

Carlson said the applicant can achieve the same goal by accessing their property without the retaining wall. For all the reasons cited by the PC and brought forth by staff, the grade can be reduced down within the setback areas to achieve a safer condition without the retaining walls.

No public testimony was received.

Motion was made by Baloga, seconded by Lowman, and all voting aye, to adopt a resolution denying a variance request to reduce the required front yard setback for a retaining wall under 4 feet in height from 10 feet to 0 feet at 9440 Penn Avenue South for not being able to meet the Findings. (R-2015-67)

6.2 Three Rivers Park District; 8800 Chalet Rd.; Change of Condition Lighting System

Requested Action: Amend Condition #21 in Case 10917C-13 for Three Rivers Park District (TRPD) at 8800 Chalet Road to allow for the installation of a trial ski hill maintenance lighting system for the 2015/16 season as described below:

To reduce the impacts of ski slope lighting on surrounding property owners, by November of 2016, Three Rivers must install a secondary slope lighting system for maintenance purposes (including grooming and snow-making). The secondary slope lighting system must direct all lights up-slope and must be wired 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. For the 2015-2016 ski and snowboard season, Three Rivers may install a pilot maintenance lighting system designed to reduce impacts on surrounding property owners through the use of shields, louvers, or angled fixtures rather than by directing all lights up-slope. In February 2016, Three Rivers may apply again to amend this condition and remove the up-slope lighting requirement for maintenance lighting. The City Council will review any future amendment to the up-slope lighting requirement based on the pilot lighting system's success in reducing impacts to surrounding property owners.

All other Conditions of Approval from Case 10917C-13 are to remain the same.

Planning Manager Glen Markegard presented this staff report on this change in condition requested by the Three Rivers Park District. He presented a series of slides that covered the following:

- Chalet approved on December 16, 2013
- Concern – Glare from existing lighting on ski slope
- Agreement – Separate Lighting System for Maintenance Facing Up-Slope: City and Three Rivers came to an agreement. After reviewing what would be required to make a second redundant lighting system, Three Rivers said they can provide the same benefit in a less expensive manner.
- Photo of New Fixture: Would have shielding and can be angled so the light source would not be visible outside of the property but would like the slope.
- Three Rivers' Proposal: Pilot project during 2015/16 ski season to reduce glare. Observe the results after one year. If it's successful, Three Rivers would apply next year to amend the condition on a permanent basis next year.
- Poles with New Fixtures: Shown in red on the aerial.
- Lighting Conditions: Normal operations, grooming, and snowmaking.

- Normal Operations: Aerial photo. Lights in red would not be as apparent.
- Normal Operations – Some Lights Shielded: Photo.
- Grooming Conditions: Only lights to be on would be the new fixtures with a shield. Snow would still be illuminated but not the light sources.
- Snowmaking Conditions: New fixtures would not have a glare but other lights would be turned on and would still be visible.
- Recommendation: Amend the condition to allow the one-year test during the 2015/16 ski season.

Winstead asked if the new lighting is tested this year, would the condition automatically get amended.

Markegard replied it would be up to Three Rivers to apply for an amended condition. The Council will decide, based on public input, whether or not to make the change permanent. He said if Three Rivers doesn't apply to amend the condition permanently, the existing Code language would apply and Three Rivers would be required to put in the up-slope maintenance lighting.

Busse asked what will be tested to determine if it's successful.

Markegard said there isn't a good way to objectively measure glare. The pilot project would allow the City, Three Rivers and the neighbors to look at it and determine if it's performing or not in dealing with the glare issue.

Busse asked how staff will base its findings. Will they go out and observe?

Markegard said staff will go out and observe to determine if it's successful. He said people will be able to comment if there is an application to make it permanent.

Baloga said he attended a neighborhood meeting with the residents in the affected area during which Three Rivers demonstrated the effect the lighting will have on the neighborhood. There was universal acceptance by the neighbors at the meeting. As a result, he will support it.

Abrams said the graphics were helpful but suggested it would be helpful if there existed photos taken by neighbors, skiers or HSSA personnel of the glare as it existed last season from different vantage points to compare with photos that could be taken this coming season with the new lighting from the same vantage points and under the same snow conditions, etc. Those would provide some good before and after photos.

Council had no more questions.

Speaker #1: Kevin Velgersdyk, 8621 Chalet Road

This particular expansion was delayed two years ago by the City and the Council and now Three Rivers is asking for an amendment. He said Three Rivers is not concerned with the neighbors or nighttime ski hours. He's concerned about glare in the middle of the night. He doesn't want Three Rivers to evaluate the pilot project. He said Three Rivers was going to have a sign to indicate whether or not the parking lot was open but it ended up being a highway sign. The sign has been running ever since. He said they now have a shopping grade parking lot in his neighborhood. He wants the ski hill to operate within the ordinances everyone has to live with. The snowmaking machines have doubled and he can't sleep now due to the drone of those machines. He said Three Rivers tore up their parking lot before Memorial Day and didn't do anything until after Labor Day.

