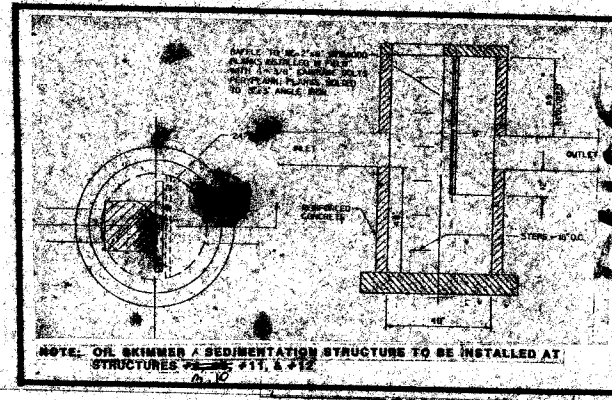
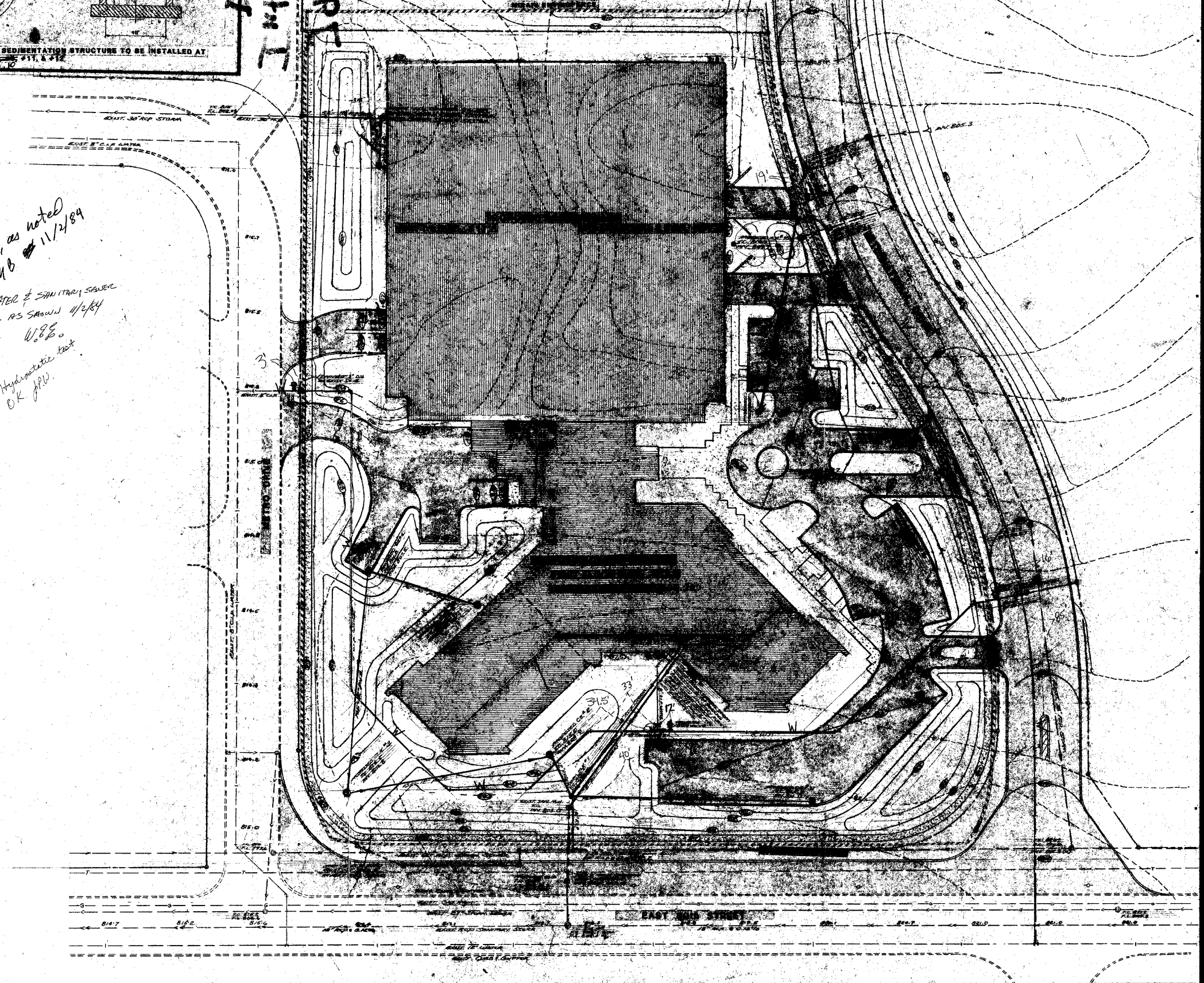


CASE PL201600158



OK, as noted  
BMB 11/2/84  
WATER & SANITARY SEWER  
OK AS SHOWN 11/2/84  
W.S.B.  
Hydrostatic test  
OK J.P.W.



# CASE PL201600158

Variance to Reduce  
Side Yard Setback  
of Parking Ramp  
Case 8962A-82  
Item 6.4

The Council was requested by Opus Corporation to consider approving a variance to reduce the side yard setback of a parking ramp from a public street from 60 feet to 30 feet at 7900 34th Avenue South. The applicant proposes to erect a 10-story office building and seven-level parking ramp in the northeast corner of property at Metro Drive and East 80th Street.

