

~~traffic signal at 95th and Lyndale as a change order to the traffic signal contract of Collins Electric Company.~~

1964 Food License
Application

The Council was requested to consider approving the following 1964 food license:

Jack M. Bomier	dba Jack's Distributing	1 Food License
2523 Wabash Ave.	2523 Wabash Avenue	\$5.00
St. Paul, Minn.	St. Paul, Minnesota	(fleet delivery)

The City Sanitarian requested that approval be contingent upon his inspection of the trucks. Motion was made by Hasselberg, seconded by Malone, and all present voting yea, to approve the food license as requested contingent upon the Sanitarian's approval of the truck.

Consider Award of
Drapery Bids

The Council was requested to consider the bids received on draperies for the new City Hall. Bids were opened at 10 a.m. September 14 and a tabulation is as follows:

	<u>Montgomery Ward</u>	<u>Gordon Cremers</u>
Base Bid	\$1,453.36	\$1,425.00
Add: Manager's Waiting Area	62.26	94.00
Add: Finance Conference Room	98.84	56.00
Total	\$1,549.46	\$1,575.00

Motion was made by Malone, seconded by Crain, and all present voting yea, to adopt a resolution accepting the low bid of Gordon Cremers in the amount of \$1,425 and awarding the contract for the purchase of draperies to this firm, omitting the draperies for the Manager's waiting area and Finance conference room.

Ordinance - Rezoning
France and Old Shakopee
Road

The Council was requested to consider adopting an ordinance rezoning from Residential (R-3) to Limited Business (B-1) or Retail Business (B-2) certain lands located north of Old Shakopee Road west of Harriet Avenue extended and south of the MN&S Railroad right-of-way.

Motion was made by Malone and seconded by Viitala to close the hearing and adopt an ordinance rezoning the property in question from Residential (R-3) to Limited Business (B-1).

Before a vote could be taken on the motion the Council's attention was drawn to a report which had been furnished to them by the City Planner concerning the rezoning of the property and contemplated uses. A substitute motion was made by Crain, seconded by Nelson, and all present voting yea, to close the hearing and adopt an ordinance rezoning the property in question from Residential (R-3) to Retail Business (B-2) and to change the boundary to within 65 feet of Old Shakopee Road.

Conditional Use Permit
for Planned Development
Shopping Center
Case 4672

The Council was requested by Mr. Richard E. Hipp to consider approving a conditional use permit for a planned development shopping center at the northwest quadrant of France and Old Shakopee Road intersection.

The Planning Commission at its meeting of August 11 granted approval to the concept provided: (1) that the petitioner dedicate a 45-foot street right-of-way for Johnson Avenue with the cost of surfacing and other assessments to be paid entirely by him; (2) that a 20-foot green strip be provided between Johnson Avenue and the proposed shopping center parking lot; (3) that the shopping center be started with a minimum of 100,000 square feet of floor area within a two-year period; (4) that the petitioner work out drainage problems, parking, screening on the west adjacent to residential and the integration of parking accesses, etc., with existing retail development; (5) that the parking lot not have access to Johnson Avenue or the cul-de-sac at the end of Johnson Avenue; (6) that at least 3% of the parking lot area be devoted to landscaping; (7) subject to approval of final site plans, and (8) subject to a study of traffic problems in conjunction with the railroad track.

A second motion by the Planning Commission stated that although the gas station site should be shown in the final site plans, because there are many stations in the area and the need for more will not come until a larger market is generated, the Commission felt a gas station should be delayed until after the first stage of the center has been completed.

Motion was made by Malone, seconded by Crain, and all present voting yea, to uphold and accept the recommendation of the Planning Commission and approve the concept of the planned development shopping center subject to satisfactory compliance with the conditions outlined by that group.

~~Change of Non-Conforming Use
Case 4710~~ ~~The Council was requested by Mr. Joseph Frances to consider granting permission to install and operate a beauty shop in the GEM building at 7900 Cedar Avenue.~~

~~The Planning Commission at its meeting of September 1 agreed that this case could be handled administratively.~~

~~Motion was made by Viitala, seconded by Hasselberg, and all present voting yea, to uphold and accept the recommendation of the Planning Commission and approve the request being handled administratively.~~

~~Conditional Use Permit for Apartment Development
Case 4347~~ ~~The Council was requested by Mr. Al Bergsten to consider approving a conditional use permit for an apartment development at 10500 Lyndale Avenue in an R-2 zone.~~

~~The Planning Commission at its meeting of September 1 approved the revised site plan subject to the petitioner working out with the administrative staff the matter of adequate parking in compliance with the ordinance, that the final drawing when it is resubmitted show the architect's certification, and that the site plan also show the proposed contours and a complete planting schedule in detail.~~

~~Motion was made by Crain, seconded by Malone, and all present voting yea, to uphold and accept the recommendation of the Planning Commission and approve the revised site plan subject to satisfactory compliance with the conditions specified by that group.~~

~~Subdivision Approval
Case 4715~~ ~~The Council was requested by Home Finders Realty to consider approving a subdivision of a parcel of land into four residential lots at 1200 East 98th Street.~~

~~The Planning Commission at its meeting of September 1 approved the subdivision of Lots B, D and E, providing that a 15-foot easement be extended north from 98th Street to the proposed 97th Street location, but that the exact location of the easement on Lot A, which at this time is not being subdivided, be left open to provide for an optimum division of Lot A and that when the streets are put in the project that sidewalks be put along the easement from 98th Street to 97th Street. The cost of the sidewalk should be assessed against the total project.~~

~~Motion was made by Crain, seconded by Nelson, and all present voting yea, to uphold and accept the Planning Commission's recommendations and approve the subdivision subject to satisfactory compliance with the conditions specified by that group.~~

~~Subdivision Approval
Case 4737~~ ~~The Council was requested by the James Investment Company to consider approving the preliminary plat of Apple Court Subdivision south of 98th Street between Brookside Avenue and Xerxes Avenue.~~

~~The Planning Commission at its meeting of September 1 approved the subdivision based on the following conditions: (1) that a hardship waiver be given to permit substandard Lots 9 and 10 in Block 3; (2) that the substandard Lots 3, 12, 13, 16 and 17 in Block 3 be approved subject to an ordinance change by the Council that would permit the width of a lot to be measured at a setback greater than 35 feet from the right-of-way as presently required in cases where this new setback would be com-~~

<p>Subdivision Case 5512</p>	<p>approving a three lot subdivision at 4200 West 78th Street. The Planning Commission at its meeting of September 28 made the following motion: "to approve the subdivision of Lots A, B and C as shown on the survey by Harry Johnson and Associates, with the understanding that the left-over parcel C remains unbuildable and this action in no sense gives assurance that the outlot can be developed by itself or that the City is committed to permitting any construction on this small lot."</p> <p>Following discussion, motion was made by Viitala, seconded by Malone, and all voting yea, to uphold the recommendation of the Planning Commission and approve the subdivision as requested.</p>
<p>Conditional Use Permit for Double Bungalow Case 5487</p>	<p>The Council was requested by Anderson-Keith Builders to consider approving a conditional use permit for a double bungalow at 9126-28 Blaisdell Avenue South.</p> <p>The Planning Commission at its meeting of September 28 approved the permit with the stipulation the landscaping plans be worked out with the Planning Director before final approval by the Council. Motion was made by Adams, seconded by Hasselberg, and all voting yea, to uphold the recommendation of the Planning Commission and approve a conditional use permit for a double bungalow</p>
<p>Renewal of Conditional Use Permit for Planned Development Case 4672</p>	<p>The Council was requested by Richard E. Hipp to consider approving renewal of a conditional use permit for a planned development shopping center at the northwest quadrant of the France and Old Shakopee Road intersection.</p> <p>The Planning Commission at its meeting of September 28 approved renewal of the permit subject to the following stipulations: (1) that the petitioner dedicate 45 feet street right-of-way for Johnson Avenue with the cost of surfacing and other assessments to be paid entirely by him; (2) that a 20 foot green strip be provided between Johnson Avenue and the proposed shopping center parking lot; (3) that the shopping center be started with a minimum of 100,000 square feet of floor area within a one-year period; (4) that the petitioner work out the drainage problems, parking, screening on the west adjacent to residential, and the integration of parking accesses, etc., with existing retail development; (5) that the parking lot not have access to Johnson Avenue or the cul-de-sac at the end of Johnson Avenue; (6) that at least 3% of the parking lot area be devoted to landscaping; (7) subject to approval of final site plans; (8) subject to a study of traffic problems in conjunction with the railroad track and (9) that the gas station site should be shown on the final site plans, but because there are many stations in the area and the need for more will not come until a larger market is generated the gas station should be delayed until after the first stage of the center has been completed.</p> <p>In a second motion the Planning Commission recommended that when this portion of Johnson Avenue is completed, it be posted with no parking signs for the east side of the street because this will be a less than standard-sized street.</p> <p>Viitala questioned what the developer was doing to coordinate existing business into this complex. The Council discussed the matter at length with Ernie Wille who appeared on behalf of the petitioner. Mr. Wille said the first phase of this development would be valued at \$1,781,000 excluding the service station and that the second phase would be a third larger.</p>

Motion was made by Hasselberg and seconded by Malone to uphold the Planning Commission recommendation and approve renewal of the conditional use permit subject to satisfactory compliance with the requirements listed. Viitala asked for an amendment to the motion to include as a stipulation that the final site plans be checked by the Planner to determine that the existing businesses in this quadrant are coordinated with this development. The amendment was satisfactory to Hasselberg and Malone. The vote on the amended motion was as follows: Ayes, Hoffman, Viitala, Nelson, Crain, Malone and Hasselberg, and nay, Adams, and the motion so carried. Adams said he voted against the project for the same reasons he gave on August 17, 1964, when the matter was first discussed by the Council.

~~Renewal of Conditional
Use Permit for Nursing
Home and Apartments
Case 4673-65~~

~~The Council was requested by Richard Hipp to consider approving renewal of a conditional use permit for an apartment complex with nursing home at 10430 and 10500 France Avenue in an R-2 zone.~~

The Planning Commission at its meeting of September 28 made the following motions: "to approve the renewal of the concept of the nursing home and to table the renewal of the apartment conditional use permit concept until the petitioner can bring his architect in." "To recommend that since the petitioner stated he has received final renewal from the State Railroad and Warehouse Commission for the location of a crossing on his property at his discretion, this should be located on the plot plan when it comes back for final approval. There should also be a letter from the State Railroad and Warehouse Commission stating that they have seen this plot plan and they approve of the crossing. This should be done before Mr. Odegard receives the plot plan for final approval."

Ernie Wille appeared on behalf of the petitioner. He explained the developer presently has no architect for the apartment because he is not ready to move on this portion of the plan. He asked, however, that the Council reconsider the Planning Commission's action in tabling the apartment project because of their need to have approval of the concept in order to secure financing. The Council discussed the matter at length. Motion was made by Crain to approve the concept of the apartment complex with nursing home subject to the petitioner hiring an architect for the apartments. There was no second to the motion.

Motion was made by Malone and seconded by Nelson to uphold the Planning Commission and approve renewal of the concept of the nursing home and to table the renewal of the apartment conditional use permit concept until the petitioner brings in his architect. The vote on the motion was as follows: Ayes, Nelson, Crain, Malone and Hasselberg, and nays, Hoffman, Adams and Viitala, and the motion so carried.

~~Conditional Use Permit
for Townhouse Apartments
2324 East Old Shakopee
Road
Case 4610~~

~~The Council was requested by Richard Hipp to consider approving the concept of a conditional use permit for a townhouse apartment project to be constructed at 2324 East Old Shakopee Road in an R-3 zone.~~

~~The Planning Commission at its meeting of September 28 approved the concept of these apartments subject to approval of final site and building plans.~~

~~Motion was made by Viitala, seconded by Crain, and all voting yea, to uphold the recommendation of the Planning Commission and approve the concept of these apartments.~~

Final Approval Gina Marie
Addition
6200 W. 96th Street
Imperial Builders Inc.
Case 6664A-68

The Council was requested to consider final approval of the plat of the Gina Marie Addition lying on the north side of W. 96th Street from Nesbitt Avenue So. to the MN & S Railroad, by Imperial Builders Inc., Case 6664A-68.

The plat conforms to approvals granted by the Planning Commission and City Council. Necessary park donations, escrow deposit and standard subdivision agreements have been submitted. The Public Works Department recommends approval subject to a favorable title opinion by the City Attorney. In addition the Council is requested to approve the subdivision agreement for this plat.

Motion was made by Viitala, seconded by O'Neil, with all voting yea to uphold the recommendation of the Public Works Department and adopt a resolution approving this final plat of the Gina Marie Addition subject to favorable title opinion by the City Attorney, and in addition, to approve the subdivision agreement for this plat.

Rezoning R-3 to B-2 & R-4
George Assad
4100-4220 W. Old Shakopee Rd.
Case 4672A-68

The Council is requested to consider a rezoning for that area at about 4100-4220 West Old Shakopee Road to retail business B-2 and multiple dwelling R-4. Present zoning is residential R-3 and is adjacent to an existing B-2 zoning. The portion to be rezoned to R-4 is the three hundred and 80 feet east of the center line of Johnson Avenue extended. The portion to be rezoned to B-2 lies between the existing B-2 and the proposed R-4 zoning.

The Planning Commission action of July 25, 1968, was to recommend approval of the rezoning of the portion from R-3 to B-2; they also are continuing the hearing for rezoning to R-4 for the remainder of the property as indicated in Case 4672A-68 until the development plan is updated. A further motion set the Planning Commission hearing at September 5, 1968.

Motion was made by Thomasberg, seconded by O'Neil, to request the City Attorney to draw an ordinance rezoning from R-3 to B-2 for this portion as indicated.

George Assad, the developer, was present at this meeting to support this request.

A vote was called on the motion and all present voted yea, except Belanger, who opposed for the reason that the Planning Staff did not concur with their recommendation with the Planning Commission.

Tent for Umpire's
Slo Pitch Softball
Tournament
410 East 91st Street
Kennedy High School Quarter-
back Club
Case 5389D-68

The Council was requested to consider approval of a tent for refreshments for the Umpire's Slo-Pitch Softball Tournament to be held on September 6-7-8, 1968, with alternate dates of September 20-21-22, 1968 at Valley View Park, 410 East 91st Street for the Kennedy High School Quarterback Club. The Council was also requested to waive fees and hearing by the Planning Commission.

Motion was made by Viitala, seconded by O'Neil, with all voting yea to grant approval for a refreshment tent and to waive fees and hearing by the Planning Commission.

Final Plat Approval
Douglas First Addition
Approx. Bloomington Ave.
Between 79th & 80th Streets
Douglas Johnson
Case 4072E-68

The Council was requested to consider final approval of the plat of the Douglas First Addition lying on the west side of Bloomington Ave., between east 79th Street and east 80th St.

Preliminary Plat Approval
Valley West Addition
France Ave & W.O.S.R.
Valley West Shopping Center
Case 4672B-69

The Council was requested to consider approval of the preliminary plat of Valley West Addition at France Avenue and West Old Shakopee Road, by the Valley West Shopping Center, Inc., in Case 4672B-69. Lot 1 of the plat was proposed for the Retail Business B-2 zone with an outlot in the Residential R-3 zone.

On June 19, 1969, the Planning Commission had recommended approval of the preliminary plat of Valley West with the following conditions:

1. The entire area to be included in the plat, contingent upon the agreement of the property owners.
2. 17' additional right-of-way to be dedicated along West Old Shakopee Road.
3. All utilities to be installed underground.
4. Final drainage plans are to be approved by the City Engineer.

Motion was made by Mayor Thomasberg, seconded by Councilman O'Neil, to uphold and adopt the recommendation of the Planning Commission to adopt a resolution approving the preliminary plat of the Valley West subject to the conditions of the Planning Commission as noted above.

Bob Finke, of Midwest Hardware, appeared before the Council to state that he was in favor of this plan, and felt it would be an asset to his store.

Mr. A. E. Stepp, of 10621 Kell, appeared before the Council to inquire if the plans included a road to be put in.

He was advised that there was no road planned along with the development of the shopping center.

Vote was called and all present voted aye.

Conditional Use Permit
Shopping Center
4050-4100 W.O.S.R.
and 10520 France Ave. B-2
Valley West Shopping Center
Case 4672A-69

The Council was requested to consider approval of a conditional use permit for a shopping center at 4050-4100 West Old Shakopee Road and 10520 France Avenue in a Retail Business (B-2) zoning district, as requested by Valley West Shopping Center in Case 4672A-69.

On June 26, 1969, the recommendation of the Planning Commission was for approval with the following conditions:

1. Right-of-way for Johnson Avenue to be provided.
2. Petitioner to dedicate or arrange for lease for a library site west of the proposed shopping center.
3. Accesses to adjoining properties from this site to be resolved with the owners and the Traffic Engineer.
4. All utilities are to be installed underground.
5. Exterior lighting plan is to be approved by the Planning Director.
6. Minimum and maximum requirements of the sign ordinance must be met.
7. Drainage and grading plans to be approved by the Public Works Department.
8. Landscape plan is to be approved by the Planning Director.
9. Traffic and parking layout is to be approved by the Traffic Engineer.

* In addition, the Planning Commission recommended approval of the following petitions -- contingent upon the overall conditional use permit being approved:

* Case 4672Ad-69 Conditional use permit for retail automotive store within the shopping center.

- * Case 4672Ae-69 Conditional use permit for a lunch and refreshment counter within the proposed shopping center.
- * Case 4672Af-69 Conditional use permit for a restaurant and steak house within the proposed shopping center.
- * Case 4672Ag-69 Conditional use permit for a take-out ice cream store in the proposed shopping center.
- * Case 4672Ah-69 Conditional use permit for a lunch counter in the grocery store proposed in the shopping center.

Paul Pinke, architect for the center, appeared before the Council and explained the layout of the proposed design, pointing out a Red Owl store, drug store, 2-story office building, a G. C. Murphy store, steak house, theatre of 950 seats, a Goodyear service center and groups of smaller shops, some of which would be for liquor, hardware and beauty shops.

John Rains, 1211 Valley High Drive, appeared before the Council to state he would be the operator of the steak house, which was designed to be a family-type steak house.

Motion was made by Mayor Thomasberg to approve the overall conditional use permit and the additional various conditional use permits. Councilman O'Neil seconded the motion.

Vote was called and all present voted aye.

Conditional Use Permit
Off-street Parking R-3
Shopping Center
4100 W.O.S.R.
Valley West Shopping Center
Case 4672C-69

Cont'd on page 17

The Council was requested to consider approval of a conditional use permit for off-street parking in a Residential R-3 zoning district contiguous to the shopping center proposed at 4100 West Old Shakopee Road as requested by the Valley West Shopping Center, Inc., in Case 4672C-69. Approximately 450 parking spaces were proposed in the 150' strip immediately to the west of the shopping center. A map of the area, showing the proposed parking area was submitted to the Councilmen.

On June 26, 1969, the recommendation of the Planning Commission was to recommend approval of the conditional use permit for a parking lot in a residential zone for the shopping center.

John Wallace of 10525 France Avenue South, appeared before the Council to state his concern about traffic, and inquired about control of lights and the possibility of a median. He stated a center median would cause problems for him, personally, and stated he was definitely not in favor of a median.

The architect stated the plans proposed a low level lighting, similar to gas lights, and they planned to try to "get away from the high standard lights."

Upon request, the Director of the Public Works Department described a south-bound right-turn bay, to go into the shopping area, and noted that in previous instances, this land dedication and cost of development has been paid by the developer. However, he stated, this has not been a definite requirement in this petition to date, although it would be very desirable and he recommended consideration.

Noting that the additional dedication of right-of-way should be considered as a condition of the plat approval, Mayor Thomasberg made a motion to reconsider the preliminary plat approval of Valley West Shopping Center, Case 4672B-69.

- * Refer to bottom of page 15.

Reconsideration of
Preliminary Plat Approval
Valley West Addition
Valley West Shopping Center
France Avenue & W.O.S.R.
Case 4672B-69

In response to a question from Mr. Harold Olson, Mayor Thomasberg stated this reconsideration would be for the purpose of adding a requirement of extra right-of-way for an exit lane from the center onto Old Shakopee Road, and for an entry lane into the center from France Avenue,--as much as would be required to provide for the lanes. Mr. Olson made verbal acceptance of this condition. The Director of Public Works stated 10 feet would be adequate width for this lane.

Councilman Malone seconded the motion for reconsideration of preliminary plat approval of Valley West Addition, Case 4672B-69.

Vote was called, and all present voted aye.

Motion was made by Mayor Thomasberg, seconded by Councilman Malone, to reaffirm the previous motion to approve preliminary plat of Valley West Addition, in this meeting, and to add the requirement that additional right-of-way be required on France Avenue and Old Shakopee Road, as may be necessary, for merging and right-turn lanes, and the expense of development will be borne by the developer.

O. Erickson, 5704 Deville Drive, representing the Valley West Shopping Center, appeared before the Council to suggest that "we give as much as is needed," if the requirements of greenstrip could be reduced so parking would not be affected.

During discussion of parking spaces, minimum, optimum and maximum Mayor Thomasberg encouraged the developers to implement their suggestion of blacktopping and striping a parking area behind the center, for overflow parking.

Mayor Thomasberg amended his motion to change the right-of-way requirements to be not more than 10' x 400' on France Avenue, and 10' x 400' on West Old Shakopee Road, and added that these figures would be subject to the requirements of the engineering staffs of the City and the County.

Councilman Malone seconded the motion, adding that if these figures need readjustment, the matter should come before the Council. Vote was called and all present voted aye.

Continuation of:--
Conditional Use Permit
Off-street Parking
Valley West Shopping Center
4100 W.O.S.R.
Case 4672C-69

Mayor Thomasberg stated the request for conditional use for off-street parking for the Valley West Shopping Center at 4100 West Old Shakopee Road, Case 4672C-69, was again before the Council.

There was no response to a call for speakers in opposition.

Cont'd from page 16

Motion was made by Councilman Malone, seconded by Councilman O'Neil, to approve the conditional use permit request for off-street parking as requested.

~~Vote was called and all present voted aye.~~

~~Preliminary Plat Approval
Registered Land Survey
190 West 79th Street
Mr. Frank Knapp
Case 6636B-69~~

The Council was requested to consider the preliminary plat approval for a Registered Land Survey at about 190 West 79th Street, by Mr. Frank Knapp, in Case 6636B-69.

A two-tract subdivision was shown which was a rearrangement of a lot line in an existing two-lot area.

On June 19, 1969, the Planning Commission recommended approval of the two-lot Registered Land Survey with the review of the drainage plan by the Department of Public Works and with ~~dedication for additional right of way as required.~~

Preliminary and Final
Plat of Valley West
Shopping Center 2nd
Addition
Case 4672B-75
Item 4.2

A public hearing was scheduled for consideration of the preliminary and final plat of Valley West Shopping Center 2nd Addition located at 4200 West Old Shakopee Road. The plat was submitted in order to change an outlot to a lot and block description for issuance of a building permit.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on September 3, 1975, and was recommended for approval with the following conditions:

1. five-foot drainage and utility easements be provided along internal lot lines with ten-foot easement provided along streets,
2. ten-foot sidewalk/bikeway easements be provided by deed along Old Shakopee Road and along France Avenue,
3. twenty-foot planter/nonaccess easement be provided by deed along Johnson Circle,
4. no park dedication be required,
5. plat meet all requirements of Chapter 20 of the City Code, including a site map.

Item 1 has been accomplished on the final plat, deeds are being prepared for items 2 and 3, and item 5 was accomplished on the preliminary plat.

Bailey Seida of Harry S. Johnson Companies, representing the developer, said he concurred with the recommendations as set forth above.

Following discussion, motion was made by Allen and seconded by Belanger to close the hearing and approve the preliminary and final plat of Valley West Shopping Center 2nd Addition, approve the subdivision agreement, and adopt a resolution granting final approval. All voted aye, except Anderson, who abstained, and the motion carried 6-0-1.

* * *

Councilman Anderson arrived at 7:40 p.m. during discussion of the above item.

* * *

Preliminary and Final
Plat of Winzen 1st
Addition
Case 8057C-75
Item 4.3

A public hearing was scheduled for consideration of the preliminary and final plat of Winzen 1st Addition located at 311-401 West 84th Street. The plat was submitted to split one large parcel described by metes and bounds into two lots, allowing sale and issuance of a building permit for the easterly lot.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on September 3, 1975, and was recommended for approval with the following conditions:

1. expand West 84th Street to 35-foot one-half width right-of-way,
2. 10-foot sidewalk/bikeway easement be provided by deed along West 84th Street,
3. copy of the joint access agreement be provided to the City,
4. detailed drainage plans be submitted to resolve storm sewer drainage problems to the southeast of this property with a possibility of further dedication of 20-foot storm sewer easement on the plat.

Deeds are being prepared for item 2 and easements for item 4 will be worked out with the developer. Bailey Seida of Harry S. Johnson Companies, representing Mr. Winzen, said he felt there would be difficulty complying with the right-of-way conditions but that Mr. Winzen has agreed to comply with all of the conditions as specified.

Following discussion, motion was made by Darr, seconded by Anderson, and all voting aye to close the hearing, approve the subdivision agreement, and adopt a resolution granting final approval.

* * *

Mayor Benedict left the meeting at 7:50 p.m. and returned at 7:57 p.m.

* * *

Preliminary and Final
Plat of Marvin H.
Anderson's Estate
Case 8075A-75
Item 4.4

A public hearing was scheduled for consideration of the preliminary and final plat of Marvin H. Anderson's estate located at 11147 and 11201 Thomas Avenue South. The plat was submitted to create an additional buildable lot.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on September 10, 1975, and was recommended for approval with the following conditions:

1. no park dedication be required for this plat at this time,
2. restrictive covenants by deed be drawn over the southerly 280 feet of Lot 1, Block 1.

Documents for item 2 are being prepared by the developer, and will cover the area below the 760 contour. No park dedication is being proposed because of previous extensive donation of property in this area by Mr. Anderson.

