

Originating Department Community Development	By GPD	Approved for Agenda by:	Date: Time:	Number:
Agenda Section DEVELOPMENT BUSINESS		Item Variance and Revised Final Site Plan and Building Plans		

Item 2

Case 3335AB-00

GENERAL INFORMATION

Applicant: Hitchcock Industries, Inc.

Location: 8635 Lyndale Avenue

Request:

1. A variance to reduce the required front setback from 35 feet to 17.8 feet for a building addition (Case 3335A-00)
2. Revised final site plans and building plans for additions to an existing industrial building (Case 3335B-00)

Existing Land Use and Zoning: Industrial; zoned I-3

Surrounding Land Use and Zoning: North and East – Industrial; zoned I-3
South – Commercial and auto service; zoned I-3
West – Commercial; zoned B-2

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

PROPOSAL

The applicant proposes to construct two additions totaling 14,968 square feet onto the existing 17,240 square foot industrial building and rebuild the parking lot. The site is 77,482 square foot unplatted parcel. The smaller addition (4,760 square feet) would fill in the notch in a northwest corner of the building and match the existing wall plane setbacks of 12 feet from the north property line and 27.8 feet from the current property line along Lyndale Avenue, which is 40 feet from centerline. The planned widened right-of-way for Lyndale is 50 feet from centerline, which would give the addition a 17.8-foot front setback. To allow this addition, a variance to the required 35-foot setback from the

COUNCIL ACTION

Motion by _____ Second by _____ to _____

**Variance for front setback for building addition
And Revised FSP & BP for additions to existing building**

planned widened right-of-way has been requested. The larger addition, on the east end of the building, would also match existing north and south wall planes and maintains setbacks of 12 feet from the north line, 20 feet from the south line and nearly 220 feet from the property line abutting Harriet Avenue. No variances are necessary for this addition.

Floor area mix for the 32,208 square foot building will be 675 square feet of office and over 31,000 square feet of manufacturing for a total parking requirement of 43 spaces. Employment will consist of 21 persons on the 7:00 a.m. to 3:30 p.m. shift, nine persons on the second 3:30 p.m. to 12:00 a.m. shift and four person maintenance team from 12:00 a.m. to 8:30 a.m. The existing building has a height of about 18 feet and the additions will have a height of 21'4". Exterior finish for both additions will consist of an earth-tone integral colored rock-faced concrete block and rooftop mechanical screening of metal panels will be provided. The existing east loading dock will be relocated to the southeast corner of the new addition with an adjacent interior trash and recyclable material collection and storage area.

The 20 foot wide south driveway will be curbed and become one-way eastbound for entry only from Lyndale to the dock and new east parking lot of 43 spaces which will also be curbed and provided with islands, have an interior storm water collection system, a 20 foot setback from Harriet, and an improved driveway to Harriet Avenue. Three-foot high screening of earth mounding and evergreen shrubs will be used along Harriet Avenue. A lighting plan has been submitted that consists of 250 watt high pressure sodium luminaires mounted 16 feet up on the south and east walls and on 28 foot high standards in the new east lot.

APPLICABLE REGULATIONS

1. Sections 19.41(c) and 19.42(c)
2. Section 19.33

REQUIRED FINDINGS

1. Section 2.98.01(b)(3)(A),(B),(C) and (D)
2. Section 19.40.12(d)(1),(2),(3),(4) and (5)

HISTORY

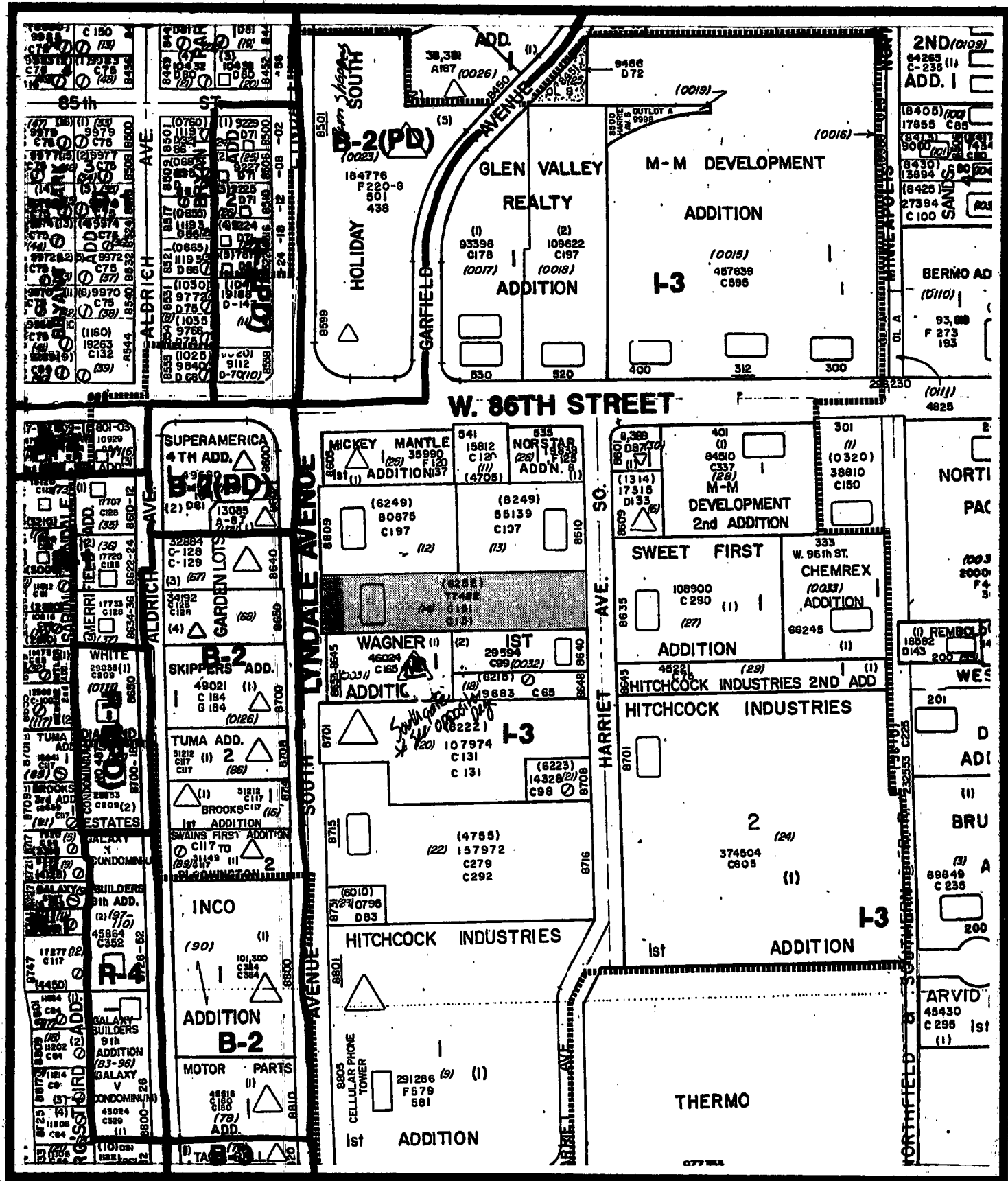
Administrative Action:

05/03/62 – Administratively approved a variance to allow the erection of a building on land not described lot and block (Case 3335-62)

CHRONOLOGY

Planning Commission Agenda:

09/21/00 – Public hearing scheduled.



CASE
3335AB-00



Findings Required for the
Granting of Variances

... No variance from the strict application of any of the provisions of this Code shall be granted by the Commission unless it finds as follows:

- (A) That, for reasons which are to be set forth in the findings, the variance is necessary for reasonable use of the land or building and that the variance as approved by the Commission is a minimum variance which will accomplish this purpose.**
- (B) That granting the variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.**
- (C) That the special condition or circumstance is not the result of actions of the applicant.**
- (D) That non conforming use of neighboring lands, structures, or buildings in the same district is not the sole grounds for issuance of the variance.**

**Findings Required for Approval of
Final Site Plans and Building Plans**

The City Council shall find the following prior to the approval of final site and building plans.

- (1) The proposed development is not in conflict with the Comprehensive Plan.**
- (2) The proposed development is not in conflict with any adopted district plan.**
- (3) The proposed development is not in conflict with the zoning district provisions.**
- (4) The proposed development is not in conflict with other applicable provisions of the City Code subject to the provisions of Section 19.40.03.**
- (5) The proposed development is not incompatible with existing and anticipated future development.**

APPRO DEVELOPMENT INC.

21476 Grenada Avenue
Lakeville, Minnesota 55044

Phone: (952) 469-2171

Fax: (952) 469-2173

E-Mail: office@approdevelopment.com

Website: www.approdevelopment.com

August 22, 2000

Community Development Department/Planning Division
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431

**RE: Development Application Narrative for:
Hitchcock Industries, Inc.
8635 Lyndale Avenue South
Type of Application - Revision
Final Site and Building Plan**

Dear Community Development Department:

Hitchcock Industries, Inc. is proposing to build two additions onto its existing 17,240 sf building at 8635 Lyndale Avenue South and provide many site improvements. A separate application for a variance to allow a 17.8' setback on the west addition is being applied for as well.

The west addition which fronts Lyndale Avenue is 4,760 sf and 21' - 4" high. The proposed addition is to align with the existing building facade. The west elevation (Lyndale Avenue) proposes to be brick to match the existing Lyndale Avenue elevation. The north elevation will be an earthtone integral colored rock-face concrete block. The addition also provides three clerestory (high) windows on the Lyndale elevation and two windows on the north elevation. The setbacks for the addition as proposed are 17.8' front the Lyndale Avenue planned right-of-way, and a minimum of 12.0' from the north property line.

The east addition which fronts Harriet Avenue is 10,208 sf and 21' - 4" high. This east addition will be an earthtone integral colored rock-face concrete block with six windows and main entry. The setbacks for the addition will be 220' from the east property line, and 11.7' from the closest point from the north property line.

The existing building and additions will provide Hitchcock Industries with a die shop/metal pattern making facility (that will be relocated from Lakeville) near its existing corporate headquarters and manufacturing facility at 8701 Harriet Avenue South.

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City of Bloomington

August 22, 2000

Page two

The Hitchcock Die Shop will have two production shifts:

1. 7:00 am - 3:30 pm with (18) production employees, and (3) office employees
2. 3:30 pm - 12:00 am with (9) production employees

A maintenance team of 4 people will be on staff from 12:00 am - 8:30 am.

Thus, there are 34 employees and 43 parking spaces provided. Two of the 43 parking spaces will be accessible spaces. It should be noted that the overlap of shifts will not impact the parking lot of 43 spaces since the two shifts combined are 27 employees.

This proposal provides upgraded site amenities that do not currently exist which include:

- A 20' foot landscape yard with 3' high berm that screens parking area with junipers and two maple trees.
- Improved lot lighting with (5) 28' high light poles and lighting levels that illuminate the lot (and not the adjacent neighbors land), and appropriate wall pack lighting. All lighting to be high pressure sodium (HPS).
- Improved on-site drainage with a precast storm treatment structure that will be located in the landscape area below grade.
- Fully concrete curbed lot
- Landscape islands
- A more clear building entrance from Harriet Avenue
- Rooftop mechanical screening to new and existing units. The screening will be metal panels and will coordinate with the building's color scheme.
- One way truck circulation from Lyndale Avenue
- Trash and recycling to be contained within the building
- South driveway that is 19.8' minimum width that eliminates the parking in front of the building on Lyndale Avenue, and eliminates access to the adjacent property to the south. The south driveway will provide clear one-way access to the truck docks at the east addition.

With your approval Hitchcock Industries, Inc. plans to begin the project in the fall of 2000.

Hitchcock Industries, Inc. and APPRO Development, Inc. wish to thank you for considering our addition and remodeling proposal for 8635 Lyndale Avenue.

