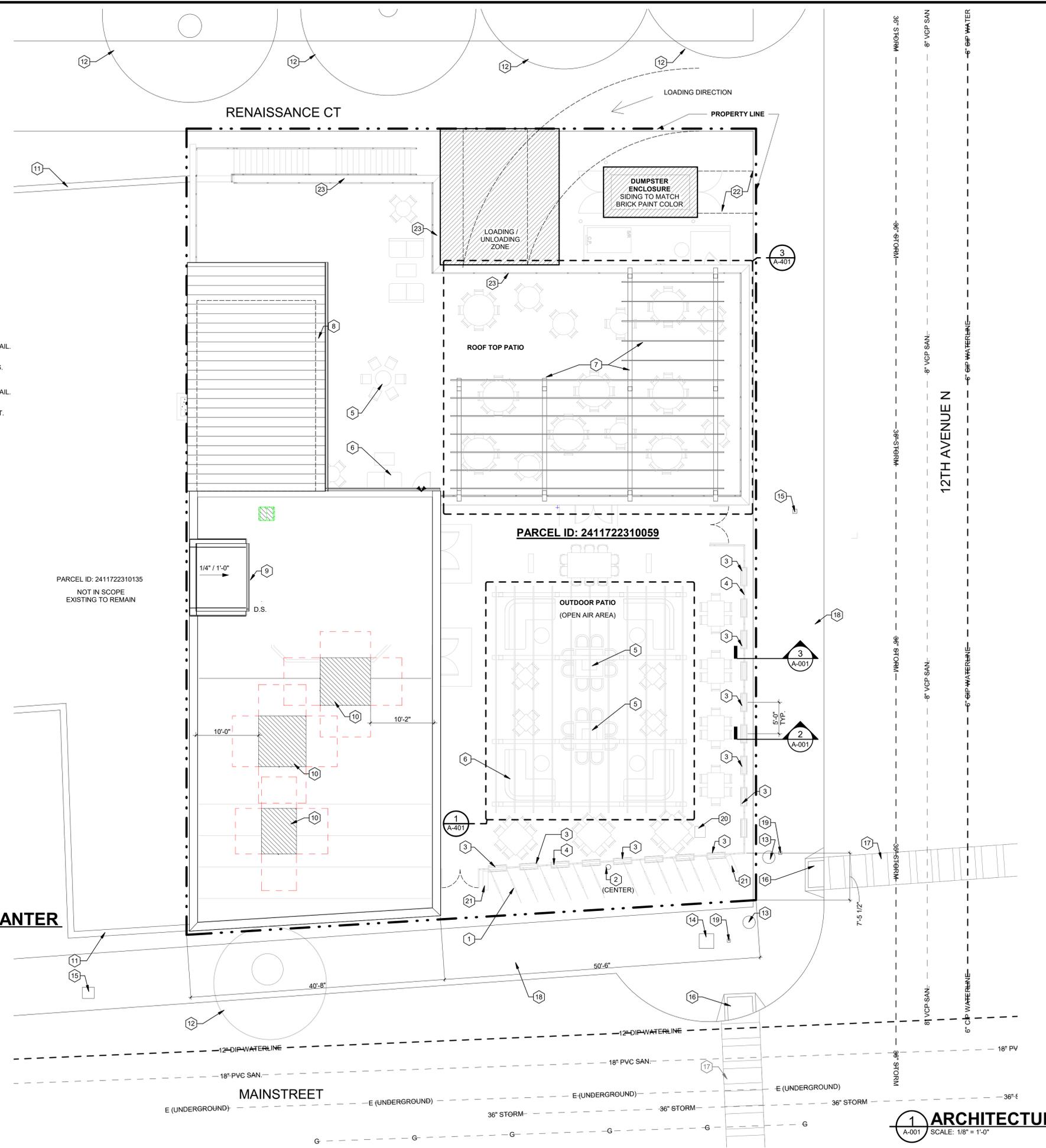
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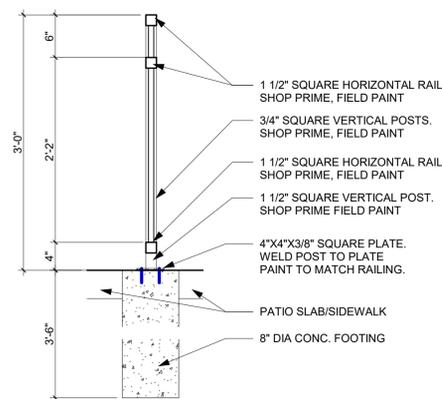
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TS-101

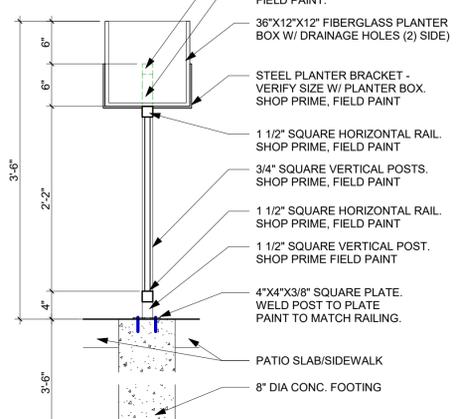


NOTE: ALL RAILING CONNECTIONS TO BE WELDED, MITERED, AND GROUND SMOOTH



3 TYP. RAILING DETAIL
A-001 SCALE: 1" = 1'-0"

NOTE: ALL RAILING CONNECTIONS TO BE WELDED, MITERED, AND GROUND SMOOTH



2 TYP. RAILING DETAIL @ PLANTER
A-001 SCALE: 1" = 1'-0"

PARCEL ID: 2411722310135
NOT IN SCOPE
EXISTING TO REMAIN

PARCEL ID: 2411722310059

ZONING NOTES

PARCEL: 2411722310059
 ZONED: B3 GENERAL BUSINESS
 PROJECT LOCATED DOWNTOWN AND WITHIN DOWNTOWN OVERLAY DISTRICT
 PROJECT WILL OPERATE AS A BREWPUB AND IS ABUTTED TO MAIN STREET

PARKING NOTES

THE PARCEL IS A PART OF THE HOPKINS DOWNTOWN DISTRICT. PARKING IS AVAILABLE VIA CITY GARAGES AND STREET PARKING. NEAREST CITY GARAGE IS APPROXIMATELY 450'-0" FROM THE EDGE OF THE LOT.

- ADA PARKING AND ACCESSIBLE ROUTES ARE PROVIDED AS PART OF THE CITY PARKING AND SIDEWALK INFRASTRUCTURE.
- THE EXISTING BUILDING OCCUPIES A CORNER LOT FRONTING MAIN STREET AND 12TH AVENUE.
- AS PART OF THE DOWNTOWN DISTRICT, A PEDESTRIAN LEVEL OUTDOOR PATIO IS PROVIDED ON THE ORIGINAL PAVED LOT AREA FOR PARKING.
- THE REAR PORTION OF THE PROPERTY BEHIND THE BUILDING IS UTILIZED FOR LOADING/UNLOADING AS WELL AS THE DUMPSTER ENCLOSURE.
- A PARKING STUDY HAS BEEN AUTHORIZED WITH THE CITY OF HOPKINS ON 4/10/2020
- 12 PUBLIC BICYCLE PARKING SPACES ARE PROVIDED ALONG MAIN STREET.

CODED NOTES

- INVERTED-U BIKE RACK
- BIKE REPAIR AND TIRE PUMP STATION. BASIS OF DESIGN: SARIS INFRASTRUCTURE DELUXE PUBLIC WORK STAND
- RAILING MOUNTED HANGING BASKETS - REFER TO RAILING DETAIL FOR BASIS OF DESIGN.
- 36" DECORATIVE STEEL RAILING - REFER TO RAILING DETAIL AND ELEVATIONS FOR ADDITIONAL INFORMATION.
- GAS FIRE PLACE. BASIS OF DESIGN: TBD
- OWNER PROVIDED OUTDOOR PATIO FURNITURE
- WOOD PERGOLA
- ROOFTOP CONSERVATORY
- ELEVATOR ROOFTOP PENTHOUSE
- NEW HVAC EQUIPMENT. SEE ENGINEERS DRAWINGS
- OUTLINE OF ADJACENT BUILDING
- EXISTING STREET TREE - TO REMAIN (NOT IN SCOPE)
- EXISTING MANHOLE - TO REMAIN (NOT IN SCOPE)
- EXISTING TRAFFIC LIGHT - TO REMAIN (NOT IN SCOPE)
- EXISTING STREET LIGHT - TO REMAIN (NOT IN SCOPE)
- EXISTING ADA ACCESS PLATE - TO REMAIN (NOT IN SCOPE)
- EXISTING CROSSWALK - TO REMAIN (NOT IN SCOPE)
- EXISTING ADA ACCESSIBLE SIDEWALK - TO REMAIN (NOT IN SCOPE)
- EXISTING CROSSWALK BUTTON - TO REMAIN (NOT IN SCOPE)
- SIGN POLE AND POLE BASE TO REMAIN - PROVIDE POWER - COORDINATE WITH ELECTRICAL DRAWINGS
- RAISED PLANTER BOX - BY OWNER
- DUMPSTER MANUEVERABILITY CLEARANCE (ON WHEELS)
- PROVIDE TRELLIS SCREENING FULL HEIGHT OF RAILING SEGMENT WHERE INDICATED ON PLAN



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**BEAR CAVE BREWING
 BUILD OUT AND RENOVATION
 1201 MAIN STREET
 HOPKINS, MN 55343
 PLANNING COMMISSION REVIEW**

**ARCHITECTURAL SITE
 PLAN**

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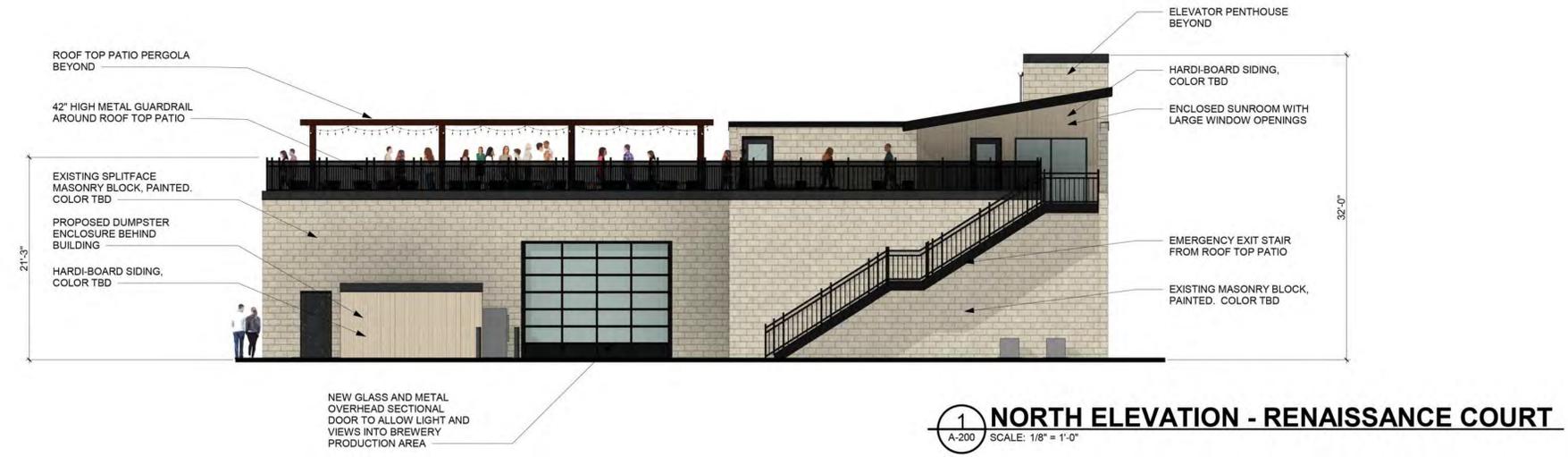
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1 ARCHITECTURAL SITE PLAN
A-001 SCALE: 1/8" = 1'-0"

A-001



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PLANNING COMMISSION REVIEW

PLANNING COMMISSION ARCHITECTURAL ELEVATIONS

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A-200

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EQUIPMENT SCHEDULE

| MARK | DESCRIPTION | PROVIDED BY OWNER | INSTALLED BY CONTRACTOR | REQUIRES ELECTRIC | REQUIRES WATER | REQUIRES GAS | REQUIRES STEAM | REQUIRES GLYCOL | COMMENTS |
|------|---------------------------------------|-------------------|-------------------------|-------------------|----------------|--------------|----------------|-----------------|----------|
| 100 | 15 BBL BREWHOUSE | • | • | • | • | • | • | • | |
| 101 | 30 BBL HOT LIQUIR TANK (HLT) | • | • | • | • | • | • | • | |
| 102 | 2 BBL PILOT BREWING SYSTEM | • | • | • | • | • | • | • | |
| 103 | 2 BBL PILOT FERMENTER | • | • | • | • | • | • | • | |
| 104 | 15 BBL BRITE TANK | • | • | • | • | • | • | • | |
| 105 | 30 BBL FERMENTER | • | • | • | • | • | • | • | |
| 106 | 15 BBL FERMENTER | • | • | • | • | • | • | • | |
| 107 | 15 BBL LAGER TANK | • | • | • | • | • | • | • | |
| 108 | GLYCOL CONTROL PANEL | • | • | • | • | • | • | • | |
| 109 | PORTABLE PUMP (1.5 HP) | • | • | • | • | • | • | • | |
| 110 | 3-HEAD KEG WASHER | • | • | • | • | • | • | • | |
| 111 | GLYCOL CHILLER | • | • | • | • | • | • | • | |
| 112 | BULK CO2 TANK | • | • | • | • | • | • | • | |
| 113 | STEAM BOILER (MPH-20) | • | • | • | • | • | • | • | |
| 114 | GRAIN ROLLER | • | • | • | • | • | • | • | |
| 115 | EVAPORATIVE COIL - WALK IN COOLER | • | • | • | • | • | • | • | |
| 116 | REMOTE CONDENSOR - WALK IN COOLER | • | • | • | • | • | • | • | |
| 117 | IPOURIT TAP SYSTEM | • | • | • | • | • | • | • | |
| 118 | 6'-0" DRIP TRAY W/ GLASS SPRITZER | • | • | • | • | • | • | • | |
| 119 | 5'-0" DRIP TRAY W/ GLASS SPRITZER | • | • | • | • | • | • | • | |
| 122 | 7'-6" DRIP TRAY W/ GLASS SPRITZER | • | • | • | • | • | • | • | |
| 123 | WINE/BEER BARREL - AGING | • | • | • | • | • | • | • | |
| 124 | TAXIDERMY BEAR | • | • | • | • | • | • | • | |
| 125 | 7'-2 1/2" DRIP TRAY W/ GLASS SPRITZER | • | • | • | • | • | • | • | |

GENERAL NOTES

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- F CONTRACTOR TO COORDINATE W/ OWNER FOR TIMELINE OF OWNER PROVIDED EQUIPMENT. COORDINATE ALL ANTICIPATED DELIVERY/INSTALLATION DATES W/ OWNER TO EVALUATE WHAT ASSOCIATED CONSTRUCTION ACTIVITIES NEED TO BE COMPLETED PRIOR TO EQUIPMENT ARRIVAL.



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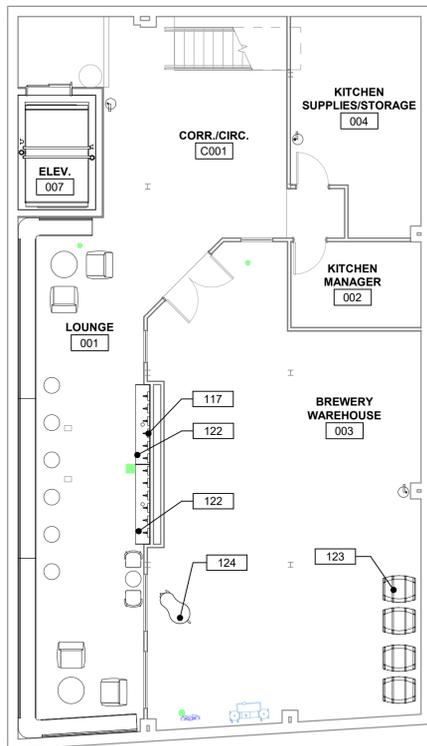
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 1201 MAIN STREET
 HOPKINS, MN 55343**

**GROUND FLOOR AND
 LOWER LEVEL
 EQUIPMENT PLANS**

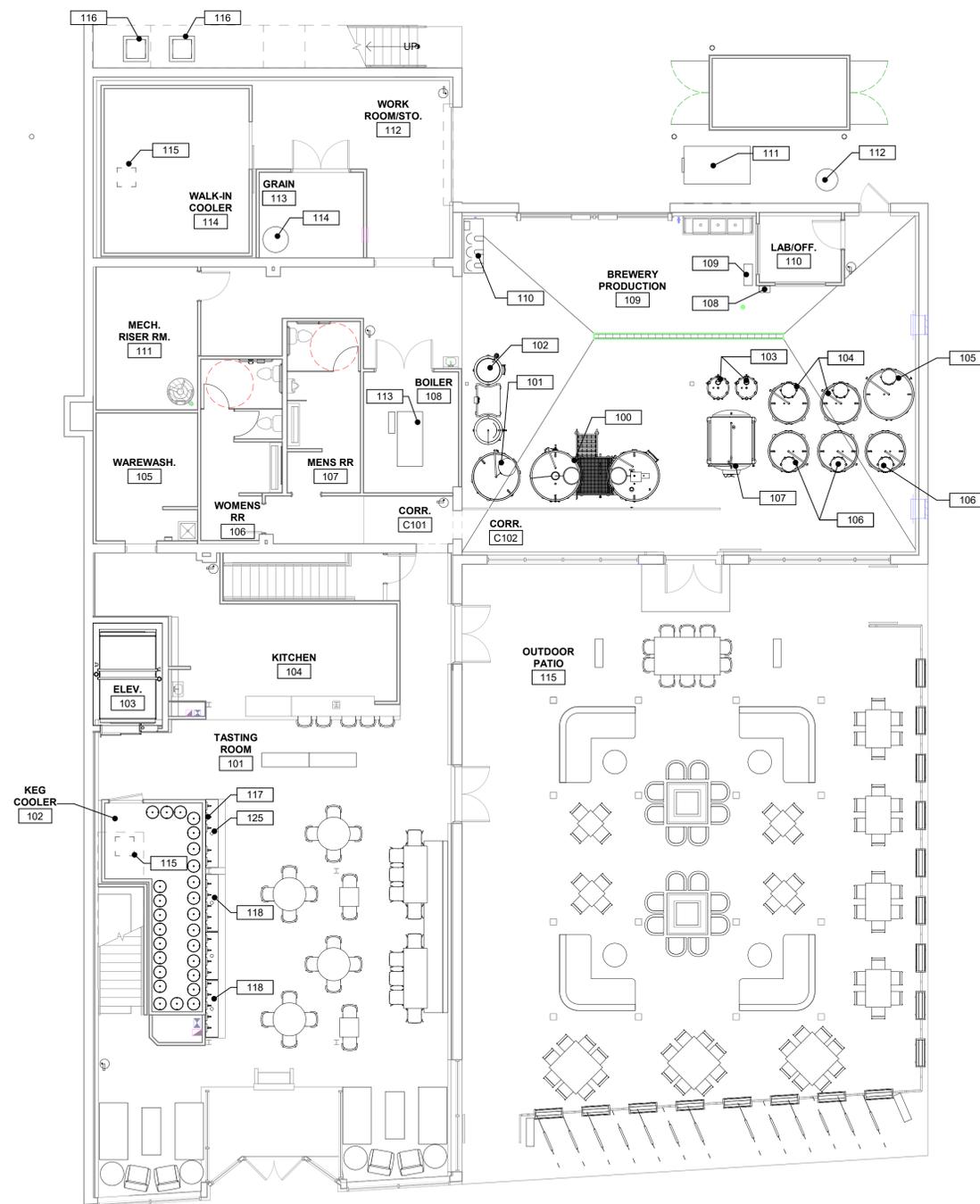
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F-200



2 LOWER LEVEL EQUIPMENT PLAN
 F-200 SCALE: 1/8" = 1'-0"



1 GROUND FLOOR EQUIPMENT PLAN
 F-200 SCALE: 1/8" = 1'-0"

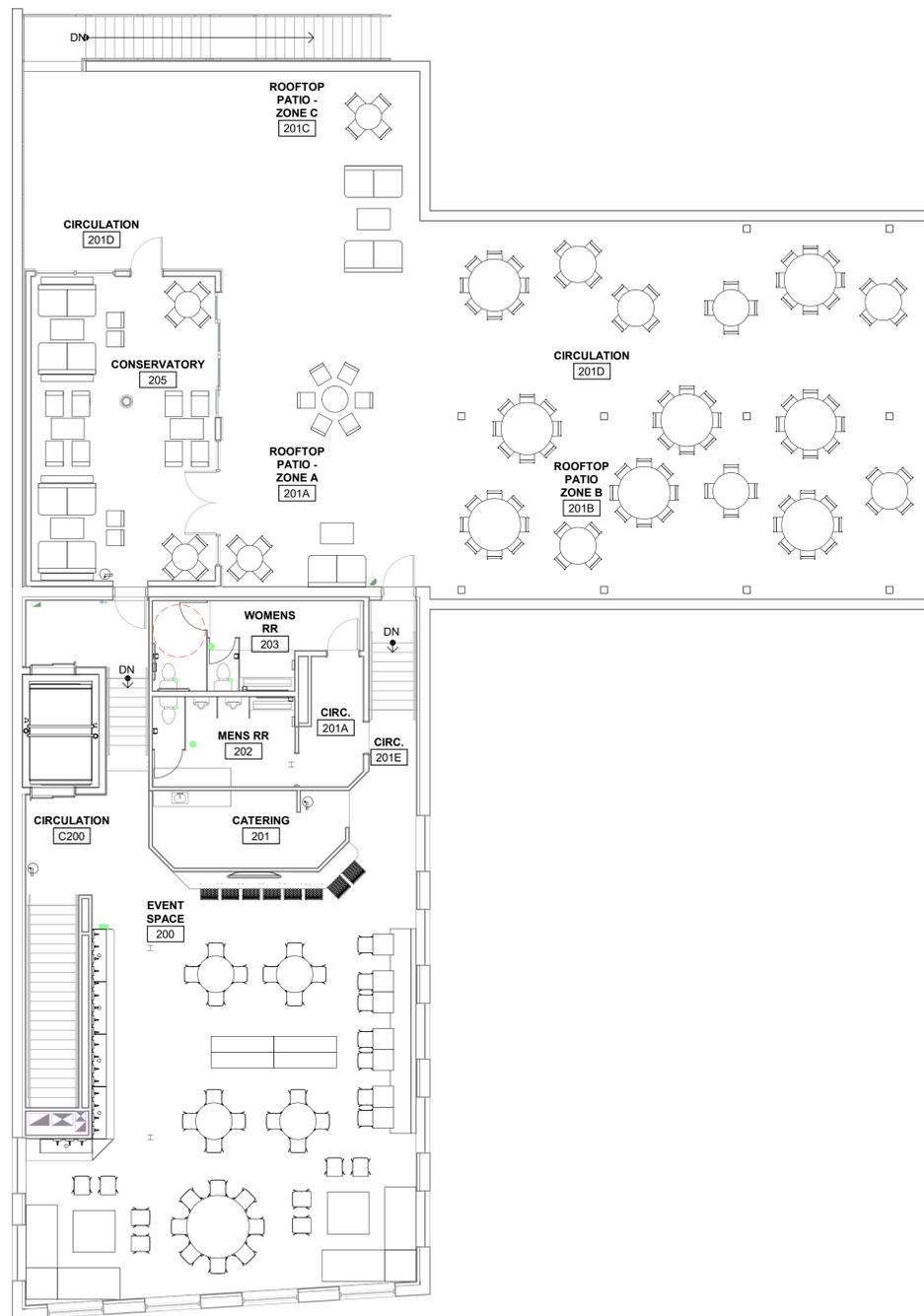
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EQUIPMENT SCHEDULE

