

**HOPKINS CITY COUNCIL  
AGENDA  
Wednesday, November 3, 2021  
7:00 pm**

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

**Schedule**      HRA Meeting, 7 p.m. – City Council Meeting immediately following HRA Meeting

**I. CALL TO ORDER**

**II. ADOPT AGENDA**

**III. PRESENTATIONS**

**IV. CONSENT AGENDA**

1. Minutes of the October 19, 2021 City Council Regular Meeting Proceedings
2. Ratify Checks Issued in October 2021; Bishop

**V. PUBLIC HEARING**

**VI. OLD BUSINESS**

1. Second Reading: Ordinance 2021-1173 Amending the Hopkins City Code Related to Reasonable Accommodations; Riggs

**VII. NEW BUSINESS**

1. First Reading: Zoning Code Text Amendment Related to Conditional Uses in the Residential Districts; Lindahl
2. First Reading: Zoning Code Text Amendment Related to Accessory Uses in the Mixed Use Zoning District; Lindahl
3. Approve Water, Sanitary Sewer, Refuse Collection Recycling and Organic Recycling Rates; Bishop
4. Third Quarter Financial Report; Bishop

**VIII. PUBLIC COMMENT**

**IX. ANNOUNCEMENTS**

- City Council Special Meeting: Tuesday, November 9 at 6:15 p.m.
- Next City Council Work Session: Tuesday, November 9 at 6:30 p.m.
- Next City Council Regular Meeting: Tuesday, November 16 at 7 p.m.

**X. ADJOURN**

**HOPKINS CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
OCTOBER 19, 2021**

**CALL TO ORDER**

Pursuant to due call and notice thereof a regular meeting of the Hopkins City Council was held on Tuesday, October 19, 2021 at 7:00 p.m. in the Council Chambers at City Hall, 1010 1<sup>st</sup> Street South.

Mayor Gadd called the meeting to order with Council Members Beck, Brausen and Halverson attending. Council Member Hunke participated via Zoom pursuant to Minnesota Statutes 13D.021. Mayor Gadd read a statement regarding remote meetings. Others attending included City Manager Mornson, City Clerk Domeier, Assistant City Manager Lenz, Director of Planning and Development Elverum, Police Chief Johnson, Fire Chief Specken, Finance Director Bishop, Director of Public Works Stadler, Director of Public Works Stanley and City Engineer Klingbeil.

**ADOPT AGENDA**

**Motion** by Brausen. **Second** by Beck.

**Motion** to Adopt the Agenda.

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

**Nays: None. Motion carried.**

**PRESENTATIONS**

**III.1. Recognition of Public Works Director Steve Stadler; Mornson**

City Manager Mornson and the City Council thanked Steve Stadler for his 26 years of service. All wished Mr. Stadler well in his retirement.

**CONSENT AGENDA**

Mayor Gadd invited Lee Gilbertson from Mac's Liquor to provide an update on the new off-sale location.

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

**Motion** to Approve the Consent Agenda.

1. Minutes of the October 5, 2021 City Council Regular Meeting Proceedings
2. Minutes of the October 12, 2021 City Council Work Session Proceedings
3. Order Improvement – 2022 Trunk Watermain Rehabilitation, City Project 2021-05; Klingbeil
4. Resolution Approving an Off-Sale Liquor License for Nina Corporation DBA Mac's Liquor; Domeier
5. Approval of City of Hopkins Emergency Operations Plan (EOP); Specken

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

**Nays: 0. Motion carried.**

**HOPKINS CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
OCTOBER 19, 2021**

**PUBLIC HEARING**

**V.1. Public Improvement Hearing – 2022 Street and Utility Improvements, City Project 2021-10; Klingbeil**

City Engineer Klingbeil and Nick Amatuccio with Bolton and Menk provided a summary of Council Report 2021-099. The project includes improvements on 6<sup>th</sup> Avenue South and 7<sup>th</sup> Avenue South from Mainstreet to 2<sup>nd</sup> Street South including pavement, curbing, sidewalk, signage, drainage, water and sanitary sewer improvements and all necessary appurtenances.

Council Member Halverson questioned why 6<sup>th</sup> Avenue South was not a total reconstruct. Mr. Klingbeil provided history from a previous project that affected the reconstruction. Brief discussion was held about the recent neighborhood meeting.

Mayor Gadd opened the Public Hearing. No comments were received.

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

**Motion** to Close the Public Hearing.

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

**Nays: 0. Motion carried.**

**Motion** by Beck. **Second** by Brausen.

**Motion** to Adopt Resolution 2021-062, Resolution Ordering Improvement, 2022 Street and Utility Improvements.

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

**Nays: 0. Motion carried.**

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

Resolution 2021-063, stating the City's intent to reimburse itself using bonds.

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

**Nays: 0. Motion carried.**

**V.2. Public Hearing – Adopt Assessment Roll, 2021 Miscellaneous Special Assessments; Bishop**

Finance Director Bishop provided a summary of Council Report 2021-102. The proposed special assessments as described in Exhibit A are for delinquent utility bills, citations, and invoices. Notices of this hearing have been published and the notices and assessment statements have been mailed to all affected property owners.

Mayor Gadd opened the Public Hearing. No comments were received.

**HOPKINS CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
OCTOBER 19, 2021**

**Motion** by Brausen. **Second** by Beck.

**Motion** to Close the Public Hearing.

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

**Nays: 0. Motion carried.**

Council Member Brausen requested that Mr. Bishop share the process for making payments.

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

**Motion** to Adopt Resolution 2021-066, Resolution for Adoption of Assessment Roll, 2021 Miscellaneous Special Assessments.

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

**Nays: 0. Motion carried.**

## **NEW BUSINESS**

### **VII.1. First Reading: Ordinance 2021-1173 Amending the Hopkins City Code Related to Reasonable Accommodations; Riggs**

City Attorney Riggs provided a summary of the prepared memo. In compliance with the Federal Fair Housing Act of 1988, the City is expected to provide reasonable accommodations to persons with a disability, as defined by Federal law, regarding the application of zoning and other city regulations in regard to providing fair housing. The draft ordinance could be adopted by the City Council and implemented should the city receive a request for accommodations to zoning, land use or any other standards that relate to fair housing.

Mayor Gadd questioned if a notification process could be included into the ordinance. Mr. Riggs replied that the ordinance could include a notification process. Council Member Beck pointed out that there are nine factors for consideration. He highlighted factor eight which included a condition of whether the requested accommodation is likely to have any negative impacts on the health, safety, or general welfare of members of the community.

City Manager Mornson questioned the appeal timeline. City Attorney explained the process for the applicant and the City. He stated it would be a 60-day timeline like land use and zoning approvals. City Manager Mornson suggested that staff and the City Attorney figure out the notification process within the ordinance.

**Motion** by Brausen. **Second** by Beck.

**Motion** to Approve the First Reading of Ordinance 2021-1173 with the addition of the notification clause.

**HOPKINS CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
OCTOBER 19, 2021**

**Ayes: Beck, Brausen, Halverson, Hunke, Gadd**  
**Nays: 0. Motion carried.**

**VII.2. Preliminary Development Agreement – 325 Blake Road; Elverum**

Director of Planning and Development Elverum provided a summary of Staff Report 2021-103. The three parties, the City of Hopkins, MCWD and Alatus, have agreed on the terms of a Preliminary Development Agreement that will outline the roles, rights and obligations of each party as the final development plan is refined and brought forward for land use approvals.

Mayor Gadd questioned future maintenance of the site. Discussion was held about the maintenance of the City streets within the project. Council Member Brausen confirmed that City Attorney Riggs has been working with all parties involved. Mr. Brausen shared his confidence that all agencies are on the same page going forward.

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

**Motion** to approve the Preliminary Development Agreement between the City of Hopkins, Minnehaha Creek Watershed District and Alatus Development LLC.

**Ayes: Beck, Brausen, Halverson, Hunke, Gadd**  
**Nays: 0. Motion carried.**

**PUBLIC COMMENT**

Maggie Sedoff, 122 Oakwood Road, thanked the City Council for drafting the Ordinance related to special accommodations. She requested to meet with the City Attorney and City staff regarding the ordinance to reach a better understanding.

Kris Ziegler, 109 Oakwood Road, shared the same questions as Ms. Sedoff. He requested to participate in the proposed meeting.

Don Rademacher, 234 Ashley Road, shared his distrust in the election process related to the counting of absentee ballots.

**ANNOUNCEMENTS**

Mayor Gadd provided the upcoming meeting schedule. City Clerk Domeier shared the hours available for absentee voting and the detailed process.

**HOPKINS CITY COUNCIL  
REGULAR MEETING PROCEEDINGS  
OCTOBER 19, 2021**

**ADJOURNMENT**

There being no further business to come before the City Council and upon a motion by Brausen, second by Halverson, the meeting was unanimously adjourned at 8:46 p.m.

Respectfully Submitted,  
Amy Domeier, City Clerk

ATTEST:

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Jason Gadd, Mayor

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Amy Domeier, City Clerk

# CITY OF HOPKINS

**FINANCE DEPARTMENT**

## MEMORANDUM

Date: October 28, 2021  
To: Honorable Mayor and Members of the City Council  
From: Nicholas Bishop, Finance Director  
Subject: Ratify Checks Issued in October 2021

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The checks issued between October 1, 2021 and October 28, 2021 were number 124589 through 124901, for a total distribution of \$1,216,874.01.

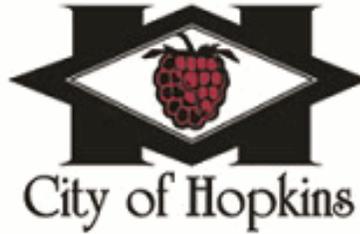
The checks issued, along with the purpose for those payments are attached for your review.

The check registers and detail of those checks can be reviewed at any time in the Finance Department.

# Accounts Payable

## Checks by Date - Summary by Check Date

User: jthoennes  
Printed: 10/27/2021 3:10 PM



1010 First Street South  
Hopkins, MN 55343

952-935-8474  
M-F, 8 am-4:30 pm  
[www.hopkinsmn.com](http://www.hopkinsmn.com)

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
124589	01328	AIRGAS USA	10/07/2021	0.00	306.49
124590	31081	ALLEN'S SERVICE	10/07/2021	0.00	350.00
124591	01521	ANCHOR PAPER COMPANY	10/07/2021	0.00	861.75
124592	30660	PATRICIA MAUREEN ANDERSON	10/07/2021	0.00	175.00
124593	28600	APPLE VALLEY FORD LINCOLN	10/07/2021	0.00	165.96
124594	31112	ALLYSON ASHLEY	10/07/2021	0.00	50.00
124595	20006	AXON ENTERPRISES, INC.	10/07/2021	0.00	375.00
124596	02031	B & W SPECIALTY COFFEE CO	10/07/2021	0.00	1,180.20
124597	02047	BADGER METER INC	10/07/2021	0.00	224.64
124598	29817	GARY BINGER	10/07/2021	0.00	2,900.00
124599	27782	BOUND TREE MEDICAL LLC	10/07/2021	0.00	1,115.00
124600	27822	BRADS PRO AUDIO	10/07/2021	0.00	500.00
124601	03160	CENTERPOINT ENERGY MINNEGASC	10/07/2021	0.00	33.02
124602	28430	CENTURY LINK	10/07/2021	0.00	49.32
124603	28430	CENTURY LINK	10/07/2021	0.00	73.95
124604	30127	CINTAS CORPORATION NO. 2	10/07/2021	0.00	227.56
124605	27467	CITY OF ST PAUL	10/07/2021	0.00	250.00
124606	26951	COMCAST	10/07/2021	0.00	14.63
124607	26951	COMCAST	10/07/2021	0.00	104.51
124608	26951	COMCAST	10/07/2021	0.00	10.45
124609	26951	COMCAST	10/07/2021	0.00	2.09
124610	31032	COVERALL NORTH AMERICA	10/07/2021	0.00	1,544.00
124611	31032	COVERALL NORTH AMERICA	10/07/2021	0.00	2,019.00
124612	03800	CULLIGAN - METRO	10/07/2021	0.00	198.00
124613	28747	CULLIGAN BOTTLED WATER CO	10/07/2021	0.00	33.04
124614	03808	CUMMINS SALES AND SERVICE	10/07/2021	0.00	734.94
124615	04690	DRISKILLS FOODS	10/07/2021	0.00	212.74
124616	28898	ECM PUBLISHERS INC	10/07/2021	0.00	487.90
124617	29520	ECOLAB	10/07/2021	0.00	32.26
124618	30431	EHLERS INVESTMENT PARTNERS LLC	10/07/2021	0.00	5,725.73
124619	07179	ENCORE ONE LLC	10/07/2021	0.00	104.95
124620	29070	ENGAGE PRINT INC	10/07/2021	0.00	4,027.25
124621	29006	ENTERPRISE FLEET MANAGEMENT	10/07/2021	0.00	2,839.00
124622	28635	EQUIPMENT MANAGEMENT COMPAN	10/07/2021	0.00	349.00
124623	28449	DARRELL ERVASTI	10/07/2021	0.00	7,485.30
124624	31162	LINDA FIEBELKORN	10/07/2021	0.00	75.00
124625	06567	FORCE AMERICA	10/07/2021	0.00	180.00
124626	28978	G & B ENVIRONMENTAL INC	10/07/2021	0.00	377.94
124627	07003	GARTNER REFRIGERATION & MFG.	10/07/2021	0.00	784.17
124628	07564	GOPHER STATE ONE-CALL, INC	10/07/2021	0.00	383.40
124629	28609	GRANICUS INC	10/07/2021	0.00	716.76
124630	31160	GREEN ACRES SPRINKLER CO INC	10/07/2021	0.00	793.34
124631	08001	HACH COMPANY	10/07/2021	0.00	701.65
124632	31143	SARA HALPERN	10/07/2021	0.00	385.00
124633	08038	HAWKINS, INC	10/07/2021	0.00	6,617.55
124634	08186	HENNEPIN CTY TREASURER	10/07/2021	0.00	87.00
124635	08576	HOPKINS F.D. RELIEF ASSOC	10/07/2021	0.00	960.00

