



CITY OF
BLOOMINGTON
MINNESOTA

Case
10532AB-12

Case no.

Development Application

10532BC 12

Rec 5 / Type of application

- Standard Staff approval Hearing Examiner Plan Revision Amended Reapplication
- Rezoning Conditional Use Permit Variance Ordinance Amendment
- Preliminary Development Plan Interim Use Permit Comprehensive Plan Amendment Subdivision
- Final Development Plan Final Site and Building Plan Other _____

Site location Additional addresses on back Legal description attached

Property address: 6201 West 111th Street, Bloomington, MN Common name: Best Buy Distribution

Business address: _____

PIN: _____ Lot: _____ Block: _____ Plat name: _____

Proposal Full documentation must accompany application

Landscape Variance Plans See Attached

Chris Willson

Complete all applicable sections – Select only ONE person as primary contact

Fee property owner

Primary contact Owner name per property title: Chris Willson, First Industrial Development Services E-mail: Chris.Willson@firstindustrial.com

Additional owners on Back

Mailing address: 10120 West 76th Street City: Eden Prairie State: MN Zip: 55344

Business address: _____ City: _____ State: _____ Zip: _____

Daytime phone: 952-943-2700 Cell phone: 612-382-8492 FAX: 952-943-8778

Chris Willson [Signature] [Title]

Typed/printed name Signature Title

User/occupant

Primary contact Business name/name: Best Buy / Bill Tolo E-mail: William.Tolo@bestbuy.com

Mailing address: _____ City: _____ State: _____ Zip: _____

Business address: _____ City: _____ State: _____ Zip: _____

Daytime phone: _____ Cell phone: _____ FAX: _____

Bill Tolo _____ _____

Typed/printed name Signature Title

NOTE: Applications only accepted with ALL required support documents. See Instructions.

Deadline for agency action

60 Days: 7/16/12 120 Days: 9/14/12

Planner: [Signature] DRC: [Signature]

Shaded areas are for office use only

Received: Date 5/18/12 By [Signature]

Reviewed: Date 6/21/12 By PC CC HE

Fee paid: Date 5-18-12 \$ 610.00 PD

Admin. approval: Date _____ By _____

Comm. Dev't Dir. Planning Div. Manager

Other _____

Community Development Planning and Economic Dev. PH 952-563-8920 E-MAIL planning@ci.bloomington.mn.us

