



MEMORANDUM

DATE: January 14, 2019
TO: EDA President Krant, EDA Board Members, and Administrator Meyer
FROM: Cynthia Smith Strack, Community Development Director
RE: Item 5.2 Updates

GENERAL INFORMATION

Following are updates on a few items discussed at the December meeting.

2018 Annual Report to Council

The EDA reviewed a draft report to the City Council at the December meeting. The EDA requested an additional goal be added and recommended the report be presented to the City Council during the business portion of the meeting.

Commissioners Krant and Coleman will be presenting the report on Tuesday, January 22nd (Monday the 21st is a holiday) as soon after 6:30 as possible. A final copy of the annual report is attached.

Outdoor Sidewalk Cafes

The EDA provided input into the concept of allowing outdoor sidewalk cafes in the Central Business District. The EDA's comments together with those from the Public Works Committee, Public Safety Committee, and the Design Committee were discussed at a City Council work session on January 7, 2019. The Council viewed the concept of outdoor sidewalk cafes positively. Language authorizing such cafes is scheduled to be reviewed by the Planning Commission in a meeting immediately following the EDA meeting. Draft language proposed for licensing is attached.

The draft language:

1. Requires a license for outdoor sidewalk cafes. The license is reviewed/approved administratively unless required conditions are not met.
2. Exempts placement of tables and chairs in the sidewalk providing: a minimum five foot clear zone is provided for pedestrians; tables/chairs are able to be moved indoors after hours; and, the Public Works Superintendent approves of the placement.
3. Requires a site plan to be submitted and that immediately adjacent property owners be notified of the intended sidewalk café.
4. Requires proof of insurance be submitted.
5. Conditions applicable to: (a) the site; (b) café design; and, (c) site/café management apply.
6. Outdoor sidewalk cafes are limited to the Central Business District adjacent to Main & Meridian.

ACTION

This item is for information.

Executive Summary

This report documents the EDA's activities over the previous year and satisfies an annual report to the City Council requirement contained in the EDA Enabling Resolution. The report may be used to assess progress toward economic development pursuits including: the creation of new wealth; 'setting the table' for new business opportunities; and spurring economic investment and job creation locally. In summary:

- The Belle Plaine EDA pursues four core functions: organizational development, business development, market development, and infrastructure development. Organizational development efforts focus on maintaining and enhancing the capacity of the EDA as a public entity. Market development efforts are outreach actions including but not limited to website maintenance, production of marketing materials, and participation in local and regional events/establishments. Infrastructure development activities strive to 'set the table' for economic development including the creation of shovel ready commercial and industrial sites. Business development activities are implemented to retain and attract business.
- The EDA met 12 times in 2018. The regularly scheduled meeting date is the second Monday of each month at 5 p.m. Meetings are held in the Council Chambers at City Hall and open to the public.
- The EDA employs a variety of metrics to gauge progress and efficacy, including:
 - New commercial construction value added (nearly \$22M since 2010; commercial-industrial building activity increased slightly over 2017, however, no major new commercial/industrial construction or expansions occurred in 2018);
 - Estimated market value and taxable market value trends (commercial/industrial values increased year over year for the previous two consecutive years, first time since 2010);
 - Unemployment analysis (rates across the board are near record lows and could be inflationary; Scott County rate is below state, nation, and Twin Cities MSA but on a par with Mankato and Rochester);
 - Monitoring of local establishment, job, and wage statistics (jobs held steady but the number establishments increased (up 27) and wages show increases in 2018, perhaps in response to low unemployment);
 - Examination of housing starts (dipped in 2018 after holding steady in 2017);
 - Examination of new business starts (metric added this year, will track over time; Belle Plaine (pop. 7,119) slightly trails New Prague (pop. 7,800) and Jordan (pop. 6,255));
 - Historical sales and use data (increasing).
- Goals for 2019 include:
 - ✓ Host joint meeting of City Council, Planning Commission, and EDA in first quarter 2019 with purpose of plotting efforts to increase rooftops
 - ✓ Advocate for additional residential lots being brought to market
 - ✓ Fully support an application to MHFA for affordable housing tax credit project
 - ✓ Consider requests for tax increment financing and/or abatement to support workforce housing and/or redevelopment
 - ✓ Meet with highway business property/business owners
 - ✓ Work with the Design Committee, Planning Commission, and City Council to update commercial industrial design standards in a manner balancing affordability and desired aesthetics
 - ✓ Review HRA programs
 - ✓ Support/encourage development of new dwelling units as a means of increasing retail/service demand