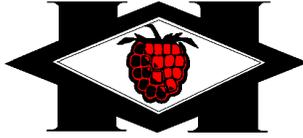
Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
124636	08620	HOPKINS ROTARY	10/07/2021	0.00	500.00
124637	09578	INNOVATIVE OFFICE SOLUTIONS	10/07/2021	0.00	1,191.15
124638	29612	INTERNATIONAL CHEMTEX	10/07/2021	0.00	750.00
124639	09002	I-STATE TRUCK CENTER	10/07/2021	0.00	72.84
124640	30768	JAMES DUNCAN AND ASSOCIATES IN	10/07/2021	0.00	3,590.00
124641	30269	JANELLE JASPERS JONES	10/07/2021	0.00	280.00
124642	11013	KATH FUEL OIL SERVICE	10/07/2021	0.00	309.20
124643	29529	LEXISNEXIS RISK SOLUTIONS	10/07/2021	0.00	91.06
124644	30145	ZACH LUNDBERG	10/07/2021	0.00	2,250.00
124645	13012	MACQUEEN EQUIPMENT INC	10/07/2021	0.00	4,894.72
124646	13167	MENARDS	10/07/2021	0.00	142.15
124647	28665	METRO ALARM & LOCK	10/07/2021	0.00	450.00
124648	13172	METRO ELEVATOR, INC	10/07/2021	0.00	175.00
124649	13275	MICRO CENTER	10/07/2021	0.00	39.99
124650	30363	MINNEAPOLIS OXYGEN COMPANY	10/07/2021	0.00	61.08
124651	13354	MN BENEFIT ASSOCIATION	10/07/2021	0.00	37.18
124652	28599	MN PUBLIC RADIO	10/07/2021	0.00	828.00
124653	13412	MN TROPHIES	10/07/2021	0.00	14.00
124654	31064	MR CUTTING EDGE LLC	10/07/2021	0.00	135.00
124655	30300	NORDIC SOLAR HOLDCO LLC	10/07/2021	0.00	6,568.22
124656	14582	NORTHWEST ASPHALT INC	10/07/2021	0.00	392,448.38
124657	29452	OFFICE OF MN IT SERVICES	10/07/2021	0.00	293.43
124658	15880	OWENS SERVICE CORP- CHEMTEX	10/07/2021	0.00	772.02
124659	16566	POMPS TIRE SERVICE INC	10/07/2021	0.00	1,672.80
124660	28285	PROFESSIONAL TURF & RENOV INC	10/07/2021	0.00	3,000.00
124661	30199	PULSE ELECTRIC	10/07/2021	0.00	1,036.00
124662	18327	REINDERS INC	10/07/2021	0.00	1,937.00
124663	29532	SERGEANT LABORATORIES	10/07/2021	0.00	6,203.07
124664	19290	SHADYWOOD TREE EXPERTS, INC	10/07/2021	0.00	5,273.40
124665	29609	SHRED-N-GO	10/07/2021	0.00	3,675.00
124666	29384	SITEONE LANDSCAPE SUPPLY	10/07/2021	0.00	631.22
124667	19520	SNAP PRINT INC	10/07/2021	0.00	829.95
124668	30973	JAKE SODERBERG	10/07/2021	0.00	100.00
124669	30973	JAKE SODERBERG	10/07/2021	0.00	105.00
124670	29085	TENABLE NETWORK SECURITY INC	10/07/2021	0.00	12,355.00
124671	31157	THOMPSON INSPECTIONS INC	10/07/2021	0.00	1,866.75
124672	20560	TOLL GAS & WELDING SUPPLY	10/07/2021	0.00	71.49
124673	30093	TRANSUNION RISK AND ALTERNATIV	10/07/2021	0.00	186.30
124674	27981	ULINE INC	10/07/2021	0.00	514.34
124675	03440	ULTIMATE SAFETY CONCEPTS INC	10/07/2021	0.00	275.00
124676	30189	VAN PAPER SUPPLY COMPANY	10/07/2021	0.00	412.75
124677	29475	VERIZON WIRELESS	10/07/2021	0.00	105.03
124678	30819	VERIZON WIRELESS	10/07/2021	0.00	200.05
124679	31159	VOEHL CONSTRUCTION INC	10/07/2021	0.00	515.06
124680	22563	VOSS LIGHTING	10/07/2021	0.00	240.24
124681	27900	WATER CONSERVATION SERVICES	10/07/2021	0.00	2,500.00
124682	31113	SANDRA F WERTS	10/07/2021	0.00	35.00
124683	28624	MICHEAL J WHITE	10/07/2021	0.00	242.35
124684	25080	XCEL ENERGY	10/07/2021	0.00	191.45
124685	31138	CHERAW SC, INC.	10/07/2021	0.00	13,000.00
124686	31138	CHERAW SC, INC.	10/07/2021	0.00	550.00
Total for 10/7/2021:				0.00	520,442.16
124687	29270	A-1 OUTDOOR POWER INC	10/14/2021	0.00	2,572.74
124688	31081	ALLEN'S SERVICE	10/14/2021	0.00	225.00
124689	02563	BOLTON & MENK, INC	10/14/2021	0.00	300.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
124690	26976	BUCKEYE INTERNATIONAL INC	10/14/2021	0.00	60.32
124691	30127	CINTAS CORPORATION NO. 2	10/14/2021	0.00	67.10
124692	31158	JOSH CLARK	10/14/2021	0.00	7,397.00
124693	26951	COMCAST	10/14/2021	0.00	135.97
124694	03628	COMMERCIAL ASPHALT CO	10/14/2021	0.00	1,703.87
124695	30560	COMPUTER INTEGRATION TECHNOLOG	10/14/2021	0.00	143.00
124696	31032	COVERALL NORTH AMERICA	10/14/2021	0.00	1,860.50
124697	28274	CREATIVE RESOURCES AGENCY LLC	10/14/2021	0.00	451.19
124698	04328	DISPLAY SALES	10/14/2021	0.00	364.00
124699	31134	DUNSMORE ASPHALT CO	10/14/2021	0.00	587.00
124700	01523	EARL F. ANDERSEN, INC	10/14/2021	0.00	657.95
124701	05282	EHLERS AND ASSOCIATES, INC	10/14/2021	0.00	4,481.25
124702	30431	EHLERS INVESTMENT PARTNERS LLC	10/14/2021	0.00	2,770.59
124703	29978	EMS SOFTWARE LLC	10/14/2021	0.00	1,438.07
124704	05930	EXPRESS PRESS INC	10/14/2021	0.00	146.75
124705	06567	FORCE AMERICA	10/14/2021	0.00	43.58
124706	07681	GRAINGER, INC	10/14/2021	0.00	646.40
124707	29820	GROUP HEALTH PLAN INC	10/14/2021	0.00	1,708.00
124708	08166	HENNEPIN CTY TREASURER	10/14/2021	0.00	1,760.52
124709	08166	HENNEPIN CTY TREASURER	10/14/2021	0.00	245.50
124710	08179	HENNEPIN CTY TREASURER	10/14/2021	0.00	1,890.03
124711	08223	HENNEPIN CTY TREASURER	10/14/2021	0.00	12,243.42
124712	08576	HOPKINS F.D. RELIEF ASSOC	10/14/2021	0.00	120.00
124713	08620	HOPKINS ROTARY	10/14/2021	0.00	250.00
124714	27828	HSK LLC	10/14/2021	0.00	802.00
124715	09085	ICMA - ROTH IRA - 706260	10/14/2021	0.00	1,198.17
124716	29345	IMPACT MAILING OF MN	10/14/2021	0.00	3,070.29
124717	29249	JR'S ADVANCED RECYCLERS	10/14/2021	0.00	355.00
124718	28469	KELLY GREEN IRRIGATION INC	10/14/2021	0.00	138.96
124719	03369	LEAGUE OF MN CITIES	10/14/2021	0.00	20.00
124720	12160	LEAGUE OF MN CITIES	10/14/2021	0.00	65,669.00
124721	13160	MEDICINE LAKE TOURS	10/14/2021	0.00	1,400.00
124722	13179	METROPOLITAN COUNCIL	10/14/2021	0.00	123,225.39
124723	13192	METROPOLITAN FORD	10/14/2021	0.00	468.94
124724	13275	MICRO CENTER	10/14/2021	0.00	809.92
124725	13525	MIDNITE MARKET	10/14/2021	0.00	7.86
124726	30129	MINNESOTA AIR, INC.	10/14/2021	0.00	37.50
124727	31080	MINNESOTA TOPSOIL	10/14/2021	0.00	3,440.00
124728	13446	MN DEPT OF LABOR & INDUSTRY	10/14/2021	0.00	80.00
124729	29939	MOBOTREX, INC.	10/14/2021	0.00	165.00
124730	15521	ON SITE COMPANIES	10/14/2021	0.00	1,220.00
124731	26974	O'REILLY AUTO PARTS	10/14/2021	0.00	39.92
124732	29468	PARALLEL TECHNOLOGIES	10/14/2021	0.00	4,348.86
124733	30003	PARKITECT	10/14/2021	0.00	1,192.95
124734	UB*00694	PARKSIDE HOA	10/14/2021	0.00	4,091.05
124735	16566	POMPS TIRE SERVICE INC	10/14/2021	0.00	644.00
124736	16687	PRO-TEC DESIGN INC	10/14/2021	0.00	6,580.00
124737	17806	QWEST CORP	10/14/2021	0.00	61.15
124738	31120	REPUBLIC SERVICES INC	10/14/2021	0.00	14,501.50
124739	09084	ICMA RETIREMENT TRUST- 300824	10/14/2021	0.00	2,975.99
124740	18817	RUTLEDGE CONSTRUCTION CO	10/14/2021	0.00	3,442.00
124741	19117	SCHERER BROS. LUMBER CO.	10/14/2021	0.00	23.52
124742	19581	SOUTHWEST LOCK & KEY	10/14/2021	0.00	2,699.75
124743	30495	SPEEDWAY LLC	10/14/2021	0.00	30.00
124744	29200	SPRINGBROOK SOFTWARE INC	10/14/2021	0.00	1,275.50
124745	19681	SRF CONSULTING GROUP INC	10/14/2021	0.00	6,783.53
124746	19777	STREICHERS	10/14/2021	0.00	80.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
124747	31163	SYLVA CORPORATION INC	10/14/2021	0.00	5,400.00
124748	30485	T.A. SCHIFSKY & SONS INC	10/14/2021	0.00	141.09
124749	20560	TOLL GAS & WELDING SUPPLY	10/14/2021	0.00	11.64
124750	28350	TOWMASTER INC	10/14/2021	0.00	81.59
124751	03440	ULTIMATE SAFETY CONCEPTS INC	10/14/2021	0.00	403.84
124752	22563	VOSS LIGHTING	10/14/2021	0.00	159.54
124753	23720	WSB & ASSOCIATES INC	10/14/2021	0.00	185.25
124754	25080	XCEL ENERGY	10/14/2021	0.00	8,577.53
124755	25080	XCEL ENERGY	10/14/2021	0.00	36.86
124756	25080	XCEL ENERGY	10/14/2021	0.00	23.91
124757	26320	ZIEGLER, INC	10/14/2021	0.00	3,260.03
Total for 10/14/2021:				0.00	313,428.78
124758	30043	RYAN'S TREE CARE, LLC	10/15/2021	0.00	7,750.00
Total for 10/15/2021:				0.00	7,750.00
124759	01045	ABM EQUIPMENT & SUPPLY LLC	10/21/2021	0.00	983.18
124760	29535	ADVANCED ENGINEERING	10/21/2021	0.00	3,423.75
124761	01328	AIRGAS USA	10/21/2021	0.00	172.43
124762	01493	AMERICAN PRESSURE, INC	10/21/2021	0.00	988.90
124763	31165	AV SOLUTIONS INC	10/21/2021	0.00	432.50
124764	14571	BLUE TARP FINANCIAL INC	10/21/2021	0.00	1,555.55
124765	02563	BOLTON & MENK, INC	10/21/2021	0.00	11,730.00
124766	27782	BOUND TREE MEDICAL LLC	10/21/2021	0.00	795.00
124767	02713	BRAUN INTERTEC CORPORATION	10/21/2021	0.00	2,081.00
124768	02811	BUREAU OF CRIMINAL APPREHENSIC	10/21/2021	0.00	750.00
124769	03160	CENTERPOINT ENERGY MINNEGASCI	10/21/2021	0.00	2,200.08
124770	28430	CENTURY LINK	10/21/2021	0.00	687.20
124771	28981	CHESTNUT CAMBRONNE PA	10/21/2021	0.00	13,320.37
124772	30127	CINTAS CORPORATION NO. 2	10/21/2021	0.00	383.85
124773	31164	CITY OF CRYSTAL	10/21/2021	0.00	500.00
124774	31158	JOSH CLARK	10/21/2021	0.00	6,322.60
124775	26951	COMCAST	10/21/2021	0.00	404.74
124776	04165	DELEGARD TOOL CO	10/21/2021	0.00	112.20
124777	28898	ECM PUBLISHERS INC	10/21/2021	0.00	398.65
124778	05524	ENTENMANN-ROVIN CO	10/21/2021	0.00	61.00
124779	29398	ENTERPRISE FLEET MANAGEMENT	10/21/2021	0.00	2,207.93
124780	06567	FORCE AMERICA	10/21/2021	0.00	77.51
124781	07681	GRAINGER, INC	10/21/2021	0.00	97.20
124782	08001	HACH COMPANY	10/21/2021	0.00	678.50
124783	08038	HAWKINS, INC	10/21/2021	0.00	899.00
124784	29748	HENNEPIN COUNTY PUBLIC WORKS	10/21/2021	0.00	10,845.99
124785	08166	HENNEPIN CTY TREASURER	10/21/2021	0.00	3,228.90
124786	27248	HENNEPIN CTY TREASURER	10/21/2021	0.00	17,790.91
124787	08336	HIRSHFIELDS	10/21/2021	0.00	35.52
124788	31034	INDIGO SIGNWORKS INC	10/21/2021	0.00	150.50
124789	28189	INSTY PRINTS	10/21/2021	0.00	70.73
124790	28537	IS LAX LLC	10/21/2021	0.00	1,079.64
124791	29201	KG LANDSCAPE MANAGEMENT	10/21/2021	0.00	11,806.57
124792	31166	KEREN KROUL	10/21/2021	0.00	146.42
124793	13179	METROPOLITAN COUNCIL	10/21/2021	0.00	2,460.15
124794	13525	MIDNITE MARKET	10/21/2021	0.00	7.99
124795	31131	MINNESOTA POLLUTION CONTROL	10/21/2021	0.00	55.00
124796	13383	MN FIRE SERVICE CERT BOARD	10/21/2021	0.00	580.00
124797	13760	MTI DISTRIBUTING INC	10/21/2021	0.00	243.34