1800 W. Old Shakopee Road FAX 952-563-8949 www.ci.bloomington.mn.us

Bloomington MN 55431-3027 TTY 952-563-8740

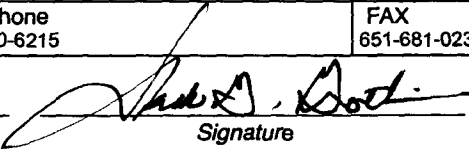
Development Application

Case no. **10532B** **12**

Complete all applicable sections — Select only ONE person as primary contact

Additional parties

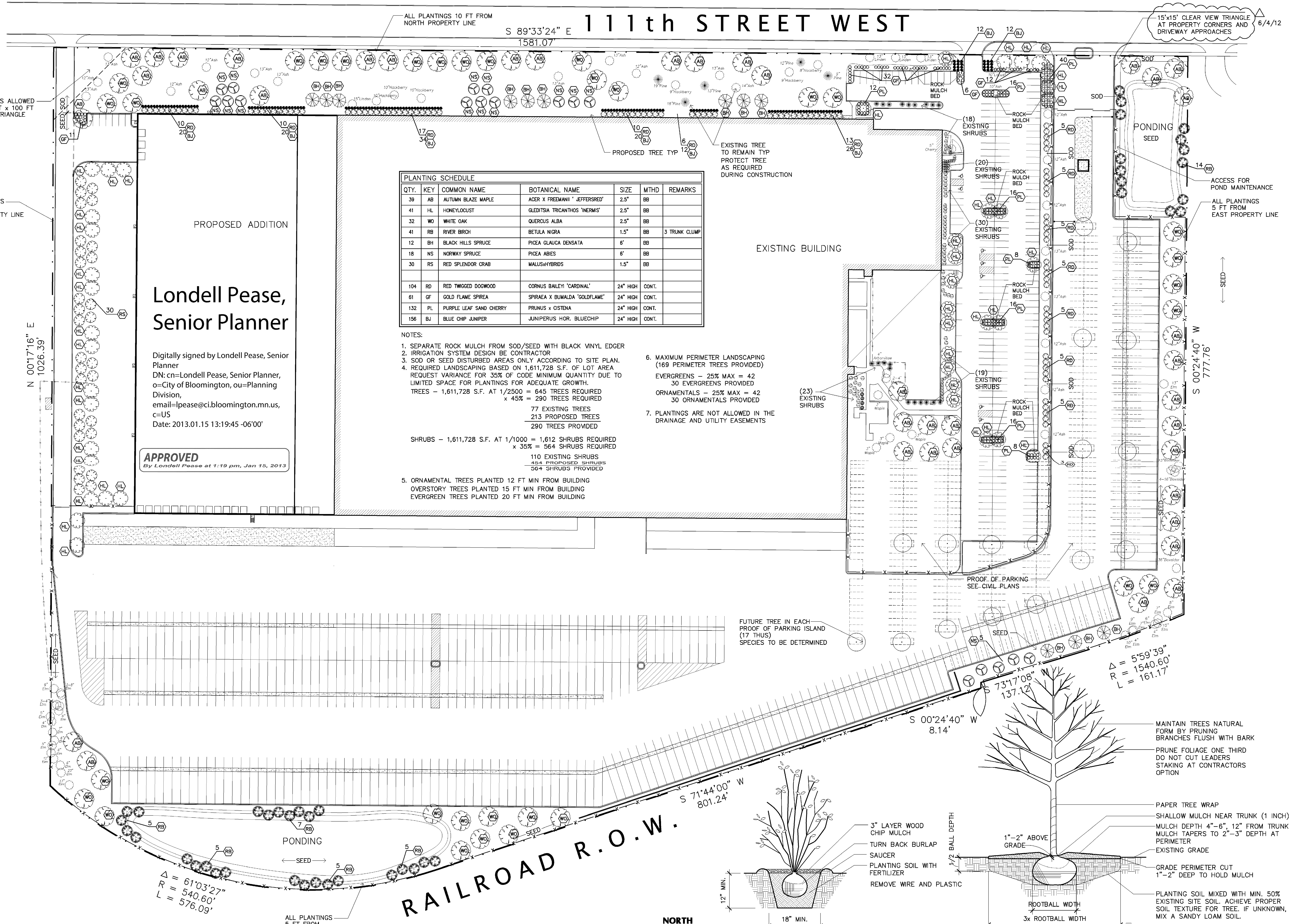
Primary contact

Business name/name R.J. Ryan Construction, Inc. / Jack Grotkin			E-mail jgrotkin@rjryan.com	
Mailing address 1100 Mendota Heights Road		City Mendota Heights	State MN	Zip 55120
Business address		City	State	Zip
Daytime phone 651-681-0200	Cell phone 612-750-6215	FAX 651-681-0235		
Jack Grotkin <i>Typed/printed name</i>		 <i>Signature</i>		Co-President <i>Title</i>

Additional fee property owners and addresses

Business name/name			E-mail	
Mailing address		City	State	Zip
Business address		City	State	Zip
Daytime phone	Cell phone	FAX		
<i>Typed/printed name</i>		<i>Signature</i>		<i>Title</i>
Business name/name			E-mail	
Mailing address		City	State	Zip
Business address		City	State	Zip
Daytime phone	Cell phone	FAX		
<i>Typed/printed name</i>		<i>Signature</i>		<i>Title</i>
Business name/name			E-mail	
Mailing address		City	State	Zip
Business address		City	State	Zip
Daytime phone	Cell phone	FAX		
<i>Typed/printed name</i>		<i>Signature</i>		<i>Title</i>

