



PLANNING COMMISSION SYNOPSIS

January 22, 2015

CALL TO ORDER

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

COMMISSIONERS PRESENT: Nordstrom, Willette, Spiess, Fischer, Bennett, Goodrum

COMMISSIONERS ABSENT: Batterson

STAFF PRESENT: Pease, Fields, Centinario, Heyman, Hiller

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

ITEM 1 6:02 p.m.

CASE:	8008A-15
APPLICANT:	FPA Bloomington, LLC (owner) Red Tail Acquisitions, LLC (user)
LOCATION:	1230 West 98 th Street
REQUEST:	Conditional Use Permit to convert office space to self-storage units at an existing self-storage facility

SPEAKING FOR THE APPLICANT:

Scott St. Clair, representing FPA Bloomington

Sandra Thon, representing FPA Bloomington

PUBLIC HEARING DISCUSSION:

Pease identified the location, the surrounding land uses, and the zoning for the parcel. He explained the 1230 West 98th Street parcel is a part of a larger Integrated Roadside Development which was approved over 4 decades ago. He explained in 2008 the applicant approached the City and converted nearly all of the building to a self-storage facility. The easternmost portion of the building remained as office and was marketed as such since 2008; however, the owner has had a very difficult time leasing the space over the last six years and is requesting to convert the office space into 143 self-storage units. The 2008 approval met all existing standards and the conversion adding the 143 units will also meet all standards with the conditions of approval being satisfied.

Pease noted the Planning Commission does have final approval authority on this item unless an appeal is received. Pease stated staff is recommending Planning Commission approval of the resolution for a Conditional Use Permit to convert office space to self-storage units at an existing self-storage facility located at 1230 West 98th Street subject to the conditions of approval and Code requirements listed in the staff report. He stated he is available for questions from the Commission.

Goodrum noted he reviewed the site plan and noticed there is an existing sidewalk on the southeast side of the building that after renovations will lead to a façade with no entrance and asked staff to comment. Pease stated it is a good question, but there is no Code that mandates the removal of existing sidewalk and stated perhaps the applicant representative can address the questions when they make their comments. Goodrum asked if staff, during the review process, would have the authority to require the applicant to remove that section of sidewalk that would lead to a façade with no entrance. Pease stated that while this application does not propose any site changes, even if it did, the Code would not provide that authority.

Scott St. Clair introduced himself and stated he represents the ownership. He stated they had not initially addressed removing the existing portion of the sidewalk that after conversion would lead to a blank façade. He stated he believes the cost to remove that portion of the sidewalk would not be a great expense and it makes sense to remove it.

Fischer asked what the rental rate is at the facility. Sandra Thon responded that the current rental rate is around 88 percent and has been as high as 92 percent this past summer.

Willette asked if all the units are climate controlled. Thon stated all the existing units are heated and about half are also air conditioned.

The public hearing was closed via a motion.

Goodrum thanked the applicant representatives for agreeing the sidewalk section be removed and asked staff to comment on whether it should be added as a formal condition of approval. Pease stated the word of the applicant representative should suffice in his opinion.

Nordstrom stated the Planning Commission decision on this item is final unless a written appeal is received by January 27, 2015 by 4:30 p.m.

ACTIONS OF THE COMMISSION:

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

M/Spiess, S/Willette: Having been able to make the required findings, in Case 8008A-15, I move to adopt a resolution to approve a Conditional Use Permit to convert office space to self-storage units at an existing self-storage facility at 1230 West 98th Street subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 6-0.

CONDITIONS APPROVED BY THE COMMISSION:

The Conditional Use Permit for the self-storage facility at 1230 West 98th Street (Case 8008A-15) is subject to the following conditions:

- 1) The self-storage facility is limited to the areas identified in the plans submitted for Case 8008A-15;

- 2) A building permit for all required changes to accommodate the proposed use must be obtained;
- 3) Any landscaping identified on the approved landscape plan from Case 8008C-07 that has since been removed must be replanted;
- 4) Sewer Availability Charges (SAC) must be satisfied; and
- 5) Exterior storage is limited to recreation vehicles and recreational equipment only in the location as approved in Case 8008C-07;

and, 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) Any business signage must be in accordance with Chapter 19, Article X of the City Code;
- 2) Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal (Section 19.61.01(e)); and
- 3) Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.

ITEM 2

6:12 p.m.