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
124798	29452	OFFICE OF MN IT SERVICES	10/21/2021	0.00	293.43
124799	15880	OWENS SERVICE CORP- CHEMTEX	10/21/2021	0.00	632.00
124800	15880	OWENS SERVICE CORP- CHEMTEX	10/21/2021	0.00	28,656.00
124801	29331	POSTMASTER	10/21/2021	0.00	250.00
124802	30125	PROJECT COMPANY FINCO PHASE III	10/21/2021	0.00	23,227.29
124803	04573	QUALITY RESOURCE GROUP INC	10/21/2021	0.00	125.35
124804	19012	SAFETY SIGNS	10/21/2021	0.00	372.95
124805	29594	SEH DESIGN/BUILD	10/21/2021	0.00	59,000.00
124806	29384	SITEONE LANDSCAPE SUPPLY	10/21/2021	0.00	124.53
124807	19520	SNAP PRINT INC	10/21/2021	0.00	103.50
124808	19824	SUNSHINE CAR WASH	10/21/2021	0.00	79.83
124809	20120	TDS METROCOM - MN	10/21/2021	0.00	355.98
124810	20687	TRI-STATE BOBCAT INC	10/21/2021	0.00	284.09
124811	20887	TWIN CITY WATER CLINIC	10/21/2021	0.00	340.00
124812	29458	VERIZON WIRELESS	10/21/2021	0.00	2,257.86
124813	29490	VERIZON WIRELESS	10/21/2021	0.00	1,355.06
124814	28813	WALKER PARKING CONSULTANTS/EN	10/21/2021	0.00	4,700.00
124815	26160	ZEE MEDICAL SERVICE	10/21/2021	0.00	37.00
124816	26320	ZIEGLER, INC	10/21/2021	0.00	330.21
Total for 10/21/2021:				0.00	222,289.88
124817	28422	ADVANCED IMAGING SOLUTIONS	10/28/2021	0.00	4,596.41
124818	30728	AFSCME COUNCIL 5	10/28/2021	0.00	917.84
124819	30933	ANCHOR SOLAR INVESTMENTS LLC	10/28/2021	0.00	423.11
124820	30933	ANCHOR SOLAR INVESTMENTS LLC	10/28/2021	0.00	1,276.26
124821	30933	ANCHOR SOLAR INVESTMENTS LLC	10/28/2021	0.00	1,754.71
124822	27782	BOUND TREE MEDICAL LLC	10/28/2021	0.00	116.10
124823	29833	RICHARD WILLIAM BUSCH	10/28/2021	0.00	500.00
124824	28987	CENTER FOR ENERGY & ENVIRONMN	10/28/2021	0.00	135.00
124825	30127	CINTAS CORPORATION NO. 2	10/28/2021	0.00	111.95
124826	27467	CITY OF ST PAUL	10/28/2021	0.00	300.00
124827	30986	JAVON CLARK	10/28/2021	0.00	75.00
124828	26951	COMCAST	10/28/2021	0.00	2.09
124829	26951	COMCAST	10/28/2021	0.00	69.95
124830	26951	COMCAST	10/28/2021	0.00	149.74
124831	26951	COMCAST	10/28/2021	0.00	142.43
124832	30560	COMPUTER INTEGRATION TECHNOL	10/28/2021	0.00	16,113.00
124833	03579	CORNERHOUSE	10/28/2021	0.00	7,262.12
124834	28898	ECM PUBLISHERS INC	10/28/2021	0.00	107.10
124835	UB*00705	DAVID ELIAS	10/28/2021	0.00	175.55
124836	27569	EMERGENCY AUTOMOTIVE TECHNO	10/28/2021	0.00	7,674.37
124837	27569	EMERGENCY AUTOMOTIVE TECHNO	10/28/2021	0.00	7,674.37
124838	27569	EMERGENCY AUTOMOTIVE TECHNO	10/28/2021	0.00	7,674.37
124839	27569	EMERGENCY AUTOMOTIVE TECHNO	10/28/2021	0.00	8,033.42
124840	UB*00703	RUTH SLETTEN ERDAHL	10/28/2021	0.00	65.00
124841	30330	FAE LSE 6 LLC	10/28/2021	0.00	6,837.60
124842	30601	FAE LSE 8 LLC	10/28/2021	0.00	5,707.08
124843	06008	FASTENAL CO	10/28/2021	0.00	103.84
124844	UB*00697	JOEL FELKEY	10/28/2021	0.00	7.02
124845	30288	GARY L FISCHLER & ASSOCIATES PA	10/28/2021	0.00	650.00
124846	07185	GENUINE PARTS	10/28/2021	0.00	1,747.41
124847	UB*00702	JAMES GOEMAN	10/28/2021	0.00	161.88
124848	29377	GRAINGER, INC	10/28/2021	0.00	19.49
124849	UB*00695	LYMAN HAAG	10/28/2021	0.00	52.53
124850	29818	HIAWATHA TREE SERVICE INC.	10/28/2021	0.00	1,960.00
124851	29818	HIAWATHA TREE SERVICE INC.	10/28/2021	0.00	5,030.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
124852	08336	HIRSHFIELDS	10/28/2021	0.00	57.68
124853	08627	HOME DEPOT CREDIT SERVICES	10/28/2021	0.00	426.86
124854	08625	HOPKINS POLICE ASSOCIATION	10/28/2021	0.00	1,200.00
124855	09801	I.U.O.E. CENTRAL PENSION FUND	10/28/2021	0.00	1,680.00
124856	09085	ICMA - ROTH IRA - 706260	10/28/2021	0.00	1,198.17
124857	12009	J. H. LARSON COMPANY	10/28/2021	0.00	154.33
124858	UB*00698	JOEL JENNINGS	10/28/2021	0.00	70.00
124859	UB*00701	LAURA JENSEN	10/28/2021	0.00	88.34
124860	31169	CAMERON JONES	10/28/2021	0.00	500.00
124861	11161	KENNEDY & GRAVEN, CHARTERED	10/28/2021	0.00	8,692.20
124862	11327	KILLMER ELECTRIC CO INC	10/28/2021	0.00	844.44
124863	12012	LAW ENFORCEMENT LABOR SERVICE	10/28/2021	0.00	444.50
124864	03369	LEAGUE OF MN CITIES	10/28/2021	0.00	20.00
124865	30392	CIGNA LIFE INS COMP OF AMERICA -	10/28/2021	0.00	366.94
124866	30391	CIGNA LIFE INS COMP OF AMERICA -	10/28/2021	0.00	2,679.23
124867	30390	CIGNA LIFE INS COMP OF AMERICA -	10/28/2021	0.00	2,641.07
124868	30023	CIGNA LIFE INS COMP OF N AMERICA	10/28/2021	0.00	800.65
124869	13012	MACQUEEN EQUIPMENT INC	10/28/2021	0.00	777.97
124870	UB*00700	DEANE C MANOLIS	10/28/2021	0.00	9.44
124871	13167	MENARDS	10/28/2021	0.00	25.04
124872	29025	METERING & TECHNOLOGY SOLUTIC	10/28/2021	0.00	1,456.16
124873	28665	METRO ALARM & LOCK	10/28/2021	0.00	90.00
124874	UB*00704	JUDITH MILLER	10/28/2021	0.00	22.90
124875	13399	MN SAFETY COUNCIL, INC	10/28/2021	0.00	552.00
124876	13412	MN TROPHIES	10/28/2021	0.00	130.00
124877	26974	O'REILLY AUTO PARTS	10/28/2021	0.00	5.69
124878	16337	PIRTEK PLYMOUTH	10/28/2021	0.00	91.90
124879	30407	PLATT HOLLOW COMMUNICATIONS I	10/28/2021	0.00	2,725.00
124880	UB*00699	MARY KATE POHLAND	10/28/2021	0.00	65.81
124881	27224	PPG ARCHITECTURAL FINISHES	10/28/2021	0.00	1,326.54
124882	16687	PRO-TEC DESIGN INC	10/28/2021	0.00	213.63
124883	30955	READY WATT ELECTRIC	10/28/2021	0.00	1,041.00
124884	08568	RESOURCE WEST	10/28/2021	0.00	15.40
124885	09084	ICMA RETIREMENT TRUST- 300824	10/28/2021	0.00	2,971.09
124886	UB*00696	YOON RODGERS	10/28/2021	0.00	30.00
124887	31170	STEVEN SANDVIG	10/28/2021	0.00	200.00
124888	31168	LAUREN SHEGSTAD	10/28/2021	0.00	2,712.00
124889	27124	SHERWIN WILLIAMS	10/28/2021	0.00	79.08
124890	19567	SOUTHWEST SUB CABLE COMM	10/28/2021	0.00	2,644.00
124891	19681	SRF CONSULTING GROUP INC	10/28/2021	0.00	554.34
124892	28590	ST CLOUD STATE UNIV	10/28/2021	0.00	1,365.00
124893	29747	SUMMIT PROTECTION	10/28/2021	0.00	362.00
124894	31167	TIGHTROPE MEDIA SYSTEMS INC	10/28/2021	0.00	800.00
124895	20883	TWIN CITY GARAGE DOOR INC	10/28/2021	0.00	1,871.00
124896	21523	UNION LOCAL 49	10/28/2021	0.00	735.00
124897	30017	VERIZON WIRELESS	10/28/2021	0.00	1,715.00
124898	22321	VIKING ELECTRIC SUPPLY INC	10/28/2021	0.00	173.04
124899	22563	VOSS LIGHTING	10/28/2021	0.00	68.04
124900	30583	W P & R S MARS CO	10/28/2021	0.00	1,786.43
124901	23325	WILSONS NURSERY	10/28/2021	0.00	16,857.54
Total for 10/28/2021:				0.00	152,963.19
Report Total (313 checks):				0.00	1,216,874.01



**CITY OF HOPKINS**

## **Memorandum**

To: Honorable Mayor and Council Members  
Mike Mornson, City Manager

From: Scott Riggs, City Attorney

Date: November 3, 2021

Subject: Second reading of Ordinance 2021-1173 Amending the Hopkins City Code Related to Reasonable Accommodations

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### **Purpose**

In compliance with the Federal Fair Housing Act of 1988, the City is required to provide reasonable accommodations to persons with a disability, as defined by Federal law, where such accommodations are necessary to afford equal opportunity to housing. Staff has worked with the City Attorney to draft an ordinance which could be adopted by the City Council and implemented should the city receive a request for accommodations to zoning, land use or any other standards that relate to fair housing. While the City is not legally required to have a formal process established, it is legally required to respond to and process reasonable accommodation requests. As previously discussed, the purpose of adopting an ordinance to establish a formal process for handling such requests is to provide uniform treatment to all applicants and to ensure that the City is properly carrying out its legal obligations related to processing such requests.

### **Background and History**

In 1988 the Federal Fair Housing Act established a requirement that municipalities provide a reasonable accommodation in the application of zoning and other regulations for qualified persons with disabilities seeking fair and equal access to housing. This can be understood as flexibility in city regulations such as zoning, land use, or other policies which may include the modification or waiver of certain rules to eliminate barriers to fair housing.

Staff and the City Attorney have developed a policy which outlines a process for the City to abide by this Federal regulation. The full policy is included as an attachment to this item. In summary, the policy allows a Qualified Person such as a person with a disability or their representative to seek a reasonable accommodation from the City's appointed Accommodation Specialist. A decision to approve or deny the accommodation would be made by the Accommodation Specialist based on a review of the following items:

- (1) Special need created by the disability;
- (2) Potential benefit that can be accomplished by the requested accommodation;
- (3) Need for the requested accommodation, including alternatives that may provide an equivalent level of benefit;

- (4) Physical attributes of and any proposed changes to the subject property and structures;
- (5) Potential impact on surrounding uses;
- (6) Whether the requested accommodation would constitute a fundamental alteration of the zoning regulations, policies, or procedures of the city, and/or nature of the area in which the accommodation is being requested;
- (7) Whether the requested accommodation would impose an undue financial or administrative burden on the city;
- (8) Whether the requested accommodation is likely to have any negative impacts on the health, safety, or general welfare of members of the community, and
- (9) Any other factor that may be determined to have a bearing on the request.

The ordinance also provides that the applicant may appeal the decision of the Accommodation Specialist to the City Council. Appeals must be submitted in writing within 30 days and should be acted on by the City Council.

If the ordinance is approved, PeggySue Imihy Bean will be appointed to serve as the Accommodation Specialist by the City Manager per the ordinance.

At the October 19, 2021, City Council meeting, the ordinance was approved for a first reading subject to the ordinance including a notice of the request for reasonable accommodation being provided to surrounding properties. The revised ordinance for second reading includes the following revisions:

1. Notice of such reasonable accommodation request shall be mailed within fifteen (15) days of receipt of a completed reasonable accommodation request application to each owner of affected property and property situated wholly or partly within 500 feet of the property to which the reasonable accommodation request relates.
2. Any person providing comments regarding the reasonable accommodation request must provide such comments to the Accommodation Specialist within 14 days of the date of the notice.

## Next Steps

1. **Vote to approve the second reading of Ordinance 2021-1173.** By approving the second reading of this ordinance, this application to establish a reasonable accommodations ordinance will take effect as of November 3, 2021.
2. **Vote to deny the second reading of Ordinance 2021-1173.** By voting to deny the second reading of this ordinance, this application to establish a reasonable accommodations ordinance will not move forward and the city will not have a reasonable accommodations ordinance in accordance with the Federal Fair Housing Act of 1988. Should the City Council consider this option, it must also identify specific findings that support this alternative.
3. **Continue for further information.** This item should be continued if the City Council finds that further information is needed.

**CITY OF HOPKINS**  
**Hennepin County, Minnesota**

**Ordinance No. 2021-1173**

**An Ordinance Adding Hopkins City Code, Chapter 1, Section 1-21, Related to the Establishment of  
a Process to Consider Reasonable Accommodation Requests**

The City of Hopkins does hereby ordain:

Section 1. The Hopkins City Code is hereby amended by adding the following Section 1-21 to Chapter 1:

**Sec. 1-21. Reasonable Accommodation Requests.**

(a) *Purpose.* It is the policy of the city, pursuant to the Federal Fair Housing Amendments Act of 1988 to provide reasonable accommodation in the application of zoning and other regulations for qualified persons with disabilities seeking fair and equal access to housing. Reasonable Accommodation means providing a qualified person with flexibility in the application of land use, zoning and other regulations or policies (including the modification or waiver of certain requirements), when it is necessary to eliminate barriers to fair housing opportunities. The purpose of this article is to establish a process for making and acting upon requests for reasonable accommodation.

(b) *Definitions.*

Accommodation Specialist: City staff appointed by the city manager or their designee to coordinate and administer the reasonable accommodation process outlined in Hopkins City Code Section 1-21.

Qualified Person: any individual with a disability, their representative, or a developer or provider of housing for an individual with a disability.

Disability: those disabilities which are recognized under applicable federal law.

Reasonable Accommodation: process by which the city may provide a qualified person flexibility in the application of land use, zoning, or other regulations.

(c) *Initiation of Reasonable Accommodation Request.* Any qualified person who requests a reasonable accommodation in the form of modification in the application of a zoning or other regulation which may act as a barrier to fair housing opportunities due to the disability of existing or proposed residents, may do so on an application form provided by the city's Accommodation Specialist. The application shall include a detailed explanation of why the accommodation is reasonably necessary to make the specific housing available to the person(s), including information establishing that the applicant is disabled under applicable laws, as well as other information required by the Accommodation Specialist to make the determination. If the project for which the request is being made also requires an additional land use review or approval, the applicant shall file the request concurrently with the land use review. Notice of such reasonable accommodation request shall be mailed within fifteen (15) days of receipt of a complete reasonable accommodation request application to each owner of affected property and property situated wholly or partly within 500 feet of the property to which the reasonable accommodation request relates. For the purpose of giving mailed notice, the Accommodation Specialist may use any appropriate records to determine the names and addresses of owners. A copy of the notice and a list of the owners and addresses to which the notice was sent shall be attested to by the Accommodation Specialist and shall be made a part of the records of the proceedings. The failure to give mailed notice to individual property owners, or defects

in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this notice requirement has been made. Any person providing comments regarding the reasonable accommodation request must provide such comments to the Accommodation Specialist within 14 days of the date of the notice.

(d) *Accommodation Specialist; Required Findings.* The Accommodation Specialist, in consultation with other appropriate city staff, shall have the authority to consider and act on requests for reasonable accommodation. The Accommodation Specialist shall issue a written decision in which the request is approved, approved subject to conditions, or denied. In making the decision as to whether an accommodation is reasonable, the following factors shall be considered:

- (1) Special need created by the disability;
- (2) Potential benefit that can be accomplished by the requested accommodation;
- (3) Need for the requested accommodation, including alternatives that may provide an equivalent level of benefit;
- (4) Physical attributes of and any proposed changes to the subject property and structures;
- (5) Potential impact on surrounding uses;
- (6) Whether the requested accommodation would constitute a fundamental alteration of the zoning regulations, policies, or procedures of the city, and/or nature of the area in which the accommodation is being requested;
- (7) Whether the requested accommodation would impose an undue financial or administrative burden on the city;
- (8) Whether the requested accommodation is likely to have any negative impacts on the health, safety, or general welfare of members of the community, and
- (9) Any other factor that may be determined to have a bearing on the request.

