

**Approved New Off-Sale Intoxicating Liquor License for Clover Wine & Spirits
ITEM 5.1C**

Motion was made by Baloga, seconded by Nordstrom, and all voting aye, to approve a New Off-Sale Intoxicating Liquor license, expiring June 30, 2014, for B3 Investments LLC dba Clover Wine & Spirits at 800 West 98th Street.

No public testimony was received.

**Adopted Resolution Approving Conditional Use Permit and Approved Final Site & Building Plans for Expansion to Existing Parking Lot at 6251 W. 84th Street & 8500 Dakota Avenue S.
Case 10917AB-13
ITEM 5.2A1,2
R-2013-153**

Mayor Winstead stated the public hearing on the application by Three Rivers Park District for the chalet area and the City of Bloomington for the Normandale Lake Park surface parking lot was held and closed on November 18, 2013. He explained Planning Manager Glen Markegard will provide the City's staff report and then staff from Three Rivers Park District will be available for questions.

Markegard explained the three applications (site plan approval for the new chalet and the two items on City property relating to the expansion of the Normandale Lake parking lot) will need to be contingent on a Joint Use Agreement that will come forth at a future meeting. His presentation was as follows:

- Aerial Map of Related Applications
- Chronology
- Issues Raised at November 18th Council Meeting: (City staff has met with Three Rivers staff.)
- Existing Chalet Site: Aerial photo.
- Proposed Chalet Site: Chalet to double in size. Parking lot will be up to Code but reduced by 77 spaces. Includes a new major drop-off area.
- No proposed changes to the ski and snowboard slopes.
- Existing Chalet Building (1974)
- Proposed Chalet from Various Views: Ski slopes and parking lot.
- Related application is expansion of Normandale Lake parking lot to the north.
- Existing Normandale Lake Parking
- Proposed Normandale Lake Parking: Adds a primary and secondary shuttle pick-up and drop-off site. Brings the parking lot up to Code. Proposed expansion to the north is into wooded and open space. Expansion adds another access point to Chalet Drive.
- Trail to be expanded to shuttle pick-up location. Normandale parking lot would become principal parking for the ski slopes. Net gain of 80 parking spaces vs. today's parking conditions.
- Issues Raised on November 18th: Multiple meetings have taken place with Three Rivers.
- Competing Interests: A balancing act resulting in a package of proposed conditions.
- Capacity/Use Limits on the Slopes: Three Rivers agrees to terrain limits devoted to ski and snowboard slopes.
- Alternative Parking Locations: Some concern about losing green space at the Normandale Lake parking lot.
- Reducing Traffic on Residential Portions of Chalet Road: Area south of Sandro Road. To reduce traffic, shuttle parking must be convenient and reliable. If not, it could lead to more traffic on Chalet Road. Very important the shuttle lot be convenient and flow well.
- Ski Jump Site: Would require reconfiguring of 40-45 spaces at the base of the ski jump hill. Odd design of the parking lot would require shuttle buses resulting in safety concerns.

Council discussed the use of the Ski Jump parking lot during large events which is problematic. Staff reported they looked at Code complying spaces at the Hyland Hills Ski Jump parking lot, which is non-conforming today. Staff explained even if the ski jump parking lot was paved, there would be time conflicts, as the ski jump and the ski hill tend to be busy at the same time. It was stated some tree clearing might be required as well as geometric changes in the road if the ski jump parking lot were to be paved and reconfigured.

