

Plans were posted on the wall and reviewed by the Director of Planning and Robert Hoffman, attorney for Ted Olson, the applicant. Also present was Linda Fisher, land use attorney for the office of Larkin, Hoffman, Daley and Lindgren. Mr. Hoffman said the proposal for the planned development was a result of discussions with the City Planning Division. He said it was their suggestion that rather than Mr. Olson build separate retail facilities, that the existing shops be integrated, which will also result in an improvement of the existing center.

Following discussion, motion was made by Blessum and seconded by Spies to close the hearing and adopt the ordinance rezoning the property. All present voted aye, except Peterson, who abstained, and the motion carried 5-0-1. Motion was made by Blessum and seconded by Spies to approve the preliminary development plan subject to compliance with the conditions set forth by the Planning Commission. All present voted aye, except Peterson, who abstained, and the motion carried 5-0-1.

Ordinance Rezoning
Property at West Bush
Lake Road, Texas Avenue
and Marth Road from
R-1 to R-1(PD)

Item 4.6
0-79-59 and
Preliminary and Final
Development Plan
Toma Investment
Case 8620A-79
Item 5.2

The Council was requested to consider adopting an ordinance rezoning property located at 8135, 8109, 8023, 7941 West Bush Lake Road; 7901, 8007, 8000, 8010, 8009, 7943 Texas Avenue, and 7401, 7411 Marth Road from Residential R-1 to Residential Planned Development R-1(PD). In addition, the Council was requested to consider approving the preliminary and final development plan for the single-family portion of this property for Toma Investment.

The Planning Commission, at its meeting of September 6, recommended approval of the rezoning and of the preliminary and final development plan for two-family dwellings, based on making the required findings in Section 19.38(g)(1) through (7) of the City Code, with the following conditions:

1. property be platted in accordance with the requirements of Chapter 16 of the City Code,
2. covenants restricting mowing, cutting of nondiseased trees, grading, fencing and erection of structures on the southerly 30 feet of Lots 21, 22, 23, 24 and 35, and the easterly 20 feet of Lots 36 and 37, all of Block 1, be provided,
3. covenants restricting mowing, cutting of nondiseased trees, grading, fencing and erection of structures be provided on the westerly 30 feet of Lots 16 through 21, the easterly 30 feet of Lots 28 through 35, the southerly 30 feet of Lots 37 and 38, the westerly 30 feet of Lots 38 through 43, and the easterly 30 feet of Lots 44, 46 and 47, all in Block 1, be provided,
4. fifteen-foot walkway easement connecting Rhode Island Circle and Texas Circle be provided along the side lot lines of Lots 13, 14, 26 and 27, Block 1, be provided with sidewalk to be installed at the developer's expense,
5. fifteen-foot walkway easement be provided between Lots 37 and 38, Block 1,
6. a minimum 50-foot setback be provided along West Bush Lake Road,
7. a total 40-foot side yard setback be provided on Lots 28 through 35, Block 1, with a minimum side yard setback of 10 feet,
8. a 25-foot front yard setback be permitted on Lot 36, Block 1, provided that the garage door face the north,
9. berming for the townhouse area be shown on the final development plan and be approved by the Director of Planning.

Plans were posted on the wall and reviewed by the Director of Planning and Robert Hoffman, attorney for the applicant. Mr. Hoffman cited the many meetings that have been held on these plans particularly as they relate to an area to be used as a wildlife corridor. He said the applicant is willing to go with either plan, but would object to making a dedication of land for a wildlife corridor and a cash donation for park.

Joe White, Natural Resources Commission member, said that commission has concern about deer and wildlife movement in this area and would like to have a wildlife corridor for this purpose. Mary Kenny, Chairman of the Park and Recreation Advisory Commission, said that commission would like to have the park donation in cash. She questioned the use that could be made of any land in this area that would be donated for park, particularly because access to it would be restricted.