Any approval issued under this section may include such reasonable conditions that the Accommodation Specialist deems necessary to mitigate any adverse impacts that the granting of such reasonable accommodation may produce or amplify.

(e) *Notice of Decision.* The written decision of the Accommodation Specialist shall be mailed to the applicant and any person providing comments pursuant to paragraph (c) of this ordinance within five business days of such decision being made. All written decisions shall give notice of the right to appeal a decision of the Accommodation Specialist pursuant to Section 1-21. The decision of the Accommodation Specialist shall constitute the final decision of the city, unless appealed according to the procedures and within the time limits provided in Section 1-21. Only the aggrieved applicant of the written reasonable accommodation determination has a right to appeal the decision.

A reasonable accommodation approved under this section shall become effective on the first calendar day following expiration of the right to appeal.

(f) *Applicability.* Any approved request shall constitute a limited license which shall allow the property owner or occupant to continue to rely upon such accommodation only so long as they own or occupy the property. Approval of a reasonable accommodation does not constitute a property right, does not run with the land, and does not provide future owners or occupants any rights to rely upon such accommodation approvals. Only the person who applied for such reasonable accommodation, and who is specifically named in the city's approval of such accommodation, shall be entitled to the benefits and protections thereof. The holder of an approved reasonable accommodation license hereunder shall, on or before January 1<sup>st</sup> of each year, provide the city with an updated affirmation that the reasonable accommodation is still necessary. In the event that the Accommodations Specialist has reasonable cause to believe that the factors supporting the original approval of a reasonable accommodation have changed,

the Accommodation Specialist may request additional information from the license holder. Failure to annually reaffirm the need for the reasonable accommodation, or failure to provide information reasonably requested by the Accommodation Specialist shall result in automatic termination of the reasonable accommodation upon written notice by the Accommodation Specialist.

(g) *Conditions and Guarantees.* Prior to the issuance of any permits relative to an approved reasonable accommodation request, the Accommodation Specialist may require the applicant to record a covenant acknowledging and agreeing to comply with the terms and conditions established in the determination.

(h) *Appeals.* Any decision reached by the Accommodation Specialist pursuant to Section 1-21 shall be subject to appeal to the City Council by those persons with a right to appeal as provided herein. All appeals shall be initiated by submitting a notice of appeal, in writing, to the Accommodation Specialist within 30 days of the date upon which the decision was made. Upon notice of appeal, the city manager or their designee shall present such appeal to the City Council for action within 30 days. The Accommodation Specialist shall also serve notice of such appeal on all parties entitled to receive notice of a decision issued under Section 1-21. Following a hearing on such appeal, the City Council shall issue its findings, in writing, within 30 days.

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

First Reading: October 19, 2021.

Second Reading: November 3, 2021.

Date of Publication \_\_\_\_\_

Date Ordinance Takes Effect: \_\_\_\_\_

\_\_\_\_\_  
Jason Gadd, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Amy Domeier, City Clerk



Notes:

### **BACKGROUND**

The applicant, Sue Gonyea, requests a zoning code text amendment to expand the conditional uses allowed in R-4, Medium Density Multiple Family and R-5, High Density Multiple Family residential zones. Specifically, the applicant requests the city amend the R-4 and R-5 districts regulations to allow community assembly and arts education as conditional uses.

Currently, the R-4 and R-5 districts allows for other group living, accessory retail or office, private clubs or lodges, motels or public or quasi-public uses. The proposed zoning change would revise the public or quasi-public use category to specifically include community assembly and arts education uses. Generally, the applicant believes that the large open space in the former church would be well suited to serve these types of uses.

### **COMMUNITY COMMENT**

Under state law, zoning code text amendments require a public hearing. Accordingly, the City published notice of this application and public hearing in the Sun Sailor. Because this is a general zoning regulation change and not a site specific amendment, mailed notice to surrounding property owners is not required. The Sun Sailor notice directed all interested parties to send questions or comments to City Planner Jason Lindahl by mail, phone or email or to attend the public hearing where they could learn about the application, ask questions and provide feedback. As of the writing of this report, the City had received no comments or questions regarding this application.

**Planning & Zoning Commission Action.** The Planning & Zoning Commission reviewed this item (Planning Application 2021-16) during their October 26, 2021 meeting. During the meeting, the Commission heard a presentation from staff and held a public hearing that produced no comments. The Commission had general conversation with the applicant about her plan and voiced that support for the request. After the discussion, the Commission voted 5-0 to recommend the City Council approve the zoning code text amendment.

### **ZONING CODE TEXT AMENDMENT**

Legal Authority. Zoning Code amendments are legislative actions in that the City is creating new standards to regulate the development of certain types of uses and/or structures. Under the law, cities have wide flexibility to create standards that will ensure the type of development they desire. However, zoning regulations must be reasonable and supported by a rational basis relating to promoting the public health, safety and welfare. Based on the findings made below, staff recommends approval of the proposed draft dynamic sign standards.

**Consistency with the Comprehensive Plan.** Generally, amending the conditional uses in the R-4 and R-5 residential districts to include community assembly or arts education uses is consistent with the 2040 comprehensive plan. The comprehensive plan guides the areas covered by the R-4 and R-5 zones as either Downtown Center or General Urban.

The characteristics and future land use planning elements for each land use category are detailed below. While the Downtown Center area specifically calls for this area and its uses to be the central economic, social and civic district for Hopkins and the region, the General Urban area also

allows for accessory uses that are supportive to its context and moderate to high density residential development pattern.

#### Downtown Center

- **Location.** The Downtown Center land use category is intended to serve as the central economic, social and civic district for Hopkins and the region.
- **Development Type.** It is intended to include moderate to high density mixed use development designed to complement and enhance the existing development pattern in these areas and support the public investment in transit.
- **Urban Form.** This area is expected to absorb significant amount of anticipated future growth. Maintaining downtown Hopkins' unique identity and sense of place must be a central consideration when planning for future growth. Mixed uses (vertical and horizontal) are encouraged.
- **Density & Scale.** Medium to larger scale neighborhood and regional uses. Densities in this area typically range from 20-100 units per acre, with 75-150 units per acre within ¼ mile of an LRT station platform. Estimated 40% commercial and 60% residential.

#### General Urban

- **Location.** The General Urban category is located in three distinct areas of Hopkins: along either side of 11th Avenue South; on either side of Highway 7 west of 5th Avenue North/Oakridge Road; and in the southwest quadrant of the Highway 169 and Highway 7 interchange.
- **Development Type.** These compact moderate to high density residential neighborhoods include a range of attached multiple family and apartment units of varying scale and height designed around large blocks with internal street systems that provide good vehicle connections.
- **Urban Form.** The General Urban areas are planned to have moderate to high density residential and accessory uses. These areas should be well connected via transit and support adjacent Centers. Scale and height should be compatible with existing and planned character.
- **Density & Scale.** Densities in this area typically range from 5-40 units per acre.

**Compatibility with Present and Future Land Uses.** Based on the analysis above, staff finds the proposed zoning change to include community assembly and arts education uses to the R-4 and R-5 district consistent with the present and future land uses called for in both the Downtown Center and General Urban future land use categories. The proposed changes would revise the general public and quasi-public existing conditional use to more specifically include community assembly and arts education uses.

**Conformance with New Standards.** This section considers how the proposed zoning change fits in with the rest of the zoning regulations and the existing development pattern. In this case,

staff finds the proposed changes compatible with the other allowable uses in the R-4 and R-5 districts. It should also be noted that any future community assembly or arts education uses will be required to go through the standard conditional use permit process which includes review by both the Planning & Zoning Commission and City Council to demonstrate conformance with the conditional use permit standards detailed in Section 102-94 (see attached).

**Potential Non-Conformity Issues**

Amending the R-4 and R-5 district regulations to allow community assembly and arts education uses should not result in creating non-conformities as it creates more options for property owners. According to Minnesota Statute 462.357, Subdivision 1e., legal nonconformities generally have a statutory right to continue through repair, replacement, restoration, maintenance, or improvement but not through expansion. These rights run with the land and are not limited to a particular landowner. If the benefited property is sold, the new owner will have the same rights as the previous owner.

**ALTERNATIVES**

1. Voting to Approve. By voting to approve the first reading of Ordinance 2021-1174, this item will forward for a second reading scheduled for the November 16, 2021 City Council meeting.
2. Voting to Deny. By voting to deny the first reading of Ordinance 2021-1174, this item will not move forward for a second reading scheduled for the November 16, 2021 City Council meeting. Should the City 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. 2021-069**

**A RESOLUTION APPROVING THE FIRST READING OF  
ORDINANCE 2021-1174 AMENDING THE CITY CODE RELATED TO  
CONDITIONAL USES IN THE RESIDENTIAL DISTRICTS**

**WHEREAS**, the City of Sue Gonyea of 41 – 12<sup>th</sup> Avenue North initiated an application to amend the City Code related to conditional uses in the Residential Districts; and

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

1. That an application to amend the City Code related to conditional uses in the Residential Districts was initiated by Sue Gonyea on September 24, 2021; and
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application October 26, 2021 and all persons present were given an opportunity to be heard; and
3. That the Hopkins Planning & Zoning Commission reviewed this application during their October 26, 2021 meeting and recommended approval by the City Council; and
4. That the Hopkins City Council reviewed this application during their November 3, 2021 meeting and agreed with the findings of the Planning & Zoning Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Hopkins hereby approves the First Reading of Ordinance 2021-1174 amending the City Code related to conditional uses in the Residential Districts based on the findings of fact detailed in the staff report dated November 3, 2021.

Adopted by the City Council of the City of Hopkins this 3<sup>rd</sup> day of November, 2021.

By: \_\_\_\_\_  
Jason Gadd, Mayor

ATTEST:

\_\_\_\_\_  
Amy Domeier, City Clerk

**CITY OF HOPKINS  
COUNTY OF HENNEPIN**

**ORDINANCE NO. 2021-1174**

**ORDINANCE AMENDING PART III, CHAPTERS 102 OF THE HOPKINS CITY CODE  
REGARDING CONDITIONAL USES IN THE R DISTRICTS**

**THE CITY COUNCIL OF THE CITY OF HOPKINS HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Hopkins City Code, Part II, Chapter 102, Article V, Section 102-163 is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

**Sec. 102-163. - Conditional uses within R Districts.**

- (12) R-4 or R-5 District, public or quasi-public ~~buildings~~ community assembly uses such as libraries, YMCA, museums, or arts education facility or institutes ~~and within R-1, R-2 or R-3 of located in a public park.~~

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

First Reading:	November 3, 2021
Second Reading:	November 16, 2021
Date of Publication:	November 25, 2021
Date Ordinance Takes Effect:	November 25, 2021

By: \_\_\_\_\_  
Jason Gadd, Mayor

ATTEST:

\_\_\_\_\_  
Amy Domeier, City Clerk

## **ARTICLE V. RESIDENTIAL DISTRICTS**

### **Sec. 102-157. Residential Districts.**

Within the R Districts no structure or land shall be used except for one or more of the uses so indicated as a permitted use, an accessory use or after having received a conditional use permit if required.

(Code 1986, § 530.01)

### **Sec. 102-158. Manufactured single-family homes.**

- (a) *Defined.* A manufactured single-family home is a structure transportable in one or more sections which in the traveling mode is eight body feet or more in width and 40 feet or more in length or when erected on a site in the proper Residential District will have an area of 320 or more square feet and which is built on a permanent foundation or chassis and designed to be used as a dwelling for one family, and is connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein and complies with all of the provisions of the manufactured homes building code adopted in divisions 1 through 3 of article II of chapter 8.
- (b) *Permitted location.* Manufactured single-family homes may be permitted, erected, located or relocated in the following Residential Districts under the following conditions:
- (1) In R-1 and R-2 Zoning Districts, any and all dwellings of any kind shall be subject to and governed by all of the provisions of the state building code;
  - (2) In all other R Districts manufactured single-family homes may be permitted or relocated provided they include permanent foundations and are governed by all of the building code and other general regulations which may be from time to time established;
  - (3) In R-1 and R-2 Zoning Districts, any and all dwellings of any kind must have a minimum width of 20 feet and a minimum height of 14 feet.

(Code 1986, § 530.03)

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**Sec. 102-159. Zero lot line dwellings.**

(a) Twin homes shall be subject to the following regulations:

- (1) The required lot area for each dwelling in a twin home shall be at a minimum one-half of the minimum lot area for two single-family attached dwellings in the relevant zoning district.
- (2) Every lot or plot upon which there is erected a dwelling as part of a twin home shall have a minimum width of 40 feet at the building setback line.
- (3) Dwellings in a twin home shall be governed by the regulations for single-family attached dwellings in the relevant zoning district.
- (4) Permitted in all R-1 Districts.

(Code 1986, § 530.04; Ord. No. 87-601)



**Sec. 102-160. Standards in R Districts.**

The table below lists permitted uses and minimum standards in R Districts.

<i>Permitted Uses:</i>	<i>R-1-A</i>	<i>R-1-B</i>	<i>R-1-C</i>	<i>R-1-D</i>	<i>R-1-E</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>R-5</i>	<i>R-6</i>
1-family detached dwelling	P	P	P	P	P					
2-family dwelling	P					P				
2—4-family dwelling						P	P			
Townhouse						P	P			P
Multiple dwelling							P	P	P	P
Hopkins-owned park and recreation	P	P	P	P	P	P	P	P	P	P
The following are minimums required:										
Lot area (sq. ft.)	6,000	8,000	12,000	20,000	40,000	12,000	16,000	20,000	24,000	16,000
Non-residential use	20,000	20,000	20,000	20,000	40,000	20,000	20,000	20,000	20,000	20,000
Lot area 1 family (sq. ft.)	3,500	8,000	12,000	20,000	40,000	3,500	2,600	1,600	1,000	2,600
Lot width (ft.)	50	60	80	100	100	100	150	150	150	150
Front yard (ft.)	25	30	30	35	35	35	35	30	30	35
Side yard (ft.) see footnote (1)										
1-story	8	8	10	10	10	10	15' or ½ the height, whichever is greater		15' or ½ the height, whichever is greater	
2-story	8	8	12	12	12	12				
3-story	10	10	14	14	14	14				
Maximum allowed:										

Percentage of building coverage	35	35	35	35	35	35	35	30	30	35
Rear yard	25	30	35	40	40	35	25' or ½ the height, whichever is greater		25' or ½ the height, whichever is greater	
Dwelling Floor Area (sq. ft.):										
1-family	700	800	1,000	1,200	1,200					
2-family	700					800				
More than 2										
Efficiency						520	520	520	520	520
1-bedroom						600	600	600	600	600
2-bedroom						720	720	720	720	720
Over 2-bedroom						(700 + 120 for each Bedroom)				
Building height	35	35	35	35	35	35	35	45	4 story	4 story
Open space ratio						1:1.5	1:2.5	1:1	1:1:75	1:1.25

- (1) The side yard for additions to any existing dwelling shall be the same or greater than the existing structure, except that no side yard shall be less than five feet.
- (2) The side yard to an existing dwelling on a corner lot abutting a right-of-way has a minimum setback of five feet in all R-1 Zoning Districts.
- (3) The side yard to the attached garage side of the home shall be a minimum of five feet. The attached garage cannot be converted to livable space.
- (4) In all R-1 Districts, front porches are allowed to be constructed in the front yard setback with a minimum setback of 20 feet.

