

### GENERAL INFORMATION

Applicant: Integrity Commercial Capital, LLC (Owner)

Location: 300 West 83<sup>rd</sup> Street

Request: Final Site and Building Plans for a 1,536 square-foot office addition and associated site improvements at an existing industrial building.

Existing Land Use and Zoning: Industrial facility (office, warehouse, and service space); zoned General Industry (I-3)

Surrounding Land Use and Zoning: North – Accessory parking (Toro Campus); zoned I-3(PD)  
South, east and west – Office/warehouse; zoned I-3

Comprehensive Plan Designation: Industrial

### CHRONOLOGY

Planning Commission 12/03/2020 Public hearing scheduled

### DEADLINE FOR AGENCY ACTION

Application Date: 10/27/2020  
60 Days: 12/26/2020  
120 Days: 02/24/2021  
**Applicable Deadline: 12/26/2020**  
Newspaper Notification: Confirmed (11/19/2020 Sun Current – 10 day notice)  
Direct Mail Notification: Confirmed (500-foot buffer – 10 day notice)

### STAFF CONTACT

Nick Johnson, Planner  
Phone: (952) 563-8925  
E-mail: nmjohnson@BloomingtonMN.gov

**PROPOSAL**

The property owner/operator proposes to construct a 1,536 square-foot office addition to an existing industrial facility. The existing facility has a mix of office, warehouse and general industrial space, all permitted uses in the I-3 zoning district. Additional internal renovations are proposed, including the installation of three new overhead doors. Exterior site improvements would include surface parking, landscaping, stormwater management and exterior trash and recycling storage. The site does include some legally nonconforming elements, which are not required to be brought into conformance given that the proposed building addition does not increase the floor area on site by 25 percent or more.

**ANALYSIS**

**Code Compliance**

Office, warehouse and general industrial uses are permitted uses in the I-3 zoning district. The proposed development is subject to the I-3 zoning district development standards, as well as other performance standards throughout the City Code. Table 1 provides an overview of City Code compliance. Nonconforming elements of the property and overall project are noted in the table and further discussed in subsequent sections of the staff report. The proposed building addition represents a total floor area expansion of 8.0 percent. Nonconforming site characteristics must be brought into conformance when a building expansion represents an increase of total floor area of 25 percent or more. As a result, nonconforming site characteristics, such as parking areas, sidewalks, and other similar features, are allowed to remain as long as they are not disturbed or removed.

**Table 1: City Code Compliance Analysis**

<b>Standard and Code Section</b>	<b>Proposed</b>	<b>Meets Standard?</b>
<b>Minimum Site Width</b> – 100 feet (Sec. 21.301.01(d))	197 feet	Yes
<b>Minimum Building Floor Area</b> 3,000 square feet (Sec. 21.301.01(d))	20,656 square feet	Yes
<b>Minimum Building Setbacks</b> Along public streets – 30 feet Rear – 25 feet Side – 10 feet	Along public streets – 30 feet Rear – 25 feet Side – 10 feet	Yes
<b>Maximum Building Height</b> 60 feet/4 stories (Sec. 21.301.10(b)(1))	22 feet/1 story	Yes
<b>Exterior Building Materials</b> – Glass, stucco, stone, brick, architectural concrete, ACMUs or metal (Sec. 19.63.08(d))	ACMUs	Yes

Standard and Code Section	Proposed	Meets Standard?
<b>Minimum Parking Quantity</b> – 41 spaces (Sec. 21.301.06(d))	42 spaces (16 located within southern access/driveway easement)	Yes – See further discussion
<b>Minimum Parking/Drive Aisles Setback</b> Along public street – 20 feet Rear/side yard – 5 feet (Section 21.301.06(c)(2)(i))	Along public street – 4 feet (existing condition) Rear/side yard – 0 feet (permitted via shared driveway)	Yes – Existing condition allowed to remain
<b>Minimum Parking Stall Size</b> – 9 feet by 18 feet (90-degree parking) (Section 21.301.06(c)(2))	9 feet by 18 feet	Yes
<b>Minimum Drive Aisles Width</b> – 24 feet for 90 degree parking (Sec. 21.301.06(c)(2)(C))	24 feet	Yes – See further discussion
<b>Minimum Sidewalk Width</b> – 5 feet, 7 feet when perpendicular to surface parking (Sec. 21.301.04(d)(1)(B))	5 feet	No – See further discussion
<b>Minimum Landscape Material</b> 9 trees, 22 shrubs (Sec. 19.52)	8 trees and 19 shrubs	No – See further discussion
<b>Lighting</b> – Surface parking areas (new and revised) – 1.5 foot-candles (50% reduction along perimeter)	Unknown	See further discussion
<b>Trash and Recycling Storage</b> – 104 square feet (Sec. 21.301.17(e)(1))	362 square feet	Yes

**Building Design**

The proposed one-story 1,536 square foot office addition includes a new business entrance, multiple personal work stations and a conference room. Additional renovations within the building would create a new break room and office space. New overhead doors are proposed at the northwest and southeast corners of the building.

