

**PLANNING COMMISSION RESOLUTION NO. 2021-\_\_\_\_\_**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN APPROXIMATELY 7,250 SQUARE FOOT HEALTH CLUB IN AN EXISTING MULTIPLE USE BUILDING AT 6301 CECILIA CIRCLE, 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 for a Conditional Use Permit for an approximately 7,250 square foot a health club in an existing multi-use building on behalf of JSAW (hereinafter the “Applicant”) and Engelsma LP, owner of the premises located at 6301 Cecilia Circle (hereinafter the “Property”), and legally described as:

Lot 7, Block 1, NINE MILE WEST 2ND ADDITION, Hennepin County

WHEREAS, the Planning Commission has reviewed said request at duly called public meeting on January 14<sup>th</sup>, 2021 and has considered the report of the City staff, all information provided in the agenda materials, any comments of persons speaking regarding the proposed Conditional Use Permit, and the requirements in Bloomington City Code.

WHEREAS, City Code Section 21.501.04(e) – Conditional Use Permits may only be permitted when:

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed use is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> - The proposed health club use is consistent with the City’s Comprehensive Future Land Use Guide Plan’s Industrial land use designation. The designation allows for health clubs to utilize the large open space that industrial spaces offer.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> – There is no adopted district plan for the area. Accordingly, the application is not in conflict with a district plan.

(3) The proposed use is not in conflict with City Code provisions.	<b>Finding Made</b> – Health clubs are conditional uses in the I-2 Zoning District. The recommended conditions of approval address compliance with City 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.	<b>Finding Made</b> – The proposed use is not anticipated to create an excessive burden on public facilities and utilities. The health club is on a minimal scale and there is adequate parking space to accommodate the use.
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	<b>Finding Made</b> A health club is complementary to surrounding uses in scale, traffic impact and operational impacts. It is compatible and consistent with surrounding uses. The health club would operate outside the place of assembly hours. The submitted plans reflect a use that is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BLOOMINGTON, MINNESOTA, that based on the foregoing recitals that are incorporated herein by reference: :

- A. That the affirmative findings of the City Staff are adopted by the Planning Commission;
- 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 is APPROVED, subject to the following conditions of approval:

- 1. Ongoing No place of assembly activities may take place in the health club.
- 2. Ongoing The health club must be as shown on the approved plans in Case File # PL2020-230, Any changes may be reviewed by the Planning Manager.
- 3. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
- 4. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan (Case PL2018-174).
- 5. Ongoing Continued compliance with the approved landscaping and lighting plans is required.

Passed and adopted this 14<sup>th</sup> day of January, 2021.

The three day period to appeal the Planning Commission's decision to the City Council expired on January 20<sup>th</sup>, 2021.

- ☐ 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.

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Planning Commission Chair

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Date

ATTEST:

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Planning Commission Secretary

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Date