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Purpose

City Code Chapter Two defines the EDA’s purpose as advising the City Council in all matters relating to economic development. The purpose statement also includes EDA goals as follows:

- ✓ Recruitment of new business and industry
- ✓ Retention and expansion of existing business and industry
- ✓ Diversification of the community’s economy
- ✓ Retention and creation of jobs with livable wages
- ✓ Increasing community tax base
- ✓ Planning and coordination of economic development resource and efforts

Core Functions

The Belle Plaine EDA as a driving force for economic development pursues four core functions: organizational development, business development, market development, and infrastructure development.

- ✓ Organizational development efforts focus on maintaining and enhancing the capacity of the EDA as an economic development organization. Resources allocated to this core function are associated with meeting attendance, meeting packet preparation, drafting meeting minutes, organizational recordkeeping, goal setting and administration, and budget development and administration.
- ✓ Market development efforts are outreach actions, which include but are not limited to website maintenance, production of marketing materials, and participation in local and regional events/establishments.
- ✓ Infrastructure development activities strive to ‘set the table’ for economic development. Activities included within this core function are efforts toward the creation of shovel ready commercial and industrial lots.
- ✓ Business development activities are strategies implemented to retain and attract business. These strategies should create an economic environment supportive of retaining and attracting business, including the provision of a variety of life-cycle housing options. Activities included in this core function are related to: business attraction, business retention/expansion efforts; downtown revitalization; housing construction/revitalization; meetings, research, and information sharing with qualified project contacts and representatives; and administration of technical/financial assistance programs.



2018 Activity by Core Function

The following illustrations depict activities by core function as monitored by Community Development Department staff. The illustrations are included to provide context and background for the BPEDA and City Council with regard to department activities conducted under the concept of 'development' intended to include the concepts of community and economic development.

Additional information related to each core function and individual work category is available through the Community Development Department.

ORGANIZATIONAL DEVELOPMENT

- 12 Meetings
- Recordkeeping
- Packet Preparation
- Goal setting and Administration
- Training Work Shops
- Budget

MARKET DEVELOPMENT

- Meeting with Realtors/ Developers
- Attend Chamber Board Meetings
- Website: Property Availability
- Manage Interactive Jobs Board
- Social Media Content Mgmt
- Marketing & Outreach

INFRASTRUCTURE DEVELOPMENT

- Interceptor Sewer
- Valley Business Park Third Addition
- New Dwelling Units
- Infrastructure Related Mtgs
- SCALE Tech Team
- Workforce Hsg Meetings/Outreach

BUSINESS DEVELOPMENT

- Zoning + Property Info Requests - 48
- TIF/Abatement w/ Eight Leads
- ROSE Discussed 13 Projects
- RLF Discussed 16 Projects
- Workforce Housing Meetings
- EDA Gala

2018 Meetings

The EDA met in regular session eleven times in 2018. In addition, a special meeting with real estate professionals and developers was held in work session was held in April. The regularly scheduled meeting date is the second Monday of each month at 5 p.m. Meetings are held in the Council Chambers at Belle Plaine City Hall. The meetings are open to the public. EDA Members participated in a total of 12 meetings in 2018. A loan review subcommittee met on two separate occasions in 2018.