(Code 1986, § 530.05)

**Sec. 102-161. Nonresidential facility and residential facility.**

The following are permitted in single-family districts:

- (1) Licensed nonresidential programs with a licensed capacity of 12 or fewer persons.
- (2) Licensed residential programs with a licensed capacity of six or fewer persons.
- (3) Group family day care facility licensed under Minn. Admin. Rules 9502.0315 to 9502.0445, serving 14 or fewer children.

(Code 1986, § 530.06; Ord. No. 93-722)

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## **Sec. 102-162. Credits and allowances: multiple dwelling lot area.**

The following lot area credits and allowances shall be applied for multiple dwellings in the R-3, R-4, R-5 and R-6 Districts but in no event shall the minimum lot area with allowances be less than 1,850 square feet, 850 square feet, 600 square feet, or 850 square feet per dwelling.

- (1) For each parking space provided within the building or underground, subtract 300 square feet per unit.
- (2) If the site upon which the multiple dwelling is being constructed is abutting B-2 or B-3 Business District, subtract 300 square feet.
- (3) If the abutting land is in the R-1 District, add 300 square feet per unit for that portion of the multiple dwelling site within 150 feet of the R-1 District unless the land zoned R-1 is used for a school, public park or some other open space declared permanent by the council, then add only 100 square feet per unit for that portion of the multiple dwelling site within 150 feet of the R-1 District.
- (4) If total lot coverage is less than 20 percent, subtract 150 square feet per unit.
- (5) For each unit containing in excess of two bedrooms, add 300 square feet.
- (6) If it is necessary to raze existing principal buildings found by the commission to be in dilapidated condition where economically unfeasible, there shall be provided an allowance of two dwelling units above any other allowance permitted by this section. Upon such findings the commission the allowance for the existing building may be given credit toward a proposed project after its removal for a period not to exceed two years.

(Code 1986, § 530.07)

## **Sec. 102-163. Conditional uses within R Districts.**

- (a) The following are conditional uses in R Zoning Districts and certain of the standards, restrictions and requirements applicable to such conditional uses
  - (1) Within the R-2 and R-6 Districts, only any church or place of religious worship and all structures, facilities and physical improvements incident or accessory thereto. The front yard setback for such a conditional use shall be the same front yard setback stated in section 102-158 for permitted uses in the zoning district in which the conditional use is located. The side and rear yard setbacks for any such conditional use shall be no less than 35 feet from its side and rear property lines.
  - (2) Outdoor recreation areas not designed and owned as a part of a single-family home or two family structure, or not owned or operated by the city, provided that:
    - a. All accessory or ancillary structures used in connection therewith are located not less than 50 feet from all lot lines;
    - b. Golf courses shall not include driving ranges and shall have an average of 130 yards or more per hole;
    - c. Country clubs shall include a golf course;
    - d. Outdoor game court and swimming pools abutting upon or in any R District shall be fenced and screened by plantings or other suitable screening material, and shall not be lighted between the hours of 11:00 p.m. and 6:00 a.m. of the following day. The term "game court and pool" shall be construed to include all areas bounded by the fencing in connection therewith;

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- e. All recreation facilities not a part of a PUD shall require a cost report to show the number of families necessary to support such facility.
- (3) Municipal service structures subject to the following:
- a. Any structures involving a use in connection with the transmission of electric, telephone, telegraph, gas, water, sewer and other public or private utilities including any fence in connection therewith shall conform to yard requirements, architectural style and landscaping of the immediate neighborhood;
  - b. Electric power transmission lines shall be located along public street (ROW) or along railroad ROW;
  - c. Buildings in public parks provided they are 50 feet or more from all lot lines in an R District.
- (4) Within the R-2 and R-6 Districts, public or private schools provided no buildings are located less than 50 feet from any lot line and that a fence is erected along the boundary line which is common with abutting private property.
- (5) Railroad rights-of-way for through trains only.
- (6) Off-street parking for abutting B or I uses, provided:
- a. Such parking may be extended the width of three contiguous lots or 150 feet, whichever is more, onto land which is zoned for residential;
  - b. The land is under the same ownership or control as the abutting B or I uses land which is to be served;
  - c. Said parking is not located between two existing abutting dwelling units subject to conformance with parking lot standards in the code;
  - d. Such off-street parking shall not be allowed on any lot on which a dwelling is located at the time of application for the conditional use permit or on which a dwelling was located but has been removed by or on behalf of the applicant at any time prior to the date of the application for the conditional use permit; and
  - e. Such off-street parking shall otherwise be subject to the standards and requirements stated in section 102-94.
- (7) Within the R-4 or R-5 Districts, private clubs and lodges not operated for a profit.
- (8) Within the R-3, R-4 or R-5 Districts, boardinghouses provided the site shall contain not less than 1,000 square feet of lot area for each person to be accommodated.
- (9) Within the R-3, R-4 or R-5 Districts, convalescent and nursing homes provided the site shall contain not less than 600 square feet of lot area for each person to be accommodated.
- (10) R-4 or R-5 District, retail sales and service may be provided by vending devices or by personnel when such retail area is secondary to the principal use.
- (11) R-4 or R-5 District, offices on the first floor of a building other than a multiple-family dwelling for persons engaged in one of the recognized professions, finance, insurance, real estate, religious or philanthropic organizations.
- (12) R-4 or R-5 District, public or quasi-public buildings such as libraries, YMCA, museums, art institutes and within R-1, R-2 or R-3 of located in a public park.
- (13) R-4 and R-5 Districts, motel provided the site contains 1,000 square feet for each rental unit, and site has frontage on a major thoroughfare.

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- (14) Foster homes shall be permitted in the R-1 or R-2 District.
- (15) Licensed nonresidential program with a license capacity of 13 to 16 persons within the R-2, R-3, R-4, R-5 and R-6 Districts subject to the following:
- a. Located only in proximity to a collector or arterial roadway as designated in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
  - b. Pick-up and drop-off areas located outside of parking setback area;
  - c. Outdoor recreation areas to be setback 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;
  - d. One parking space provided for each six persons based upon the license capacity of the facility.
- (16) Licensed residential program in the R-2, R-3, R-4, R-5 and R-6 Districts with a licensed capacity of seven to 16 persons subject to the following:
- a. Facilities shall comply with all applicable codes and regulations and shall have, current and in effect, the appropriate state licenses;
  - b. On-site services and treatment at residential facilities shall be for residents of the facility only, and shall not be for nonresidents or persons outside the facility;
  - c. The conditional use permit is only valid as long as a valid state license is held by the operator of the facility where such license is required;
  - d. Traffic generated by the facility not to exceed the design capacity of the local street system or cause a decrease in service levels of intersection, as defined by the institute of traffic engineers. Adequate sight distance at access points shall be available;
  - e. No on-street parking to be allowed. Adequate off-street parking shall be required by the city based on the staff and resident needs of each specific facility;
  - f. No external building improvements undertaken which alter the original character of the home unless approved by the city council;
  - g. Additional conditions may be required by the city in order to address the specific impacts of a proposed facility.
- (17) School buildings which are a part of the physical system of the district but which are considered temporarily in surplus may be used as research centers, offices of a general nature or as some form of educational activity not necessarily similar to the public school curriculum, provided:
- a. The off-street parking requirements are met;
  - b. The work day of such use falls between 7:00 a.m. and 9:00 p.m.;
- (18) Homes for the elderly may be located in the R-4, R-5 or R-6 Districts provided the floor area of each such dwelling unit or apartment contains not less than 420 square feet and is inhabited by not more than two persons;
- (19) Photographic illustration studio in the R-4 and R-5 Districts.
- (20) Zero lot line dwellings may be erected in such a manner that the single-family dwellings share common side walls or that four single-family dwellings share two common walls with other dwellings and said walls are located on the rear and side lot lines, provided such dwellings are compatible with the surrounding land uses. At a minimum, the zoning standards shall be proportionate to the minimum standards for single-family attached dwellings in the relevant zoning district. Each dwelling unit will

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have separate utilities. An as-built survey will be taken after completion of the units and filed with the city.

- (21) Bed and breakfasts in the R-1 District subject to the following:
- a. The bed and breakfast shall be the principal residence of the bed and breakfast property owner.
  - b. Off-street parking at a ratio of one space per guestroom plus two spaces for the residence.
  - c. No parking in the front yard setback.
  - d. Bed and breakfasts must be located 600 feet apart.
  - e. Only breakfast shall be served, and service shall be restricted to guests only, not the general public. No separate food preparation facilities are allowed.
  - f. A bed and breakfast establishment may host one special event each month for not more than 25 non-registered guests with the following requirements:
    1. At least two weeks prior to an event, the bed and breakfast owner must notify the city planner in writing of the event. This will include the hours of the event and information on how the property's exterior areas will be used during the event (music, temporary structures, etc.).
    2. The applicant must notify the city of the hours of the event and whether music will be played.
    3. Food may be furnished by and to special event guests provided all necessary local, state, and/or federal permits, licenses or authorizations have been obtained.
    4. Alcoholic beverages may be served to special event guests only by a caterer, provided the caterer has all required local, state and federal permits licenses or authorization for service of alcoholic beverages.
    5. The bed and breakfast owner must be present during special events and shall provide adequate supervision of the event.
    6. The hours of the event shall be between 9:00 a.m. and 10:00 p.m.
  - g. Bed and breakfasts are allowed signage, but limited to four square feet.
  - h. All exterior lighting to be concealed or screened.

(Code 1986, § 530.09; Ord. No. 87-601; Ord. No. 93-722; Ord. No. 95-777, 1-3-1996; Ord. No. 96-787; Ord. No. 2000-833, 5-17-2000; Ord. No. 08-1000)

### **Sec. 102-164. Accessory uses; R Districts.**

The following are permitted accessory uses in R Districts:

- (1) Private garages, parking space, car port for automobiles and one truck not in excess of 9,000 pounds rated capacity when owned by the occupant.
- (2) Garages sales, provided that no sale shall continue for more than three days and frequency shall not be greater than twice a year.
- (3) Gardening and horticultural uses.
- (4) Home occupations.
- (5) Keeping of not more than two roomers by a resident family.

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- (6) Signs as regulated in this code.
  - (7) Buildings temporarily located for the purpose of construction or for sale or lease of units.
  - (8) Decorative landscape features.
  - (9) The storage outside of a building but not on a parking space which was included to meet the minimum standards of this code, one non-passenger vehicle or one building for winter ice fishing provided none of the above mentioned items are over 22 feet in length. Said storage shall not be in the front yard with the following exception for a boat that will be allowed to be parked in the driveway from May 1 to October 31.
  - (10) Recreational equipment not otherwise prohibited in section 102-163, provided that it is so located as to not encourage trespassing onto abutting lots or infringe on the side yard thereof.
  - (11) The storage outside of a building but not on a parking space which was included to meet the minimum standards of this code, one non-passenger vehicle over 22 feet in length. This non-passenger vehicle shall be no closer than five feet from the lot line. Screening is required. Screening requires both the use of a fence and plants. The fence must meet the requirements of section 102-13. In addition to fencing, landscaping must be used. The landscaping can be shrubs or trees that will grow to the height of the vehicle when they reach maturity.
  - (12) Recreational vehicles can be parked on the driveway for up to 48 hours for loading, unloading or routine maintenance. At these times, the RV must be parked in the driveway, not the street.

(Code 1986, § 530.11; Ord. No. 2002-873)

**Sec. 102-165. Prohibited uses; R Districts.**

- (a) Skateboard ramps or similar structures used for skateboarding or related purposes are prohibited in residentially zoned areas.
- (b) Home occupation, massage therapy.

(Code 1986, § 530.12; Ord. No. 87-580; Ord. No. 13-1064)

**Secs. 102-166—102-194. Reserved.**

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## Sec. 102-94. Conditional use permit.

- (a) *General rule.* Certain uses, may or may not be suitable in a particular zoning district, depending upon the suitability of the circumstances. When such circumstances are found to exist, and the use will not adversely affect the health, safety or general welfare of residents of the surrounding area or the community as a whole, a conditional use permit may be granted. Conditions may be applied to the granting of the permit and periodic review of the permit may be required. The permit shall be granted for a particular use and not for a particular person. The cancellation of a conditional use permit, if not protected by non-conforming use rights, shall be considered equivalent to a rezoning, and the procedural requirements of a rezoning apply.
- (b) *A conditional use permit is required whenever:*
- (1) The proposed use is specified as a conditional use, provided that a new conditional use permit or amendment to an existing conditional use permit shall not be required for:
    - a. Remodeling or improvement to the interior of an existing conditional use that does not change the nature or increase the intensity of such use;
    - b. Changes in an existing conditional use that are determined to be non-significant under the provisions of section 102-96; or
  - (2) The proposed use is listed as requiring, under either the general or special provisions of this code, a conditional use permit.
- (c) *Application.* The application for a conditional use permit must contain at least the following data:
- (1) Site plan showing location of all buildings and structures with dimensions;
  - (2) Planting plan showing location, species and size of all plant material;
  - (3) Landscape plan showing pathway system, width and material, screening fences with detail, lighting system, and recreational features, if any;
  - (4) Drainage plan indicating catchbasins and underground improvement;
  - (5) Utility systems for sanitary sewer, water, gas, telephone and electric which shall all be underground for new construction;
  - (6) Off-street parking, drives and access plan;
  - (7) Off-street loading plan, if any is necessary;
  - (8) Location of trash container, screening and type of material for screening of the trash container and pick-up plan;
  - (9) Plan for adjustment to existing rights-of-way, easements, utilities and new dedications; and
  - (10) Architectural plans showing elevations, entrances, heights, floor plans and material to be used on the exterior.
- (d) *Preliminary concept plan.* The applicant may request a preliminary hearing with the commission in connection with a conditional use permit application to explore the concept ideas and all other pertinent general information. The request shall be accompanied with at least the same information set forth in subdivision 2 of this division, and such other information as the zoning administrator and the building official may require. If such preliminary plan is recommended or approved by the zoning administrator, the final plan shall be scheduled for a public hearing.
- (e) *Filing.* Applications for conditional use permit shall be filed with the zoning administrator with such filing fee as may be from time to time established by resolution of the council.