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continued**

- Bandshell Lot: Small lot with only 66 spaces. There would be some overlapping of use.
- Commercial Lots in Area: Peak demand time conflicts with office use during winter school breaks, as office buildings are in use. Those lots are not designed for shuttle use. There would be insurance costs and time delays.
- Proof of Need Approach: Don't know if this would qualify for Met Council grant funding.
- Reducing Traffic on Residential Portions of Chalet Road
- Preserving Informal Recreational Opportunities: Proposed replacement of lost opportunities by Three Rivers.
- Light Levels on Slopes: To reduce impacts of ski slope lighting on surrounding residential, a secondary lighting system for maintenance to be installed. The secondary system would point up slope, thereby reducing the lighting impacts after hours.
- Construction Hours: City Code vs. Proposal. Three Rivers agrees to condensed hours.
- Fencing: Neighbors want fencing dividing the chalet from the railroad tracks or Northwood Ridge from Chalet Road. Some neighbors don't want fences installed. City to look at signage stating, "This is not a drop-off site" on Northwood Ridge.
- Alternative Parking Surface: Reinforced turf is not suitable for recreational activities given uneven surfaces and would not work well for winter use.
- Electronic Signs: Proposed condition would limit number of electronic signs.
- Off-Season Use Levels: Would limit off-season use based on parking. There is a proposed condition that limits events with 504 or fewer attendees at one time due to parking constraints.
- Noise Impacts: No proposed changes to snowmaking devices.
- Equipment Screening: Proposed screening is Code compliant. No conditions proposed.
- Additional Conditions: Use during construction, temporary buildings during construction, construction staging, and late night parking.
- Chalet Road Rebuild: Chalet Road from Sandro Road down to chalet is not in the best condition. Public hearing to be held in 2015 for 2016 construction. Potential cost \$415,000.
- Recommendations: Planning Commission went to a 3-3 vote with no recommendation. Staff recommends approval contingent upon conditions in staff report and approval of a joint use agreement at a subsequent meeting.

Council comments/inquiries:

Baloga thanked Three Rivers for the changes they've agreed to since the November 18th meeting. He expressed concern regarding the chalet redevelopment and Condition #19. He said increasing the number of seats on the chair lifts and increasing the speed of the uphill lifts could increase the capacity of the slopes. He asked if there should be a condition limiting any changes to existing equipment.

Markegard said Three Rivers doesn't count every time a single user uses the hill, as that would add more cost. He said Three Rivers is concerned because they met the threshold in March and they would have to shut down. He said there was discussion about putting limitations on equipment. He said Three Rivers doesn't want to have to come back before the Council every time they need to change out a chair lift, etc.

Baloga said his concern relates to changes in equipment that could create the opportunity for more users. He said he still has an issue regarding parking and that the same safety concerns should apply to both the HSSA and the ski jump parking lots. He asked how Three Rivers plans to immediately address the parking at the ski jump irrespective of using it as overflow parking for HSSA. He said that grassy area has been plowed for years and it's worked well and questioned why the parking needs to be expanded if the number of users on the hill isn't expected to increase.

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Markegard said the Bush Lake Beach parking lot is estimated to be used approximately 15 times per year and that it's his understanding it's used primarily by HSSA employees and volunteers.

Busse asked for clarification on the funding for this project. He said he likes the idea of an open space trade-off of 1.5 acres but questioned why Three Rivers wants to use City land for extra parking rather than the land adjacent to the existing parking at HSSA. He also asked about the usage of the chalet for weddings on the weekends.

Markegard said the area in question is used by Three Rivers for skiing and snowboarding purposes and is used for disc golf during the off-season. He said the chalet is rented out quite a bit for weddings but Three Rivers doesn't anticipate an increase in wedding rentals.

Wilcox questioned why the 1.5 acre area currently used for disc golf is going to be eliminated and opened up for neighborhood usage.

Randy Quale, Parks & Recreation Manager said the \$1.2 million cost for the reconstructed parking lot will utilize Met Council and State grant funding that are made available for the regional park system. He said a funding request will be included as part of the 2014 State Bonding Bill.

Winstead said the funding to reconstruct the City lot is to be shared between the City and Three Rivers and the construction of the new proposed lot is to come from Three Rivers.

Quale clarified funding for the reconstruction of the existing lot will come from City dollars and grant dollars the City receives.

Presenter #1: Boe Carlson, Three Rivers Park District Associate Superintendent

He thanked City staff for continuing to work with Three Rivers on this project. He made the following presentation:

- Current situation at the hill: Two different parking locations. Currently 460 parking spaces at the hill today. Initial goal was to eliminate the Bush Lake Beach parking lot but neighborhood didn't support that idea. The southern parking lot was taken off the table and the focus was put on the northerly parking area. The concern with using the ski jump for parking is it would be needed almost every day. They agree the rebuilding of the ski jump parking is a future need and they want to work with the City on that.
- Revised Project Conditions: Limit expansion of ski and snowboard area to existing terrain. They agreed to bring back to Council changes to the lifts when it's time to do that again but nothing is planned in the near future.

