



Planning Commission Memorandum

To: Planning Commissioners

From: John Hinzman, Community Development Director

Date: February 14, 2022

Item: Rise Up Recovery - Special Use #2022-14 - State Licensed Residential Facility - 303 5th Street E

Planning Commission Action Requested

Recommend action on the Special Use Permit request of Rise Up Recovery to operate a State Licensed Residential Facility containing board and lodging with special services for substance use disorder recovery. The facility would be located at 303 East 5th Street. Rise Up would purchase the building from Dennis Sullivan and Martha Sullivan.

BACKGROUND INFORMATION

Comprehensive Plan

The property is guided Medium Residential within the 2040 Comprehensive Plan. The proposed use is consistent with the Comprehensive Plan.

Zoning

The property is zoned R-2 Medium Density Residence. State licensed residential facilities serving 7-16 persons is allowed via a conditional (special) use permit per Minnesota State Statutes 462.357, Subd. 8.

Existing Condition

The 13,851 s.f. lot contains a 3,302 s.f. home containing six bedrooms. The home was constructed in 1880 and has been used as a single family home for a number of years.

Adjacent Zoning and Land Use

The following land uses abut the property:

Direction	Use	Comp Plan District	Zoning District
North	Apartment and Single Family Home	Medium Residential Low Residential	R-2 Medium Density Residence
East	Duplex	Medium Residential	R-2 Medium Density Residence
South	5 th Street Single Family Home	Medium Residential Low Residential	R-2 Medium Density Residence
West	Ramsey Street Guardian Angels Townhomes	Mixed Use	R-4 High Density Residence

Notification of Adjacent Owners

All property owners within 350 feet of the site were provided notification of the meeting. One letter of support was received by Dean Markuson and is attached to this report.

SPECIAL USE PERMIT REVIEW

Request

Rise Up Recovery requests the following:

“Provide board and lodge facility with special services for substance use disorder recovery, up to 15 beds for adult men. Facility will be staffed 24/7 - we are a Christian organization, will ensure historical integrity is upheld and keep the home held to a high community standard.”

Minnesota State Statutes

Minnesota State Statutes 462.357, Subd. 8. - Official Controls: Zoning Ordinance - Permitted Multifamily Use allows a state licensed residential facility serving between 7 and 16 persons to be permitted. Municipalities may require a special use permit to assure proper maintenance and operation of the facility.

State Licensed Residential Facility

Rise Up would apply for a state Boarding and Lodging License with Special Services upon acquisition of the property.

Use of the Home

Rise Up proposed to use the existing home as follows:

- Full bathrooms – 3
- Living Room Main level - 26 x 14
- Sitting Room – 19 x 12
- Dining Room – 15 x 14
- Kitchen Main level – 25 x 14
- Upstairs Kitchen – 14 x 12
- Laundry – 10 x 8
- Bedroom 1 main level – 14 x 11 (2 occupants)
- Bedroom 2 main level – 14 x10 (2 occupants)
- Bedroom 3 upper level – 14 x 14 (3 occupants)
- Bedroom 4 upper level – 19 x 13 (4 occupants)
- Bedroom 5 upper level – 14 x 12 (2 occupants)
- Bedroom 6 upper level – 14 x 12 (2 occupants)

Yard and Grounds

The site contains backyard area with a covered porch and detached garage. A six foot privacy fence is located along the east side near the driveway. The remaining backyard is surrounded by shrubbery and a picket fence.

Rental License

Prior to operation of the facility the owner would need to secure a rental license from the City that would include inspection by the Building Official and Fire Marshal.

Parking

Parking is provided as follows:

Parking Calculation	Parking Requirement	Provided
Lodging - 1 per room	6 spaces	6 spaces (3 garage, 3 driveway)

Occupancy Limit

No more than 10 individuals enrolled in qualified treatment programs shall occupy the dwelling. The occupancy limit is based two people per bedroom for five of the six bedrooms with the final bedroom reserved for staff.