CASE:	6717A-15
APPLICANTS:	MOAC Land Holdings, LLC (owner)
	MOAC Mall Holdings, LLC (owner)
	North Pad Development LLC (owner)
	South Pad Hotel, LLC (owner)
	Ikea Property, Inc. (owner)
LOCATIONS:	7900 and 8000 24 th Avenue
	8100 24 th Avenue
	2101 Lindau Lane
	2100 Killebrew Drive
	8000 Ikea Way
REQUEST:	Interim Use Permit (IUP) for 2015 Special Event Series

PUBLIC HEARING DISCUSSION:

Fields identified the locations of the parcels and the surrounding land uses. Fields explained this item and the next item on the agenda (Item 3) are very similar and are in generally the same area of the City. He noted the parcels included in Item 2 are commonly called Phase I and II, and Item 3 on the agenda is commonly called The Met Lot. The Mall of America (MOA) is proposing 31 events to be held on the Phase I and Phase II parcels listed above. He explained if the requested IUP is approved by the Planning Commission, the City's Special Events Committee will meet with the applicant to work out the many details and to develop a Special Events Agreement ensuring proper clean-up, City Personnel (Police, Fire, Health), music, tents, and food/liquor needs are in place for the events.

Fields stated staff recommends Planning Commission approval of the Interim Use Permit for the 2015 Special Event Series subject to the conditions and Code requirements listed in the staff report. He stated he is available for questions or comments from the Commission.

Spiess asked if there have historically been many concerns or problems associated with these events. Fields stated the Mall of America (MOA) has been doing these types of events for many years and have much experience in hosting and running events on the parcels. Fields stated staff is contemplating amending the Code to eliminate the Planning Commission review of these types of events in the future as each of the events is required to be reviewed through the Special Events Committee.

The public hearing was closed via a motion.

Spiess stated she believes these events bring a lot of excitement into Bloomington and is in support of the application. She noted if these items end up being not reviewed by the Planning Commission, she will miss being able to see the upcoming events in advance of the general public.

Nordstrom stated the Planning Commission decision on this item is final unless an appeal is received by 4:30 p.m. on January 27, 2015.

ACTIONS OF THE COMMISSION:

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

M/Spiess, S/Bennett Having been able to make the required findings, in Case 6717A-15, I move to approve an Interim Use Permit for the 2015 special event series at the above mentioned parcels subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 6-0.

CONDITIONS APPROVED BY THE COMMISSION:

The Interim Use Permit for the 2015 special event series located at 8000 and 8100 24th Avenue, 2101 Lindau Lane, 2100, 2110 and 2120 Killebrew Drive, and 8000 IKEA Way (Case 6717A-15) is subject to the following conditions of approval:

- 1) A Special Event Series agreement must be executed by the applicant and the City by February 1, 2015. The agreement covers the proposed events on both the MOA Phase I and MOA Phase II sites from February 1, 2015 through December 31, 2015. The agreement incorporates all conditions of approval, a schedule of events, site cleanup, security deposit(s), and liability insurance coverage. No event may be conducted until this requirement is satisfied;
- 2) Individual event site set up and event operations plan(s) as deemed necessary pursuant to City Code Section 21.207.01(b)(2)(B), must be submitted at least 20 days prior to an individual event and approved by the Director of Community Development. Plans must include a parking and pedestrian circulation plan for review and approval;
- 3) All crowd queuing, loading and unloading, and site service must occur on the site of the event;
- 4) All events must be reviewed and approved by the City Engineering Division staff for impacts concerning traffic, parking, and parking overflow as a result of the event and parking displacement caused by the nearby construction project(s). The City Engineer may require the coordination of off-site parking and shuttling to an event;
- 5) If water service is needed for an event, the applicant must contact Bloomington Utilities Division, as a safe connection and water meter will be required;
- 6) To prevent debris and other pollution from entering the storm water system, washing of tents or equipment is prohibited;
- 7) Amplification plans, if applicable, must be submitted to Environmental Health Division staff for review and monitoring use during events, as appropriate. If deemed necessary to protect the public health, safety and general welfare, sound volumes shall be reduced to a level directed by Environmental Health personnel of the City;
- 8) Applicant must reimburse the City for staff costs incurred as a result of any event;
- 9) The applicant must reimburse the City for all costs, plus postage, if notice to property owners within 500 feet of events is deemed necessary due to recognized neighborhood impacts;
- 10) The conditions of approval for case #10675A-10 (IUP for overflow parking) remain in effect;
- 11) The applicant must obtain an Airport Zoning Permit for any structure(s) taller than 30 feet used for any event;
- 12) The Director of Community Development shall have the authority to cancel any event(s) deemed to create conflicts with construction activities, related to MOA Phase IC that have received permits to commence on the site; and
- 13) Following events, gathering areas, walking/running routes, and adjacent public streets must be swept.