Respectfully Submitted,



Vincent Markell
Project Manager

VM/jrh

RECEIVED
DIVISION OF CITY PLANNING

AUG 23 2000

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August 22, 2000

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City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431

**RE: Development Application Narrative for:
Hitchcock Industries, Inc.
8635 Lyndale Avenue South
Variance Application**

RECEIVED
DIVISION OF CITY PLANNING

AUG 23 2000

**CITY OF BLOOMINGTON
MINNESOTA**

Dear Community Development Department:

Hitchcock Industries, Inc. requests a variance to allow a front setback of 17.8' from a planned right-of-way to the west addition of the existing building at 8635 Lyndale Avenue South. The property is zoned I-3 Industrial with a 35 foot setback from planned right-of-way on Lyndale Avenue South as stated in section 19.41.C of the City's Zoning Code.

This variance application for the west addition along Lyndale Avenue is part of a larger project that also includes: an east addition (with main entry facing Harriet Avenue), a landscape screened parking area with 3' high berm along Harriet Avenue, fully curbed lot that provides an internal storm water collection on-site, landscape islands, five light poles for the parking lot, rooftop mechanical screening, trash and recycling to be within the building, more clear truck and auto circulation, more identifiable building entry facing Harriet Avenue. Much of the building and site will be improved.

The west addition is 119'-0" x 40'-0" or 4,760 sf, and will be a warehouse use with the capacity to be a future manufacturing space. This addition will support the manufacturing space immediately to the east. The space is 21'-4" high or about 3'-0" higher than the existing building. The additional height will allow for a light crane to operate in the space. We propose that the Lyndale Avenue addition align with the existing building edge, and be made of the same (or similar) brick. The addition and existing building would blend together and become one newer building with many new amenities. Most importantly, the addition as proposed does not appear to have any negative impact on the adjacent neighbors or to the public environment.

The 35 foot setback from the planned right-of-way creates a hardship because it:

1. Takes an additional 10'-0" swath along Lyndale avenue from previous setback requirements.
2. Creates a plan shape that restricts interior storage. A rectangular space that is open (as much as possible) to adjacent spaces would be optimum for warehouse storage and crane use. A space that is irregular in plan shape restricts storage options and makes the overhead crane less useful since it cannot operate within the whole space.

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Community Development Department/Planning Division
City of Bloomington
August 22, 2000
Page Two

3. Restricts optimizing the building and site thus making the proposed improvements more expensive per square foot of building. The proposed addition displaces 688 sf into the proposed setback. Stepping a building footprint increases costs—there is more square feet of wall surface, and more complexities to the building structure.
4. Reduces the aesthetics of the building and the streetscape. The proposed building is only 100' in length along Lyndale Avenue. The 35' setback forces the building to step away from the street and compromises the straight forward and honest look of the building.

It should also be noted that this proposal meets all other city requirements other than the variance request to the setback.

Hitchcock Industries, Inc. and APPRO Development, Inc. wish to thank you for considering our variance request.

Respectfully Submitted,



Vincent Markell
Project Manager

VM/jrh

3335 A 00

2/a

ZONING & CODE REVIEW:

SITE ADDRESS: 8635 LYNDALE AVE. SO.

ZONING: I-3 INDUSTRIAL

SITE AREA: 77,496 SF

TYPE OF CONSTRUCTION: II-N

BUILDING AREA:

EXISTING: 17,240 SF

NEW ADDITION: 16,968 SF

TOTAL AREA: 34,208 SF

SPRINKLED: YES

ALLOWABLE FLOOR AREA: 12,000 SF X 3 = 36,000 SF
(DOES NOT INCLUDE MULTIPLIER FOR 3 SIDE SEPARATION)

PARKING/OCCUPANCY AREAS:

(BASED ON GROSS FLOOR AREA)

OFFICE: 275 SF / 200 SF PER SPACE = 3 SPACES (3 EMPLOYEES)

MANUFACTURING: 31,751 SF / 800 SF PER SPACE = 40 SPACES (31 EMPLOYEES)

TOTAL BUILDING SIZE: 32,432 SF, 1100'-0" X 340'-0" - (56'-0" X 28'-0")

PARKING REQUIRED: 43 SPACES (34 EMPLOYEES)

PARKING PROVIDED: 43 SPACES

EMPLOYEE SHIFTS:

7:00 AM - 3:30 PM 18 PRODUCTION + 3 OFFICE

3:30 PM - 12:00 AM 4 PRODUCTION

12:00 AM - 8:30 PM 4 MAINTENANCE

SETBACKS: SEE CITY CODE 19.41.C

FRONT: 35'-0"

SIDE: 10'-0"

REAR: 25'-0"

PROPOSED EAST ELEVATION SETBACKS:

FRONT: 17.8' FROM PLANNED RIGHT-OF-WAY

SIDE: 12.0' AT CLOSEST POINT

PROPOSED WEST ELEVATION SETBACK:

FRONT: 220'-0"

SIDE: 11.7' AT CLOSEST POINT

PARKING SETBACKS & SCREENING: SEE CITY CODE 19.52

10'-0" YARD AT ALL STREETS AS MEASURED FROM RIGHT OF WAY

3'-0" SOLID SCREENING FOR OFF-STREET PARKING

SCREENING OF ROOF MOUNTED EQUIPMENT: SEE CITY CODE 19.52.01

PARKING FACILITY & EXT. SECURITY: SEE CITY CODE 19.54

PARKING LOT MIN. 2 FOOT-CANDLES

GROSS PARKING AREA:

27,579 SF

INTERIOR GREEN SPACE REQUIREMENTS:

27,579 SF X 3% = 827 SF MIN. GREEN SPACE REQUIRED

ENTRY ISLAND: 135 SF

ISLAND: 4X 5' X 27' = 540 SF

GREEN NEAR 360 SF

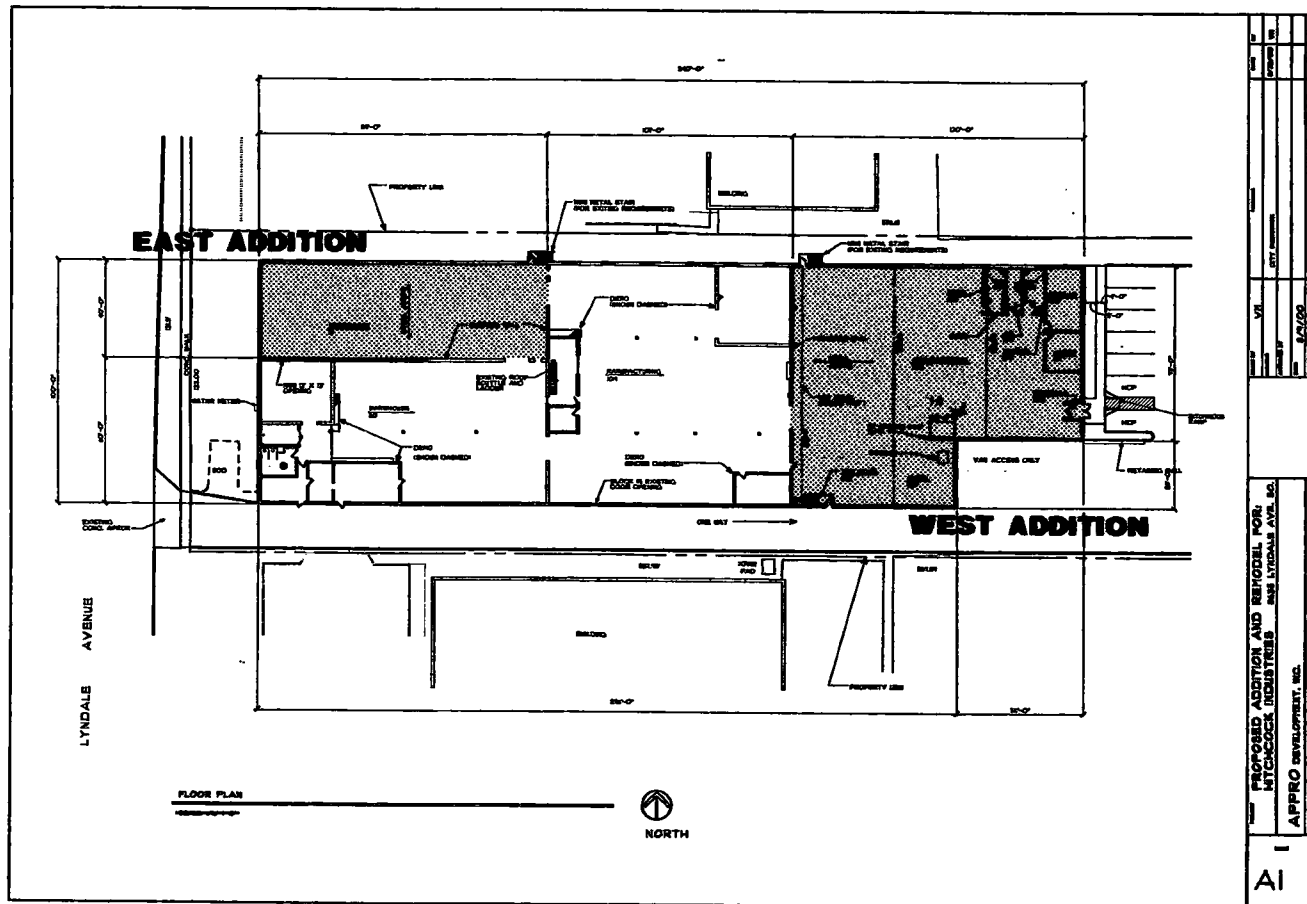
HARRIET AVE.

TOTAL INT. GREEN SPACE: 1035 SF > 827 SF MIN.

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The east half less of sec 29 and 40-26 less of the townships 12-28 less of the range 37-28
of sec 29, 1/2 of sec 30, 1/2 of sec 31, 1/2 of sec 32, 1/2 of sec 33, 1/2 of sec 34, Township 12, Range 37,
Marquette County, Minnesota.





3335 B 00

Variance to reduce the required front yard setback &
Revised FSP & BP for additions to an industrial building

Item 2

GENERAL INFORMATION

Applicant: Hitchcock Industries, Inc.

Location: 8635 Lyndale Avenue

- Request:
1. A variance to reduce the required front setback from 35 feet to 17.8 feet for a building addition (Case 3335A-00)
 2. Revised final site plans and building plans for additions to an existing industrial building (Case 3335B-00)

PROPOSAL

The applicant proposes to construct two additions totaling 14,968 square feet onto the existing 17,240 square foot industrial building and rebuild the parking lot. The site is a 77,482 square foot unplatted parcel. The smaller addition (4,760 square feet) would fill in the notch in a northwest corner of the building and match the existing wall plane setbacks of 12 feet from the north property line and 27.8 feet from the current property line along Lyndale Avenue, which is 40 feet from centerline. The planned widened right-of-way for Lyndale is 50 feet from centerline, which would give the addition a 17.8-foot front setback. To allow this addition, a variance to the required 35-foot setback from the planned widened right-of-way has been requested. The larger addition, on the east end of the building, would also match existing north and south wall planes and maintains setbacks of 12 feet from the north line, 20 feet from the south line and nearly 220 feet from the property line abutting Harriet Avenue. No variances are necessary for this addition.

Floor area mix for the 32,208 square foot building will be 675 square feet of office and over 31,000 square feet of manufacturing for a total parking requirement of 43 spaces. Employment will consist of 21 persons on the 7:00 a.m. to 3:30 p.m. shift, nine persons on the second 3:30 p.m. to 12:00 a.m. shift and four person maintenance team from 12:00 a.m. to 8:30 a.m. The existing building has a height of about 18 feet and the additions will have a height of 21'4". Exterior finish for both additions will consist of an earth-tone integral colored rock-faced concrete block and rooftop mechanical screening of metal panels will be provided. The existing east loading dock will be relocated to the southeast corner of the new addition with an adjacent interior trash and recyclable material collection and storage area.