REQUEST FOR COUNCIL ACTION

AGENDA SECTION: NO. DEVELOPMENT BUSINESS		ORIGINATING DEPARTMENT: COMMUNITY DEVELOPMENT PLANNING DIVISION By: RS	DATE Approved For Agenda By:
ITEM: Rezone B-2 to B-2(PD) and NO. Preliminary and Final Develop- ment plan			

Item 6
Case 4672B-90

GENERAL INFORMATION

Applicant:	Kraus-Anderson, Inc.
Location:	4050 West Old Shakopee Road
Request:	Rezoning from B-2 to B-2(PD) and Preliminary and Final Development Plans for a shopping center remodelling and expansion
Existing Land Use and Zoning:	Shopping center; zoned B-2
Surrounding Land Use and Zoning:	North--Retail, railroad right-of-way and multiple-family residential; zoned B-2, R-1 and R-4(PD) East--Single-family residential and commercial/office; R-1 and B-2 South--Shopping center and multiple-family residential; zoned B-2 and R-4 West--Office, single-family and two-family residential; zoned B-2 and R-1
Comprehensive Plan	The 1980 Comprehensive Land Use Plan Map recommends Retail Commercial land use for the property.

PROPOSAL

The applicant is proposing to rezone a 24.9 shopping center and office complex to a planned development in order to remodel and expand an existing shopping center. The project would result in 16% increase in overall floor area of the L-shaped shopping center building from a floor area of 178,976 square feet to 208,210 square feet. Specifically proposed are 1) a 12,320 square foot addition to the anchor grocery store at the east end of the center adjacent to France Avenue; 2) the construction of a 3,900 square foot retail space at the southwest end of center that would connect the shopping center to an existing free-standing commercial building; 3) modification of the rear

COUNCIL ACTION: Motion by _____ Second by _____ to _____

1/6

Rezoning and Preliminary and Final Development Plan

loading dock for the anchor the anchor grocery store; and, 4) remodelling of the roof fascia and exterior building finish. In conjunction with the building remodelling and expansion, the applicant is proposing the re-alignment of parking spaces and roadway improvements for France Avenue and West Old Shakopee Road that would facilitate access to the center.

APPLICABLE REGULATIONS

Section 19.31(d)(17)
Section 19.38.01

REQUIRED FINDINGS

Section 19.38(e)(5)(A),(B),(C),(D),(E),
(F),(G) and (H)

HISTORY

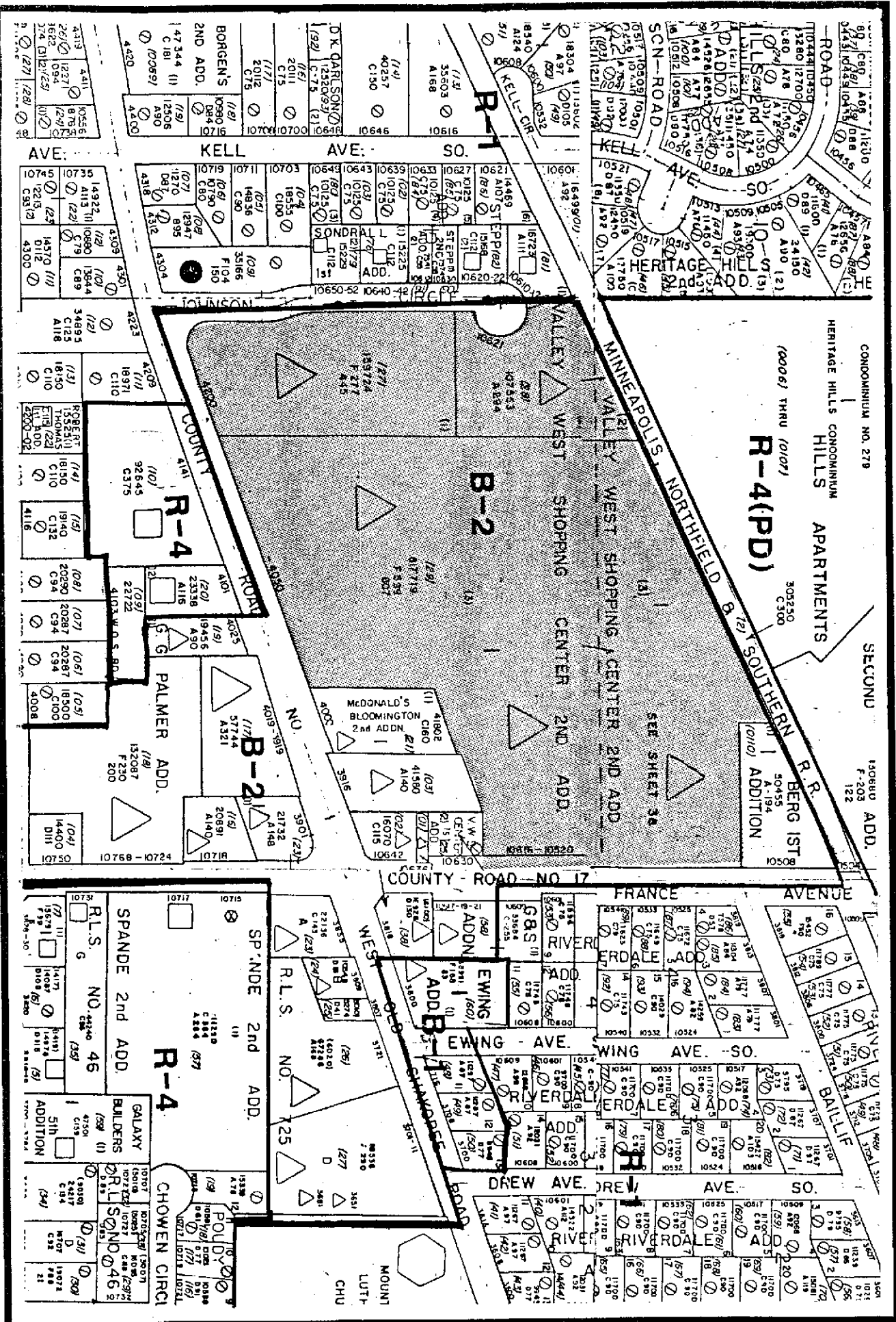
City Council Agenda:

August 27, 1990--Approved temporary exception to allow for the issuance of bulding permits in order to initiate construction activities subject to four conditions.

CHRONOLOGY

Planning Commission Agenda: September 20, 1990--public hearing scheduled.

SCALE: One inch equals 300 feet



City of Bloomington
Department of Community Development
Division of City Planning

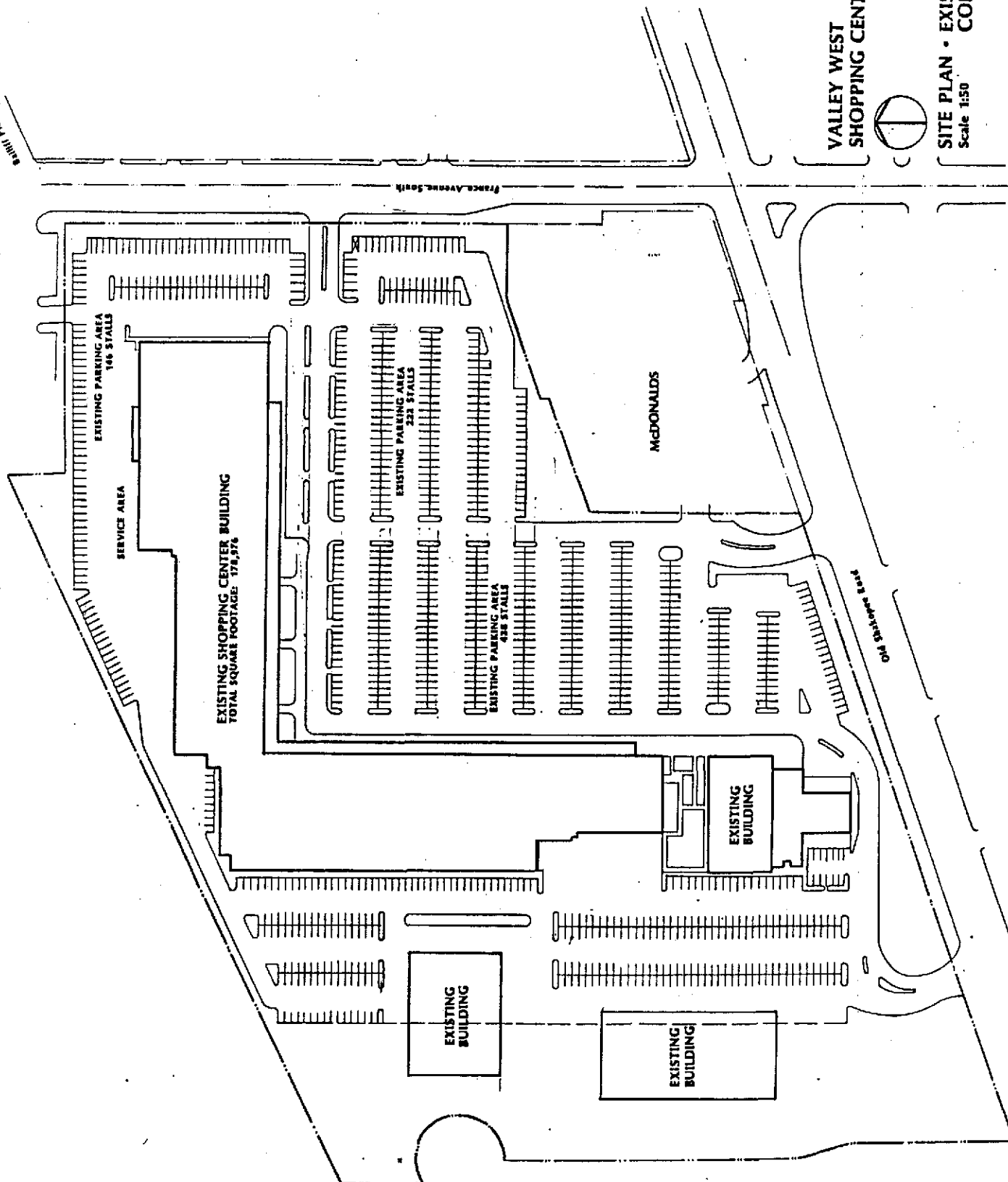
SECTION 19.38.01 PLANNED DEVELOPMENT (PD) OVERLAY DISTRICT

- (e) Procedures - Prior to the issuance of any permits for development within a Planned Development Overlay District, a rezoning to Planned Development Overlay District shall be adopted by the City Council, a preliminary development plan shall be approved by the City Council, and a final development plan shall be approved by the City Council according to the following procedures:

- (5) The Planning Commission and the City Council shall find the following prior to the approval of preliminary development plans or final development building plans:

- (A) The planned development is not in conflict with the Comprehensive Plan.
- (B) The planned development is not in conflict with any adopted district plan.
- (C) The planned development is not in conflict with the intent of the primary zoning district.
- (D) The planned development is not in conflict with other applicable provisions of the City Code, subject to the provisions of Section 19.38(c).
- (E) The planned development or unit thereof is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit.
- (F) The planned development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.
- (G) The planned development will not have an undue and adverse impact on the reasonable enjoyment of neighborhood property.
- (H) That any variation from strict application of the primary zoning district provisions in the planned development are not in conflict with the intent of the Planned Development Overlay District and are justified by the design of the proposed development.

374 JUNE

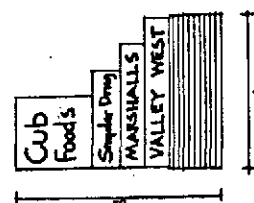


VALLEY WEST
SHOPPING CENTER

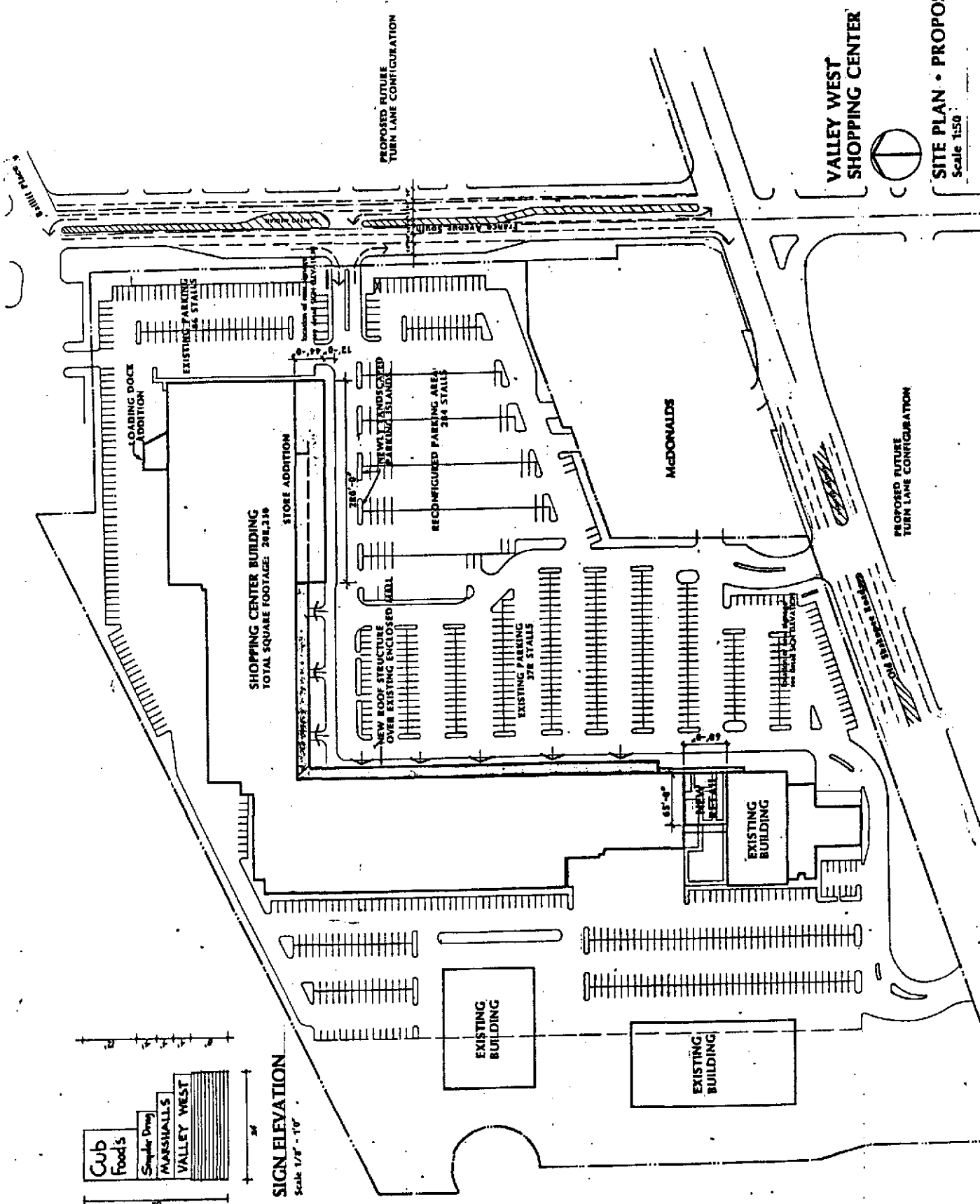


SITE PLAN - EXISTING
CONDITIONS
Scale 1:50

4672 B 90



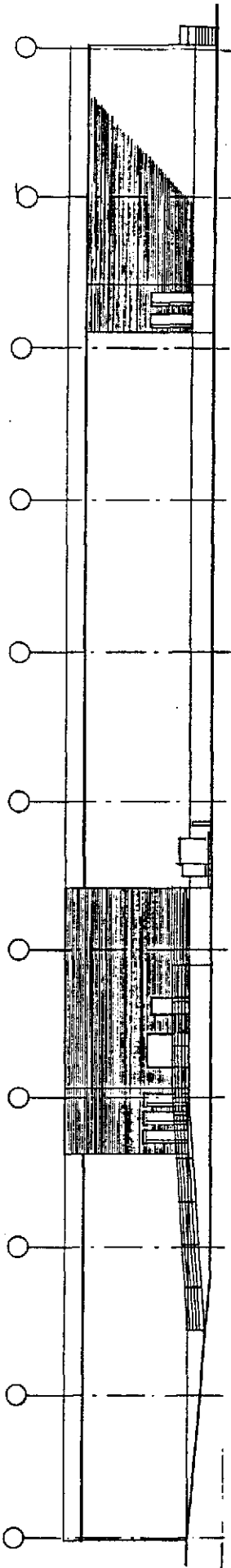
SIGN ELEVATION
Scale 1/8" = 1'-0"



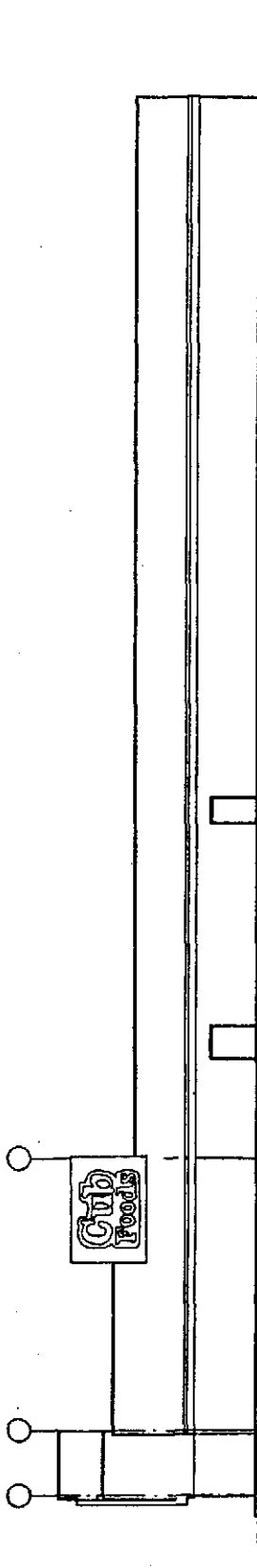
**VALLEY WEST
SHOPPING CENTER**



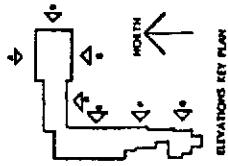
SITE PLAN • PROPOSED
Scale 1:50



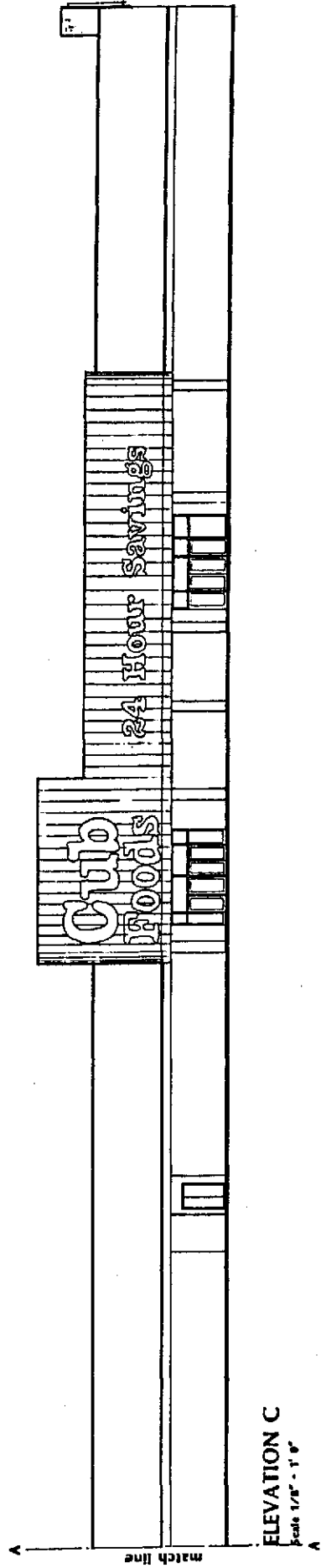
ELEVATION A
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ELEVATION B
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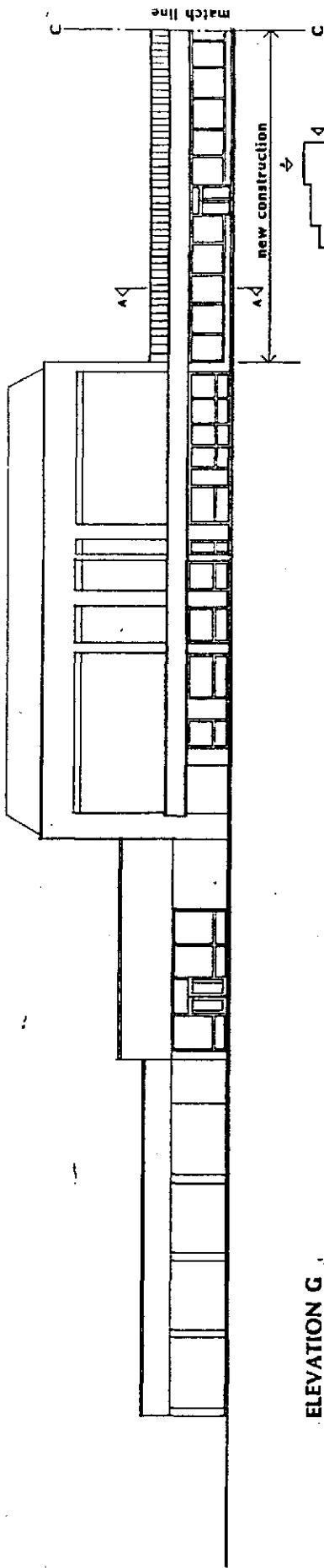


ELEVATIONS KEY PLAN

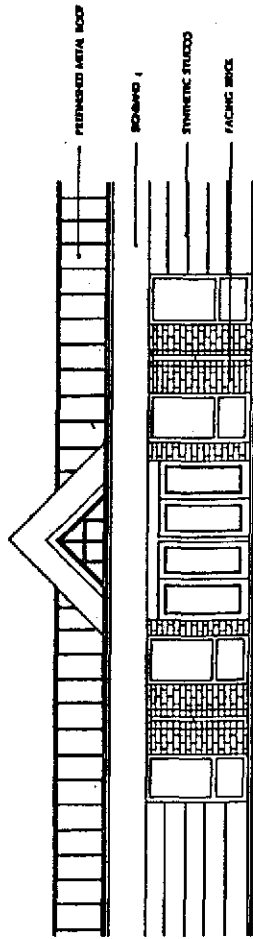


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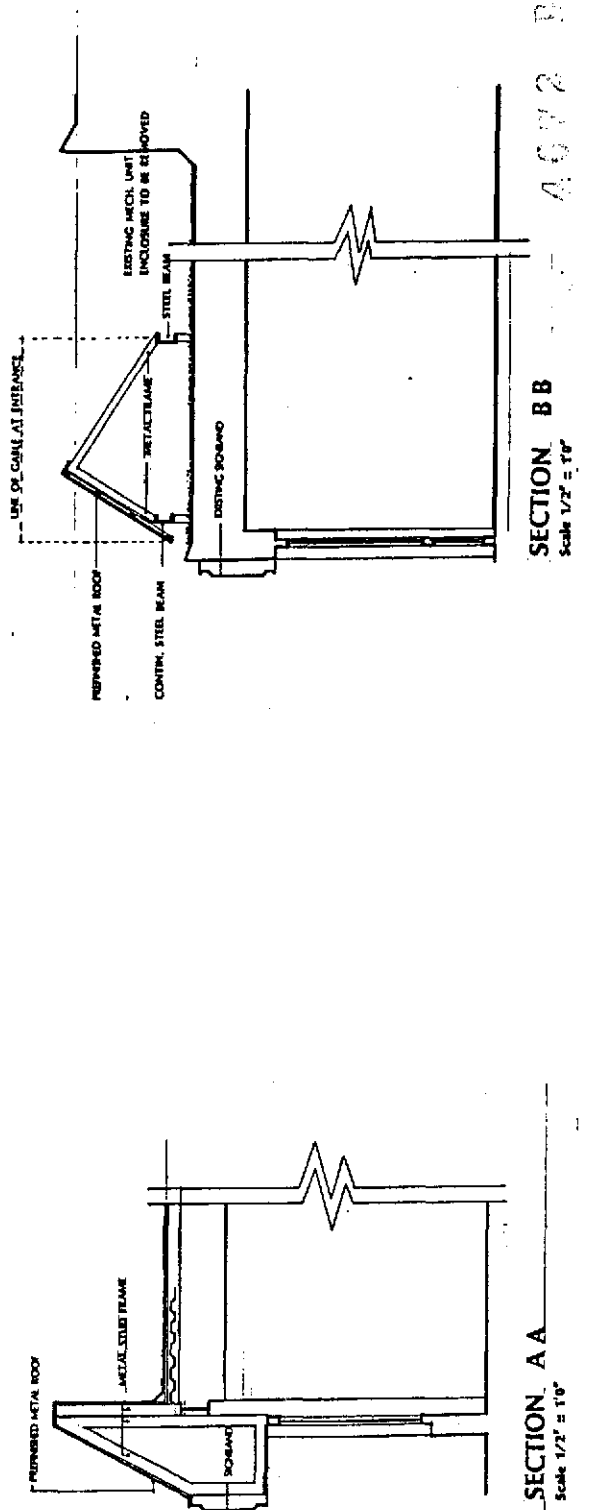
AG72 B 90



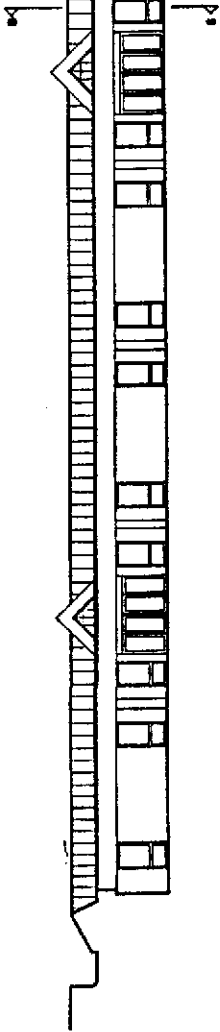
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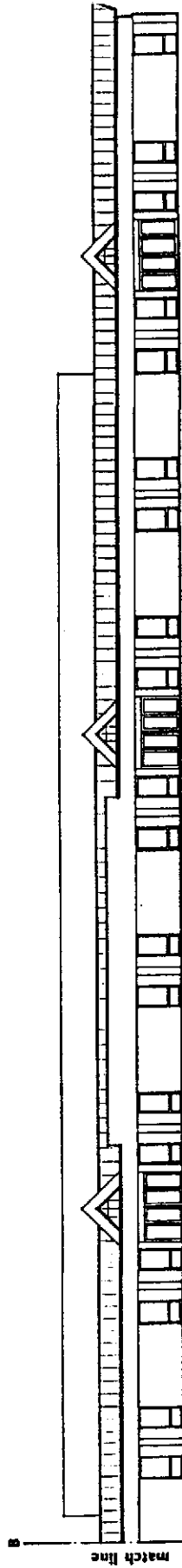
TYPICAL ELEVATION
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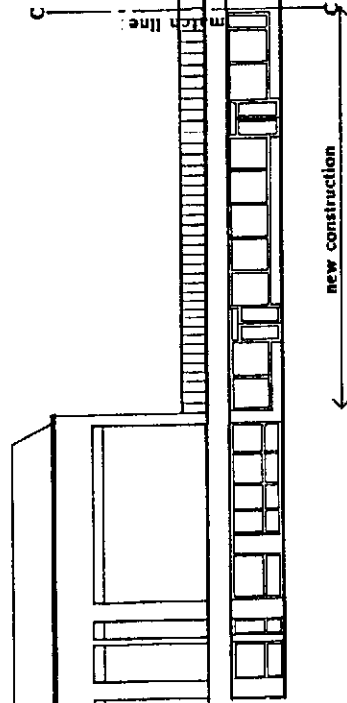
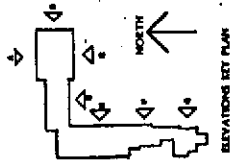
SECTION BB
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ELEVATION D
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ELEVATION E
Scale 1/8" = 1' 0"



ELEVATION F
Scale 1/8" = 1' 0"

1678 B 90

9/6

Item 6

GENERAL INFORMATION

Applicant: Kraus-Anderson, Inc.