And subject to the following Code requirements:

- 1) Temporary advertising signs must comply with the requirements of City Code Section 19.127;
- 2) Permits for any tents or temporary structures must be obtained and installed and used according to requirement(s) approved by the Fire Marshal and Manager of Building and Inspection, pursuant to the 2007 State Fire Code, Chapter 24; and upon a determination made by the City Engineer or designee that any proposed tent will not interfere with parking needs or traffic flow, pursuant to City Code Section 19.63.06(b)(1);
- 3) Food service must be provided in accordance with the permit and requirements of the Environmental Health Division, pursuant to City Code Sections 14.443 through 14.459;
- 4) All alcoholic beverage service, if requested, must be provided in accordance with a City of Bloomington special event license, pursuant to City Code Section 13.57 and State law;

- 5) Fire lanes on the site must remain open and be posted as approved by the Fire Marshal, pursuant to the 2007 State Fire Code, Section 503.1;
- 6) Handicapped parking, access and accessible toilet facilities must be provided in accordance with plans approved by the Director of Community Development, pursuant to the State Building Code, Chapter 1341;
- 7) No on-site or off-site temporary residential use or camping is permitted, pursuant to City Code Sections 14.539 through 14.550.
- 8) Electrical and gas installations must be installed in accordance with the requirements and permits issued by the Building and Inspection Division and/or the Fire Marshal, pursuant to the 2011 NEC and 2006 IFGC;
- 9) Amplified music and operational noise is limited to decibel levels and hours of operation as outlined in City Code Sections 10.29.02 and 10.29.07;
- 10) Applicant must provide trash and recycling receptacles at all events to prevent littering to the extent possible, pursuant to City Code Sections 10.05 (refuse) and 10.45 (recycling); and
- 11) Searchlights are prohibited pursuant to City Code Section 21.301.07(e)).

ITEM 3
6:20 p.m.

CASE:	9628AB-15
APPLICANT:	Delta Metro Investments, LLC (owner)
LOCATION:	8200 28 th Avenue and 8201 24 th Avenue
REQUEST:	1) Interim Use Permit (IUP) for 2015 Special Event Series; and 2) Five –year Interim Use Permit (IUP) for overflow parking in the CO-2 Zoning District

PUBLIC HEARING DISCUSSION:

Fields identified the location of the parcels and identified the surrounding land uses. He explained the applicant is requesting an Interim Use Permit for 2015 Special Event Series and a five-year Interim Use Permit for overflow parking. He stated the five-year IUP is required since the parcels are not a part of Mall of America's (MOA) Preliminary Development Plan at this time. Fields explained after the completion of Phase I-C, the MOA will actually have a parking deficit of 302 parking spaces; for this reason the five-year IUP is necessary to bring the parking requirement into compliance.

Fields stated the 2015 Special Event Series includes seven proposed events. All of these events will be reviewed by the Special Events Committee and will require a Special Events Agreement between the City and the applicant as did the previous Item 2.

Fields stated staff is recommending approval of the IUP for the 2015 Special Events Series and the five-year IUP for overflow parking subject to the conditions and Code requirements listed in the staff report. He stated he is available for questions and comments from the Commission.

The public hearing was closed via a motion.

Willette stated he has used the Park and Ride service for the State Fair from this location in the past and has attended a few of the Ride and Drive events and have enjoyed them as well. He added he looks forward to the special events the MOA provides.

Nordstrom stated the Planning Commission decisions on these items are final unless an appeal is received by 4:30 p.m. on January 27, 2015.

ACTIONS OF THE COMMISSION:

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

M/Bennett, S/Spiess Having been able to make the required findings in Case 9628A-15, I move to approve an Interim Use Permit for the 2015 special event series at 8200 28th Avenue and 8201 24th Avenue subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 6-0.

M/Fischer, S/Bennett Having been able to make the required findings in Case 9628B-15, I move to approve a 5-year Interim Use Permit for overflow parking in the CO-2 Zoning District at 8200 28th Avenue and 8201 24th Avenue subject to the conditions of approval and Code requirements listed in the staff report. Motion carried 6-0.