The 20 foot wide south driveway will be curbed and become one-way eastbound for entry only from Lyndale to the dock and new east parking lot of 43 spaces which will also be curbed and provided with islands, have an interior storm water collection system, a 20 foot setback from Harriet, and an improved driveway to Harriet Avenue. Three-foot high screening of earth mounding and evergreen shrubs will be used along Harriet Avenue. A lighting plan has been submitted that consists of 250 watt high pressure sodium luminaires mounted 16 feet up on the south and east walls and on 28 foot high standards in the new east lot.

Case 3335AB-00

Variance to reduce the required front yard setback &
Revised FSP & BP for additions to an industrial building

CODE COMPLIANCE

Section 19.42(c)(1) of the City Code requires that all setbacks shall be based on the planned widened right-of-way, which is 50 feet from centerline on Lyndale Avenue in this instance. The existing property line is 40 feet from centerline and the existing building has a setback of 27.8 feet from that property line. The west wall of the proposed northwest addition would match would be an extension of that existing west wall plane and have a 27.8 foot setback from the existing property line and a 17.8 foot setback from the planned widened right-of-way for Lyndale Avenue.

ANALYSIS

With the exception of the less than standard setback on the proposed west addition, the proposed additional site development does comply with all other applicable performance standards and many noncomplying aspects of the existing development will be brought into compliance, to include:

- A new parking lot with curbing, islands, striping, and complying setbacks and screening;
- Complying site and building lighting;
- An interior storm water collection system;
- An interior trash and recyclable material collection and storage area; and
- Complying rooftop screening.

The existing building setback was approximately 35 feet when the Lyndale Avenue east half right-of-way was 33 feet. This was reduced to 27.8 feet when the east half right-of-way was expanded to the current 40 feet and has not proved to be a cause of any problems to either the property, the area or the community in general based on the nature of the land use and the operational characteristics. The 17.8 foot setback from the planned widened right-of-way for both the existing building and the addition are not expected to alter that situation as adequate space for sidewalk and utility easements would remain between the building and the future right-of-way line. The additional 40 feet of building façade at that location is only a 50 percent increase in the length of the grandfathered encroachment and cannot be anticipated to alter what has been the status quo for many years.

Removal of the remaining west parking space and restricting the south two-way driveway to one-way eastbound from Lyndale will eliminate the two features with the greatest problem-causing potential, depending on operational characteristics at any given time. With a one-way eastbound, potential impact on vehicle sight lines will be removed, as vehicles will no longer be entering Lyndale traffic. The current casual access onto the driveway from the property to the south will be eliminated by new driveway curbing.

The improvements accompanying the building expansion does benefit both the area specifically and the community in general, while any negative potential is adequately minimized. As with any situation, the applicant is reminded that proper operational and management practices consistent with the site capabilities and capacities are imperative to insure continuing compatibility with neighbors and the community in general.

Variance to reduce the required front yard setback &
Revised FSP & BP for additions to an industrial building

While staff supports both the variance request and the proposed site improvements, that support is dependent upon the property being platted into a lot and block description in order for any building permits to be issued. As the history noted, permits for the construction of the existing building were issued on the basis of a 1962 administrative variance to the equivalent of the current Section 16.03(a) for a specific development proposal. Staff has advised the applicant that the property should be platted as per Code and that neither a waiver to platting or a variance to Section 16.03 would be supported. Platting would include provision of right-of-way to 50 feet from centerline along Lyndale Avenue and standard drainage, utility, and sidewalk easements.

The applications were not reviewed by the Fire and Life Safety Committee. Public works comments include the following:

- Plat the property;
- Dedicate ROW to 50 feet along Lyndale Avenue and provide standard drainage, utility, and sidewalk easements along appropriate property lines;
- Clear one-way signage required along south driveway;
- No connection charges due;
- Provide proper radii on driveway entrance curbs, particularly on Lyndale;
- Street restoration compliance required;
- Use Bloomington Standard Details;
- Spec material 6" and 8" lines
- Complete SAC questionnaire;
- Put water meters where service enters building;
- Review cover, valving, utility line separation, and all existing property services with staff for detail needs;
- Place inspection manhole on west service;
- Review erosion control plan deficiencies with staff;
- Nine Mile Creek Watershed District permit required;
- Review storm calculations with staff for runoff control, storm cepter sizing, and other details; and
- Potential drainage problem on north side of building and can't drain roof to surface in that area.

The applicant has been advised to contact appropriate Public Works staff to resolve information and design detail deficiencies in the drainage, storm water, utilities, and related elements of the development proposal. At the present, resolution of these would not appear to result in any significant change to the site or building plans and can be adequately addressed at staff level via general conditions.

FINDINGS

Section 2.98.01(b)(3)

... No variance from the strict application of any of the provisions of this Code shall be granted by the Commission unless it finds as follows:

Variance to reduce the required front yard setback &
Revised FSP & BP for additions to an industrial building

(A) That, for reasons which are to be set forth in the findings, the variance is necessary for reasonable use of the land or building and that the variance as approved by the Commission is a minimum variance which will accomplish this purpose.

- * The variance is necessary to keep the proposed northwest corner addition in line with the existing building front and provide needed and usable floor area. The amount of the encroachment is the minimum necessary to allow the development of a consistent building front that extends the existing building wall plane by only 50 percent and thus accomplish the intended purpose. The addition does not encroach further into the setback area than the existing building. All public and private activity on the site occurs away from this frontage.

(B) That granting the variance will be in harmony with the general purpose and intent of this Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- * This portion of the property will be a quiet space from an activity standpoint and the existing encroachment has not been shown to pose any problems or difficulties for the property, the neighborhood, or the community. Neither the proposed addition's encroachment nor the total building encroachment can be anticipated to result in any change to that character, function or potential. The requested encroachment provides reasonable building floor area that allows optimum use of the active east end of the site while the accompanying site improvements remove existing features with conflict potential. The granting of the requested variance for the addition will be accompanied by conditions relating to platting and site and building plan approval that will adequately insure the encroachment will not be injurious to the neighborhood or detrimental to the public welfare.

(C) That the special condition or circumstance is not the result of actions of the applicant.

- * The original building setback from Lyndale Avenue was a complying 35 feet that has been reduced to the existing 27.8 feet and to 17.8 feet from the planned widened right-of-way by actions on the part of the City.