RECOMMENDATION

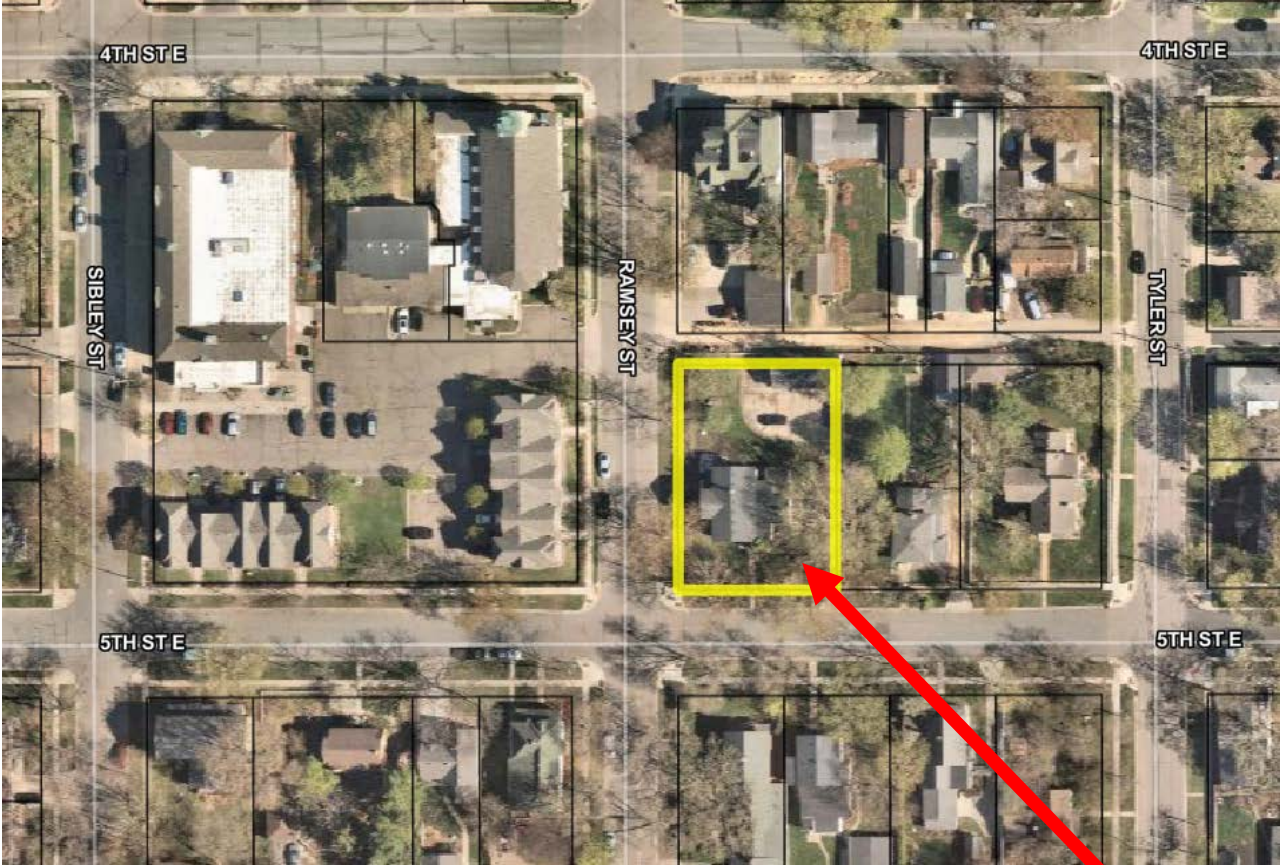
Approval of the Special Use Permit is recommended subject to the following conditions:

- 1) Maintaining a State License for Board and Lodging with Special Services.
- 2) Maintaining a Rental Housing License from the City of Hastings.
- 3) Facility must employ on-site treatment staff seven days a week, 24 hours a day.
- 4) No more than 10 individuals enrolled in qualified treatment programs shall occupy the dwelling.
- 5) Approval is subject to a one year Sunset Clause; operation must occur within one year of City Council approval or approval is null and void.

ATTACHMENTS

- Site Location Map
- Site Pictures
- Application
- Letter of Support

LOCATION MAP



SITE LOCATION

SITE PICTURES



DATE 11/7/22

PAY TO City of Hastings \$ 800.00
THE ORDER OF eight-hundred dollars and ^{xx}/₁₀₀ DOLLARS

VERMILLION STATE BANK
Vermillion, Minnesota 55085
www.vermillionbank.com

MEMO Land Use App Tiffany Neuharth MP
⑆091914370⑆ 06 383 7⑈ 5024

Department Use Application

Address or PID of Property: 303 5th St. E. Hastings, MN 55033

Applicant Name: <u>Rise Up Recovery - Tiffany Neuharth</u>	Property Owner: <u>Dennis + Martha Sullivan</u>
Address: <u>507 Vermillion St. Hastings, mn 55033</u>	Address: <u>303 5th St. E Hastings, mn 55033</u>
Phone: <u>651-417-1614</u>	Phone: <u>651-360-1028</u>
Fax: <u>651-240-6459</u>	Fax: _____
Email: <u>tiffany@riseuprecoverymn.com</u>	Email: <u>martha.sullivan@mpkenedyjlaw.com</u>

Description of Request: Requesting variance to purchase this property and provide board and lodge facility with special services for substance use disorder recovery, up to 15 beds for adult men. Facility will be staffed 24/7 - we are a christian organization, will ensure historical integrity is upheld and keep the home held to a high community standard.