Use additional sheets or copy form for additional properties



PRELIMINARY
NOT FOR
CONSTRUCTION



BEST BUY
DISTRIBUTION FACILITY
6201 West 111th Street, Bloomington, MN

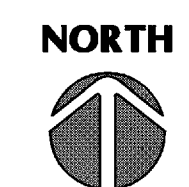
Drawn By: JRB
Checked By: LL

Revisions

11/2/11	PRELIMINARY
4/23/12	CITY SUBMITTAL
5/3/12	CITY SUBMITTAL
6/13/12	CITY SUBMITTAL

LANDSCAPE PLAN
Sheet Number

1 LANDSCAPE PLAN
SCALE: 1" = 60'-0"



3 SHRUB PLANTING DETAIL
NOT TO SCALE

2 TREE PLANTING DETAIL
NOT TO SCALE

Approved Plan
Project No. 120120-3



First Industrial Realty Trust, Inc.
 10140 West 76th Street
 Eden Prairie, MN 55344
 T: (952) 943-2700
 F: (952) 943-8778
 www.firstindustrial.com

To whom it may concern:

On April 26th, Bloomington Planning Commission approved our plans to expand an existing distribution facility located at 6201 West 111th Street in Bloomington which is leased to Best Buy and owned by my company, First Industrial Realty Trust, Inc. We are extremely pleased to be working with the City of Bloomington on this exciting project for one of our largest customers.

At this time, we are requesting variances to the City Code, one pertaining to the Landscaping Code and the other code governing the Guard House size limit.

Landscaping

Per that code, we would be required to incorporate one tree per every 2,500 square feet of site and one shrub per every 1,000 square feet of site. Given that we have a 37 acre site, the code suggests 645 trees and 1,612 shrubs (existing plus new in both cases).

Due to the nature of a large distribution center and ancillary needs such as paved trailer storage, truck maneuvering areas and employee parking, it is virtually impossible to meet the landscaping code and do so in a way that is both aesthetically pleasing and also sustainable in the long term. In addition, we have allocated significant portions of the site for storm water management ponds which further reduces the areas able to accept plantings.

It is our desire to have a landscape plan that greatly enhances the site as it is currently, is pleasing to the eye, is sustainable as the plantings mature and is able to be managed by our professional landscape contractors who are responsible to keep everything to our high standards, which include green and growing grass in and around all our new plantings (need to allow for proper natural light in the landscape plan).

To that end, we have submitted a plan for your consideration that includes a total of 226 trees (77 existing/149 new) and 564 shrubs (110 existing/454 new). These new plantings are placed throughout the available “green” areas including:

- All along the northern boulevard on 111th street
- On both the east and west sides of the employee parking lot
- Surrounding the new pond in the northwest corner of the site and all along the eastern border
- In both the southwest and southeast corners of the site
- Around the new pond in the southwestern area of the site and, in particular, the area to the east of the pond to help screen from the neighboring golf course to the south
- Along the newly created green area to the immediate west of the new addition

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 Rec 5/18/12

10532BC 12





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In conclusion, the nature of this kind of industrial use, believed to be the largest distribution facility in Bloomington, poses a unique set of challenges when it comes to the current and programmatic landscape code. Consider that the footprint of the building (580,733 square feet) actually absorbs over 13 acres and the auto parking, trailer parking and maneuvering areas encompass an additional 14 acres (613,136 square feet). The required, new retention ponds in the southwest and northwest corners consume 1.5 acres. After taking into account other restrictions such as setbacks from the building and road, easement restrictions and the like, the site is quite limited in the amount of area available to accept grass, trees and shrubs. We believe our plan does a nice job of adding trees and shrubs to all parts of the site and certainly enhances the project to meet both our own and the City's high standards.

Guard House

Per the City Code, guard houses are limited to 250 square feet in size. Best Buy has asked that we seek a variance to build their guard house to 356 square feet. Understanding that the City wants to have these structures used only as areas for guards to complete their tasks associated with ingress/egress of truck traffic and not other ancillary purposes, Best Buy points out that they will actually employ two guards in their guard house, one handling in-bound and the other handling out-bound vehicles. By employing two guards to handle the traffic load, stacking of trucks waiting for access to and from the site will be minimized. We realize this was a planning commission concern and having a guard house sized appropriately for two guards will allow the efficient movement of trucks in and out of the site.

We hope you agree with our positions on these two topics and are willing to allow for our variances.

Best regards,

First Industrial Realty Trust, Inc.

