



# PLANNING COMMISSION SYNOPSIS

Thursday, February 11, 2016

**CALL TO ORDER**

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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, Goodrum, Bennett  
**STAFF PRESENT:** Markegard, Economy-Scholler, Heyman, Johnson, O'Day

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

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

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**CASE:** PL201600004

**APPLICANT:** Moonview 86<sup>th</sup> Street, LLC (owner)  
Yardscapes (user)

**LOCATION:** 405 W 86<sup>th</sup> Street

**REQUEST:** Final site and building plans to construct a 6,000 square foot warehouse building with accessory outdoor storage

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**SPEAKING FOR THE APPLICANT:**

David Kopfmann, 19755 Mushtown Road, Prior Lake, MN 55372

**PUBLIC HEARING DISCUSSION:**

Johnson presented the location of the subject property. The property located at 8609 Harriet Avenue South is the existing Yardscapes property and the applicant wishes to expand the business to the adjacent property to the east. The property was platted in 2013 and the park dedication fee was deferred. A condition is included to pay the park dedication fee prior to obtaining a building permit. The applicant requests to construct a 6,000 square foot warehouse building with 9,100 square feet of accessory outdoor storage that would be secured via fence and gate. Cross access with 8609 Harriet Avenue South would require an easement agreement. The proposed building materials include stucco, stone veneer, rock face block and metal accents. The landscape plan is code compliant though staff recommends removal of existing plant material near the driveway to West 86<sup>th</sup> Street for the purpose of the clear view triangle. Staff believes the application meets the required findings and is recommending approval.

Kopfmann said he purchased the existing property several years ago and wishes to expand his business. He is trying to maintain a clean look. He thanked staff for their hard work and direction.

Fischer asked if they will make changes to the other building.

Kopfmann said their intent is to create a more connected look between the two sites.

The public hearing was closed via a motion.

Fischer said they are doing a nice job of fixing up the property.

Nordstrom stated the item is a final decision unless an appeal is received by 4:30pm on February 16, 2016.

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

**M/Willette, S/Fischer:** To close the public hearing. Motion carried 7-0.

**M/Fischer, S/Bennett:** In Case #PL2016-04, having been able to make the required findings, I move to approve Final Site and Building Plans to construct a 6,000 square-foot warehouse building with accessory outdoor storage at 405 West 86<sup>th</sup> Street, subject to the conditions and Code requirements listed in the staff report.

Motion carried 7-0.

#### **RECOMMENDED CONDITIONS OF APPROVAL:**

The Final Site and Building Plans (Case #PL201600004) are subject to the following conditions being satisfied prior to the issuance of development-related permits:

- 1) Building and site improvements are limited to those on the approved plans in Case #PL201600004.
- 2) The Grading, Drainage, Utility, Erosion Control, Traffic Control, Access, Circulation, and Parking plans must be approved by the City Engineer.
- 3) Sewer Availability Charge (SAC) must be determined and be satisfied.
- 4) An erosion control surety must be provided and approved erosion control measures must be in place and inspected prior to issuance of grading permits.
- 5) A Stormwater Management Plan must be provided which meets the requirements of the City of Bloomington Surface Water Management Plan, as well as a maintenance plan to be signed by the property owner and filed of record with Hennepin County.
- 6) A Nine Mile Creek Watershed District Permit must be submitted.
- 7) A National Pollutant Discharge Elimination System (NPDES) Construction Site Permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided prior to the issuance of any permits if the area of disturbance is greater than one acre.
- 8) Construction plans must be revised to provide two bicycle parking spaces.
- 9) Park dedication fees must be satisfied.
- 10) A signed copy of a private common driveway/parking/access easement agreement with 8609 Harriet Avenue South must be provided.
- 11) A signed copy of a private common utility easement agreement with 8609 Harriet Avenue South must be provided.
- 12) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City (State of MN).

- 13) A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
- 14) Modifications to the plans must be made to bring them into compliance with Bloomington City Code requirements as discussed in the staff report for Case #PL201600004.

and subject to the following ongoing conditions:

- 15) Outdoor storage be limited to the 9,100 square feet as shown in Case #PL201600004 unless approved by the Planning Manager.
- 16) Alterations to utilities be at the developer's expense.
- 17) All construction related parking, loading and unloading, staging, and material storage must occur on-site and off of adjacent public streets.
- 18) The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.

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) 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.
- 3) Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code.
- 4) Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
- 5) Landscape plan must be approved by the Planning Manager and landscape surety be filed (Sec. 19.52).
- 6) Poured-in-place concrete curbs must be provided on the perimeter of parking lots (Sec. 21.301.06).
- 7) All trash and recyclable materials must be stored as required in Section 19.51
- 8) Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).