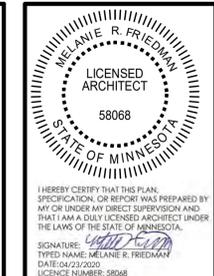
GENERAL NOTES

| MARK | DESCRIPTION | PROVIDED BY OWNER | PROVIDED BY CONTRACTOR | INSTALLED BY OWNER/OWNERS VENDOR | REQUIRES ELECTRIC | REQUIRES WATER | REQUIRES GAS | REQUIRES STEAM | REQUIRES GLYCOL | COMMENTS |
|------|---------------------------------------|-------------------|------------------------|----------------------------------|-------------------|----------------|--------------|----------------|-----------------|----------|
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1 UPPER LEVEL EQUIPMENT PLAN
 F-201 SCALE: 1/8" = 1'-0"



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UPPER LEVEL
EQUIPMENT PLANS

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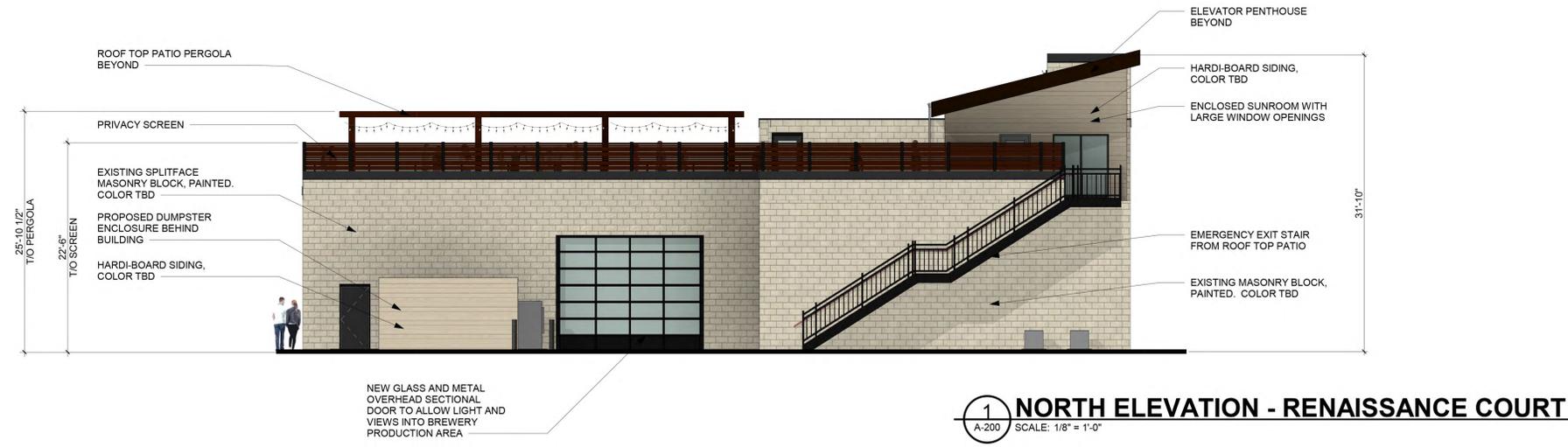
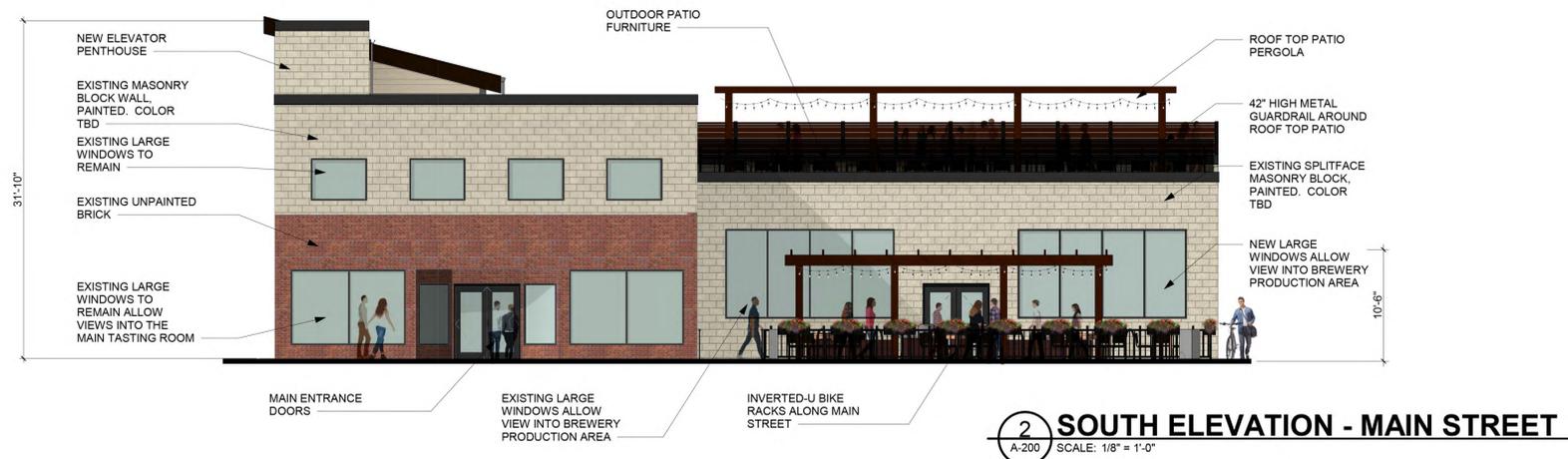
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**PLANNING
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| 04/23/20 | PLANNING COMMISSION SUBMITTAL |
| 05/27/20 | PLANNING COMMISSION COMMENTS |
| | |
| | |

A-200



5/27/2020 4:47:12 PM



05/08/2020

Dear Neighbor,

We at Bear Cave Brewing, a new proposed brewery, have applied to the City of Hopkins for certain land use approvals at 1201 Mainstreet that will allow rehabilitation of the existing building, previously used as a Firestone Tire Auto Service Center into a new microbrewery and tasting room.

We are excited to be a part of Downtown Hopkins and would like to share our proposed plans with our neighbors, listen to feedback, and answer any questions regarding such plans. Due to ongoing concerns related to the COVID-19 pandemic, in lieu of holding an in-person neighborhood meeting to discuss our plans directly with you, we invite you to review and comment on our plans virtually by entering the following link in your web browser: <https://tinyurl.com/BearCaveNeighbor>. You will be directed to a Dropbox Folder with a copy of our proposed plans and elevations for viewing.

Please e-mail all questions and comments to our Project Architect Brian Grafton at Bgrafton@fmdarchitects.com. **Comments must be received by Tuesday, May 19, 2020.** To help make sure we get your comments, please include "*Bear Cave Brewing – Neighborhood Feedback*" in the subject line. If you prefer to call and talk with someone directly, you may reach out to Brian Grafton with FMD Architects at 330-836-2343 Extension # 2100 Monday-Friday between 8:00a-11:00a CST.

Additionally, certain components of our plans must be reviewed and approved by the City of Hopkins. It is our understanding that the Hopkins Planning & Zoning Commission will hold a public hearing to review our application on May 26, 2020 starting at 6:30 p.m., and the Hopkins City Council will review and act upon our application on June 2, 2020 starting at 7:00 p.m. More information about those meetings can be found on the City's website (www.hopkinsmn.com).

Sincerely,

Nathan Bergeland
Bear Cave Brewing

Bear Cave Brewing Company

1201 Main Street

Hopkins MN, 55343

Re: Neighborhood Virtual Plan Review and Comments

Dear Mr. Lindahl,

The property Owners of the proposed brewery project at 1201 Main Street mailed hard copies of the letter included as Exhibit A in this report on Friday May 8, 2020. In the letter, the owners have openly invited the neighborhood, Planning Commission, and City Council members to review a digital set of PDFs showing the proposed site plan, floor plans, and elevations and provided an opportunity for feedback. It is the intent for this proposed brewery to be a good neighbor, and it was a priority to give adjacent residences and businesses an opportunity to share their thoughts with the design team early on. The comment period ended on Tuesday May 19th, 2020, and we have compiled a transcript of all comments given during this time.

Feedback = comments provided by neighbor(s)

Response = FMD Architects reply

Thank you again for the opportunity to work together, and we are looking forward to the Planning Commission Meeting on Tuesday May 26, 2020. If there are any follow up questions or comments, please do not hesitate to reach out to myself or the property owners for continued collaboration and coordination.

Sincerely,

Brian Grafton

Brian Grafton

Project Architect

FMD Architects

330-836-2343 X 2100

| Order | Date | Contact Name | Contact Address | E-mail | Phone (if provided) |
|--|----------|----------------|--|--|---------------------|
| 1. | 05/11/20 | Barb Legrand | 21 12 th Ave N Hopkins, MN 55343 | barb.legrand@alorus.com | - |
| <ul style="list-style-type: none"> • E-mail Feedback: I currently live kitty corner to the site of the new Bear Cave Brewing site on 12th Ave. As excited as I am to have a new brewery in Hopkins, I am a little concerned about noise. Can you tell me what the operation hours are expected to be and will the patios (both rooftop and ground level facing 12th) have any sort of barrier to help with noise? <ul style="list-style-type: none"> ○ Response: Thank you for reaching out. The owners anticipated hours will match the other businesses similar to theirs along Main Street. Tentatively they would be Monday through Friday 10a-10p and 10:00a to no later than 12:00p on weekends. The owners have shared they want to be good neighbors, and will consider all feedback as they go through the rest of the zoning process. For the patios, there will be an enclosed portion on the rooftop patio for groups, and a screen along the railing on the northern side. The ground level patio will have a railing around the perimeter and is fortunate to have the bulk of the building as a buffer between the residential areas and the patio itself. | | | | | |
| 2. | 05/11/20 | Steve Anderson | 1211 Main Street Hopkins, MN 55343 | Sma.inky@gmail.com | 952-405-8657 |
| <ul style="list-style-type: none"> • E-mail Feedback: I just received your letter in my mail regarding your placing the plans for the new Bear Cave Brewing site and wanted to say that the Pdf fidelity is so low that I cannot read anything in the type areas. Can you try to somehow put a larger size online so it can at least be read? <ul style="list-style-type: none"> ○ Response: The PDF on the dropbox can be zoomed in on. Due to the size of the file and number of guests viewing the files at one time today, we have noticed that it does take a moment for the file to refresh. We also recommend viewing files on a desktop computer or utilizing the desktop mode for the site if using a mobile phone for the best viewing experience. Please try that these suggestions and let us know if those recommendations provide more clarity. • E-mail Feedback: So just FYI . . . my business is in the arts so I am more than familiar with imaging, including the use of Pdf files. Being somewhat of a <i>techno-dinosaur</i> relative to iPhones, I never use | | | | | |

my phone for anything, short of making an occasional call or sending a text. I otherwise have the newest model iMac with a 28" screen. So the file I get when I go to your site has a resolution of 6.57 MB. I did a screen shot (*see attached*) and made a Pdf to send back to you.

- **E-mail Feedback:** Did you receive the screen shot I sent you yesterday ??
 - **Response:** I received your screenshot. We have looked into this with a number of different machines and devices including PC and Apple and are not seeing results like those you have shared. Attached is a PDF copy of the same drawings uploaded to the dropbox account in case there is a connectivity conflict preventing them from loading properly for you.
- **E-mail Feedback:** So the one you attached is now clear. Perhaps you failed to see that the one you initially send was 30% smaller in final mega bytes. That makes a big difference in legibility.

| | | | | | |
|----|----------|-------------|---|--|---|
| 3. | 05/14/20 | Steve Baiel | 14 12 th Ave. North Hopkins, MN 55343 | steve@ummbvideo.com | - |
|----|----------|-------------|---|--|---|

- **E-mail Feedback:** I received a letter earlier this week from Nathan Bergeland with information about the Bear Cave Brewing project. It indicated I could contact you with questions and comments. I am Steve Baiel and my home is at 14 12th Ave. North. (The second house north of the Bear Cave.) I am appreciative of receiving the information and I have a couple of preliminary questions I would like to ask. 1. Am I correct in thinking that the current wooden structure on the northern edge of the property is being removed? 2. The exterior stairs on the northern edge of the property going from the roof top deck to the ground are labelled as emergency. Would they ever be used as an entrance or exit? Or, would they only be used as an emergency exit?
 - **Response:** 1. Yes, it is the intent to remove the old wooden tire shed on the northern side of the property. 2. The design intent for the new stair is to be used for emergency exit only as code required second exit. Based on the anticipated operations, customers would need to check in with a hostess to be seated, and we would anticipate the entrance on Main street and the ground patio to be the primary points of access.
- **E-mail Feedback:** There is a lot that I like in the project drawings. I think the main ground level patio fits in well with the adjacent theaters. It is bicycle friendly. Removing the tire shed will improve the appearance of the property. This will be a nice additional to the Hopkins Mainstreet

community. But I do want to mention a concern I have. Given that my house is close to the Bear Cave, I am concerned that there will be large groups, perhaps 100 or more, on the roof top deck. I am thinking of this in terms of noise, direct line of sight and possibly light spill. More specifically, the areas labelled Rooftop Patio Zone C, Conservatory and Rooftop Patio Zone A have a direct view into my backyard. It is my understanding that there is a 42" high metal guardrail around the roof top patio. Would it be possible to place a 72" wall along the north side of the roof top patio to provide a block towards the houses and other residential properties? I think this would address, noise, line of sight and light. Could this also be done on the top landing of the emergency stairs? More generally speaking, I am interested in seeing more of a barrier between the roof top patio and the residences to the north. There may be ways to achieve this other than my suggestion of the wall that are more appealing to you and Nathan. I am more interested in expressing a concern that trying to define a specific plan.

EXHIBIT A



05/08/2020

Dear Neighbor,

We at Bear Cave Brewing, a new proposed brewery, have applied to the City of Hopkins for certain land use approvals at 1201 Mainstreet that will allow rehabilitation of the existing building, previously used as a Firestone Tire Auto Service Center into a new microbrewery and tasting room.

We are excited to be a part of Downtown Hopkins and would like to share our proposed plans with our neighbors, listen to feedback, and answer any questions regarding such plans. Due to ongoing concerns related to the COVID-19 pandemic, in lieu of holding an in-person neighborhood meeting to discuss our plans directly with you, we invite you to review and comment on our plans virtually by entering the following link in your web browser: <https://tinyurl.com/BearCaveNeighbor>. You will be directed to a Dropbox Folder with a copy of our proposed plans and elevations for viewing.

Please e-mail all questions and comments to our Project Architect Brian Grafton at Bgrafton@fmdarchitects.com. **Comments must be received by Tuesday, May 19, 2020.** To help make sure we get your comments, please include "*Bear Cave Brewing – Neighborhood Feedback*" in the subject line. If you prefer to call and talk with someone directly, you may reach out to Brian Grafton with FMD Architects at 330-836-2343 Extension # 2100 Monday-Friday between 8:00a-11:00a CST.

Additionally, certain components of our plans must be reviewed and approved by the City of Hopkins. It is our understanding that the Hopkins Planning & Zoning Commission will hold a public hearing to review our application on May 26, 2020 starting at 6:30 p.m., and the Hopkins City Council will review and act upon our application on June 2, 2020 starting at 7:00 p.m. More information about those meetings can be found on the City's website (www.hopkinsmn.com).

Sincerely,

Nathan Bergeland
Bear Cave Brewing

Jason Lindahl

From: noreply@civicplus.com
Sent: Tuesday, May 26, 2020 11:21 AM
To: Ari Lenz; Amy Domeier
Subject: [EXTERNAL] Online Form Submittal: City Council Virtual Meeting Participation

City Council Virtual Meeting Participation

Due to the technical requirements associated with virtual meetings, we strongly encourage you to provide your question/comment prior to the meeting in one of two ways listed below:

- Via the question/comment box on this form*
- Via phone at 952-548-6302 during normal business hours (8 a.m.-4:30 p.m.).*

All comments must be submitted by noon on May 5 in order to be included.

If, despite the technical difficulties, you want to make your comment online or via phone during the meeting, please check the box at the bottom of the form, provide your email and phone number, and someone will be in contact with you with further instructions.

| | |
|--|---|
| First Name | Elizabeth |
| Last Name | Wright |
| Address | 10 12th Ave N |
| City | Hopkins |
| State | MN |
| Zip Code | 55343 |
| Phone Number | 6127083889 |
| Email Address | edwig05@smumn.edu |
| Question/Comment (will be read at meeting) | My home is directly north of the proposed brewpub. My husband and I are concerned about the height of the new building, especially on the north side, as it will block sunlight on our property. What will be the height of the building along the north side, with respect to the height of the previous structure? Higher or lower? |

I want to provide verbal comment during the meeting: *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)

Jason Lindahl

From: Amy Domeier
Sent: Tuesday, May 26, 2020 11:38 AM
To: Courtney Pearsall; Jason Lindahl; Kersten Elverum; Ari Lenz
Subject: FW: [EXTERNAL] Online Form Submittal: City Council Virtual Meeting Participation

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, May 26, 2020 11:27 AM
To: Ari Lenz <alenz@HOPKINSmn.com>; Amy Domeier <adomeier@HOPKINSmn.com>
Subject: [EXTERNAL] Online Form Submittal: City Council Virtual Meeting Participation

City Council Virtual Meeting Participation

Due to the technical requirements associated with virtual meetings, we strongly encourage you to provide your question/comment prior to the meeting in one of two ways listed below:

- Via the question/comment box on this form*
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| | |
|--|---|
| First Name | Elizabeth |
| Last Name | Wright |
| Address | 10 12th Ave N |
| City | Hopkins |
| State | MN |
| Zip Code | 55343 |
| Phone Number | 6127083889 |
| Email Address | edwrig05@smumn.edu |
| Question/Comment (will be read at meeting) | Our home is directly north of the proposed brewpub. My husband and I are concerned about the lack of privacy from |

customers on the rooftop lounge who will be able to stare down directly into our yard and windows. What will be done to address this?

I want to provide verbal comment during the meeting:

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Jason Lindahl

From: noreply@civicplus.com
Sent: Tuesday, May 26, 2020 11:13 AM
To: Ari Lenz; Amy Domeier
Subject: [EXTERNAL] Online Form Submittal: City Council Virtual Meeting Participation

City Council Virtual Meeting Participation

Due to the technical requirements associated with virtual meetings, we strongly encourage you to provide your question/comment prior to the meeting in one of two ways listed below:

- Via the question/comment box on this form*
- Via phone at 952-548-6302 during normal business hours (8 a.m.-4:30 p.m.).*

All comments must be submitted by noon on May 5 in order to be included.

If, despite the technical difficulties, you want to make your comment online or via phone during the meeting, please check the box at the bottom of the form, provide your email and phone number, and someone will be in contact with you with further instructions.

| | |
|--|--|
| First Name | Pete |
| Last Name | Hesse |
| Address | 10 12th Ave N |
| City | Hopkins |
| State | mn |
| Zip Code | 55343 |
| Phone Number | 6127030929 |
| Email Address | petehesse41@gmail.com |
| Question/Comment (will be read at meeting) | My home is immediately north of the proposed brewpub. What will be done to minimize the noise coming from the outdoor patio on the roof of the building? |
| I want to provide verbal comment during the meeting: | <i>Field not completed.</i> |

Email not displaying correctly? [View it in your browser.](#)

Jason Lindahl

From: noreply@civicplus.com
Sent: Tuesday, May 26, 2020 11:18 AM
To: Ari Lenz; Amy Domeier
Subject: [EXTERNAL] Online Form Submittal: City Council Virtual Meeting Participation

City Council Virtual Meeting Participation

Due to the technical requirements associated with virtual meetings, we strongly encourage you to provide your question/comment prior to the meeting in one of two ways listed below:

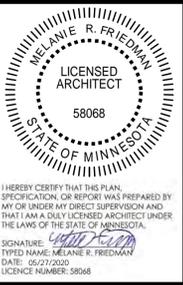
- Via the question/comment box on this form*
- Via phone at 952-548-6302 during normal business hours (8 a.m.-4:30 p.m.).*

All comments must be submitted by noon on May 5 in order to be included.

If, despite the technical difficulties, you want to make your comment online or via phone during the meeting, please check the box at the bottom of the form, provide your email and phone number, and someone will be in contact with you with further instructions.

| | |
|--|--|
| First Name | Pete |
| Last Name | Hesse |
| Address | 10 12th Ave N |
| City | Hopkins |
| State | mn |
| Zip Code | 55343 |
| Phone Number | 6127030929 |
| Email Address | petehesse41@gmail.com |
| Question/Comment (will be read at meeting) | My home is immediately north of the proposed brewpub. I am concerned about customers parking in front of my house, and the various unpleasant items that are commonly littered at closing time. What will be done to address this? |
| I want to provide verbal comment during the meeting: | <i>Field not completed.</i> |

Email not displaying correctly? [View it in your browser.](#)



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 2841 Riviera Drive, Suite 200 Fairlawn, Ohio 44333
 Phone: 330.836.2343 Fax 330.836.7359