The Planning Commission, at its meeting of October 7, recommended approval of the variance based on making the required City Code findings in Section 2.98.01(b)(3)(A)(B)(C)(D) with the following condition:

The stair tower at the northeast corner of the ramp be configured in such a way as to accommodate a pedestrian walkway over the public street to the east.

Following discussion, motion was made by Herbst, seconded by Lindau, and all present voting aye, to approve the variance based on compliance with the condition set forth by the Planning Commission.

Administrative Variance  
to Side Yard Setback  
Case 8971A-82  
Item 6.6

The Council was requested by A & S Construction Specialties, representing William Sledz, 8340 Little Road, in a single-family residence district, to consider approving a variance to erect a garage addition with a two-foot side yard setback.

The City Hearing Examiner, after a hearing on October 20, recommended approval of the variance. Following discussion, motion was made by Herbst, seconded by Lindau, and all present voting aye, to approve the variance.

Convention and Visitors  
Bureau Billing  
Item 6.7

The Council was requested to consider approving the billing received from the Bloomington Convention and Visitors Bureau per the listing on file with the official records. Motion was made by Herbst, seconded by Lindau, and all present voting aye, to approve the billing.

Mechanical License  
Applications  
Item 6.8

The Council was requested to consider approving the following mechanical license applications:

Eugene Brunette Construction, 19760 Java Path,  
Lakeville, MN 55044 Heating License

Lockerby Sheet Metal & Roofing, Inc., Box 300,  
215 Western Avenue, Faribault, MN 55021 Heating License

Petroleum Maintenance Company 3172 Spruce Street,  
St. Paul, MN 55117 Flammable Liquid Tank License

Motion was made by Herbst, seconded by Lindau, and all present voting aye, to approve the above license applications.

Accept Donation from  
Creekside Senior  
Advisory Council  
Item 6.9

The Council was requested to consider accepting a donation of \$240 from the Creekside Senior Advisory Council to provide transportation for scheduled support trips for the remainder of 1982. As part of the 1982 budget reductions it had been decided to eliminate the support trips unless the group or a benefactor picked up the cost of transportation. A support trip is one in which groups from Creekside Community Center go outside of the Center to perform a service for others, i.e., the Chorus performing at a nursing home. Following discussion, motion was made by Herbst, seconded by Lindau, and all present voting aye, to accept the donation of \$240 to be appropriated to 6409-503-\$160 and 6409-533-\$80.

Approve Lease with  
Ford Motor Company  
Item 6.14

The Council was requested to consider approving a lease with the Ford Motor Company under which an automobile will be made available for the use of the Mayor, with the cost of the rental to be paid by the Mayor. Following discussion, motion was made by Herbst, seconded by Lindau, and all present voting aye, to approve the lease agreement.

East Bay Control  
Structure  
Item 6.15

The Council was requested to consider the bids received for construction of the control structure between East Bay and Bush Lake. Quotations were received as follows:

G. L. Contracting	\$8,222.40
Northwest Asphalt	13,095.00
Barbarossa & Sons	13,762.00

Engineer's estimate from preliminary study dated January 1982: \$7,582.50 + 20%  
engineering and contingency = \$9,099.00

Following discussion, motion was made by Herbst, seconded by Lindau, and all present voting aye, to accept the low bid of G. L. Contracting for \$8,222.40 and to award the contract to that firm.

Variance for an  
Additional Sign  
Case 7984A-82  
Item 6.5

The Council was requested by Burger King Restaurant, 9056 Penn Avenue, to consider approving a variance for an additional sign. The applicant wished to erect an eight-foot by eight-foot sign on the wood portion of the north wall of an existing restaurant. The restaurant presently has one pylon sign oriented toward Penn Avenue.

The Planning Commission, at its meeting of October 7, recommended denial of the variance, based on the inability to make the required City Code findings in Section 2.98.01(b)(3)(E)(iii) and Section 2.98.01(b)(3)(A)(B).

## CASE PL201600158

Following discussion of the findings that would be required to be made to establish the need for the sign, motion was made by Blessum and seconded by Schuler to deny the variance, based on the inability to make the required City Code findings in regard to a hardship. The vote on the motion was ayes, Schuler, Spies and Blessum; nay, Herbst; and abstain, Lindau, and the motion carried 3-1-1.

\* \* \*

Councilman Mahon arrived at 8:15 p.m. during discussion of the following item.

\* \* \*

Consulting Engineer  
for 82nd Street  
Bridge  
Item 6.10

The Council was requested to consider employment of a consulting engineer to prepare the final detail plans for the construction of the 82nd Street bridge over Normandale Boulevard. Preliminary plans and a project development report for the bridge had been prepared by the firm of Egil Wefald and Associates, Inc. (now named Strgar-Roscoe, Inc.) in January 1977 and in November 1979 this firm had revised the plans because of the location of the new Pitney-Bowes office building on the easterly approach. It was proposed that the consulting engineer be reimbursed at 2.5 times the salary cost with the maximum figure not to exceed \$136,500. It was proposed that the daily and routine inspection be handled by the City Engineering Division.