Following discussion of the proposed corridor and park dedication, motion was made by Peterson and seconded by Lindau to close the hearing and adopt the ordinance rezoning the property. All present voted aye, except Darr, who voted nay, and the motion carried 5-1. Motion was made by Herbst to approve the preliminary and final development plan for the single-family portion of this property, based on compliance with the conditions set forth by the Planning Commission, and to request that the Staff make a recommendation as to a cash donation for park, taking into account the property that is being dedicated, including the restricted area, and the sidewalk easements. There was no second to this motion.

Motion was made by Spies and seconded by Peterson to approve the preliminary and final development plan as recommended by the Planning Commission with the park dedication to be in cash and based on compliance with the conditions set forth by the Planning Commission. All present voted aye, except Darr and Herbst, who voted nay, and the motion carried 4-2.

Amend 1980 Comprehensive
Plan from Medium-Density
Residential to Office
Case 8620A-83
Item 4.5

The Council was requested by Landico, Inc., to consider approving an amendment to the 1980 Comprehensive Plan which would change the land use designation for property at 7801 Telegraph Road from Medium-Density Residential to Office.

The Planning Commission, at its meeting of November 17, recommended denial of the amendment of the Comprehensive Plan. The Planning Staff, however, recommended approval of the amendment.

Drawings were posted on the wall and were used by the Director of Planning to illustrate his remarks on the land uses in the immediate area. Mr. Grussing noted that the subject property at one time had been designated for an office use but the designation was changed when town-houses were proposed for that location. He said the use proposed would be two office buildings that would exit to Telegraph Road to Marth Road and thence to Bush Lake Road. He said the zoning of the property would not have to be changed to allow the office development as offices are allowed in the R-1(PD) zone as a transitional use. Also speaking in support of the proposed Comprehensive Plan change was Robert Hoffman, attorney for the applicant, who reviewed the history of the land in question; the relationship of the changes in the land uses north of the freeway across from this site; and the appropriateness of an office development as a transitional use between the residential and the freeway. He said noise level readings taken by the City support the developer's contention that an office use would be better at this location than a residential use.

Speaking in opposition to the proposed change in the Comprehensive Plan were the following: Mark Solstad, 8017 Lea Road; Linda Goslee, 8108 Lea Road, who also presented a petition to the Council; C. Frederick Quest, 8050 Pennsylvania Road, President of Eldorado Estates Association; and Anita Sobol, 7335 Marth Road. These speakers cited their fears of having non-residential traffic going through their residential area creating additional hazards to those already existing because of narrow roads and hilly, wooded lots.

Following discussion, motion was made by Lindau and seconded by Schuler to close the hearing and to adopt a resolution amending the 1980 Comprehensive Plan to change the land use designation for property at 7801 Telegraph Road from Medium-Density Residential to Office. The vote was ayes, Schuler, Herbst and Lindau, and nays, Mahon, Spies, Peterson and Blessum, and the motion failed 3-4.

Revised Preliminary
Development Plan and
Final Development Plan
Case 8620B-83
Item 4.6

The Council was requested by Landico, Inc., to consider approving the revised preliminary development plan and final development plan for two office buildings. The Planning Commission, at its meeting of November 17, recommended denial of the plans. The Council in action in the item above denied the request for amendment of the Comprehensive Plan to change the land use designation for this property from Medium-Density Residential to Office. Motion was made by Schuler, seconded by Peterson, and all voting aye, to postponed these plans indefinitely.

Temporary Conditional
Use Permit for Furniture
Rental
Case 8793A-83
Item 5.1

~~The Council was requested by General Furniture Rental to consider approving a temporary conditional use permit for a furniture rental business at 9157 Lyndale Avenue. This business has been operated in this location since 1975.~~

The Planning Commission, at its meeting of December 1, recommended approval of a three-year temporary conditional use permit based on making the required City Code findings in Section 19.22 (5)(A)(i)(ii)(iii)(iv).

Following discussion, motion was made by Mahon, seconded by Peterson, and all voting aye, to approve a three-year temporary conditional use permit based on making the required City Code findings.

Revised Final Site Plan
and Building Plans
Case 5526B-83
Item 5.2

The Council was requested by Freeway Dodge, 8005-8011 Penn Avenue, to consider approving the revised final site plan and building plans for expansion of a used car sales building. The applicant proposes to erect an addition to the rear of an existing used car sales office. Exterior walls of the addition, as well as unbricked areas of the existing building, would be faced to match existing brick.