Location: 4050 West Old Shakopee Road (Valley West Shopping Center)

Request: Rezone from B-2 to B-2(PD) and Preliminary and Final Development Plans for a shopping center remodelling and expansion.

PROPOSAL

The applicant requests rezoning of the 24.9 acre Valley West shopping center and office complex from B-2 Retail Business to B-2(PD) Retail Business (Planned Development), and approval of Preliminary and Final Development Plans in order to remodel and expand the existing shopping center. The project would result in an approximate 16% increase in the overall floor area of the L-shaped center building from a floor area of 178,976 square feet to 208,210 square feet.

Revisions to the center include the following elements:

- 1) a 12,320 square foot addition to the anchor grocery store at the east end of center adjacent to France Avenue;
- 2) the construction of a 3,900 square foot retail space at the southwest end of the center that would connect the center to an existing free-standing commercial building (formerly the Valley West Theater);
- 3) modification of the rear loading dock for the anchor grocery store;
- 4) remodelling of the roof fascia and exterior wall panels.
- 5) reorientation of the direction of the drive aisles of a portion of parking lot and modification of the driveways in order to accommodate building expansion.

The site plan indicates that the existing separated drive-up lane to the front (south) of the grocery store will be eliminated. The drive aisles in the parking area to the south of the grocery store will be realigned from their present east-west direction to a north-south alignment. Drive aisles to the west of the grocery store -- that is, west of the driveway entering from Old Shakopee Road, will remain in its current east-west configuration.

The preliminary and final development plans submitted by the applicant include the following:

- 1) an existing site plan of the area to be rezoned including existing office building to the west of the retail commercial center;
- 2) proposed site plan showing anchor grocery store addition, new retail space connecting the major L-shaped center to the existing free-standing commercial building; reconfiguration of the parking area in front of the anchor grocery store; loading addition; rear trash enclosure areas; and turning lane improvements for France Avenue and West Old Shakopee Road;
- 3) preliminary south, east and north building elevations for the anchor grocery;

- 4) revised preliminary building elevation for the anchor grocery store depicting south and east plan views with building material descriptions included and with a preliminary truck dock plan;
- 5) preliminary building elevation plans of the front or south- and east-facing sides of the center; and,
- 6) typical facade and front panel elevation combined with two schematics or cross-sections of the building front including roof fascia.

The applicant has also submitted building material samples for the exterior wall surfaces, prefinished metal roof, and exterior block proposed for the anchor grocery store.

ANALYSIS

The proposed rezoning and preliminary and final development plans for Valley West Shopping Center represents a significant upgrading and improvement of the existing 178,976 square foot shopping center. Rezoning to a planned development should be an opportunity to allow for the development of new tenant spaces, including a major change in the west grocery store tenant, in conjunction with a number of center improvements related to the appearance, design, and site functioning.

As a planned development, the center should exhibit a coherent and consistent design in order to allow for the establishment of an general architectural theme for the development. The proposed improvements to the front facade and roof fascia of the center, the building addition to the anchor grocery store and the additional retail space connecting the center to the free-standing commercial building need to be compatible and exhibit consistency in design related to building materials and colors.

Building Additions and Improvements

In order to fully evaluate or assess the proposed improvements, building elevation plans need to be revised to include complete information on building materials, colors and building details on the gabled entrances. Plans do not indicate the type of materials to be used nor have colored material samples been submitted. The submission of additional plan drawings and material samples will be beneficial in making a recommendation on the final development plan.

Although the staff strongly supports the concepts proposed by the applicant, the lack of detail in many of the plans and some elements of the proposal are of concern:

- 1) Based on a review of the cross-section of the entrance gable details, staff recommends extension of the gable to form a complete gable return from its face to the wall of the building, in order to avoid accentuation of a false facade.
- 2) Upgrading of the roof fascia should maintain characteristics of uniformity and provide a transition to the anchor tenant on the west side of the center.

- 3) The south and east building elevations of the anchor grocery store should be revised to show the seam metal panels turning the corner to allow for consistency in the design. A building material sample of the seam metal panel needs to be submitted.
- 4) The proposed exterior block sample for Cub Foods store does not meet the requirements of the B-2 Retail Business zoning district. Exterior block should be replaced with a brick facade to match or closely match the brick used in the existing building, or select a color to clearly contrast with the existing building.
- 5) The sign tower building detail over the west set of entrance doors should not extend above the building line created by metal seam panel line that is 3 feet higher than the building line (i.e., reduced in height by seven feet to match the roof line to the east)

Loading Dock Addition and Trash Enclosures

An important element in the up-grading of the anchor grocery store is the modification of the rear loading dock area. The rear (north) of the center and the east side of the anchor grocery store abuts established residential land uses. Operation of the dock should be conducted in a manner in which to minimize impacts on the adjoining residential uses. Currently, there are operational controls affecting the use of the loading dock area and it is imperative that the re-design of loading dock improve potential nuisance characteristics which could impact neighboring residential uses.

The original submission by the applicant showed the location of the loading dock, however a detailed plan was not submitted. Staff has worked with and will continue to work with the applicant to improve the design. In general, it is the Staff's position that the dock should be oriented away from the north property line and be an enclosed addition. These recommendations are aimed at providing necessary screening and directing or channeling noise away from the abutting residential use to the north.

A revised sketch plan of the loading dock with an enclosure area and an open area has been submitted by the applicant. The enclosure area would orient semi-trucks to the east and parallel to the building. An open truck dock area would continue to be oriented perpendicular to the north property line.

Concerning the rear loading dock area and the rear of the center in general, it is important that provisions are made for effective solid waste handling. Trash enclosures are required for screening, security and sanitation purposes. The applicant has indicated wooden closures to be constructed along the rear of the center. Wooden enclosure are difficult to maintain and are easily damaged. Brick or masonry trash enclosures, with overhead doors, should be utilized. In these instances, rock-face "architectural concrete masonry units" (block) may be appropriate.

Staff comments related to the loading dock and the rear of the center are:

- 1) Submission of north and east elevations of the grocery store and the loading dock area are necessary in order to assess the visual and operational factors of the use of this area.

- 2) Any loading area not enclosed should include operational conditions as part of a final development plan approval.
- 3) Revised proposed site plans should show brick or masonry trash enclosures.

Signage

A total revision of the uniform sign design is necessary in order to provide a compatibility with the architectural theme of the planned development. The existing uniform sign design for the Valley West Shopping Center has proven to be anything but uniform. The original sign criteria dates back to the middle to late 1970's and there have been numerous amendments and modifications. The existing uniform sign design no longer adequately serves the center, and is inappropriate to the proposed planned development.

The existing sign band should be replaced to allow for uniformity and be an integral element in the remodelling of the front exterior and roof fascia of the center. The sign band is worn and discolored, and a simple cleaning or restoration may not result in the needed improvement. Replacement of the sign band will correct the problem of the roof fascia transition identified above.

New signs with individual, internally illuminated letters has become the accepted community standard for large, multi-tenant developments in the City, and should be required as a condition of approval of the final development plan. "Can" sign cabinets should be prohibited. As additional retail space will connect the west side of the center to the existing free standing commercial building to the south, the uniform sign band should be extended. The end of the center on the west side becomes an anchor location and signage for the building may vary, but should maintain a degree of consistency. Since the developer is requesting a substantial increase in the allowed signage as part of the planned development, the City should insist on a high quality sign package.

The proposed signage area for the grocery store is in excess of that allowed by the Code. As the major anchor tenant for the center that serves as a destination for commercial activity, an increase in descriptive signage is acceptable. However, signage greater than that allowed by the Code should be limited. The "24 Hour Savings" sign is excessive advertising copy and adds unnecessary complexity to the signage at the center.

New monument signs are shown on the proposed site plan. These signs are placed at the driveway entrances to the center, perpendicular to France Avenue and West Old Shakopee Road. Details of location, relationship to other features (curbs, sidewalks, bikeways, sight lines), materials, and lighting need to be submitted in order to completely evaluate the appropriateness of the sign as elements of the site plan.

Staff comments related to the signage package are:

- 1) Submission of a uniform sign design consisting of individual internally illuminated letters, including details of sign band and letter construction. The sign band should be designed in such a manner that sign changes (due to tenant change) can be accomplished without damaging the sign band.

- 2) Replacement of the entire existing sign band by a sign band compatible with the proposed facade and roof fascia remodelling.
- 3) New individual tenant signs should be required with initial upgrading.
- 4) Detailed drawings and specifications of monument signs, including large-scale site plans showing the relationship of the signs to sight lines, sidewalks, bikeways, curbs and property lines are needed. As shown, the signs have a solid base of substantial width (24 feet), which needs to be fully evaluated.
- 5) Increased setbacks of freestanding monument signs (minimum of 20 feet from street right-of-way lines) and relocation of the monument sign on France Avenue to the south side of the driveway.

Site Plan and Landscape Plan

A revised site plan needs to be submitted that reflects and annotates all proposed changes. Changes to the parking area in front of the store need to be shown in detail, and a final count of existing and proposed parking spaces provided, prior to final development plan approval. Cart storage areas should be identified and proposed lighting changes should be shown.

Several aspects of the treatment of the site perimeter need special attention. The sidewalk and bikeway along France Avenue needs to be rebuilt, keeping in mind future street modifications. The existing bikeway does not promote usage and has not been adequately maintained. A green space should be provided that would separate the street from the sidewalk and bike path.

A landscape plan will have to be submitted as a condition of final development plan approval. Existing ornamental trees in the parking area should be replaced with overstory shade trees. Newly-landscaped parking islands should be detailed. Evergreen trees should be planted along the northwest perimeter of the site parallel to France Avenue to provide screening of the proposed loading area. With regard to the latter, existing evergreens located between the south end of the center and the former theater building could be replanted along France Avenue to provide effective screening.

Vertical grades at the driveway entrances on Old Shakopee Road and France Avenue need to be carefully reviewed. Since no plan showing existing grades or any proposed changes was submitted, it is difficult to fully evaluate this. Gradients and the France Avenue and West Old Shakopee Road entrances need to be revised in order to allow for removal of "humps" at the driveway street intersections.

Off-Site Improvements

The site plan indicates "future" improvements to channelization in both West Old Shakopee Road and France Avenue. Based on the staff's observation of traffic generated by grocery stores such as proposed here, these separated turn lanes will be needed sooner rather than later, and initial installation prior to opening will cause less interruption of expected heavy traffic volumes. At some point, signalization of both driveway intersections may be needed. The developer should be fully responsible for the cost of these improvements, and a street modification agreement and assessment agreement specifying this responsibility should be required.

RECOMMENDATION

Although plans submitted to date give a general idea of proposed changes, submittals to date do not fulfill the requirements of the ordinance, nor do they supply sufficient detail to fully evaluate proposed changes. Plans submitted need to be supplemented with additional detail concerning building elevations, site and landscaping plans, and additional building material samples. Specifically, the following additional information and materials need to be submitted by the applicant:

Building Plans

- 1) building elevation plans for the anchor grocery store truck dock and trash storage;
- 2) additional roof fascia/sign band details;
- 3) building floor plans for the anchor grocery store;
- 4) colored drawings of all building elevations;
cross section drawings of the building additions, particularly the canopy.

Site Plans

- 5) landscaping plan including interior and site perimeter;
- 6) proposals for sidewalk and bikeway along France Avenue and Old Shakopee Road;
- 7) grading plan with existing and proposed elevations and contours;
- 8) utility plan with existing and proposed storm sewer, sanitary sewer and water lines;
- 9) plans showing existing and proposed vertical grades at the driveway entrances on Old Shakopee Road and France Avenue;

Signage Plans

- 10) proposed monument sign details (siting in relationship to relocated sidewalk and bikeway, sight lines, materials, colors, etc.);
- 11) a preliminary uniform sign design, including proposed sign band size and letter sizes, and sign sizes and locations for anchor tenants;

Miscellaneous

- 12) operational controls affecting the use of the loading dock area

The Staff is in full concurrence with the upgrading and improvement of this important community facility, however, the information provided to date has been inadequate to allow a full review. The Commission should determine from the applicant how much time would be required to prepare the plans, drawings and specification requested, and add an additional two weeks for staff review and preparation of a full report to the Commission. Staff recommends continuation to a date determined by the Commission.

Note:

The Commission should understand that the City Council has, at the applicant's request, approved the issuance of early building permits for the parking lot changes and structural elements of the building. This approval was subject to the submission of a "hold harmless" agreement, wherein the applicant assumed all responsibilities for improvements made which were not subsequently approved by the City. A copy of the agreement is attached.

Prepared by: RMG Reviewed by: [Signature]
(25a:psc6/20.rs)

KRAUS-ANDERSON, INCORPORATED

August 24, 1990

Rick Geshwiler, Planning Director
Community Director
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431

Re: Temporary Exception For The
Issuance of Building Permits
Valley West Shopping Center
Kraus-Anderson, Incorporated


Dear Mr. Geshwiler:

Kraus-Anderson, Incorporated has requested a temporary exception for the purpose of obtaining a building permit that would allow certain construction activities to commence relating to the remodeling and expansion of the Valley West Shopping Center. In the event the City of Bloomington grants this request for temporary exception, Kraus-Anderson, Incorporated does hereby agree to release, indemnify, and save harmless the City of Bloomington from and against any claim, cost, or cause of action at law or in equity arising out of or related to the grant of such temporary exception or any construction performed, including without limiting the generality hereof, the demolition, correction, repair or replacement of any construction work performed prior to approval by the City Council of preliminary and final development plans. Furthermore, Kraus-Anderson, Incorporated does hereby acknowledge and agree that it will be required to satisfy additional requirements which will attach to the issuance of final approval of the development plans as more fully described in paragraphs 2, 3 and 4 of STAFF RECOMMENDATIONS, AGENDA No. 7.4, August 27, 1990.

Thank you for your consideration to this request for the temporary exception to issuance of the building permits.

Very truly yours,

KRAUS-ANDERSON, INCORPORATED


Burton F. Dahlberg
President

/dsb

RECEIVED
DIVISION OF CITY CLERK

AUG 27 1990

CITY OF BLOOMINGTON
MINNESOTA

Item 3 Valley West Shopping Center
10520 France Avenue South

Burt Dahlberg, Jim Fishbeck and Barb Smestad of Kraus Anderson, Ryan Johnson of Super Valu and Mike Riggels of Pope Architects presented plans for the renovation of Valley West Shopping Center.

Fencing will be removed from the exterior and replaced with a new canopy, which will provide cover for the rooftop mechanical units.

The Country Store is being converted into a Cub Foods Store. The south portion of the store is being expanded approximately 44' x 200'. There will be approximately 30' of sloped sidewalk from the store to the street. Parking will be reconfigured and will include six cart return areas near the store. The elevation of the east driveway onto France Avenue will be changed to match the street.

The Cub Foods store will be totally sprinklered. Mr. Fuecker stated any interior racking over 12' in height must be sprinklered.

The applicants are looking into enclosing the dock and have done noise studies. Planning staff will further review the loading dock enclosure. Mr. Enney indicated a water line runs where the dock is proposed and must be relocated.

The committee had the following recommendations:

- 1) building(s) be totally sprinklered as approved by the Fire Marshal;
- 2) exterior lighting and building security plans be approved by the Crime Prevention Officer, Bloomington Police Dept.;
- 3) fire lanes be posted as approved by the Fire Marshal;
- 4) handicapped parking be provided with standard handicapped signs;
- 5) handicapped access be provided to the building;
- 6) utility plan with existing and proposed water mains be at locations as approved by the Fire Marshal and Utilities Engineer;
- 7) traffic, circulation and parking plans be approved by the Traffic Engineer;
- 8) enclosed trash facility(s) be provided in designated areas as approved by the Fire Marshal;
- 9) food service be as approved by the Environmental

- Services Section, Building and Inspection Division;
- 10) handicapped toilet facilities be provided;
 - 11) review of loading dock area by the Director of Planning.

The meeting adjourned at 3:00 p.m.

Mary Zimmerman
Minutes Secretary

Item 8

GENERAL INFORMATION

Applicant: Kraus-Anderson, Inc.

Location: 4050 West Old Shakopee Road (Valley West Shopping Center)

Request: Rezone from B-2 to B-2(PD) and Preliminary and Final Development Plans for a shopping center remodelling and expansion.

BACKGROUND

This item was continued from the September 20, 1990 Planning Commission meeting in order to allow the applicant to prepare additional plan materials that would include drawings, plans and specifications for various aspects of the planned development. The Staff's September 20, 1990 staff report included a review of issues related to development plan approval and recommendations to guide the applicant in preparing the necessary information to enable a complete review of the proposal.

Staff requested the following additional materials be submitted:

building plans

- 1) building elevation plans for the anchor grocery store truck dock and trash storage;
- 2) additional roof fascia/sign band details;
- 3) building floor plans for the anchor grocery store;
- 4) colored drawings of all building elevations;
cross section drawings of the building additions, particularly the canopy.

site plans

- 5) landscaping plan including interior and site perimeter;
- 6) proposals for sidewalk and bikeway along France Avenue and Old Shakopee Road;
- 7) grading plan with existing and proposed elevations and contours;
- 8) utility plan with existing and proposed storm sewer, sanitary sewer and water lines;
- 9) plans showing existing and proposed vertical grades at the driveway entrances on Old Shakopee Road and France Avenue;

signage plans

- 10) proposed monument sign details (siting in relationship to relocated sidewalk and bikeway, sight lines, materials, colors, etc.);
- 11) a preliminary uniform sign design, including proposed sign band size and letter sizes, and sign sizes and locations for anchor tenants;

miscellaneous

- 12) operational controls affecting the use of the loading dock area

PROPOSAL

The applicant requests rezoning of the 24.9 acre Valley West shopping center and office complex from B-2 Retail Business to B-2(PD) Retail Business (Planned Development), and approval of Preliminary and Final Development Plans in order to remodel and expand the existing shopping center. The project would result in an approximate 16% increase in the overall floor area of the L-shaped center building from a floor area of 178,976 square feet to 208,210 square feet.

Revisions to the center include the following elements:

- 1) a 12,320 square foot addition to the anchor grocery store at the east end of center adjacent to France Avenue;
- 2) the construction of a 3,900 square foot retail space at the southwest end of the center that would connect the center to an existing free-standing commercial building (formerly the Valley West Theater);
- 3) modification of the rear loading dock for the anchor grocery store;
- 4) remodelling of the roof fascia and exterior wall panels.
- 5) reorientation of the direction of the drive aisles of a portion of parking lot and modification of the driveways in order to accommodate building expansion.

The original site plan indicated that the existing separated drive-up lane to the front (south) of the grocery store will be eliminated. The drive aisles in the parking area to the south of the grocery store will be realigned from their present east-west direction to a north-south alignment. Drive aisles to the west of the grocery store -- that is, west of the driveway entering from Old Shakopee Road, will remain in its current east-west configuration.

ANALYSIS

The previous Staff report focused on the following areas of review: building additions and improvements; loading dock addition and rear trash enclosures; signage, site plan and landscape plan; and off-site improvements.

The applicant has submitted supplementary information including revised building elevation plans, roof fascia plans, colored renderings of building elevations, landscape plan, revised site plan including utilities and grading modifications, and a preliminary sign design including monument sign design. The additional plans present a planned development that exhibits a coherent and consistent design that reflects an overall architectural theme and improves the efficiency of the use of the site.

Staff remains in concurrence with the upgrading and improvement of this community shopping center. Rezoning to a planned development will allow for the development of new tenant spaces, including a major change in the west grocery store tenant, in conjunction with a number of center improvements related to the appearance, design, and site functioning.

Building Additions and Improvements

The applicant's revised plans are a marked improvement in integrating the various building components of the planned development. The revised building elevation and roof fascia plans and details for improvements to the front facade and roof fascia of the center, the building addition to the anchor grocery store and the additional retail space connecting the center to the free-standing commercial building exhibit a consistency in design.

The redesigned plans for the roof fascia of the existing center is coordinated with the new rental space on the south side and allows for a transition to the new anchor grocery store addition at the east end of the center adjacent to France Avenue. The overall height of the roof fascia has been increased from 4 feet to 8 feet with full gables that complete the gable return to the roof fascia. Fascia material will be prefinished metal roof panels of a dark blue color with white gable interior metal panels. The 3 foot high sign band will be restored and a proposed maintenance program to keep it in condition is an element of the uniform sign design. The existing texturized and mosaic wall will be replaced with a beige colored synthetic stucco facade that lends contrast with the roof fascia improvement.

A higher roof fascia will allow for a consistency along the roof line in contrast to the varying building heights caused by anchor tenant spaces. The existing center building (not including the anchor grocery store) with the new tenant space connecting the center to the detached theater building, will allow for uniformity based on the fascia structure and material use. The higher roof fascia should provide for effective screening of roof top equipment in contrast to the wood fence screening currently in use.

The roof fascia will be extended along the front of the new tenant space and will be angled or tapered as a transition to the theater building, which will be remodelled as an anchor tenant space. The sign band will extended across the theater building that will continue the uniform signage.

Plans for the new front addition to the anchor grocery store (Cub Foods) have been substantially revised and indicate a conscious effort at architectural integration of the center's major anchor tenant while maintaining a degree of individuality in the design. The plans indicate a reduction in the scale or mass of the front addition as it presents a lower profile that should be more consistent with the existing center building. The front entrance/sign tower has been lowered from almost 11 feet to 6 feet height and is narrower as it rises above the main (west) set of entry doors. The top of the sign tower returns to an approximate 24 foot building height east and west of the main entry or a building height consistent with the existing building.

The building facade has been changed from a exterior block to a 10 foot brick facade (from grade) to match the existing brick of the existing grocery store building followed by a 3 foot stucco accent stripe area and topped with a 12 foot light grey stucco finish on the upper building wall. The materials for the addition continue around to the east facade of the building allowing for a design transition on the France Avenue side. There is a small sign tower where the new addition meets the existing store building. In order to provide for architectural consistency, the rear of the sign towers should be enclosed to provide for a complete building form.

Although colored drawings of the building elevations and limited building material samples have been submitted for the purpose of this review, a complete set of building material samples need to be submitted as part of an approval of the final development plan. A condition should be included requiring approval building materials by the Director of Planning in order to assure compatibility with approved plans.

Loading Dock Addition and Trash Enclosures

The previous staff report identified the up-grading of the anchor grocery store loading dock area as an important element in the development plan. The rear (north elevation) of the center and the east side of the anchor grocery store abuts established residential land uses. The design of the loading dock area should result in operation that will minimize impacts on the adjoining residential uses.

The applicant's revised plans show a dual loading dock configuration consisting of an enclosed loading dock structure and an adjoining screened open dock. The purpose of the dual loading dock configuration is to segregate dock functions by times of operation. Times of operation correspond to daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) periods according to the City's Noise Code. The enclosed loading dock would function on both a daytime and nighttime basis while the open dock would function on a limited daytime schedule based on operational controls currently practiced by the present operator of the grocery store.

The enclosed loading dock structure will be parallel to the rear wall of the building and is oriented away from the north property line towards France Avenue. Truck access to the dock would be from the France Avenue entrance with modifications to parking islands in order to facilitate truck turning movements. The closed dock would provide for building-like screening and contain and direct truck and loading operation noise away from the abutting residential use to the north. Evergreen tree plantings are proposed for the perimeter along France Avenue to provide for screening of the dock entrance.

The open dock is located to the west of the enclosed dock structure, angled but generally parallel to the rear of the building. An inclined drive to the dock would be approximately 4 feet below the grade of the drive aisle. Adjacent to the dock would be one of the store's two trash compactors with a building wall screening the drive aisle side of the area. (The second trash compactor is located outside of the west wall of the enclosed dock structure.) Controls limiting the hours of operation of the outdoor activities in the dock area should be included as a condition of approval of the final development plan.

Orientation and construction of the loading docks should mitigate potential noise impacts. Both loading dock areas provide building screening and are oriented away from the residential units to the north. The proposed plan is an improvement over the existing situation in which the open loading area is oriented perpendicular to the north property line. The potential problem of truck access and circulation is avoided with the proposed changes in the parking islands allowing for turning movements from the France Avenue entrance. Access from West Old Shakopee Road and circulation along the rear of the existing center building is not necessary for the building to function.

Included in the revised plans submission are trash enclosures for the main center building. The enclosures would measure 9 feet by 20 feet with a 6 foot high wall. The enclosures would be constructed of rockface concrete block with fire treated wood gates. These structures allow effective solid waste management with regard to screening, security and sanitation. As noted above, the Cub Foods store will have two trash compactors that will have to be screened and enclosed or contained in a secure area. The siting of enclosures has not been finalized. A condition should be included requiring trash storage enclosures be provided and sited subject to the approval of the Director of Planning and the Fire Marshal.