The Director of Public Works reviewed the work that has been done and the work that the consulting engineer would do. Question was raised by Lindau as to the amount of the fee to be paid inasmuch as the firm proposed to be hired has done the preliminary planning for this bridge. Mr. Langseth said the amount of \$136,500 is a "not to exceed" figure and the actual cost for the plans may not be that much. He said the rate of the reimbursement is comparable to what the City has paid for other similar services and to the going rate for this type of work. Lindau proposed that bids be solicited for this work from at least three qualified engineers.

Following discussion, motion was made by Lindau and seconded by Blessum to qualify three consulting engineers for this work and to solicit bids from each. The vote on the motion was ayes, Blessum and Lindau, and nays, Schuler, Mahon, Spies and Herbst, and the motion failed 2-4. Mahon said he opposed the motion because he does not favor the bridge construction at this time.

Motion was made by Herbst and seconded by Spies to approve the contract with Strgar-Roscoe, Inc. The vote on the motion was ayes, Schuler, Spies and Herbst, and nays, Mahon, Blessum and Lindau, and the motion failed 3-3. Motion was made by Blessum, seconded by Spies, and all present voting aye, to postpone this matter to the next meeting on November 1 or the next meeting at which all of the Council is present.

Preliminary and Final  
Plat of Marce Woods  
3rd Addition  
Case 8686A-82  
Item 4.1  
R-82-104

A public hearing was scheduled for consideration of the preliminary and final plat of Marce Woods 3rd Addition located at 9224 and 9232 Yukon Avenue. The plat was submitted in order to move the common lot line between the two lots for construction of a house on the southerly lot.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on October 19 and was recommended for approval with the following conditions:

1. driveway for proposed Lot 2 be as approved by the Traffic Engineer,
2. Yukon Avenue boulevard across entire front of this plat be completed and restored in accordance with the code requirements,
3. grading, drainage, utility and erosion control plans be as approved by the City Engineer,
4. existing utility and drainage easements along the common property line be vacated and new ones be provided in the standard manner on the new lot line.

These conditions have been or are being met. Following discussion, motion was made by Mahon, seconded by Schuler, and all present voting aye, to close the hearing, to approve the preliminary and final plat of Marce Woods 3rd Addition, to approve the subdivision agreement, and to adopt a resolution granting final approval.

Preliminary and Final  
Plat of International  
Plaza  
Case 8962C-82  
Item 4.2  
R-82-105

A public hearing was scheduled for consideration of the preliminary and final plat of International Plaza located at 7900 34th Avenue. The plat was proposed to change a metes and bounds description into lot and block for construction of a 10-story office building and a parking ramp on Lot 1.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on October 19, and was recommended for approval with the following conditions:

1. standard sidewalk easement be provided along all street frontages of Lots 1 and 2, and sidewalk be constructed along all three frontages of Lot 2,
2. 10-foot planter easement be provided along East 80th Street, southerly 100 feet of International Drive frontage and the southerly 200 feet of Metro Drive frontage on Lot 1 (now Lot 2),
3. grading, drainage, utility and erosion control plans be as approved by the City Engineer,
4. driveway, access and circulation plans be as approved by the Traffic Engineer,
5. cross access and circulation agreements across Lots 1 and 2 be provided and such agreements contain a termination clause as approved by the Traffic Engineer,
6. standard five-foot utility and drainage easements be provided along the lot line between Lots 1 and 2,

7. right-of-way for cul-de-sac of 79th Street east of new north-south street be provided on Outlot.
8. street names be in conformance with the standard street naming policy,
9. no park dedication be required.

These conditions with one exception have been or are being met. The developer has requested that the new north-south street be named "International Drive" instead of "32nd Avenue."

Following discussion, motion was made by Schuler and seconded by Herbst to close the hearing, to approve the preliminary and final plat of International Plaza, to approve the subdivision agreement, to accept the petition and waiver of hearing and to order the construction of the street modification for revision to 80th Street at Metro Drive, and to adopt a resolution granting final approval.

The Director of Community Development said a letter had been sent to the Council setting forth the applicant's wish to have the new street named "International Drive." Following discussion, an amendment to the motion was made by Blessum, seconded by Mahon, and all present voting aye, to change the name of the new street to "International Drive." The vote on the original motion, as amended, was all present voting aye, and the motion carried 6-0.

Ordinance re Storage  
of Elm Logs  
Item 4.3  
0-82-42

The Council was requested to consider adopting an ordinance to allow stockpiling and storage of elm logs with bark intact during the period of September 15 through April 1 of the following year upon obtaining a permit, establishing a fee therefor, and thereby amending Chapter 18 of the City Code.

Following discussion, motion was made by Spies, seconded by Mahon, and all present voting aye, to close the hearing and to adopt the ordinance.

On-Sale Beer License  
Application for  
Mario's of Southtown  
Item 4.4

The Council was requested to consider approving the following license application:

Italian Food Service, Inc.	1 - On-Sale 3.2% Beer License	\$400.00
dba Mario's of Southtown	(nonintoxicating malt liquor)	
7901 1/2 Southtown Center	Expires 12/31/82	
Bloomington, MN 55431		

Notice of the hearing was published in the official City newspaper and reports on the applicant were submitted to the Council by the Police Department and the License Examiner. The former licensee at this address was Southtown Restaurants, Inc., dba Pepper Mill.

