

GENERAL INFORMATION

Applicant: Chuck and Don's Pet Supplies (User)
Bloomington Shoppes Developers (Owner)

Location: 8501 Lyndale Avenue South

Request: Conditional Use Permit for the expansion of an existing pet services facility

Existing Land Use and Zoning: Retail shopping center; zoned B-2, General Commercial

Surrounding Land Use and Zoning: South – Restaurant; zoned I-3
North – Discount Tire / Tile Shop; zoned B-2(PD)
West – Multiple-family residential; zoned R-1(PD)
East – Industrial; zoned I-3

Comprehensive Plan Designation: Community Commercial

CHRONOLOGY

Planning Commission 07/22/2021 – Public hearing scheduled

DEADLINE FOR AGENCY ACTION

Application Date: 06/16/2021
60 Days: 08/15/2021
120 Days: 10/14/2021
Applicable Deadline: 08/15/2021
Newspaper Notification: Confirmed (07/08/2021 Sun Current – 10 day notice)
Direct Mail Notification: Confirmed (500-foot buffer – 10 day notice)

STAFF CONTACT

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PROPOSAL

Chuck and Don’s Pet Supplies requests a Conditional Use Permit to expand their existing store into the abutting vacant tenant space to the south within the Bloomington Shoppes multi-tenant retail shopping center. The applicant desires to provide pet grooming and self-wash facilities in the expansion space, which are activities associated with pet services facilities as defined in the City Code. The existing pet supply store currently occupies a 4,165 square-foot space located in the center of the shopping center. The abutting tenant space proposed for expansion is 1,850 square feet in size. The applicant proposes to install six grooming tables, two self-serve washtubs and approximately 500 square feet of additional retail sales area. No exterior changes to the building or site are proposed, as only interior remodeling is necessary to accommodate the expansion. No outdoor activity area is proposed.

ANALYSIS

Land Use

Pet services facility is defined in the City Code (Sec. 19.03) as follows:

PET SERVICES FACILITY. A business establishment that provides any of the following services or retail activity either individually or in combination, for pets and domestic animals as defined in §12.91: sales, animal sales, veterinary care, animal hospital, short-term daily care, training classes, boarding and grooming.

Pet services facility is designated as a conditional use in the B-2 zoning district. As a result, the proposed expansion of a pet services facility necessitates Conditional Use Permit review and approval. The following review focuses on ensuring compliance with specific performance standards for pet services facilities and other related areas of required compliance.

Code Compliance

Performance standards for pet services facilities are found in Section 21.302.28 of the City Code. In addition, compliance with general zoning performance standards is also required as part of a Conditional Use Permit review. Table 1 provides an analysis of City Code compliance.

Table 1: City Code Analysis

Standard and Code Section	Proposed	Meets Standard?
Minimum Site Area – 25,000 square feet (Sec. 21.301.01(d))	184,776 square feet	Yes

Standard and Code Section	Proposed	Meets Standard?
Minimum Site Width – 150 feet (Sec. 21.301.01(d))	218 feet	Yes
Private Sidewalk Connection – Main entrances connected to public sidewalk network (Sec. 21.301.04(b)(2)(A))	Connection to Garfield Ave S available	Yes
Buffer from Residential Uses – 50 feet (Sec. 21.302.28(c)(2)(A))	270 feet	Yes
Sound Attenuation – STC rating of 55 or higher for common walls (Sec. 21.302.28(c)(2)(D))	Unknown	No – see further discussion
Odor Mitigation – Odor mitigation plan is required (Sec. 21.302.28(c)(2)(E))	Unknown	No – see further discussion

The use expansion must include noise attenuation along the southern common wall of the tenant space. Building plans will need to identify how noise attenuation will be provided and an odor mitigation plan must be provided. Operating documents specifying cleaning and maintenance methods, waste disposal methods, and noise and odor mitigation must be provided prior to occupancy. Staff is recommending conditions related to these required standards for pet service facilities.