Signage

A total revision of the uniform sign design was recommended in the previous Staff report in order to be compatible with the proposed architectural theme of the planned development. It was noted that the existing sign design has not adequately served as a framework for uniform signage and is characterized by numerous changes and modifications. The applicant has submitted a preliminary uniform sign design with the purpose of creating signage consistency.

The applicant's consultant has recommended that the existing three foot high sign band will be retained on the front facade of the existing center building and extended to the new tenant space and the Valley West theater building. The sign band will be restored and a program for continuing maintenance is proposed. A condition of approval should be included that would assure periodic maintenance in conformance with an approved final sign design.

Center identification will consist of two proposed monument signs. These are 26 feet in height and 9 feet in width. The signs will be placed in position at the locations of the existing signs. The proposed signs are 6 feet narrower than the existing center signs and include copy identifying the center and three anchor tenants. Installation of signs will be phased for 1991.

All tenant signage (except for the Cub Foods store, the Marshall's anchor store and the auto service store (Dewey's Goodyear) adjacent to West Old Shakopee Road) will be contained in the 3 foot high sign band. Maximum letter height will be 2 feet and consist of individual letters or logos cut from transparent or opaque plastic and edged with one-inch dark bronze Edgebrite or equivalent. "Can" type sign cabinets should be prohibited. New individual tenant signage along the sign band should be required as part of a final uniform sign design to be approved by the Director of Planning.

The Cub Foods store signage will be limited to two wall signs located in a 20 foot by 28 foot space on the south (front) sign tower over the main entrance and on the east (France Avenue) sign tower. East tower proposed signage will be 120 square feet in area. The proposed copy of the wall signs will be limited to "Cub Foods". The size of the proposed signs for the Cub Food store exceeds that allowed by Code; however, as the major anchor tenant of the center serving as a destination for retail activity, it is the Staff's opinion that the increase in signage is acceptable.

Site Plan and Landscape Plan

Revisions to the site plan are reflected in two plan drawings showing the existing center building and modifications to the grocery store. As described in the previous staff report there is a re-orientation of the parking area and drive aisles in front of the anchor grocery store to a north-south alignment. According to estimates, there will be a total of 815 parking spaces to serve the center including 436 realigned spaces located south, east and north of the Cub Foods store. New parking islands are proposed in the re-aligned area south of the Cub Foods store. Parking island modifications will improve turning movements for trucks circulating to the loading dock area.

Access, circulation and parking plans approved by the City Traffic Engineer should be a condition of approval. Plans have not been submitted for grade at the France Avenue and West Old Shakopee Road entrances where corrections are necessary in order to remove "humps" at driveway-street intersections. Entrance gradient plans should be included in access, circulation and parking plans.

Site utilities at the rear of the building are shown to be relocated, however, a condition should be included requiring a finalized utility plan showing location of existing and proposed water main and fire hydrant location be approved by the Fire Marshall and Utilities Engineer.

The applicant has submitted a preliminary landscape plan. This plan is conceptual at this time and a final landscaping plan approved by the Director of Planning should be included as a condition of approval. Existing trees and plants are not identified and new tree plantings (lindens, locusts and maples) is proposed only for the re-aligned parking area in front of the Cub Foods store. A row of scotch pines is shown as perimeter screening along France Avenue opposite of the entrance of the enclosed truck dock area.

Off-Site Improvements

Detailed improvement plans for France Avenue and West Old Shakopee Road have not been formulated. The site plan indicates "future" improvements to channelization in both West Old Shakopee Road and France Avenue. Improvement plans will need to take into consideration re-building of sidewalk and bikeway along France Avenue.

Based on the staff's observation of traffic generated by grocery stores such as proposed here, these separated turn lanes will be needed sooner rather than later, and initial installation prior to opening will cause less interruption of expected heavy traffic volumes. At some point, signalization of both driveway intersections may be needed. The developer should be fully responsible for the cost of these improvements, and a street modification agreement and assessment agreement specifying this responsibility should be required.

RECOMMENDATION

In Case 4672B-90, Staff recommends rezoning from B-2 to B-2(PD) and Preliminary and Final Development Plan approval subject to the following conditions being satisfied prior to the issuance of any grading or building permits:

- 1) a development agreement including all conditions of approval be executed by the applicant and the City;
- 2) exterior building materials be approved by the Director of Planning;
- 3) photometric lighting plan be submitted for approval by the Director of Planning;
- 4) trash storage enclosures be provided in a designated areas as approved by the Fire Marshal and the Director of Planning;
- 5) a uniform sign design including a guarantee of adequate maintenance be submitted for approval by the Director of Planning;
- 6) grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 7) access, circulation and parking plans including entrance gradient be approved by the City Traffic Engineer;
- 8) erosion control measures be in place prior to issuance of grading permits;
- 9) street modification agreement be executed by the developer and the applicant;
- 10) exterior lighting plan and building security plans be approved by the Crime Prevention Officer, Bloomington Police Department;

and subject to the following additional conditions of approval:

- 11) exterior building materials match existing materials, as approved by the Director of Planning;
- 12) alterations to utilities be at the developer's expense;
- 13) no open truck dock deliveries or operations prior to 7:00 a.m. and no later than 10:00 p.m.;
- 14) enclosed truck dock access to be from France Avenue;
- 15) no operation of exterior trash compactors between 10:00 p.m. and 7:00 a.m.

and subject to the following Code requirements:

- 1) landscape plan be approved by the Director of Planning (Sec 19.52);
- 2) all rooftop equipment be fully screened (Sec. 19.52.01);
- 3) poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg Code 3802; Uniform Fire Code Ch 10.306);
- 5) fire lanes be posted as approved by the Fire Marshal (Sec. 8.73);
- 6) utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (Sec. 6.20, Uniform Fire Code Ch. 10.301-C);
- 7) food service plans be approved by the Environmental Services Division (Sec. 14.360)
- 8) handicapped parking be designated with standard signage as approved by the Director of Planning (Mn Bldg Code Chapter 1340);
- 9) handicapped accessible toilet facilities be provided (Mn Bldg Code Chapter 1340);

Prepared by: RMS Reviewed by: RH
(25a:psc8/11.rs)

Item 3 Valley West Shopping Center
10520 France Avenue South

Burt Dahlberg, Jim Fishbeck and Barb Smestad of Kraus Anderson, Ryan Johnson of Super Valu and Mike Riggels of Pope Architects presented plans for the renovation of Valley West Shopping Center.

Fencing will be removed from the exterior and replaced with a new canopy, which will provide cover for the rooftop mechanical units.

The Country Store is being converted into a Cub Foods Store. The south portion of the store is being expanded approximately 44' x 200'. There will be approximately 30' of sloped sidewalk from the store to the street. Parking will be reconfigured and will include six cart return areas near the store. The elevation of the east driveway onto France Avenue will be changed to match the street.

The Cub Foods store will be totally sprinklered. Mr. Fuecker stated any interior racking over 12' in height must be sprinklered.

The applicants are looking into enclosing the dock and have done noise studies. Planning staff will further review the loading dock enclosure. Mr. Enney indicated a water line runs where the dock is proposed and must be relocated.

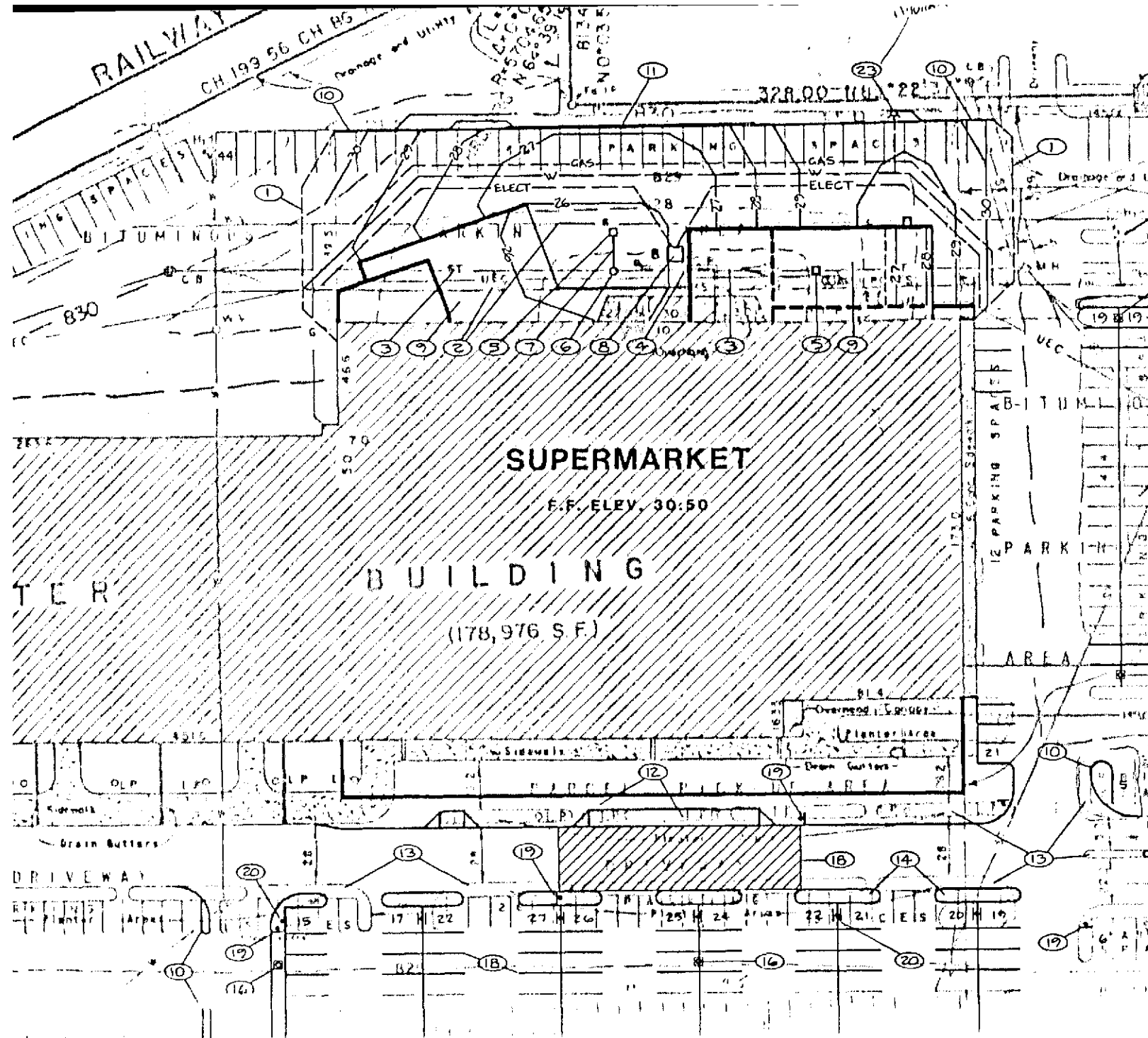
The committee had the following recommendations:

- ✓ 1) building(s) be totally sprinklered as approved by the Fire Marshal;
- ✓ 2) exterior lighting and building security plans be approved by the Crime Prevention Officer, Bloomington Police Dept.;
- 3) fire lanes be posted as approved by the Fire Marshal;
- 4) handicapped parking be provided with standard handicapped signs;
- 5) handicapped access be provided to the building;
- 6) utility plan with existing and proposed water mains be at locations as approved by the Fire Marshal and Utilities Engineer;
- 7) traffic, circulation and parking plans be approved by the Traffic Engineer;
- 8) enclosed trash facility(s) be provided in designated areas as approved by the Fire Marshal;
- 9) food service be as approved by the Environmental

- Services Section, Building and Inspection Division;
- 10) handicapped toilet facilities be provided;
 - 11) review of loading dock area by the Director of Planning.

The meeting adjourned at 3:00 p.m.

Mary Zimmerman
Minutes Secretary



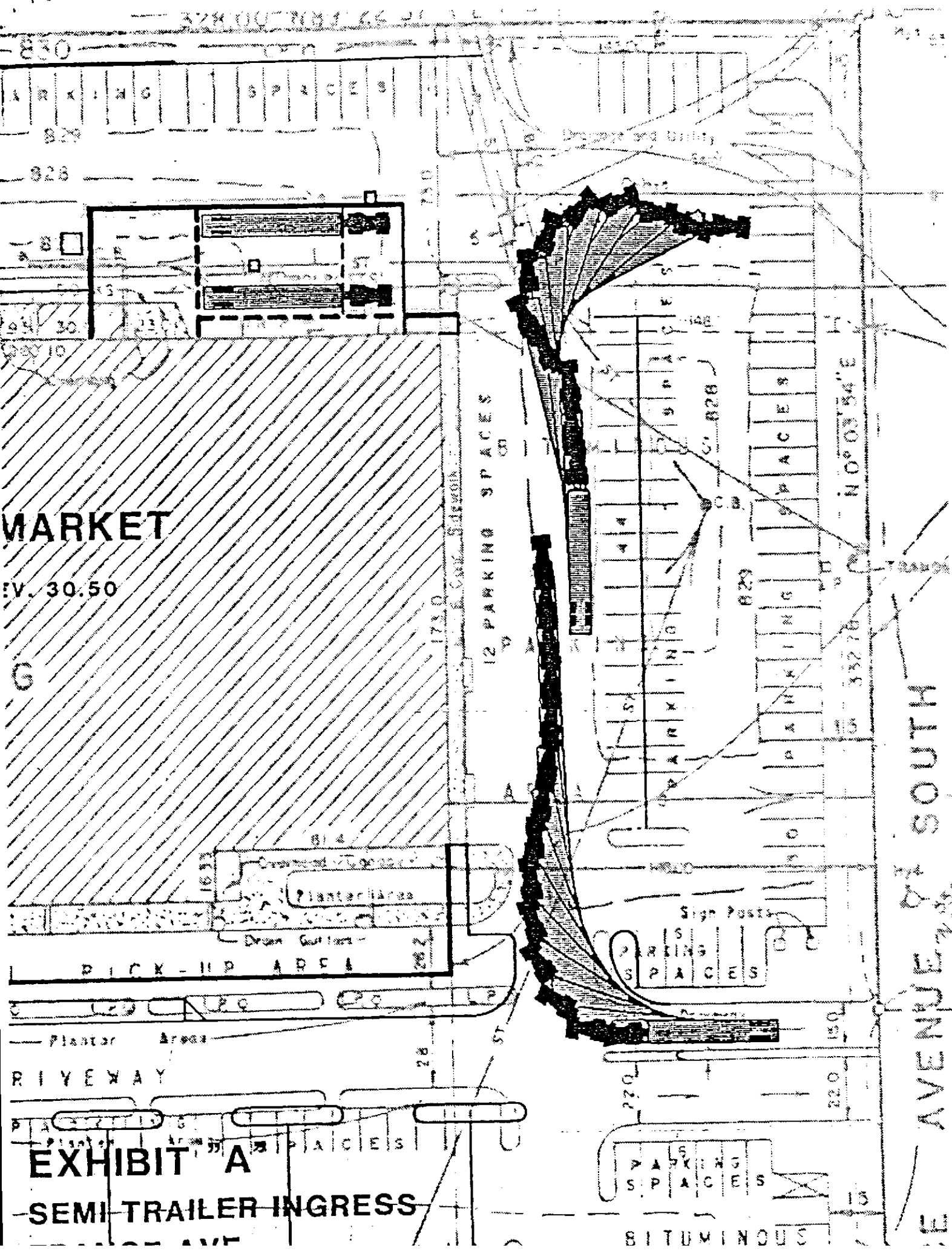


EXHIBIT A

SEMI TRAILER INGRESS

E AVENUE & SOUTH

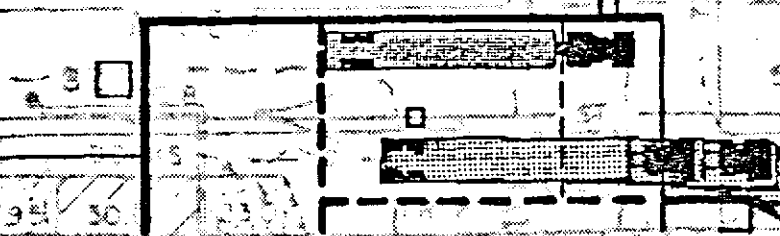
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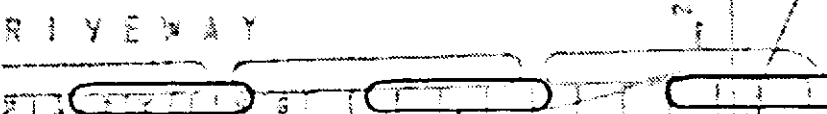
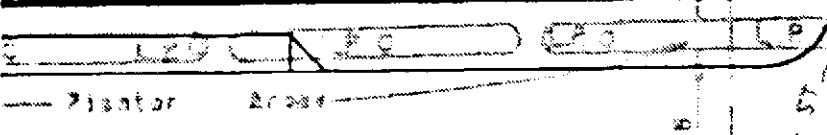
PARKING SPACES

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12 PARKING SPACES

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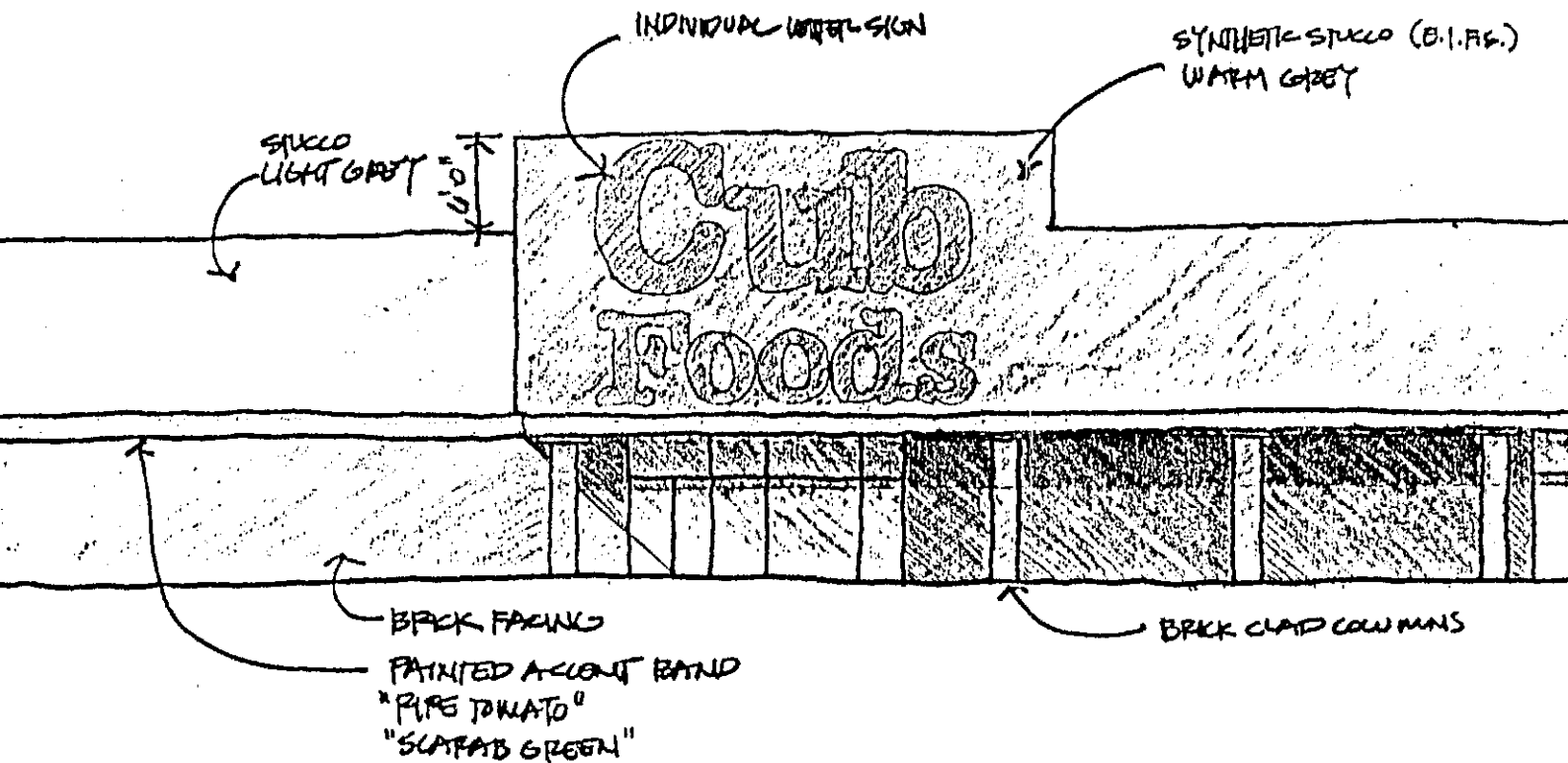
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AVENUE SOUTH

E

EXHIBIT "B"
SEMI TRAILER EGRESS
FRANCE AVE

BITUMINOUS



~~and could report back within 30 days on the questions that were raised. Spive asked that~~
would be included in the report to which the Mayor said he would expect that the
questions that were asked would be answered, information would be provided on the cost
of dredging the lake with the expected amount of the assessments to the residents, and
information would be provided on water quality and water levels. Johnson commented that
Mr. Honchell had explained the City's policy on cost sharing for dredging of lakes and
ponds to those persons in attendance at the October 6 neighborhood meeting. Don
Anderson, who had spoken previously, returned to the podium to say that because the flood
control improvements were paid for by the City, the residents in this area feel that the
costs of the dredging should also be borne by the City, or that the Minnesota Department
of Transportation should be asked to share in the costs.

Rezoning, Preliminary
and Final Development
Plan for Shopping
Center Remodelling
and Expansion
Case 46728-90
Item 4.7
0-90-45

The Council was requested by Kraus-Anderson, Inc., to consider approving rezoning
of property at 4050 West Old Shakopee Road from B-2 to B-2(PD) and to approve the
preliminary and final development plans for remodelling of the Valley West Shopping
Center together with expansion of the center. There would be an addition to an
existing grocery store with a change in tenant to Cub Foods; construction of additional
retail space at the southwest end of the center that would connect the shopping center
to an existing freestanding commercial building; remodelling the rear loading dock
for the anchor grocery store; and remodelling of the roof fascia and exterior building
finish. In conjunction with this remodelling and expansion, there will be realignment
of parking spaces and roadway improvements for France Avenue and West Old Shakopee Road
that will facilitate access to the center.

The Planning Commission, at its meeting of October 11, recommended approval of the
rezoning and the preliminary and final development plans based on compliance with the
following conditions being satisfied prior to the issuance of any grading or building
permits:

1. a development agreement including all conditions of approval be executed by the
applicant and the City,
2. exterior building materials be approved by the Director of Planning,
3. photometric lighting plan be submitted for approval by the Director of Planning,
4. trash storage enclosures be provided in a designated area as approved by the Fire
Marshal and the Director of Planning,
5. a uniform sign design including a guarantee of adequate maintenance be submitted
for approval by the Director of Planning,
6. grading, drainage, utility and erosion control plans be approved by the City
Engineer,
7. access, circulation and parking plans including entrance gradient be approved by the
City Traffic Engineer,
8. erosion control measures be in place prior to issuance of grading permits,
9. street modification agreement be executed by the developer and the applicant,
10. exterior lighting plan and building security plans be approved by the Crime
Prevention Officer, Bloomington Police Department,

and subject to the following additional conditions of approval:

11. exterior building materials match existing materials, as approved by the
Director of Planning,
12. alterations to utilities be at the developer's expense,
13. no open truck dock deliveries or operations prior to 7 a.m. and no later than
10 p.m.,
14. enclosed truck dock access to be from France Avenue,
15. no operation of exterior trash compactors between 10 p.m. and 7 a.m.

The Director of Planning explained what is being proposed, saying the revision to the building will allow other problems in the area to be addressed. Because there will be an enclosed loading dock for night time deliveries, the number of noise complaints received about night time loading activities should diminish. In addition, he said the west-east aisle in front of the present grocery store will be removed and relocated to the end of the building in a north-south direction, which will help with traffic flow. He noted that the landscaping is being changed to prevent traffic hazards, and new pylon signs will be installed at the entrances. He said a related improvement will be completed by Hennepin County in the future with center islands for left turn bays at France Avenue and Old Shakopee Road.

Burt Dahlberg, representing Kraus-Anderson, owner of the property, was present together with John Pope, architect for the project. Mr. Pope reviewed the improvements, using graphics to illustrate his remarks. He said there will be a new fascia on the building with a new roof structure, and a new stucco exterior finish with face brick at the entry areas.

Following discussion, motion was made by Mahon, seconded by Spies, and all voting aye, to close the hearing, to adopt the ordinance rezoning the property to B-2(PD), and to approve the preliminary and final development plans based on compliance with the conditions set forth by the Planning Commission.

Revised Final Development
Plans for Transit Station
Case 0235K-90
Item 5.1

The Council was requested by the Mall of America Company, 8100 24th Avenue South, to consider approving the revised final development plan for approval of a transit station.

The Planning Commission, at its meeting of October 11, recommended approval of the revised final development plan subject to the following conditions:

1. transit center be designed and operated to provide positive air pressure inside the passenger waiting area and related facilities,
2. rooftop exhaust equipment be painted to match the painting scheme of the upper parking level as approved by the Director of Planning,
3. building security plans be approved by the Crime Prevention Officer prior to issuance of building permits for the transit station building,
4. transit center signage be submitted as part of the Uniform Sign Design package to be approved by the Director of Planning,
5. curb cuts be provided at all entrances to the transit station, from 24th Avenue to the center and at intervals along the curb of the "MTC drop-off area" as approved by the Director of Community Development,
6. grade level horizontal surface of the transit center shall be a portland cement concrete finish,
7. transit center horizontal surface illumination shall be an average of 20 footcandles and in no location less than 15 footcandles.