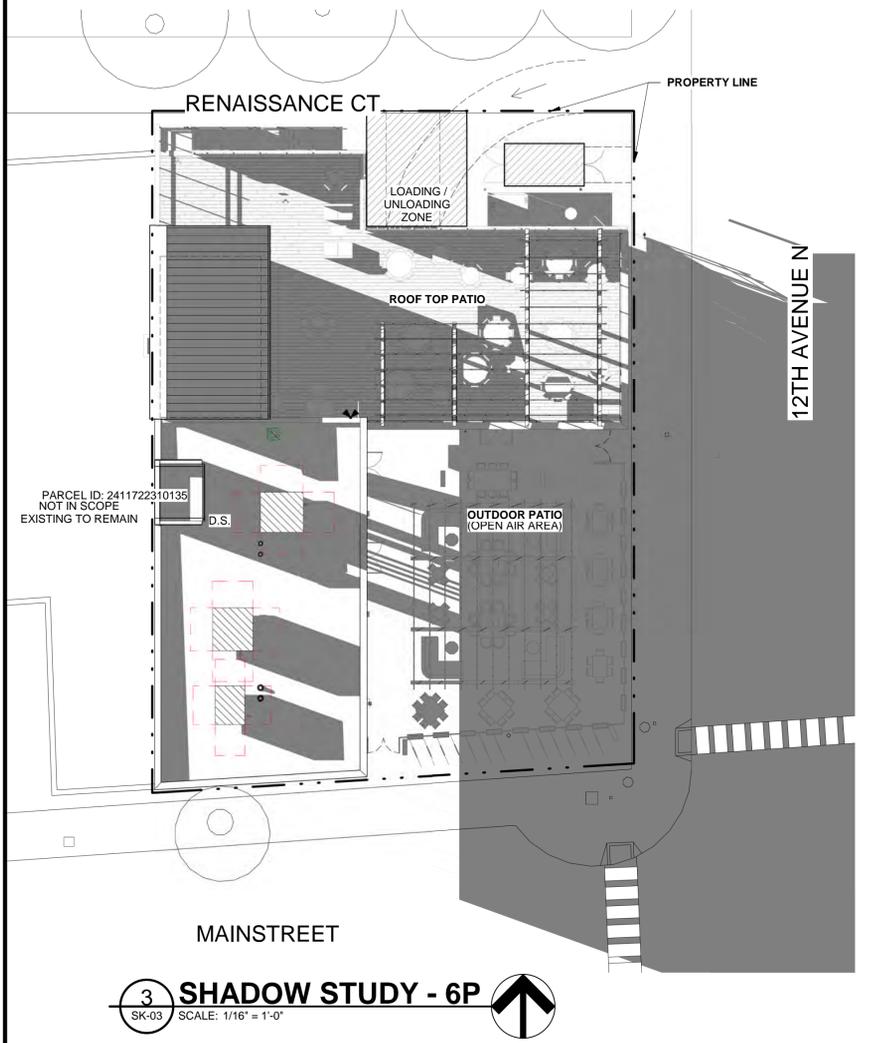
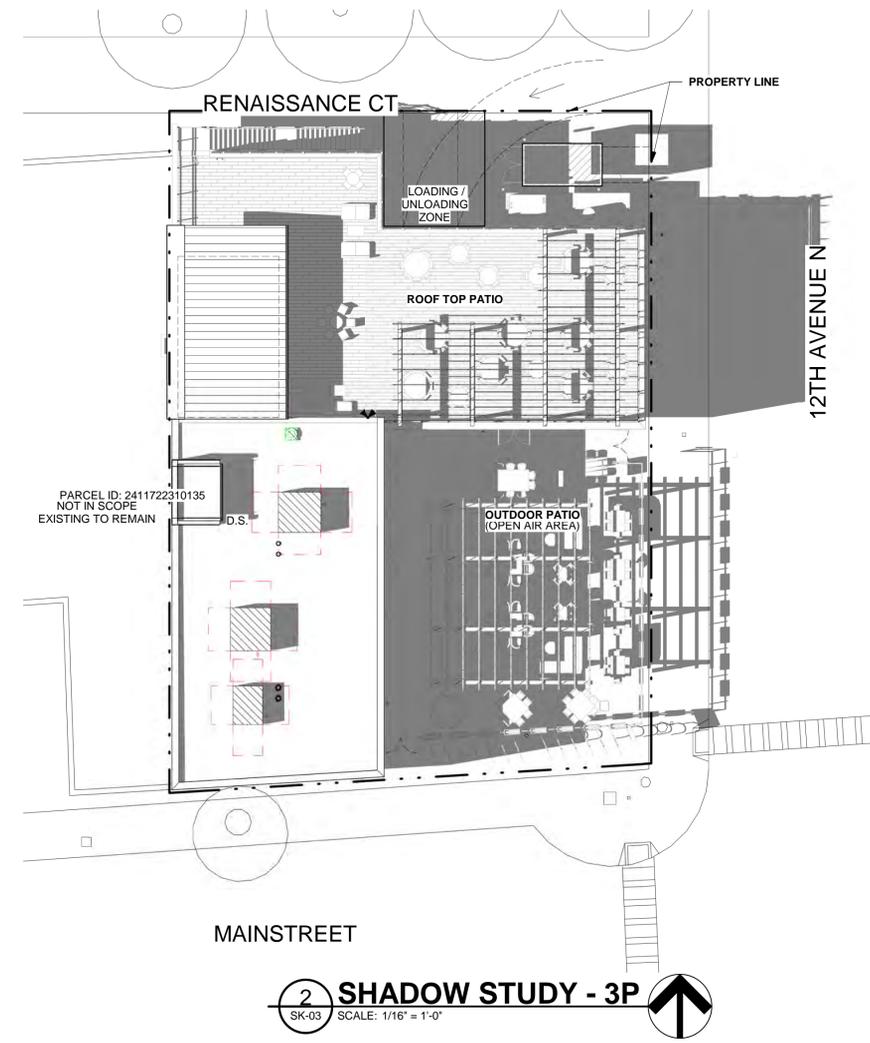
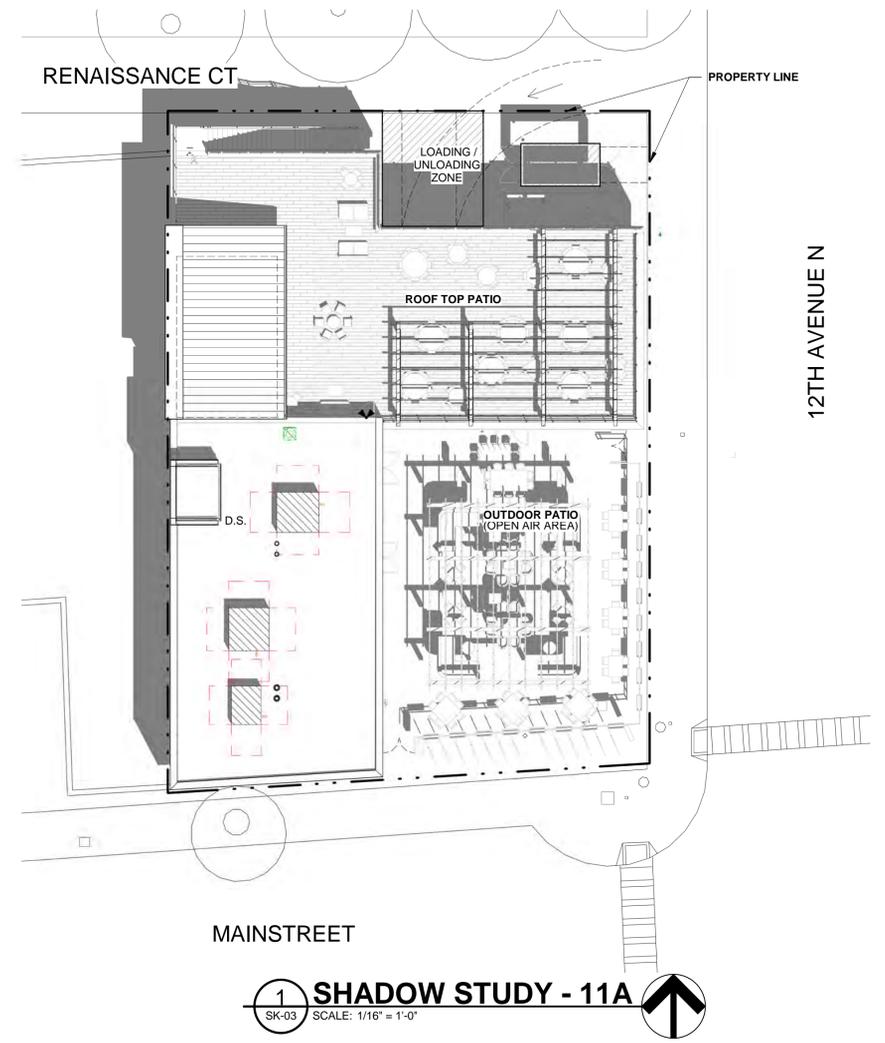
**BEAR CAVE BREWING
 BUILD OUT AND RENOVATION
 1201 MAIN STREET
 HOPKINS, MN 55343
 CONSTRUCTION DOCUMENTS**

SHADOW STUDY

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 JOB NUMBER: 19-1173A

| | |
|----------|------------------------------|
| 05/27/20 | PLANNING COMMISSION COMMENTS |
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| | |

SK-03



5/27/2020 4:48:14 PM





To: Jason Lindahl
City of Hopkins

From: Matt Pacyna, PE, Principal
Ethan Bialik, EIT, Engineer

Date: May 20, 2020

Subject: Bear Cave Brewing Traffic and Parking Study

Introduction

SRF has completed a traffic and parking study for the proposed brewery development located in the northwest quadrant of the Mainstreet and 12th Avenue intersection in Hopkins, MN. For purposes of this study, the study area focuses on a two-block radius of the proposed development as shown in Figure 1. The main objectives of this study are to review traffic and parking impacts associated with the proposed development and recommend any necessary improvements or strategies to accommodate the proposed development. The following sections provide the assumptions, analysis, and study conclusions offered for consideration.

Existing Conditions

The existing conditions were reviewed to establish a baseline to identify any future impacts associated with the proposed development. The evaluation of existing conditions includes various data collection efforts, including a review of area roadway characteristics, average daily traffic (ADT) volumes, planning-level roadway capacity, and parking regulations, supply, and demand. The following sections outline the existing conditions within the study area.

Roadway Characteristics

Observations were completed to identify area roadway characteristics (i.e. roadway geometry, speed limits, and traffic controls). Currently, all roadways within the study area are two-lane undivided facilities with 30-mile per hour (mph) posted speed limits. The intersections along Mainstreet at 10th Avenue, 11th Avenue, 12th Avenue, and 14th Avenue are signalized. The intersections along 1st Street North at 10th Avenue, 11th Avenue, 12th Avenue, and 14th Avenue, as well as along 1st Street South at 12th Avenue are all-way stop-controlled. The remaining study intersections are side-street stop-controlled.

Average Daily Traffic Volumes

Given the current “stay-at-home” order related to COVID-19, new traffic volume data is not able to be collected as area travel patterns have been significantly impacted. Therefore, historical average daily traffic (ADT) volumes, provided by the Minnesota Department of Transportation (MnDOT), were obtained. A summary of the most recent ADT volumes available within the study area are included in Figure 1.



The existing (i.e. year 2016) ADT volumes along Mainstreet between 11th Avenue and 12th Avenue are approximately 5,400 vehicles per day (vpd). The ADT volumes along 11th Avenue range from 2,500 vpd to 5,400 vpd to the north and south of Mainstreet, respectively. ADT volumes along 1st Street North are approximately 2,250 vpd, while ADT volumes along 1st Street South are approximately 2,700 vpd. Daily traffic volumes along the other study roadways are estimated to be similar to or less than these roadways.

Planning Level Roadway Capacity Review

A planning level roadway capacity review was completed to understand current operations and reserve capacity. The review compared existing study area roadways, which are all two-lane undivided urban roadways, with the typical planning level roadway capacity threshold values outlined in Table 1. Based on the information in Table 1, the roadway capacity of an urban two-lane undivided roadway is generally between 8,000 and 10,000 vpd. Therefore, since the current ADT volumes within the study area are generally 5,400 vpd or less, there is more than 30 percent reserve capacity remaining along study area roadways before roadway capacity/geometric improvements may be needed.

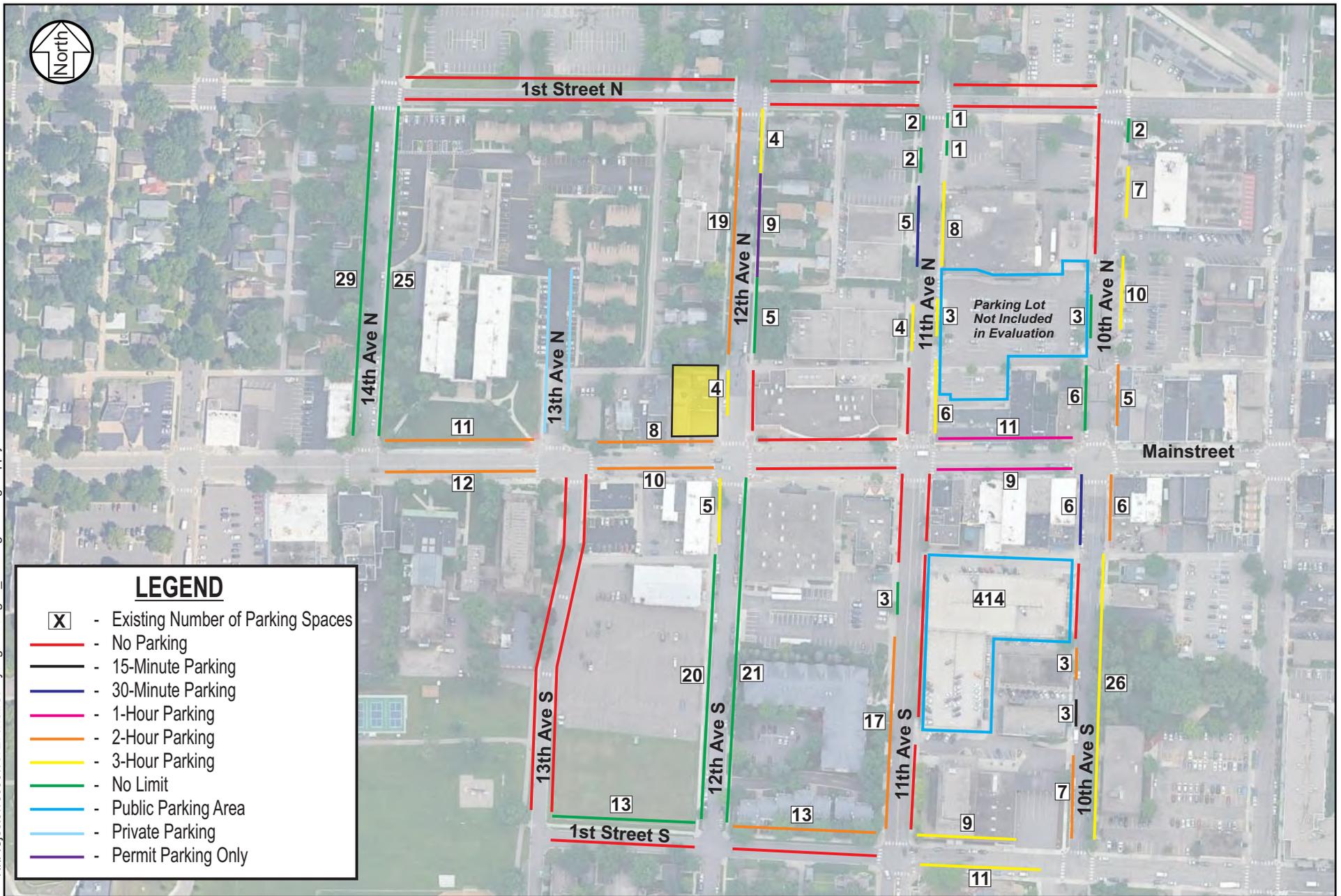
Table 1. Planning Level Roadway Capacities by Facility Type

| Facility Type | Planning Level Daily Capacity Ranges (ADT) | Under Capacity | | | | Approaching Capacity | | Over Capacity |
|-------------------------------------|--|----------------|-------|--------|--------|----------------------|----------|---------------|
| | | LOS | A | B | C | D | E | F |
| | | 0.2 | 0.4 | 0.6 | 0.85 | 1.0 | >1.0 | |
| Two-lane undivided urban | 8,000 – 10,000 | 2,000 | 4,000 | 6,000 | 8,500 | 10,000 | > 10,000 | |
| Two-lane divided urban (Three-lane) | 14,000 – 17,000 | 3,400 | 6,800 | 10,200 | 14,450 | 17,000 | > 17,000 | |

Parking

Current public parking was reviewed to understand the existing parking supply and demand within the study area. Observations were completed to identify the existing parking supply and regulations within the study area, which are summarized in Figure 2. This includes both on-street and public off-street parking. Note that there are approximately 800 parking spaces within a two-block radius of the proposed development, including public parking lot 400; there are approximately 65 public parking spaces within 300 feet of the proposed development, which corresponds with a typical city block.

To identify the existing parking demand, a combination of resources were leveraged, including the *City of Hopkins Parking Study*, completed in 2013, and historical aerial mapping. Note that there are 14 days of aerial mapping dating back to 2015, which includes a variety of days and times during the week (i.e. weekday/weekend and morning/afternoon data). Shadows within the aerial photography were used to estimate the approximate time of day that the images were collected. Note that no evening data was able to be obtained using the aerial approach, but based on the *City of Hopkins Parking Study*, the peak demand in downtown generally occurred during the weekday afternoon period. Therefore, the parking demand identified using aerial photos is considered valid for this study purpose.



To provide a conservative approach, the observed peak parking demand within the study area (i.e. on- and off-street), regardless of the day/time of the week, was used to identify the available supply. The peak parking demand within 300 feet of the proposed development and within the overall study area were observed to be approximately 40 spaces and 450 spaces, respectively. Based on this demand, there is a surplus of approximately 25 spaces within 300 feet of the proposed development and 350 spaces within a two-block radius of the proposed development. Of the total available spaces, approximately 130 spaces are on-street and 220 spaces are off-street. A summary of the available on- and off-street peak parking utilization is provided in Figure 3, while detailed parking utilization by day and time is provided in the Appendix.

Proposed Development

The proposed development is located at the northwest quadrant of the Mainstreet and 12th Avenue intersection, which was once occupied by the Firestone Tire Center. The project would reconfigure the existing site and construct a brewery with 180 interior seats and 222 outdoor seats (see Figure 4). Within the building, multiple seating areas are planned, including a taproom and event space. The proposed development was assumed to open by the end of year 2021. The existing 10-space surface parking lot would be repurposed for outdoor seating. No parking on-site would be provided after construction.

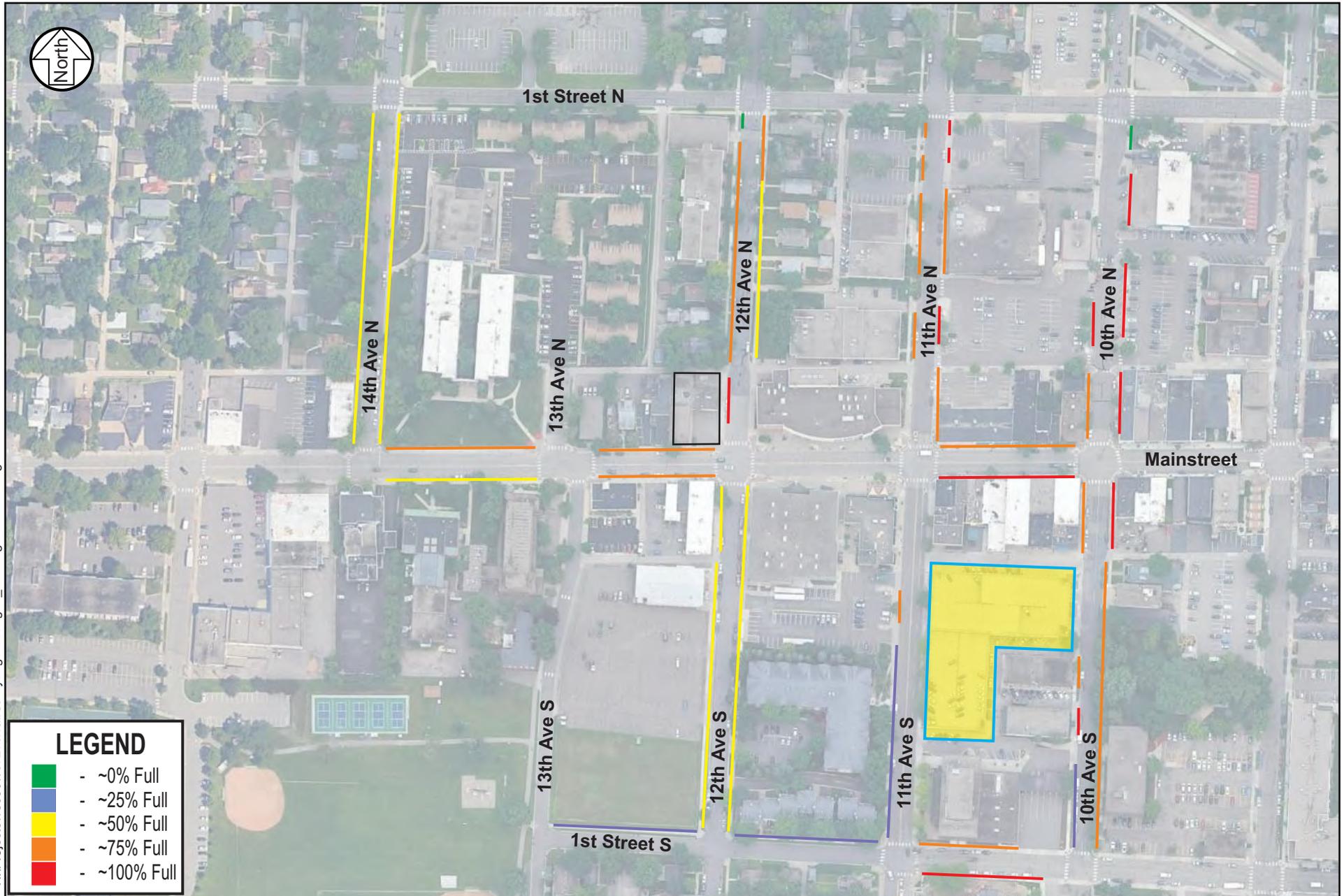
The subject property is zoned B-2, Central Business District which does not have off-street parking requirements for individual businesses but rather manages parking in the City's Downtown district parking system. Even with no specific off-street parking requirement for individual properties within the B-2 district, the City's site plan review standards still require individual properties to demonstrate a proposed development will have adequate parking and will not create traffic hazards or excessive traffic through residential areas or otherwise cause adverse effects on residential areas or dwellings. Further discussion regarding potential impacts is provided later in this document.

Year 2022 Build Conditions

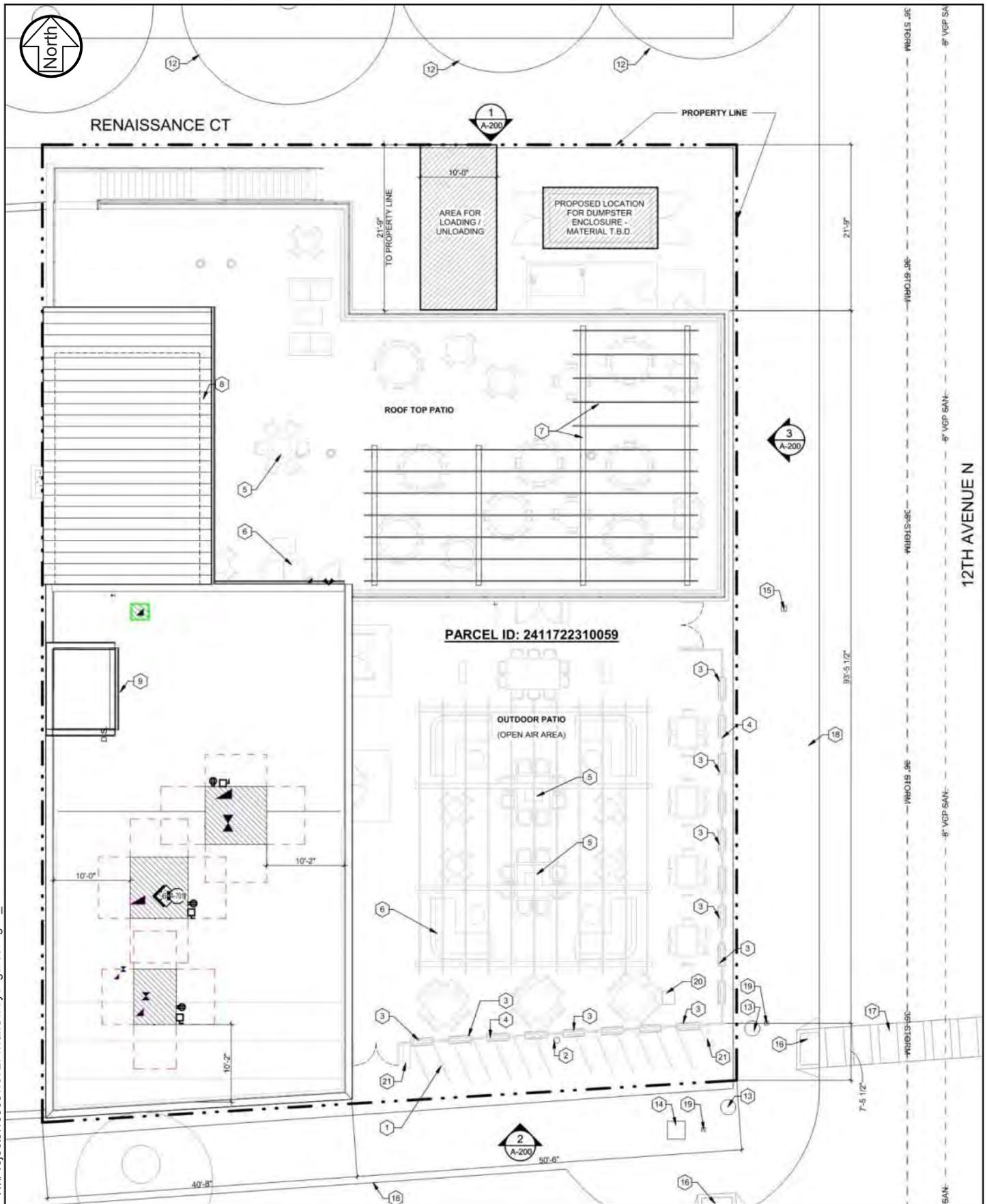
To help determine impacts associated with the proposed development, year 2022 conditions were reviewed, which represents one year after anticipated opening. The year 2022 assessment accounts for general area background growth and traffic generated by the proposed development and looks at potential impacts to parking and roadway capacity. The following information summarizes the year 2022 build condition assessment.

Background Growth

To account for general background growth in the area, an annual growth rate of one-half (0.5) percent was applied to the existing ADT volumes to develop year 2022 background forecasts. This growth rate is consistent with historical growth in the study area based on MnDOT ADT volumes. This equates to an ADT volume increase of approximately 100 to 200 vpd on area roadways by year 2022.



