



# PLANNING COMMISSION SYNOPSIS

Thursday, October 08, 2015

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**CALL TO ORDER**

Chairperson Nordstrom called the Planning Commission meeting to order at 6:00 PM in the City Council Chambers of the Bloomington Civic Plaza.

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**COMMISSIONERS PRESENT:** Nordstrom, Willette, Spiess, Batterson, Fischer, Bennett,  
**STAFF PRESENT:** Markegard, Centinario, Johnson, Gruidl, Williams, O'Day

Chairperson Nordstrom led the attendees in the reciting of *The Pledge of Allegiance*.

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**ITEM 1**  
6:03 p.m.

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<b>CASE:</b>	8926FGHI-15
<b>APPLICANT:</b>	Park Place Bloomington LLC (owner and user)
<b>LOCATION:</b>	10700 France Avenue
<b>REQUEST:</b>	1) Major revision to final development plan for an approximately 1,400 square foot second floor addition; 2) Conditional Use Permit for a 10 indoor seat and 20 outdoor seat restaurant 3) Amendment to a previously approved conditional use permit to relocate a 60 indoor seat and 10 outdoor seat restaurant; and 4) Amendment to a previously approved conditional use permit to expand a 180 indoor seat and 59 rooftop seat restaurant

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**PUBLIC HEARING DISCUSSION:**

Centinario stated this item is for a major revision to a previously approved final development plan as well as three new Conditional Use Permits. Case 8926F-15 is proposing changes that include a 1,400 square foot second floor addition that consists of a bar, outdoor seating, elevator and stairs. It also includes a rooftop fire escape, which has been redesigned with masonry piers that mimic to building's facade. Case 8926G-15 is a Conditional Use Permit for an Italian ice and gelato restaurant with 10 indoor and 20 outdoor seats. Case 8926H-15 is a Conditional Use Permit for sub sandwich restaurant with 60 indoor and 10 outdoor seats. It replaces a quick-serve Mexican grill that was previously approved. Case 8926I-15 is a Conditional Use Permit which includes 180 indoor and 57 rooftop seats. Centinario explained the City Council approved a parking deviation when the development was originally approved. The proposed retail and restaurant uses have the same parking demand – no additional Code deviation for parking is necessary. Centinario noted that the Planning Commission has final authority on Case 8926G-15 and Case 8926H-15.

Willette asked if there will be bathrooms on the second level.

Centinario said that he was unaware if the Building Code requires a bathroom on the second level. If it does, bathrooms will need to be accommodated.

The public hearing was closed via a motion.

Spiess was happy with the fire escape changes. She was also pleased that the parking demand is staying the same.

Nordstrom stated Case 8926F-15 and Case 8926I-15 moves to Council on October 19, 2015.

#### **ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Willette:** To close the public hearing. Motion carried 6-0.

**M/Batterson, S/Spiess:** In Case 8926F-15, having been able to make the required findings, I move to recommend City Council approval of the major revision to the Final Development Plan for an approximately 1,400 square foot second-level building addition at 10700 France Avenue South subject to the conditions listed in the staff report.  
Motion carried 6-0

**M/Batterson, S/Spiess:** In Case 8926G-15, having been able to make the required findings, I move to adopt a resolution approving a Conditional Use Permit for a 10 indoor seat and 20 outdoor seat restaurant at 10700 France Avenue South subject to the conditions listed in the staff report.  
Motion carried 6-0

**M/Batterson, S/Spiess:** In Case 8926H-15, having been able to make the required findings, I move to adopt a resolution amending a previously approved Conditional Use Permit to relocate a 60 indoor seat and 10 outdoor seat restaurants at 10700 France Avenue South subject to the conditions listed in the staff report.  
Motion carried 6-0

**M/Batterson, S/Fischer:** In Case 8926I-15, having been able to make the required findings, I move to recommend City Council adoption of a resolution amending a previously approved Conditional Use Permit for a 180 indoor seat and 57 rooftop seat restaurant at 10700 France Avenue South subject to the conditions listed in the staff report.  
Motion carried 6-0.