The proposed office addition primary exterior building materials are architectural concrete masonry units (ACMUs) or burnished block and glass. Secondary materials include EIFS and metal, which are permitted so long as secondary materials do not exceed 15 percent of any individual building elevation. Exterior materials must be reviewed and approved by the Planning Manager prior to the issuance of a building permit. The office addition’s proposed building height would be 22 feet, which is compliant with the City’s height standards.

**Access, Circulation, Sidewalks and Parking**

Site access is not proposed to change as a result of the site and building improvements proposed. Two existing driveways serve the subject property to Grand Avenue South and West 83rd Street. The southern access drive is located within a shared access easement with the property to the south (8301 Grand Avenue South). Circulation throughout the property is proposed to be reduced to accommodate surface parking along the building’s southern portion. Additional discussion about internal site circulation can be found in the Fire Prevention section of the staff report.

New sidewalks are provided along the proposed southern parking tier, connecting the area to the new building entrance. When private sidewalks run perpendicular to 90 degree parking spaces, they must be a minimum of seven feet in width to accommodate vehicle overhang and ensure a pathway of five unobstructed feet. The private sidewalks proposed must be modified to account for this requirement, as they are proposed at five feet in width. The subject property does not have public sidewalks installed along Grand Avenue South. However, the redevelopment project proposed does not exceed or surpass the size or standards that would require the construction of public sidewalks. Should public sidewalks be constructed along Grand Avenue South or West 83rd Street in the future, a connection to the public sidewalk network could easily be accommodated in the southwestern portion of the site in proximity to the southern parking tier.

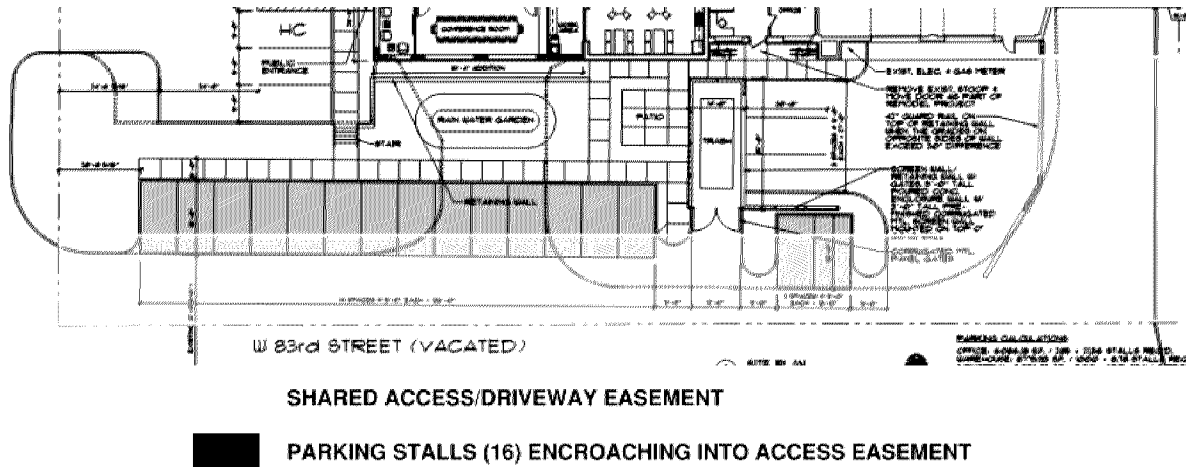
**Table 2: Parking Quantity Analysis**

Use Description	Standard	Proposed	Required Parking (stalls)
Office	One space per 285 sq. ft.	5,658 sq. ft.	19.9
Warehouse	One space per 1,000 sq. ft.	8,627 sq. ft.	8.6
General Industrial	One space per 500 sq. ft.	6,371 sq. ft.	12.7
<b>Total Parking Requirement</b>			41
<b>Parking Provided</b>			42 (16 encroaching into southern access easement)

Based upon the internal renovations and building addition proposed, the City Code requires the facility to have 41 off-street parking spaces. Table 2 provides an analysis of the required quantity of parking for the proposed industrial facility. The proposed site plan includes 42 off-street parking spaces, which would meet the Code-requirement. However, 16 of the proposed 42 parking spaces located along the southern boundary encroach into the shared access/driveway easement, as shown in Figure 1. Staff analyzed the existing shared access easement, and it is strictly for driveway purposes only, which would not allow for the surface parking encroachment. As a result, parking stalls that encroach into the access easement may not be counted towards the parking supply. To allow these 16 parking stalls to be counted towards the overall parking supply, the parking stalls

must be removed from the easement area or the shared access easement be revised, which will require the consent of the property owner of 8301 Grand Avenue South. The easement width could be reduced, so long as a minimum drive aisle (24 feet) is maintained, or the easement can be revised to allow for the encroachment of parking stalls. Staff is recommending a condition that the applicant provide a revised access easement along the southern boundary prior to the issuance of any permits to resolve the parking encroachment issue.