H:\Projects\13000\137271\TrafficStudy\Figures\Fig04_Site Plan.cdr



Site Plan

Bear Cave Brewing Traffic and Parking Study
City of Hopkins, MN

Figure 4

Trip Generation

A trip generation estimate for the proposed land use was developed for the p.m. peak hour and on a daily basis. The estimate, shown in Table 2, was developed using the *ITE Trip Generation Manual, Tenth Edition*. Note that since a brewery is a relatively new use, there is not a land use category specifically for a brewery land use. However, breweries typically have similar travel patterns as high-turnover sit-down restaurants, which was used for the trip generation estimate. Note that since the brewery is not expected to be open during the morning, no a.m. peak hour trip generation was included. The estimate includes both a summer and winter condition.

Table 2. Trip Generation Estimates

| Proposed Land Use Type (ITE Code) | Size | A.M. Peak Hour Trips | | P.M. Peak Hour Trips | | Daily Trips |
|--|-----------|----------------------|-----|----------------------|-----------|--------------|
| | | In | Out | In | Out | |
| Winter Estimate | | | | | | |
| High-Turnover Sit-Down Restaurant (932) | 180 seats | -- | -- | 43 | 33 | 787 |
| <i>Multiuse / Modal Reduction (20 percent)</i> | | -- | -- | (- 9) | (- 7) | (- 158) |
| Total Site Trips (Winter) | | -- | -- | 34 | 26 | 629 |
| Summer Estimate | | | | | | |
| High-Turnover Sit-Down Restaurant (932) | 402 seats | -- | -- | 96 | 73 | 1,757 |
| <i>Multiuse / Modal Reduction (20 percent)</i> | | -- | -- | (-19) | (- 15) | (- 352) |
| Total Site Trips (Summer) | | -- | -- | 77 | 58 | 1,405 |

Results of the trip generation estimate indicate that the proposed development is expected to generate a range from 60 to 135 p.m. peak hour and 629 to 1,405 daily trips, depending on the time of the year. This estimate includes a 20 percent reduction, which accounts for multi-use between existing adjacent businesses, as well as patrons arriving by alternative transportation modes (i.e. bike, walk, transit, etc.). Note that available and planned transit options in the study area include Metro Transit Routes 612, 615, 664, 670 and the future Green Line LRT which is expected to be operational by year 2023. The modal reduction also accounts for the walkability of Downtown Hopkins and regional trail connections near the proposed development.

Parking Generation

Although no off-street parking is required for the proposed development, since the site is zoned B-2 Central Business District, the development is still expected to generate parking demand in the area. To determine how much parking may be needed, a parking demand estimate for the proposed land use was developed for a typical weekday p.m. peak hour. The estimate, shown in Table 3, was developed using the *ITE Parking Generation Manual, 5th Edition*, and includes the average and 85th percentile parking demand. Similar to the trip generation, a brewery is a relatively new use and there is not a land use category specifically for a brewery land use. However, breweries typically have similar travel patterns and parking demand as high-turnover sit-down restaurants, which was used for the parking demand estimate. The estimate once again includes both a summer and winter condition, as well as multi-use and modal reductions.

Results of the parking demand estimate using ITE data indicates that the average and 85th percentile parking demand for the proposed development is estimated to range from approximately 47 to 76 spaces during the winter and from approximately 106 to 170 spaces during the summer. This estimate includes a 20 percent reduction, which accounts for multi-use between existing adjacent businesses, as well as patrons arriving by alternative transportation modes.

Table 3. Parking Generation Estimate

| Land Use (ITE Code) | Parking Demand * |
|--|--------------------------|
| High Turnover Sit-Down Restaurant - Winter - 180 seats (932) | 59 to 95 spaces |
| Multiuse / Modal Reduction (20 percent) | (- 12 to - 19 spaces) |
| Total Peak Parking Demand (Winter) | 47 to 76 spaces |
| High Turnover Sit-Down Restaurant - Summer - 402 seats (932) | 133 to 213 spaces |
| Multiuse / Modal Reduction (20 percent) | (- 27 to - 43 spaces) |
| Total Peak Parking Demand (Summer) | 106 to 170 spaces |

* The range represents the average and 85th percentile parking demand based on the ITE Parking Generation Manual.

City parking requirements for a similar use were considered to provide another estimate to identify the expected parking demand. This approach used a one (1) parking space for every three (3) seats ratio. Using this approach, the City parking requirement would equate to approximately 60 to 135 parking spaces, depending on the time of the year. The City parking requirement approach identifies a parking demand that is approximately 20 percent less than the ITE approach. Therefore, to provide a conservative evaluation, the ITE parking demand approach was used for study purposes.

Parking Analysis

As previously noted, there is a surplus of approximately 25 spaces within 300 feet of the proposed development and 350 spaces within a two-block radius of the proposed development. For purposes of this analysis, the ITE 85th percentile peak parking demand for the proposed development was used, which equates to a range between 76 and 170 parking spaces depending on the time of the year. Based on this demand, there is expected to be a parking deficit of approximately 50 to 145 spaces within 300 feet of the proposed development. However, there is a parking surplus ranging from 180 to 274 spaces within two-blocks of the proposed development.

Patrons are expected to park as close to the proposed development as possible, which is generally on-street. Although patron parking is expected to be distributed relatively evenly surrounding the proposed development and not necessarily over-burden any one area, parking along Mainstreet (west of the proposed development) and along 12th Avenue (north and south of Mainstreet) will be most impacted. Note that there is a segment of parking on the east side of 12th Avenue between Mainstreet and 1st Street North that is already signed as “Parking by Permit Only” and therefore the proposed development is not expected to impact parking for the single-family residents in this area.

To reduce potential impacts, several potential solutions should be considered, such as:

- 1) Promote and incentivize alternative modes of transportation, such as walk, bike, transit, and Uber/Lyft options.
 - a. The current site plan shows 14 U-shaped bicycle racks, which provides the opportunity for at least 28 bicycle parking spaces than can accommodate the expected bicycle demand.
- 2) Identify a shared parking agreement with an adjacent private business(s)/lot(s), particularly for peak event conditions, but also for regular use; the City could consider a shared parking agreement with the applicant for special event parking at Meatzold Field.
- 3) Review on-street parking regulations along Mainstreet between 11th Avenue and 12th Avenue and along 12th Avenue between Mainstreet and the alley immediately north of the proposed development/theater to determine if an alternative regulation (i.e. from the current no parking, loading zone) can be provided to allow on-street parking within these area, which could increase the parking supply by approximately 15 spaces within 300 feet of the proposed development.
- 4) List specific parking areas on the business website/information page, such as public parking is provided in parking lot 400, to limit potential impacts to adjacent on-street parking.

Further discussion with project stakeholders regarding parking should occur to determine the optimal solution for the area.

Planning Level Roadway Capacity Review

A year 2022 planning level roadway capacity review was completed to understand future operations and reserve capacity. Since there is not one specific location that trips from the proposed development are expected to park, the impact to the adjacent roadway network is expected to be relatively minimal as motorists disperse evenly throughout the study area. As noted earlier, the proposed development is expected to generate a range between 629 to 1,405 daily trips, depending on the time of the year. Accounting for the existing ADT volumes along area roadways and expected general background growth, future area roadway volumes are expected to be 5,600 vpd or less. Knowing the planning level capacity of these roadways is between 8,000 and 10,000 vpd, the additional traffic from the proposed development (+ 629 to 1,405 daily trips) is not expected to result in any capacity related issues.

Site Plan Review

A review of the proposed site plan was completed to identify any issues and recommend potential improvements. One key item that warrants consideration is the loading zone/garbage area. As currently shown, it appears that access to this area is provided via the alley along the north side of the proposed development. Truck maneuverability should be reviewed to ensure adequate access can be provided in this location. No other site plan improvements were identified from a transportation perspective.

Summary and Conclusions

The following study summary and conclusions are offered for your consideration:

- 1) Since current ADT volumes within the study area are generally 5,400 vpd or less, there is more than 30 percent reserve capacity remaining along study area roadways before roadway capacity/geometric improvements may be needed.
- 2) There are approximately 800 parking spaces within a two-block radius of the proposed development, including public parking lot 400; there are approximately 65 public parking spaces within 300 feet of the proposed development
- 3) The existing peak parking demand within 300 feet of the proposed development and within the overall study area were observed to be approximately 40 spaces and 450 spaces, respectively; there is an existing surplus of approximately 25 spaces within 300 feet of the proposed development and 350 spaces within a two-block radius of the proposed development.
- 4) Since the proposed development is zoned B-2 Central Business District, the proposed development has no off-street parking requirement; however, the City's site plan review standards still require individual properties to demonstrate a proposed development will have adequate parking and will not create traffic hazards or excessive traffic through residential areas or otherwise cause adverse effects on residential areas or dwellings.
- 5) The proposed development is expected to generate a range from 60 to 135 p.m. peak hour and 629 to 1,405 daily trips, depending on the time of the year (Winter versus Summer).
- 6) The average and 85th percentile parking demand for the proposed development is estimated to range from approximately 47 to 76 spaces during the winter and from approximately 106 to 170 spaces during the summer; the City parking requirement would equate to approximately 60 to 135 parking spaces, depending on the time of the year, if parking was required to be provided.
- 7) Based on the peak 85th percentile parking demand, there is expected to be a parking deficit of approximately 50 to 145 spaces within 300 feet of the proposed development and a parking surplus ranging from 180 to 274 spaces within two-blocks of the proposed development.
- 8) Patrons are expected to park as close to the proposed development as possible, which is generally on-street, and would be distributed relatively evenly surrounding the proposed development and not necessarily over-burden any one area.
 - a. Parking along Mainstreet (west of the proposed development) and along 12th Avenue (north and south of Mainstreet) will be most impacted.
 - b. There is a segment of parking on the east side of 12th Avenue between Mainstreet and 1st Street North that is already signed as "Parking by Permit Only"; the proposed development is not expected to impact parking for the single-family residents in this area.
- 9) The current site plan shows 14 U-shaped bicycle racks, which provides the opportunity for at least 28 bicycle parking spaces than can accommodate the expected bicycle demand.

- 10) To reduce potential impacts, several potential solutions should be considered, such as:
 - a. Promote and incentivize alternative modes of transportation, such as walk, bike, transit, and Uber/Lyft options.
 - b. Identify a shared parking agreement with an adjacent private business(s)/lot(s), particularly for peak event conditions, but also for regular use; the City could consider a shared parking agreement with the applicant for special event parking at Meatzold Field.
 - c. Review on-street parking regulations along Mainstreet between 11th Avenue and 12th Avenue and along 12th Avenue between Mainstreet and the alley immediately north of the proposed development/theater to determine if an alternative regulation (i.e. from the current no parking, loading zone) can be provided to allow on-street parking, which could increase the parking supply by approximately 15 spaces within 300 feet of the proposed development.
 - d. List specific parking areas on the business website/information page, such as public parking is provided in parking lot 400, to limit potential impacts to adjacent on-street parking.
 - e. Discuss parking with project stakeholders to determine the optimal solution for the area.
- 11) Accounting for the existing ADT volumes along area roadways and expected general background growth, future area roadway volumes are expected to be 5,600 vpd or less.
 - a. Knowing the planning level capacity of these roadways is between 8,000 and 10,000 vpd, the additional traffic from the proposed development (+ 629 to 1,405 daily trips) is not expected to result in any capacity related issues on area roadways.
- 12) Truck maneuverability should be reviewed to ensure adequate access can be provided.

Appendix

| Location | Parking Type | On-Street Parking Regulations | Existing Parking Supply | Parking Utilization/Demand by Date/Time | | | | | | | | | | | | | | | | Peak Parking Utilization / | Remaining Parking Supply / | 300 foot Supply | 300 foot Demand | 300 foot Surplus |
|---|--------------|-------------------------------|-------------------------|---|----------------------------------|---------------------------------|--------------------------------|-----------------------------------|---------------------------------|-----------------------------------|------------------------------------|---------------------------------|--------------------------------|----------------------------------|---------------------------------|--------------------------------|--------------------------------|-----|-----|----------------------------|----------------------------|-----------------|-----------------|------------------|
| | | | | Sunday 5-Apr-20 1:00 PM | Tuesday 24-Sep-19 11:00 AM | Friday 19-Apr-19 10:00 AM | Friday 7-Sep-18 12:00 PM | Wednesday 2-May-18 12:00 PM | Tuesday 17-Oct-17 1:00 PM | Saturday 30-Sep-17 12:00 PM | Wednesday 13-Sep-17 11:00 AM | Thursday 6-Apr-17 2:00 PM | Sunday 6-Oct-16 11:00 AM | Thursday 5-May-16 10:00 AM | Friday 16-Aug-15 11:00 AM | Monday 15-Jun-15 2:00 PM | Monday 27-Apr-15 2:00 PM | | | | | | | |
| | | | | 9 | 10 | 11 | 12 | 11 | 9 | 11 | 12 | 11 | 10 | 11 | 12 | 11 | 10 | | | | | | | |
| Mainstreet (12th Avenue to 13th Avenue, North Side) | On-Street | 2-Hour Parking | 9 | 1 | 3 | 4 | 2 | 6 | 4 | 2 | 4 | 2 | 5 | 3 | 1 | 1 | 0 | 6 | 3 | 9 | 6 | 3 | | |
| Mainstreet (12th Avenue-13th Avenue, South Side) | On-Street | 2-Hour Parking | 10 | 0 | 3 | 3 | 7 | 2 | 5 | 4 | 3 | 2 | 5 | 1 | 3 | 0 | 0 | 7 | 3 | 10 | 7 | 3 | | |
| Mainstreet (13th Avenue-14th Avenue, North Side) | On-Street | 2-Hour Parking | 11 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 9 | 9 | 0 | 0 | 0 | 9 | 2 | | | | | |
| Mainstreet (13th Avenue-14th Avenue, South Side) | On-Street | 2-Hour Parking | 12 | 0 | 7 | 0 | 1 | 1 | 0 | 1 | 1 | 4 | 2 | 4 | 3 | 0 | 0 | 7 | 5 | | | | | |
| Mainstreet (11th Avenue-12th Avenue, North Side) | On-Street | No Parking Loading Zone | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| Mainstreet (11th Avenue-12th Avenue, South Side) | On-Street | No Parking Loading Zone | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| Mainstreet (10th Avenue-11th Avenue, North Side) | On-Street | 1-Hour Parking | 11 | 0 | 4 | 4 | 8 | 1 | 9 | 8 | 7 | 4 | 2 | 0 | 7 | 0 | 5 | 9 | 2 | | | | | |
| Mainstreet (10th Avenue-11th Avenue, South Side) | On-Street | 1-Hour Parking | 9 | 0 | 8 | 9 | 7 | 7 | 9 | 9 | 9 | 9 | 7 | 6 | 7 | 0 | 8 | 9 | 0 | | | | | |
| 10th Avenue (Mainstreet-1st Street N, East Side) | On-Street | 2-Hour Parking | 5 | 0 | 3 | 2 | 2 | 4 | 3 | 4 | 3 | 3 | 5 | 2 | 2 | 2 | 3 | 5 | 0 | | | | | |
| | | 3-Hour Parking | 10 | 2 | 9 | 8 | 9 | 8 | 6 | 8 | 8 | 7 | 10 | 9 | 10 | 8 | 10 | 10 | 0 | | | | | |
| | | 3-Hour Parking | 7 | 7 | 3 | 3 | 2 | 4 | 3 | 6 | 5 | 5 | 2 | 0 | 4 | 7 | 4 | 7 | 0 | | | | | |
| | | No Limit | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | | | | |
| 10th Avenue (Mainstreet-1st Street N, West Side) | On-Street | No Parking Time Limit | 6 | 3 | 3 | 3 | 4 | 3 | 4 | 4 | 4 | 2 | 5 | 3 | 3 | 3 | 3 | 5 | 1 | | | | | |
| | | No Parking Time Limit | 3 | 0 | 3 | 2 | 2 | 3 | 3 | 1 | 2 | 1 | 2 | 2 | 3 | 3 | 2 | 3 | 0 | | | | | |
| 10th Avenue (Mainstreet-1st Street S, East Side) | On-Street | 2-Hour Parking | 6 | 1 | 4 | 3 | 3 | 3 | 5 | 3 | 6 | 1 | 3 | 2 | 1 | 3 | 3 | 6 | 0 | | | | | |
| | | 3-Hour Parking | 26 | 1 | 10 | 5 | 11 | 12 | 20 | 8 | 8 | 13 | 10 | 15 | 11 | 13 | 10 | 20 | 6 | | | | | |
| 10th Avenue (Mainstreet-1st Street S, West Side) | On-Street | 30-Minute Parking | 6 | 1 | 3 | 2 | 5 | 4 | 4 | 5 | 2 | 1 | 3 | 3 | 2 | 2 | 3 | 5 | 1 | | | | | |
| | | 2-Hour Parking | 3 | 0 | 1 | 0 | 0 | 2 | 0 | 0 | 1 | 1 | 2 | 2 | 0 | 0 | 1 | 2 | 1 | | | | | |
| | | 15-Minute Parking | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 0 | 1 | 1 | 3 | 0 | | | | | |
| | | 2-Hour Parking | 7 | 0 | 0 | 0 | 2 | 2 | 2 | 0 | 2 | 2 | 2 | 1 | 2 | 1 | 0 | 2 | 5 | | | | | |
| 11th Avenue (Mainstreet-1st Street N, East Side) | On-Street | 3-Hour Parking | 6 | 0 | 4 | 4 | 3 | 0 | 4 | 4 | 5 | 0 | 4 | 5 | 1 | 2 | 2 | 5 | 1 | | | | | |
| | | 3-Hour Parking | 3 | 1 | 1 | 3 | 1 | 0 | 1 | 3 | 3 | 1 | 1 | 3 | 1 | 1 | 0 | 3 | 0 | | | | | |
| | | 3-Hour Parking | 8 | 0 | 2 | 3 | 3 | 5 | 4 | 5 | 3 | 2 | 4 | 6 | 4 | 1 | 0 | 6 | 2 | | | | | |
| | | No Limit | 2 | 0 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 0 | 2 | 2 | 1 | 0 | 1 | 2 | 0 | | | | | |
| 11th Avenue (Mainstreet-1st Street N, West Side) | On-Street | 3-Hour Parking | 4 | 0 | 2 | 1 | 2 | 1 | 3 | 3 | 3 | 1 | 2 | 3 | 1 | 3 | 0 | 3 | 1 | | | | | |
| | | 30-Minute Parking | 5 | 0 | 1 | 2 | 3 | 3 | 4 | 1 | 2 | 1 | 1 | 2 | 1 | 2 | 3 | 4 | 1 | | | | | |
| | | No Limit | 4 | 0 | 1 | 1 | 1 | 2 | 2 | 3 | 2 | 0 | 2 | 1 | 1 | 2 | 1 | 3 | 1 | | | | | |
| 11th Avenue (Mainstreet-1st Street S, West Side) | On-Street | No Limit | 3 | 0 | 0 | 2 | 0 | 0 | 1 | 2 | 1 | 2 | 0 | 0 | 2 | 0 | 0 | 2 | 1 | | | | | |
| | | 2-Hour Parking | 17 | 0 | 1 | 1 | 6 | 1 | 2 | 3 | 2 | 2 | 2 | 0 | 0 | 0 | 1 | 2 | 6 | 11 | | | | |
| 12th Avenue (Mainstreet-Alley, West Side) | On-Street | 3-Hour Parking | 4 | 0 | 1 | 2 | 0 | 2 | 3 | 4 | 2 | 2 | 1 | 3 | 4 | 3 | 2 | 4 | 0 | 4 | 4 | 0 | | |
| 12th Avenue (Alley-1st Street N, East Side) | On-Street | No Limit | 5 | 0 | 2 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 2 | 2 | 2 | 2 | 1 | 2 | 3 | 5 | 2 | 3 | | |
| | | Permit Only | 9 | 0 | 4 | 3 | 3 | 3 | 3 | 3 | 3 | 1 | 3 | 3 | 5 | 3 | 2 | 5 | 4 | | | | | |
| | | 3-Hour Parking | 4 | 0 | 2 | 1 | 0 | 2 | 2 | 1 | 2 | 2 | 3 | 3 | 2 | 0 | 2 | 3 | 1 | | | | | |
| | | No Limit | 21 | 1 | 8 | 7 | 9 | 5 | 8 | 10 | 8 | 10 | 10 | 5 | 5 | 9 | 1 | 10 | 11 | | | | | |
| 12th Avenue (Mainstreet-1st Street N, West Side) | On-Street | 2-Hour Parking | 19 | 0 | 5 | 3 | 1 | 2 | 10 | 9 | 5 | 1 | 4 | 12 | 5 | 6 | 10 | 12 | 7 | 14 | 9 | 5 | | |
| 12th Avenue (Mainstreet-1st Street S, East Side) | On-Street | No Limit | 21 | 1 | 8 | 7 | 9 | 5 | 8 | 10 | 8 | 10 | 10 | 5 | 5 | 9 | 1 | 10 | 11 | 11 | 5 | 6 | | |
| 12th Avenue (Mainstreet-1st Street S, West Side) | On-Street | 3-Hour Parking | 5 | 0 | 1 | 1 | 2 | 3 | 3 | 3 | 3 | 3 | 2 | 3 | 3 | 3 | 2 | 3 | 2 | 5 | 3 | 2 | | |
| | | No Limit | 20 | 0 | 9 | 8 | 6 | 6 | 7 | 12 | 12 | 5 | 11 | 7 | 5 | 6 | 4 | 12 | 8 | 7 | 4 | 3 | | |
| 14th Avenue (Mainstreet-1st Street N, East Side) | On-Street | No Limit | 25 | 0 | 9 | 0 | 8 | 13 | 15 | 7 | 7 | 7 | 6 | 12 | 5 | 9 | 4 | 15 | 10 | | | | | |
| 14th Avenue (Mainstreet-1st Street N, West Side) | On-Street | No Limit | 29 | 12 | 15 | 12 | 7 | 15 | 10 | 8 | 9 | 18 | 8 | 13 | 13 | 13 | 13 | 18 | 11 | | | | | |
| 1st Street S (12th Avenue-13th Avenue, North Side) | On-Street | No Limit | 13 | 0 | 2 | 0 | 2 | 3 | 2 | 3 | 3 | 1 | 2 | 3 | 1 | 0 | 0 | 3 | 10 | | | | | |
| 1st Street S (11th Avenue-12th Avenue, North Side) | On-Street | 2-Hour Parking | 13 | 4 | 2 | 0 | 3 | 2 | 1 | 4 | 4 | 1 | 1 | 3 | 0 | 1 | 1 | 4 | 9 | | | | | |
| 1st Street S (10th Avenue-11th Avenue, North Side) | On-Street | 3-Hour Parking | 9 | 0 | 6 | 3 | 0 | 4 | 6 | 7 | 7 | 2 | 3 | 5 | 3 | 7 | 6 | 7 | 2 | | | | | |
| 1st Street S (10th Avenue-11th Avenue, South Side) | On-Street | 3-Hour Parking | 11 | 0 | 6 | 0 | 10 | 8 | 9 | 1 | 1 | 4 | 6 | 5 | 5 | 4 | 10 | 1 | | | | | | |
| Public Parking Lot 400 | Off-Street | N/A | 414 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 194 | 220 | | | | | |
| Total | | | 799 | 34 | 156 | 107 | 137 | 143 | 179 | 162 | 154 | 126 | 153 | 166 | 129 | 123 | 114 | 451 | 348 | 64 | 40 | 24 | | |
| Total On-Street | | | 385 | 34 | 156 | 107 | 137 | 143 | 179 | 162 | 154 | 126 | 153 | 166 | 129 | 123 | 114 | 257 | 128 | | | | | |
| Total Off-Street | | | 414 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 194 | 220 | | | | | |
| | | | | | | | | | | | | | | | | | | | 44% | | | | | |

Represents parking impacted by COVID-19 Stay-at-Home Closure

Represents Public Off-Street Parking

Represents parking within 300 feet of the proposed development (excludes permit only area)

Represents peak demand observed (including ties)

Background

The subject property was originally platted in 1911 as Lots 8 & 9, Block 10 of F.A. Savages Interlachen Park Addition (see attached plat). This plat created a 16-block subdivision with each block having dimensions of 600 feet wide by 264 feet deep. With this design, each block contained 30 lots with dimensions of 40 feet wide by 132 feet deep (with some minor deviations). The two original lots of the subject property are now considered one parcel with overall dimensions of 80 feet wide by 132 feet deep and totaling 10,568 square feet. The plat also created a public park directly to the south of the subject property.