Access, Circulation and Parking

Site access and circulation are not proposed to change as part of the subject application. The off-street parking requirement for a pet services facility that only provides grooming services and pet supply products is the same as a retail use (one space per 185 square feet). As a result, there is no increase in the off-street parking requirement due to the expansion of the pet services facility. The proposed expansion area replaces a previously occupied retail space. The existing shopping center has an off-street parking supply of 241 parking spaces, and the existing overall parking requirement is 222 spaces. Therefore, the subject property complies with the City’s off-street parking quantity requirements. Bicycle parking must be verified at the broader shopping center.

Landscaping and Lighting

The subject property complies with the City’s lighting ordinance. In addition, the subject property complies with the landscape plan on file for the shopping center. Therefore, no additional lighting or landscaping improvements are necessary at this time.

Miscellaneous

Existing trash and recycling storage facilities do not fully comply with the current ordinance requirements, as the storage area is not accessible from within the subject tenant space. However, the City Code allows the issuing authority to waive the interior access requirement provided there is adequate access to the attached trash storage areas, which are located 85 feet to the south and 165 feet to the north in the rear of the building respectively. The pathway to the trash storage area has adequate lighting and is not anticipated to present a hazard for pedestrians or vehicles due to low traffic volumes in the rear of the building.

Regarding signage, it is not anticipated the business signage would be revised as a result of this expansion. Should there be a request to modify the wall sign for the pet services facility, the revised sign would need to comply with the Class IV Sign District (Sec. 19.113) and approved Uniform Sign Design of record for the Bloomington Shoppes multi-tenant center (USD #9).

Status of Enforcement Orders

The property is not subject to open enforcement orders.

FINDINGS

Required Conditional Use Permit Findings – Section 21.501.04(e)(1)-(5)

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	Finding Made – The Comprehensive Plan designates the property as Community Commercial, which allows retail and service uses such as pet grooming. A pet services facility is a conditional use in the B-2 zoning district and is consistent with the Community Commercial designation in the Comprehensive Plan.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	Finding Made – The property is not in a location with an adopted District Plan.
(3) The proposed use is not in conflict with City Code provisions.	Finding Made – A pet services facility is a conditional use in the B-2 zoning district. Subject to the recommended conditions of approval, the proposed use is not in conflict with City Code provisions.
(4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	Finding Made - The subject property has adequate access and is served by a minor arterial roadway with adequate capacity. Utilities that serve the site also have adequate capacity. No impacts to parks and schools are anticipated. A proposed dog grooming salon is not anticipated to create an excessive burden on parks, schools streets, and other public facilities and utilities.

Required Finding	Finding Outcome/Discussion
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – A pet services facility located within an existing multi-tenant shopping center is consistent with the surrounding uses and neighborhood along Lyndale Avenue. The proposed facility is not located in close proximity to residential uses. The submitted plans reflect a Code complying use which is not anticipated to be injurious to the surrounding tenants and property owners.

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 July 27th.

Staff recommends approval through the following motion:

In Case #PL2021-139, having been able to make the required findings, I move to adopt a resolution approving a Conditional Use Permit for the pet services facility expansion at 8501 Lyndale Avenue, subject to the conditions and Code requirements listed in the resolution.

RECOMMENDED CONDITIONS OF APPROVAL

Case #PL2021-139

Project Description: Conditional Use Permit for the expansion of an existing pet services facility.

Address: 8501 Lyndale Avenue South

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 Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
4. Prior to Permit Compliance with noise attenuation requirements in Section 21.302.28(c)(2)(D) of the City Code must be demonstrated.
5. Prior to Permit Odor mitigation plan must be provided per Section 21.302.28(c)(2)(E) of the City Code.
6. Prior to C/O Documentation of ongoing operational and management practices consistent with Section 21.302.28(c)(2)(F) of the City Code must be provided.
7. Ongoing The expansion of the pet services facility is limited to as shown on the approved plans in Case File #PL2021-139.
8. Ongoing All construction related pick-up, drop-off, loading, unloading and parking must occur on site and off public streets.