The Planning Commission, at its meeting of December 1, recommended approval of the revised plans with the following conditions:

1. a 50-foot radius for right-of-way be provided at the intersection of Penn Avenue and West 80th Street, as approved by the Traffic Engineer,
2. an agreement to relocate the driveway to 80th Street be submitted and approved by the Traffic Engineer,
3. no vehicle storage or display be permitted in the boulevard or landscaped yard area,
4. parking stalls shown on the site plan for customer parking be signed as such, and maintained only for customer parking,
5. a Sewer Access Charge questionnaire be completed and submitted to the Department of Public Works,
6. grading, drainage, utility and erosion control plans be approved by the City Engineer,
7. exterior lighting and building security plans be approved by the Crime Prevention Officer, Bloomington Police Department.

Following discussion, motion was made by Blessum, seconded by Peterson, and all voting aye, to approve the revised final site plan and building plans based on compliance with the conditions set forth by the Planning Commission.

Amend 1980 Comprehensive Plan
Case 8620A-83
Item 4.9
R-84-54 and Revised Preliminary and Final Development Plan
Case 8620B-83
Item 4.10

The Council requested by Landico, Inc., 7801 Telegraph Road, to consider approving an amendment to the 1980 Comprehensive Plan to show an office use for property presently designated for use as medium-density residential. In addition, the applicant requested approval of the revised preliminary development plan and final development plan for a project comprising three two-story office buildings.

The Planning Commission, at its meeting of November 17, 1983, had recommended denial of the amendment to the Comprehensive Plan and to the development plans. The Council had also denied the Plan amendment at its December 19, 1983, meeting but had reconsidered its decision on April 9, 1984. A rehearing was scheduled for this meeting and notices had been sent to the adjacent property owners.

The Director of Planning indicated the plans have been revised from two three-story buildings to three two-story buildings. The total floor area has also been reduced by about 7,000 square feet.

Speaking in opposition to the project were the following: Charles Frederick Quest, 8050 Pennsylvania Road; Carl Carlson, 8064 Pennsylvania Road, and Marvin Swenson, 8062 Pennsylvania Road. All objected to a commercial development being placed in close proximity to their residential area.

Question was raised by the Council as to why the Comprehensive Plan had shown a residential use for this property because of its close proximity to the freeway. Mr. Grussing said the Comprehensive Plan had first shown office use for this property but the designation had been changed after a request to do so by a condominium developer who wished to locate a project there. Following discussion, motion was made by Peterson, seconded by Spies, and all voting aye, to adopt a resolution amending the 1980 Comprehensive Plan to show office rather than medium-density residential for the property at 7801 Telegraph Road. Motion was made by Peterson, seconded by Spies, and all voting aye, to close the hearing and to approve the revised preliminary development plan and final development plan based on making the required City Code findings in Section 19.38.01 (5)(A) through (H) with the following conditions:

1. building be totally sprinklered, as approved by the Fire Marshal,
2. trash facilities be provided within the buildings,
3. no outside storage be allowed.

1984-3 Street Improvement (HUD) Project
Item 4.11

A public hearing was scheduled for consideration of the 1984-3 Street Improvement Project. Ground information regarding the project had been previously submitted to the Council including all of the petitions which have been submitted in favor of the project. An informational meeting had been held on March 27 after which those portions of the project to which there were objections were deleted.

The following streets were proposed for improvement:

1. 13th Avenue from East 82nd Street to East 86th Street - curb and gutter, residential surfacing
2. 16th Avenue from East 84th Street to East 86th Street - curb and gutter, residential surfacing
3. 17th Avenue from East 83rd Street to East 84th Street - curb and gutter, residential surfacing
4. East 84th Street from 12th Avenue to 17th Avenue - curb and gutter, State Aid surfacing

No one appeared in opposition. Ruth Keen, who said she lived on 13th Avenue in the project area, said she was in favor of the improvement. Ralph Keen, 8401 13th Avenue South, submitted a petition to the Council signed by residents of the area which showed that of 90 households on 84th Street and 13th Avenue in the project area, 54 households were in favor, 15 were opposed, 15 were undecided and six were rental properties and he was unable to contact the owners.