2018 EDA Officers

OFFICER	BOARD MEMBER NAME	TERM EXPIRES
President	Rick Krant	01/31/2021
Vice President	Lisa Fahey	01/31/2024
Treasurer	Dick Coleman	01/31/2022
Vice Treasurer	Nathan Shutes	01/31/2019
At Large	Crystal Doyle	01/31/2021
Council Representative	Chris Meyer	Coterminous with Mayoral Term
Council Representative	Cary Coop	Coterminous with Council Term

Metrics

The EDA may employ a variety of metrics to gauge progress and efficacy. The following information will be used as a base to examine future progress toward enhancing the commercial/industrial portion of the City’s total value and, thereby diversifying the tax base, providing employment opportunities, and addressing the needs of the community.

Historical Building Permit Values: Commercial and Industrial

Commercial construction activity increased slightly in 2018. Total commercial/industrial construction value added since 2010 is nearly over \$22 million.

Churn continued in storefronts in the Downtown, with some spaces opening and some becoming re-occupied.

YEAR	VALUE
2018	\$ 675,000
2017	\$ 425,000
2016	\$ 9,097,240
2015	\$ 2,396,480
2014	\$ 305,329
2013	\$ 1,812,645
2012	\$ 2,378,456
2011	\$ 1,845,368
2010	\$ 3,059,055



Historical Market Value and Tax Capacity Composition

The percentage of the City’s market and tax capacity values related to commercial and industrial property have fluctuated in the past. Decreases in market value mid-period equate to depreciation of real estate and slowing of new value added. Value created is typically added two years after certificate of occupancy issued. The dramatic increase in apartment and commercial/industrial value year over year 2018-preliminary 2019 reflects the value of KingsPath/Ridgeview. The decrease in residential vacant land equates to increased consumption of vacant and infill lots. The uptick in residential value is a lagging mirror of the uptick in new home permits in 2016.

For the second consecutive year commercial/industrial market values have increased. This is the first time in over a decade that commercial/industrial market value has increased in two consecutive years.

Estimated Market Value Totals (Historical – All Classes)

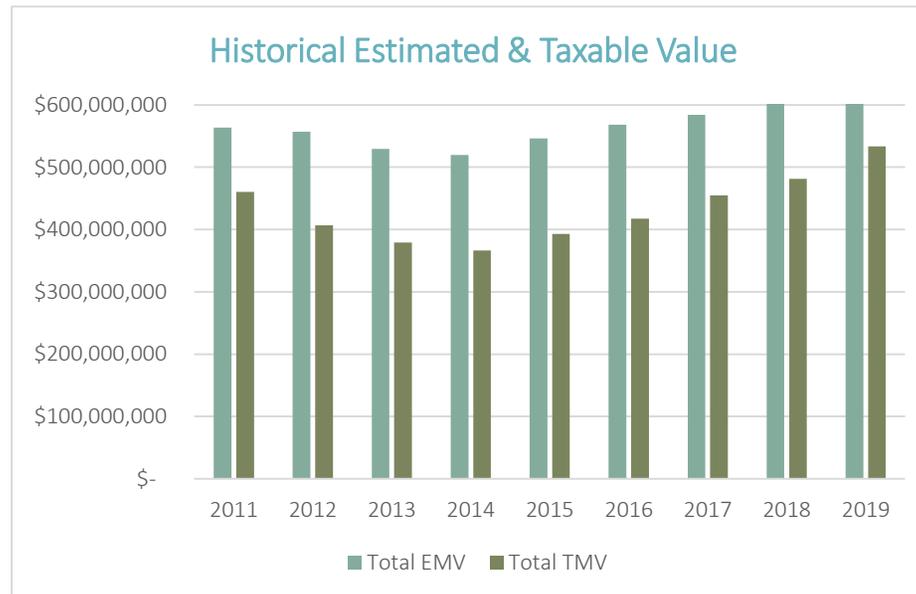
	2011	2012	2013	2014	2015	2016	2017	2018	2019 (prel)
Agricultural	17,341,900	17,382,700	17,006,200	17,243,900	17,670,100	18,508,000	18,907,800	18,825,300	19,742,400
Apartment	8,815,500	8,992,600	9,359,000	9,367,000	9,259,000	9,704,100	21,023,700	21,649,600	28,599,600
Comm/Indust	56,597,000	58,204,400	55,007,700	54,013,700	54,403,200	54,254,000	52,399,600	53,442,800	59,851,700
Exempt	95,892,200	99,956,200	99,252,900	101,933,000	103,773,600	101,494,700	85,820,400	88,486,100	90,607,000
Other	932,100	913,500	913,500	913,500	928,700	1,022,600	1,022,800	1,023,900	688,400
Public/Utility/RR	3,688,300	3,860,800	4,231,000	4,169,200	4,196,600	4,283,200	4,129,100	4,740,000	4,740,000
Res Improved	369,589,500	358,649,300	335,722,400	324,331,900	348,502,300	371,217,000	394,347,800	425,535,600	462,535,100
Res Vacant Land	10,519,500	9,087,300	7,830,000	7,652,300	7,383,300	7,503,700	6,490,200	5,075,500	5,387,300
TOTAL	563,376,000	557,046,800	529,322,700	519,624,500	546,116,800	567,987,300	584,141,400	618,778,800	672,151,500