**ITEM 2**  
6:13 p.m.

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| <b>CASE:</b>      | PL201600003   |
| <b>APPLICANT:</b> | City of Bloomington   |
| <b>LOCATION:</b>  | N/A   |
| <b>REQUEST:</b>   | Proposed City Code Amendments to remove standards requiring interim use permits for entertainment and recreation special events held in CO-2 and CX-2 zoning districts, updating City Code to allow special events in all zoning districts and establishing time limits for public assemblies |

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**PUBLIC HEARING DISCUSSION:**

Heyman discussed proposed amendments regarding special events . The first proposed amendment includes removing the Interim Use Permit (IUP) requirement in for special events. The other proposed amendment includes listing special events as specifically permitted uses in all zoning districts. Special events are listed as uses in the newer zoning districts but not in the older zoning districts. However, by policy, they have historically been allowed in all zoning districts. Currently, the IUP special event standards only apply to the CO-2 and CX-2 zoning districts, and these districts are only applied to the parcels occupied by the Mall of America. The proposal will remove the CO-2 and CX-2 IUP special event requirement. It will also update the City's Public Assembly standards to limit all public assembly events to 45 days although the City Council can approve longer events. While events would in the future be reviewed at the staff level rather than at the Planning Commisison level, the City can still deny applications based on public health, safety and welfare concerns. There will be a Phase II of the amendments that will address art fairs, farmers markets, etc.

Goodrum asked about notices to surrounding property owners.

Heyman said that because of the 4-7 day minimum filing period the requirement for special event applicants to notice neighbors is very short. However, this is the extreme case and 99 percent of special event applicants notice neighbors many weeks in advance. In the past, there haven't been issues with noticing within that short time period.

Nordstrom noted the item moves to City Council on February 22, 2016.

**ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Willette:** In Case PL2016-3, I move to recommend approval of an Ordinance as attached to the staff report to amend Chapters 14, 19 and 21 of the City Code.  
Motion carried 7-0.

**ITEM 3**  
6:21 p.m.

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| <b>CASE:</b>      | N/A  |
| <b>APPLICANT:</b> | City of Bloomington  |
| <b>LOCATION:</b>  | N/A  |
| <b>REQUEST:</b>   | Review Community Investment Program 2016-2020 (CIP) for compliance with the Comprehensive Plan |

**SPEAKING FOR THE APPLICANT:**

Lori Economy-Scholler, Chief Financial Officer

**ACTIONS OF THE COMMISSION:**

Markegard said a statutory duty of the Planning Commission is to review capital improvements for compliance with the Comprehensive Plan. Each year, the City prepares a list of future capital improvement projects through the Community Investment Program (CIP) document. Staff has reviewed this year's document and believes it is in compliance with the Comprehensive Plan.

Economy-Scholler gave a breakdown of the Community Investment Program (CIP). Each project is valued at \$50,000 or greater and all projects have been included in the approved 2016 budget. There is a total of \$60 million in projects for 2016. Once funding has been secured, these projects would come individually to the City Council for final approval to proceed. She provided a list of 2016 major projects. There are seven different categories of projects such as alternative transportation, city facilities, park acquisitions, park development, sewer, water and storm, South Loop, surface transportation. There are increased available funds for park maintenance and improvements. City Council will hear the item on April 4<sup>th</sup>, 2016.

Willette asked about the new courthouse and why it did not show up.

Economy-Scholler said it is not included in the 2016-2020 CIP because no agreement has been approved.

Batterson asked why the proposed capital improvement costs are larger in 2017 and 2018.

Economy-Scholler said the community center would be approximately \$45 million and is a big chunk of the 2017 and 2018 amounts.

Goodrum asked if there is mention of Minnesota Valley trails in the CIP.

Economy-Scholler said the Minnesota Valley trail improvements are included in the alternative transportation section of the CIP.

Willette asked if there will be time locks for park bathrooms and said he believes the City should pursue that as a public service.

Economy-Scholler said she is unaware of that level of detail being included in the CIP.

Nordstrom said the item moves to City Council on April 4<sup>th</sup>, 2016.

**M/Batterson, S/Willette:** I move to recommend approval of a resolution finding that the draft Community Investment Program 2016-2020 (CIP) is in compliance with the Bloomington Comprehensive Plan.

Motion carried 7-0.

**ITEM 4**  
6:35 p.m.

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**APPLICANT:** City of Bloomington

**REQUEST:** Consider approval of draft Planning Commission meeting synopsis:

- 1/7/16
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**ACTIONS OF THE COMMISSION:**

**M/Spiess, S/Fischer:** I move to approve the synopsis of the 1/7/16 Planning Commission as presented.

Motion carried 7-0.

The meeting adjourned at 6:36 p.m.

**Prepared By:** EO  
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**Reviewed By:** GM, LES,  
EH, NJ  
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**Approved By Planning  
Commission:**

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February 25, 2016