The Director of Planning reviewed the plans, saying the transit station will be located underneath the east parking structure of the Mall facing 24th Avenue. Question was raised by Mahon as to whether the grant will pay for the cost of the station. The City Manager said it is expected to pay for part of it. Mahon then asked if the station would become part of the counted value for the developer to which the City Attorney said if it's a public improvement on which ad valorem taxes would be paid, it would be considered a part of the counted value. Mr. Pidgeon said the transit station represents participation by the State of Minnesota in the form of a grant, and the agreement calls for the City to reimburse the developer on a particular formula of which counted value is one of the key ingredients. He said the grant funds would be paying for part capital costs and

**Adopted Resolution
Approving a
Conditional Use
Permit at 3810 West
Old Shakopee Road
Case 10713D-08
ITEM 5.2C
R-2008-75**

Motion was made by Grady, seconded by Nordstrom, and all voting aye, to adopt a resolution approving a Conditional Use Permit for an instructional center in a retail center, at 3810 West Old Shakopee Road (tenant address), Case 10713D-08, for Mathnasium Learning Center, subject to the following 5 conditions of approval and 5 Code requirements as set forth by the Planning Division Staff:

1. The Conditional Use Permit is limited to 1,200 square feet of leased space as shown in the plans approved in Case 10713D-08; and

and subject to the following conditions being satisfied prior to the issuance of any permits;

2. Plans for the trash and recyclable material collection and storage space, be approved by the Planning Manager;
3. Sewer Availability Charge (SAC) be determined and satisfied;

and subject to the following additional conditions:

4. Students on-site at one time must not exceed 24;
5. All loading and unloading must occur on-site and off of public streets;

and subject to the following Code requirements:

1. All rooftop equipment shall be fully screened (Sec. 19.52.01);
2. All trash and recyclable materials be stored inside the building space (Sec. 19.51);
3. Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
4. Signage be in conformance with the requirements of Chapter 19, Article X of the City Code; and
5. All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109).

No staff report was provided and no public testimony was received.

**Approved Revised
Final Development
Plan for Materials
Change at Valley West
Shopping Center at
10520 France Ave. S.
Case 4672B-08
ITEM 5.2D**

Using an aerial map, Hawbaker showed a picture of the site. He stated this application is for a facelift of the Valley West Shopping Center. He stated staff had expressed concern with the elimination of a section of sidewalk on the east side along the west wing, as it was the applicant's intention that patrons utilize the interior corridor and outside drive lanes. The applicant's architect, however, reconsidered and has decided that piece of sidewalk will stay.

Speaker #1: Nick Sperides, Architect

He stated the shopping center's signage, landscaping, and interior mall will get a new facelift. It was built in the 1970s and it's time for an update.

Winstead inquired if Mr. Sperides was aware of any overall redevelopment of this site in the medium term future.

Sperides stated they've been working on this project for five years and that several attempts have been made to propose ideas that would make the corner more consistent with the other developments on the other three surrounding corners but none of the ideas ever proceeded beyond a concept. He stated he is aware of some unique land ownership conditions with regard to the McDonalds and Penn Cycle.

Speaker #2: Ken Vinje, Representing Kraus-Anderson

He stated at this point in time, Cub Foods is still the anchor tenant and they will be adding liquor and a pharmacy. He stated they will be looking at the Snyder end of the Shopping Center. They have tried to look at the corner but they haven't been able to get control of it. He stated this facelift will bring the shopping center up to today's standards.

Axtell commented it's good to see this kind of money reinvested in the community. The shopping center will take on a much different look and the additions to the Cub should be nice.

Elkins stated he is disappointed the east end of the shopping center isn't being redeveloped as part of a larger plan.

ITEM 5.2D continued

Motion was made by Peterson, seconded by Axtell, and all voting aye, to approve a revision to the exterior finish materials to an existing retail shopping center building and the existing building as part of the Revised Final Development Plan at 10520 France Avenue South, Case 4672B-08, for Osborne Properties c/o Kraus Anderson, Inc., subject to the following 2 conditions of approval and 5 Code requirements being satisfied prior to the issuance of a building permit, including revised Condition #1 as set forth by the Planning Division staff:

1. Exterior finish material be as approved by the Planning Manager.

and subject to the following additional conditions:

2. Sidewalks be maintained adjacent the drive aisle adjacent to the building; and
3. A minimum of 6 bicycle parking spaces shall be provided, number and location to be approved by the City Engineer;

and subject to the following Code requirements:

1. Landscape plan be approved by the Planning Manager control measures be in place and bond be filed;
2. Exterior lighting shall satisfy the requirements of Section 21.301.07 of the City Code; and
3. Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.
4. All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109).
5. All rooftop equipment shall be fully screened (Sec. 19.52.01);

**CLOSED PUBLIC
COMMENT PERIOD**

**Adopted Resolution
Approving Variances
at 8001 Nicollet Ave.
Case 5146ABCD-08
ITEM 5.2E1
R-2008-76**

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.

Using an aerial photo, Hawbaker showed a small vacant parcel that has been vacant for years. He stated this site was approved for a small restaurant many years ago and many uses have been proposed since but due to the constraints of the site, nothing has ever come forward for consideration. He stated the current applicant proposes to construct a laundromat on the site and the Planning Commission and the Planning Division staff determined it is a reasonable development. He stated the variance requests are due to the small size of the parcel and the development constraints.

In thinking about the issues relating to smaller sites, Peterson inquired as to how this will work for the future.

Hawbaker stated this site would work for a small retail operation and that a use such as a restaurant would be a problematic. He stated a coffee shop was recently talked about for this site.

Wilcox inquired if the issue of runoff, which had been previously expressed by one of the residents, had been resolved.

Hawbaker replied it had.

Nordstrom inquired if the laundromat located at 90th Street & Penn Avenue is unmanned for part of the day.

Hawbaker replied it probably is.

Motion was made by Wilcox, seconded by Nordstrom, and all voting aye, to adopt a resolution approving variances to reduce the required minimum building floor area from 3,000 square feet to 2,240 square feet, reduce the required rear yard setback from 15 feet to 5 feet, reduce the minimum residential setback from 50 feet to 10 feet, and reduce the required landscape yard from 20 feet to 10 feet for a freestanding coin operated laundromat at 8001 Nicollet Avenue, Case 5146ABCD-08, for Eric Swanson, subject to the following 2 conditions of approval and 1 Code requirement, as set forth by the Planning Division Staff and the Planning Commission:



Request for Council Action

Originator Community Development	Item Conditional Use Permit for a fitness center	#
Agenda Section HEARINGS/PUBLIC INPUT Development Business	By LDP	Approved Date August 27, 2009

Item 4

Case 4672E-09

GENERAL INFORMATION

Applicant(s): Kraus Anderson, Inc.

Location: 10520 France Avenue South (Valley West Shopping Center)
Tenant address 10606 (Vacant Snyder's space)

Request: A conditional use permit for a fitness center as part of an existing shopping center in a B-2 zoning district.

Existing Land Use and Zoning: Retail Shopping Center, Zoned B-2 (PD) (Planned Development)

Surrounding Land Use and Zoning

- East - Retail commercial and single family residential; zoned B-4 (PD) and R-1
- North - Multiple family residential and retail commercial; Zoned R-4(PD) and B-2
- South - Multiple family residential, financial institution and retail commercial; zoned R-4, B-2, and B-4 (PD)
- West - Office; zoned B-2(PD)

Comprehensive Plan: The Comprehensive Land Use Plan recommends Community Commercial land use for the property.

PROPOSAL

The applicant proposes to locate a Planet Fitness exercise facility in the 13,014 square foot retail space near the southwest end of Valley West Shopping Center. The tenant space was originally a Mann Theater and most recently, Snyder's Drug Store. The facility will be accessed from the existing entrance on the eastside of the center and a newly created entrance on the west. Both entrances direct members to a staffed membership desk. Lockers, showers, massage and tanning facilities will be provided.

Council Action

Motion by _____ Second by _____ to _____

Staffing numbers and hours of operation are dictated by patron usage volume. Initially, there would be four people on staff including, a manager, front desk staff and cleaning crew. Tentative hours of operation would be 5:00 AM to 10:00 PM daily. Dependant on demand, the facility may extend the hours of operation to 24 hours if the membership volumes support making the change.

APPLICABLE REGULATIONS Section 21.204.02

REQUIRED FINDINGS Section 19.22(2)(a), (b), (c), (h) and (i)

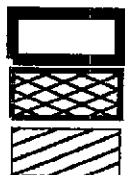
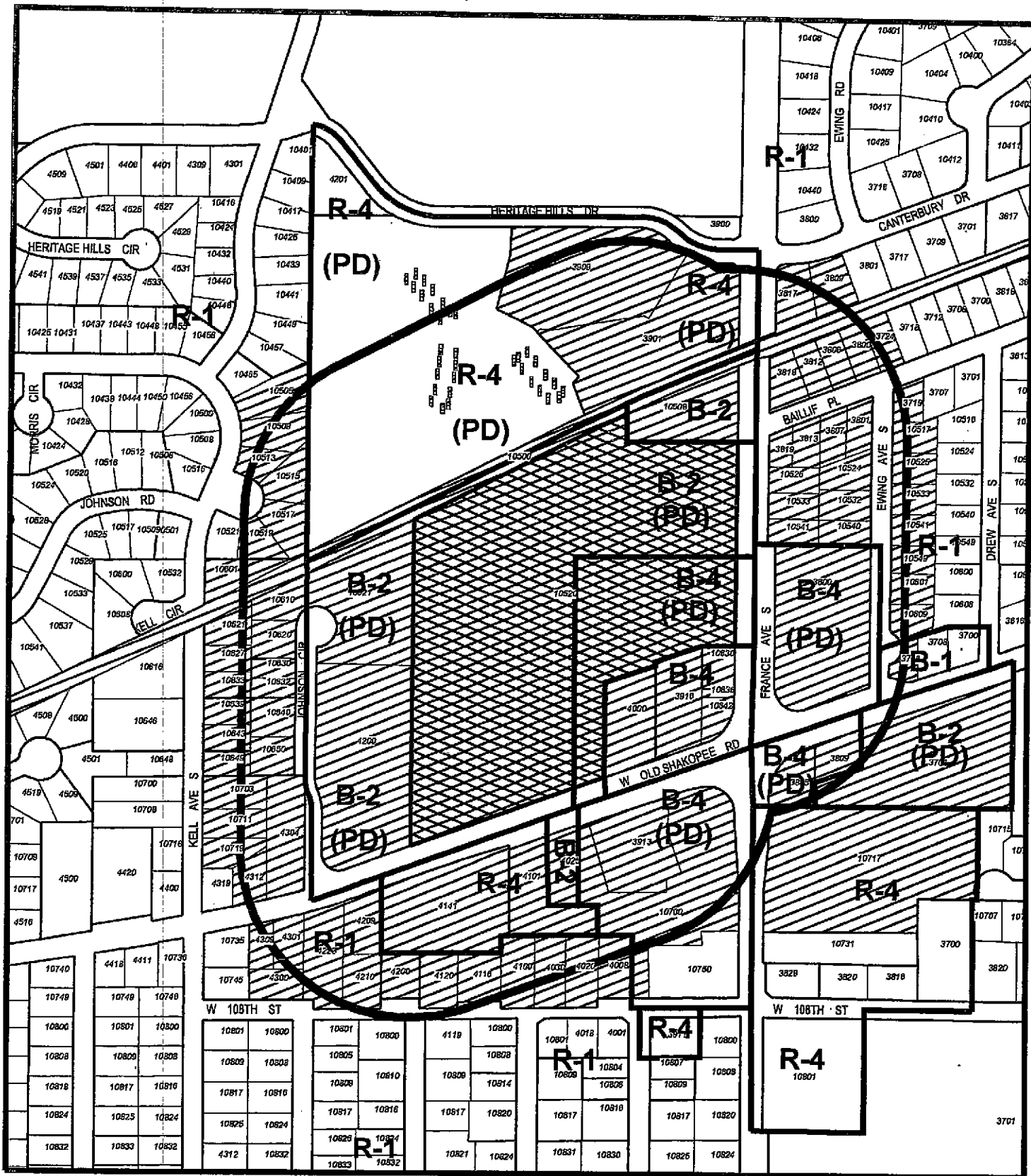
CHRONOLOGY

Planning Commission Agenda: 08/27/09 -- Public Hearing scheduled

DEADLINE FOR AGENCY ACTION

Application Date:	07/21/09
60 Days:	09/18/09
Extension Letter Mailed:	No
120 Days:	11/17/09

City of Bloomington Notification Map



Notification Boundary
Applicant Property
Notified Properties

Zoning District Boundary
(Labels Refer to Zoning District)

CASE 4672E-09



(A notice of this application was sent to the registered owner of these properties)

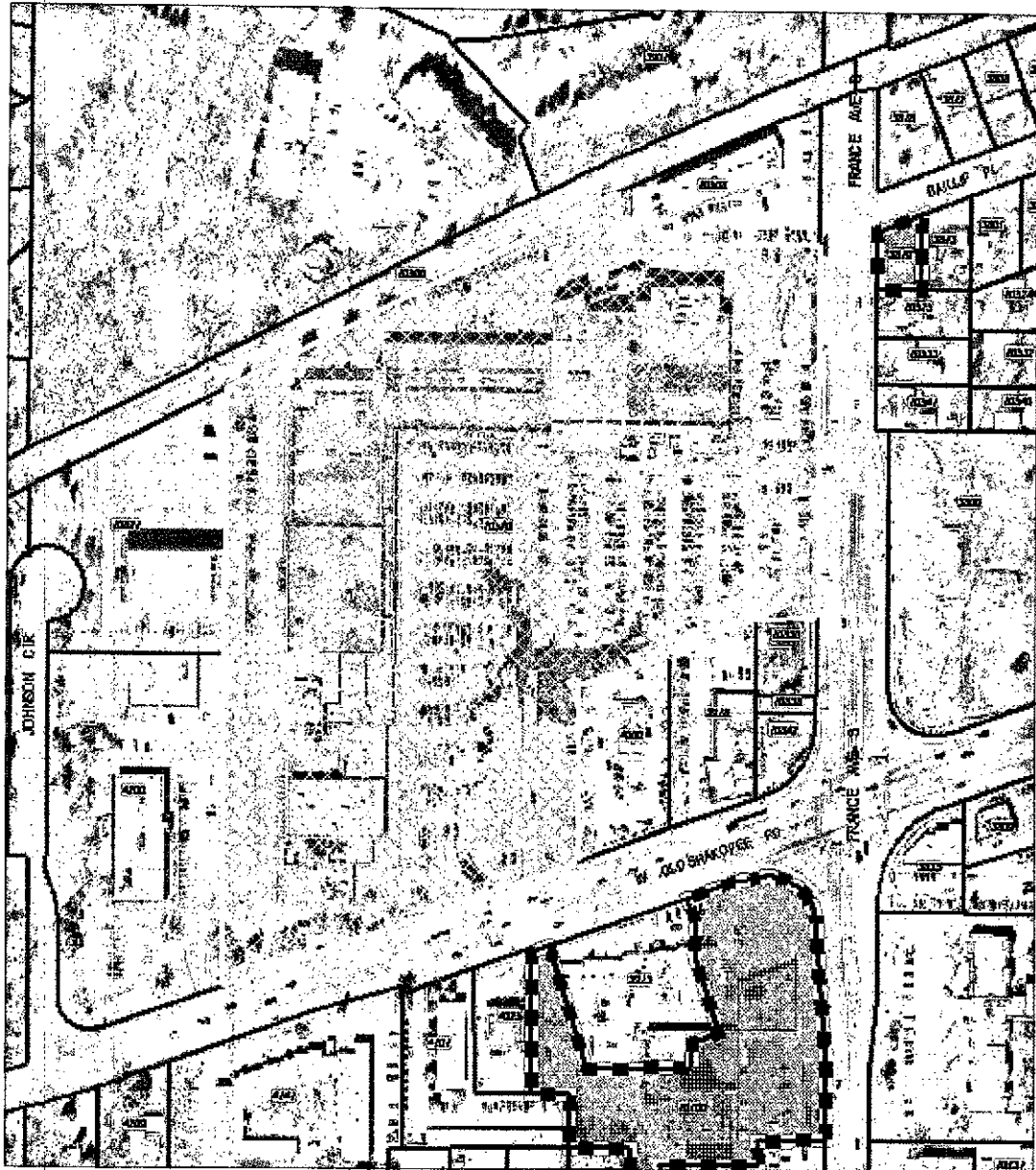
Scale: 1:4800

Plot time: 08/12/2009 13:15:11



Snapshot from City of Bloomington GIS

Print Date: 08/03/2009



Item 4 Case 4672E-09 10520 France Avenue

Findings Required for
Issuance of Conditional Use Permits
in

Limited Business (B-1),
Retail Business (B-2),
General Business (B-3), and
Institutional (IN-1) Zoning Districts

No Conditional Use Permit shall be granted unless the Council finds the following:

- (A) The proposed use will not cause traffic hazard or congestion.
- (B) Adjacent residentially zoned land will not be adversely affected because of traffic generation, noise, glare, or other nuisance characteristics.
- (C) Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of nonshopping traffic or general unsightliness.
- (H) The use is consistent with the purposes of the Zoning Code as they are enumerated in Section 19.01 and the purposes of the zoning district in which the applicant intends to locate the proposed use.
- (I) The proposed use is not in conflict with the development plan of the City.



KRAUS-ANDERSON®
REALTY COMPANY

4210 West Old Shakopee Road
Bloomington, MN 55437-2951
Office 952.881.8166
Fax 952.881.8114
www.krausanderson.com

July 7, 2009

Mr. Londell Pease
City of Bloomington
1800 West Old Shakopee Road
Bloomington, MN 55431

**Re: Conditional Use Permit Request
Planet Fitness ~ Health Club
Valley West Shopping Center**

Dear Mr. Pease:

Enclosed is the Development Application request for a Conditional Use Permit (CUP) for a 13,014 sf. health club at the Valley West Shopping Center. Shank Fitness, LLC would like to operate Planet Fitness, a low-cost high value health club franchise in Bay 49 (10606 France Avenue). The bay was originally a Mann Theatre and most recently a Snyder Drug store.

Planet Fitness is a no frills, top quality cardio and weight training facility. The facility will have three tanning rooms, locker rooms and showers. The site will not have courts or a swimming pool. The Planet Fitness franchise was established in 1991 and is the 3rd largest health club in the world with 285 clubs and nearly two million members.

The health club does not plan to be 24 hours (but may elect to do so in the future). Staff will always be on duty to assist its members.

Also, attached is a site plan for Valley West Shopping Center and a preliminary space plan for the Planet Fitness Health Club.

Please process our C.U.P application. If you have any questions contact me at 952-948-9426.

Sincerely,
Kraus-Anderson Realty Company
As agent for Kraus-Anderson, Incorporated

Kenneth M. Vinje, CCIM, SCSM
Director of Properties and Redevelopment

KMV/vp

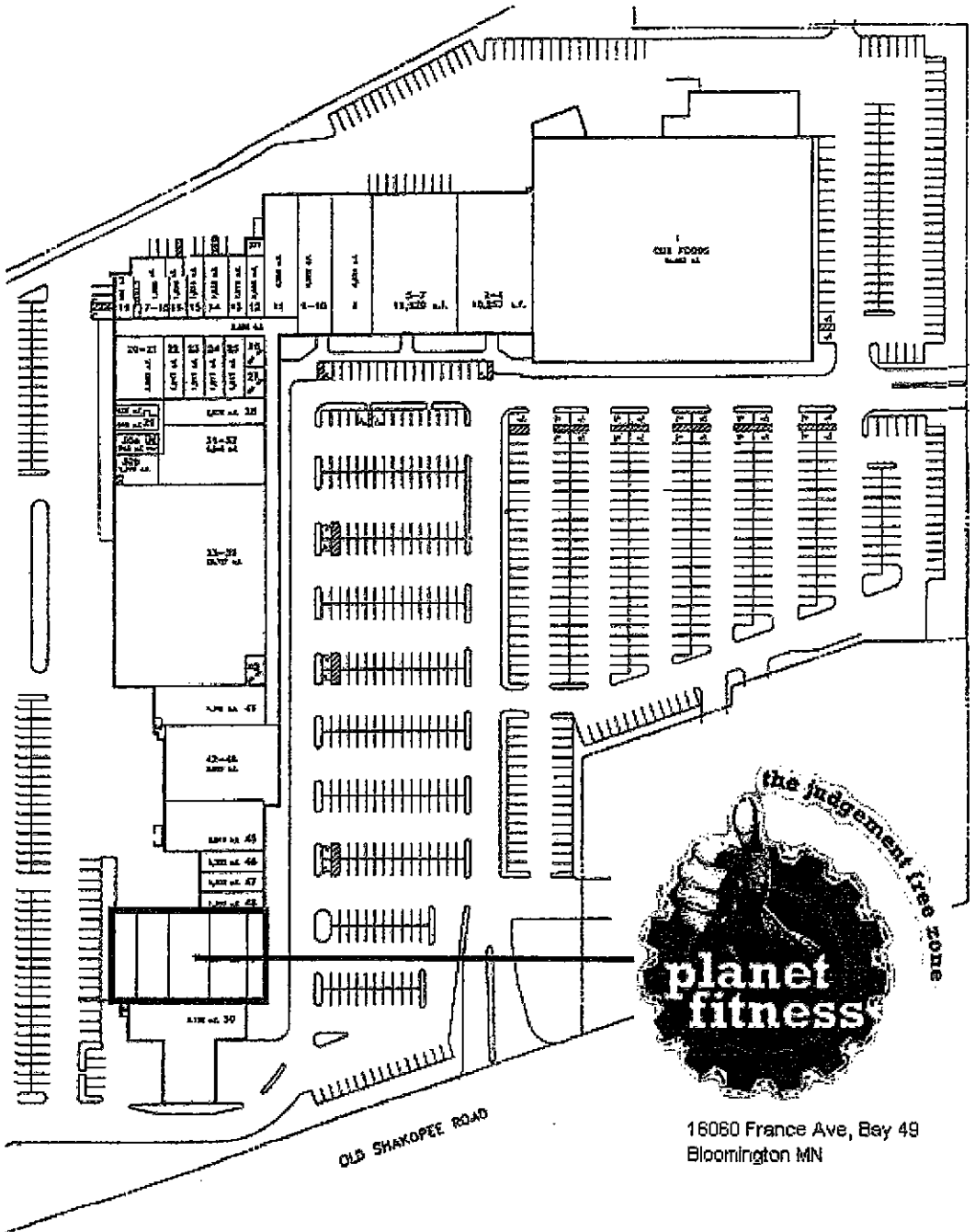
Enclosures

cc: Central File
Cory Koskie

4672 E

09

Valley West Shopping Center

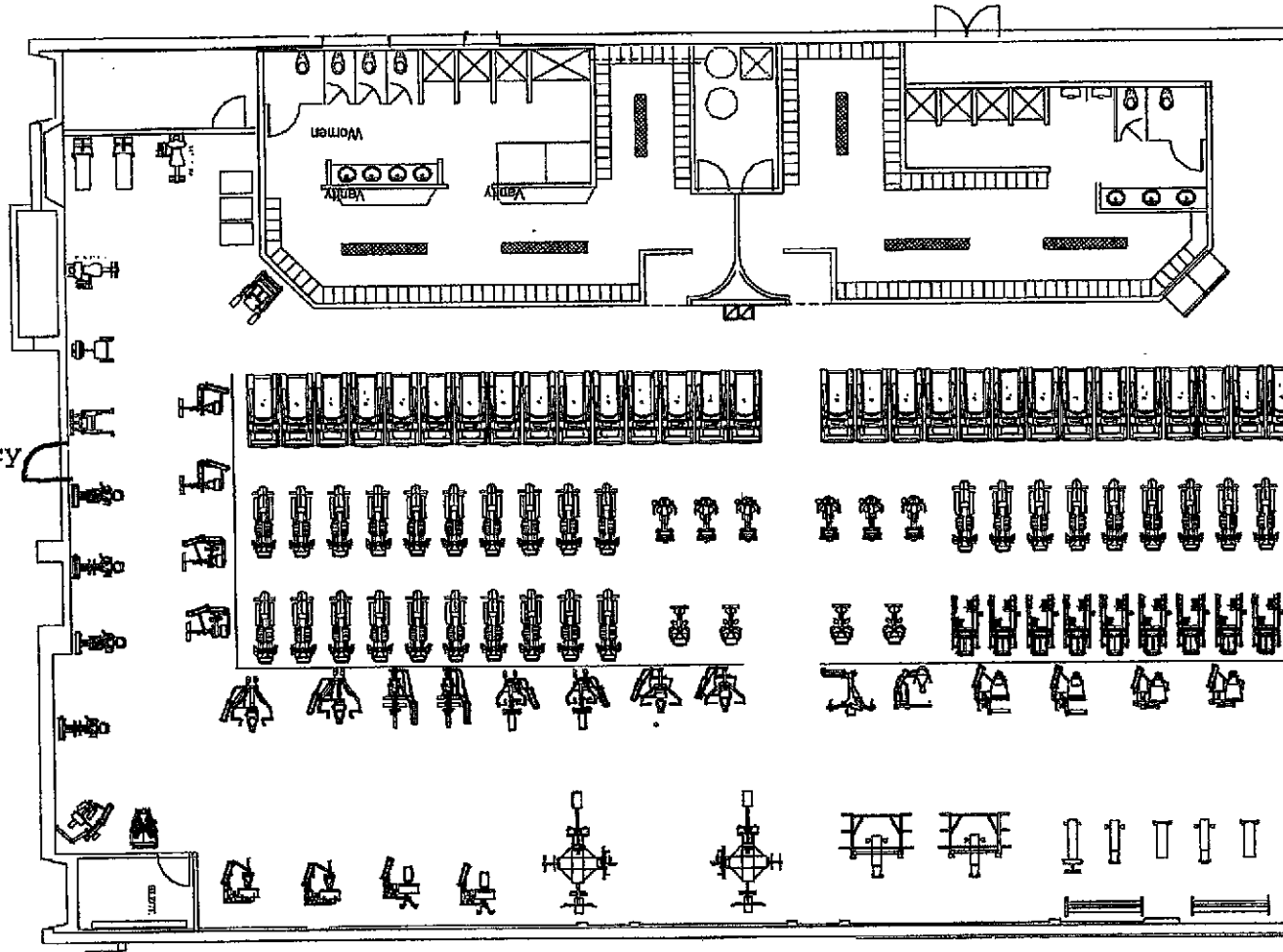


16060 France Ave, Bay 49
Bloomington MN



New Entrance

New
Emergency
Exit



Item 4

GENERAL INFORMATION

Applicant: Kraus Anderson, Inc. (Shank Fitness)

Location: 10520 France Avenue South (Valley West Shopping Center)
Tenant address 10606 (Vacant Snyder's space)

Request: A conditional use permit for a fitness center in the B-2 Zoning District as part of an existing shopping center

PROPOSAL

The applicant proposes to locate a Planet Fitness exercise facility in the 13,014 square foot retail space near the southwest end of Valley West Shopping Center. The tenant space was originally a Mann Theater and most recently, Snyder's Drug Store. The facility will be accessed from the existing entrance on the center's east side and a newly created entrance on the west. Both entrances direct members to a staffed membership desk. Lockers, showers, massage and tanning facilities will be provided.

