

Roggenbuck displayed renderings of the proposed new Highway 5 Bridge. It would be two levels with the highway and streetcar covered with a pedestrian area on top. This area would include bike access and would improve ADA compliance. Cultural programming related to the Fort Snelling area would likely be included. The Bridge's cost would be about 415 million dollars.

Roggenbuck outlined the timeline for the project which included engagement over the summer, policymaker decision in September 2024, Federal Project Development in 2025 to 2026, the engineering phase in 2027 to 2030, construction in 2030 to 2033, and opening late 2033. For the bus alternative the timeline would be opening in the year 2030 at the earliest.

Acting Chair Koktan asked what the difference between light rail and modern streetcar is. Roggenbuck said the difference is modern streetcars share space with traffic as opposed to light rail with dedicated routes.

Commissioner Goltzman asked about the ridership projections and if they looked at differences in demographics as to who uses the services. Roggenbuck said overall transit was having less commuters and there was a discussion on broader ridership trends.

Acting Chair Koktan asked for thoughts on development possibilities on the Adjoining Lands site if the Blue Line tracks were rerouted as a result of the new Mall of America transit station. Planning Manager Markegard stated the rerouting would open up access opportunities to the east and south, but would close access to the north. He said the alternative of keeping the existing alignment is problematic as the volume of trains/streetcars crossing 24th Avenue would mean that the intersection of 24th Avenue and Old Shakopee Road would work very poorly for vehicle traffic.

Acting Chair Koktan asked if the project team had conversations with the Mall of America owners. Roggenbuck said not recently, and more engagement was done with transit riders who use the Mall spaces. Koktan suggested Roggenbuck's team should connect with the Mall owners.

Commissioner Goltzman said moving the Mall of America Station to the second level would make it more accessible as opposed to now where it is located in the basement. The change would make a more inviting environment.

Acting Chair Koktan suggested work with the Mall especially since the parking ramps are aged and may need to be replaced, which could be an opportunity for collaboration.

ACTIONS OF THE COMMISSION:

N/A

ITEM 3
6:43 p.m.

APPLICANT: City of Bloomington

REQUEST: Streamlined Development Approvals Part II

Senior Planner Nick Johnson presented on the topic of streamlining development approvals. This is the second study session for this item, and it was first discussed at the May 23 2024, Planning Commission meeting. There were a variety of sub-projects discussed in this earlier meeting. One of these sub-projects was a proposal to change many conditional uses to become permitted uses in certain zoning districts. The Commission requested to review proposed conditional use changes individually at a later date, as the level of detail required more attention and study.

Johnson said the goal of the streamlining development approvals project was to reduce time, financial costs, and increase simplicity and certainty for applicants. Streamlining processes would be favorable from an equity perspective because regulations can favor larger, more experienced, and more resourced developers. Johnson said the strengths of the conditional use permit process was that it allowed for more City decision-making discretion and public input. The weaknesses of this process included uncertainty regarding the outcome, the extended action timeline (which can be six weeks or longer), and financial costs. Johnson stressed the importance of maintaining a high standard of internal staff review for all applications regardless of who the approval entity is.

In preparing this item, staff completed an evaluation of all the conditional uses currently in the City Code, 112 in total. This evaluation used the criteria of use standards, potential for nuisances, and complexity of the use (such as a college campus where there is a variety of services on site that occur at different times). The staff recommendation was to change 57 of the 112 total conditional uses to be permitted on some level.

Johnson explained the matrix of conditional uses attached to the staff report (Exhibit 2). This matrix lists all of these conditional uses, the use standards for each use, the zoning districts where the use is allowed, potential for nuisances, and the staff recommendation for each use. The Commission discussed the best methodology to review each conditional use recommended to be permitted taking into account City Council input and term lengths of members serving on the Commission. It was determined that staff would present six or more uses at a time, and the Commissioners would identify individual uses that required more discussion or that should remain as conditional uses. If a use was not specifically identified, then the staff recommendation of changing the conditional use to permitted would be the Commission's recommendation. The use numbers mentioned in this synopsis refer to the corresponding number in the review matrix attached to the staff report.

Johnson presented uses numbered 1, 2, 3, 5, 9, 11, 15, and 17 from the conditional use review matrix for discussion. There was discussion on uses that were specified as allowed if they were in existence by a certain date. Markegard gave background that these types of uses related to an ordinance that revised the Zoning Code in 2015, preventing new instances of these uses being created in certain districts but allowing those in place to continue as conforming uses, thereby allowing for future expansion.