CONDITIONS APPROVED BY THE COMMISSION:

The Interim Use Permit for the 2015 special event series located at 8200 28th Avenue and 8201 24th Avenue (Case 9628A-15) is subject to the following conditions of approval:

- 1) A Special Event Series agreement must be executed by the applicant and the City by February 1, 2015. The agreement covers the proposed events on the site from February 1, 2015 through December 31, 2015. The agreement incorporates all conditions of approval, a schedule of events, site cleanup, security deposit(s), and liability insurance coverage. No event may be conducted until this requirement is satisfied;
- 2) Individual event site set up and event operations plan(s) as deemed necessary pursuant to City Code Section 21.207.01(b)(2)(B), must be submitted at least 20 days prior to an individual event and approved by the Director of Community Development. Plans must include a parking and pedestrian circulation plan for review and approval;
- 3) All crowd queuing, loading and unloading, and site service must occur on the site of the event;
- 4) All events must be reviewed and approved by the City Engineering Division staff for impacts concerning traffic, parking, and parking overflow as a result of the event and parking displacement caused by the nearby construction project(s). The City Engineer may require the coordination of off-site parking and shuttling to an event;
- 5) If water service is needed for an event, the applicant must contact Bloomington Utilities Division, as a safe connection and water meter will be required;
- 6) To prevent debris and other pollution from entering the storm water system, washing of tents or equipment is prohibited;
- 7) Amplification plans, if applicable, must be submitted to Environmental Health Division staff for review and monitoring use during events, as appropriate. If deemed necessary to protect the public health, safety and general welfare, sound volumes shall be reduced to a level directed by Environmental Health personnel of the City;
- 8) Applicant must reimburse the City for staff costs incurred as a result of any event;
- 9) The applicant must reimburse the City for all costs, plus postage, if notice to property owners within 500 feet of events is deemed necessary due to recognized neighborhood impacts;
- 10) The applicant must obtain an Airport Zoning Permit for any structure(s) taller than 30 feet used for any event;
- 11) The Director of Community Development shall have the authority to cancel any event(s) deemed to create conflicts with construction activities, related to MOA Phase IC or other projects within the South Loop District; and
- 12) Following events, gathering areas, walking/running routes, and adjacent public streets must be swept.

And subject to the following Code requirements:

- 1) Temporary advertising signs must comply with the requirements of City Code Section 19.127;
- 2) Permits for any tents or temporary structures must be obtained and installed and used according to requirement(s) approved by the Fire Marshal and Manager of Building and Inspection, pursuant to the 2007 State Fire Code, Chapter 24; and upon a determination made by the City Engineer or designee that any proposed tent will not interfere with parking needs or traffic flow, pursuant to City Code Section 19.63.06(b)(1);
- 3) Food service must be provided in accordance with the permit and requirements of the Environmental Health Division, pursuant to City Code Sections 14.443 through 14.459;
- 4) All alcoholic beverage service, if requested, must be provided in accordance with a City of Bloomington special event license, pursuant to City Code Section 13.57 and State law;

- 5) Fire lanes on the site must remain open and be posted as approved by the Fire Marshal, pursuant to the 2007 State Fire Code, Section 503.1;
- 6) Handicapped parking, access and accessible toilet facilities must be provided in accordance with plans approved by the Director of Community Development, pursuant to the State Building Code, Chapter 1341;
- 7) No on-site or off-site temporary residential use or camping is permitted, pursuant to City Code Sections 14.539 through 14.550.
- 8) Electrical and gas installations must be installed in accordance with the requirements and permits issued by the Building and Inspection Division and/or the Fire Marshal, pursuant to the 2011 NEC and 2006 IFGC;
- 9) Amplified music and operational noise is limited to decibel levels and hours of operation as outlined in City Code Sections 10.29.02 and 10.29.07;
- 10) Applicant must provide trash and recycling receptacles at all events to prevent littering to the extent possible, pursuant to City Code Sections 10.05 (refuse) and 10.45 (recycling); and
- 11) Searchlights are prohibited pursuant to City Code Section 21.301.07(e)).

The five-year Interim Use Permit for overflow parking located at 8200 28th Avenue and 8201 24th Avenue (Case 9628B-15) is subject to the following conditions of approval:

- 1) The Interim Use Permit is limited to parking area as shown on approved plans in Case 9628B-15;
- 2) The Interim Use Permit will expire on January 22, 2020;
- 3) All signage / wayfinding must be approved by the City Engineer;
- 4) All parking and loading/unloading must be on site and outside of the public right-of-way.

The meeting adjourned at 6:26 p.m.

Prepared By: MH **Reviewed By:** LP, DF

Approved By Planning Commission: 03/12/15

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