Estimated Market Value Percentage Change (Historical – Year Over Year)

	2011	2012	2013	2014	2015	2016	2017	2018
Agricultural	0.24%	-2.17%	1.40%	2.47%	4.74%	2.16%	-0.44%	4.87%
Apartment	2.01%	4.07%	0.09%	-1.15%	4.81%	116.65%	2.98%	32.10%
Comm/Indust	2.84%	-5.49%	-1.81%	0.72%	-0.27%	-3.42%	1.99%	11.99%
Exempt	4.24%	-0.70%	2.70%	1.81%	-2.20%	-15.44%	3.11%	2.40%
Other	-2.00%	0.00%	0.00%	1.66%	10.11%	0.02%	0.11%	-32.77%
PP Public Utility/RR	4.68%	9.59%	-1.46%	0.66%	2.06%	-3.60%	14.79%	0.00%
Residential	-2.96%	-6.39%	-3.39%	7.45%	6.52%	6.23%	7.91%	8.69%
Resid Vacant Land	-13.61%	-13.84%	-2.27%	-3.52%	1.63%	-13.51%	-21.80%	6.14%

Taxable Market Value Percentage Change (Historical – Year over Year)

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Agricultural	-8.73%	9.77%	5.25%	3.67%	0.13%	1.73%	-4.18%	1.36%
Apartment	2.01%	4.07%	0.09%	-1.15%	4.81%	116.65%	2.98%	32.10%
Comm/Indust	2.84%	-5.49%	-1.81%	0.72%	-0.27%	-3.42%	1.99%	11.99%
Other	-2.00%	0.00%	0.00%	1.66%	10.11%	0.02%	0.11%	-32.77%
PP Public Utility/RR	4.68%	9.59%	-1.46%	0.66%	2.06%	-3.60%	14.79%	0.00%
Res Improved	-14.39%	-7.82%	-4.22%	9.33%	7.80%	7.23%	8.94%	10.10%
Res Vacant Land	-13.61%	-13.84%	-2.27%	-3.52%	1.63%	-13.51%	-21.80%	6.14%



Unemployment

The following table illustrates historical unemployment in metropolitan areas in Minnesota (excluding Duluth), Scott County, the state, and the nation. Although expert opinions vary, generally a healthy unemployment rate is between 4.5% and 6% in the current economic climate. Lower unemployment rates are seen as inflationary. Higher unemployment rates are typically viewed as leading to a decrease in consumer spending. Additionally, unemployment rates are delayed economic indicators that confirm what has occurred and are counter-cyclical, meaning that the lower the rate the better the economy.

2018 year to date (through October) unemployment rates across the board are very low, with most areas decreasing by almost a full percentage point over the past year. Potential impacts of extremely low unemployment include wage inflation and inefficiencies in productivity.