Winstead suggested conditions be added for anything that could increase the speed and capacity of the ski lift equipment which in turn could result in increased capacity of the hill, as it's central to this discussion. He asked Three Rivers if they would agree to bring back to the Council any proposed changes to their chair lifts and equipment.

- Replacement for Loss of Active Use Area: It's currently used for disc golf in the summer but could be a hub for activities. No tobacco or alcohol sales are allowed during the winter season but beer and wine sales are allowed during the summer. No consumption is allowed in the parking area. Tobacco use is prohibited at HSSA except with a permitted group and not within 25 feet of the indoor building.
- No large events operated by other entities, other than weddings, are anticipated by Three Rivers at the HSSA. They currently host weddings in between ski seasons from about mid-April to mid-September.

Baloga asked if a Special Use Event permit would be required if more than eight events are held there annually.

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Markegard explained the condition states Three Rivers can have up to eight special events per year of 504 or fewer attendees. Numbers greater than that would require a change in the condition. In no case could Three Rivers have more than eight special events.

Carlson said if there was an event beyond the numbers that could be accommodated with the available parking at the chalet and use of the shuttle parking, they would contact the City.

Baloga asked about turf parking.

Carlson replied they've incorporated grass parking within a winter facility but it gets very messy and it limits their ability to control how and where people park. He said they'd be willing to explore this but it's not the best option.

Wilcox questioned the impact increasing the number and speed of the lifts would have on the safety at the hill.

Carlson said that would need to be examined.

Winstead commented Three Rivers appears to be willing to add a condition that would address future growth.

Nordstrom commented on the many e-mails the Council has received and said she learned how to ski at this jewel in Bloomington.

Winstead said the Council needs to figure out what direction it wants to go. He said no one doubts the needed improvements to the chalet. It's a gem in the community. It's a wonderful amenity but it has impacts on the adjacent neighborhood. He believes the plan before the Council, while not perfect, is about as good as it can get. He has concerns this expansion could worsen the existing conditions and that this could kick the can to the ski jump. He said the parking at the ski jump is insufficient and it needs to be improved immediately regardless of what happens here. He doesn't want to see it left as a nonconforming parking lot. He believes Three Rivers has tweaked the issues raised by the Council.

Nordstrom inquired about Three Rivers allowing smoking within 25 feet of their entrances and asked if they would lose a lot of wedding business if they were to go completely smoke free like the City did in its parks.

Carlson was unsure as to how that would impact group rentals.

Peterson said this is a great asset in the community. He said the limit on square footage of use area is adequate. He's not as concerned about adding capacity on the lifts, as there's a constraint at the top of the lift anyway. He's pleased with the feedback. He said this plan does the most to help the people who live closest to the parking lot so he intends to support the proposal.

Wilcox concurred that HSSA is a great asset in the community and applauded both parties for agreeing on more conditions. He said he shares the Mayor's concern regarding the parking at the Ski Jump and said that parking lot needs to be a priority.

Busse concurred with Winstead and Wilcox regarding the benefit to the community. He said his greatest concern is the parking. He still believes allocating some parking at the Bandshell or at the office towers could be viable. He said he will support this but wants everyone involved to work harder on putting the City's existing facilities to greater use.

Hulting said Bush Lake Beach and City properties are fair game but he couldn't see requiring the businesses to the north having to offer up their properties due to the potential liability that would come with it.

Winstead said the City is happy to have this amenity, which he supports, but added it does impact the residential neighborhood so the City needs to do everything it can to mitigate the issues.

**ITEM 5.2A1,2
continued**

Baloga concurred and said HSSA is a gem. He believes this proposal is better than what was presented in November adding while it may not be perfect, conditions have been added to address the issue of capacity.