Following discussion, motion was made by Blessum, seconded by Herbst, and all present voting aye, to close the hearing and to grant an on-sale beer license to Mario's of Southtown.

Comments re Halloween

Police Chief Jerry Putman, at the request of Mayor Lindau, gave tips to parents of children in regard to "trick or treating" on Halloween. He said because of the Tylenol incident in Chicago, the Police Department is advising parents to ensure that their children "trick or treat" only in their own neighborhood and not to eat any of what they receive until they are home and the candy or other treats can be inspected. He said a better alternative would be for parents and others giving treats to make them non-edible, such as money or gift certificates. In addition, he cautioned children wearing masks to be sure that they can see with them on and not to cross a street without raising their mask.

Revision to Uniform  
Sign Design for  
Amsden Ridge Center  
Item 6.11

The Council was requested by Daniel Herbst, President of The Pentom Company, developers of the Amsden Ridge Center, to approve a revision to the Uniform Sign Design for that center to allow a pylon sign to be located on either Hennepin County property or City of Bloomington property. The uniform sign design location for this pylon sign was on property owned by the center.

The Planning Staff indicated several conditions to be applied if the Council should approve the revision to the uniform sign design and a location other than that owned by the center as follows:

1. sign be no higher than 35 feet,
2. reader board about the main portion of the sign to make one sign,
3. sign be limited to 120 square feet,
4. sign be internally illuminated and power source be provided through underground lines,
5. setback be no less than 25 feet from County Road 18 right-of-way,
6. the owner will be required to move the sign within 30 days after receipt of written notice to move the sign by either Hennepin County or the City of Bloomington; the relocation to be totally at the expense of the owner of the sign.

In addition, the Planning Staff indicated that if Location C was selected, another condition should apply as follows:

7. sign location to be approved by the Traffic Engineer, Manager of Building and Inspection Division and Director of Planning with minimum setbacks being 80 feet from the centerline of the east bound lane of Bloomington Ferry Road and 80 feet from the centerline of County Road 18.

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The Director of Planning reviewed the request and said either the Hennepin County location or the City of Bloomington-owned property would be acceptable to the City. Following discussion, motion was made by Blessum, seconded by Herbst, and all present voting aye, to approve the revision to the Uniform Sign Design for the Amsden Ridge Center and to allow a pylon sign for the Center to be located on City of Bloomington property (Alternate C) based on compliance with the seven conditions set forth above.

Agreement with School  
District 271  
Item 6.12

The Council was requested to consider approving an agreement between the City and Independent School District No. 271 for the Bloomington East Early Childhood and Family Education Program. Funds for this program of \$7,700 are budgeted in the 1982 Community Development Block Grant Fund.

Following discussion, motion was made by Mahon and seconded by Herbst to approve the agreement. All present voted aye, except Lindau, who voted nay, and the Spies, who abstained, and the motion carried 4-1-1.

Agreements with South  
Hennepin Human Services  
Council  
Item 6.13

The Council was requested to consider approving two agreements with the South Hennepin Human Services Council as follows:

1. An agreement in which the City agrees to pay a total of \$3,500 in support of the services provided by SHHSC, which amount is budgeted in the 1982 Community Development Block Grant Fund.
2. An agreement for one of SHHSC's program, Household and Outside Maintenance for Elderly (H.O.M.E.) in which the City agrees to pay a total of \$9,500 which is also budgeted in the 1982 Community Development Block Grant Fund.

Following discussion, motion was made by Mahon, seconded by Herbst, and all present voting aye, to approve the agreements.

Declare Recess

A short recess was declared after which the meeting was reconvened by the Mayor at 8:05 p.m.

Ordinance Rezoning  
Property at 7201 and  
7221 West 78th Street  
from R-1 to B-1  
Case 8559A-82  
Item 4.5  
0-82-43

The Council was requested by Thomas M. Barrett to consider adopting an ordinance rezoning certain properties located at 7201 and 7221 West 78th Street from Single Family Residential (R-1) to Limited Business (B-1). The Planning Commission at its meeting of September 16 recommended approval of the rezoning.

The Director of Planning reviewed the request and said this rezoning would be in compliance with the use of the property as detailed in the City's Comprehensive Plan. Following discussion, motion was made by Herbst, seconded by Spies, and all present voting aye, to close the hearing and to adopt the ordinance.

Final Site Plan and  
Building Plans  
Case 8962B-82  
Item 5.1

The Council was requested by Opus Corporation to consider approving the final site plan and building plans for an office building and parking ramp at 7900 34th Avenue South. The applicant proposes to erect a 10-story office building and a seven-level parking ramp on approximately 5.5 acres of land which is part of a larger 25-acre parcel. A public street has been deeded to the City in order to serve the proposed facility.

The Planning Commission, at its meeting of October 7, recommended approval of the final plans based on making the required City Code findings in Section 19.40.12(d)(1) through (5) with the following conditions:

1. exterior finish materials of the office building and parking ramp be approved by the City Council following review by the Planning Commission,
2. property be platted in accordance with the requirements of Chapter 16 of the City Code,
3. landscape plan, including screening of parking lots and loading areas, be approved by the Director of Planning,
4. building be totally sprinklered as approved by the Fire Marshal,
5. water line and fire hydrant locations be as approved by the Fire Marshal and Utilities Division,
6. lighting and security plans be as approved by the Crime Prevention Officer, Bloomington Police Department,
7. handicapped access be provided to all pedestrian entrances of the building and handicapped parking be provided with standard handicapped signs as approved by the Director of Planning,
8. fire lanes be provided and posted as approved by the Fire Marshal,
9. trash facilities be provided inside the building in a designated area,
10. traffic plans, rights-of-way and circulation be as approved by the Traffic Engineer,
11. atrium be built in accordance with the atrium provisions of the 1982 Building Code requirements,
12. any standby fuel provisions be as approved by the Fire Marshal,
13. any food handling service be as approved by the Environmental Service Section, Building and Inspection Division.