Staffing and hours of operation would be dictated by patron usage volume. Initially, there would be four people on staff including a manager, front desk staff and cleaning crew. Tentative hours of operation would be 5:00 AM to 10:00 PM daily. Dependant on demand, the facility may extend the hours of operation to 24 hours if the membership volumes support making the change.

ANALYSIS

The proposed fitness center would be located in the vacant 13,014 square foot space previously occupied by Snyder's Drug Store. The facility would provide exercise equipment for individual use by members. There are no areas dedicated to group classes or activities. In addition to the workout equipment, massage chairs and tanning facilities would be provided.

The addition of a fitness facility in a shopping center requires careful consideration with regard to the peak hour parking demand compatibility with the adjacent uses. A proper complimentary use mix throughout the center is essential to insure parking and traffic generation conflicts do not negatively impact adjacent uses. The adjacent uses include two restaurants and a video store. These uses generate traffic and parking patterns much like the proposed fitness center with PM peak hour parking typically having the highest demand. While staff does not object to this use being appropriate for the shopping center, there is significant concern with regard to parking demand and impact on adjacent users.

The applicant provides peak hour patron information for two other comparable sized Planet Fitness locations. The PM peak hour weekday for each facility was 5:00 PM to 6:00 PM with member usage counts ranging from 49 to 160 members. There are a total of 144 parking spaces on the east side of the center which are located within 200 feet of the proposed use. The peak parking generation for the proposed use could potentially exceed the desirable parking available for the east side of the center.

Other than the concern over parking, the use would be a suitable enhancement to the overall mix of uses for the center.

Traffic

No traffic circulation issues have been identified for this use in its current forum.

Currently, there is no rear (west) access to the proposed fitness center. The applicant proposes adding the access to the west parking area to reduce the potential for parking conflicts on the east side of the center. Access to the west would net an additional 88 parking spaces within 200 feet of the proposed access. The entrance shall be designed to encourage users to use the entrance. This would include lighting, signs and entry design to be as inviting as the east side entrance. In addition, the applicant should consider directional signage to encourage users to utilize the west entrance.

FINDINGS

No Conditional Use Permit shall be granted unless the Council finds the following:

(A) The proposed use will not cause traffic hazard or congestion.

- * The addition of an entrance to the fitness center on the west side of the building distributes the parking to minimize the potential impacts on the existing tenants. The scale, character, intensity and customer traffic patterns have not been the cause of any traffic hazard or congestion in the past and, operating at the same levels, cannot be anticipated to do so in the future.

(B) Adjacent residentially zoned land will not be adversely affected because of traffic generation, noise, glare, or other nuisance characteristics.

- * The use does not produce any level of traffic noise, glare, or other nuisance characteristics resulting from unusual hours or operational practices beyond those normal to a service business of this nature that could affect adjacent residentially zoned land. In addition, the use is well separated from the nearest residentially zoned land by both distance and other non-residential development.

(C) Existing businesses nearby will not be adversely affected because of curtailment of customer trade brought about by intrusion of nonshopping traffic or general unsightliness.

- * Neighboring center businesses would not be impacted providing the center provides an inviting west side access to the use. Management practices encouraging the west entrance would assure the use can remain compatible in the future.

(H) The use is consistent with the purposes of the Zoning Code as they are enumerated in Section 19.01 and the purposes of the zoning district in which the applicant intends to locate the proposed use.

- * The use is consistent with the purposes of the Zoning Code as enumerated in Section 19.01 and with the General Business B-2 Zoning District in which it is a conditional use.

(I) The proposed use is not in conflict with the development plan of the City.

- * The proposed use is consistent with the development plan of the City by being located within a retail center of similarly scaled uses.

RECOMMENDATION

In Case 4672E-09, staff recommends approval of a Conditional Use Permit for a fitness center in the B-2 Zoning District as part of an existing shopping center 10520 France Avenue South subject to the following conditions being satisfied prior to the issuance of permits:

- 1) The applicant construct an entrance to the west parking lot as approved by the Planning manager;
- 2) The Conditional Use Permit is restricted to the lease area of 13,014 square feet as shown in the plans in Case 4672E-90.;
- 3) All required licenses shall be maintained;

and subject to the following additional condition:

- 4) Bicycle parking spaces shall be provided on the east and west sides as approved by the City Engineer;

and subject to the following City Code requirements:

- 1) All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109);
- 2) Sewer Availability Charges (SAC) shall be satisfied;
- 3) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
- 4) All trash and recyclable materials be screened and stored inside the principal building (Sec. 19.51).

planning\pc\reports\S04672E-09

0836

Manchester West - Planet Fitness

7/23/2009 9:32:51AM

Weekly Usage Times Report

Page: 1

Code	Description	1/19/2009	1/20/2009	1/21/2009	1/22/2009	1/23/2009	1/24/2009	1/25/2009	TOTAL
Club ID	836								
	12 TO 1 AM	2	3	8	6	2	0	0	21
	1 TO 2 AM	1	3	0	0	2	0	0	6
	2 TO 3 AM	0	3	0	3	1	0	0	7
	3 TO 4 AM	2	0	2	1	1	0	0	6
	4 TO 5 AM	11	20	27	20	17	0	0	95
	5 TO 6 AM	29	56	49	42	30	0	0	206
	6 TO 7 AM	27	44	37	49	44	0	2	203
	7 TO 8 AM	37	42	35	32	31	57	38	272
	8 TO 9 AM	37	49	53	36	44	56	46	321
	9 TO 10 AM	48	42	34	45	47	68	40	325
	10 TO 11 AM	59	39	21	35	54	76	59	343
	11 TO 12 PM	73	56	49	39	46	54	26	343
	12 TO 1 PM	59	52	59	69	59	69	46	413
	1 TO 2 PM	52	42	41	52	30	53	54	324
	2 TO 3 PM	60	54	49	45	41	53	37	339
	3 TO 4 PM	60	58	79	70	55	46	40	408
	4 TO 5 PM	94	102	115	95	73	41	54	574
	5 TO 6 PM	95	160	121	109	71	33	42	631
	6 TO 7 PM	70	106	100	81	64	10	18	449
	7 TO 8 PM	51	84	75	57	35	0	0	312
	8 TO 9 PM	31	46	32	36	8	0	0	150
	9 TO 10 PM	27	21	25	24	0	0	0	97
	10 TO 11 PM	9	14	11	7	0	0	0	41
	11 TO 12 AM	10	3	8	8	0	0	0	27
	Total For Club 836:	945	1,108	1,028	861	753	616	502	5,913

Report Criteria

Usage For The Week of: 1/19/2009

Gender: Both

07/21/2009 13:23
U836

6036272616

PLANETFITNESS

PAGE '01/01'

Manchester West - Planet Fitness

7/21/2009 1:21:14PM

Weekly Usage Times Report

Page: 1

Code	Description	7/13/2009	7/14/2009	7/15/2009	7/16/2009	7/17/2009	7/18/2009	7/19/2009	TOTAL
Club ID	836								
	12 TO 1 AM	5	1	5	0	2	0	0	13
	1 TO 2 AM	0	3	2	4	2	0	0	11
	2 TO 3 AM	0	1	3	6	0	0	0	10
	3 TO 4 AM	5	5	4	2	2	0	0	18
	4 TO 5 AM	13	16	18	9	15	0	0	71
	5 TO 6 AM	42	57	39	38	29	0	0	205
	6 TO 7 AM	42	60	57	45	44	0	7	255
	7 TO 8 AM	45	41	51	47	29	55	31	299
	8 TO 9 AM	37	41	42	38	51	35	40	284
	9 TO 10 AM	44	42	51	40	44	60	40	321
	10 TO 11 AM	34	59	51	38	33	48	38	299
	11 TO 12 PM	57	50	48	51	36	41	32	313
	12 TO 1 PM	53	45	52	30	33	44	13	270
	1 TO 2 PM	31	40	44	41	32	31	18	237
	2 TO 3 PM	44	40	33	47	35	24	25	248
	3 TO 4 PM	59	43	48	49	49	23	11	282
	4 TO 5 PM	74	82	68	83	40	26	19	395
	5 TO 6 PM	84	87	72	73	49	24	11	400
	6 TO 7 PM	64	64	46	48	28	9	10	269
	7 TO 8 PM	47	58	54	50	24	0	0	233
	8 TO 9 PM	44	34	34	33	11	0	0	158
	9 TO 10 PM	24	36	24	20	0	0	0	104
	10 TO 11 PM	17	14	11	4	0	0	0	46
	11 TO 12 AM	10	3	11	2	0	0	0	26
Total For Club 836:		875	922	866	798	588	421	295	4,765

Report Criteria

Usage For The Week of: 7/13/2009
Gender: Both

4672 E

09

Rochester - Planet Fitness

7/23/2009 09:34:40

Weekly Usage Times Report

Page: 1

Code	Description	1/18/2009	1/19/2009	1/20/2009	1/21/2009	1/22/2009	1/23/2009	1/24/2009	TOTAL
Club ID	162								
	12 TO 1 AM	0	0	0	0	0	0	0	0
	1 TO 2 AM	0	0	0	0	0	0	0	0
	2 TO 3 AM	0	0	0	0	0	0	0	0
	3 TO 4 AM	0	0	0	0	0	0	0	0
	4 TO 5 AM	0	17	37	16	34	15	0	119
	5 TO 6 AM	0	23	47	48	49	39	0	206
	6 TO 7 AM	18	13	34	29	20	32	34	180
	7 TO 8 AM	19	31	23	27	25	36	44	205
	8 TO 9 AM	24	26	48	42	41	53	42	276
	9 TO 10 AM	16	49	23	35	37	36	53	249
	10 TO 11 AM	21	38	25	28	30	44	45	231
	11 TO 12 PM	7	41	27	37	32	39	60	233
	12 TO 1 PM	8	30	9	29	40	31	39	188
	1 TO 2 PM	14	41	32	30	27	37	38	219
	2 TO 3 PM	19	35	29	37	30	38	38	226
	3 TO 4 PM	22	59	72	76	67	43	28	367
	4 TO 5 PM	8	60	78	72	62	59	39	378
	5 TO 6 PM	0	61	81	88	65	42	28	355
	6 TO 7 PM	0	55	77	87	71	29	9	308
	7 TO 8 PM	0	34	44	45	55	23	0	201
	8 TO 9 PM	0	28	20	17	15	6	0	86
	9 TO 10 PM	0	3	4	6	1	0	0	14
	10 TO 11 PM	0	0	0	0	0	0	0	0
	11 TO 12 AM	0	0	0	0	0	0	0	0
	Total For Club 162:	176	644	718	709	701	602	487	4,037

Report Criteria

Usage For The Week of: 1/18/2009

Gender: Both

0162

Rochester - Planet Fitness

7/21/2009 11:06:18AM

Weekly Usage Times Report

Page:

Code	Description	7/12/2009	7/13/2009	7/14/2009	7/15/2009	7/16/2009	7/17/2009	7/18/2009	TOTAL
Club ID	162								
	12 TO 1 AM	0	0	0	0	0	0	0	0
	1 TO 2 AM	0	0	0	0	0	0	0	0
	2 TO 3 AM	0	0	0	0	0	0	0	0
	3 TO 4 AM	0	0	0	0	0	0	0	0
	4 TO 5 AM	0	9	0	2	2	4	0	17
	5 TO 6 AM	0	38	8	48	39	40	0	173
	6 TO 7 AM	6	37	37	53	21	40	18	212
	7 TO 8 AM	34	53	75	36	29	66	31	324
	8 TO 9 AM	28	36	36	34	25	36	26	221
	9 TO 10 AM	34	46	42	44	29	42	40	277
	10 TO 11 AM	51	40	37	33	30	43	45	279
	11 TO 12 PM	36	31	19	26	20	35	32	198
	12 TO 1 PM	14	26	28	31	21	15	25	160
	1 TO 2 PM	13	23	24	16	26	27	16	144
	2 TO 3 PM	13	20	29	26	24	26	26	163
	3 TO 4 PM	23	49	40	31	25	22	21	211
	4 TO 5 PM	9	64	46	42	49	36	19	264
	5 TO 6 PM	0	66	53	59	46	23	21	266
	6 TO 7 PM	0	46	51	44	46	23	9	218
	7 TO 8 PM	0	31	56	32	28	23	0	170
	8 TO 9 PM	0	30	27	23	29	8	0	117
	9 TO 10 PM	0	17	10	2	6	0	0	35
	10 TO 11 PM	0	0	0	1	1	0	0	2
	11 TO 12 AM	0	0	0	0	0	0	0	0
Total For Club 162:		261	660	618	581	494	508	329	3,451

Report Criteria

Usage For The Week of: 7/12/2009

Gender: Both

**Adopted Resolution
Approving Conditional
Use Permit for Kraus
Anderson, Inc. at
10520 France Ave. S. &
Planet Fitness at
10606 France Ave. S.
Case 4672E-09
ITEM 5.2E
R-2009-95**

No staff report was provided but Grady inquired if Planet Fitness will be staffed if it ends up going to a 24-hour operation, as sometimes hours of operation are sometimes part of the conditions.

Hawbaker replied it is the applicant's intention to have it staffed all the time but if they end up changing their hours without having it staffed, it would be a licensing issue. He added tanning beds require a license.

Doug Junker, Licensing Examiner explained tanning beds require a health license plus a staff person needs to present anytime the beds are being used.

Motion was made by Grady, seconded by Nordstrom, and all voting aye, to adopt a resolution approving a Conditional Use Permit for a fitness center in the B-2 Zoning District as part of an existing shopping center at 10520 France Avenue South, Case 4672E-09 for Kraus Anderson, Inc., subject to the following 4 conditions of approval and 4 Code requirements as set forth by the Planning Division Staff and the Planning Commission:

1. The applicant construct an entrance to the west parking lot as approved by the Planning manager;
2. The Conditional Use Permit is restricted to the lease area of 13,014 square feet as shown in the plans in Case 4672E-09.;
3. All required licenses shall be maintained;

and subject to the following additional condition:

4. Bicycle parking spaces shall be provided on the east and west sides as approved by the City Engineer;

and subject to the following City Code requirements:

1. All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109);
2. Sewer Availability Charges (SAC) shall be satisfied;
3. Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
4. All trash and recyclable materials be screened and stored inside the principal building (Sec. 19.51).

No public testimony was received.

**Adopted Ordinance
Amending Two-Family
Dwelling Standards
ITEM 5.4A1
O-2009-26**

~~Hawbaker introduced Riley Grahams, an intern in Planning who has been working on the City Code amendments for Two-Family Dwelling Standards.~~

~~Grahams presented the ordinance amendments stating there has been a shift for two-family dwellings to permitted dwellings. Proposed ordinance shifts two-family dwellings to permitted uses within the allowed residential zoning districts. Currently they are allowed via a Conditional Use Permit in the R-1, R-1A, RS-1, and R-4 zoning districts. Therefore, all two-family dwellings are reviewed by the Planning Commission and the City Council even if the entire application is Code compliant. The proposed ordinance would shift the two-family dwellings to permitted use status in the R-1 and R-4 zoning districts and would prohibit them in the R-1A and RS-1 zoning districts. As permitted uses, two-family dwellings would be reviewed administratively unless a variance was requested in which case they would be reviewed by the Planning Commission and the City Council. He explained this approach reduces red tape for the applicant, reduces the workload for the Planning Commission and the City Council, reduces staff time to process the application, and eliminates situations for which public hearings are held where there is little or no discretion. Staff does not anticipate any negative impact on neighboring properties due to this change in the approval process. This also updates the design and performance standards to ensure they are compatible with current residential zoning districts.~~

~~Elkins stated he'd like to request that the garages of two-family dwellings not extend more than ten feet beyond the front of the house. Don't push back the eyes on the street to where they become ineffective.~~

Request for Planning Commission Action

Originator Community Development	Item Conditional Use Permit for a Pet Services Facility	#
Agenda Section HEARING/PUBLIC INPUT Development Business	By DLF	Approved December 19, 2013

Item# 3

Case 4672A-13

GENERAL INFORMATION

Applicant: Osborne Properties - Kraus-Anderson, Inc. (Owner)
Royal Paws Dog Grooming, LLC (Tenant)

Location: 10520 France Avenue (property address)
15060 France Avenue (tenant address)

Request: Conditional use permit for a pet services facility (dog grooming business).

Existing Land Use and Zoning: Retail Strip Center; zoned B-2(PD) and B-4(PD)

Surrounding Land Use and Zoning: North – Multiple family residential & retail; zoned R-4(PD) & B-2
South – Multiple family residential, financial institution and retail; zoned R-1 B-2, B-4 and B-4(PD)
West – Office Buildings; zoned B-2(PD)
East – Retail and single family residential; zoned B-4(PD) and R-1

Comprehensive Plan: The Comprehensive Land Use Plan recommends Community Commercial land use for the property.

CHRONOLOGY

Planning Commission Agenda: 12/19/13 – Public hearing scheduled.

DEADLINE FOR AGENCY ACTION

Application Date: 11/04/13
60 Days: 01/02/14
Extension Letter Sent: No
120 Days: 03/03/14

Council Action

Motion by _____ Second by _____ to _____

STAFF CONTACT

Dennis Fields, Planner
(952) 563-8925
dfields@ci.bloomington.mn.us

APPLICABLE REGULATIONS

Section 21.501.04(e)(1-5) Conditional Use Permits

PROPOSAL

Royal Paws Dog Grooming is requesting a conditional use permit for a dog grooming business in the existing Valley West Shopping Center. The business would be located in bay 29, a 655 square foot tenant space, on the west side of the retail center. Along with grooming services, the applicant also plans to sell retail items such as brushes, combs, leashes, and pet treats. Anticipated hours are Monday, Wednesday, Friday, and Saturday from 9:00 a.m. to 5:00 p.m., and Tuesday and Thursday from 11:00 a.m. to 7:00 p.m. Services are by appointment only, but typically within the anticipated hours.

ANALYSIS

The 655 square foot tenant space is accessed from the west side of the retail center and the floor area is divided into two sections. The front includes a retail sales counter, kennels, and grooming table, while the back includes wash tubs, drying tables, washing machine, dryer, and unisex bathroom. The space has controlled access through a two-gate system at the counter so pets do not get loose, and also functions as holding area while customers are paying for services or retail items.

The applicant will have a limited number of pets in the facility at any one time. Typically only one pet will be groomed at a time with little overlap, however kennels will be used for holding animals awaiting grooming or pick up. To limit disturbance to other tenants, the tenant and the building owner have an agreement that dogs with a history of barking will be groomed during evening hours only.

FINDINGS

Section 21.501.04(e)(1-5) Conditional Use Permits

- (1) **The proposed use is not in conflict with the Comprehensive Plan;**
 - The comprehensive plan recommends Community Commercial for the property, which allows retail and service uses such as pet grooming. A pet services facility is a conditional use in the B-2 zoning district.

- (2) **The proposed use is not in conflict with any adopted District Plan for the area;**
 - The property is not within an adopted district plan area.
- (3) **The proposed use is not in conflict with City Code provisions;**
 - Pet services facility is a conditional use in the B-2 zoning district, and the use is not in conflict with applicable code provisions.
- (4) **The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and**
 - The proposed use as a dog grooming business is not anticipated to create an excessive burden on public facilities and utilities.
- (5) **The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.**
 - The dog grooming business has an agreement with the property owner to mitigate any potential noise from barking dogs so it will not be injurious to the surrounding tenants and property owners.

RECOMMENDATION

Note that the Planning Commission has final approval authority on this conditional use permit application unless an appeal to the City Council is received by 4:30 p.m. on December 24th.

In Case 4672A-13, staff recommends adoption of a resolution approving a conditional use permit for a pet services facility located at 10520 France Avenue subject to the following conditions:

- 1) Conditional Use Permit is limited to floor area shown on plans in Case File 4672A-13;
- 2) Sewer Availability Charge (SAC) be satisfied prior to occupancy; and
- 3) All pet pickup and drop-off occur on site and off of public streets;

F:\Planning\PC\Reports\Reports 2013\s04672A-13.docx

RESOLUTION NO. 2013 - __

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR PET SERVICES FACILITY (DOG GROOMING BUSINESS) IN THE B-2, GENERAL COMMERCIAL, ZONING DISTRICT AT 10520 FRANCE AVENUE, BLOOMINGTON, MINNESOTA

WHEREAS, the Bloomington Planning Commission is empowered under State Law and the Bloomington City Code to act upon certain types of conditional use permits; and

WHEREAS, an application (Case #4672A-13) has been filed on behalf of Osborne Properties, the owner of the premises located at 10520 France Avenue and legally described as follows:

Lot 3, Block 1, VALLEY WEST SHOPPING CENTER 2ND ADDITION

For a conditional use permit for pet services facility in the B-2, General Commercial, Zoning District.

WHEREAS, the Planning Commission has reviewed said request at a duly called public hearing.

WHEREAS, the Planning Commission has considered the report of the City staff, comments at the public hearing and the findings required to be met prior to issuance of a

conditional use permit in Bloomington City Code Section 21.501.04 (e) (1) through (5) and has found as follows:

- (1) The proposed use is not in conflict with the Comprehensive Plan;
 - The comprehensive plan recommends Community Commercial for the property, which allows retail and service uses such as pet grooming. A pet services facility is a conditional use in the B-2 zoning district.
- (2) The proposed use is not in conflict with any adopted District Plan for the area;
 - The property is not within an adopted district plan area.
- (3) The proposed use is not in conflict with City Code provisions;
 - Pet services facility is a conditional use in the B-2 zoning district, and the use is not in conflict with applicable code provisions.
- (4) The proposed use will not create an excessive burden on parks, schools streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and
 - The proposed use as a dog grooming business is not anticipated to create an excessive burden on public facilities and utilities.
- (5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.
 - The dog grooming business has an agreement with the property owner to mitigate any potential noise from barking dogs so it will not be injurious to the surrounding tenants and property owners.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BLOOMINGTON IN REGULAR MEETING ASSEMBLED:

- A. That the recommendation of the City Staff is adopted;
- B. That the conditional use permit shall expire if not used or applied in accordance with the provisions of City Code Section 21.501.04(g);
- C. That the conditional use permit may be suspended or revoked in accordance with the provisions of City Code Section 21.501.04(h);

D. That the requested conditional use permit for pet services facility at 10520

France Avenue is approved, subject to the following conditions:

- 1) Conditional Use Permit is limited to floor area shown on plans in Case File 4672A-13;
- 2) Sewer Availability Charge (SAC) be satisfied prior to occupancy; and
- 3) All pet pickup and drop-off occur on site and off of public streets;

E. That additional conditional use permit documents in Case #4672A-13 relating to the subject premises will be available for inspection pursuant to Minnesota Statutes Section 462.36, Subd. 1, through the Bloomington Planning Division Offices.

Passed and adopted this 19th day of December, 2013.

The three day period to appeal the Planning Commission's decision to the City Council expired on December 24, 2013.

- ☐ An appeal was not received and the conditional use permit is now in effect.
- ☐ An appeal was received and the final decision on the conditional use permit will therefore be made by the Bloomington City Council.