Christopher G. Willson
Sr. Regional Director

Case 10532AB-12
Rec 5/18/12

10532BC

12

Request for City Council Action

Originator Community Development	Item Variances			5.2A1,2
Agenda Section HEARING/PUBLIC INPUT Development Business	By LDP	Approved	Date July 2, 2012	

Case 10532BC-12

GENERAL INFORMATION

Applicant: First Industrial (owner)
Best Buy Distribution Center (user)

Location: 6201 West 111th Street

Request: 1) A variance to reduce the amount of landscaping required (Case 10532b-12); and
2) Variance to increase the allowed size of a guard house from 250 square feet to 356 square feet (Case 10532C-12)

Existing Land Use and Zoning: Office/warehouse/distribution center; zoned IP

Surrounding Land Use and Zoning: North and East – City dog park/future water plant; zoned IP
South – Minnesota Valley Golf Club; zoned R-1(PD)
West – Railroad and office/warehouse; zoned IP

Comprehensive Plan: The Comprehensive Land Use Plan recommends Industrial land use for the property.

HISTORY

City Council Action: 09/05/00 -- Approved Final Site and Building Plans for a 5.2 acre truck parking and storage area expansion with conditions. (Case 10532A-00) NOTE: Although approved, the expansion was not constructed.

Planning Commission Agenda: 01/25/01 – An application for a Final Site and Building Plans for a 205,631 square foot building expansion and a 9.6 acre truck parking and storage area expansion onto an existing office/warehouse. (Case 10532B-00) NOTE: Application withdrawn.

Council Action

Motion by _____ Second by _____ to _____

Administrative Action: 04/15/08 -- Approved Final Site and Building Plans for the installation of generators for the existing office/warehouse with conditions. (Case 10532A-08)

Planning Commission Action: 4/26/12 -- Approved a major revision to Final Site and Building Plans for a 155,867 square foot addition onto a 433,648 square foot office warehouse building. (Case 10532A-12). NOTE: No City Council action required.

CHRONOLOGY

Planning Commission Action: 06/21/12 – Recommended approval of a variance to reduce the amount of landscaping required from 645 trees to 290 trees and from 1,612 shrubs to 564 shrubs (Case 10532B-12) and a variance to increase the allowed size of a guard house from 250 square feet to 356 square feet (Case 10532C-12) with four conditions.

City Council Agenda: 07/02/12 –

DEADLINE FOR AGENCY ACTION

Application Date:	05/18/12
60 Days:	07/16/12
Extension Letter Mailed:	No
120 Days:	09/14/12

STAFF CONTACT

Londell Pease, Planner, (952) 563-8926 -- lpease@ci.bloomington.mn.us

APPLICABLE REGULATIONS	Section 19.52 Section 19.50.02(f)(4)
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REQUIRED FINDINGS	Section 2.98.01(b) (A), (B), and (C)
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PROPOSAL

The applicant received approval for a 155,867 square foot warehouse addition on the west side of the existing 433,648 square foot office/warehouse. As part of the Final Site and Building Plans application review and approval, the applicant submitted a City Code complying landscape plan. The applicant had informed the Planning Commission that due to time constraints, they would proceed with the Code

complying review and approval and apply for a variance to reduce the landscaping at a later date. The applicant proposes a reduction in the required landscaping from 645 trees to 290 trees and from 1,612 shrubs to 564 shrubs. The proposed landscaping would be dispersed throughout the site.

The application to increase the guard house size is requested to provide a security command and control center in the guard house, including all surveillance inside and outside the building. The precolored rock face block structure with prefinished metal fascia would be 368 square feet with full restroom facilities, office space for a minimum of two guards who will monitor all incoming and outgoing traffic and monitoring security cameras for the entire site.

ANALYSIS

Landscape Variance

A City Code revision on November 14, 2004 required a specific minimum number of trees and shrubs based on the developable land area. The intent was to move away from case by case determination of appropriate landscaping levels, provide simple requirements needed minimal interpretation and provide consistency for landscaping required for a specific development. As part of the review, several properties in a variety of zoning districts and uses were evaluated to develop the minimum requirements of one tree for each 2,500 square feet and one shrub for each 1,000 of developable landscaping area. Section 19.52(C)(2)(1) defines developable landscaping area as:

Developable Landscaping Area (DLA) is defined as the total area of a development site or phase minus the portion of that area within:

- (i) a natural water body;
- (ii) a protected wetland;
- (iii) a permanent Significant Natural Wooded Area; and/or
- (iv) a Scenic Easement.