Velgersdyk asked how the lighting will be evaluated and said Three Rivers should not be a part of it. He asked if the lights will be on in sections or all the time. He asked that the sign to the parking lot be smaller than the highway sign that's there now and that it not be used for advertising. He requested snowmaking only occur up until 11 pm and said it could start at 6 am the next morning. He expressed concern with the Chalet area during the off-season with talk of eight special events occurring at the Chalet during that time. He'd like the number of events reduced to a certain number each month; not just for a total of eight per year. He doesn't want to fight through a crowd to get to his driveway during the summer. He again asked how this lighting will be evaluated if this amendment is approved.

Winstead said when this lighting plan went through, lights were going to be turned on and turned off for normal ski use, certain lights on for grooming, and certain lights on only for snowmaking that is part of the conditions. He said those should still be conditions as part of the lighting plan while this is just to try a new glare-reducing fixture for a year.

Markegard asked TRPD if the south hill lights will be on when snow is being made on the north side and will snow be made all over the hill at one time. Do you make snow all over the hill all the time?

Beau Carlson, Three Rivers said they are trying to make it efficient. Yes, snow will be made all across the hill. It concentrates it during a shorter period of time. The most intensive grooming time occurs when they're in the terrain park located in the center of the hill where the features are located. They can shut off the north and south hill lights when grooming the terrain park. They need to groom the terrain park every night. Their goal is to get all of the intensive snowmaking done in the first couple of weeks of the season.

Winstead asked if the snowmaking hours could be limited.

Carlson said snowmaking is a very intensive effort and it would not be efficient to stop it and restart it again. It's better to try and get it completed all at once but within a shorter time period.

Winstead questioned the needs of the operation and said it sounds like snowmaking needs to be done within the nighttime hours at the beginning of the season.

Abrams said grooming runs until 6 or 7 am so there is only an hour or hour and a half break between grooming and daylight. Sunset is around 4:32 pm and the lights come on so it appears to be non-stop if you're a neighbor. She hopes these lights will work and that it will provide some relief for the neighborhood.

Carlson asked if a lighting consultant at Three Rivers' expense could be provided to evaluate the new lighting.

Winstead said the City has a lighting expert on staff that could opine if the new fixtures are meeting the expectations presented. It's something the City needs to be serious about to ensure the lighting is meeting the goals to lessen the impact to the neighborhood.

Carlson encouraged Three Rivers to hire an expert to evaluate the results of the new lighting fixtures measurable numbers in a report.

Winstead said he hopes the actual photos will be a representation of what Three Rivers has said it will be. We have the actual and are looking for improvements with the new fixtures. He acknowledged snowmaking needs to be done for extended night hours early in the season. That is something that won't change.

Lowman asked about the possibility of forming an advisory group of citizens to work in concert with City staff to provide another perspective on an issue that affects a group of residents.

Motion was made by Baloga, seconded by Abrams, to approve the temporary amendment of a condition to allow for the installation of a trial lighting system for a period of one year or the 2015/2016 ski season with an evaluation to occur at the end of the season to determine whether or not it was successful. No vote was taken at this time.

Baloga said the ski hill is in his district and the neighbors in his district have been active and vocal. They will be the first gauge on the effectiveness of this trial lighting.

Mayor Winstead called for a vote on the motion. It passed unanimously.

7 TRANSPORTATION & UTILITY IMPROVEMENTS: PUBLIC HEARINGS

None.

8 ORDINANCES: PUBLIC HEARINGS

8.1 Alpha B - South Loop, Investment, LLC; 8100 26th Ave.; Amend Master Sign Plan

Requested Action: Adopt the privately initiated ordinance to amend the City Code as attached to the staff report.

Markegard presented the staff report on the application by South Loop Investments LLC (owner of the Alpha B site) to privately initiate an ordinance to amend the City Code to allow the master sign plan flexibility process to be available in the entire South Loop District, thereby making it available for the Alpha B property. The ordinance will allow flexibility in the sign standards with regard to the number, size, location, and type of sign within the South Loop District Plan to be approved with reasonable discretion by the City Council through the master sign plan process outlined in Section 21.501.06.

Winstead commented Council will have discretion as this plan moves forward.

Oleson said it makes sense to broaden this to the entire South Loop District.

Busse asked if there have been any other requests for this signage flexibility besides the AC Hotels by Marriott.

Markegard replied staff has heard from McGough on the Bloomington Central Station site specifically for the Hyatt Regency Hotel.

Speaker #1: David Peters, Terratron (Developer)

He said the AC hotel will provide a unique, European style experience. They'd like to highlight the experience with signage with signposts that comports with the South Loop's unique character. He confirmed the unique character will be compatible with the Mall of America (MOA). He said it's very important to complete the vision of AC Marriott.