Planning Commission Chair

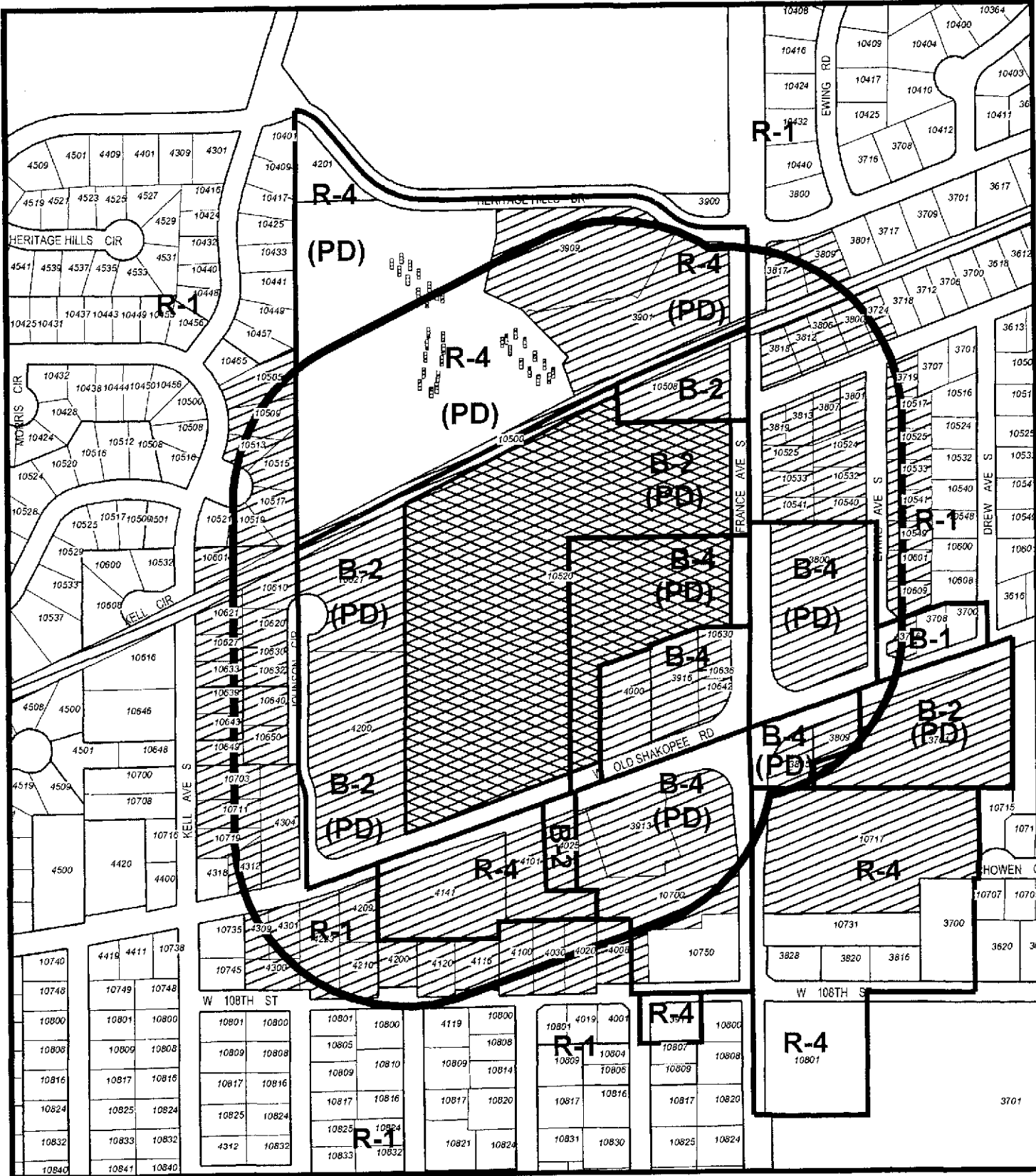
Date

ATTEST:

Secretary to the Planning Commission

Date

City of Bloomington Notification Map

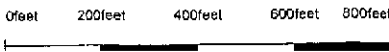


- Notification Boundary
- Applicant Property
- Notified Properties

Zoning District Boundary
(Labels Refer to Zoning District)

CASE 4672B-13

(A notice of this application was sent to the registered owner of these properties)



Royal Paws Dog Grooming, LLC
Christina Davis
1840 McAndrews Rd W
Burnsville, MN 55337
952-201-0097
tina@royalpawsdoggrooming.com

Re: usage of 10560 France Ave So, Bloomington, MN 55431

The intended usage for 10560 France Ave So, Bloomington, MN 55431 is a dog grooming shop. The name of the shop is Royal Paws Dog Grooming, LLC. My concept for this grooming shop is to offer a clean, stylish and professional salon for the discerning pet owner. We will build a personalized relationship with pet owners in this convenient location in south central Bloomington.

I also intend to offer a few select items for retail including brushes, combs, leashes and bully sticks.



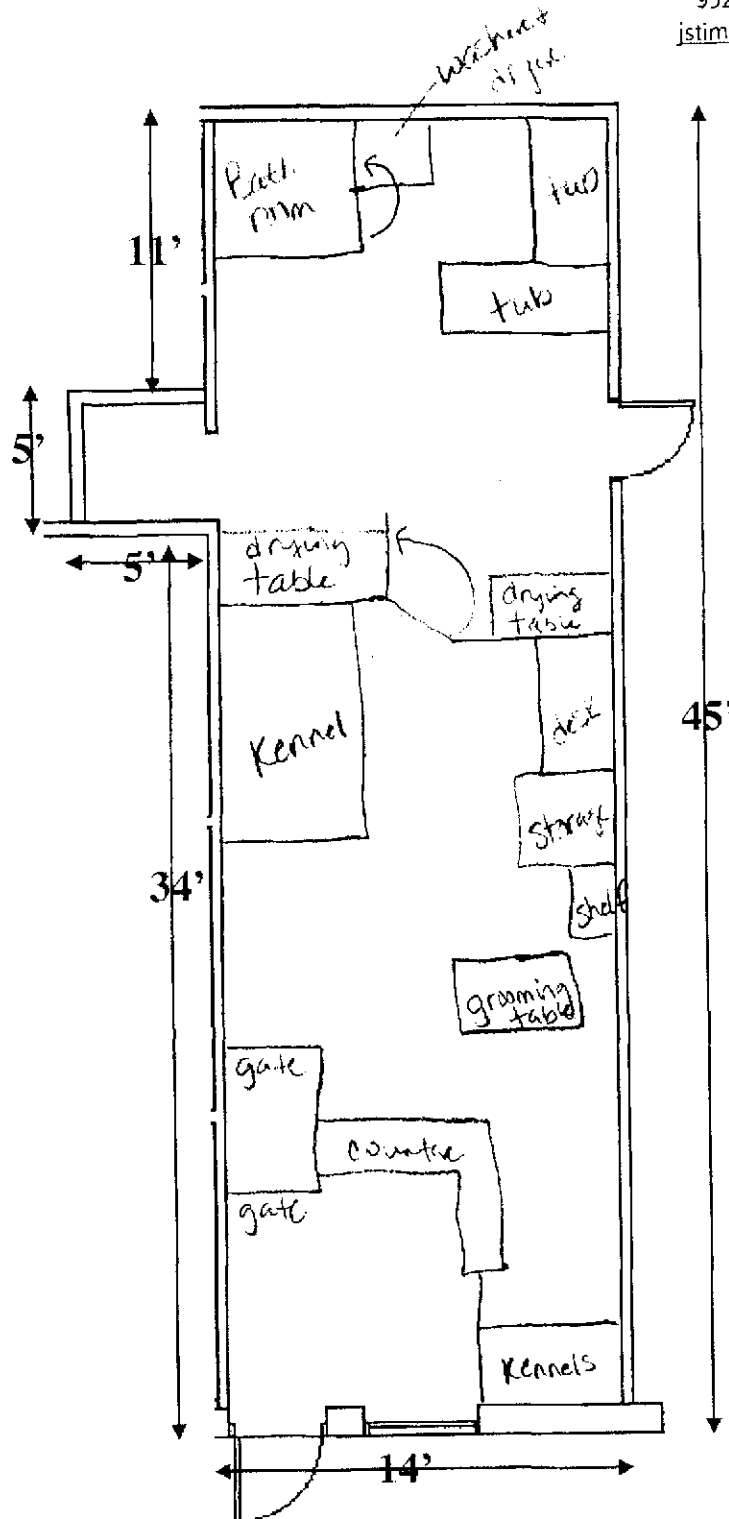
KRAUS-ANDERSON REALTY COMPANY
Development • Leasing • Management

VALLEY WEST SHOPPING CENTER
Bloomington, MN

Case 4672A-13
Rec 11/4/13

CONTACT:
Jim Stimmler
952-948-9417 Direct
jstimmler@karealty.com

Bay 29
655 sf



Note: Drawing is for general planning purposes and is not a certified architectural plan.



KRAUS-ANDERSON REALTY COMPANY
Development • Leasing • Management

Case 46/2A-13

Rec 11/4/13

VALLEY WEST SHOPPING CENTER

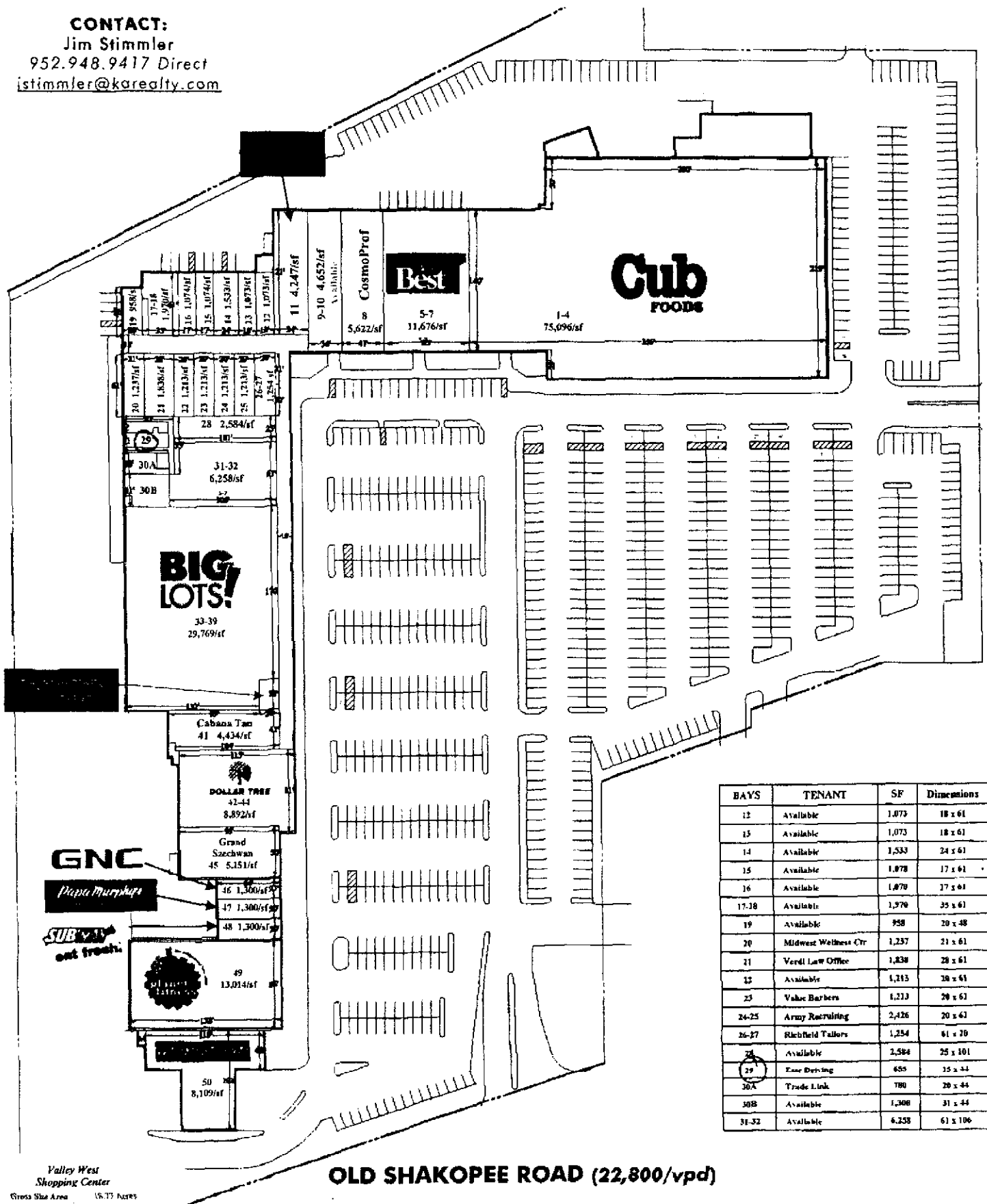
France Avenue South & West Old Shakopee Road, Bloomington, MN

CONTACT:

Jim Stimmler

952.948.9417 Direct

jstimmler@karealty.com



BAYS	TENANT	SF	Dimensions
12	Available	1,073	18 x 61
13	Available	1,073	18 x 61
14	Available	1,533	24 x 61
15	Available	1,078	17 x 61
16	Available	1,070	17 x 61
17-18	Available	1,970	35 x 61
19	Available	958	20 x 48
20	Midwest Wellness Ctr	1,237	21 x 61
21	Verdi Law Office	1,838	28 x 61
22	Available	1,213	20 x 61
23	Value Barbers	1,213	20 x 61
24-25	Army Recruiting	2,426	20 x 62
26-27	Richfield Tailors	1,254	61 x 20
28	Available	2,584	25 x 101
29	East Dining	655	15 x 44
30A	Trade Link	780	20 x 44
30B	Available	1,308	31 x 44
31-32	Available	6,238	61 x 106

FRANCE AVENUE (10,800/vpd)

Approved Minutes
City of Bloomington
Development Review Committee
November 26, 2013
McLeod Conference Room
Bloomington Civic Plaza – 1800 West Old Shakopee Road

Staff Present

Laura McCarthy (Fire Prev) – Chair, 952-563-8965	Dennis Fields (Planning) 952-563-8925
Jen Desrude (Engineering) 952-563-4862	Heidi Miller (Police) 952-563-4975
Joanne Schentzel (Engineering) 952-563-4629	Randy Quale (Parks & Rec) 952-563-8876

<i>DRC Meeting</i>	11/26/2013 9:00 AM
<i>DRC Type</i>	Formal
<i>Draft</i>	No
<i>Project Name</i>	Royal Paws Dog Grooming
<i>Site address</i>	10520 France Avenue
<i>PC Hearing</i>	12/19/2013
<i>Application type</i>	Conditional Use Permit
<i>Case number</i>	4672A-13
<i>Staff contact</i>	<u>Fields, Dennis</u> 952-563-8925
<i>Proposal</i>	Conditional Use permit to allow a Dog Grooming business. Along with grooming, the applicant also intends to have retail, selling items such as brushes, combs, leashes, and bully sticks.
<i>Plat name</i>	Unplatted
<i>Replat/Park dedication</i>	Unknown at this time
<i>Contact 1 name</i>	Tina Davis 952-201-0097 tina@royalpawsdoggrooming.com
<i>Contact 1 address</i>	9921 Lyndale Ave. So. Bloomington, MN 55420

Guests Present

Tina Davis – Royal Paws Dog Grooming	tina@royalpawsdoggrooming.com
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Discussion/Comments:

- Dennis Fields (Planning) – Reviewed the conditional use permit (CUP) proposal for a dog grooming service (see above) in a 655 square foot space. This item will be decided by the Planning Commission. Showed the space layout, adding there would be no boarding, just grooming. The applicant noted she typically grooms one dog at a time. May occasionally be a short period where one dog is being held (kenneled) while another is being groomed.
- Randy Quale (Park and Recreation) – Noted to applicant that Bloomington has a dog park, and also a new off-lease area at Tretbaugh Park (seasonal).
- Kent Smith (Assessing) - Not present
- Eric Solie (Environmental Health) – Not present
- Duke Johnson (Building and Inspection) – Not present
- Laura McCarthy (Fire Prevention) – Asked what kind of changes they are proposing and to make sure sprinkler coverage will be appropriate for the changes they will be making, especially if they are moving walls.
- Jennifer Desrude (Engineering/Traffic/Utilities) – Handed out Public Works comments, noting to call Metropolitan Council for possible Sewer Availability Charges - due to the City before any building permits are pulled.
- Heidi Miller (Police) – Asked how noise from barking dogs would be minimized. Applicant noted a few things they could do. First, while grooming one dog, another could be gated off and left loose near the groomer and not be kenneled (which caused some dogs to bark). Again stated they usually only groom one dog at a time. She added she has an agreement with Kraus Anderson that if she does have a “barker” she would do that dog in the evening. The applicant stated they only have an outside entrance, with no entrance to the mall. The applicant commented they had not planned on installing a security alarm. They will also be accepting checks – Miller handed out information to post by the cash register regarding bad checks.
- Eileen O’Connell (Public Health) – Not present

Request for Planning Commission Action

Originator Community Development	Item Conditional Use Permit for a Pet Services Facility	#
Agenda Section HEARING/PUBLIC INPUT Development Business	By DLF	Approved Date January 9, 2014

Item# 1

Case 4672B-13

GENERAL INFORMATION

Applicant: Osborne Properties - Kraus-Anderson, Inc. (Owner)
Banfield Pet Hospital (Tenant)

Location: 10520 France Avenue, Suite 9 & 10

Request: Conditional Use Permit for a pet services facility (animal hospital).

Existing Land Use and Zoning: Retail Strip Center; zoned B-2(PD) and B-4(PD)

Surrounding Land Use and Zoning: North – Multiple family residential & retail; zoned R-4(PD) & B-2
South – Multiple family residential, financial institution and retail;
zoned R-1, B-2, B-4 and B-4(PD)
West – Office Buildings; zoned B-2(PD)
East – Retail and single family residential; zoned B-4(PD) and R-1

Comprehensive Plan: The Comprehensive Land Use Plan recommends Community Commercial land use for the property.

CHRONOLOGY

Planning Commission Agenda: 01/09/14 – Public hearing scheduled.

DEADLINE FOR AGENCY ACTION

Application Date: 12/03/13
60 Days: **01/31/14**
Extension Letter Sent: No
120 Days: 04/01/14

Council Action

Motion by _____ Second by _____ to _____

STAFF CONTACT

Dennis Fields, Planner
(952) 563-8925
dfields@BloomingtonMN.gov

APPLICABLE REGULATIONS

Section 21.501.04(e)(1-5) Conditional Use Permits

PROPOSAL

Banfield Pet Hospital is requesting a Conditional Use Permit for a pet services facility in the existing Valley West Shopping Center. The business would be located in bay 9 and 10, a 4,690 square foot tenant space, on the north side of the retail center. Banfield Pet Hospitals are a nationwide clinic chain with over 770 locations. Typical facilities include full service veterinarian care, including diagnostics, surgery, pharmacy and retail pet supply sales. Banfield typically has four staff members and the anticipated hours are 8:00 a.m. to 7:00 p.m. daily.

ANALYSIS

The 4,690 square foot tenant space is accessed from the south side of the retail center and the floor area is divided into several sections. The sections include a lobby/retail area, exam and treatment rooms, surgery area, breakroom, and kennel space. Kennels will be for animals receiving care only with no long term kenneling or overnight boarding facilities. All clinic activities occur within the tenant space, as Banfield does not provide outdoor amenities such as dog runs.

The applicant submitted sign renderings with the application, however this is not part of the Conditional Use Permit approval. A separate permit is required for all signage and the sign must be consistent with the approved Uniform Sign Design.

FINDINGS

Section 21.501.04(e)(1-5) Conditional Use Permits

- (1) The proposed use is not in conflict with the Comprehensive Plan;**
 - The Comprehensive Plan designates the property as Community Commercial, which allows retail and service uses such as a pet hospital. A pet services facility is a conditional use in the B-2 zoning district and is consistent with the Community Commercial designation.
- (2) The proposed use is not in conflict with any adopted District Plan for the area;**
 - The property is not within an adopted district plan area.

(3) The proposed use is not in conflict with City Code provisions;

- A pet services facility is a conditional use in the B-2 zoning district and the use is not in conflict with applicable code provisions.

(4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and

- The proposed pet hospital is not anticipated to create an excessive burden on public facilities and utilities.

(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

- A pet hospital is a service use which is consistent with the surrounding uses and neighborhood. The submitted plans reflect a Code complying use which is not anticipated to be injurious to the surrounding tenants and property owners.

RECOMMENDATION

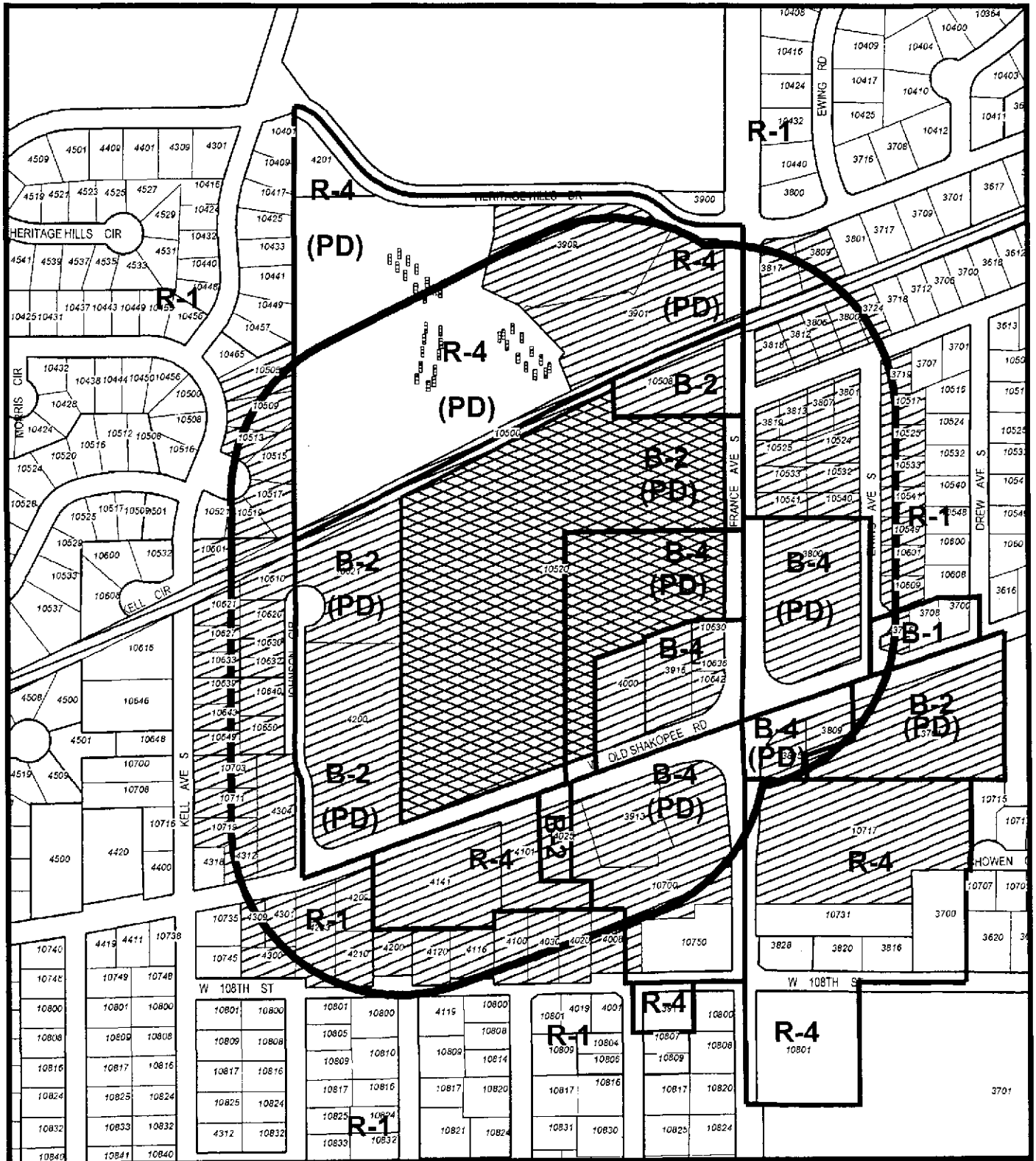
Note the Planning Commission has final approval authority on this Conditional Use Permit application unless an appeal to the City Council is received by 4:30 p.m. on January 14th.

In Case 4672B-13, staff recommends adoption of a resolution approving a Conditional Use Permit for a pet services facility located at 10520 France Avenue subject to the following conditions:

- 1) Conditional Use Permit is limited to floor area shown on plans in Case File 4672B-13;
- 2) Sewer Availability Charge (SAC) must be satisfied prior to occupancy;
- 3) Signage must be in conformance with the requirements of Chapter 19, Article X of the City Code; and
- 4) All signage must be in accordance with the approved Uniform Sign Design (Sec. 19.109);

F:\Planning\PC\Reports\Reports 2013\s04672B-13.docx

City of Bloomington Notification Map



Notification Boundary

Applicant Property

Notified Properties

Zoning District Boundary
(Labels Refer to Zoning District)

CASE 4672B-13

(A notice of this application was sent to the registered owner of these properties)

Scale: 1:4800

0feet 200feet 400feet 600feet 800feet

Plot time: 12/03/2013 15:00:01

PLANNING COMMISSION RESOLUTION NO. 2014 - __

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR PET SERVICES FACILITY (PET HOSPITAL) IN THE B-2, GENERAL COMMERCIAL, ZONING DISTRICT AT 10520 FRANCE AVENUE, BLOOMINGTON, MINNESOTA

WHEREAS, the Bloomington Planning Commission is empowered under State Law and the Bloomington City Code to act upon certain types of conditional use permits; and

WHEREAS, an application (Case #4672B-13) has been filed on behalf of Osborne Properties, the owner of the premises located at 10520 France Avenue and legally described as follows:

Lot 3, Block 1, VALLEY WEST SHOPPING CENTER 2ND ADDITION

For a conditional use permit for a pet services facility in the B-2, General Commercial, Zoning District.

WHEREAS, the Planning Commission has reviewed said request at a duly called public hearing.

WHEREAS, the Planning Commission has considered the report of the City staff, comments at the public hearing and the findings required to be met prior to issuance of a conditional use permit in Bloomington City Code Section 21.501.04 (e) (1) through (5) and has found as follows:

- (1) The proposed use is not in conflict with the Comprehensive Plan;
 - The Comprehensive Plan designates the property as Community Commercial, which allows retail and service uses such as a pet hospital. A pet services facility is a conditional use in the B-2 zoning district and is consistent with the Community Commercial designation.
- (2) The proposed use is not in conflict with any adopted District Plan for the area;
 - The property is not within an adopted district plan area.
- (3) The proposed use is not in conflict with City Code provisions;
 - A pet services facility is a conditional use in the B-2 zoning district and the use is not in conflict with applicable code provisions.
- (4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and
 - The proposed pet hospital is not anticipated to create an excessive burden on public facilities and utilities.
- (5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.
 - A pet hospital is a service use which is consistent with the surrounding uses and neighborhood. The submitted plans reflect a Code complying use which is not anticipated to be injurious to the surrounding tenants and property owners.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF
THE CITY OF BLOOMINGTON IN REGULAR MEETING ASSEMBLED:

- A. That the recommendation of the City Staff is adopted;
- B. That the conditional use permit shall expire if not used or applied in accordance with the provisions of City Code Section 21.501.04(g);
- C. That the conditional use permit may be suspended or revoked in accordance with the provisions of City Code Section 21.501.04(h);

D. That the requested conditional use permit for pet services facility at 10520

France Avenue is approved, subject to the following conditions:

- 1) Conditional Use Permit is limited to floor area shown on plans in Case File 4672B-13;
- 2) Sewer Availability Charge (SAC) must be satisfied prior to occupancy;
- 3) Signage must be in conformance with the requirements of Chapter 19, Article X of the City Code; and
- 4) All signage must be in accordance with the approved Uniform Sign Design (Sec. 19.109);

E. That additional conditional use permit documents in Case #4672A-13

relating to the subject premises will be available for inspection pursuant to

Minnesota Statutes Section 462.36, Subd. 1, through the Bloomington

Planning Division Offices.

Passed and adopted this 9th day of January, 2014.

The three day period to appeal the Planning Commission's decision to the City Council expired on January 14, 2014.