Motion was made by Baloga, seconded by Peterson, and all voting aye, to adopt a resolution approving a Conditional Use Permit for the expansion of an existing surface parking lot at 6251 West 84th Street and 8500 Dakota Avenue South, Case 10917A-13, and approved the Final Site and Building Plans for the parking lot expansion, Case 10917B-13, for the City of Bloomington, subject to the following conditions of approval being met prior to issuance of building or grading permits:

1. Grading, drainage, utility, erosion control, and traffic control plans must be revised for approval by the City Engineer;
2. A Stormwater Management Plan/Report must be provided that demonstrates how the development will meet the requirements of the City Comprehensive Surface Water Management Plan (CSWMP), and a maintenance schedule/plan for stormwater BMPs must be recorded with Hennepin County;
3. A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed;
4. An Erosion Control Bond must be provided;
5. A Nine Mile Creek Watershed District Permit and comments must be provided;
6. The Normandale Lake parking lot and pedestrian trail design must be reviewed and approved by the City Engineer;
7. An agreement must be executed between the City of Bloomington and Three Rivers Park District to construct and maintain the Normandale Lake parking described in Cases 10917AB-13;

and subject to the following ongoing conditions:

8. Any wetlands encountered during construction must be addressed in compliance with the Wetland Conservation Act (WCA) requirements;
9. All construction stockpiling, staging, and parking must take place on-site and off adjacent public streets and public rights-of-way;
10. All loading and unloading must occur on-site and off public streets;
11. The existing mature trees adjacent to Chalet Drive must be preserved where possible, subject to approval by the Planning Manager;
12. A pedestrian trail must be constructed along Chalet Road to connect West 84th Street to the southerly shuttle stop at the Normandale Lake parking;
13. A minimum of eight bicycle parking spaces must be provided;
14. Bus parking is prohibited;
15. In accordance with City park policies, vehicle parking is not permitted after 11:00 P.M.;
16. Electronic messaging signs are limited to traffic control purposes. No advertising is permitted on electronic messaging signs;

and subject to the following Code requirements:

1. Electronic utility as-built plans, per City of Bloomington requirements, must be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy (City Code Section 17.79(a));
2. Landscape and screening plan must be Code compliant, must be approved by the Planning Manager and landscape surety must be filed (City Code Section 19.52);
3. Exterior lighting must be Code compliant and must be approved by the Planning Manager (City Code Section 21.301.07); and
4. Exterior signage must be in conformance with the requirements of the City Code (Chapter 19, Article X).

No public testimony was received.

**Approved Final Site & Building Plans for a Chalet Building Redevelopment at 8800 Chalet Road and 9001 East Bush Lake Road for the Three Rivers Park District Case 10917C-13
ITEM 5.2A3**

Motion was made by Baloga, seconded by Peterson, and all voting aye, to approve the Final Site and Building Plans for a 36,663 square foot chalet building redevelopment and supporting the improvements at 8800 Chalet Road and 9001 East Bush Lake Road, Case 10917C-13, for the Three Rivers Park District, subject to the following 27 conditions of approval and 5 Code requirements, including amended Condition #19 relating to capacity per Council's discussion, being met prior to issuance of a grading or building permit:

1. A site development agreement must be executed to reflect all conditions of approval in Case 10917C-13;
2. Grading, drainage, utility, erosion control, and traffic control plans must be revised for approval by the City Engineer;
3. A Stormwater Management Plan/Report must be provided that demonstrates how the development will meet the requirements of the City Comprehensive Surface Water Management Plan (CSWMP), and a maintenance schedule/plan for stormwater BMPs must be recorded with Hennepin County;
4. A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed;
5. An Erosion Control Bond must be provided;
6. A Nine Mile Creek Watershed District Permit and comments must be provided;
7. A minimum six-foot wide sidewalk connection must be constructed by Three Rivers Park District between the chalet building through the railroad ROW (crossing the railroad tracks) to the edge of Chalet Road ROW. (Note: This will require the railroad's authorization.);
8. Sewer Availability Charges (SAC) must be satisfied;
9. A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained and a copy submitted to the Engineering Division or provide documentation from MPCA that no such permit is needed for this project;
10. A Minnesota Department of Health (MDH) approval must be obtained for water services extension and a copy submitted to the Engineering Division or provide documentation from MDH that no such approval is needed for this project;
11. A maintenance schedule for the external grease interceptor must be signed by the property owner and filed with the Utilities Division;
12. An agreement must be executed between the City of Bloomington and Three Rivers Park District to construct and maintain the Normandale Lake parking described in Cases 10917AB-13;
13. A construction staging plan and parking plan during construction must be approved by the City Engineer;

and subject to the following ongoing conditions:

14. Any wetlands encountered during construction must be addressed in compliance with the Wetland Conservation Act (WCA) requirements;
15. All construction stockpiling, staging, and parking must take place on-site and off adjacent public streets and public rights-of-way;
16. All loading and unloading must occur on-site and off public streets;
17. A minimum of eight bicycle parking spaces must be provided;
18. Bus parking is prohibited at the chalet lot on weekends and after 3:00 P.M. Monday through Friday;
19. To limit impacts on the surrounding neighborhood, no further expansion of the ski and snowboard area is allowed beyond the terrain already devoted to ski and snowboard slopes as depicted in Exhibit A. Modifications that increase the capacity of lift equipment, tow lines or other customer conveyance systems are subject to review and approval by the City Council;

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20. To replace the informal community recreation area lost to expand overflow HSSA parking at the Normandale Lake parking lot, Three Rivers must repurpose off-season uses to provide an equivalent area for informal public recreational use within the area shown in Exhibit B;
 21. To reduce the impacts of ski slope lighting on surrounding property owners, by November of 2015 Three Rivers must install a secondary slope lighting system for maintenance purposes. The secondary slope lighting system must direct all lights up-slope and must be circuited to allow multiple maintenance zones. After hours and except for emergencies, general slope lighting must be extinguished and lights for maintenance purposes may only be used when maintenance is underway in a particular maintenance zone;
 22. To minimize the impacts of chalet construction on the surrounding neighborhood, the hours of construction subject to City Code Section 10.29.07(c) noise standards are limited to between 7:00 A.M. and 7:00 P.M. Monday through Friday and to between 9:00 A.M. and 5:00 P.M. Saturdays with no Sunday construction subject to City Code Section 10.29.07(c).
 23. To reduce the noise impacts of snow making and maintenance activities on the surrounding neighborhood, any replacement snow making machines or maintenance devices must provide a reduced or equivalent noise impact relative to the snow making machines or maintenance devices they are replacing;
 24. Except for up to eight special events per calendar year, off-season use of the chalet and chalet grounds is limited to events with 504 or fewer attendees at one time due to parking constraints;
 25. Electronic messaging signs are limited to traffic control purposes. No advertising is permitted on electronic messaging signs;
 26. Any temporary buildings for public occupancy during construction must be reviewed and approved by the Building and Inspections Manager;
 27. During construction of the replacement chalet and parking lot, slope use levels must be limited to match the available designated parking at that time;

and subject to the following Code requirements:

1. Electronic utility as-built plans, per City of Bloomington requirements, must be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy (City Code Section 17.79(a));
2. A Tier 2 Transportation Demand Management (TDM) plan must be submitted prior to issuance of a building permit (City Code Section 21.301.09(c)(2));
3. Landscape and screening plan must be Code compliant, must be approved by the Planning Manager and landscape surety must be filed (City Code Section 19.52);
4. Exterior lighting must be Code compliant and must be approved by the Planning Manager (City Code Section 21.301.07); and
5. Exterior signage must be in conformance with the requirements of the City Code (Chapter 19, Article X).

No public testimony was received.

Mark Bernhardson, City Manager said City staff will begin work with Three Rivers' staff on a hard surface parking lot at the Ski Jump.

Winstead suggested including some Hennepin County Commissioners in on that discussion. He reminded Three Rivers to be mindful that this project does impact a portion of the city.

**CLOSED PUBLIC
COMMENT PERIOD**

The Mayor asked if anyone wished to address the Council during the public comment period, or it would be closed. No one came forward to speak so the public comment period was closed.