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- (f) *Expiration.* A conditional use permit expires one year after it has been issued unless the use for which the permit has been granted is in effect. Extensions may be granted provided the applicant submit a letter to the zoning administrator requesting an extension 30 days before the expiration of said approval. The letter shall state the facts of the request, showing a good-faith attempt to utilize the permit, and it shall also state the additional time being requested to begin the proposed construction. The city council may grant extensions not to exceed one year.
- (g) *Public hearing.* At least ten days before the date of a public hearing a notice of said hearing shall be mailed to the owners of all property within 350 feet of the subject property. The records of the city assessor shall be deemed sufficient for determining the location and ownership of all such properties. The notice of public hearing shall include the time and place of the hearing, the specific request to be considered, any proposed use of the property different than its existing use, the property's current zoning classification, the legal description of the property, and the property's street address, if applicable. The planning commission shall hold the public hearing on an application at its first regular meeting following appropriate legal notice. The applicant and/or his representative shall appear before the planning commission at this hearing to answer questions regarding the request.
- (h) *Commission recommendation.* Within 50 days following the submission of a completed application for a conditional use permit the planning commission shall forward a recommendation on the application to the city council, and it shall recommend approval of the application as submitted, approval of the application subject to certain modification or conditions therein, or disapproval of the application. The commission's recommendation shall be in resolution form stating said findings in support or opposition to request as filed or amended. If no action on an application is taken by the planning commission within 50 days, and there has been no delay caused or requested by the applicant, or the city has not notified the applicant the item will be continued for up to an additional 60 days, the application shall be forwarded to the city council without comment.
- (i) *Purpose.* The requirements are in connection with the application for a conditional use permit are deemed necessary by the council because a substantial depreciation of values in the neighborhood where such construction is proposed as well as in and to the city at-large, occurs or may occur to the detriment of the general public welfare if such construction or alteration contains exterior facing materials which are either temporary or are not of a permanent nature or have a tendency to deteriorate rapidly or may be easily disfigured, marred or damaged, or which for any reason may rapidly become unsightly in appearance; examples of which materials being, but not limited to, the following: concrete masonry units, common clay tile, tar paper or other similar building composition sheet materials, either corrugated or plain and exposed unfinished concrete unless some or all of such materials are constructed and used in a special arrangement or combination with other materials of a permanent nature with sound architectural design.
- (j) *Approval by building official.* When an application is made for the building of a structure requiring a conditional use permit, the applicant or owner may present to the building official a request for approval for the use of such materials as hereinabove set forth, and in connection therewith shall file such preliminary or final sketches, samples and any other information as may be necessary to indicate accurately the use to be made of such materials and the location and appearance of such materials and of the exterior of such structure when completed. The building official may grant approval for the use of such materials based upon all such information, sketches and applications required hereunder, which data shall be filed by him and shall become part of the building permit together with all other additional information required by this code or by other ordinances of the city showing compliance therewith and in conformity with such sketches and other information.
- (k) *Appeal.* When the building official denies a building permit or a request for preliminary approval, which denial is based upon the location, use or nature of the materials intended to be used, the applicant may submit a request on or before 30 days from the date of the denial for a review of the application and the denial thereof to the commission without payment of any additional filing fees. The commission may

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overrule the building official or it may by negotiation and agreement amend or otherwise modify the plan or materials to be used and thereupon grant such permit.

- (l) *Land use.* An application for a conditional use permit for a parcel for which the zoning is contrary to the land use designation in the comprehensive plan must be accompanied by an application for an amendment to the comprehensive plan. If an environmental assessment worksheet is required, no site and building plan approval shall be granted until the environmental assessment worksheet has been received and a negative declaration for an environmental impact statement has been made by the planning commission. If an environmental impact statement is required, no site and building plan shall be approved until the environmental impact statement has been prepared.
- (m) *Development agreement.* A conditional use permit may require a development agreement to be signed by the city and the developer.
- (n) *Amendments.* Holders of the conditional use permits may propose amendments to the permit at any time, following the procedures for a new permit as set forth in this section, except where administrative approval may be granted by the zoning administrator. No significant changes in the circumstances or scope of the permitted use shall be undertaken without approval of those amendments by the city. The zoning administrator shall determine what constitutes significant change. Changes include, but are not limited to, hours of operation, number employees, expansion of structures and/or premises, different and/or additional signage, and operational modifications resulting in increased external activities and traffic, and the like. The planning commission may recommend, following the procedures for hearing and review set forth in this section, and the city council may approve significant changes and modification to conditional use permits, including the application of additional or revised conditions.
- (o) *Standards.* In evaluating a conditional use permit application and granting a conditional use permit, the planning commission and city council shall consider and require compliance with the following standards, conditions and requirements:
  - (1) The consistency with the elements and objectives of the city's development plan, including the comprehensive plan and any other relevant plans at the time of the request;
  - (2) Consistency with this article;
  - (3) Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;
  - (4) Creation of a functional and harmonious design for structures and site features, with special attention to the following:
    - a. An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors and the general community;
    - b. The amount and location of open space and landscaping;
    - c. Materials, textures, colors and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
    - d. Vehicular and pedestrian circulation, including walkways, interior drives and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangements and amount of parking.
  - (5) Promotion of energy conservation through design, location, orientation and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading;

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- (6) Protection of 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;
  - (7) The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor tend to or actually diminish and impair property values within the neighborhood;
  - (8) In institutional zoning districts, the conditional use permit application shall comply with the standards, conditions and requirements stated in section 102-307;
  - (9) Traffic impacts such as increases in vehicular traffic, changes in traffic movements, traffic congestion, interference with other transportation systems or pedestrian traffic, and traffic hazards shall be considered by the planning commission and city council in evaluating an application for a conditional use permit. The applicant shall demonstrate the proposed conditional use shall not cause unacceptable increases in vehicular traffic, traffic congestion or interference with other transportation systems or pedestrian traffic, and will not create traffic hazards or excessive traffic through residential areas or otherwise cause adverse effects on residential areas or dwellings. The city may require the applicant to submit a traffic study prepared by a traffic consultant approved by the city to demonstrate the applicant's compliance with the requirements of this section. As a condition of the issuance of a conditional use permit, the city may require the applicant to incorporate in the applicant's proposal and construct such traffic control measures and improvements as the city may deem necessary, including, but not limited to, directional signalization, channelization, stand-by turn lanes, sidewalks, removal of access points to public streets and moving of access points to public streets; and
  - (10) A development in the B-2 Zoning District may require a parking study. If it is determined that a project requiring a conditional use permit will have a parking shortage, the city may require that the applicant provide on-site parking, enter into an agreement to pay the costs of off-site parking, or a combination of both.
- (p) *Conditions on issuance.* The council may impose conditions and require guarantees in the granting of conditional use permits. Any use permitted under the terms of any conditional use permit shall be established and conducted in conformity to the terms of such permit and of any conditions designated in connection therewith.
  - (q) *Expiration of use.* If a use granted by conditional use permit to operate ceases to exist for six months, the conditional use granted for that property will expire.

(Code 1986, § 525.13; Ord. No. 87-601; Ord. No. 93-727; Ord. No. 94-747; Ord. No. 95-777, 1-3-1996; Ord. No. 97-797; Ord. No. 2000-833; Ord. No. 2000-841; Ord. No. 2002-874; Ord. No. 04-913)



## **BACKGROUND**

The Mixed Use district was created in 2011 to facilitate transit supportive mixed use development around Hopkins' 3 light rail transit stations. According to the Mixed Use zoning standards, the primary purposes of the Mixed Use Zone are to:

- Provide appropriate areas for and facilitate quality mixed use development in activity centers that are consistent with the comprehensive plan's land use and transportation goals, objectives, policies and strategies;
- Accommodate intensities and patterns of development that can support multiple modes of transportation, including public transit, biking and walking;
- Group and link places used for living, working, shopping, schooling, and recreating, thereby reducing vehicle trips, relieving traffic congestion, improving air quality in the city and encouraging active living principles;
- Provide a variety of residential housing types and densities to assure activity in the district and support a mix of uses, and enhance the housing choices of city residents; and
- Integrate new mixed use development with its surroundings by encouraging connections for pedestrians and vehicles and by assuring sensitive, compatible use, scale, and operational transitions to neighboring uses.

The Mixed Use district is divided into 3 subareas that correspond to the community's 3 light rail transit stations – Downtown (Downtown Station), Commuter Town Center (Shady Oak Station) and Urban Neighborhood (Blake Road Station). The Mixed Use regulations include both general standards for the overall district and detailed regulations for each of the 3 subareas. As a result, the permitted uses table details permitted and conditional uses in each of the 3 subareas but currently does not address accessory uses.

Originally, the Mixed Use district limited hotel uses to the Downtown subarea as a principal use. This limitation was purposeful and intended to guide hotel uses to Hopkins' central business district. Since these regulations were drafted in 2011, the hotel and hospitality industry has evolved to include a variety of different hotel types ranging from traditional standalone hotels to short-term rental units to smaller options embedded in other buildings. While staff still believes the city should focus traditional standalone hotels as principal uses exclusively in downtown, it is also permissible to allow for smaller hotels as an accessory use in residential multiple unit buildings in the Urban Neighborhood subarea of the Mixed Use zone.

## **COMMUNITY COMMENT**

Under state law, zoning code text amendments require a public hearing. Accordingly, the City published notice of this application and public hearing in the Sun Sailor. Because this is a general zoning regulation change and not a site specific amendment, mailed notice to surrounding property owners was not applicable. The Sun Sailor notice directed all interest parties to send questions or comments to City Planner Jason Lindahl by mail, phone or email or to attend the public hearing where they could learn about the application, ask questions and provide feedback. As of the writing of this report, the City had received no comments or questions regarding this application.

**Planning & Zoning Commission Action.** The Planning & Zoning Commission reviewed this item (Planning Application 2021-18) during their October 26, 2021 meeting. During the meeting, the Commission heard a presentation from staff and held a public hearing that produced no

comments. The Commission asked questions about the inspections process and a potential lodging tax. Staff noted that the residential portion of any such a building would be subject to the City's rental licensing process while the hotel portion would be subject to Hennepin County's lodging licensing process. With regard to lodging tax, the Planning & Economic Development Department will consult with the City Attorney as to how the City would establish a lodging tax. After some general discussion, the Commission voted 5-0 to recommend the City Council approve the zoning code text amendment.

### **ZONING CODE TEXT AMENDMENT**

**Legal Authority.** Zoning Code amendments are legislative actions in that the City is creating new standards to regulate the development of certain types of uses and/or structures. Under the law, cities have wide flexibility to create standards that will ensure the type of development they desire. However, zoning regulations must be reasonable and supported by a rational basis relating to promoting the public health, safety and welfare. Based on the findings made below, staff recommends approval of the proposed zoning text amendment creating an accessory use section in the Mixed Use zone.

**Consistency with the Comprehensive Plan.** Creating an accessory use category in the Mixed Use district and establishing hotels as an accessory use in the Urban Neighborhood subareas of this zone is consistent with the Activity Center Future Land Use guiding in the 2040 Comprehensive Plan. Activity Centers surrounds and supports the planned Blake Road and Shady Oak light rail stations along the Southwest LRT Green Line Extension. These areas are planned to include moderate to high density mixed use development designed to complement and enhance the existing development pattern in these areas and support the public investment in transit.

The Activity Center areas are expected to experience significant reinvestment and redevelopment to absorb a substantial portion of the city's anticipated future growth. Development in the Activity Center areas is expected to be medium to larger scale neighborhood and regional uses with an approximate mix of 75% residential and 25% commercial. Densities in these areas will typically range from 20-60 units per acre, with 75-150 units per acre within ¼ mile of an LRT station platform.

**Compatibility with Present and Future Land Uses.** Based on the analysis above, staff finds the proposed zoning change to create an accessory use category in the Mixed Use district and establish hotels as an accessory use in the Urban Neighborhood subareas is compatible with present and future land uses in the activity center zone. The proposed changes would update the City's zoning regulations to address the changing needs of the hospitality industry while still guiding full standalone hotel uses to the City's Central Business District.

**Conformance with New Standards.** This section considers how the proposed zoning change fits in with the rest of the zoning regulations and the existing development pattern. In this case, staff finds the proposed changes well suited to both the needs of the community and hospitality industry. Adding hotels as an accessory use in the Urban Neighborhood subarea of the Mixed Use district will allow a compatible commercial use in this district and provide another option for developers to meet the City's mixed use goals for the Activity Center future land use category.

### **Potential Non-Conformity Issues**

Formally creating an accessory use section in the Mixed Use district and establishing hotels as an accessory use in the Urban Neighborhood subarea of this zone allows more options for property

owners and should not result in non-conforming issues. According to Minnesota Statute 462.357, Subdivision 1e., legal nonconformities generally have a statutory right to continue through repair, replacement, restoration, maintenance, or improvement but not through expansion. These rights run with the land and are not limited to a particular landowner. If the benefited property is sold, the new owner will have the same rights as the previous owner.

**ALTERNATIVES**

1. Voting to Approve. By voting to approve the first reading of Ordinance 2021-1175, this item will move forward for a second reading scheduled for the November 16, 2021 City Council meeting.
2. Voting to Deny. By voting to deny the first reading of Ordinance 2021-1175, this item will not move forward for a second reading scheduled for the November 16, 2021 City Council meeting. 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. 2021-070**

**A RESOLUTION APPROVING THE FIRST READING OF ORDINANCE 2021-1175  
AMENDING THE CITY CODE RELATED TO ACCESSORY USES  
IN THE MIXED USE DISTRICT**

**WHEREAS**, the City of Hopkins initiated an application to amend the City Code related to accessory uses in the Mixed Use District; and

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

1. That an application to amend the City Code related to accessory use in the Mixed Use District was initiated by the City of Hopkins on September 24, 2021; and
2. That the Hopkins Planning & Zoning Commission, pursuant to published notice, held a public hearing to review such application October 26, 2021 and all persons present were given an opportunity to be heard; and
3. That the Hopkins Planning & Zoning Commission reviewed this application during their October 26, 2021 meeting and recommended approval by the City Council; and
4. That the Hopkins City Council reviewed this application during their November 3, 2021 meeting and agreed with the findings of the Planning & Zoning Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Hopkins hereby approves the First Reading of Ordinance 2021-1175 amending the City Code related to accessory use in the Mixed Use District based on the findings of fact detailed in the staff report dated November 3, 2021.

Adopted by the City Council of the City of Hopkins this 3<sup>rd</sup> day of November, 2021.

By: \_\_\_\_\_  
Jason Gadd, Mayor

ATTEST:

\_\_\_\_\_  
Amy Domeier, City Clerk

**CITY OF HOPKINS  
COUNTY OF HENNEPIN**

**ORDINANCE NO. 2021-1175**

**ORDINANCE AMENDING PART III, CHAPTERS 102 OF THE HOPKINS CITY CODE  
REGARDING ACCESSORY USES IN THE MIXED USE DISTRICT**

**THE CITY COUNCIL OF THE CITY OF HOPKINS HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Hopkins City Code, Part III, Chapter 102, Article XI, Section 102-339 is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Secs. 102-339—~~102-364.~~ ~~Reserved~~ The following are permitted accessory uses in the specific subcategories of the Mixed Use District.

(1) Urban Neighborhood

- a. Hotels. Limited to no more than 15 percent of a multiple unit residential principal use. Hotel accessory uses are subject to all applicable zoning and licensing requirements.