Commissioner Goltzman asked about use #11 relating to tennis courts and what the difference was between “tennis court” and “sport court.” Johnson said sport courts are a newer and more relevant use, and staff would recommend striking the tennis court use altogether. New tennis courts would then just be evaluated under sport court standards.

Johnson presented uses numbered 25, 26, 27, 28, 29, 30, 33, 34, and 35. Commission Albrecht asked in general, how many conditional use permit applications that the Planning Commission review would the recommended changes eliminate. Markegard estimated over half of the CUP applications would be eliminated if all the staff recommended changes were made.

Commissioner Curry asked for clarification on the terminology of “existing” and what the benefit is of making a use permitted if these projects were already approved. Johnson said these existing developments currently would need amendments to their conditional use permit for even modest changes to their site. Removing these cases from the conditional use permit requirement would make it easier for these applicants to complete modest site changes.

Acting Chair Koktan asked about the daycare facilities use (number 33). Johnson said this use was for daycare facilities in commercial areas. He said that the staff recommendation came from the fact that daycare standards are outlined in the Code and these daycares in commercial areas were unlikely to create nuisances based on staff experience. He stated that making this change would lower the barriers for more daycares to be created, which would help fill a need for the public. Commissioner Isse asked if this includes adult daycare, and Johnson responded that this use would include daycares serving any kind of population.

Acting Chair Koktan asked for confirmation that this project would be updating conditional uses to be permitted, with no other changes to what zoning districts the uses are allowed in. Johnson confirmed that the project does not include recommendations to add or remove uses from zoning district, as only the nature of the allowance is being evaluated.

Commissioner Albrecht asked about conditional use permits with a time limit as a condition. Markegard said there was a long history of the City issuing temporary conditional use permits. This changed roughly a decade ago when that practice was eliminated. Interim use permits now serve that function for a limited number of uses.

Commissioner Curry asked about the use standards that regulate where cemeteries and mausoleums (use number 25) can exist. Johnson said there are restrictive standards for this use in City Code, and few new cemeteries are being established in the region. There are also strict State laws governing this use. Markegard stated there is a 10-acre minimum lot area requirement to create a new cemetery in the City. Overall, City staff have not been seeing demand for this use. More realistically, this change would impact expansion of existing cemeteries or mausoleums, and the question was whether the Commission thought a cemetery expansion should require a conditional use permit or not. The

Commissioners were undecided on the question and requested this be noted when presented to the City Council to solicit more guidance.

Johnson presented uses numbered 36, 38, 39, 40, 41, 42, 48, 49, and 50 to the Commission. The Commission discussed use number 40, limited warehousing. This use is currently a limited conditional in the B-1 zoning district. There was discussion about the background of this use as a privately initiated code amendment that affected the few parcels zoned as B-1.

For use number 38, which relates to major commercial golf facilities, Commissioner Goltzman felt the impact on the community could be significant due to the size of these projects. Acting Chair Koktan agreed citing the potential nuisances such as bright lights at night. Commissioner Albrecht felt the City would still have discretion on these types of projects because of the final site and build plan or planned development process the project would likely need to undergo. Commissioner Curry felt there would be very few of these types of applications and was comfortable making the use permitted for that reason. Overall, the Commission leaned towards having this use remain as conditional.

Commissioner Albrecht and Acting Chair Koktan were not in favor of permitting the use of vehicle repair, major (Number 48) and requested it remain as conditional because of potential use conflicts in the affected areas. The Commission felt vehicle repair, minor (Number 49) could be changed from conditional to permitted for reasons of lessor nuisance impacts, supporting small businesses, and promoting equity.

Johnson presented uses numbered 51, 52, 55, 56, 57, 58, 60, 61, and 62. For the pawn shop use (number 61), there was discussion about why the City Council had allowed this use in other districts for reasons of strict licensing requirements that would effectively regulate the number of new pawn shops. The Commission had consensus that pawn shops (use number 61) should remain a conditional use.

There was lengthy discussion on the use of restaurants with outdoor/rooftop seating (number 55). Staff suggested making this permitted overall or separating large rooftop patios into a separate category from modest outdoor patios for seating, as currently restaurants would need to go through the conditional use permit process to add a small number of outdoor seats to their business. The Commission recommended this use remain conditional, but was open to further study on the issue identifying hours of operation, size, and noise as factors to keep in mind.