**Figure 1: Parking Encroaching into Shared Access Easement**



From a parking lot design standpoint, there are other minor or miscellaneous issues. First, the northwestern parking area is missing a required parking lot island separating the parking stalls and a clear zone for an associated overhead door. City Code requires that parking islands be provided at the end of parking tiers. The existing northwestern parking area is set back four feet from the western (front) and northern (side) property boundaries, both of which are nonconforming. As noted in the Code Compliance section of the staff report, nonconforming site characteristics may remain in this case so long as they are not disturbed or removed. As such, these nonconforming parking setbacks are allowed to remain.

**Landscaping, Screening and Lighting**

Based on the proposed site disturbance area associated with the project (21,702 square feet), City Code requires 9 trees and 22 shrubs. The landscape plan submitted includes 8 trees and 19 shrub units when factoring perennial grasses. As such, one additional tree and three more shrubs must be provided to satisfy minimum planting requirements. In addition to plant quantities, the City’s supplemental landscaping policy limits the species of perimeter trees to 25% for ornamental varieties. All of the trees proposed are Japanese Lilacs, which is an ornamental tree. The species of trees provided must be varied to be consistent with city policy guidance. Finally, seven trees are proposed along the front boundary within a drainage and utility easement. These trees must be removed from the easement or approved by the Engineering Division to remain depending on their proximity to City utilities. The landscape plan must be revised to address the review comments

noted above. As there are no areas dedicated for the outdoor storage of materials or service vehicles on the site plan, screening requirements are limited to the southern surface parking area, which is within 40 feet of Grand Avenue South. In this instance, screening must be provided along the parking stall in the form of shrubs, three to four feet in height.

The City has not yet received a lighting plan to review exterior lighting improvements associated with the project. New or revised surface parking areas must comply with the exterior lighting requirements of the City Code (Sec. 21.301.07). Prior to permit issuance, the applicant must submit a photometric lighting plan with a maintained minimum lighting level of 1.5 foot-candles for internal stalls, which can be reduced to 0.75 foot-candles along perimeter parking areas. New building entrances must have minimum light levels of 7.0 foot-candles for a primary entrance or 2.0 foot-candles for a secondary entrance. The lighting plan would need to be approved by the Planning Manager prior to permit issuance.

### **Stormwater Management**

Stormwater management must meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. The Stormwater Management Plan calculations and narrative are under review and must meet the requirements in the City of Bloomington Comprehensive Surface Water Management Plan. A maintenance plan is required, which must be signed by the property owner and filed at Hennepin County. This site is located within the Nine Mile Creek Watershed District, an additional permit will be required. The watershed district permit must be submitted to the Engineering Division prior to any site disturbance or grading activity.

### **Utilities**

The existing facility is served by City sanitary sewer and watermain. Should changes to the water service be proposed to provide increased water supply and/or hydrant coverage, the City Engineer must review and approve the Utility Plan prior to permit issuance. New and revised storm sewer and associated catch basins are proposed, ultimately connecting to the public storm sewer system. These systems or features must also be reviewed and approved by the City Engineer.

### **Traffic Analysis**

No significant impacts to the adjacent traffic patterns due to this building addition have been identified. The subject property is located on a local industrial roadway with adequate capacity to serve the proposed office addition.

### **Transportation Demand Management (TDM)**

Tier 2 Transportation Demand Management (TDM) programs are required for all nonresidential development over 1,000 square feet in floor area (Sec. 21.301.09(b)(2)). This redevelopment will require a Tier 2 TDM program, which allows the property owner to choose from a menu of TDM

options. The owner has not yet submitted a Tier 2 TDM checklist. A condition of approval is attached to the staff report requiring the Tier 2 TDM checklist be provided prior to the issuance of a building permit.

### **Fire Prevention and Public Safety**

The access and circulation design does not meet the minimum standards for emergency vehicle access including the turning radius where the new building addition is proposed. The approved access road shall be maintained in accordance with the approved plan including a surface to provide all weather driving capabilities. Apparatus access roads shall be asphalt or concrete and support a minimum of 80,000 pounds. There are allowances in the Fire Code for a reduction in access if the building is fully sprinklered.