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

First Reading:	November 3, 2021
Second Reading:	November 16, 2021
Date of Publication:	November 25, 2021
Date Ordinance Takes Effect:	November 25, 2021

By: \_\_\_\_\_  
Jason Gadd, Mayor

ATTEST:

\_\_\_\_\_  
Amy Domeier, City Clerk

## **ARTICLE XI. MIXED USE**

### **Sec. 102-337. Mixed use.**

The primary purposes of the Mixed Use Zone Districts are to:

- (1) Provide appropriate areas for and facilitate quality mixed use development in activity centers that are consistent with the comprehensive plan's land use and transportation goals, objectives, policies and strategies;
- (2) Accommodate intensities and patterns of development that can support multiple modes of transportation, including public transit, biking and walking;
- (3) Group and link places used for living, working, shopping, schooling, and recreating, thereby reducing vehicle trips, relieving traffic congestion, improving air quality in the city and encouraging active living principles;
- (4) Provide a variety of residential housing types and densities to assure activity in the district and support a mix of uses, and enhance the housing choices of city residents; and
- (5) Integrate new mixed use development with its surroundings by encouraging connections for pedestrians and vehicles and by assuring sensitive, compatible use, scale, and operational transitions to neighboring uses.

(Code 1986, § 543.01; Ord. No. 2011-1031, 8-11-192011)

### **Sec. 102-338. Permitted and conditional uses.**

(a) *Permitted uses.*

<i>Zoning Designation and Use</i>	<i>UN (Blake)</i>	<i>DT (8th Ave.)</i>	<i>CTC (Shady Oak)</i>
<b>Residential</b>			
1. Multi-unit dwellings	x	x	x
2. Townhomes	x		x
<b>Commercial</b>			
3. Bar/tavern	x	x	
4. Antiques	x	x	
5. Art gallery		x	
6. Artisan shop	x	x	
7. Bakery	x	x	x
8. Bank and financial services	x(a)	x(a)	x(a)
9. Beauty/barber shop	x	x	x
10. Bike sales	x	x	
11. Books, office supplies	x	x	
12. Boutiques	x	x	
13. Butcher	x	x	x

14. Camera, photographic	x	x	
15. Clothing store		x	
16. Clubs (private, nonprofit)	x	x	x
17. Coffee shop	x	x	x
18. Collectibles (cards, coins, comics, stamps, etc.)	x	x	
19. Costume and formal wear rental	x	x	
20. Day nursery	x	x	x
21. Delicatessen	x	x	x
22. Dry clean and laundry	x	x	x
23. Educational facilities	x	x(c)	x
24. Electronics	x(d)	x(d)	
25. Employment agency	x	x	x
26. Essential public service and utility structures	x	x	x
27. Fabric and sewing store	x	x	
28. Florists	x	x	x
29. Garden and landscape	x(e)	x(e)	
30. Gifts and novelties	x	x	
31. Glassware, china, pottery		x	
32. Health club	x		x
33. Hobby, craft, instruction	x	x	
34. Hotel		x	
35. Karate, dance, studio	x	x	
36. Ice cream	x	x	x
37. Indoor sports and recreation facility	x	x(f)	x
38. Interiors, decoration studio	x	x	
39. Jewelry	x	x	
40. Leather goods, luggage	x	x	
41. Liquors, off-sale	x	x	x
42. Locksmith and fixit shop	x	x	x
43. Medical service	x	x	x
44. Music store		x	
45. Neighborhood market	x	x	x
46. Offices	x	x	x
47. Optical	x	x	
48. Paint and wallpaper		x	

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49. Parking ramps and lots	x	x	x
50. Pet grooming	x		x
51. Pet store	x	x	
52. Pharmacy, drug store	x	x(g)	
53. Photography, studio		x	
54. Picture framing, art shop		x	
55. Pipe, tobacco shop	x	x	x
56. Print shop	x	x	x
57. Restaurant, traditional	x	x	x
58. Restaurant, carry-out and delivery	x	x	x
59. Shoes, boot store	x	x	
60. Sporting goods	x	x	
61. Stationery, card shop	x	x	x
62. Street food vendors	x	x	x
63. Tailoring	x	x	x
64. Travel agent	x	x	x
65. Variety store	x	x	
66. Vet clinic	x	x	x
67. Video/DVD, sales, rental	x	x	x
<b>Civic</b>			
68. Transit station	x	x	x
69. Park and ride facility	x	x	x
70. Public open space/park	x	x	x

(b) *Conditional uses.*

- a. Bank and financial services, provided:
  - 1. The applicant must show that the drive thru in an integral part of the building and the traffic and queuing will not interfere with the pedestrian experience. It shall be at the sole discretion of the city council to allow a drive thru.
- b. Reserved:
- c. Educational facilities, provided:
  - 1. Use shall not be located on first floor.
- d. Electronics, provided:
  - 1. Less than 5,000 square feet.
- e. Garden and landscape, provided:
  - 1. Outside display limited to area in front of store.
- f. Indoor sports and recreation facility, provided:

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1. Less than 5,000 square feet.
- g. Pharmacy, drug store, provided:
1. Less than 5,000 square feet.

(Code 1986, § 543.02; Ord. No. 2017-1125, § 4, 11-21-2017)

**Secs. 102-339—102-364. Reserved.**

***ARTICLE XII. DEVELOPMENT STANDARDS FOR MIXED USE***

**Sec. 102-365. Parking.**

Parking within the mixed use district must be located in multi-level structures or in shared parking lots where feasible and with approval of the city. The following requirements will apply to all permitted uses located within the Mixed Use Zoning District if a travel demand management plan (TDM) or shared parking study has not been completed and approved by the city council:

- (1) A minimum of one and a maximum of 1.5 parking spaces per multifamily unit is permitted; one guest space per 15 units is permitted.
- (2) All uses other than residential shall require a parking study to determine the necessary parking required.
- (3) Where practicable, ingress and egress from parking must be from side streets or alleys.

(Code 1986, § 543.03)

**Sec. 102-366. Travel demand management plan (TDM)/mass transit links.**

Off-street parking requirements may be reduced subject to approval by the city council, where a TDM plan, parking and transportation study is submitted. The TDM plan, parking and transportation study is conducted in accordance with accepted methodology approved by the city staff, prepared by an independent traffic engineering professional under the supervision of the city, and paid for by the applicant. These plans must address the transportation impacts of the development and proposed TDM mitigating measures and show that parking demand will be decreased by access to nearby transit. Where a TDM plan is approved, a properly drawn legal instrument, executed by the parties concerned, must be filed on the property in the county recorder's or register's office. Five acres commercial, office or retail development or 100 residential units require a TDM study.

(Code 1986, § 543.04)

**Sec. 102-367. Shared parking.**

The city council may approve the use of shared parking where:

- (1) The applicant demonstrates with a parking study that the hours, size, and mode of operation of the respective uses does not create a substantial conflict in the peak parking demands of the uses for which shared parking facilities is proposed, and there is adequate parking to meet the needs for each use. A shared parking plan must be submitted where shared parking is proposed that includes specific analysis on the peak characteristics of the various uses indicated.

- (2) Where a shared use of parking exists with the same site or across sites, a properly drawn legal instrument, executed by the parties concerned, must be filed as a deed restriction on all impacted properties in the county recorder's office. A parking study is required to be conducted in accordance with accepted methodology approved by the city staff, prepared by an independent traffic engineering professional under the supervision of the city and paid for by the applicant, demonstrating that there is not a present need for the portion of parking for which the applicant is requesting shared parking flexibility.
- (3) Shared parking shall be no more than 500 feet from the front doors of the buildings sharing the parking.

(Code 1986, § 543.05)

**Sec. 102-368. Bicycle parking.**

- (a) Bicycle parking facilities must be provided for all office and multifamily structures and freestanding commercial uses.
- (b) The required number of bicycle parking spaces will be based on the following:

<i>Zoning Designation</i>	<i>Long-Term</i>	<i>Short-Term</i>
Multifamily residential	1 per 2 units	1 per 20 units
Retail	0.50 space per employee	0.50 space per 1,000 square feet of net building area
Office	0.25 space per 1,000 square feet of net building area	1 per 40,000 square feet of net building area
Park and ride facilities	10 spaces an acre	10 percent of parking stalls

- (c) Bicycle parking facilities must be located in a well-lighted area.
- (d) All bicycle racks, lockers, or other facilities must be securely anchored to the ground or to a structure.
- (e) All required bicycle parking must be located within 50 feet of central or well-used building entrances.
- (f) Long-term bicycle parking facilities that provide parking for bike storage lasting eight or more hours shall be located inside buildings or a bike storage facility for added security.
- (g) The required amount of short-term bicycle parking required for bike storage lasting less than two hours must be provided for at each building.
- (h) In buildings that have several uses, shared short-term bicycle parking facilities are encouraged and should be centrally located between uses.

(Code 1986, § 543.06)

**Sec. 102-369. Shadow study.**

A shadow study is required for all buildings four stories or higher. The shadow study will indicate the shadows cast at the shortest and longest days of the year. Impacts of a shadow on the surrounding property may be a reason to lower and/or adjust the location or height of buildings.

(Code 1986, § 543.07)

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### **Sec. 102-370. Exterior.**

The primary exterior treatment of walls facing a public right-of-way or parking lot on a structure shall be brick, cast concrete, stone, marble or other material similar in appearance and durability. Regular or decorative concrete block, float finish stucco, EIFS-type stucco, cementitious fiber board, or wood clap board may be used on the front facade as a secondary treatment or trim but shall not be a primary exterior treatment of a wall facing a public right-of-way.

(Code 1986, § 543.08)

### **Sec. 102-371. Building orientation.**

- (a) *Orientation.* Buildings within the mixed use district must be oriented toward the pedestrian by providing a direct link between each building and the pedestrian walking system, with emphasis on directing people to a transit station.
- (b) *Facade.* The primary street side facade of a building shall not consist of an unarticulated blank wall, flat front facades or an unbroken series of garage doors. The front of a building shall be broken up into individual bays of a minimum of 25 feet and maximum of 40 feet wide.
- (c) *Blocks.* Blocks must not exceed 600 feet in length and must provide pedestrian connectors. These pedestrian connectors can be pedestrian easements and pathways or through-building linkages at least every 300 feet.
- (d) *Height.* All nonresidential floor space provided on the ground floor of a mixed use building must have a minimum floor-to-ceiling height of 11 feet.

(Code 1986, § 543.09)

### **Sec. 102-372. Transparency.**

- (a) *Required.* A minimum of 60 percent to a maximum of 75 percent of the front street-facing facade between two feet and eight feet in height must comprise clear windows that allow views of indoor nonresidential space or product display area. Side facades abutting a public right-of-way shall have a minimum of 30 percent clear windows.
- (b) *Height.* The bottom edge of any window or product display window used to satisfy the transparency standard of subsection (a) of this section may not be more than three feet above the adjacent sidewalk.
- (c) *Display.* Product display windows used to satisfy these requirements must have a minimum height of four feet and be internally lighted.
- (d) *Windows.* Transparent windows allowing visual access into and out of nonresidential buildings shall be required on the first floor frontage along the front yard.
- (e) *Fenestration.* Thirty percent fenestration for windows above the first floor for all sides that abut a public right-of-way.

(Code 1986, § 543.10)

### **Sec. 102-373. Sidewalks.**

- (a) *Required.* Sidewalks shall be constructed along the frontage of all public streets and within and along the frontage of all new development or redevelopment.

- (b) *Width.* Sidewalks may range in width from a minimum of five feet to a maximum of 20 feet, depending on expected pedestrian traffic.

(Code 1986, § 543.11)

**Sec. 102-374. Pedestrian/streetscapes.**

- (a) *Required.* Street trees in grates or planters are required along sidewalks for all new platted streets. Existing streets may not allow sufficient right-of-way for street trees. If the existing right-of-way does not allow for street trees, landscaping, trees, planters or street furniture will be added to the interior side of the sidewalk where the setback will allow.
- (b) *Improvements.* Pedestrian improvements of at least 25 percent of the landscaping budget shall be included in the development. These improvements shall create a high quality pedestrian experience through the provision of benches, planters, drinking fountains, waste containers, median landscaping, etc. Said improvements shall be on all public streets that lead directly to the station.
- (c) *Lighting.* Pedestrian-scale light fixtures that shine downward on the sidewalks and walkways shall be no greater than 12 feet in height and must be provided along all sidewalks and walkways to provide ample lighting during nighttime hours for employees, residents, and customers.
- (d) *Maintenance.* It shall be the responsibility of the owner of the abutting building to maintain the streetscape.

(Code 1986, § 543.12; Ord. No. 2015-1100)

**Sec. 102-375. Landscaping.**

All open areas of a lot that are not used or improved for required parking areas and drives shall be landscaped with a combination of over-story trees, under-story trees, shrubs, flowers and ground cover materials. The plan for landscaping shall include ground cover, bushes, shrubbery, trees, sculptures, fountains, decorative walks or other similar site design features or materials. The following table is a minimum value for the landscaping:

<i>Project Value</i>	<i>Minimum</i>
Below \$1,000,000.00	2 percent
\$1,000,000.00—\$2,000,000.00 of project value in excess of \$1,000,000.00	\$20,000.00 + 1 percent
\$2,000,000.00—\$3,000,000.00 of project value in excess of \$2,000,000.00	\$30,000.00 + 0.75 percent
\$3,000,000.00—\$4,000,000.00 of project value in excess of \$3,000,000.00	\$37,500.00 + 0.25 percent
Over \$4,000,000.00 value in excess of \$4,000,000.00	1 percent + .10 percent of project

- (1) Documentation showing an estimated dollar amount of landscaping shall be provided to the city prior to any approval.
- (2) All new over-story trees shall be balled and burlapped or moved from the growing site by tree spade. Deciduous trees shall have a minimum caliper of 2.5 inches. Coniferous trees shall be a minimum caliper of 1.5 inches.
- (3) All site areas not covered by buildings, sidewalks, parking lots, driveways, patios or similar hard surface materials shall be covered with sod or an equivalent ground cover approved by the city. This requirement shall not apply to site areas retained in a natural state.

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- (4) An underground sprinkler system shall be provided as part of each new development. A sprinkler system shall be provided for all landscaped areas except areas to be preserved in a natural state. The sprinkler system is required to have a sensor for an automatic shut-off to prevent the system from operating when it is raining.

(Code 1986, § 543.13; Ord. No. 2015-1100)

### **Sec. 102-376. Indoor/outdoor operations.**

All permitted uses in the mixed use district must be conducted within a completely enclosed building unless permitted by a conditional use permit. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating area, alone or in connection with restaurants.

(Code 1986, § 543.14)

### **Sec. 102-377. Wall signs.**

- (a) *Limitations.* Each tenant other than those in multi-tenant buildings may have one flat wall sign, not extending more than 18 inches from the face of the building, except that such signage may extend from the face of the roof over a covered walk. Such wall signs shall not exceed two times of the linear frontage of the wall to which the business is located, to a maximum of 96 square feet. Signs shall not be internally illuminated.
- (b) *Canopies and awnings.* The design of canopies shall be in keeping with the overall building design in terms of location, size, and color. No canopies with visible wall hangers shall be permitted. Signage on canopies maybe substituted for allowed building signage and shall be limited to 25 percent of the canopy area. Canopies shall not be internally illuminated.
- (c) *Projecting.* Projecting signs will have a maximum size of 12 square feet and a maximum width of three feet. Projecting signs cannot extend beyond the first floor of the building. No less than ten feet of clearance shall be provided between the sidewalk surface and the lowest point of the projecting sign. Maximum distance between sign and building face is one foot.
- (d) *Monument signs.* One monument sign shall be permitted for each multi-tenant building provided the surface area of the sign does not exceed two square feet per front foot of lot. No sign shall be over 150 square feet, 20 feet in height and have a setback in no case less than 20 feet from the property lines.