The existing house on the subject property was built in 1959. The lot design includes a 2-story home with a single story attached two stall garage. There is also an in-the-ground pool and pool house in the rear yard. The applicant proposes to build a second story addition over the existing attached garage, which is currently located eight (8) feet from the southern property line. To simplify the construction process, the applicant wishes to construct the 2-story addition above the existing garage and maintain the existing eight (8) foot south side yard setback.

The existing eight (8) foot south side yard garage setback exceeds the five (5) foot side yard setback requirement for attached garages. However, the R-1-C district requires greater side yard setbacks for dwelling units. These standards are tiered based on the height of the dwelling unit (1-story = 10', 2-stories = 12' and 3-story = 14'). As a result, adding a second story addition above the existing attached garage changes the setback requirement from five (5) feet for an attached garage to twelve (12) feet for a two-story dwelling unit causing the need for the applicant's four (4) foot side yard setback variance request.

| Lot & Building Standards for the R-1-C Single Family Medium Density District | |
|---|--|
| Standard | Requirement |
| Lot Area | 12,000 square feet |
| Lot Width | 80 feet |
| Front Setback | 30 foot |
| Side Setback | 1-Story = 10', 2-Stories = 12' and 3-Story = 14' |
| Rear Setback | 40 feet |
| Maximum Principal Building Height | 35 feet (maximum) |
| Maximum Building Coverage | 35 percent |

Planning & Zoning Commission Action. The Planning & Zoning Commission held a public hearing to review this item (Planning Application 2020-10) during its regular meeting on May 26, 2020. During that meeting, the Commission heard a summary presentation from staff and no comments from public. Due to the ongoing coronavirus pandemic and the related statewide emergency declaration, notice of the public hearing for this item directed all interested parties to make their comments to City Planner Jason Lindahl by mail, phone or e-mail before noon on Tuesday, May 26, 2020. Prior to the meeting, staff received three e-mail comments all of which were in support of the proposed variance. Copies of these e-mails are attached for your reference.

Variance Review

City review of variance applications is a Quasi-Judicial action. Generally, if the application meets the review standards, the variance should be approved. The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In Summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the

zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has demonstrated a practical difficulty. As a result, staff recommends the City approve the applicant's request. The standards for reviewing a variance application and staff's findings for each are provided below.

1. Is the variance in harmony with purposes and intent of the ordinance?

Finding: The applicant seeks a four (4) foot south side yard setback variance from twelve (12) feet to eight (8) feet. The purpose and intent of the setback zoning standards is to maintain separation between properties for density, safety and esthetic reasons. In this case, the south side of the subject property abuts the City owned Interlachen Park. Interlachen Park consists of open space, a basketball court, a baseball field and a small picnic shelter. Given the uses and design of this park, granting the four (4) foot side yard setback variance allowing the neighboring home to be four (4) feet closer to the shared property line will maintain the propose and intent of the setback standards.

2. Is the variance consistent with the comprehensive plan?

Finding: The proposed four (4) foot south side yard setback variance is consistent with both the 2030 Comprehensive Plan and the Draft 2040 Comprehensive Plan – Cultivate Hopkins. The 2030 Comprehensive Plan Future Land Use Map guides the subject property as LDR – Low Density Residential. According to the 2030 Comprehensive Plan, the Low Density Residential category is intended to accommodate single family detached housing at densities between 1 and 7 units per acre.

By comparison, the Draft 2040 Comprehensive Plan – Cultivate Hopkins Future Land Use Map guides the subject property as Suburban Neighborhood. This land use category is characterized by low density single family dwellings and golf courses. Neighborhoods in this category are designed around a modified grid street network with good access to the surrounding transportation network. Properties in this category are relatively large for Hopkins, with most having ample private yards and attached garages. The 2040 plan calls for continuation of the low density single family land use pattern along with accessory uses such as parks and neighborhood scaled public and institutional uses. Granting the requested variance will maintain the intended single family use and density requirements called for in both the 2030 and 2040 comprehensive plans.

3. Does the proposal put property to use in a reasonable manner?

Finding: The proposal would put the subject property to use in a reasonable manner. The proposed variance would allow construction of a second story addition to the existing single family home eight (8) feet from the southern property. Staff finds this is reasonable given the abutting property to the south is a city park primarily used for open space. As a result, there will be no visible or noticeable impact on either the park or the surrounding residential properties.

4. Are there unique circumstances to the property not created by the landowner?

Finding: There are unique circumstances to the property that were not created by the landowner. In this case, the original plat created a city owned public park on the same side of the subject property where the variance is requested. As mentioned above, since the adjacent park is primarily used for open space, there will be no visible or noticeable impact on either the park or the surrounding residential properties.

5. Will the variance, if granted, alter the essential character of the locality?

Finding: Granting the requested variance will not alter the essential character of the surrounding neighborhood. The proposed south side yard setback variance will allow a 2-story addition to the existing single family dwelling to be located four feet closer to the southern property. Since the abutting property to the south is a public park primarily used for open space, there will be no visible or noticeable impact on the surrounding neighborhood.

Alternatives

1. Approve the requested variances. Voting to approve the requested 4' side yard setback variance would allow the applicant to construct a 2-story addition 8' from their southern property line.
2. Deny the requested variances. Voting to deny the requested 4' side yard setback variance would prohibit the applicant from constructing a 2-story addition 8' from their southern property line. Instead, the applicant would be required to meet the 12' side yard setback standard. Should the City Council consider this option, it must also identify specific findings that support this alternative.
3. Continue for further information. If the City Council concludes that further information is needed, the items should be continued.

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2020-034

**A RESOLUTION APPROVING A FOUR (4) FOOT SOUTH SIDE YARD SETBACK
VARIANCE FOR THE PROPERTY LOCATED AT 227 HOMEDALE ROAD
(PID 20-117-21-33-0068)**

WHEREAS, the City of Hopkins (the “City”) is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, Matt and Trish Sieh (the “Applicants”) are the fee owner of 227 Homedale Road legally described below:

Lots 8 & 9, Block 10 of F.A. Savages Interlachen Park Addition, Hennepin County, Minnesota.

(the “Property”); and

WHEREAS, the Property is zoned R-1-C, Single Family Medium Density; and

WHEREAS, the City has adopted a zoning ordinance and other official controls for reasons that include, but are not limited to, protecting the character of properties and areas within the community, promoting the proper use of land and structures, fixing reasonable standards to which buildings, structures and land must conform for the benefit of all, and prohibiting the use of buildings, structures and lands in a manner which is incompatible with the intended use or development of lands within the specified zones; and

WHEREAS, Article V, Section 102-160, of the City Code requires single-family dwellings in the R-1-C district have side yard setback of at least 12 feet for a 2-Story dwelling; and

WHEREAS, pursuant to the aforementioned code provisions, the Applicants have made a request to the City for a south side yard setback variance from twelve (12) feet to eight (8) feet in order construct a two-story addition to their existing detached single family dwelling;

WHEREAS, pursuant to Minnesota Statutes, section 462.357, subd. 6(2), “[v]ariations shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the variations are consistent with the comprehensive plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties.”; and

WHEREAS, on May 26, 2020, pursuant to the procedural requirements contained in Article III, Section 102-91 of the City Code, the Hopkins Planning and Zoning Commission (the “Commission”)

held a public hearing on the Applicant's requested variances and all persons present were given an opportunity to be heard. The Commission also took into consideration the written comments and analysis of City staff; and

WHEREAS, based on a review of the Applicant's request and their submission, the written staff report, and after careful consideration of all other written and oral comments concerning the requested variances, the Commission voted 6-0 to recommend the City Council approve the requested variances; and

WHEREAS, based on a review of the Applicant's request and their submissions, the written staff report, the Planning & Zoning Commission's recommendation and after careful consideration of all other written and oral comments concerning the requested variance, the Hopkins City Council makes the following findings of fact with respect to the aforementioned criteria provided in Minnesota Statutes, section 462.357, subd. 6(2):

1. Is the variance in harmony with purposes and intent of the ordinance?

Finding: The applicant seeks a four (4) foot south side yard setback variance from twelve (12) feet to eight (8) feet. The purpose and intent of the setback zoning standards is to maintain separation between properties for density, safety and esthetic reasons. In this case, the south side of the subject property abuts the City owned Interlachen Park. Interlachen Park consists of open space, a basketball court, a baseball field and a small picnic shelter. Given the uses and design of this park, granting the four (4) foot side yard setback variance allowing the neighboring home to be four (4) feet closer to the shared property line will maintain the propose and intent of the setback standards.

2. Is the variance consistent with the comprehensive plan?

Finding: The proposed four (4) foot south side yard setback variance is consistent with both the 2030 Comprehensive Plan and the Draft 2040 Comprehensive Plan – Cultivate Hopkins. The 2030 Comprehensive Plan Future Land Use Map guides the subject property as LDR – Low Density Residential. According to the 2030 Comprehensive Plan, the Low Density Residential category is intended to accommodate single family detached housing at densities between 1 and 7 units per acre.

By comparison, the Draft 2040 Comprehensive Plan – Cultivate Hopkins Future Land Use Map guides the subject property as Suburban Neighborhood. This land use category is characterized by low density single family dwellings and golf courses. Neighborhoods in this category are designed around a modified grid street network with good access to the surrounding transportation network. Properties in this category are relatively large for Hopkins, with most having ample private yards and attached garages. The 2040 plan calls for continuation of the low density single family land use pattern along with accessory uses such as parks and neighborhood scaled public and institutional uses. Granting the requested variance will maintain the intended single family use and density requirements called for in both the 2030 and 2040 comprehensive plans.

3. Does the proposal put property to use in a reasonable manner?

Finding: The proposal would put the subject property to use in a reasonable manner. The proposed variance would allow construction of a second story addition to the existing single family home eight (8) feet from the southern property. Staff finds this is reasonable given the abutting property to the south is a city park

primarily used for open space. As a result, there will be no visible or noticeable impact on either the park or the surrounding residential properties.

4. Are there unique circumstances to the property not created by the landowner?

Finding: There are unique circumstances to the property that were not created by the landowner. In this case, the original plat created a city owned public park on the same side of the subject property where the variance is requested. As mentioned above, since the adjacent park is primarily used for open space, there will be no visible or noticeable impact on either the park or the surrounding residential properties.

5. Will the variance, if granted, alter the essential character of the locality?

Finding: Granting the requested variance will not alter the essential character of the surrounding neighborhood. The proposed south side yard setback variance will allow a 2-story addition to the existing single family dwelling to be located four feet closer to the southern property. Since the abutting property to the south is a public park primarily used for open space, there will be no visible or noticeable impact on the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopkins that the recitals set forth in this Resolution are incorporated into and made part of this Resolution, and more specifically, constitute the express findings of the City Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Hopkins that based on the findings of fact contained herein, the City Council of the City of Hopkins hereby approves the Applicant's requested variance.

Adopted by the City Council of the City of Hopkins this 2nd day of June 2020.

ATTEST:

Amy Domeier, City Clerk

Jason Gadd, Mayor

Site Location Map – 227 Homedale Road



HOMEOWNER STATEMENT OF REQUEST:

We respectfully request a 2' variance from the 1st floor and a 4' variance from the 2nd story to the current R-1-C south side setback requirement (required 10' for the 1st floor and 12' for the 2nd story). We propose to maintain the existing garage wall, located 8' from the side lot line, to construct a home addition on top of and behind the garage.

We purchased the house 3 years ago and have fallen in love with this Hopkins neighborhood. We want to invest further in our house and the community; to stay here for the long term. In order to make this a reality, we need to grow our home with our growing family.

STATEMENT OF UNIQUE CIRCUMSTANCE:

There are several unique circumstances to support our variance request:

- Our southern lot line abuts **Interlachen Park**, owned by the City of Hopkins. There is no home adjacent which would be impacted by the setback variance request.



- **Zoning code:** The Hopkins Land Development Code was adopted in late 1970s, well after our neighborhood was established. Our house was built in 1959 which is relatively new compared to our immediately adjacent neighbors' homes built in 1926, 1939 and 1935. Our neighborhood character is one of smaller lots with smaller setbacks. The Zoning Code bulk requirements are not reflective of our well-established neighborhood; they create a hardship for the lot to comply with the standards. For example:
 - The minimum lot size is 12,000 SF. 53% of the lots in Interlachen Park are less than minimum size, most, like ours, at 10,560 SF.
 - Vast majority of homes on our block would not meet current setback requirements, even one that had to be rebuilt in 2004 due to a fire.

We are aware that the City is undergoing a code evaluation as a result of the recent Comp Plan updates and would support right sizing of the bulk standards.

- **Precedent:** As stated above, because the zoning requirements aren't consistent with the character of our neighborhood built before said code was adopted, every single home around us violates at least one of the current setback requirements:
 - North side setback of 219 Homedale is less than 10'
 - Garage on west side of 228 Hawthorne is set at a 0' setback abutting our lot.
 - North side setback of 220 Homedale is less than 10'
 - South side of 228 Homedale does not meet setback requirements. Specifically, the southern property line is reflective of our request, adjacent to the park. The 2-story home setback is less than 10'.



PRACTICAL DIFFICULTY CRITERIA:

1. *The variance request is in harmony with the purposes and intent of the ordinances*
 Yes. The intent of the ordinance is to prevent building too close to the property line and burdening your neighbor or overbuilding for the lot size. We do not have a neighbor to be burdened, and the house was built to the proposed setback line in 1959.

2. *The variance is consistent with the comprehensive plan.*
 Yes. In line with the Cultivate Hopkins Comprehensive Plan, maintaining single family neighborhoods and historical integrity has been made a priority. Nothing maintains the strength of single-family neighborhoods better than reinvestment in the homes that make up the neighborhood.

3. *Granting of the variance allows for reasonable use of the property.*

Yes. Use of the property, and existing setback, will remain as is today, so there is not a negative effect to the use of the property. There is currently a nice blue-stone path that leads from the front of the house to the backyard along this sideyard in question. The sideyard path will remain as is today.

4. *There are unique circumstances to the property which are not created by the landowner.*

Yes, for three main reasons, which have been expanded on above.

- i. **Pre-Existing Structure:** As mentioned previously, the house was built in 1959 (prior to the current code) at an 8' setback. For structural and architectural integrity purposes, we are simply requesting to match the existing setback.
- ii. **Zoning Code:** Nearly all of the homes in the neighborhood predate the current zoning code and were generally built on smaller lots with smaller setbacks than specified today.
- iii. **Adjacent land use:** Public park space is adjacent to the side yard in question. So there is no neighbor that could potentially be burdened which the side yard setbacks are intended to prevent. The structure will not be placed any closer to the park than it exists today.

5. *Granting of the variance does not alter the essential character of the locality.*

No. In fact, the variance will help the essential character of the locality by allowing for a superior architectural design that is authentic to the existing home and historic neighborhood.

We are ready to invest more than \$250,000 on our home. We have hired a great Architect whom designs to the historical character; to make additions look like original parts of the home and not an afterthought. We firmly believe that by building on the existing southern garage wall, the addition will appear more integral to the house for a better design outcome. To be clear, we are not requesting to go any closer to the property line than what our structural footprint is today; we simply request to maintain our current setback.

Therefore, we respectfully request a side yard setback to be able to reinvest in our neighborhood.

SIEH RESIDENCE

CUSTOM HOME ADDITION/ REMODEL

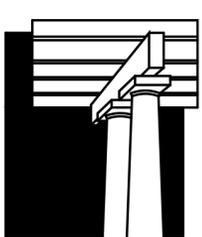
TRISHA & MATTHEW
227 HOMEDALE ROAD
HOPKINS, MN 55343

VARIANCE APPLICATION/
DESIGN DOCUMENTS
04 - 24 - 2020

| | |
|-------------------------------|------------|
| PROPERTY HARDCOVER: | |
| EXISTING PROPERTY AREA- | |
| 80' X 132' = | 10,568 SF. |
| PROPOSED BUILDING COVERAGE- | |
| EXISTING HOUSE - | 1,660 SF. |
| EXISTING PORCHES - | 382 SF. |
| EXISTING POOL HOUSE - | 180 SF. |
| ADDITIONS | 327 SF. |
| TOTAL - | 2,549 SF. |
| ALLOWABLE BUILDING COVERAGE - | |
| 10,568 SF X 35% - | 3,698 SF. |
| STRUCTURE PERCENTAGE- | |
| 2,549 SF./ 10,568 SF. = | 24.1% |

Drawing Index

- A0.1. Title Sheet, Site Plan
- A1.0. Existing Basement Plan
- A1.1. Basement/ Foundation Plan
- A2.0. Existing First Floor Plan
- A2.1. First Floor Plan
- A3.0. Existing Second Floor Plan
- A3.1. Second Floor Plan
- A4.1. Roof Plan
- A5.0. Existing Exterior Elevation
- A5.1. Exterior Elevation
- A5.2. Exterior Elevation
- A5.3. Exterior Elevation



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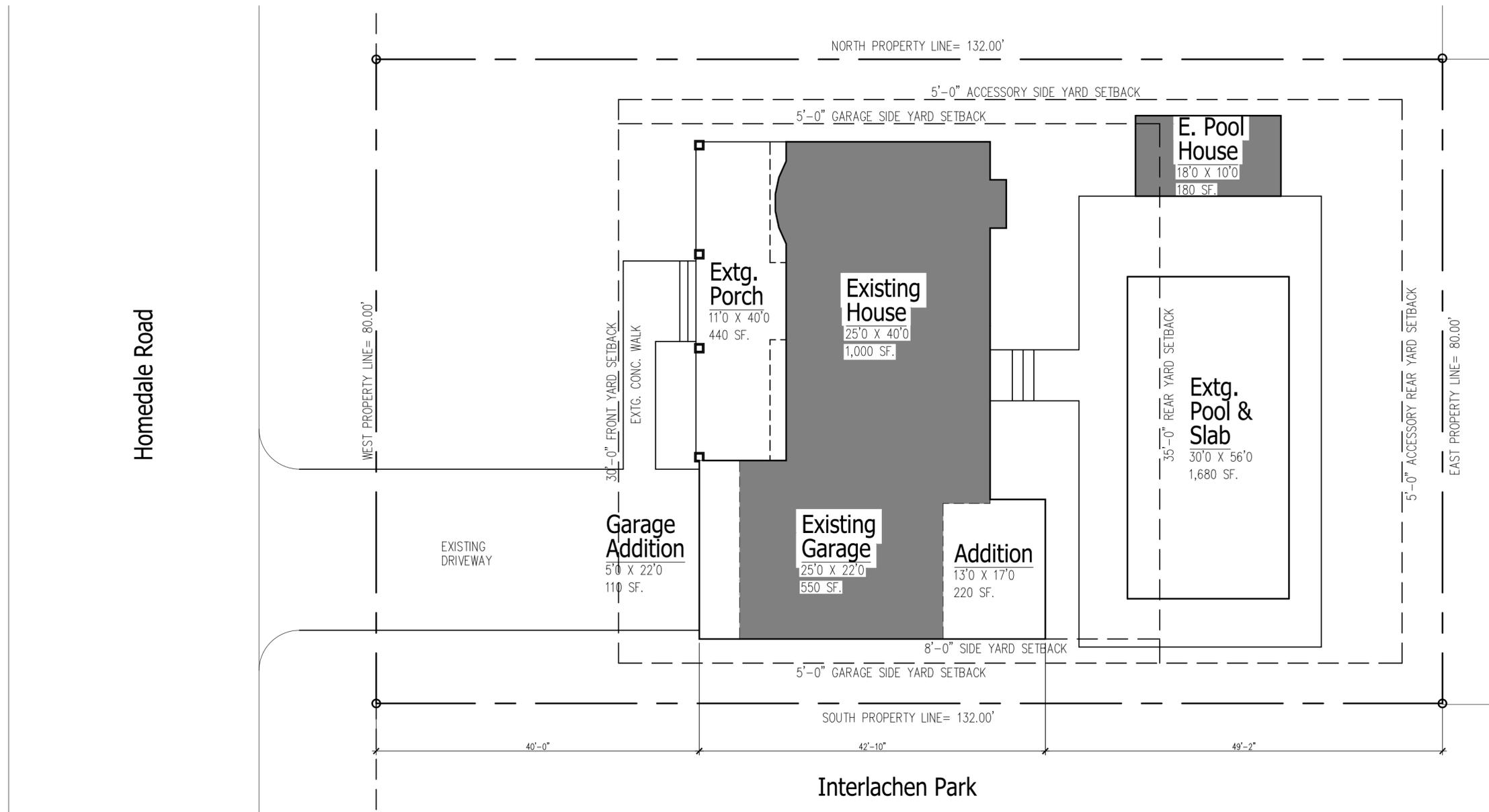
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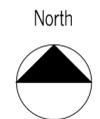
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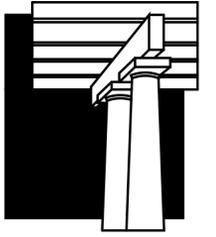
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SHEET:
A0.1



1 Site Plan- Proposed
1" = 10' - 0"





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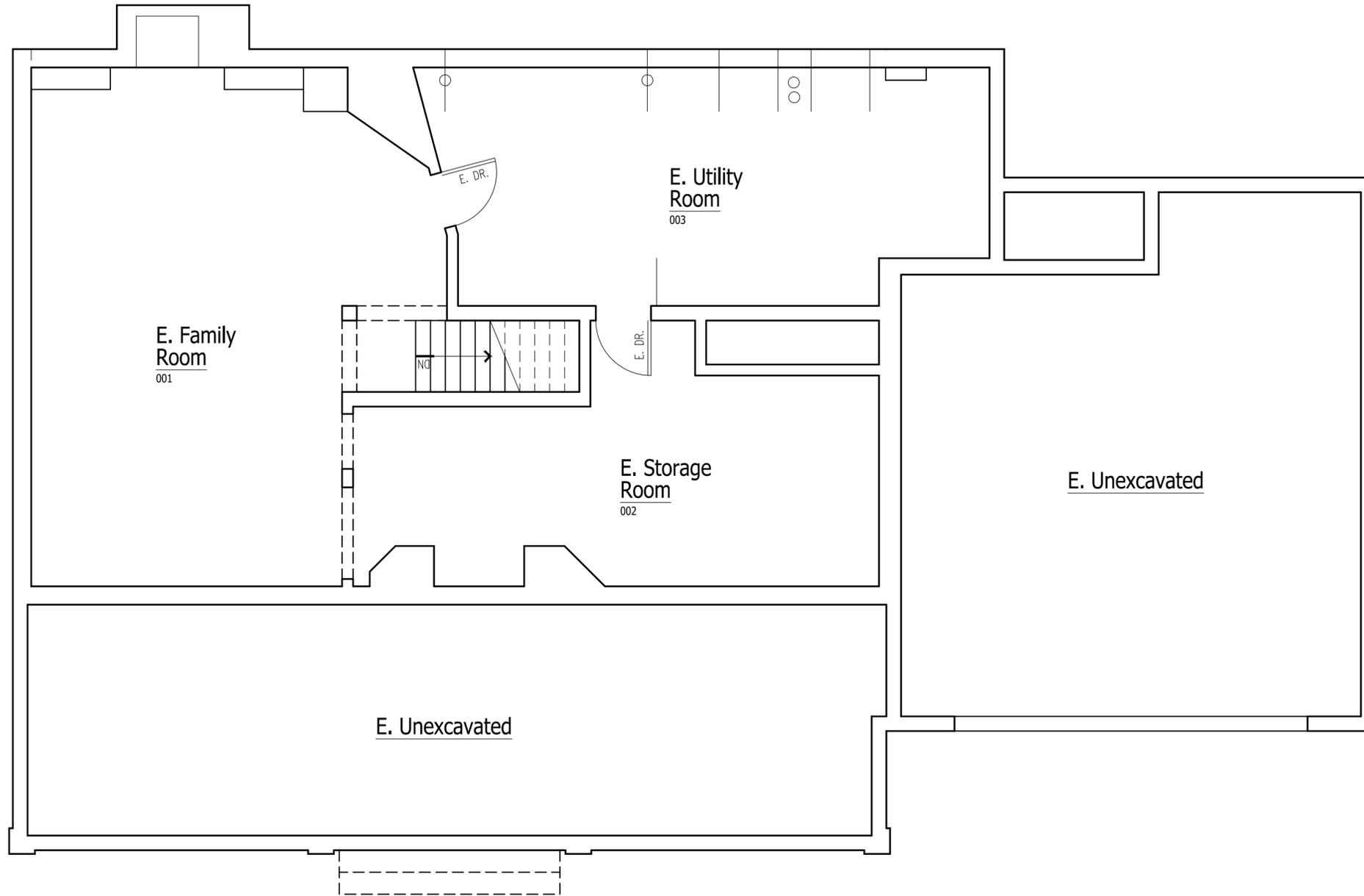
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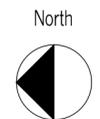
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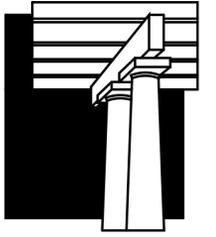
1