(D) That nonconforming use of neighboring lands, structures, or buildings in the same district is not the sole grounds for issuance of the variance.

- * Not at issue.

RECOMMENDATION

In Case 3335A-00, staff recommends approval of a variance to reduce the required front setback for an industrial building addition from 35 feet to 17.8 feet from the planned widened right-of-way along Lyndale Avenue at 8635 Lyndale Avenue subject to the following conditions:

Variance to reduce the required front yard setback &
Revised FSP & BP for additions to an industrial building

- 1) The variance shall be valid only for the final site plans and building plans approved in Case 3335B-00; and
- 2) No public entrance shall be provided on the west face of the existing building or addition without administratively approved revised final site plans and building plans.

In Case 3335B-00, staff recommends approval of revised final site plans and building plans for additions to an existing industrial building and site improvements at 8635 Lyndale Avenue subject to the following conditions being satisfied prior to the issuance of any grading or building permits:

- 1) Exterior building materials shall match those shown on plans approved in Case 3335B-00;
- 2) Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
- 3) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 4) A SAC questionnaire be completed and submitted to the Department of Public Works;
- 5) Access, circulation and parking plans be approved by the City Traffic Engineer;
- 6) Erosion control measures be in place prior to issuance of grading permits;
- 7) Nine Mile Creek Watershed District permit be obtained

and subject to the following additional conditions of approval:

- 8) Alterations to utilities be at the developer's expense;
- 9) Temporary street signs and addresses be provided during construction;
- 10) All pickup and drop-off occur on site and off of public streets;
- 11) All loading and unloading, including that related to construction, occur on site and off of public streets;

and subject to the following Code requirements:

- 1) Three-foot high solid screening be provided along Harriet Avenue as approved by the Planning Manager (Sec. 19.52);
- 2) Landscape plan be approved by the Planning Manager (Sec 19.52);
- 3) All rooftop equipment be fully screened (Sec. 19.52.01);
- 4) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 5) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
- 6) Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1 and M.R. Chapter 1306; Uniform Fire Code Sec. 1003);
- 7) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 8) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Uniform Fire Code Sec. 903); and
- 9) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code;

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CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:

- 1) Exterior building materials be approved by the Planning Manager;
- 2) Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
- 3) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 4) Connection charges, as appropriate, be satisfied;
- 5) A SAC questionnaire be completed and submitted to the Department of Public Works;
- 6) Access, circulation and parking plans be approved by the City Traffic Engineer;
- 7) Erosion control measures be in place prior to issuance of grading permits;
- 8) Project specific noise study be submitted and approved by the Manager of the Environmental Health Division indicating that the car wash would operate within the City noise regulations as follows: the noise source in question shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 a.m. to 10:00 p.m.) and an L10 noise level of 50 dBA in the nighttime (10:00 p.m. to 7:00 a.m.) as measured on the property line abutting the source;

and subject to the following additional conditions of approval:

- 9) Alterations to utilities be at the developer's expense;
- 10) Exit drain and heated exit pad be provided as approved by the City Engineer;

and subject to the following Code requirements:

- 1) All rooftop equipment be fully screened (Sec. 19.52.01);
- 2) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64); and
- 3) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Uniform Fire Code Sec. 903).

ITEM 2

5:39 p.m.

CASE:	3335AB-00
APPLICANT:	Hitchcock Industries, Inc.
LOCATION:	8635 Lyndale Avenue
REQUEST:	1. Variance to reduce front setback on Lyndale Avenue from 35 feet to 17.8 feet for a building addition (335A-00); and 2. Revised final site plan and building plans for an addition onto an existing industrial building (3335B-00)

APPEARING FOR THE APPLICANT:

Greg Hitchcock, applicant
Jack Matasosky, Appro Development

SPEAKING FROM THE PUBLIC:

No one.

DISCUSSION BY THE COMMISSION:

Hawbaker presented the staff report in Case 3335A-00 recommending approval of a variance to reduce the required front setback for an industrial building addition from 35 feet to 17.8 feet from the planned widened right-of-way along Lyndale Avenue at 8635 Lyndale Avenue subject to the two conditions. And in Case 3335B-00, recommending approval of revised final site plans and building plans for additions to an existing industrial building and site improvements at 8635 Lyndale Avenue subject to the eleven conditions and nine Code requirements.

Abrams asked for clarification as to the approval being given conditioned on platting the property. Hawbaker explained the City Code requires all properties be described lot and block before issuance of any building permits. This also allows appropriate rights-of-way and easements to be identified and dedicated.

Jack Matasosky stated that Staff has been very helpful in the approval process. This process has also helped in reorientation of the building for emergency services. He said the purpose of part of the addition was to relocate employees from another community back to Bloomington.

Schneider asked what the timeline for construction of the addition would be. Greg Hitchcock stated they would like to start as soon as possible. He gave a brief history of the company and stressed that he would like to move all of his operations back to Bloomington.

ACTIONS OF THE COMMISSION:

M/Knutson, S/Johnson: Having reviewed the Findings in Section 2.98.01(b)(3)(A),(B),(C) and (D), in Case 3335A-00 to recommend approval of a variance to reduce the required front setback for an industrial building addition from 35 feet to 17.8 feet from the planned widened right-of-way along Lyndale Avenue at 8635 Lyndale Avenue subject to the two conditions. Motion carried 7 - 0.

M/Knutson, S/Johnson: Having reviewed the Findings in Section 19.40.12(d)(1),(2),(3),(4) and (5), in Case 3335B-00 to recommend approval of revised final site plans and building plans for additions to an existing industrial building and site improvements at 8635 Lyndale Avenue subject to the eleven conditions and nine Code requirements. Motion carried 7 - 0.

CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:

In Case 3335A-00 recommend approval of a variance to reduce the required front setback for an industrial building addition from 35 feet to 17.8 feet from the planned widened right-of-way along Lyndale Avenue at 8635 Lyndale Avenue subject to the two conditions:

- 1) The variance shall be valid only for the final site plans and building plans approved in Case 3335B-00; and
- 2) No public entrance shall be provided on the west face of the existing building or addition without administratively approved revised final site plans and building plans.