Johnson presented uses numbered 65, 70, 72, 73, 74, 75, 79, 80, and 83. Commissioners Goltzman, Albrecht, and Koktan stated that the fuel and convenience facility uses (numbered 72, 73, 74, 75) should remain conditional, for the reason that in the future these uses could be different than they are today as more cars are electrified. These gas stations may become charging stations in the future, which would be much different than the use today. Commissioner Isse felt these uses could be permitted, but overall the other Commissioners recommended leaving the fuel facilities as a conditional use.

The Commissions recommended that the uses of truck or trailer rental and vehicle rental facility (35 cars or less) (number 79 and 83 respectively) should remain conditional because vehicle rental drivers are often not experienced with driving larger trucks.

Commissioner Koktan asked for an overview of hotel airport parking (a conditional use not recommended by staff to be made a permitted use). Johnson gave background on the use and noted this use would likely be worked on or updated in the future.

Johnson presented uses numbered 84, 85, 86, 93, 96, 97, and 98. Commissioner Goltzman asked about use number 86 (data center). Johnson said this use has stringent performance standards, including required buffers to residential uses and locational criteria for mechanical equipment. These standards have limited the amount of nuisances associated with this type of use.

There was a discussion on the heavy equipment retail sales use (number 85). Acting Acting Chair Koktan was in favor of keeping this use conditional because, although this use does not include heavy machinery operation, the movement, repair, and storage of heavy equipment merited safety concerns.

There was consensus to keep the self-storage facility use (number 93) as a conditional use.

Johnson presented uses numbered 99, 100, 103, 104, 106, and 110.

Commissioner Curry asked to revisit the use groupings of two-family housing (number 1). There was a discussion centered on increasing housing supply on the one hand while ensuring neighborhood character and property values are maintained on the other hand. The consensus was to follow the staff recommendation.

The congregate living use (number 5) was also revisited. Johnson stated the intent of this change was to treat congregate living the same as multifamily residential use (a permitted use in the relevant zoning districts). Acting Chair Koktan was in favor of keeping the use as conditional to protect the residents. Commissioner Goltzman agreed and noted the conditional use permit process would protect neighbors from negative impacts as well. Commissioner Isse was in favor of making this use permitted to increase housing supply and reduce red tape. Johnson noted this change would primarily impact multifamily residential districts. The recommendation from the Commission was to follow the staff recommendation to convert the use to a permitted use given it was limited to the high density residential districts.

There was some discussion on the neighborhood unit developments use, for which Markegard gave a history of the concept, and some revisiting of the sport court/tennis court distinction.

Johnson presented the last subject of this item, which was subproject 11 in the streamlining development approvals project. This project was about reasonable

accommodations under the ADA (Americans with Disabilities Act) and Fair Housing Act. The proposal would create a formal process to grant waivers to zoning or other regulations in the city code. Currently an applicant seeking reasonable accommodation for their disability would have to apply for a variance, which is an imperfect tool to evaluate these requests.

Key points from this discussion were that variances are related to the land as opposed to reasonable accommodation would be associated with the person. Reasonable accommodation and reasonable modifications would both be covered by this new process. The reasonable accommodation process could be approved administratively, as opposed to the longer variance process subject to public notice and hearing requirements. Assistant Attorney Kevin Toskey stated that the reason to add this process was that the standards for variances are not the same as the standards for reasonable accommodations. The reasonable accommodation process would apply to private property as well as City-owned property. Overall, the Commissioners were in support of pursuing this sub-project.

A five-minute recess was called prior to discussion of the next item.

ACTIONS OF THE COMMISSION:

N/A

ITEM 4 9:10 p.m.

APPLICANT: City of Bloomington

REQUEST: Single Room Occupancy (SRO) and Co-living Housing Standards

Senior Planner Nick Johnson presented about single room occupancy standards, also referred to as cohousing or co-living. He gave the definition of co-living which includes single rooms rented out individually with shared kitchens and common areas. Bathrooms could be either individual or shared. Since the bedrooms are rented as individual units, co-living would be much more affordable for residents. Johnson noted that new co-living developments have more amenities than comparable projects in the past. The scale of differing co-living projects can vary. Johnson stated that this study was focused on housing without services, not to include assisted living and the like.

Johnson outlined some local examples of co-living projects including a project in St Paul that was a smaller scale duplex that was set up with six individual bedrooms within each wing, for a total of 12 co-living units. Another example was a multi-family apartment that included ten co-living units. The last example was of a hotel conversion in Minneapolis, which raised the topic of use conversion of hotel or office to residential use.

Reasons to consider allowing co-living in Bloomington included combatting social isolation for the aging population, opportunities to convert vacant office buildings, helping the issue of housing affordability and homelessness without City subsidy,