Basement/ Foundation Plan- Existing

1/4" = 1' - 0"



SOUTH PROPERTY LINE



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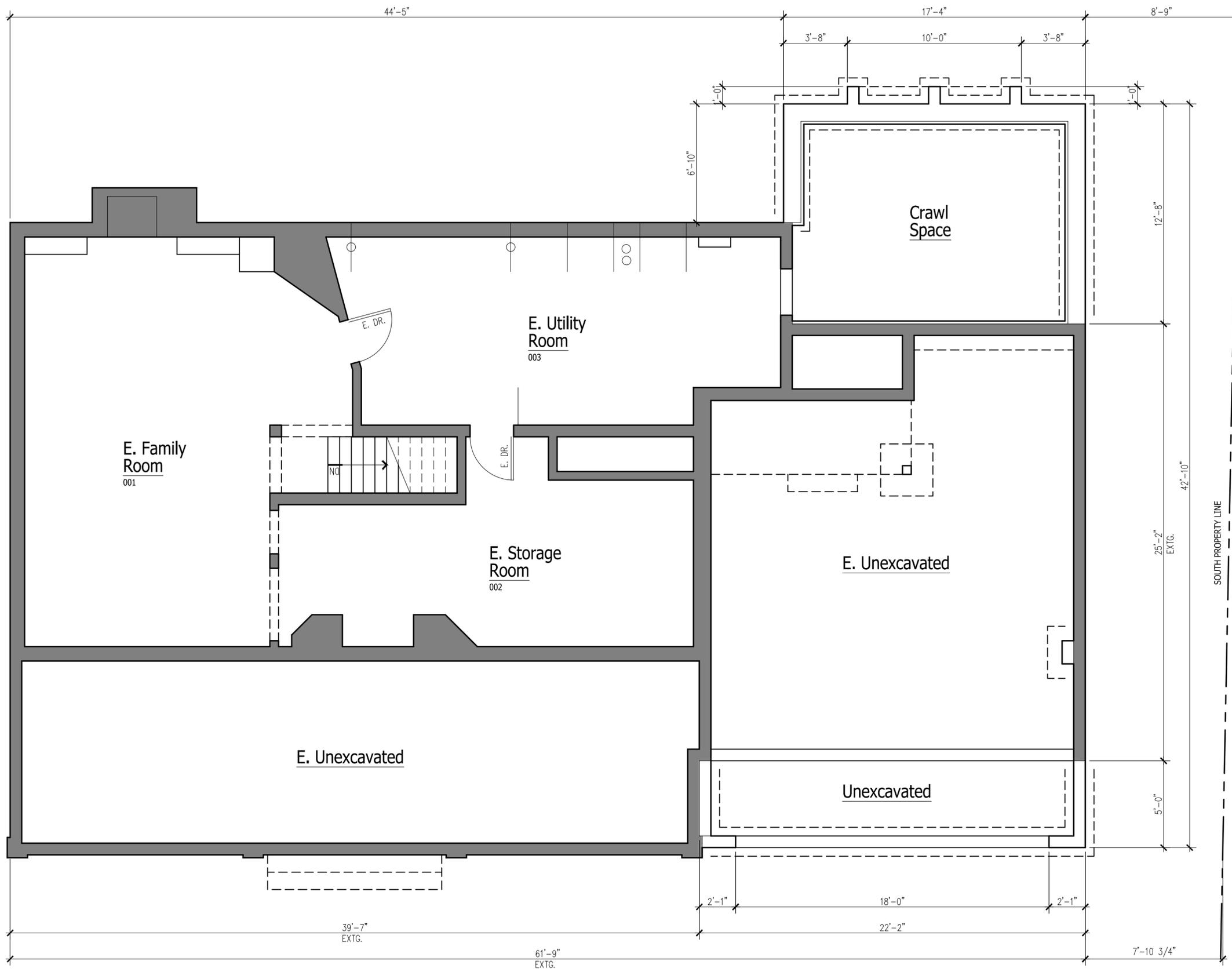
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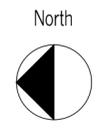
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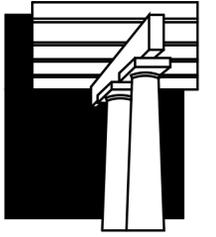


1

Basement/ Foundation Plan

1/4" = 1' - 0"





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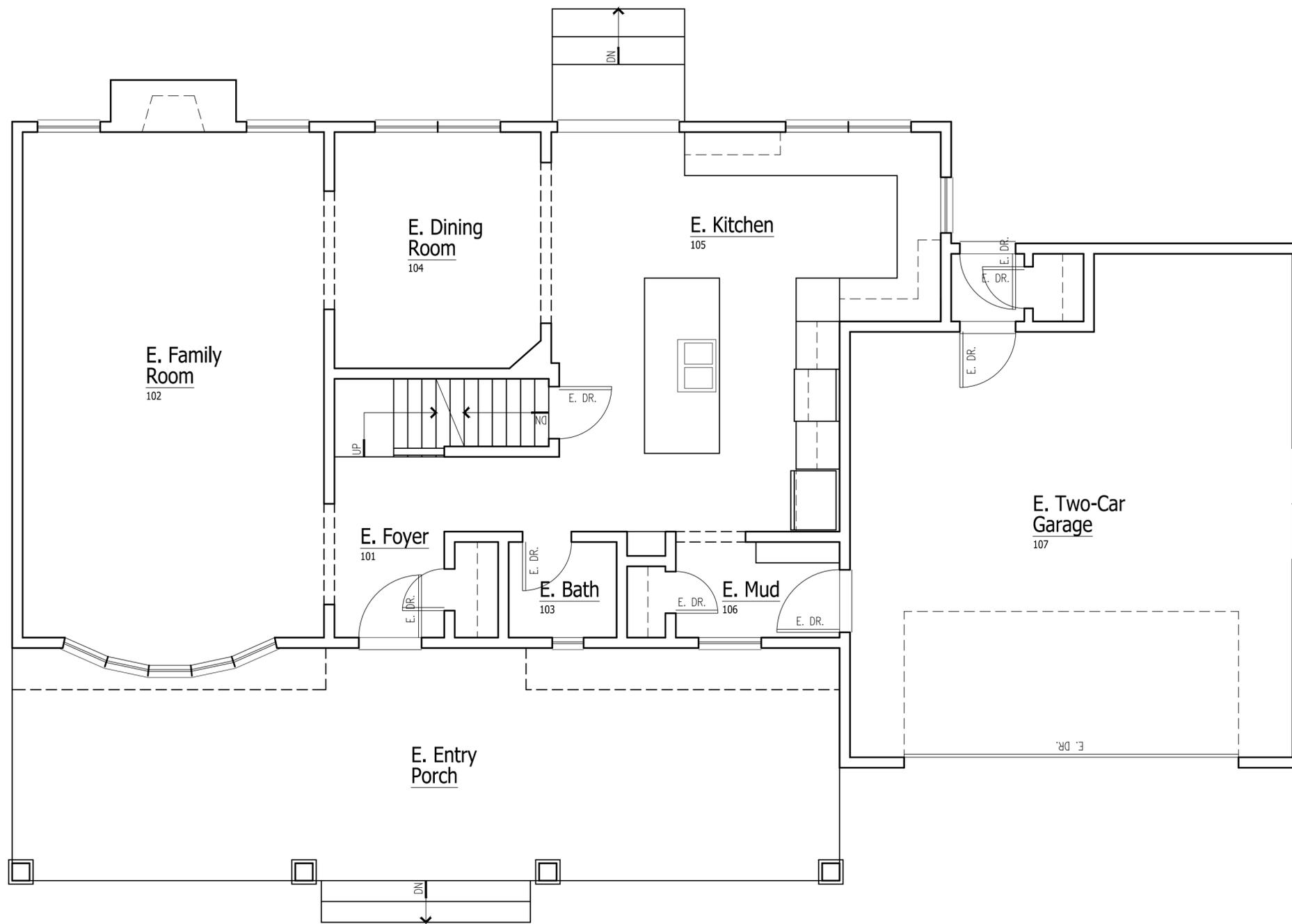
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SHEET:
A2.0



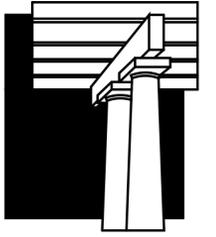
1

First Floor Plan- Existing

1/4" = 1' - 0"



SOUTH PROPERTY LINE



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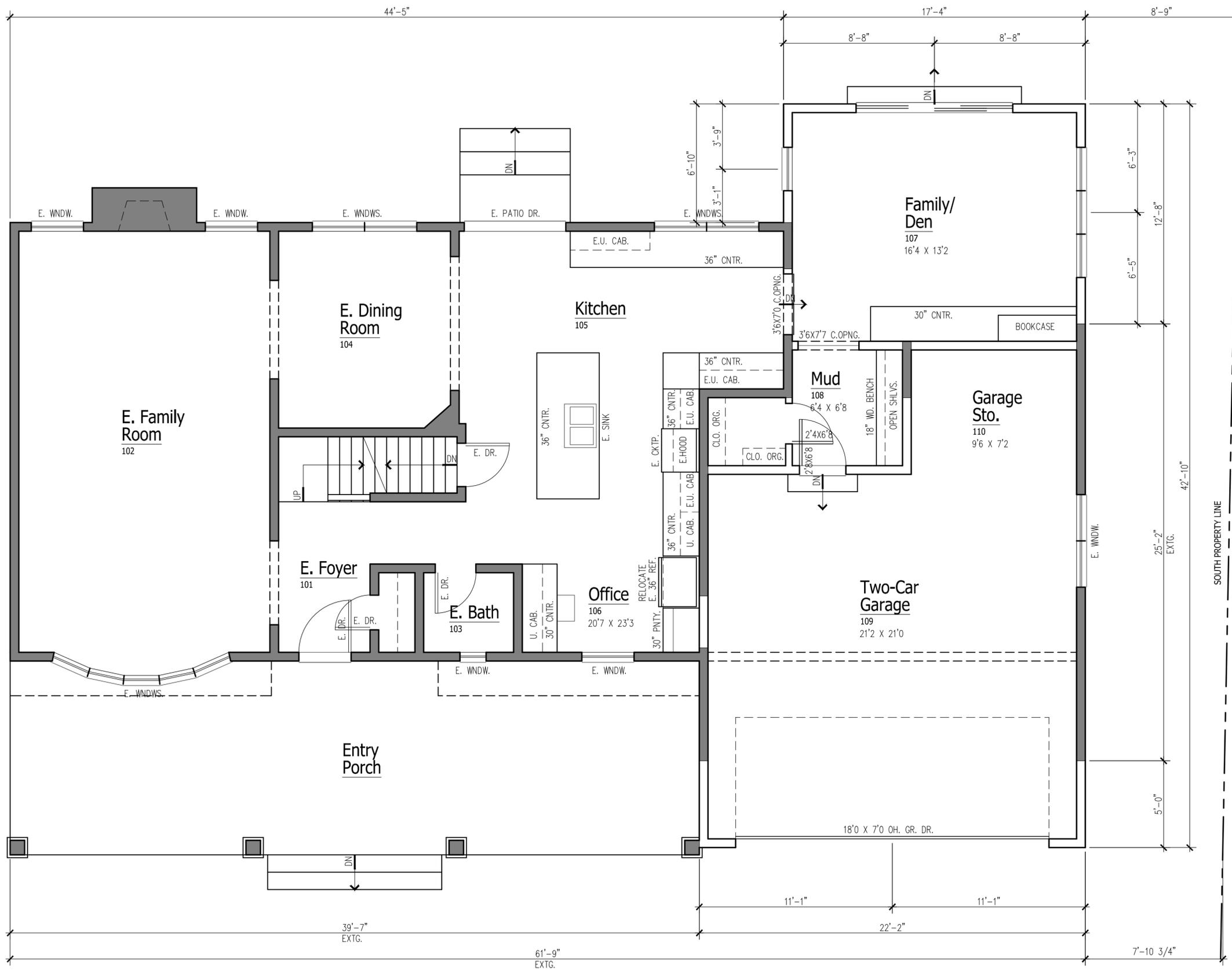
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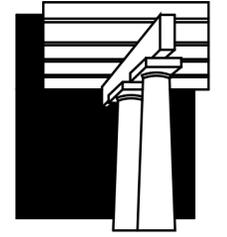
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SHEET:
A2.1



1 First Floor Plan
1/4" = 1' - 0"





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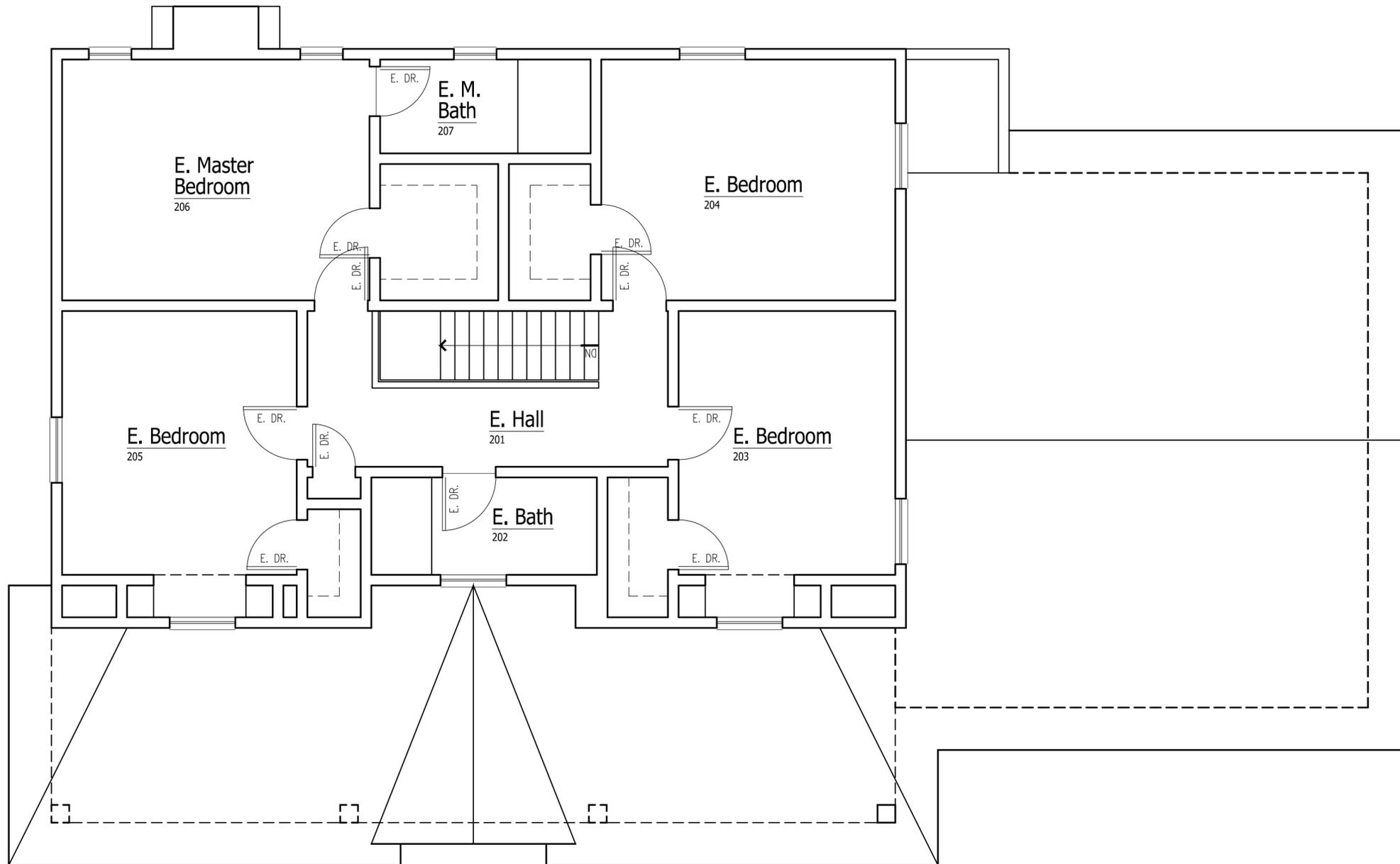
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SOUTH PROPERTY LINE



1

Second Floor Plan- Existing

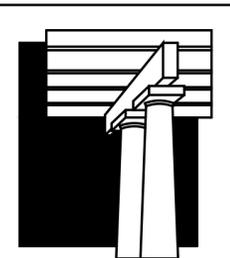
1/4" = 1' - 0"

North



SHEET:

A3.0



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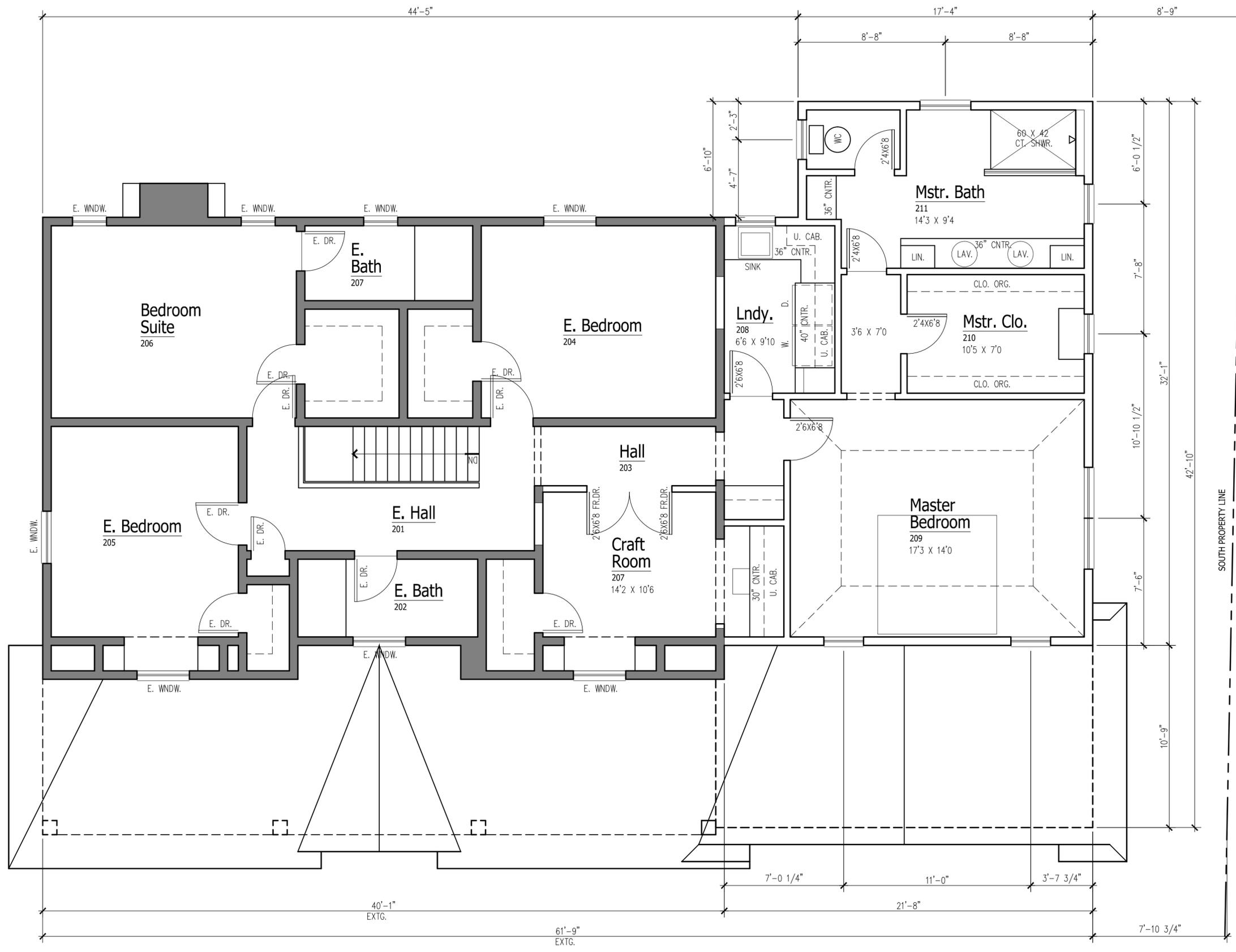
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SHEET:
A3.1

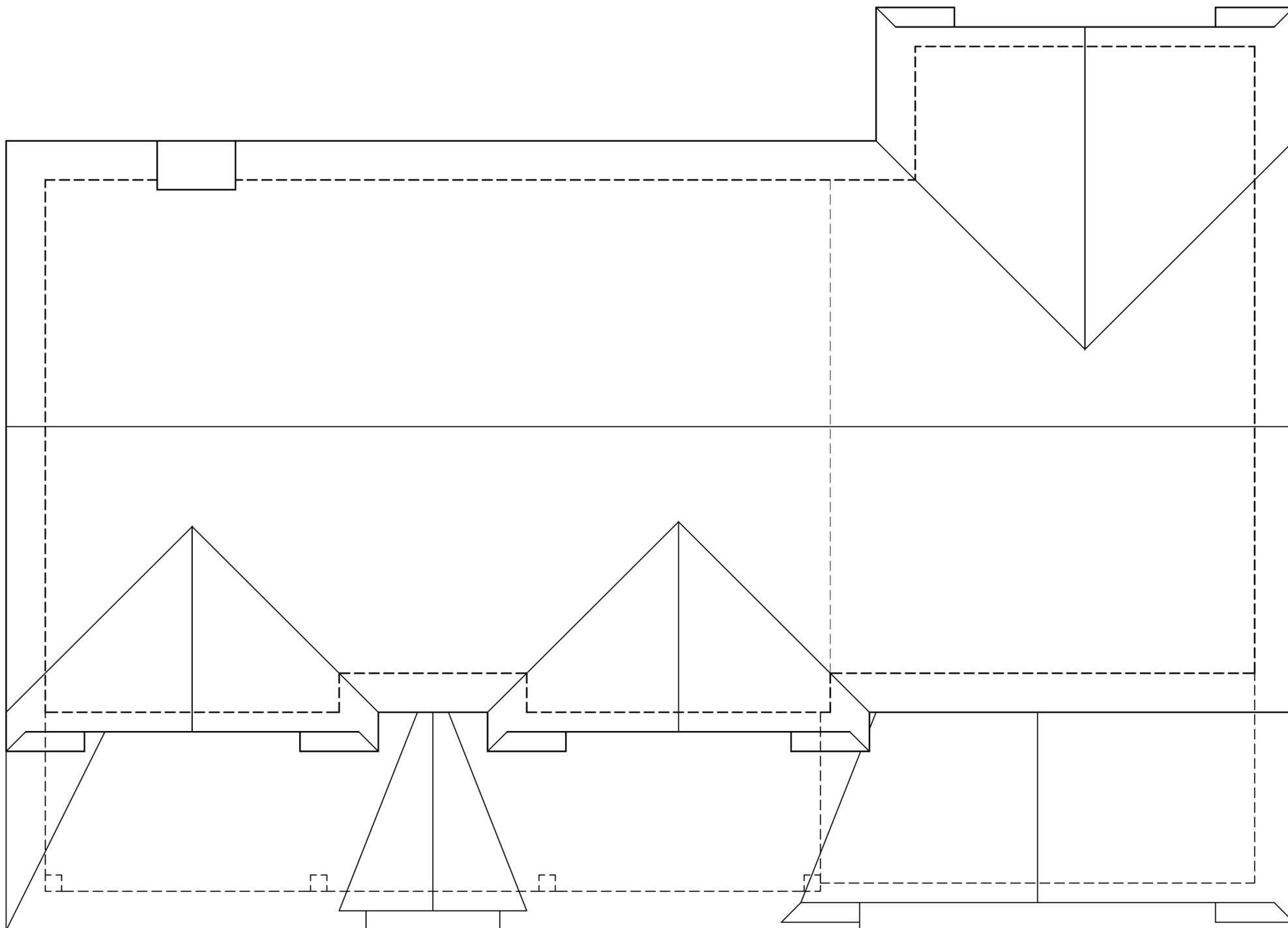


1

Second Floor Plan

1/4" = 1' - 0"