In Case 3335B-00 recommend approval of revised final site plans and building plans for additions to an existing industrial building and site improvements at 8635 Lyndale Avenue subject to the eleven conditions and nine Code requirements:

- 1) Exterior building materials shall match those shown on plans approved in Case 3335B-00;

- 2) Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
- 3) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 4) A SAC questionnaire be completed and submitted to the Department of Public Works;
- 5) Access, circulation and parking plans be approved by the City Traffic Engineer;
- 6) Erosion control measures be in place prior to issuance of grading permits;
- 7) Nine Mile Creek Watershed District permit be obtained;

and subject to the following additional conditions of approval:

- 8) Alterations to utilities be at the developer's expense;
- 9) Temporary street signs and addresses be provided during construction;
- 10) All pickup and drop-off occur on site and off of public streets;
- 11) All loading and unloading, including that related to construction, occur on site and off of public streets;

and subject to the following Code requirements:

- 1) Three-foot high solid screening be provided along Harriet Avenue as approved by the Planning Manager (Sec. 19.52);
- 2) Landscape plan be approved by the Planning Manager (Sec 19.52);
- 3) All rooftop equipment be fully screened (Sec. 19.52.01);
- 4) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 5) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
- 6) Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1 and M.R. Chapter 1306; Uniform Fire Code Sec. 1003);
- 7) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 8) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Uniform Fire Code Sec. 903); and
- 9) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code.

ITEM 3

5:49 p.m.

CASE:	10511A-00
APPLICANT:	Andrew Conrade
LOCATION:	10528 Penn Avenue and 10531 Russell Avenue
REQUEST:	Preliminary Plat of Conrade Addition, subdivide two single-family lots into four single-family lots

APPEARING FOR THE APPLICANT:

Larry Couture, Carlson and Carlson, Inc.

Adopted Resolution
Approving Variance to
Reduce Front Setback for
Building Addition for
Hitchcock Industries,
Inc. at 8635 Lyndale
Avenue South
Case 3335A-00
Item 5.3
R-2000-115

Motion made by Peterson, seconded by Wilcox, and all voting aye, to adopt a resolution approving a variance to reduce the required front setback from 35 feet to 17.8 feet from the planned widened right-of-way along Lyndale Avenue for a building addition at 8635 Lyndale Avenue, Case 3335AB-00, for Hitchcock Industries, Inc., subject to the following 2 conditions as set forth by the Planning Division Staff and the Planning Commission:

1. The variance shall be valid only for the final site plans and building plans approved in Case 3335B-00; and
2. No public entrance shall be provided on the west face of the existing building or addition without administratively approved revised final site plans and building plans.

and

Approved Revised Final
Site Plans and Building
Plans for Additions to
Existing Building for
Hitchcock Industries,
Inc. at 8635 Lyndale
Avenue South
Case 3335B-00
Item 5.3

Motion made by Peterson, seconded by Wilcox, and all voting aye, to approve the revised final site plans and building plans for additions to an existing industrial building and site improvements at 8635 Lyndale Avenue, subject to the 11 conditions of approval and 9 Code requirements being satisfied prior to the issuance of any grading or building permits:

1. Exterior building materials shall match those shown on plans approved in Case 3335B-00;
2. Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
3. Grading, drainage, utility and erosion control plans be approved by the City Engineer;
4. A SAC questionnaire be completed and submitted to the Department of Public Works;
5. Access, circulation and parking plans be approved by the City Traffic Engineer;
6. Erosion control measures be in place prior to issuance of grading permits;
7. Nine Mile Creek Watershed District permit be obtained

and subject to the following additional conditions of approval:

8. Alterations to utilities be at the developer's expense;
9. Temporary street signs and addresses be provided during construction;
10. All pickup and drop-off occur on site and off of public streets;
11. All loading and unloading, including that related to construction, occur on site and off of public streets;

and subject to the following Code requirements:

1. Three-foot high solid screening be provided along Harriet Avenue as approved by the Planning Manager (Sec. 19.52);
2. Landscape plan be approved by the Planning Manager (Sec 19.52);
3. All rooftop equipment be fully screened (Sec. 19.52.01);
4. Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
5. Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
6. Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1 and M.R. Chapter 1306; Uniform Fire Code Sec. 1003);
7. Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
8. Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Uniform Fire Code Sec. 903); and
9. Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code.

Hawbaker provided background and stated that staff and the Planning Commission recommend approval.

~~Closed Public Comment Period~~ The Mayor asked if anyone else wished to address the Council during the public comment period or it would be closed. No one came forward to speak and the public comment period was closed.

~~Approved Renewal of On-Sale and Off-Sale 3.2 Percent Malt Liquor Licenses~~ Motion made by Peterson, seconded by Abrams, to approve the renewal of the following on-sale and off-sale 3.2 percent malt liquor license applications for 2001. Motion passed 6-0-1 (Winstead abstaining).

~~Item 4.1A~~ On-Sale: 1st Wok, Andy's Tap, Bid Red's Portway, Da Afghan, Davanni's Inc., Denny's Restaurant, Dwan Golf Club, Edwardo's Natural Pizza, Godfather's Pizza, Hospitality Inn & Suites, Hunan Restaurant, Hyland Greens Golf, Kimson Restaurant, La Tortilla Ria, Lyn-Del Lanes, Mandarin Garden, Mandarin Kitchen, Nordstrom, Perkins Café & Bakery (two locations), Pic-A-Deli Pizza, Sawatdee Take Out, Sports Page, Tandoor Restaurant, The Italian Café, and Zeke's Place.

~~Off-Sale: A & S Kwik Market, Andy's Tap, Big Red's Portway, Bobby & Steve's Auto World, Bonkers, Cub Foods (two locations), Emporium Exceptionale, Holiday Stationstore (two locations), Lynda & Nathan SPUR, Oasis Market, Pick Market, Rainbow Foods, Sports Page, SuperAmerica (five locations), Tom Thumb, and Zeke's Place.~~

~~Evelyn Woulfe stated that the paperwork for four applications will be held up until the City receives the insurance information and that the applicants have been so notified as their applications expire at the end of the year.~~

~~Approved New On-Sale 3.2 Percent Malt Liquor License for Pizza Hut at 5101 West 98th Street~~ Motion made by Peterson, seconded by Wilcox, and all voting aye, to approve a new on-sale 3.2 percent malt liquor license, expiring December 31, 2001, for Sky Ventures, LLC, dba Pizza Hut, 5101 West 98th Street.