(Code 1986, § 543.15)

### **Sec. 102-378. Drive-through.**

A one-lane drive-through may be permitted with a conditional use permit. The applicant must show that the drive-through is an integral part of the building and the traffic and queuing will not interfere with the pedestrian experience.

(Code 1986, § 543.16)

### **Sec. 102-379. Urban Neighborhood (UN).**

- (a) *Location* This area is primarily located around the Blake Transit Station. The Urban Neighborhood District is intended primarily for mixed pedestrian-scaled, neighborhood-serving, nonresidential uses and high density residential uses in the same structure or in close proximity to one another. Nonresidential uses may include

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(Supp. No. 5)

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small-scale retail, service, and professional offices that provide goods and services to the residents of the surrounding neighborhood.

- (b) *Height.*
  - (1) Height: Three to four stories for residential structures.
  - (2) Mixed use:
    - a. Five to six stories (retail on the first floor).
    - b. Four to five stories for office structures.
- (c) *Floor area ratio.*
  - (1) Residential minimum FAR: 2.
  - (2) Residential maximum FAR: 3.
  - (3) Mixed use building minimum FAR: 3.
  - (4) Mixed use building maximum FAR: 5.
  - (5) Office building minimum FAR: 3.
  - (6) Office building maximum FAR: 4.
- (d) *Front yard setbacks along Blake Road and Excelsior Boulevard*
  - (1) Residential building: 15 feet to 25 feet.
  - (2) Office building: 25 feet to 40 feet.
- (e) *Front yard setbacks along 2nd Street.*
  - (1) Residential building: Five feet to 15 feet.
  - (2) Structured parking: Five feet to 15 feet.
  - (3) Office building: Five feet to 15 feet.
  - (4) Side yard: Ten feet.
  - (5) Rear yard: Ten feet.

(Code 1986, § 543.17)

### **Sec. 102-380. Downtown (DT).**

- (a) *Location.* This area is primarily located from the downtown transit station to Main Street. The Downtown District provides for development of high density residential and vertically-integrated, mixed uses over ground-floor, nonresidential uses on lots fronting Eighth Avenue from Excelsior Boulevard to Main Street. This district acts as a transition from the transit station to Main Street and to draw people to Main Street.
- (b) *Development standards.* Each off-street parking area is encouraged to be designed and located so that parking lots on adjacent parcels may be linked. The principal functional doorway for public or direct-entry access into a building shall face the fronting street. Corner entrances shall be provided on corner lot buildings or have dual entries. A secondary entrance may be oriented towards off-street surface parking.
- (c) *Outdoor gathering space.* Outdoor gathering space shall have direct access to the sidewalk. All outdoor Gathering Spaces will have a treatment such as a wrought iron fence, hedge, or a one to three feet wall following the building line of the abutting buildings. The space may have the following:

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- (1) Lighted bollards.
  - (2) Movable or unmovable tables and chairs.
  - (3) Fountains or other water features.
  - (4) Benches.
  - (5) Seat walls and/or landscape planters.
  - (6) Shade trees.
  - (7) Pots or hanging baskets filled with seasonal plant material.
  - (8) Information kiosks.
  - (9) Sculptures or other public art features.
- (d) *Height.*
- (1) Minimum height: Three stories from alley south of Main Street to Main Street.
  - (2) Minimum FAR: 2.
  - (3) Maximum FAR: 3.
  - (4) Minimum height: Four stories from Excelsior Blvd to alley south of Main Street.
  - (5) Minimum FAR: 3.
  - (6) Maximum FAR: 5.
- (e) *Setbacks.*
- (1) Front yard minimum: One foot.
  - (2) Maximum: Five feet, except for the following:
    - a. A portion of the building may be set back to provide an articulated facade or accommodate a building entrance feature, provided that the total area of the space created must not exceed one square foot for every linear foot of building frontage.
    - b. A building may be set back to accommodate an outdoor eating area. To preserve the continuity of the street wall, the building may be set back no more than 12 feet from the front or street side property line, or at least 40 percent of the building facade must be located abutting a street. The total area of an outdoor eating area that is located between a public sidewalk and the building facade may not exceed 12 times the buildings street frontage in linear feet.
  - (3) Minimum side yard setback: Zero feet.
  - (4) Minimum rear yard setback: Ten feet.
  - (5) Rear yard setback abutting a public right-of-way: 50 feet or more in width:
    - a. Minimum rear yard: Zero feet.
    - b. Maximum rear yard: One foot.

(Code 1986, § 543.18; Ord. No. 2015-1091)

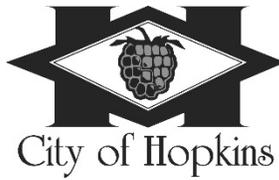
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**Sec. 102-381. Commuter Town Center (CTC).**

This area is primary located around the Shady Oak Transit Station in the west side of the city. The Commuter Town Center District is intended to support a variety of housing types and compatible vertically-integrated mixed uses composed of street-level nonresidential and upper-story residential uses. High-density, attached residential use types that are supportive of transit are encouraged.

(Code 1986, § 543.19)

**Secs. 102-382—102-406. Reserved.**



November 3, 2021

Council Report 2021-105

**APPROVE WATER, SANITARY SEWER, REFUSE COLLECTION  
RECYCLING AND ORGANIC RECYCLING RATES**

**Proposed Action**

Staff recommends adoption of the following motions:

Move to approve Resolution 2021-067 “Increasing Water and Sanitary Sewer Rates Effective January 1, 2022”.

Move to approve Resolution 2021-068 “Increasing Refuse Collection, Recycling and Implementing Organic Recycling Rates Effective January 1, 2022.”

**Overview**

*Water and Sanitary Sewer Rates*

The water and sewer fund budgets have been reviewed for 2022. The 2022 budget includes conservative assumptions on the amount of water and sewer that will be used by customers. Both funds have proposed increases based on operational and capital needs. The water fund and sanitary sewer funds are both proposing rate increases of approximately 3.25%.

The City previously conducted a water and sanitary sewer rate study for the years 2016 through 2020. The study implemented flat rates based on meter size and tiered consumption rates for water users, which continue in 2022. The newly proposed rates are intended to have a limited impact on utility users.

*Refuse, Recycling and Organic Recycling Rates*

The refuse fund budget has been reviewed for 2022. New rates and rate increases are being proposed for operational needs. The current refuse collection and recycling rates have been in place since January 2016. The cost to the City to collect refuse and contracted services to collect recycling have both increased over the past five years. Organic recycling is a new program in 2022. Hennepin County is requiring that all Cities make this service available to household with curbside recycling service.

**Primary Issues to Consider**

- How will the rates affect the residents and businesses in the City of Hopkins?
- What are the proposed capital improvement projects?

**Supporting Information**

- Staff Analysis
- Resolution No. 2021-067
- Resolution No. 2021-068
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Nick Bishop, CPA  
Finance Director

Financial Impact: Water \$70K, Sewer \$101K, Refuse \$233K Budgeted: Yes Source: Water, Sewer and Refuse Customers Related Documents: ERP and CIP Notes: \_\_\_\_\_

**Rate Increases and Effect on Residential and Commercial Customers**

Water and Sanitary Sewer Rates			
	2021	2022	Percent
	<u>Current</u>	<u>Proposed</u>	<u>Increase</u>
Flat Rates Per Meter Per Month			
Residential - 5/8" meter	3.02	3.12	3.31%
Residential - 1" meter	3.02	3.12	3.31%
Apt/Commercial - 1-1/2" to 2" meter	6.05	6.25	3.31%
Apt/Commercial - 3" meter	9.08	9.38	3.30%
Apt/Commercial - 4" meter	12.09	12.48	3.23%
Apt/Commercial - 6" meter	18.14	18.73	3.25%
Consumption Rates, Per 1,000 Gallons			
Residential and Multi-Family			
0 - 3,000 gallons	3.10	3.20	3.23%
3,001 - 5,000 gallons	3.56	3.68	3.37%
5,001 and over	4.09	4.22	3.18%
Commercial			
0 - 10,000 gallons	2.96	3.06	3.38%
10,001 - 20,000 gallons	3.39	3.50	3.24%
20,001 and over	3.91	4.04	3.32%
Irrigation - all usage	3.70	3.82	3.24%
Production meter	3.12	3.22	3.21%
Sanitary Sewer	6.86	7.08	3.21%

Refuse, Recycling and Organic Recycling Rates				
	2021	2022		
	<u>Current</u>	<u>Proposed</u>	<u>\$ Increase</u>	<u>% Increase</u>
Refuse Collection				
35 Gallon	17.85	18.85	1.00	5.60%
65 Gallon	21.85	22.85	1.00	4.58%
95 Gallon	25.30	26.30	1.00	3.95%
Recycling	5.00	5.25	0.25	5.00%
Organic Recycling	N/A	5.50	5.50	100.00%

Impact on Low, Median and High Residential User				
	Actual 2021	Proposed 2022	\$ Increase	% Increase
Single Family Residential (Lower User)				
Water (1,500 Gallons)	\$ 7.67	\$ 7.92	\$ 0.25	3.26%
Sewer (1,500 Gallons)	\$ 10.29	\$ 10.62	\$ 0.33	3.21%
Total Monthly Bill	\$ 17.96	\$ 18.54	\$ 0.58	3.23%
Single Family Residential (Median User)				
Water (4,000 Gallons)	\$ 15.88	\$ 16.40	\$ 0.52	3.27%
Sewer (3,000 Gallons)	\$ 20.58	\$ 21.24	\$ 0.66	3.21%
Total Monthly Bill	\$ 36.46	\$ 37.64	\$ 1.18	3.24%
Single Family Residential (High User)				
Water (8,800 Gallons)	\$ 34.98	\$ 36.12	\$ 1.13	3.24%
Sewer (4,800 Gallons)	\$ 32.93	\$ 33.98	\$ 1.06	3.21%
Total Monthly Bill	\$ 67.91	\$ 70.10	\$ 2.19	3.22%

Impact on Low and High Commercial User				
	Actual 2021	Proposed 2022	\$ Increase	% Increase
Commercial Property (Low User with a 1" Meter)				
Water (3,000 Gallons)	\$ 14.93	\$ 15.43	\$ 0.50	3.35%
Sewer (3,000 Gallons)	\$ 20.58	\$ 21.24	\$ 0.66	3.21%
Total Monthly Bill	\$ 35.51	\$ 36.67	\$ 1.16	3.27%
Commercial Property (High User with a 2" Meter)				
Water (35,000 Gallons)	\$ 128.20	\$ 132.45	\$ 4.25	3.32%
Sewer (35,000 Gallons)	\$ 240.10	\$ 247.80	\$ 7.70	3.21%
Total Monthly Bill	\$ 368.30	\$ 380.25	\$ 11.95	3.24%

**What are the proposed capital improvement projects?**

Over the next five years we have identified \$9,470,000 and \$7,164,500 in capital infrastructure projects related to the water and sewer funds, respectively. The projects are for ongoing utility improvements related to road reconstruction, maintenance and equipment needs. The complete detail for all scheduled capital improvements can be found in the Capital Improvement Plan and Equipment Replacement Plan.

**CITY OF HOPKINS  
HENNEPIN COUNTY, MINNESOTA**

**RESOLUTION 2021-067**

**INCREASING WATER AND SANITARY SEWER  
RATES EFFECTIVE JANUARY 1, 2022**

**WHEREAS**, the City of Hopkins has established Ordinance No. 92-712 Sewer and Water Utility rates, City Code section 40-22 which defines water rates and section 40-24 which defines sanitary sewer rates; and

**WHEREAS**, the ordinances authorizes water and sanitary sewer to be set forth by council resolution; and

**WHEREAS**, utility rates were analyzed to determine the long-term viability of the water and sewer fund; and

**WHEREAS**, it was determined that current rates are insufficient to meet operational and capital needs;

**NOW, THEREFORE**, be it hereby resolved that the City Council of the City of Hopkins hereby sets the service charge for the Water and Sanitary Sewer Utilities at the following rates to be paid to the City upon billing therefore as follows:

The water service usage charge be set at the rates shown.

Flat Rates	
Residential – 5/8” meter	3.12
Residential – 1” meter	3.12
Apt/Commercial – 1-1/2” to 2” meter	6.25
Apt/Commercial – 3” meter	9.38
Apt/Commercial – 4” meter	12.48
Apt/Commercial – 6” meter	18.73
Residential and Multi-Family	
0 – 3,000 gallons	3.20
3,001 – 5,000 gallons	3.68
5,001 and over	4.22
Commercial	
0-10,000 gallons	3.06
10,001 – 20,000 gallons	3.50
20,001 and over	4.04
Irrigation – all usage	3.82
Production Meter	3.22

All water rates are per 1,000 gallons of water consumed.

The sanitary sewer service charge for all classes of users on the system at \$7.08 per 1,000 gallons of water used.

**EFFECTIVE DATE:** The provisions of this resolution shall be effective January 1, 2022.

Adopted by the City Council of the City of Hopkins, Minnesota, this 3<sup>rd</sup> day of November 2021.

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Jason Gadd, Mayor

ATTEST:

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Amy Domeier, City Clerk

**CITY OF HOPKINS  
HENNEPIN COUNTY, MINNESOTA**

**RESOLUTION 2021-068**

**INCREASING REFUSE COLLECTION, RECYCLING AND IMPLEMENTING  
ORGANIC RECYCLING RATES EFFECTIVE JANUARY 1, 2022**

**WHEREAS**, the City of Hopkins has established Ordinance No. 92-707 Solid Waste Management and City Code section 34-28 which defines billing rates; and

**WHEREAS**, the City Code authorizes billing rates to be set forth by council resolution; and

**WHEREAS**, utility rates were analyzed to determine the long-term viability of the refuse fund;  
and

**WHEREAS**, it was determined that current rates are insufficient to meet operational needs;

**NOW, THEREFORE**, be it hereby resolved that the City Council of the City of Hopkins hereby sets the service charge for refuse collection, recycling and organic recycling at the following rates to be paid to the City upon billing therefore as follows:

Refuse Collection (per month)	
35 Gallon	\$18.85
65 Gallon	\$22.85
95 Gallon	\$26.30
Recycling (per month)	\$5.25
Organic (per month)	\$5.50

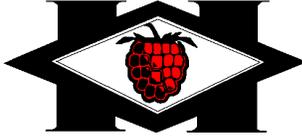
**EFFECTIVE DATE:** The provisions of this resolution shall be effective January 1, 2022.

Adopted by the City Council of the City of Hopkins, Minnesota, this 3<sup>rd</sup> day of November 2021.

\_\_\_\_\_  
Jason Gadd, Mayor

ATTEST:

\_\_\_\_\_  
Amy Domeier, City Clerk



**Finance Department**

**CITY OF HOPKINS**

## **Memorandum**

To: Honorable Mayor and Council Members  
Mike Mornson, City Manager

From: Nick Bishop, Finance Director

Date: November 3, 2021

Subject: Third Quarter Financial Report

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A full presentation of third quarter operating results will be given at the City Council meeting.