The existing building does not have a building sprinkler system. Based on the current plan both the new addition and the existing building will be required to be sprinklered per Chapter 1306 of the MN State Building Code.

A looped water supply feeding a single, combined water service is required for the domestic and sprinkler system water demand. Hydrant coverage shall be provided within 150 feet of all exterior walls and within 50 feet of the fire department connection. The Utilities and Fire Prevention Divisions will approve hydrant locations.

Provide for emergency responder radio coverage throughout the complex and in all structures per the requirements of Appendix L in the 2015 Minnesota State Fire Code.

Any changes made to the current plans, including building location, access roads, water supply and addressing, shall be reviewed by the Fire Marshal to ensure continued compliance with the Fire Code.

### **Miscellaneous**

Regarding trash and recycling storage, an outdoor trash collection area is proposed on the south side of the facility. Outdoor, detached trash and recycling storage is permitted at industrial facilities so long as there is a minimum separation of 300 feet from properties used, guided and zoned residentially, as is the case for the subject property. The size of the trash collection area is compliant with City Code (Sec. 21.301.17).

Regarding signage, a wall sign is shown on the western building elevation of the proposed office addition. Signage at the subject property must comply with the Class IV Sign District (Section 19.113 of the City Code). A sign permit must be obtained prior to installation. Staff has included a condition of approval that all signage comply with City Code. There are currently no ground signs located on site.

**Status of Enforcement Orders**

The property is not subject to any open enforcement orders.

**Public Correspondence**

The City has not received any correspondence from the public regarding this case

**FINDINGS**

**Required Final Site and Building Plan Findings - Section 21.501.01(d)(1-4):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed development is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – The subject property is guided Industrial. The expansion of an existing industrial facility with office, warehouse and general industrial uses by adding office space is not in conflict with the Comprehensive Plan.
(2) The proposed development is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> – The property is not located in an area subject to an adopted District Plan.
(3) The proposed development is not in conflict with City Code provisions.	<b>Finding Made</b> – Subject to the recommended conditions of approval, the proposed development is not in conflict with City Code provisions.
(4) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	<b>Finding Made</b> – The subject property is located in an established industrial area surrounded by railroad tracks and other industrial uses. A small office addition is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

**RECOMMENDATION**

**Note the Planning Commission has final approval authority on this Final Site and Building Plans application unless an appeal to the City Council is received by 4:30 p.m. on December 8<sup>th</sup>.**

Staff recommends approval through the following motion:

In Case #PL2020-206, having been able to make the required findings, I move to approve Final Site and Building Plans for an approximately 1,600 square-foot office addition and associated site improvements at 300 West 83<sup>rd</sup> Street, subject to the conditions and Code requirements attached to the staff report.

## RECOMMENDED CONDITIONS OF APPROVAL

Case PL2020-206

**Project Description:** Final Site and Building Plans for an approximately 1,600 square-foot building addition to an existing office/warehouse building and associated site and parking improvements.

**Address:** 300 West 83rd Street

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
2. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
3. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
4. Prior to Permit A revised private common driveway/access easement or agreement with 8301 Grand Avenue South resolving the parking stall encroachment conflict be filed with Hennepin County and proof of filing provided to the Engineering Division.
5. Prior to Permit All new or revised private sidewalks on site must comply with the dimensional requirements of City Code (Section 21.301.04(d)(1)(B)).
6. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
7. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
8. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
9. Prior to Permit An erosion control surety must be provided (16.08(b)).
10. Prior to Permit Utility plan showing location of existing and proposed water main and fire hydrant locations must be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Minnesota State Fire Code Sec. 508).
11. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
12. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
13. Prior to Permit Parking lot and site security lighting plans must be provided for new and revised parking areas and building entrances to satisfy the requirements of Section 21.301.07 of the City Code.
14. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
15. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.

16. Prior to C/O Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
17. Prior to C/O Buildings must meet the requirements of the Minnesota State Fire Code Appendix L (Emergency Responder Radio Coverage) adopted through City Ordinance to have approved radio coverage for emergency responders based upon the existing coverage levels of the public safety communication systems.
18. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
19. Ongoing The site and building improvements are limited to those as shown on the approved plans in Case File #PL2020-206.
20. Ongoing All construction related pickup, drop-off, loading, unloading, staging and parking must occur on-site and off public streets.
21. Ongoing Alterations to utilities must be at the developer's expense.
22. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
23. Ongoing All trash and recyclable materials must be stored in accordance with Section 21.301.17 of the City Code.
24. Ongoing All new or revised rooftop equipment must be fully screened to public streets.
25. Ongoing Three foot high parking lot screening must be provided along new and revised parking stalls within 40 feet of the public street as approved by the Planning Manager (Sec. 19.52).
26. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.