If requesting site plan review of multi-family units (three or more attached), are the units intended to be for sale or rental units? _____

Check Applicable Line(s)	Please Note: All Fees and Escrows are due at time of application.		
<input type="checkbox"/> Rezone	\$500	<input type="checkbox"/> Minor Subdivision	\$500
<input type="checkbox"/> Final Plat	\$600	<input checked="" type="checkbox"/> Special Use Permit	\$500
<input checked="" type="checkbox"/> Variance	\$300	<input type="checkbox"/> Comp Plan Amend.	\$500
<input type="checkbox"/> Vacation	\$400	<input type="checkbox"/> Lot Split/Lot Line Adj.	\$50
<input type="checkbox"/> House Move	\$500	<input type="checkbox"/> Annexation	\$500 plus legal expenses
<input type="checkbox"/> Prelim Plat	\$500 + escrow	<input type="checkbox"/> EAW	\$500 + \$1,000 escrow
<input type="checkbox"/> Site Plan	\$500 + escrow	<input type="checkbox"/> Interim Use Permit	\$500

Total Amount Due: \$ 800 Make checks payable to City of Hastings.
Credit cards also accepted.

Please ensure that all copies of required documents are attached.

<u>Tiffany Neuharth</u> <u>11/6/22</u>	_____
Applicant Signature	Date
_____	_____
Owner Signature	Date

<u>Tiffany Neuharth - Executive Director</u>	_____
Applicant Name and Title - Please Print	Owner Name - Please Print

OFFICIAL USE ONLY

File # _____	Rec'd By: _____	Date Rec'd: _____
Fee Paid: _____	Receipt # _____	App. Complete _____

Foss and Swanson, The People's Center
Alice's Restaurant, Where You Can Get Anything, Except Alice
Leading Generously, By Giving Generously, To Make a Difference,
Within the Community, On the Road of Love, Unselfishly
507 Vermilion Street (Business) 436 Tiffany Drive (Mailing) Hastings 55033
CEO: Top Gun (1SG) Dean W. Marksman, (651) 438-2208, conversationalist
Proprietor: Richard C. Robles, (651) 403-1467
Charitable donations, are accepted. IRS EIN 84-2483729 and MN SOS 111298930002
Facebook Social Media Sites: Dean Marksman and Hastings Fosse and Swanson

Support for Special Use Permit and Variance

Community Development, Planning Commission and City Council

Dear Appointed Members, Director and Elected Officials;

This letter is in support of RISEUP Recovery Hastings, Redeeming Lives, Restoring Dignity, in the purchase and application or Providence House Special Use Permit for property located at 303 5th Street East, Hastings, Minnesota 55033, Plat Identification 19-32150-31-060.

Rise Up Recovery is a Recovery Community Organization serving the Hastings and surrounding trade area, in Lakeville and Burnsville. They provide Peer Recovery support Services, Advocacy and Community Support and Recognition, in collaboration and synchronization, with United Way of Hastings, the Dakota County Task Force and Dakota County Community Corrections. They believe in and value "ALL" paths to recovery, of which, is greatly needed,, with our community. Their fundamental values are grounded in Christianity values and each individual, as a "Person". On a journey of "living, change and transformation. They have a "Recovery First" value" system that places the utmost value and belief of each individuals ability, to achieve and maintain long term recovery and sobriety.. They know, because they live it every hour, day and year, 24/7/365.

Since acquiring ownership of 507 Vermillion Street, on Christmas Eve, December 24, 2021, by "Quit Deed", thorough the unselfishly generously of myself, for "FREE", they became, an owner of "Prime" Commercial property, on the Gateway into the City of Hastings, well worth three hundred thousand fifty dollars, \$350,000 and with acquiring 303 5th Street, their net property value will be seven hundred sixty seven thousand dollars, \$767,000. Coupled with the number of additional employees, they will stimulate the local economic growth of the City and Community as a byproduct of location increases in consumer spending. The more money consumers spend on goods and services, the more capital local businesses will have, specially the Downtown Business Business. to greater growth, development of larger product lines and services offers.

THEFORE; let us not make, the same mistake, when I attempted to purchase Caturia Funeral Home, as a Community Gathering Place, in which, he neighborhood rebelled against me, in an organized effort to deny me, my Mission, Vision, Objective and Core Values,, of which was supported by he Planning Commission and City Council and later sold, unto another party, to be a "Residential Facility" for Recovery, of which the City of Hastings could not deny it, as it was against the Minnesota State Laws and Statutes.

#StillServing, The City and Community of Hastings

First Sergeant Dean W. Markuson
Foss and Swanson, The People's Center
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436 Tiffany Drive (Mailing/Resident Address)
Hastings, MN 55033
(651) 438-2208
deanrvnvet@aol.com