Following discussion, motion was made by Lindau and seconded by Mahon to close the hearing and order the improvement project. The vote on the motion was ayes, Schuler, Mahon, Peterson, Blessum, Herbst and Lindau, and nay, Spies, and the motion carried 6-1.

Conditional Use Permit for Second Garage
Case 9104A-84
Item 5.1

The Council was requested by Chuck Kaley, 8206 Stevens Avenue, to consider approving a conditional use permit for a second garage.

The Planning Commission, at its meeting of April 9, recommended approval of the conditional use permit based on making the required City Code findings in Section 19.22(1)(A) through (H) with the following conditions:

1. existing shed be removed from the property prior to relocation of the existing garage,
2. if front setback to the garage is either less than 35 feet or less than the setback to the house, then a variance be applied for in the normal manner.

A variance had been granted to Mr. Kaley earlier in the evening to allow a two-foot rear yard setback for the garage. Mr. Kaley said the garage would be located five feet from the side yard. Following discussion, motion was made by Lindau, seconded by Mahon, and all voting aye, to approve a conditional use permit for a second garage based on making the required City Code findings and on compliance with the conditions set forth by the Planning Commission.

Conditional Use Permit for Second Garage
Case 9105A-84
Item 5.2

The Council was requested by Jerome Flatgard, 10114 Mound Spring Terrace, to consider approving a conditional use permit for a second garage.

The Planning Commission, at its meeting of April 19, recommended approval of the conditional use permit based on making the required City Code findings in Section 19.22(1)(A) through (H) with the following conditions:

~~610,536,900. Motion was made by Lindau, seconded by Peterson, and all voting aye, to reduce the 1984 estimated market value for this property to \$10,536,000.~~

- ~~74. L. L. LeJeune, 6300, 6400, and 6406 West Old Shakopee Road~~
- ~~75. William D. Porter, 10525 Kentucky Avenue South~~
- ~~76. Richard Zilka, 8400 Oakland Avenue South~~
- ~~77. Suburban Shopping Center, Inc., 501 West 98th Street (leased to Kinney Shoe Company)~~

~~Recommendation of the City Assessor was to make no reduction in the 1984 estimated market value for these properties. No action was taken as none was required.~~

- ~~78. Edward D. Schmidt, 6816 West 83rd Street~~

~~Recommendation of the City Assessor was to reduce the 1984 estimated market value from \$114,300 to \$105,400. Motion was made by Lindau, seconded by Peterson, and all voting aye, to reduce the estimated market value to \$105,400.~~

~~Motion was made by Lindau, seconded by Herbst, and all voting aye, to adjourn the Board of Review and to reconvene as the Council in regular session.~~

Preliminary and Final
Plat of Telegraph
Hill Offices
Case 8620A-84
Item 4.1
R-84-78

A public hearing was scheduled for consideration of the preliminary and final plat of Telegraph Hill Offices located at 7801 Telegraph Road. The four-lot plat was submitted in order to construct three office/condominium buildings.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on May 22 and was recommended for approval with the following conditions:

1. 10-foot planting easement be provided along Marth Road,
2. sidewalk to be constructed from Rhode Island Circle to Telegraph Road at the developer's expense with the development,
3. connection charges to be satisfied,
4. no park dedication be required.

These conditions have been or are being met. Following discussion, motion was made by Mahon, seconded by Herbst, and all voting aye, to close the hearing, to approve the preliminary and final plat of Telegraph Hill Offices, to approve the subdivision agreement, and to adopt a resolution granting final approval.

Preliminary and Final
Plat of LaVoie Addition
Case 9121A-84
Item 4.2
R-84-79

A public hearing was scheduled for consideration of the preliminary and final plat of LaVoie Addition located at 8348-50 Virginia Avenue. The plat was submitted in order to combine two parcels into one single-family residential lot.