- ☐ An appeal was not received and the conditional use permit is now in effect.
- ☐ An appeal was received and the final decision on the conditional use permit will therefore be made by the Bloomington City Council.

Planning Commission Chair

Date

ATTEST:

Secretary to the Planning Commission

Date

Case 4672B-13
Rec. 12/03/2013

November 26, 2013

City of Bloomington Minnesota Planning Department
Attn: Jason Schmidt – Planner
1800 W. Old Shakopee Rd.
Bloomington, MN



DEVELOPMENT REVIEW NARRATIVE
for
Proposed Banfield Pet Hospital
Valley West Shopping Center
10520 France Ave, South, Suite 9&10
Bloomington, MN 55431

Project Description:

Proposed 4,690 s.f. veterinarian hospital located within the Valley West Shopping Center.
A typical Banfield hospital has a staff of 4 on-duty and is open daily from 8:00am – 7:00pm.

Since 1955 Banfield has been providing high quality neighborhood veterinarian care throughout the United States. With over 770 clinics nationwide, Banfield is the leader in innovations like Optimum Wellness Plans, and the first and most extensive quality-assurance program in the industry. Banfield hospitals / clinics provide the finest, most convenient human-quality medical services available, as well as industry-leading protocols and equipment. We understand the special bond between pets and people. At Banfield, we provide a level of service second to none in the industry. Typical facilities such as what is being proposed at the Valley West Shopping Center, include full service veterinarian care, including full diagnostic capabilities, a surgery suite, pharmacy and retail pet supply sales. All clinic activities occur within the tenant space. We do not provide outdoor amenities such as dog runs or storage yards and no long term kenneling or overnight boarding facilities are provided at Banfield.

Let me know if you have any questions or need additional information,

Sincerely,
Scott | Edwards Architecture, LLP

A handwritten signature in black ink that reads 'Jeff W. Hammond'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jeff W. Hammond
Principal

Case 4672B-13
Rec. 12/03/2013

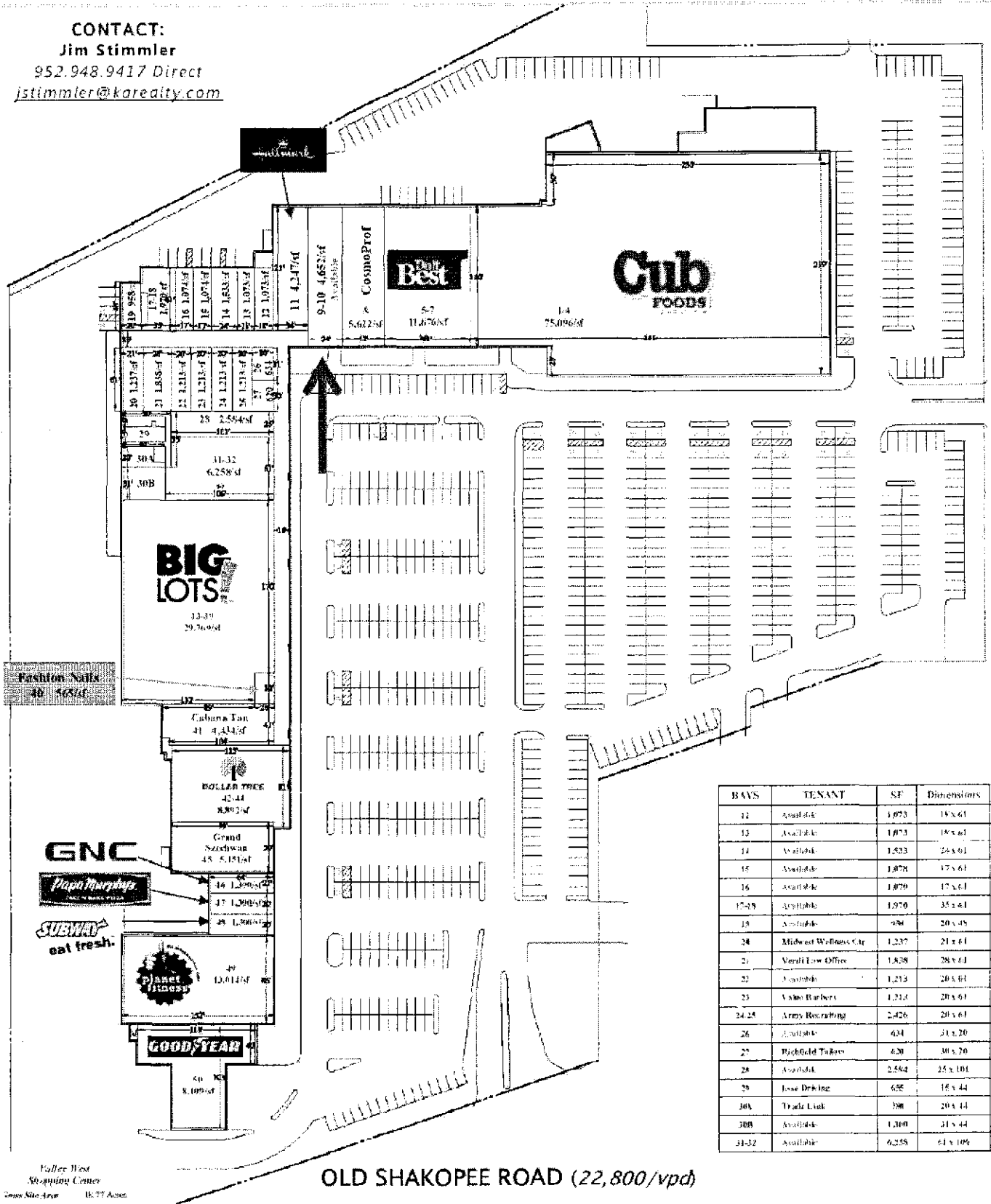
CONTACT:

Jim Stimmler

952.948.9417 Direct

jstimmler@karealty.com

VALLEY WEST



Approved Minutes

City of Bloomington

Development Review Committee

December 3, 2013

McLeod Conference Room

Bloomington Civic Plaza – 1800 West Old Shakopee Road

Staff Present

Laura McCarthy (Fire Prev) – Chair 952-563-8965	Randy Quale (Park & Rec) 952-563-8876
Kent Smith (Assessing) 952-563-8707	Heidi Miller (Police) 952-563-4975
Jen Desrude (Engineering) 952-563-4862	Londell Pease (Planning) 952-563-8926
	Kelly Isaacson (Bldg & Inspection) 952-563-4703

Item 1 (9AM)- Informal

Banfield Pet Hospital

Site address

10520 France Avenue (Suite 9 & 10)

PC Hearing

1/9/2014

Application type

Conditional Use Permit

Staff contact

Pease, Londell x8926

Proposal

The applicant proposes a 4,690 s.f. veterinarian hospital located within the Valley West Shopping Center. A typical Banfield hospital has a staff of 4 on-duty and is open daily from 8:00am – 7:00pm. Exterior changes would be limited to signs.

Services include full service veterinarian care, including full diagnostic capabilities, a surgery suite, pharmacy and retail pet supply sales. All clinic activities occur within the tenant space with no outdoor amenities such as dog runs or storage yards. There will be no long term kenneling or overnight boarding facilities provided.

Plat name

Valley West Shopping Center 2nd ADDN

Contact 1 name

Jeff W. Hammond, Principal 503-226-3617, 503-226-3715 (fax), Jeff@seallp.com

Contact 1 address

Scott | Edwards Architecture, LLP
2525 East Burnside Street
Portland, Oregon 97214

Guests Present

Jeff Hammond (via phone), Scott Edwards Architecture	Jeff@seallp.com
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Discussion/Comments:

- Londell Pease (Planning) Reviewed above proposal. Applicant confirmed that there will not be overnight boarding for the animals. Pease asked if the animals would ever stay overnight for surgical reasons. Applicant stated that the animals would not stay overnight at all.
- Randy Quale (Parks and Recreation) No comment.

- Kent Smith (Assessing) Asked applicant if this pet hospital would be replacing the Banfield Pet Hospital located in Richfield. Applicant stated that there will be several new pet hospitals being built in the metro area and that the Bloomington location is not replacing the Richfield one.
- Laura McCarthy (Fire Prevention) Asked applicant if there will be any euthanizing or anesthetizing of animals done at the hospital. Applicant stated that they do euthanizing on site, but wasn't sure about the quantity of the chemicals used. He stated that it's usually given as a shot, not gas. There is also oxygen use, but a fairly low quantity. McCarthy stated that she would need to know the quantities on hand, including oxygen cylinders. Applicant stated that he will get the cubic feet information and how the chemicals are stored. McCarthy stated that they may need a Fire Marshal Operational Permit for this space which is based on the quantity of the chemicals in use and also being stored. Also advised applicant to make sure sprinkler coverage is adequate and there is at least one fire extinguisher. Applicant stated they typically have a fire extinguisher at the front and back of the space.
 - Pease stated that Planning doesn't need the Fire Prevention information for the Conditional Use Permit. It is mandatory for the building permit, but work directly with McCarthy for that information.
 - McCarthy asked about the isolation room and if it had any biohazards. Applicant stated that the isolation room is used for animals with a contagious virus as to not infect other animals. More of an internal security and precaution. McCarthy asked if the room was marked accordingly. Applicant stated that it is and that the room is also independently ventilated. McCarthy also asked about handicap accessibility in the bathrooms. Applicant stated that all three bathrooms in the building are handicap accessible. Also confirmed that there are 2 exits (front and back). Public will only use front entrance. McCarthy asked about the occupant load for the total space. Applicant estimated it to be 35. McCarthy said they will probably need exit signage and lighting for employees and the public.
- Heidi Miller (Police) Question about storage of drugs on site and how they will be secured. Asked if the space has alarms. Applicant stated that there is typically an alarm on the facility itself and the drugs are kept in a secondary locked area. Miller discussed the City of Bloomington's alarm ordinance, which includes two free alarms per year and then they will be billed for any more than that. Miller asked if the barking of the animals will affect other tenants. Applicant stated that they are going to frame, inside of the existing demising wall, a secondary sound wall on both sides.
- Jen Desrude (Engineering)
 - Sewer Availability Charge determination needs to be satisfied. Contact the Met Council at 651-602-1378.
- Londell Pease (Planning)
 - The use is consistent with a retail use for the demand on parking. Planning does not see any significant issues with this proposal. This application will be heard by the Planning Commission who will have the final decision, unless an appeal to the City Council is requested.
 - An application has been submitted for the December 4 deadline. This will be heard at the Planning Commission on January 9, 2014. If there is an appeal, this would be heard at the City Council on January 27, 2014.
 - Pease asked if this needs to come back for a formal DRC meeting. The committee decided that it did not.

Site Address: 10520 France Ave S.
(Suite 9 & 10)

BANFIELD PET HOSPITAL

Plat name: **VALLEY WEST SHOPPING CENTER 2ND ADD**

Proposal: CUP

PUBLIC WORKS DEPARTMENT DEVELOPMENT PLAN REVIEW

City of Bloomington 1700 West 98th Street, Bloomington, MN 55431 952-563-4870

Applicant Information
Jeff W. Hammond
Scott Edwards Architecture, LLP
2525 East Burnside St.
Portland Oregon 97214
jeff@sealip.com
phone 503-226-3617
fax 503-226-3715

Case No: n/a

Permit No:

Scheduled for: Informal DRC: 12/3/13 Item # 1
Formal DRC:

Planning Commission:
City Council:

Date Received: **11/26/13**

Return to: **Londell
Pease**

Due Date: **12/2/13**

Plan Reviewer	Date	Date	Date	Date
Development/Services Section – 952-563-4862				
Jen Desrude (JCD), Civil Engineer	12/2/13			
Traffic Section				
Amy Marohn (ALM), Civil Engineer	12/2/13			
Tom Bowlin (TPB), Civil Engineer				
Kirk Roberts (KAR), Traffic & Trans. Engineer				
Street Design & Construction Section				
Steve Jorschumb (SKJ), RLS	11/29/13			
Julie Long (JML), Senior Civil Engineer	12/2/13			
Bob Simons (BPS), Civil Engineer	12/2/13			
Water Resources Section				
Bryan Gruidl (BRG), Sr. Water Resources Manager	12/2/13			
Steve Segar (SWS), Civil Engineer				
Utilities Division				
Tim Kampa (TKK), Civil Engineer				
Eric Wharton (ECW), Civil Engineer	12/2/13			
Maintenance Section				
Scott Anderson (SMA), Assist. Maint. Superintendent				
Dave Hanson (DLH), Assist. Maint. Superintendent	12/2/13			
Administration				
Jim Gates (JBG), Deputy Director of PW				
Karl Keel (KPK), Director of Public Works				
Shelly Pederson (SAP), City Engineer				

Email
Fax
Other

1. Development/Services Section (Plats, Easements, Agreements, Misc.)☒ No comment.**2. Traffic Section & Street Design / Construction Section**☒ No comment – if no exterior changes.**3. Water Resources Section**☒ No comment – if no changes to exterior.**4. Utilities Division**

CC = Council Condition of Approval

PR = Plan Comments - need to revise plans or satisfy comment, but does not necessitate a Council condition

S/R = Suggestions/Recommendations

CC	PR	S/R	Comment	Date & Initial	Date Complete
General					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sewer Availability Charge (SAC) be satisfied. Contact the Met Council at 651-602-1378 for a SAC determination, which is required by the Metropolitan Council Environmental Services.	12/2/13 ECW	

5. Maintenance Section☒ No comment.

INTER-OFFICE CORRESPONDENCE

PL202000172

DATE: November 1, 1982

TO: Robert C. Mood, Manager of Building and Inspection

FROM: Arlyn J. Grussing, Director of Planning

SUBJECT: LETTER OF TRANSMITTAL
Case 4672F-82
Variance

At its regular meeting of October 4, 1982 the City Council approved a variance for Sign Consultants, Inc., at 10520 France Avenue to allow an additional free-standing sign with the following conditions:

- 1) site plan showing proposed location of sign be submitted to and approved by the Director of Planning prior to issuance of a sign permit;
- 2) sign copy be limited to "St. Louis Park Medical Center";
- 3) sign be solid cabinet with no more than 8" high solid letters for copy and not be illuminated;
- 4) height not to exceed 4 feet above grade nor area exceed 18 square feet;
- 5) if sign placement requires alteration to existing grades or approved landscaping, then revised plans for such be approved by the Director of Planning;
- 6) variance shall not be sought for the sign's location.


Arlyn J. Grussing
Director of Planning

jb

4672 F 82

October 17, 1990

Burt Dahlberg
Kraus-Anderson, Inc.
523 South 8th Street
Minneapolis, MN 55404

Case 4672B-90
Rezoning, Preliminary
and Final Development Plan

Dear Mr. Dahlberg:

At its regular meeting of October 15, 1990 the City Council adopted an ordinance rezoning the property at 4050 West Old Shakopee Road from B-2 to B-2 (PD) and approved the preliminary and final development plans for renovation and expansion of an existing shopping center subject to satisfaction of the following conditions prior to the issuance of any grading or building permits:

- 1) a development agreement including all conditions of approval be executed by the applicant and the City;
- 2) exterior building materials be approved by the Director of Planning;
- 3) photometric lighting plan be submitted for approval by the Director of Planning;
- 4) trash storage enclosures be provided in a designated areas as approved by the Fire Marshal and the Director of Planning;
- 5) a uniform sign design including a guarantee of adequate maintenance be submitted for approval by the Director of Planning;
- 6) grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 7) access, circulation and parking plans including entrance gradient be approved by the City Traffic Engineer;
- 8) erosion control measures be in place prior to issuance of grading permits;
- 9) street modification agreement be executed by the developer and the applicant;
- 10) exterior lighting plan and building security plans be approved by the Crime Prevention Officer, Bloomington Police Department;

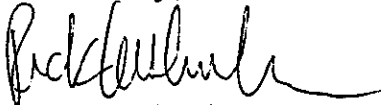
and subject to the following additional conditions of approval:

- 11) exterior building materials match existing materials, as approved by the Director of Planning;
- 12) alterations to utilities be at the developer's expense;
- 13) no open truck dock deliveries or operations prior to 7:00 a.m. and no later than 10:00 p.m.;
- 14) enclosed truck dock access to be from France Avenue;
- 15) no operation of exterior trash compactors between 10:00 p.m. and 7:00 a.m.

and subject to the following Code requirements:

- 1) landscape plan be approved by the Director of Planning (Sec 19.52);
- 2) all rooftop equipment be fully screened (Sec. 19.52.01);
- 3) poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg Code 3802; Uniform Fire Code Ch 10.306);
- 5) fire lanes be posted as approved by the Fire Marshal (Sec. 8.73);
- 6) utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (Sec. 6.20, Uniform Fire Code Ch. 10.301-C);
- 7) food service plans be approved by the Environmental Services Division (Sec. 14.360)
- 8) handicapped parking be designated with standard signage as approved by the Director of Planning (Mn Bldg Code Chapter 1340);
- 9) handicapped accessible toilet facilities be provided (Mn Bldg Code Chapter 1340);

Sincerely,



Rick Geshwiler
Director of Planning

jb

April 23, 1991

Burton L. Dahlberg
Kraus-Anderson, Incorporated
523 South 8th Street
Minneapolis, MN 55404

Case 4672B-91
Revised Preliminary and
Final Development Plan

Dear Mr. Burt:

At its regular meeting of April 22, 1991 the City Council approved the revised preliminary and final development plan for Kraus Anderson's Valley West Shopping Center at 4050 West Old Shakopee Road, subject to the following conditions:

- A) That the request to eliminate screening of the northerly rooftop units be approved, subject to the following conditions:
 - 1) Exposed surfaces of rooftop equipment be painted to match the color of the screening provided, as approved by the Director of Planning;
 - 2) A portion of the performance bond for the project be held for a period of one year following completion of the project to cover the cost of screening the northern exposure of the rooftop equipment, should any complaints be received by the City. The applicant shall provide such screening upon written notice by the City.
- B) That the concept landscape plan submitted to the City on April 16, 1991, be approved, subject to the following conditions:
 - 1) the total number of plants, by mix of species, shown on the April 16, 1991 concept landscape plan not be altered or reduced without the approval of the Director of Planning.
 - 2) Seven specified trees in the easterly portion of the parking lot be moved to the westerly portion of the parking lot, as approved by the Director of Planning.

Sincerely,


Rick Geshwiler
Director of Planning

jb

April 13, 1993

Mr. Jon Finn
Kraus-Anderson, Incorporated
523 South Eighth Street
Minneapolis, Minnesota 55404-1078

RE: Case 4672A-93

Dear Mr. Finn,

The proposed revised final development plan for the provision of 19 additional parking spaces perpendicular to the north building elevation of the center was administratively approved on April 13, 1993 subject to the following conditions:

- 1) Revised landscape plan showing modified planter areas containing spirea shrubs (spirea 'anthony waterer') be approved by the Director of Planning prior to the issuance of building and/or grading permits;
- 2) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 3) Access, circulation and parking plans be approved by the City Traffic Engineer;
- 4) All previous conditions of approval remain in effect;

and subject to the following Code requirements:

- 1) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 2) Disabled parking be designated with standard signage as approved by the Director of Planning (Mn Bldg Code Chapter 1340);

Sincerely,



Rick Geshwiler, AICP
Director of Planning

(xmit\L4672A.RMS)

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March 17, 1999

Henrick Hundovad
Scandia Home and Leather, Inc.
10538 France Avenue
Bloomington, MN 55437


RE: Case 4672A-99

Dear Mr. Hundovad:

On March 16, 1999, the Director of Community Development administratively approved a revised final development plan for three flag poles at an existing shopping center (Valley West) at 10538 France Avenue.

I am enclosing an excerpt from the City's sign ordinance which regulates the use of flag poles. Please note that this letter does not constitute approval of any building signage.

Sincerely,



Bob Hawbaker
Senior Planner

enclosure

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July 8, 2008

Kraus-Anderson, Inc.
Mike Korsh
4210 West Old Shakopee Road
Bloomington, MN 55437

RE: Case 4672B-08
10520-10608 France Avenue

Dear Mr. Korsh:

At its regular meeting of July 7, 2008, the City Council approved a Revised Final Development Plan for exterior modifications to an existing shopping center in a B-2 zoning district at 10520-10608 France Avenue subject to the following conditions being satisfied:

- 1) Exterior finish material be as approved by the Planning Manager.

and subject to the following additional conditions:

- 2) Sidewalks be maintained adjacent the drive aisle adjacent to the building; and
- 3) A minimum of 6 bicycle parking spaces shall be provided, number and location to be approved by the City Engineer;

and subject to the following Code requirements:

- 1) Landscape plan be approved by the Planning Manager control measures be in place and bond be filed;
- 2) Exterior lighting shall satisfy the requirements of Section 21.301.07 of the City Code; and
- 3) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.
- 4) All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109).
- 5) All rooftop equipment shall be fully screened (Sec. 19.52.01);

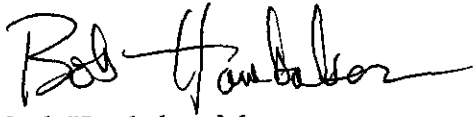
Should you have any questions regarding this action, please contact Carol Dixon Planner at (952) 563-4740.

4672 B 08

Mr. Korsh
July 8, 2008

Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Hawbaker", with a long horizontal flourish extending to the right.

Bob Hawbaker, Manager
Division of Planning and
Economic Development

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September 15, 2009

Mr. Kenneth Vinje
Kraus-Anderson, Inc.
4210 West Old Shakopee Road
Bloomington, MN 55437

Mr. Corey Koskie
Shank Fitness Bloomington, LLC
3500 Vicksburg Lane
Plymouth, MN 55447

RE: Case 4672E-09
10520 France Avenue – Site address
10606 France Avenue – Tenant space

Gentlemen:

At its regular meeting of September 14, 2009, the City Council adopted a resolution approving a conditional use permit for a fitness center in the B-2 Zoning District as part of an existing shopping center 10520 France Avenue South subject to the following conditions being satisfied prior to the issuance of permits:

- 1) The applicant construct an entrance to the west parking lot as approved by the Planning manager;
- 2) The Conditional Use Permit is restricted to the lease area of 13,014 square feet as shown in the plans in Case 4672E-09.;
- 3) All required licenses shall be maintained;

and subject to the following additional condition:

- 4) Bicycle parking spaces shall be provided on the east and west sides as approved by the City Engineer;

and subject to the following City Code requirements:

- 1) All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109);

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Mr. Kenneth Vinje
Mr. Corey Koskie
September 15, 2009

Page 2

- 2) Sewer Availability Charges (SAC) shall be satisfied;
- 3) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
- 4) All trash and recyclable materials be screened and stored inside the principal building (Sec. 19.51).

Should you have any questions regarding this action, please contact Londell Pease, Planner (952) 563-8926. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at (952) 563-8930 to discuss the requirements for a building permit application.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Hawbaker", with a long horizontal line extending to the right.

Bob Hawbaker, Manager
Division of Planning and
Economic Development

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January 2, 2014

Christina Davis
Royal Paws Dog Grooming
1840 McAndrews Road West
Burnsville, MN 55337

RE: Case 4672A-13
10520 France Avenue (property address)
10560 France Avenue (tenant address)

Dear Ms. Davis:

At its regular meeting of December 19, 2013, the Planning Commission adopted a resolution approving a conditional use permit for a pet services facility located at 10520 France Avenue subject to the following conditions:

- 1) Conditional Use Permit is limited to floor area shown on plans in Case File 4672A-13;
- 2) Sewer Availability Charge (SAC) be satisfied prior to occupancy; and
- 3) All pet pickup and drop-off occur on site and off of public streets

Should you have any questions regarding this action, please contact Dennis Fields, Planner at (952) 563-8925.

Sincerely,

Glen Markegard,
Planning Manager

cc: Kenneth Vinje
Kraus-Anderson, Inc.
4210 West Old Shakopee Road
Bloomington, MN 55437

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January 15, 2014

Stephen Miller
Banfield Pet Hospital
8000 NE Tillamook Street
Portland, OR 97213

RE: Case 4672B-13
10520 France Avenue

Dear Mr. Miller:

At its regular meeting of January 9, 2014, the Planning Commission adopted a resolution approving a Conditional Use Permit for a pet services facility located at 10520 France Avenue subject to the following conditions:

- 1) Conditional Use Permit is limited to floor area shown on plans in Case File 4672B-13;
- 2) Sewer Availability Charge (SAC) must be satisfied prior to occupancy;
- 3) Signage must be in conformance with the requirements of Chapter 19, Article X of the City Code; and
- 4) All signage must be in accordance with the approved Uniform Sign Design (Sec. 19.109).

Should you have any questions regarding this action, please contact Dennis Fields, Planner at (952) 563-8925.

Sincerely,

Glen Markegard,
Planning Manager

cc: Kenneth Vinje
Kraus-Anderson, Inc.
4210 West Old Shakopee Road
Bloomington, MN 55437

Jeff Hammond
Edward Architecture
2525 East Burnside
Portland, OR 97206

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May 20, 2014

Mr. Ryan Burke
Property Manager
Kraus-Anderson, Inc.
4210 West Old Shakopee Road
Bloomington, MN 55437

RE: Case 04672C-14
ARC Value Village Tenant Space Renovation
10520 France Avenue South, Bloomington, MN

Dear Mr. Burke:

As established in City Code Sections 21.501.01(c), I have administratively approved a minor revision to the Final Development Plan for 10520 France Avenue South (Valley West Shopping Center) to allow a 19,050 square foot tenant space renovation, exterior donation drop-off area, and loading dock addition, subject to the following conditions being satisfied:

1. The renovation project must be constructed as shown in case file 04672C-14;
2. The 20 foot fire lane adjacent to the proposed loading area must remain unobstructed at all times;
3. Exterior materials and finish of all buildings must be approved by the Planning Manager and must be in conformance with the applicable requirements of Section 19.63.08 of the City Code;
4. Prior to the issuance of building permits, LED wall pack details must be submitted to confirm fixtures are 90 degree cut-off with flat lenses; and
5. Grading, drainage, utility, and erosion control plans must be approved by the City Engineer prior to the issuance of any permits.

Should you have any questions regarding this action, please contact Michael Centinario, Planner at 952.563.8921.

Sincerely,

Glen Markegard, AICP
Planning Manager

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