



PLANNING COMMISSION SYNOPSIS

Thursday, July 21, 2016

CALL TO ORDER

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

COMMISSIONERS PRESENT: Batterson, Bennett, Goodrum, Snyder, Solberg, Swanson

COMMISSIONERS ABSENT: Spiess

STAFF PRESENT: Pease, O'Day

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

ITEM 1
6:03 p.m.

CASE: PL2016-106

APPLICANT: Centerpoint Energy

LOCATION: 9407 Old Cedar Avenue

REQUEST: Conditional Use Permit and Final Site and Building Plans for a limited public utility facility (approximately 672 square foot gas regulator building with above ground gas piping and valves).

SPEAKING FOR THE APPLICANT:

John Anderson, 700 W. Linden Avenue, Minneapolis, MN 55403

PUBLIC HEARING DISCUSSION:

Pease said the application involves relocating an existing above ground facility located in the right-of-way at Old Cedar Avenue and Old Shakopee Road. The proposed 670 square foot facility would be within a long-term easement at 9407 Old Cedar Avenue. The application is a final decision at Planning Commission subject to an appeal, although the City Council recently amended the code and wished to review all structures below the 760 foot elevation. Council has appealed the item to allow a review of the structure. It is important to treat the item as a final decision at Planning Commission. He showed the pipeline location between the street and the building. Proposals include a new driveway and removal of three trees and a shed. The pipeline equipment is painted black and is within a fully secured fenced area. Staff recommends year-round screening between the pipe and the street and asked the Commission for their input. The proposed landscape plan shows four trees and 84 perennial grasses. City Code requires 15 trees and 30 shrubs. The item will go to City Council as it will be appealed. Staff believes it meets the required findings and is recommending approval.

Solberg asked staff to clarify the 760 foot elevation, the proposed driveway and landscape standards.

Pease stated the Bluff Protection District was established to protect the aesthetic integrity of the bluff and to avoid erosion issues. The driveway will be asphalt and will require stormwater treatment. The landscape code requires screening for mechanical equipment and staff believes the landscaping requirement is adequate to require screening the pipeline.

Snyder asked if the gates will be locked and secured.

Pease said the gates will be secured.

Swanson asked the length of exposed pipe.

Pease estimated about 50 feet and suggested the applicant verify the length of the pipe.

Swanson asked about the frost footings.

Pease stated it is no different than a detached garage.

Swanson asked if the gas pipeline would be affected by frost heave.

Pease noted he must defer to the Building and Inspections Division for clarification.

John Anderson, Centerpoint Energy, said the pipeline is approximately 50 feet long. Centerpoint Energy specifically designed the building so the mains go under the footings without interfering with the footing. They have similar structures in Burnsville.

The public hearing was closed via a motion.

Goodrum agreed that landscaping is necessary to screen the pipeline. An evergreen shrub may be adequate to screen the pipe.

Swanson asked if a lighting plan is required.

Pease noted the Code requires a two footcandle at entrance doors. Staff has offered to review the lighting plan but since the project requires minimum lighting, it is not necessary. An inspection will verify the lighting compliance.

Pease said the item will move to the August 15th City Council meeting as a public hearing.

ACTIONS OF THE COMMISSION:

M/Bennett, S/Goodrum: To close the public hearing. Motion carried 6-0.

M/Bennett, S/Swanson: In Case PL2016-106, having been able to make the required findings, I move to adopt a resolution approving a Conditional Use Permit and Final Site and Building Plans for a limited public utility facility at 9407 Old Cedar Avenue South, subject to the conditions and Code requirements attached to the staff report. Motion carried 6-0.

RECOMMENDED CONDITIONS TO THE CITY COUNCIL:

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
2. Prior to Permit The Grading, Drainage, Utility, and Erosion Control plans must be approved by the City Engineer.
3. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
4. Prior to Permit Approval by the Lower Minnesota Watershed District must be provided.
5. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
6. Prior to Permit An erosion control surety must be provided (16.05(b)).
7. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
8. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
9. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
10. Ongoing Building and site improvements are limited to those shown on the approved plans in Case File #PL201600106.
11. Ongoing Alterations to utilities must be at the developer's expense.
12. Ongoing Five foot high perimeter screening must be provided along the western and southern elevation of all exterior equipment as approved by the Planning Manager (Sec 19.52).
13. Ongoing Site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.
14. Ongoing All construction stockpiling, staging, and parking must take place on-site and off adjacent public streets and public rights-of-way.
15. Ongoing All loading and unloading must occur on site and off public streets.
16. Ongoing The existing accessory building in the same location as the proposed improvements may not be erected in another location.