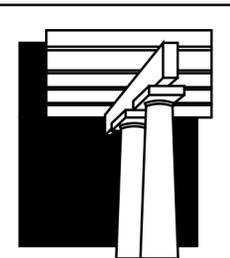
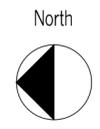




1

Roof Plan

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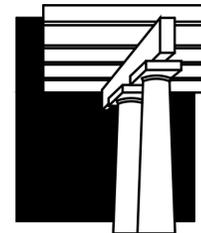
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SHEET:
A4.1



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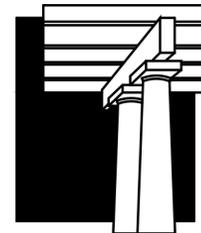


1

West/ Front Elevation- Existing

1/4" = 1' - 0"

SHEET:
A5.0



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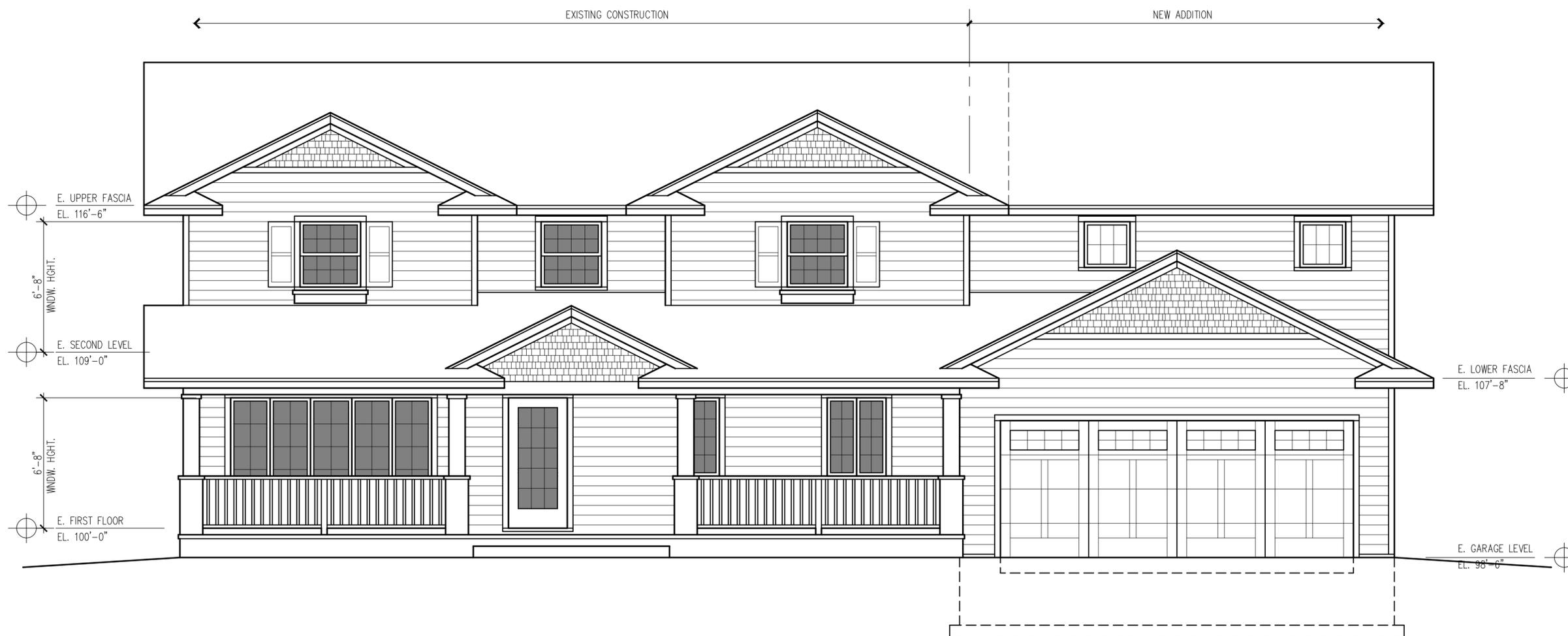
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227 HOMEDALE ROAD
HOPKINS, MN 55343

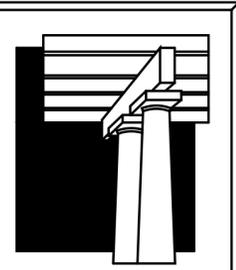


1

West/ Front Elevation

1/4" = 1' - 0"

SHEET:
A5.1



ARCHOS
ARCHITECTURE
& DESIGN, P.A.

CELL 651.245.8401
MIKEECKARDT@COMCAST.NET

1039 NEBRASKA AVE. WEST
ST. PAUL, MINNESOTA
55117

MICHAEL J. ECKARDT,
OWNER/ARCHITECT

2020

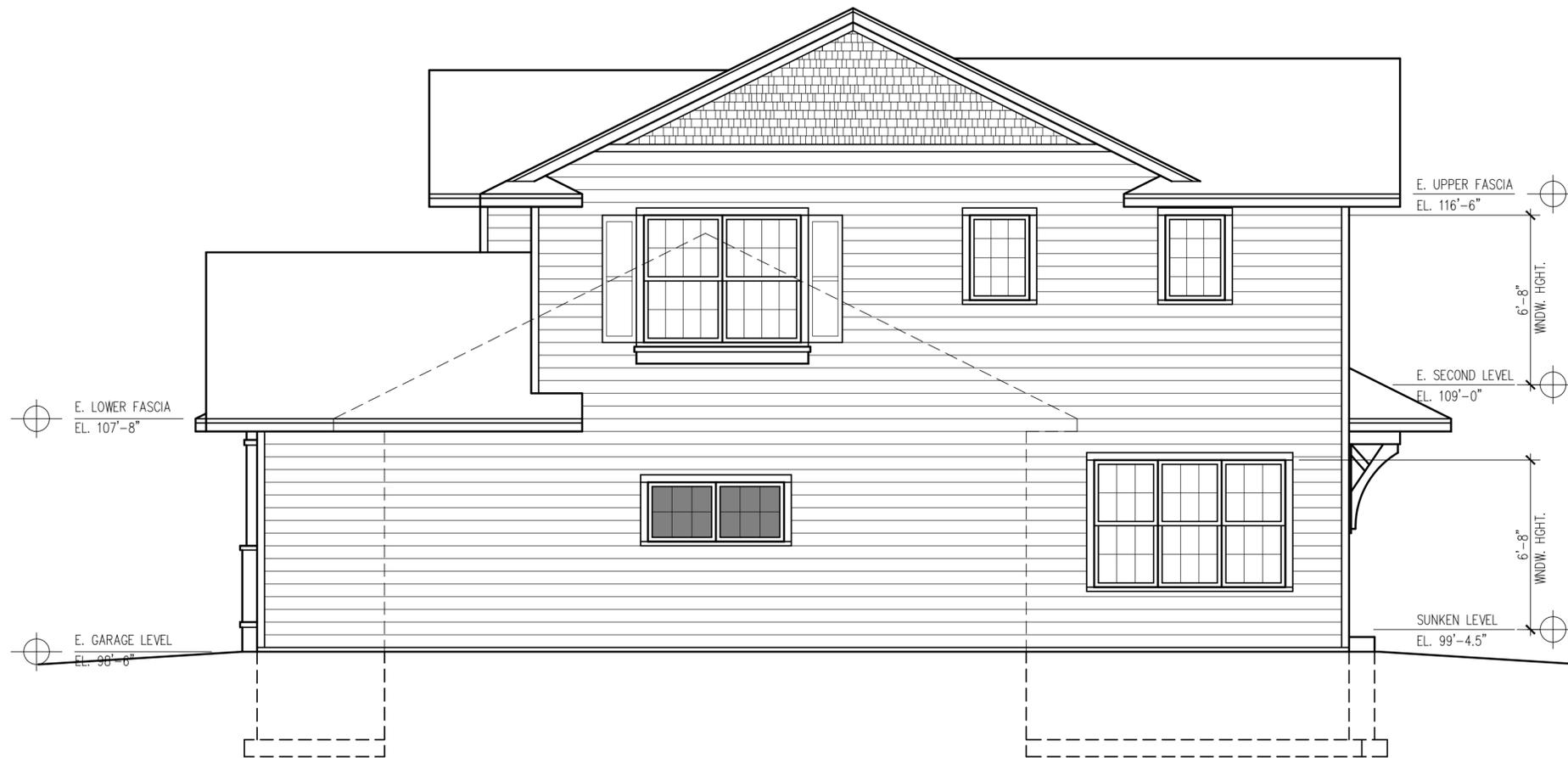
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REGISTRATION NUMBER:
Michael J. Eckardt
MICHAEL J. ECKARDT, 21243

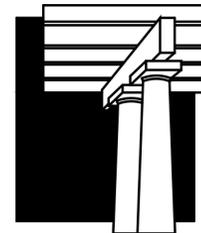
**VARIANCE
APPLICATION SET:
04-24-2020**

SIEH RESIDENCE
CUSTOM HOME: ADDITION/REMODEL
TRISHA & MATTHEW SIEH
227 HOMEDALE ROAD
HOPKINS, MN 55343



1 South Elevation
1/4" = 1' - 0"

SHEET:
A5.2



ARCHOS
ARCHITECTURE
& DESIGN, P.A.

CELL 651.245.8401
MIKEECKARDT@COMCAST.NET

1039 NEBRASKA AVE. WEST
ST. PAUL, MINNESOTA
55117

MICHAEL J. ECKARDT,
OWNER/ARCHITECT

2020

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REGISTRATION NUMBER:
Michael Eckardt
MICHAEL J. ECKARDT, 21243

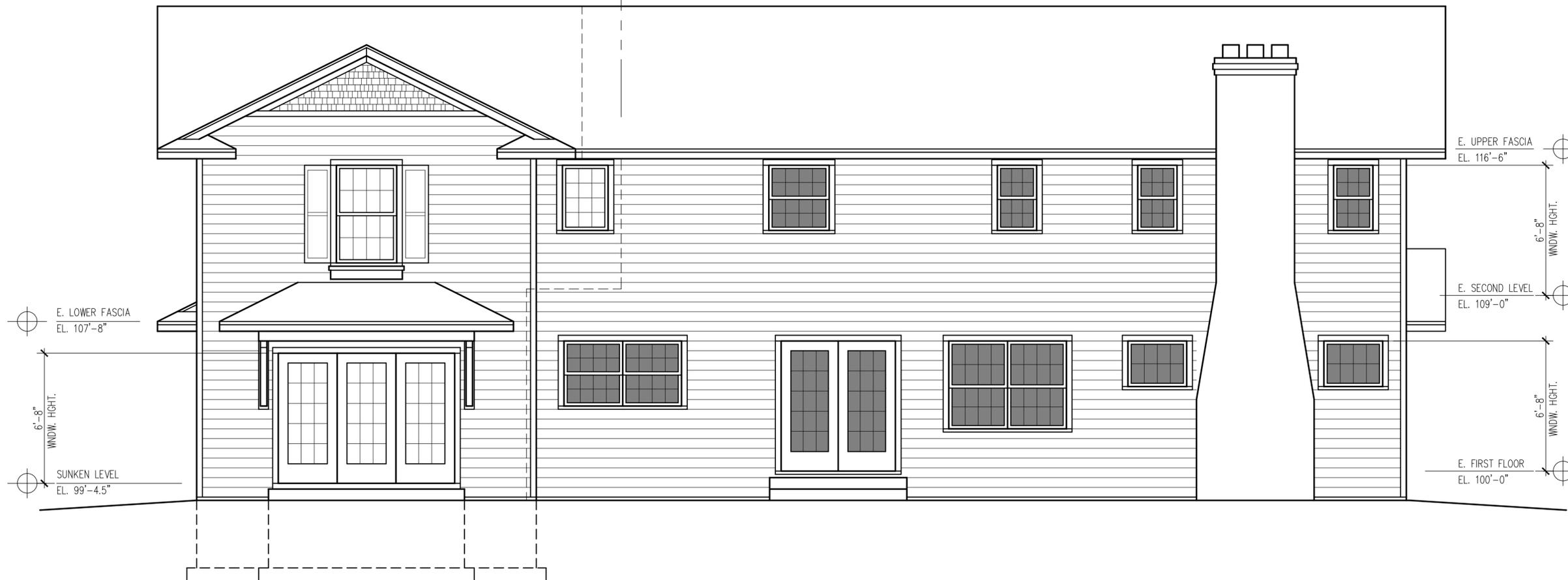
**VARIANCE
APPLICATION SET:
04-24-2020**

SIEH RESIDENCE
CUSTOM HOME: ADDITION/REMODEL
TRISHA & MATTHEW SIEH
227 HOMEDALE ROAD
HOPKINS, MN 55343

SHEET:

A5.3

← NEW ADDITION EXISTING CONSTRUCTION →



1

East Elevation

1/4" = 1' - 0"

**CERTIFICATE OF SURVEY FOR:
PATRICIA SIEH**

1229 Tyler Street NE, Suite 100
Minneapolis, Minnesota 55413
PHONE: (612) 466-3300
FAX: (612) 466-3383
WWW.EFNSURVEY.COM
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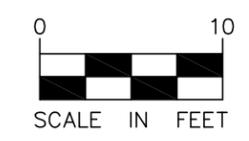
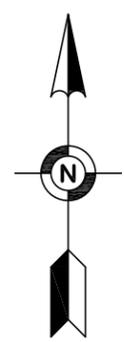
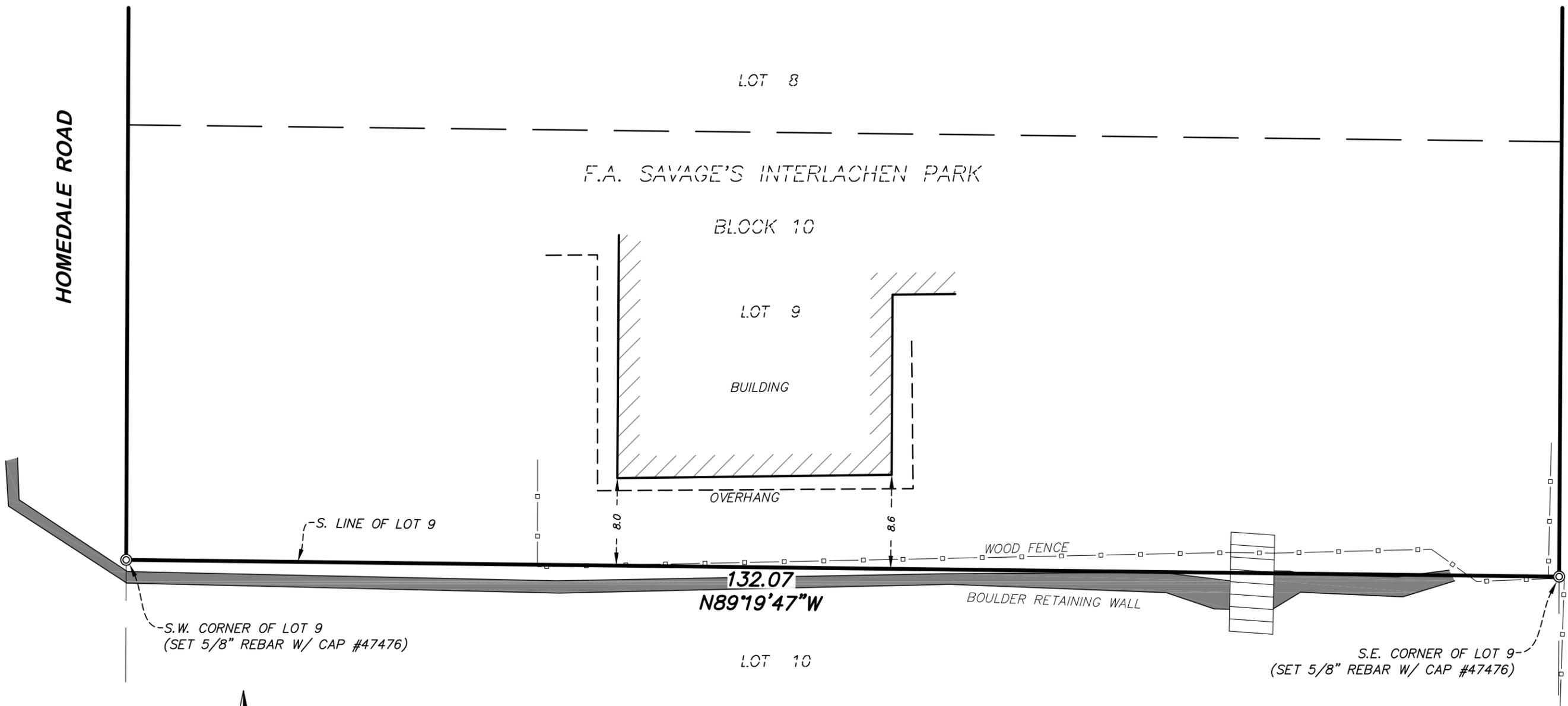


Egan, Field & Nowak, Inc.
Land surveyors since 1872

PATRICIA SIEH
227 HOMEDALE ROAD
HOPKINS, MN 55343

FIELDWORK SURVEY FOR:

| | | | | |
|-------------------------|------|---------------------|---------------|----------------|
| FIELD BOOK | PAGE | FIELDWORK CHIEF: DV | DRAWN BY: NCP | CHECKED BY: ER |
| DRAWING NAME: 39081.dwg | | JOB NO. 39081 | | |
| FILE NO. 1087 | | | | |



SCALE IN FEET
© SET IRON MONUMENT MARKED WITH LICENSE NUMBER 47476

LEGAL DESCRIPTION:

Lots 8 and 9, Block 10, F.A. SAVAGE'S INTERLACHEN PARK, HENNEPIN County, Minnesota.

NOTES:

- The orientation of this bearing system is based on the Hennepin County coordinate grid (NAD 83-2011 Adj.).

CERTIFICATION:

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

Date of survey: April 21, 2020
Date of signature: April 22, 2020

Eric A. Roeser
Minnesota License No. 47476
eroeser@efnsurvey.com

From: [Trisha Sieh](#)
To: [Jason Lindahl](#); [Courtney Pearsall](#)
Subject: [EXTERNAL] Fwd: Sieh home expansion
Date: Monday, May 25, 2020 3:03:26 PM
Attachments: [image002.png](#)
[image004.png](#)

Jason & Courtney,

See below from another one of our neighbors (Gus Kellom 219 Homedale Rd) in support of the variance for 227 Homedale Rd.

Thanks!

Trish Sieh

----- Forwarded message -----

From: **Gus Kellom** <Gus@envcap.com>

Date: Thu, Apr 30, 2020 at 1:31 PM

Subject: RE: Sieh home expansion

To: Trisha Sieh <tdsieh@gmail.com>

Trish, sorry for the delay on this.

I do not have any concerns or issue with your proposed remodel/expansion plans. I think it will look good and support your efforts! If there is anything else I can do to help let me know!

GUTHRIE (GUS) KELLOM

Mortgage Consultant & Partner

NMLS ID: 371852 | Lender ID: 327578



10590 Wayzata Boulevard #160 | Minnetonka, MN 55305

MAIN 952.473.9988 **CELL** 612.386.4664 **FAX** 952.960.3132



From: Trisha Sieh <tdsieh@gmail.com>
Sent: Wednesday, April 22, 2020 9:47 AM
To: Gus Kellom <Gus@envcap.com>
Subject: Sieh home expansion

Gus,

As we chatted about yesterday, here are the draft elevation plans for our hopeful expansion plans on the south side of our house. Let me know what you think... if you have any reservations or support what we are doing including the variance we need from the City wrt the southern setback.

Thanks!

Jason Lindahl

From: Luke Foster <lukefosterdds@gmail.com>
Sent: Sunday, May 17, 2020 11:23 AM
To: Jason Lindahl
Subject: [EXTERNAL] variance

Hello,

I received a letter about a variance requested by my neighbors at 227 Homedale Rd.

I am fully supportive of this request for variance. The addition plan will add value to the home and to our neighborhood. Our home has a very similar situation with a second story addition on a lot adjacent to the park. This variance will provide for an addition that is consistent with the high value and size of home in our neighborhood. Please feel free to contact me with any further questions.

Luke Foster

228 Homedale Rd, Hopkins, MN 55343

--



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Visit our [website](#) / 952-924-0709 / 4047 Brookside Avenue, St. Louis Park, MN 55416

Jason Lindahl

From: Tina Sherman <tina.sherman@magnet360.com>
Sent: Tuesday, May 19, 2020 9:27 AM
To: Jason Lindahl
Subject: [EXTERNAL] 227 Homedale

We live at 241 Maple Hill Road and we have no issues at all with the residents of 227 Homedale seeking a variance. We support the project.

Tina

TINA SHERMAN | VP, Chief Growth Officer
Magnet360, The Mindtree Salesforce Practice
M [952.240.7373](tel:952.240.7373)
L [linkedin.com/in/tinapuate](https://www.linkedin.com/in/tinapuate)
T [@Magnet360](https://www.instagram.com/magnet360)

<http://www.mindtree.com/email/disclaimer.html>



June 2, 2020

Council Report 2020-036

ORDINANCE AMENDING CHAPTER 6 OF THE HOPKINS CITY CODE REGARDING ANIMALS

Proposed Action

Staff recommends adoption of the following motion: Move to adopt for first reading Ordinance 2020-1149 An Ordinance Amending Chapter 6 of the Hopkins City Code Regarding Animals.

Overview

The City Council adopted the City Code Recodification Project in January, 2020. After the adoption, staff found an error in Chapter 6 related to the maximum number of dogs and cats that are allowed per dwelling unit. Staff proposes bringing back the original language of Section 6-27 limiting dogs to not more than two dogs and improve the code by clarifying not more than four pets per dwelling unit are allowed.

Inspections staff reviewed the animal ordinance and proposes additional changes based upon the types of animals and conditions they are seeing on inspections. The proposed changes include the addition of ferrets, nuisance cats and the feeding of wild animals to the code.

Primary Issues to Consider

- Inspections staff has had inspection cases where there are lots of white rats or multiple ferrets. Staff has to use the nuisance ordinance or state statutes to address the issues caused by numerous pets.
- Inspections staff is proposing that ferrets be added to the code as they often see ferrets on inspections mainly while conducting rental inspections or code enforcement cases.

Supporting Documents

- Proposed Ordinance 2020-1149

Amy Domeier

Amy Domeier, City Clerk

| | | | |
|---|-----------------|-----------|---------------|
| Financial Impact: \$ _____ | Budgeted: _____ | Y/N _____ | Source: _____ |
| Related Documents (CIP, ERP, etc.): _____ | | | |

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2020-1149

**ORDINANCE AMENDING CHAPTER 6 OF THE
HOPKINS CITY CODE REGARDING ANIMALS**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOPKINS
HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. Section 6-25 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 6-25. - State law adopted.

M.S.A. ~~chs~~ Chapters 346 and 347, as they pertain to domestic dogs and cats, are adopted by reference as though fully set forth herein. Any violation of the statutes adopted by reference is a violation of this Code.

SECTION 2. Section 6-27 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 6-27. - Maximum number of dogs and cats; exceptions.

No person shall keep, harbor or maintain in any individual dwelling unit within or upon the property located within the city ~~a combination of dogs and cats totaling~~ more than four animals over the age of six months. This includes any combination of dogs, cats, ferrets, reptiles, birds, etc. but not more than two dogs and does not include fish. Animal shelters, veterinary hospitals, and humane societies are exempt from this prohibition.

SECTION 3. Section 6-28 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 6-28. - Proper confinement, care and maintenance; revocation of license upon violation.