The Director of Community Development reviewed the plans which were posted on the wall. He distributed a letter to the Council from Robert Worthington of the Opus Corporation in which that firm acknowledged its willingness to cooperate with the City in incorporating all of the recommendations made for the project. The City Attorney said the staff has reviewed the project and the criteria to determine whether a discretionary or mandatory environmental review process is required and had agreed that in this case this action is not triggered. He said an environmental

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Administrative Variance  
to Rear Yard Setback  
Case 9138A-84  
Item 6.6

The Council was requested by Rodney Harrison, 2612 Sheridan Place, in a single-family residence district, to consider approving a variance to allow the erection of a storage shed with a seven-foot rear yard setback.

The City Hearing Examiner, after a hearing on June 20, recommended approval of the variance. Following discussion, motion was made by Mahon, seconded by Lindau, and all voting aye, to adopt a resolution granting the variance.

Administrative Variance  
to Side Yard Setback  
Case 9139A-84  
Item 6.7  
R-84-116

The Council was requested by David Miller, 8440 Stevens Avenue, in a single-family residence district, to consider approving a variance to allow the erection of an above ground swimming pool with a five-foot side yard setback.

The City Hearing Examiner, after a hearing on June 20, recommended approval of the variance. Following discussion, motion was made by Mahon, seconded by Lindau, and all voting aye, to adopt a resolution granting the variance.

Administrative Variance  
for Easement  
Encroachment  
Case 9140A-84  
Item 6.8  
R-84-117

The Council was requested by Woodsmen Construction, Inc., which is proposing to erect a house at 9832 Beard Avenue, in a single-family residence district, to consider approving a variance for a three-foot retaining wall which would encroach into a drainage and utility easement on the north side lot line.

The City Hearing Examiner, after a hearing on June 20, recommended approval of the variance with six conditions as follows:

1. wall location be approved by the Director of Public Works,
2. grading and drainage plan be approved by the Director of Public Works,
3. retaining wall be located at least one foot inside the property line,
4. the public is in no way vacating or abandoning its easement rights by virtue of this approval,
5. should be it necessary to utilize the easement in the future, any damage to the lot or wall are at the owner's expense,
6. the variance and its terms and conditions should be filed at the office of either the County Recorder or Registrar of Titles as appropriate.

Following discussion, motion was made by Mahon, seconded by Lindau, and all voting aye, to adopt a resolution granting the variance based on compliance with the six conditions set forth by the Hearing Examiner.

Convention and Visitors  
Bureau Billing  
Item 6.9

The Council was requested to consider approving the billing submitted by the Bloomington Convention and Visitors Bureau per the listing on file with the official records. Motion was made by Mahon, seconded by Lindau, and all voting aye, to approve the billing as submitted.

Request Approval for  
Submission of Grant  
for Arts in the Park  
Program  
Item 6.11

The Council was requested to consider approving the submission of a grant proposal to the Minnesota State Arts Board in the amount of \$3,350. These monies would be used to fund one-half of the costs of three additional Arts in the Parks Programs during the 1984-85 season. The remaining funds would be obtained through ticket sales to the events. The additional events for which funding would be sought would be a Zeitgeist Concert on November 15 at N. W. College of Chiropractic Theatre; New Dance Ensemble Concert on April 19, 1985, at Normandale Community College; and Theatre de la Jeune Lune Play on June 15, 1985, at Bush Lake. Following discussion, motion was made by Mahon, seconded by Lindau, and all voting aye, to approve submission of the application for the grant funds.

Final Plat of  
International Plaza  
Case 8962Cp83  
Item 6.4  
R-84-110

The Council was requested by Opus Corporation to consider approving the final plat of International Plaza located at 7900 34th Avenue. The preliminary and final plat for this project was approved on October 25, 1982. The final approval expired prior to recording of the plat and an extension of the preliminary approval was granted. Conditions of approval of the preliminary plat have been or are being met. Following discussion, motion was made by Mahon, seconded by Lindau, and all voting aye, to approve the final plat of International Plaza, to approve the subdivision agreement, and to adopt a resolution granting final approval.

Preliminary and Final  
Plat of Gideon Pond  
Case 8689B-84  
Item 4.1  
R-84-109

A public hearing was scheduled for consideration of the preliminary and final plat of Gideon Pond located at 9901 and 10025 Penn Avenue. The plat was submitted in order to create one lot and two outlots for construction of a senior citizen complex.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on June 13, and was recommended for approval with the following conditions:

1. 15-foot sidewalk and bikeway easement be provided along Penn Avenue,
2. 10-foot sidewalk and bikeway easement be provided along Newton Avenue and Newton Avenue extended,
3. all other standard and interior drainage and utility easements be provided on the side and rear lot lines,
4. storm sewer easement, as required by the Engineering Division, be provided across the south-westerly and westerly portions of Lot 1 (Phase I) for future storm sewer connections,
5. park dedication be in land as designated by proposed Outlot A,
6. vacation of existing internal drainage and utility easements penetrating proposed Lots 1 and 2, Block 1, be completed prior to issuance of any building permit,
7. right-of-way for Newton Avenue extended be dedicated as shown.