YEAR	EMPLOY.	ESTAB.	AVG. WK. WAGE
2011	2,013	100	\$739
2012	2,068	98	\$763
2013	1,998	107	\$774
2014	1,477	102	\$777
2015	1,542	99	\$809
2016	1,595	100	\$703
2017	1,750	110	\$775
2018	1,750	137	\$1,225

Minnesota MSA Unemployment Rates (Historical – Exc. Duluth)

Year	St. Cloud MSA	Rochester MSA	MSP MSA	Mankato MSA	Scott Co	State	USA
2011	6.5%	5.6%	6.3%	5.3%	5.8%	6.6%	9.0%
2012	5.6%	4.6%	5.5%	4.7%	5.0%	5.6%	8.1%
2013	5.1%	4.2%	4.7%	4.0%	4.4%	4.9%	7.4%
2014	4.3%	3.7%	3.9%	3.3%	3.6%	4.2%	6.2%
2015	3.8%	3.2%	3.4%	2.9%	3.1%	3.7%	5.3%
2016	4.0%	3.9%	3.9%	3.2%	3.4%	4.1%	5.0%
2017	3.4%	2.9%	3.1%	2.8%	2.8%	3.6%	4.4%
2018	2.1%	1.9%	2.1%	1.7%	2.0%	2.8%	3.7%



Employment and Wages

A review of employment (number of jobs), establishment (number of businesses), and wage (weekly) trends can assist in gauging the relative stability and performance characteristics of a local economy.

In 2014, Belle Plaine experienced a significant decrease in employment and a loss of five business establishments. The jobs were lost in the leisure and hospitality North American Industry Classification System (NAICS) supersector meaning arts, entertainment, accommodations, and food service establishments. In 2017 the number of jobs increased while wages declined. This was likely a sign of recovery from 2014 lows, primarily within the leisure and hospitality NAICS supersectors.

Historical Jobs, Establishments, and Wages

In 2018 wages increased while the number of employment positions held steady. The data is limited to Q1 & Q2 and may reflect construction trade activity. Historically third and fourth quarter data have raised the annual employment and weekly wage averages. The number of reported business establishments has increased noticeably.

Wages are important factors in evaluating and predicting economic cycles. Higher wages tend to lead to increased consumption which results in increased sales and an increase in productivity with a corresponding increase in wages.

Consumer spending accounts for approximately seventy (70) percent of economic growth; as such wages and resulting consumer spending can be highly linked in local economies.

Historical Housing Starts

New home construction in Belle Plaine peaked in the early 2000's and has decreased significantly thereafter. New home construction in Belle Plaine was at its lowest between 2011 and 2012 and has been rebounding. Year over year 2016-2017 new home starts were relatively flat. Year over year starts 2017-2018 illustrate a dip.

Total value of the 21 new home permits issued through December 5, 2018 is \$4.85M.

Nationally, statewide, and regionally sources are reporting slowing of housing starts second half 2018.

Locally, vacant lot inventory is becoming depleted. A supply of vacant lots equal to three to five years of annual housing starts is considered adequate. At this time, we have approximately 40 vacant, improved lots predominantly owned by one developer. The vacant lot supply equates to about 1.5 years of growth.



New Business Filings

Scott County First Stop Shop staff track and distribute information on new business filings for cities in Scott County. The information is helpful to determine business activity and it provides perspective relative to similar sized communities. New business filings are by not limited to those operating in commercial or industrial zones. New business filings in Belle Plaine (population 7,119) slightly trail those in Jordan (population 6,255) and New Prague (population 7,800).