(a) All dog owners within the city shall:

- (1) Keep their dogs under restraint at all times and exercise proper care and control of their dogs to prevent them from becoming a public nuisance;
- (2) Provide their dogs with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment;
- (3) Confine female dogs in heat to the owner's property or any animal shelter, in such a manner that such female dog cannot come into contact with other dogs, except for intentional breeding purposes;
- (4) Maintain their dogs and the area where dogs are kept so that no odor that offends the senses of a reasonable person is detected for more than one day by persons off the property where the animal is kept;

- (5) Clean up bodily wastes from their dogs in a timely and sanitary manner that prevents health risks and prevents odors that are prohibited by this article; and
- (6) When on public property or the private property of another, clean-up any feces of their dogs and dispose of such feces in a sanitary manner.
- (b) No dog owner shall cause or permit a dog to be beaten, cruelly mistreated, tormented, overloaded or otherwise abused.
- (c) No dog ~~order~~ owner shall cause or permit a dog fight or abandon a dog.
- (d) A dog license issued to a person convicted of a violation of this section is automatically revoked on conviction and a new dog license may not be issued to that person for a period of one year from the date of conviction.

SECTION 4. Section 6-29 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 6-29. - Nuisance dogs and cats.

- (a) *What constitutes public nuisance.* The following are declared to be public nuisances:
 - (1) Any dog or cat that shall, by any noise, unreasonably disturb the peace and quiet of any person in the vicinity;
 - (2) Any dog or cat running at-large;
 - (3) Any dog or cat that damages plantings or structures or urinates on private property without the consent of the owner or possessor of the property;
 - (4) Any dog or cat that defecates on public property or on private property without the consent of the owner or possessor of the property unless the person in control of the dog cleans up the feces and disposes of such in a sanitary manner;
 - (5) Any dog or cat that, when unprovoked, inflicts bites on a domestic animal on public or private property;
 - (6) Any dog or cat that, when unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack;
 - (7) Any dog or cat that enters or is present on public or private property without the permission of the owner or contrary to city ordinance.

As used in this section, the term "unreasonably disturb the peace and quiet" includes, but is not limited to, the creation of any noise by any dog that can be heard by any person, including the animal control officer or a law enforcement officer, from a location outside of the building or premises where the dog is being kept and which noise occurs repeatedly over at least a five-minute period of time with one minute or less lapse of time between each dog noise during the five-minute period.

- (b) *Complaint procedure.* Any person aggrieved by a dog or cat nuisance may direct a written complaint to the animal control authority stating the acts complained of, the name and address of the owner of the dog, and the name and address of the complainant. Upon receipt of such a complaint, the animal control authority shall notify the person owning or keeping the dog of the complaint and request a response to the allegation within 48 hours. If, after completing its

investigation, the animal control authority determines the dog to be nuisance, a charge may be made against the owner or keeper of the dog or cat.

- (c) *Impoundment*. If a nuisance dog or cat is impounded, it shall be held and disposed of in accordance with M.S.A. § 347.05.

SECTION 5. Section 6-47 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 6-47. - Keeping and sale prohibited.

- (a) *Generally; enumerated*. No person shall keep, maintain or harbor within the city any animal or species prohibited by federal or state law or any non-domesticated animal or species, including, but not limited to, the following:
- (1) Any farm animal.
 - (2) Any skunk, raccoon, bear or badger.
 - (3) Any cat of the family felidae such as lions, tigers, jaguars, leopards, cougars and ocelots, except commonly accepted domesticated house cats.
 - (4) Any member of the family canidae, such as, wolves, foxes, coyotes, dingos and jackals, except domesticated dogs.
 - (5) Any crossbreed such as the crossbreeds between dogs and coyotes or dogs and wolves but does not include crossbred domesticated animals.
 - (6) Any poisonous pit viper such as a rattlesnake, coral snake, water moccasin or cobra.
 - (7) Any other animal not listed explicitly above but which can reasonably be defined as a wild animal or animal prohibited by this section.
- (b) *Sale*. No person shall offer for sale, within the city limits, any animal prohibited in subsection (a) of this section.
- (c) *Temporary conditional use permit*. Any persons desiring to keep animals prohibited under this section shall obtain a temporary conditional use permit from the city council. Such a permit shall be issued for a period not to exceed 30 days and shall specify further conditions under which such animals shall be kept; provided, however, that no such permit shall be issued unless the prohibited animal is brought into the city for entertainment, exhibition, show or promotional purposes only. Before issuance of any temporary conditional use permit, the applicant shall provide the city with proof of insurance including public liability insurance.
- (d) *Exceptions*. The keeping and permit restrictions of this section shall not apply to the following:
- (1) Nonpoisonous snakes, birds kept indoors, hamsters, mice, rabbits, gerbils, white rats, guinea pigs, chinchillas, ferrets, or lizards, and similar small animals capable of being maintained continuously in cages.
 - (2) Animals kept by persons for a public zoo as volunteers, teachers or otherwise.
 - (3) Animals kept by any bona fide research institution or veterinary hospital are exempt from the permit requirement of this article; provided protective devices adequate to prevent such animals from escaping or injuring the public are provided.
 - ~~(4) Handicapped persons keeping monkeys trained as household helpers.~~

SECTION 6. Section 6-49 of the Hopkins City Code is hereby created to add the double-underlined language as follows:

Sec. 6-49. – Feeding Wild Animals

- (a) No person shall feed deer, raccoons, wild turkeys, coyotes, opossum, Canada goose or any prohibited animal identified in 6-47 within the boundaries of the city.
- (b) No person shall place or permit to be placed on the ground, or within five feet (5') of the ground surface any grain, fodder, salt licks, fruit, vegetables, nuts, hay or other edible materials (not including feed for birds), which may reasonably be expected to result in deer, raccoon, wild turkey, coyote or Canada goose feeding, unless such items are screened or protected in a manner that prevents such feeding. The presence of living fruit trees and other live vegetation shall not be considered feeding.
- (c) The prohibitions in this section shall not apply to:
 - (1) Veterinarians, city animal control officers or county, state or federal game officials who, in the course of their duties, have deer, raccoon, coyote, wild turkey or Canada goose in custody or under their management;
 - (2) Any food placed upon the property for purposes of trapping or otherwise taking deer where such trapping or taking is pursuant to a permit issued by the Minnesota Department of Natural Resources.
- (d) In addition to being a violation subject to the general penalty provisions of the City Code, a violation of this section is declared to be a nuisance affecting public peace.

SECTION 7. Section 6-73 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 6-73. - Impoundment.

- (a) *Authority to impound; holding period.* In addition to any penalties for the violation of this section or any regulation thereunder, an unlicensed dog or a dog at-large may be taken by animal control authority, or the ~~county humane society~~ Animal Humane Society and impounded in the designated animal shelter and there confined in a humane manner. In addition, the animal control authority may impound any animal involved in any other violation of this chapter or state law, and animals that constitute a present or potential danger to human beings or other animals.
- (b) *Exception for dogs at-large when owner is located.* If a dog is found at-large and its owner can be identified and located, the dog need not be impounded, but may instead be returned ~~and taken~~ to the owner. In such case the officer returning the dog may proceed against the owner for violation of this section.
- (c) *Notice to owner.* If by a license tag or other means the owner of any impounded dog can be identified, the animal control officer, the clerk or deputy shall make a reasonable attempt to notify the owner by telephone or mail of the impoundment.
- (d) *Holding period.* Dogs not claimed by their owners within five days of such notice, if such dog is wearing a proper dog license, or within five days after impoundment if the owner of such dog cannot be identified, shall be humanely disposed of by an agency delegated ~~so~~ so by the city.

- (e) *Time during which animals may be reclaimed.* Animals may be reclaimed during normal city business hours. Licensed animals may be reclaimed after city business hours per approval of the animal control authority.
- (f) *Fees and other charges.* An owner reclaiming an impounded animal shall pay to the clerk an impounding fee and shall be responsible for all resulting charges from the designated animal shelter or boarding facility.
- (g) *No waiver of criminal proceedings.* The reclamation shall not be interpreted as a waiver of any criminal proceedings against the owner for the violation of this section.

SECTION 8. The effective date of this ordinance shall be the date of publication.

| | |
|------------------------------|---------------|
| First Reading: | June 2, 2020 |
| Second Reading: | June 16, 2020 |
| Date of Publication: | June 25, 2020 |
| Date Ordinance Takes Effect: | June 25, 2020 |

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



June 2, 2020

Council Report 2020-037

**ORDINANCE AMENDING CHAPTER 4 OF THE
HOPKINS CITY CODE REGARDING OFF-SALE LICENSES**

Proposed Action

Staff recommends adoption of the following motion: Move to adopt for First Reading Ordinance 2020-1153 An Ordinance Amending Chapter 4 of the Hopkins City Code Regarding Off-sale Licenses.

Overview

City staff has received a request for an off-sale liquor license. Current City Code only allows for eight off-sale licenses to be granted in Hopkins. Staff is proposing changing the limit to nine off-sale licenses. The City Attorney has reviewed the proposed ordinance.

Primary Issues to Consider

- License fee is \$200.

Supporting Documents

- Proposed Ordinance 2020-1153

Amy Domeier

Amy Domeier, City Clerk

| | | | |
|---|-----------------|-----------|---------------|
| Financial Impact: \$_____ | Budgeted: _____ | Y/N _____ | Source: _____ |
| Related Documents (CIP, ERP, etc.): _____ | | | |

**CITY OF HOPKINS
COUNTY OF HENNEPIN**

ORDINANCE NO. 2020-1153

**AN ORDINANCE AMENDING CHAPTER 4 OF THE
HOPKINS CITY CODE REGARDING OFF-SALE LICENSES**

WHEREAS, Hopkins City Code, section 4-37 (a) currently allows for not more than eight off-sale intoxicating liquor licenses to be granted; and

WHEREAS, the City Council is in agreement to amend the Hopkins City Code, section 4;37 (a) to allow for nine off-sale intoxicating liquor licenses to be granted.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HOPKINS HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 4-37 of the Hopkins City Code is hereby amended to add the double-underlined language and delete the ~~stricken~~ language as follows:

Sec. 4-37. – Off-sale Licenses.

- (a) *Off-sale—Intoxicating.* Off-sale intoxicating liquor licenses may be issued to exclusive liquor stores and shall permit the sale of alcoholic beverages in original packages for consumption off premises only. Not more than ~~eight~~ nine off-sale intoxicating liquor licenses may be granted. No off-sale intoxicating liquor license shall be issued to an establishment also holding an on-sale intoxicating liquor license except those that are presently existing in such combination. The sale of such an establishment shall not prevent the new owners from applying for such combination. At any time hereafter that any such existing combined on-sale and off-sale licenses are for any reason suspended, canceled, or not applied for, no further re-issuance or renewal of such licenses shall thereafter be allowed or issued in combination.
- (b) *Off-sale—3.2.* A 3.2 percent off-sale malt liquor license may be issued to permit the sale of 3.2 percent malt liquor in the original packages for removal from and consumption off the premises only. Any licensee authorized to sell intoxicating liquor at off-sale shall not be required to obtain an additional license for the off-sale of 3.2 percent malt liquor.
- (c) *Off-sale—Brew pub.* A brew pub off-sale malt liquor license may be issued, with the approval of the commissioner, to a brewer that is a licensee under subdivision 6 above and otherwise meets the criteria established at M.S.A. § 340A.24, as it may be amended from time to time. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the city. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by M.S.A. § 340A.285.
- (d) *Off-sale—Brewer.* A brewer off-sale malt liquor licenses may be issued, as authorized by M.S.A. § 340A.28, subd. 1 and with approval of the commissioner, to a holder of a brewer's license under M.S.A. § 340A.301, subd. 6(c), (i) or (j) and otherwise in accordance M.S.A. § 340A.28. The amount of malt liquor sold at off-sale may not exceed 750 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be

removed from the premises before the applicable off-sale closing time at exclusive liquor stores. Packaging of malt liquor for off-sale under this license must comply with M.S.A. § 340A.285.

- (e) *Off-sale—Microdistillery.* A microdistillery off-sale license may be issued, as authorized by M.S.A. § 340A.22, subd. 4, to the holder of a state microdistillery license. A microdistillery off-sale license authorizes the off-sale of one 375 milliliter bottle per customer per day of product manufactured on-site provided the product is also available for distribution to wholesalers.

SECTION 2. The effective date of this ordinance shall be the date of publication.

| | |
|------------------------------|---------------|
| First Reading: | June 2, 2020 |
| Second Reading: | June 16, 2020 |
| Date of Publication: | June 25, 2020 |
| Date Ordinance Takes Effect: | June 26, 2020 |

Approved by the City Council of the City of Hopkins on this 16th day of June, 2020.

By: _____
Jason Gadd, Mayor

ATTEST:

Amy Domeier, City Clerk



RESOLUTION APPROVING REFUNDS FOR ON-SALE LIQUOR LICENSE FEES

Proposed Action.

Staff recommends that the Council approve the following motion: Motion to Approve Resolution 2020-029 a Resolution Approving Refunds for On-Sale Liquor License Fees.

Overview:

Due to the COVID-19 pandemic, Minnesota Governor Walz has issued several needed executive orders that have impacted businesses. In recognition of these impacts, staff has been researching potential refunds for liquor license fees. Liquor license fees are meant to pay for license issuance, inspection, monitoring compliance (insurance, training, etc.), enforcement, and compliance checks of the licensee. The City of Hopkins licensing year runs from July 1 to June 30. Hopkins currently has licenses issued in the following license categories:

| Type | Fee | Permitted to sell |
|---------------------------------|------------|--|
| On-sale Only: | | |
| On-sale Intoxicating/Sunday | \$7,700 | All types of liquor |
| On-sale Wine & 3.2% malt liquor | \$1,400 | Wine, malt liquor (strong beer, hard seltzer, cider) |
| On-sale Club/Sunday | \$700/850* | All types of liquor to members |
| On-sale 3.2% malt liquor | \$600 | Malt liquor sales only |
| On & Off Sale: | | |
| Taprooms | \$900 | Only the products they produce. Fee covers on & off sale |
| Off Sale Only: | | |
| Off-sale Intoxicating | \$200 | Permitted to intoxicating off-sale |

* Fee based on number of members and is set by State Statute.

Staff recommends refunding three months of license fee refunds for on-sale liquor licenses. Hopkins currently has 20 on-sale liquor license holders. On-Sale liquor license holders have not been able to use their liquor licenses or have very limited use of their licenses. To be consistent, staff is also recommending a similar refund for the on-sale portion of the taproom license fees. The license classes proposed for refund include:

- On-sale Intoxicating
- Wine/3.2% Malt Liquor
- Club
- On-sale 3.2% Malt Liquor
- On-sale portion of Taproom

Primary Issues to Consider:

- Limited Sales
- Financial Impacts

Supporting Information:

- Draft Resolution 2020-029

Amy Domeier

Amy Domeier, City Clerk

Limited Sales

As part of a new law effective April 18, limited off-sale options for to-go orders were permitted for on-sale intoxicating and the on-sale wine/3.2% malt liquor license holders. However, staff considers this insignificant in relation to the overall license fees. In addition, there is no reporting required on which licensees are using this limited off-sale provision and all on-sale intoxicating and on-sale wine/3.2% malt liquor license holders have the opportunity to participate. Therefore, staff does not recommend any reduction in the refund for those that are using the limited off-sale provision.

Staff is not recommending refunds related to the portion of the fees that occurred during the previous licensing period as those fees are considered to have been all used.

On May 20, 2020 Governor Walz issued Executive Order 20-56 outlining plans for bars and restaurants to open on June 1 for outdoors services so long as certain conditions, including social distancing, are maintained to prevent the spread of COVID-19.

Staff is waiving all fees for outdoor sidewalk cafes or newly created outdoor seating areas.

Financial Impacts

Estimated financial impacts for a three month refund to 20 licensees is as follows:

| License Type | Number issued | Three month refund per license | Total Cost |
|-------------------------------|---------------|--------------------------------|-----------------|
| On-sale Intoxicating | 8 | \$1,926 | \$15,408 |
| On-sale Wine/3.2% malt liquor | 6 | \$351 | \$2,106 |
| Club (based on membership) | 3 | \$174 | \$522 |
| Club (based on membership) | 1 | \$213 | \$213 |
| On-Sale 3.2% malt liquor | 1 | \$150 | \$150 |
| Taproom | 1 | \$126 | \$126 |
| Grand Total | | | \$18,525 |

City Code Sec 4-16 states in part that no license shall be granted or renewed for operation on any premises on which taxes, assessments, service charges or other financial claims of the city or of the state are delinquent. Staff recommends that refunds follow this same language related to delinquent financial claims of the City. In discussion with the Finance Director regarding this provision, it was noted that the refund amount could be used to offset a portion of the delinquent financial claims of the City.

**CITY OF HOPKINS
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION 2020-029

RESOLUTION APPROVING REFUNDS FOR ON-SALE LIQUOR LICENSE FEES

WHEREAS, Novel Coronavirus Disease 2019, commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death, is spreading globally and has been identified by the World Health Organization (“WHO”) as a pandemic; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize any and all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, on March 16, 2020, Governor Tim Walz issued Executive Order 20-04 - Providing for Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation; and

WHEREAS, on March 16, 2020, the City of Hopkins declared that the COVID-19 pandemic constitutes a local emergency within the City of Hopkins, effective March 16, 2020, with all the powers and responsibilities attending thereto as provided in Minn. Stat. Ch. 12, and as otherwise provided for in the City of Hopkin’s Charter, City Code and Emergency Operations Plan (EOP); and

WHEREAS, on March 25, 2020, Governor Tim Walz issued Executive Order 20-20 – Directing Minnesotans to Stay at Home until April 10 unless they are considered an essential employee; and

WHEREAS, on April 8, 2020, Governor Tim Walz issued Executive Order 20-33 – Extending the Stay at Home Order and Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation until May 4, 2020; and

WHEREAS, on April 30, 2020, Governor Tim Walz issued Executive Order 20-48 – Extending and Modifying the Stay at Home Order, Continuing Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation, and Allowing Additional Workerse in Certain Critical Sectors to Return to Safe Workplaces, 2020; and

WHEREAS, due to these needed actions, many businesses have been greatly impacted by a significant loss of revenue due to the closure; and

WHEREAS, a request has been made to consider refunds of liquor license fees during the time of closure of bars and restaurants.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hopkins, Minnesota, that:

1. Refunds totaling three months of license fees for On-sale intoxicating, Wine/3.2% Malt Liquor, Club, On-sale 3.2% Malt Liquor, and the On-sale portion of Taproom fees are hereby approved.
2. Refunds shall not be issued to licensees with delinquent financial claims to the City. The refund shall be applied to the delinquent financial claims of the licensee to the City.

Adopted by the City Council of the City of Hopkins on this 2nd day of June, 2020.

Jason Gadd, Mayor

ATTEST

Amy Domeier, City Clerk



CREATION OF 2020 EARLY RETIRMENT INCENTIVE PROGRAM

Proposed Action.

Staff recommends that the Council approve the following motion: Approve the Creation of the 2020 Early Retirement Incentive Program.

Overview:

The City has experienced unprecedented service and revenue impacts because of COVID 19 and has worked to rebalance the budget for 2020. Staff is expecting some form of on-going budget impacts in 2021. To get ahead of those impacts, staff is proposing the creation of a limited early retirement incentive that would allow us to restructure to reduce expenditures in 2021.

The program developed is consistent with a program offered in 2003 by the City when budget reductions were also necessary. The program is limited in nature to employees who have a tenure with the City of more than 25 years, are eligible for retirement through PERA and have not previously submitted an advanced resignation notice. Based on those parameters the program costs are relatively limited. We estimate there are three individuals who would meet the criteria (and three others who could retire early through PERA with reduced pensions for retiring early). Because of the relatively limited nature, staff is aware of some potential for restructuring and would be able to be recoup the cost within the 2020 calendar year and result in on-going savings in 2021.

Primary Issues to Consider

- Cost of the program and amount of time necessary to recoup the savings.
- How does this agreement fit with the 2020 budget?
- What are the potential savings in 2021 budget?
- Whether Council is comfortable with incentivizing retirements.
- Service impact from retirements.
- Retirement is voluntary.

Analysis of Issues

- Cost of the program and amount of time necessary to recoup the savings.
 - We are estimating the cost to be a maximum of \$115,720 if all six eligible retirees took the incentive (including the ones with reduced pensions).
 - Incentive is equivalent to 15% of annual salaries and requires retirement by September 30, 2020. Leaving opportunities for position vacancies equivalent at least 15% of the year.
- How does this agreement fit with the 2020 budget?
 - Since the retirement is required by September 30, the cost of the incentive package would be within the 2020 budget if left vacant.

- What are the potential savings in 2021 budget?
 - Depending on who selects retirement there are restructuring opportunities in the areas where eligible employees stand that would allow on-going annual savings for each individual position if taken. Exact savings would depend on final structure decided and how many individuals opted to take the voluntary retirement.
- Whether Council is comfortable with incentivizing retirements.
 - This is an individual decision for each council member. The savings would justify the costs from a fiscal perspective for 2020.
- Service impact from retirements.
 - Without going into specifics on who is eligible for the program, with 25 years of more of tenure with the city, these are the most senior employees within our organization. The retirements will result in a loss of institutional knowledge that is impossible to recoup. Staff hopes that the individuals will allow us to continue to communicate with them to reduce the impact, but not guaranteed.
 - Additionally, all eligible positions are supervisory roles, which means there will be an impact to the department/division and staffing from the retirement.
- Retirement is voluntary.
 - This is a voluntary incentive program. The employees have the right to decline the offer and to continue employment with the city. There is no cost to the city if employees choose to stay in their positions.

Alternatives

1. Adjust incentive associated with program.
2. Expand or reduce eligibility for the program.
3. Offer the program later if necessary.
4. Do not approve the program.

Supporting Information:

Early Retirement Incentive Program Policy



Ari Lenz
Assistant City Manager

City of Hopkins Early Retirement Incentive Program

Due to the economic impacts of COVID-19 the City of Hopkins is projected to have significant revenue reductions in 2021. The City will need to reduce costs and is considering restructuring as one method to reduce costs. This Early Retirement Incentive program is an incentive to assist employees who want to retire. This is a voluntary program designed to reduce expenses in the City's General Fund.

Retirement Incentive

If an employee voluntarily elects to participate in this program, and retires after July 1, 2020 and on or before September 30, 2020, they will receive in addition to normal severance:

- 15% of their annual salary.

This incentive supplements any other severance that the employee is entitled.

There are many details to this voluntary plan, so please read carefully. The first step is to determine whether you are eligible for the program. Employees who meet the minimum years of service requirement will receive a packet of additional information via interoffice mail. If you do not receive a packet and feel you are entitled or have questions please contact HR.

Eligibility requirements (all three must be met to qualify):

- Must be eligible for a full or reduced pension through PERA at the time of retirement.
- Have worked for the City in a full-time position for at least 25 years on 9/30/2020.
- Have not previously submitted an Advanced Resignation Notice.

The City reserves the right to decline any employee's request for the early retirement incentive program based on the number of requests we receive, an employee's critical skills, or service delivery needs.

Program application:

- You will have from June 3, 2020 through August 3, 2020 to decide whether or not to apply for this program. Early retirement incentive application packets are available in Personnel.
- Employees eligible for this incentive must give a minimum of 30 days' notice and retire between July 15, 2020 and September 30, 2020. **Once your application package is approved, the retirement date cannot be extended or withdrawn, it must be taken on the date you selected or sooner.**
- All Early Retirement Incentive Program applications must be submitted in writing to Personnel no later than noon on August 3, 2020. We will, however, appreciate learning of your decision as soon as it has been reached.

Other considerations:

- To accept this offer, employees must complete an application packet including signing a release agreement acceptable to the city, waiving your right to pursue any legal claim

against the City of Hopkins, its employees and officers within the timeframe set for the program.

- An employee has ten (10) days from the date they sign the release agreement to rescind the decision. After this, it is not possible for an employee to change their mind about retiring. There will no longer be a position available after the employee retires. Refusing the payment will not void the agreement.
- Consideration of this offer and acceptance are strictly voluntary.
- Employees that terminate employment with the City as part of this program may not be rehired by the City as a benefit-earning employee.
- The City reserves the right to decline any employee's request for the early retirement incentive program based on the number of requests received, an employee's critical skills, or service delivery needs.
- All payments made are subject to customary payroll deductions and will be made after termination.
- Normal severance is defined as the severance employees were entitled to prior to the program, for more information please see HR.
- Contact your union business agent or HR if you have questions.