The Planning Commission had recommended approval of the rezoning and the preliminary and final development plans on July 7 with a number of conditions. Greg Ingraham, Senior Planner, reviewed the proposal, noting this matter has been before the Council on two previous occasions. He said concerns that had been expressed by the neighbors about traffic circulation, landscaping and lighting had been reviewed with the applicant and the changes agreed upon were addressed by the Staff in a memorandum sent to the Council on August 22. He said there would be no westbound traffic to West Old Shakopee Road from the site; the property would be screened by berming and plantings; and the lighting has been changed to metal alloy.

The City Attorney said a development agreement has been prepared which will require posting of a bond to guarantee the landscaping and other site improvements. He said a condition of approval of the plans is to maintain the landscaping in perpetuity.

Following discussion, motion was made by Blessum, seconded by Peterson, and all present voting aye, to postpone the ordinance and preliminary and final development plans to the October 3 meeting, to be scheduled between 7 and 7:15 p.m.

Conditional Use Permit and  
Final Site and Building  
Plans for Drive-Up Bank  
Case 8962A-88  
Item 5.1

The Council was requested by Opus Corporation to consider approving a conditional use permit and final site and building plans for a drive-up bank facility within an existing 10-story office tower at 7900 International Drive.

The Planning Commission, at its meeting of September 1, recommended approval of the conditional use permit and final site and building plans based on making the required City Code findings in Section 19.40.12(d)(1-5) with the following conditions:

1. parking, circulation and access be approved by the Traffic Engineer,
2. landscaping plan be approved by the Director of Planning,
3. lighting and security plans be approved by the Crime Prevention Officer, Bloomington Police Department,
4. signage consist of one canopy-mounted wall sign on the west face of the canopy, one wall sign over the east entrance door to the office building, and one logo on the east face of the canopy; all sign plans be approved by the Director of Planning.

Greg Ingraham, Senior Planner, reviewed the proposal. Robert Worthington, representing the applicant, advised he would answer any questions if there were any. Following discussion, motion was made by Blessum, seconded by Herbst, and all present voting aye, to approve the conditional use permit and the final site and building plans based on compliance with the conditions set forth by the Planning Commission.

Conditional Use Permit and  
Final Site and Building  
Plans for Gas Station  
Case 3080A-88  
Item 5.2

The Council was requested by Fina Oil and Chemical Company to consider approving a conditional use permit and final site and building plans for a gas station at 10642 France Avenue South. The applicant intends to reopen an existing gas station at this location.

The Planning Commission, at its meeting of September 1, recommended approval of the conditional use permit and final site and building plans, based on making the required City Code findings in Section 19.40.12(d)(1-5) with the following conditions to be satisfied prior to the issuance of any building permits:

1. the easterly pump island on France Avenue be removed prior to issuance of an occupancy permit,
2. rights-of-way to 40 feet from centerline on France Avenue and from 55 to 65 feet from centerline on West Old Shakopee Road,
3. sidewalk/bikeway easements be provided by deed from 40 to 55 feet from centerline along France Avenue and from 55 to 65 feet from centerline on West Old Shakopee Road,

**8 ORDINANCES: PUBLIC HEARINGS**

**8.1 City Initiated (South Loop) Rezone Multiple Parcels**

Requested Action: Per the recommendation of the Planning Commission and staff, adopt an ordinance amending the Zoning Map by rezoning (84) parcels as recommended below in the adopted South Loop District Plan:

- A) In Case 10969A-15, rezone the primary district from CS-1 (Commercial Services) to C-4 (Freeway Office) for 2850 and 2870 Metro Drive, 1901, 2001, 2051, 2101, 2201, 2221, 2231, 2241, 2251, and 2261 Killebrew Drive, 1918, 2008, 2020, and 2600 American Blvd E, 2115, 2201, 2351, 2615, and 2731 E 78<sup>th</sup> Street, 7851 26<sup>th</sup> Avenue S, 7800 and 7901 24<sup>th</sup> Avenue S, 7800 and 7900 International Drive, 2943, 3035, 3049 and 3053 E Old Shakopee Road and 3001, 3003, 3005, 3007, 3009, 3011, 3013, 3015, 3017, 3019, 3021, 3023, 3025, 3027, 3029, 3031, 3033, 3035, and 3037 Long Meadow Circle;
- B) In Case 10969B-15, rezone the primary district from CO-1 (Commercial Office) to C-4 (Freeway Office) for 2901, 2950, 3001, and 3050 Metro Drive, 7800, 7801, 7850, and 7851 Metro Parkway, 2901 E 78<sup>th</sup> Street, and 3311 E Old Shakopee Road;
- C) In Case 10969C-15, rezone the primary district from CO-1 (Commercial Office) to HX-R (High Intensity Mixed Use with Residential) for 8009, 8011, 8101, 8121, and 8131 34<sup>th</sup> Avenue S, 8101 36<sup>th</sup> Ave S, 3601 and 3701 American Blvd E, and 6 Appletree Square;
- D) In Case 10969D-15, rezone the primary district from CS-1 (Commercial Services) to HX-R (High Intensity Mixed Use with Residential) for 3 and 4 Appletree Square;
- E) In Case 10969E-15, rezone the primary district from CO-1 (Commercial Office) to LX (Lindau Mixed Use) for 2600 and 2700 E 82<sup>nd</sup> Street and 8001 and 8101 28<sup>th</sup> Avenue S;
- F) In Case 10969F-15, rezone the primary district from I-1 (Industrial Park) to LX (Lindau Mixed Use) for 2401 American Blvd E;
- G) In Case 10969G-15, rezone the primary district from CS-1 (Commercial Services) to SC (Conservation) for 2375 and 2401 E Old Shakopee Road and 2400 E 86<sup>th</sup> Street;
- H) In Case 10969H-15, rezone the primary district from CO-1 (Commercial Office) to SC (Conservation) for 4301 American Blvd E;
- I) In Case 10969I-15, rezone from Commercial Services Planned Development Airport Runway, CS-1(PD)(AR-17) to Freeway Office Airport Runway, C-4(AR-17) for 7900 28<sup>th</sup> Avenue S, 2400 and 2500 E 79<sup>th</sup> Street, and 2700 American Blvd E; and
- J) In Case 10969J-15, rezone from Commercial Office Planned Development Airport Runway, CO-1(PD)(AR-17) to Freeway Office Airport Runway, C-4(AR-17) for 2800 American Blvd E.

Planner Jason Schmidt provided the staff report. He showed an aerial photo of the South Loop District and said tonight's action involves Phase 1 of the rezoning of 84 parcels in the district. The zoning changes are being made to align land use guide designation and zoning, apply new zoning districts, and align zoning with existing use. He overlaid a colored map onto the aerial map to show the rezoning timeline; what's been completed and when the rezoning of Phase I and Phase II is to occur.

Baloga asked if retail is allowed in the proposed Industrial/Technology Rezoning District. Schmidt replied since the District Plan was adopted, the Mall of America Landholdings purchased the Adjoining Lands. Staff plans to discuss a potential rezoning of that site to CX-2 next year.



USE TYPE	ZONING DISTRICT									REFERENCES
	R-1	R-1A	RS-1	R-3	R-4	RM-12	RM-24	RM-50	RM-100	See Listed Section
Agriculture, limited	P	P	P	P	P	P	P	P	P	12.115, 12.116, 21.302.05
Beekeeping	A	A	A	A	A	A	A	A	A	12.116, 21.302.05
Antenna	A	A	A	A	A	A	A	A	A	19.63.05
Amateur radio tower	A	A	A		A					15.14, 19.63.05, and 21.301.10
Tower	CA	CA	CA	CA	CA	CA	CA	CA	CA	19.63.05(b)
TEMPORARY/SEASONAL										
Temporary Uses										
Transient merchant sales (in parks only, where incidental and subordinate to a special event)	A	A			A					
Excavation and removal of sand, gravel, black dirt and other types of soil and mineral products not to exceed two years in duration	I	I	I		I					

(d) **Neighborhood and Freeway Commercial Zoning Districts.**

USE TYPE	ZONING DISTRICT								REFERENCES
	B-1	B-2	B-4	C-1	C-2	C-3	C-4	C-5	See Listed Section
RESIDENTIAL									
Residences									
Multiple-family residence			A		A	A	A	A	21.302.02
Townhouse/rowhouse			A		A	A	A	A	21.302.02
Other Residential									
Nursing home/adult care home			A					A	21.302.23
Manufactured home park			CA		CA	CA	CA	CA	21.302.10 Chapter 14 Article VI and MN Statute Chapter 327
GOVERNMENT, INSTITUTIONAL, OPEN SPACE									
Educational Facilities									
Day care facility	C	C	C	A	A	A	A	A	21.302.27
College or university				CA	CA	CA	C	CA	21.302.25
Instructional center	C	C	C	CA	CA	CA	CA	CA	
School (K-12)				CA	CA	CA	C	CA	21.302.25
Sports training facility				CA	CA	CA	C	CA	
Parks and Open Space									
Community garden	A	A	A	A	A	A	A	A	