New Business Filings Scott County Cities 2018 YTD

Month	Belle Plaine	Elko NM	Jordan	New Prague	Prior Lake	Savage	Shakopee	Total
January	6	3	6	9	33	27	27	111
February	3	0	7	6	26	18	29	89
March	5	0	8	5	27	16	32	93
April	4	2	5	4	23	19	35	92
May	6	1	5	7	37	21	30	107
June	5	0	6	2	19	15	31	78
July	7	3	6	9	29	9	20	83
August	2	3	4	3	17	22	38	89
September	2	1	11	2	23	26	26	91
October	6	0	8	5	22	20	28	89
November	5	3	2	8	20	16	31	85
YTD Total	51	16	68	60	276	209	327	1007

Historical Sales and Use Data

Sales and use data is not available for the City of Belle Plaine. Therefore, we will monitor sales data as reported by the Department of Revenue for Scott County. Historical data illustrates continued gains in economic progress and activity.

Gross and taxable sales continue to increase and trend positive. Gross sales across all industry sectors in Scott County in 2016 (latest available data) totaled \$5,819,633,217, up 37.5% since 2011.



EDA Activities

2018 Wins/Accomplishments

Following are EDA highlights for 2018:

- Reviewed incentives and resources available through the EDA
- Updated revolving loan fund standards
- Met with real estate agents and developers to discuss creation of additional residential lots and housing market dynamics
- Local jobs portal www.belleplainemjjobs.com continued
- Plans and specifications for the extension of Enterprise Drive east of Hickory Boulevard finalize
- Platting of City owned industrial parcel adjacent to Laredo Street (Valley Business Park Third Addition)
- Negotiation of option and purchase agreements with research and development firm
- Northern sanitary interceptor bid with construction underway
- Met with Scott County CDA and three separate affordable housing developers in an attempt to create affordable rental units
- Reviewed and re-authorized HRA programs: residential rehabilitation/energy efficiency program and a down payment assistance program for income qualified persons
- Investigated opportunities to market portions of Valley Business Park Third Addition
- Participation in *Destination 2040* Comprehensive Plan Update process
- ROSE loans to: Ashley Cauley (Rustic Thyme Photography), Chad Behnke (Behnke Auto Center), and Midwest Independent Living Services/Don Savage
- Subordination agreement (RLF loan to Cory and Sarah Czepa) Natural Fitness
- Reviewed proposed sign code update
- 2019 Chamber/EDA gala attended by over 60 people
- HRA revitalization and energy efficiency program for low/moderate income residents: three projects funded
- New businesses: Northwood Candle Supply (201 Meridian St N), Midwest Independent Living Services (809 Main Street East), Shutes Law & Family Services (215 Meridian Street North), Oldenburg Brewing Co. (116 Main Street West, Spring '19 opening expected), Hair of the Dog (149 Meridian Street North), Wealth Management Solutions/Ameriprise (113 Meridian Street North), RXP Wireless (Verizon), Edward Jones (Adam Kunkel), Solid Grounds Coffee House (125 Commerce Drive West), and Aztron Technologies (132 Meridian Street North).
- Deb Ngo purchased the former bakery at 137 Meridian St N is remodeling/restoring for office center and retail space
- Ag Partners replatted three parcels adjacent to Commerce Street East
- Emma's Event Center approved for 311 Enterprise Drive, expected to be hosting events in 2019
- 32 acres owned by J & W Asphalt annexed into City in October, platting pending
- Participation in discussion of county-wide business incubator/accelerator

Goals for 2019

Potential goals for 2019:

- Host joint meeting of City Council, Planning Commission, and EDA in first quarter 2019 with purpose of plotting efforts to increase rooftops
- Advocate for additional residential lots being brought to market
- Fully support an application to MHFA for affordable housing tax credit project
- Consider requests for tax increment financing and/or abatement to support workforce housing and/or redevelopment
- Meet with highway business property/business owners
- Work with the Design Committee, Planning Commission, and City Council to update commercial industrial design standards in a manner balancing affordability and desired aesthetics
- Review HRA programs
- Support/encourage development of new dwelling units as a means of increasing retail/service demand

**CITY OF BELLE PLAINE
ORDINANCE 19-02**

**AN ORDINANCE AMENDING CHAPTER 3 OF THE CITY CODE BY ADDING SECTION 316
PERTAINING TO OUTDOOR SIDEWALK CAFES**

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

Section 1. Chapter Three of the City Code pertaining to Business and Licenses is hereby amended as follows:

SECTION 316.00 OUTDOOR SIDEWALK CAFES.