#### **CONDITIONS OF APPROVAL RECOMMENDED TO THE CITY COUNCIL:**

##### *Recommended Conditions of Approval (Case 8926F-15)*

Major revision to the Final Development Plan for an approximately 1,400 square foot second floor addition (Case 8926F-15) is subject to the following conditions of approval prior to the issuance of building permits:

1. All modifications must be as shown in approved plans for Case 8926F-15 unless approved by the Planning Manager.
2. Grading, Drainage, Utility, Erosion Control, Traffic Control, Access and Site Circulation plans must be approved by the City Engineer.
3. Sewer Availability Charge (SAC) must be satisfied.

While the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

1. Landscape plan must be approved by the Planning Manager (Sec 19.52).
2. Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code (Sec. 903).

3. All rooftop equipment must be fully screened (Sec. 19.52.01).
4. All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
5. Recyclable materials must be separated and collected (Sec. 10.45).
6. Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
7. Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08)
8. Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.
9. Any business signage be in accordance with the Uniform Sign Design (Sec. 19.109).

*Recommended Conditions of Approval (Case 8926G-15)*

The Conditional Use Permit for a 10 indoor and 20 outdoor seat restaurant located at 10700 France Avenue South (Case 8926G-15) is subject to the following conditions of approval prior to the issuance of building permits:

1. Conditional Use Permit is limited to the tenant space as shown on the plans in Case File 8926G-15.
2. A grease interceptor, accommodating all three restaurants, must be installed on the site and grease interceptor maintenance agreement signed and filed with the Utilities Division.
3. If the restaurant is odor producing, an odor control system, as approved by the Environmental Health Division, must be installed.
4. Sewer Availability Charges (SAC) must be satisfied.

While the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

1. Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
2. Food service plans must be approved by the Environmental Services Division (City Code Sec. 14.360).
3. All rooftop equipment must be fully screened (Sec. 19.52.01).
4. All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
5. Recyclable materials must be separated and collected (Sec. 10.45).
6. Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
7. Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08)
8. Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.
9. Any business signage be in accordance with the Uniform Sign Design (Sec. 19.109).

*Recommended Conditions of Approval (Case 8926H-15)*

The Conditional Use Permit amending a previously approved Conditional Use Permit to relocate a 60 indoor seat and 10 outdoor seat restaurant located at 10700 France Avenue South (Case 8926H-15) is subject to the following conditions of approval prior to the issuance of building permits:

1. Conditional Use Permit is limited to the tenant space as shown on the plans in Case File 8926H-15.
2. A grease interceptor must be installed on the site and grease interceptor maintenance agreement signed and filed with the Utilities Division.
3. An odor control system, as approved by the Environmental Health Division, must be installed.
4. Sewer Availability Charges (SAC) must be satisfied.

While the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

1. Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
2. Food service plans must be approved by the Environmental Services Division (City Code Sec. 14.360).
3. All rooftop equipment must be fully screened (Sec. 19.52.01).
4. All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
5. Recyclable materials must be separated and collected (Sec. 10.45).
6. Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
7. Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08)
8. Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.
9. Any business signage be in accordance with the Uniform Sign Design (Sec. 19.109).

*Recommended Conditions of Approval (Case 8926I-15)*

The Conditional Use Permit for a 180 indoor and 57 rooftop seat restaurant located at 10700 France Avenue South (Case 8926I-15) is subject to the following conditions of approval prior to the issuance of building permits:

1. Conditional Use Permit is limited to the tenant space as shown on the plans in Case File 8926I-15.
2. A grease interceptor must be installed on the site and grease interceptor maintenance agreement signed and filed with the Utilities Division.
3. An odor control system, as approved by the Environmental Health Division, must be installed.
4. Sewer Availability Charges (SAC) must be satisfied.
5. No outdoor or rooftop music or amplification is allowed after 10:00 p.m.
6. No indoor music or amplification is allowed after 10:00 p.m. when the windows are open.

While the use and improvements must comply with all applicable local, state and federal codes, the applicant should pay particular attention to the following Code requirements:

1. Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
2. Food service plans must be approved by the Environmental Services Division (City Code Sec. 14.360).

3. The use must be compliant with the Bloomington Noise Code (Article IV of Chapter 10).
4. All rooftop equipment must be fully screened (Sec. 19.52.01).
5. All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
6. Recyclable materials must be separated and collected (Sec. 10.45).
7. Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
8. Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08)
9. Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.
10. Any business signage be in accordance with the Uniform Sign Design (Sec. 19.109).