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USE TYPE	ZONING DISTRICT								REFERENCES
	B-1	B-2	B-4	C-1	C-2	C-3	C-4	C-5	See Listed Section
Parks	P	P	P	P	P	P	P	P	
<b>Public Services and Utilities</b>									
Government facility, general	P	P	P	P	P	P	P	P	
Government facility, limited									
Public utility facility, general	P	P	P	P	P	P	P	P	
Public utility facility, limited				C	C	C	C		
<b>Social and Cultural Facilities</b>									
Community education or arts center	P	P	P	P	P	P	P	P	
Conservatory	A	A	A	A	A	A	A	A	
Convention center				C	C	C	C	C	
Library	P	P	P					P	
Museum	P	P	P	P	P	P	P	P	
Place of assembly		C	CA				CA	CA	19.63
Social service distribution facility		P		P	P	A			
<b>OFFICE AND RETAIL/SERVICES</b>									
<b>OFFICE</b>									
Home businesses, Type I			P		P	P	P	P	21.302.13
Home business, Type II									21.302.13
Office, general	P	P	P	P	P	P	P	P	
Office/warehouse in existence prior to 1/1/2010							P		
<b>RETAIL/SERVICES</b>									
<b>Accommodations</b>									
Hotel/motel		C		P	P	P	P	P	
Bed and Breakfast									
Transient lodging within a residential dwelling unit									
<b>Medical Facilities</b>									
Laboratory, medical or dental	P	P	P	P	P	A	P	A	
Office, medical or dental	P	P	P	P	P	P	P	P	
Hospital				C	C	C	C	C	
Medical marijuana distribution facility		C	C		C	C		C	14.267 21.302.22
<b>Motor Vehicle Services</b>									
Car wash		C		CA	CA				
Convenience facility with fuel sales		P			P				19.61
Integrated fuel sales		A		A	A		A		
Motor vehicle sales, Class I				P					21.302.01
Motor vehicle sales, Class II				A					21.302.01
Motor vehicle sales, Class III		C		C	C				
Motor vehicle sales, Class IV	P	P	P	P	P	P	P	P	
Motor vehicle sales, enclosed		P		P	P	P	A	P	21.302.01

USE TYPE	ZONING DISTRICT								REFERENCES
	B-1	B-2	B-4	C-1	C-2	C-3	C-4	C-5	
Motor vehicle sales in existence in the B-2 District prior to 1/1/2010		P							21.302.01
Motor vehicle sales in the C-4 and C-5 Districts in existence prior to 01/26/15							P	P	21.302.01(k)
Motor vehicle storage lot									
Remote airport parking									
Towing service		CA			CA				
Vehicle repair, major		C		A	C				
Vehicle repair, minor		C		A	C				
Vehicle rental facility		C			CA				19.63.07
<b>Recreation and Entertainment</b>									
Health club		C	CA	P	P	A	A	A	
Health club in existence in the C-4 District prior to 1/1/2010							P		
Recreation and entertainment, indoor		C	C	C	C	C	CA	C	
Recreation and entertainment, outdoor		CA			CA				
Studio, audio or video		P	P	P	P	P	P	P	
<b>Restaurants and Food Service</b>									
Private food service	A	A	A	A	A	A	A	A	
Restaurant, with drive-through (including drive-in)		C	C	C	C	CA	CA	CA	21.301.05
Restaurant, without drive-through (including take-out)		C	C	C	C	CA	CA	CA	
<b>Retail Sales and Services</b>									
Bank or financial institution		P	P	P	P	A	A	A	
Financial institution – limited	CA								19.03
Body art establishment		P			P				14.376 to 14.390.01
Currency exchange		P			A				14.159 to 14.165
Exterminating shop		P	P		P	P		P	
Firearms dealer		C			CA	CA			
Funeral homes, mortuaries, crematories		C			C				
Pawn shops		C							14.287 to 14.295.08
Pet services facility		C	C		C				
Retail sales and services	A	P	P	A	P	P	A	P	
Therapeutic massage enterprise	P	P	P	P	P	A	A	A	14.259 to 14.275
<b>GENERAL</b>									
Billboards in existence prior to June 1, 1994									19.66
Wholesaling in existence in the B-2 District prior to 1/1/2010		P							
<b>Accessory</b>									

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USE TYPE	ZONING DISTRICT								REFERENCES
	B-1	B-2	B-4	C-1	C-2	C-3	C-4	C-5	See Listed Section
Accessory building	A	A	A	A	A	A	A	A	21.301.19
Antenna	A	A	A	A	A	A	A	A	19.63.05
Fuel pump, private		A		A	A				
Helistop				CA	CA	CA	CA	CA	
Hotel airport parking		CA		CA	CA	CA	CA	CA	
Tower	CA	CA		CA	CA		CA		19.63.05
Vehicle rental accessory to Class I Motor Vehicle Sales				CA					19.63.07(e)
<b>Agriculture</b>									
Agriculture, limited									12.115, 12.116, 21.302.05
Beekeeping	A	A	A	A	A	A	A	A	12.116, 21.302.05
<b>TEMPORARY/SEASONAL</b>									
<b>Seasonal Uses</b>									
Seasonal sales, outdoor		A	A		A	A		A	14.314 to 14.323
<b>Special Events</b>									
Entertainment and recreation special events		A	A	A	A	A	A	A	
<b>Temporary Uses</b>									
Transient merchant sales (interior to hotels)		A		A	A	A	A	A	14.180 to 14.192

(e) **Reserved.**

(f) **Specialized Zoning Districts.**

USE TYPE	ZONING DISTRICT								REFERENCES
	CX-2	LX							See Listed Section
<b>RESIDENTIAL</b>									
<b>Residences</b>									
Multiple-family residence	C								21.302.02
<b>Other Residential</b>									
Manufactured home park	C								21.302.10 Chapter 14 Article VI and MN Statute Chapter 327
<b>GOVERNMENT, INSTITUTIONAL, OPEN SPACE</b>									
<b>Educational Facilities</b>									
Day care facility	P	C							21.302.27
College or university	P								21.302.25
Instructional center	P								
School (K-12)	P								21.302.25
Sports training facility	P								
<b>Parks and Open Space</b>									
Community garden	P	P							