- 316.01 Findings
- 316.02 License Required
- 316.03 Exemption
- 316.04 Application
- 316.05 Fee
- 316.06 Conditions of Approval
- 316.07 License Revocation
- 316.08 Penalty

316.01 FINDINGS.

The City Council finds outdoor Sidewalk Café seating for businesses provides multiple benefits to the City.

- A. Outdoor seating can attract the attention of pedestrians and increases their stay thereby promoting the adjacent business and increasing other businesses' visibility when customers choose to be seated outside.
- B. Outdoor seating can foster a creative and innovative spirit that furthers the identity of the Downtown as a destination.
- C. Aesthetically pleasing and nontraditional settings of Sidewalk Cafes provide additional options where pedestrians can relax, enjoy, and interact with others.
- D. By repurposing city on-street parking spaces into outdoor seating the urban landscape is renewed in an innovation fashion and viewshed are enhanced.
- E. Outdoor seating encourages more pedestrian activity by livening up the street, creating more things to look at, and making the businesses appear more active.

316.02 LICENSE REQUIRED.

An outdoor Sidewalk Café permit is required to operate an outdoor sidewalk café in the public right-of-way. Licenses issued under this section shall expire on December 31 of each year.

316.03 EXEMPTION. Placement of tables/chairs in a public sidewalk which (a) maintain a clear pedestrian passageway of not less than five (5) feet in width, (b) are capable of being moved indoors each evening, and (c) have been authorized by the Public Works Superintendent are exempt from this standard.

316.04 APPLICATION.

- A. Application Form. An application for a license shall be made with the City Administrator's Office on a form which has been approved by the City.
- B. Insurance Requirement. The Applicant shall submit proof of a public liability insurance policy covering all operations of the applicant under this article, during the full term of the license for the sum of \$300,000 combined single limit coverage. The City shall be named as an additional insured. Such policy shall provide that it may not be cancelled by the insurer except after 30 days written notice to the city, and if such insurance is cancelled and the licensee fails to replace it within another policy that conforms to the provisions of this article, the license shall be automatically suspended until the liability insurance is replaced. All applicants for a license must file with the city a certificate of workers' compensation insurance if such insurance is required by state law.
- C. Site Plan Required. A plan, drawn to scale, which illustrates the locations and dimensions of the proposed sidewalk café, adjoining buildings, sidewalk, proposed landscaping, and all obstructions within the vicinity shall be submitted with the application form.
- D. Notification of Adjacent Property Owners Required. The Applicant shall notify businesses immediately adjacent to the proposed Outdoor Sidewalk Café area. Notifications shall include a site plan for the café and the anticipated duration of the outdoor sidewalk café.
- E. The License application shall be reviewed administratively subject to the conditions of this Chapter. Any significant changes to the conditions will require review and approval by the City Council. The License is subject to any required inspections and final approval shall be by the Public Works Superintendent.

316.05 FEE.

The annual fee for the license shall be set by City Council resolution.

316.06 CONDITIONS OF APPROVAL.

- A. Site Specific Requirements.
 - 1. Sidewalk Cafes may be considered within the Central Business District adjacent to Main and Meridian Streets.
 - 2. Sidewalk Café area shall be limited to the public right of way abutting the frontage of the business to which it is attached.
 - 3. Sidewalk Café must be located at least 20 feet from any fire hydrants.
 - 4. Sidewalk Café must not block sight lines at intersections as determined by the City Engineer and/or Public Works Superintendent.
 - 5. The City maintains the right to review and make final determination as to the location of each Sidewalk Café based on the unique circumstances related to each business.