The proposed plat was reviewed by the Administrative Subdivision Review Committee on May 22, 1984, and was recommended for approval with the following conditions:

1. no park dedication be required,
2. grading plan be reviewed and approved by the City Engineer,
3. 10-foot planter easement be provided along 84th Street.

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

Ordinance Regulating
Parachuting and
Aircraft Landings
and Takeoffs - Single
Events
Item 4.3
0-84-26

The Council was requested to consider adopting an ordinance regulating the landings and takeoffs of "aircraft" and parachutists as they pertain to single events or occasions within the City of Bloomington. The City Attorney advised that following the consideration of the draft versions at the May 14 study meeting, the ordinance was revised to delete the reference to kites in the definition of aircraft, language was rephrased concerning endangerment of persons or property, and a permit fee provision was added. Following discussion, motion was made by Lindau, seconded by Biessum, and all voting aye, to close the hearing and adopt the ordinance.

On-Sale Beer "Special
Event" License -
Earl C. Hill Post 550
Item 4.4

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

Earl C. Hill Post #550
9320 Lyndale Avenue South
Bloomington, MN 55420
@ Softball Tournament
Valley View Field

1 - On-Sale Beer 3.2% "Special Event" (nonintoxicating
malt liquor) \$40.00
June 16 - 8 a.m. to 10 p.m.
June 17 - 12:01 p.m. to 9 p.m.

Notice of the hearing was published in the official City newspaper and a report on the applicant was submitted to the Council by the Police Department. Following discussion, motion was made by Spies, seconded by Mahon, and all voting aye, to close the hearing and grant the license.

INTER-OFFICE CORRESPONDENCE

Date: May 14, 1984
To: Robert A. Mood, Manager of Building and Inspection
From: Arlyn J. Grussing, Director of Planning
Subject: LETTER OF TRANSMITTAL
Case 8620A-84 - Amend Comprehensive Land Use Plan
Case 8620B-84 - Revised Preliminary and Final Development Plans

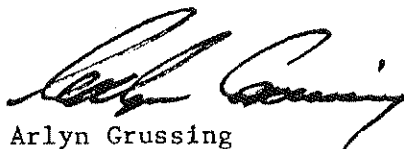
At its regular meeting of May 7, 1984 the City Council adopted a resolution amending the 1980 Comprehensive Plan to change the land use designation of property at 7801 Telegraph Road from medium-density residential to office use.

At the same meeting the Council approved the revised preliminary and final development plans for three office buildings for Landico, Inc. at the above address and with the following conditions:

- 1) building be totally sprinklered, as approved by the Fire Marshal;
- 2) trash facilities be provided within the buildings;
- 3) no outside storage be allowed.

The following Code requirements will need to be complied with:

- 1) lighting and building security plans be as approved by the Crime Prevention Officer, Bloomington Police Department;
- 2) fire lanes be posted at locations, as approved by the Fire Marshal;
- 3) handicapped parking be provided with standard handicapped signs, as approved by the Director of Planning;
- 4) utility plans with existing and proposed waterlines and hydrants be at locations as approved by the Fire Marshal and Utilities Engineer;
- 5) traffic, circulation and parking plans be as approved by the Traffic Engineer;
- 6) property be platted in accordance with the requirements of Chapter 16 of the City Code;
- 7) landscape plan be as approved by the Director of Planning.



Arlyn Grussing
Director of Planning

jb

8620 A 84

8620 B 84

June 23, 1997

Knut Horneland
Landico, Inc.
7835 Telegraph Road
Bloomington, MN 55438

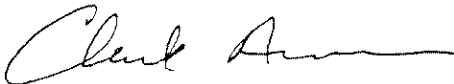
RE: Case 8620A-97

Dear Mr. Horneland:

On this date, the Director of Community Development administratively approved the revised final development plan to install 23 parking spaces four feet from the north property line (I-494 right-of-way) at 7845 Telegraph Road.

Should you have any questions regarding this action, please contact Bob Hawbaker, Senior Planner at (612) 948-8922.

Sincerely,



Clark Arneson
Planning Manager

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