~~Item 4.1B~~

~~Approved New On-Sale Intoxicating Liquor License for Hilton Garden Inn at 8100 Bridge Road~~ Motion made by Peterson, seconded by Wilcox, and all voting aye, to approve a new on-sale intoxicating liquor license for HGIB, LLC dba Hilton Garden Inn, 8100 Bridge Road, with an anticipated opening of February 2002.

~~Item 4.1C~~

~~Adopted Resolution Approving Preliminary and Final Plat and Subdivision Agreement for Hitchcock Industries at 8635 Lyndale Avenue South~~ Motion made by Wilcox, seconded by Peterson, and all voting aye, to approve the preliminary and final plat and adopted a resolution granting final approval and approval of the subdivision agreement, for Hitchcock Industries 3rd Addition, located at 8635 Lyndale Avenue South, Case 3335C-00, subject to a review of the title by the City Attorney and receipt of the necessary documents and deposits and subject to the following 6 conditions as set forth by the Administrative Subdivision Review Committee. Item 1 is complete on the final plat. Documents are being prepared to accomplish Items 2 and 3. Item 4, Park Dedication to be in cash. Item 5 will be completed at the time of building permits. Item 6, the existing 10' electrical easement will remain in place.

~~Case 3335C-00~~

~~Item 4.2~~

~~R-2000-151~~

- ~~1. 50' right of way from centerline of Lyndale Avenue be required.~~
- ~~2. Standard 10' drainage and utility easements along Lyndale Avenue and Harriet Avenue and standard 5' drainage and utility easements along all internal lot lines.~~
- ~~3. Concurrent 10' sidewalk/bikeway easements along Lyndale Avenue and Harriet Avenue.~~
- ~~4. Park dedication in the amount of \$4,560 to be in cash.~~
- ~~5. All alterations to utilities at the developer's expense.~~
- ~~6. Existing 10' electrical easement along the south side of property be carried forward as an electric utility easement on the plat as approved by City Engineer.~~

~~No staff report was presented and no public testimony was heard.~~

October 3, 2000

Richard J. Wylie
Hitchcock Industries, Inc.
8701 Harriet Avenue
Bloomington, MN 55420

RE: Case 3335AB-00

Dear Mr. Wylie:

At its regular meeting of October 2, 2000, the City Council adopted a resolution approving a variance to reduce the required front setback for an industrial building addition from 35 feet to 17.8 feet from the planned widened right-of-way along Lyndale Avenue at 8635 Lyndale Avenue. This variance shall become effective upon submission of this letter, signed by you, guaranteeing compliance with the conditions of approval attached to the permit by the City Council.

Conditions attached to approval of a variance (Case 3335A-00):

- 1) The variance shall be valid only for the final site plans and building plans approved in Case 3335B-00; and
- 2) No public entrance shall be provided on the west face of the existing building or addition without administratively approved revised final site plans and building plans.

Also, at its regular meeting of October 2, 2000, the City Council approved the revised final site plan and building plans for additions to an existing industrial building and site improvements at 8635 Lyndale Avenue. This revised final site plan and building plans shall become effective upon submission of this letter, signed by you guaranteeing compliance with the conditions of approval attached to the permit by the City Council. This letter must be delivered to Cyndi Osberg in the Planning Division, City of Bloomington. A duplicate copy is included for your files.

This revised final site plan and building plan approval is subject the following conditions being satisfied prior to the issuance of any grading or building permits:

- 1) Exterior building materials shall match those shown on plans approved in Case 3335B-00;
- 2) Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
- 3) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 4) A SAC questionnaire be completed and submitted to the Department of Public Works;

3335 AB 00

- 5) Access, circulation and parking plans be approved by the City Traffic Engineer;
- 6) Erosion control measures be in place prior to issuance of grading permits;
- 7) Nine Mile Creek Watershed District permit be obtained

and subject to the following additional conditions of approval:

- 8) Alterations to utilities be at the developer's expense;
- 9) Temporary street signs and addresses be provided during construction;
- 10) All pickup and drop-off occur on site and off of public streets;
- 11) All loading and unloading, including that related to construction, occur on site and off of public streets;

and subject to the following Code requirements:

- 1) Three-foot high solid screening be provided along Harriet Avenue as approved by the Planning Manager (Sec. 19.52);
- 2) Landscape plan be approved by the Planning Manager (Sec 19.52);
- 3) All rooftop equipment be fully screened (Sec. 19.52.01);
- 4) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 5) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
- 6) Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1 and M.R. Chapter 1306; Uniform Fire Code Sec. 1003);
- 7) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 8) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Uniform Fire Code Sec. 903); and
- 9) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code.

Should you have any questions regarding this action, please contact Galen Doyle, Planner at (952)-563-8924. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at 612-948-8930 to discuss the requirements for building permit application.

Continued on next page

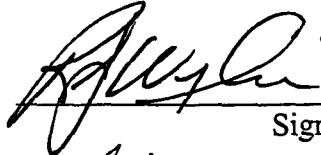
Acknowledgment:

The owner acknowledges that the use of the Property shall be in conformance with all conditions attached by the City Council set forth above, and all applicable building, fire, safety and other Code requirements.

DATED

11-27-00

By



Signature

Richard Wylie

Typed or Printed Name

Vice President, Chief Operations Officer

Title

8701 Harriet Ave. South

Address

Bloomington MN 55420-2787

City

State

ZIP

952-887-7810

Telephone

The City will issue the necessary permits for development and use of the property for the purpose stated in Case 3335AB-00.doc, subject to the conditions set forth above.

Sincerely,



Clark Arneson
Planning Manager

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RECEIVED
DIVISION OF CITY PLANNING

DEC 14 2000
CITY OF BLOOMINGTON
MINNESOTA

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