B. Design Specifications.

1. If the operating business serves alcoholic beverages, a decorative barrier or railing between 32 and 42 inches in height is required around the sidewalk café area. The barrier shall be comprised of high quality, durable materials suitable for outdoor use such as powder coated decorative aluminum fencing/railing, be sturdy and weather resistant, and be consistent with the quality of design and color palette of structures in the vicinity of the café.
2. Lighting, if proposed, must be illustrated on the site plan, be directed downward, and be compatible with the surrounding area.
3. Annual/perennial flowers/landscaping attached to a barrier or railing shall be used to enhance the streetscape aesthetics.
4. Canopies/umbrellas may be used for weather protection.
5. Sidewalk Café area must meet ADA (American Disability Act) requirements.
6. Design consideration must include architect and characteristic of area.
7. No commercial signage may be placed on the sidewalk café area, except for on table tops. Sandwich board signs may be allowed provided they are removed from the café each evening.
8. There shall be a minimum clear passage zone for pedestrians of at least five feet shall be maintained at all times.
9. Umbrellas extending into the pedestrian clear passage zone or pedestrian aisle shall have a minimum head clearance of seven feet.
10. If a temporary walkway structure that bumps out into the roadway is used:
 - a. The structure shall be constructed of metal or composite material or other weather resistant, long lasting, high quality material.
 - b. Maximum width shall not exceed eight feet
 - c. Maximum length shall not exceed 40 feet, or the length of the frontage of the business to which it is attached, whichever is smaller.
 - d. Decorative barriers between 36 inches and 42 inches in height are required separating the pedestrian walkway from the roadway.
 - e. Reflective bollards or strips must be located at either end of any portion of the structure located within the roadway.
 - f. Directional signage shall be used to assist pedestrians in utilizing the walkway.
 - g. Surface of structure must be leveled with sidewalk surface (up to ¼ clearance)
 - h. No more than ½ inch gap between the structure and the curb is permitted.
 - i. Structure may not impede water flow and drainage.

C. Management Specifications.

1. The furniture associated with the Sidewalk Café shall be moveable, washable, constructed of metal or composite or other high quality material, and maintained in a safe and sanitary condition.
2. The Sidewalk Café area shall be controlled and monitored continuously during the hours of operation and unruly patrons shall be removed immediately.
3. Patrons shall not leave the premises with a drink nor can drinks be taken onto a public sidewalk that is outside of the Sidewalk Café area.
4. The Sidewalk Café area must be included in the required liquor liability insurance for the premises.
5. Hours of operation of the Sidewalk Café shall be limited to between 10:00 a.m. and 11 p.m. from April 15 thru October 15.
6. Permittee shall not allow smoking within the Sidewalk Café area.
7. Alcoholic beverages may only be brought into the Sidewalk Café area by a server.
8. Permittee shall pick up litter within 50 feet of the Sidewalk Café area on a daily basis. Appropriate receptacles for rubbish, garbage, etc. must be provided.
9. The Sidewalk Café area must be free of debris, litter, and soil surrounding and underneath any structure or platform.
10. No electronically amplified outdoor music, intercom, audio speakers, or other such noise generating devices shall be allowed in the Sidewalk Café area.

316.07 LICENSE REVOCATION.

Failure to comply with any provision of this article may result in the revocation of the license by the City Council, following a public hearing. Written notice of the public hearing shall be mailed at least 10 days prior to the hearing to the current holder of the license. Such notice should outline the violation(s) considered by the city to be grounds for revocation and inform the license holder of the opportunity to be heard at the public hearing.

316.08 PENALTY.

In addition to the revocation or suspension of the license, any person violating any of the provisions of this Section shall be guilty of a misdemeanor.

Section 2. This Ordinance shall become effective upon publication in the official newspaper of the City.

Passed and duly adopted by the City Council of the City of Belle Plaine this ____ day of _____, 2019.

BY: _____

Christopher G. Meyer, Mayor

ATTEST:

Dawn Meyer, City Administrator

Published in the Herald on _____, 2019.