All of the applicant's 1,611,726 square foot lot qualifies as DLA. The applicant believes the proposed landscaping is adequate given the use of the site as a large distribution center which requires significant truck storage, larger than average access drives and a building with loading docks on one side that prohibits landscaping adjacent to the building. The applicant reasons the truck parking and storage area (613,136 square feet), ponding areas (65,340 square feet), and the south side of the building is not practically available for landscaping; thereby creating a practical difficulty that would justify the proposed variance.

Staff agrees the site is unique being the largest industrial site in Bloomington used as a distribution center. The granting of a variance to reduce the landscaping required in light of the truck and trailer parking, storage and maneuvering areas and the stormwater ponds may be appropriate. Removing the combined 678,476 square feet of land area used for truck storage and parking and the retaining ponds nets a land area of 933,250 square feet, or 58 percent of the site. This is higher than the proposed landscape plan submitted for review and does not include a reduction caused by the significant number of loading docks impacting planting areas available.

The variance review is difficult as the available area for landscaping was established in the expansion approved and under construction. This limits the ability to make site plan changes to increase available

landscaping area. To adequately determine an appropriate level of compliance for the available open area, staff evaluated the plans to determine if additional landscaping could be provided without impacting utilities, clear view triangles, or overcrowding the plant materials creating densities that would hinder long term growth while providing access to maintain the storm water ponds. A staff member with landscape architecture training determined reducing the number of trees from 645 trees to 290 trees (45 percent) and the number of shrubs from 1,612 shrubs to 564 shrubs (35 percent) would provide a well landscaped appearance and meet the purpose and intent of the City Code.

Guard House Size Variance

The request to increase the allowable guard house size from 250 square feet to 358 square feet allows for the use as a guard house and as a command and control center for all on-site security. The City Code permits an accessory structure of up to 600 square feet in the rear yard only and allows an additional 250 square foot guard house in the front, side and rear yards of the site. The logical location for the guard house is in the side yard, where the trucks enter and exit the site. Increasing the size from 250 square feet to 358 square feet to provide for a multiple use structure for the large distribution center is a reasonable request and the tenant's need to monitor security cameras from outside the main building creates a practical difficulty in meeting the 250 square foot guard house size limit. The proposed Code complying flat roof design and rock faced block construction of the guard house is compatible with the existing structure.

FINDINGS

Variance Findings Section 2.98.01(b)(2):

Variances may only be permitted:

(A) When the variance is in harmony with the general purposes and intent of the ordinance.

- * The City Code provides thirteen specific goals for landscaping as part of an expansion or development. The applicant proposes landscaping which is less than the minimum trees and shrubs required. The site plan approved for a distribution center limits the ability to provide landscaping without altering the site plan to include larger planting areas. The larger than typical truck access, parking and storage restrict the location for landscaping. The reduction from 645 trees to 290 trees and the reduction from 1,612 shrubs to 564 shrubs on the constrained site is in harmony with the purpose and intent of landscaping standards in the City Code.

(B) When the variance is consistent with the comprehensive plan.

- * The proposed variance to reduce the landscaping would not have any impact on the implementation of the Comprehensive Land Use Plan.

(C) When the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone do not constitute practical difficulties. Practical difficulties as used in connection with the granting of the variance, means that:

- (i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
 - * The variance to reduce the landscaping where a large portion of the site is required for truck access, parking and storage is reasonable. Placing landscaping in the stormwater ponding area or in the truck storage areas would not allow for the needed area to operate the large distribution center.

- (ii) The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - * Site design and layout are physical circumstances that affect the form and function of a reasonable development that is not a result of a direct action of the applicant. The large site which abuts railroad property on two sides has a high demand for truck access, parking and storage and provides loading docks on the entire south side of the structure limit the Code complying options for landscaping. These are related to the use characteristics of a distribution center which are not created by the landowner

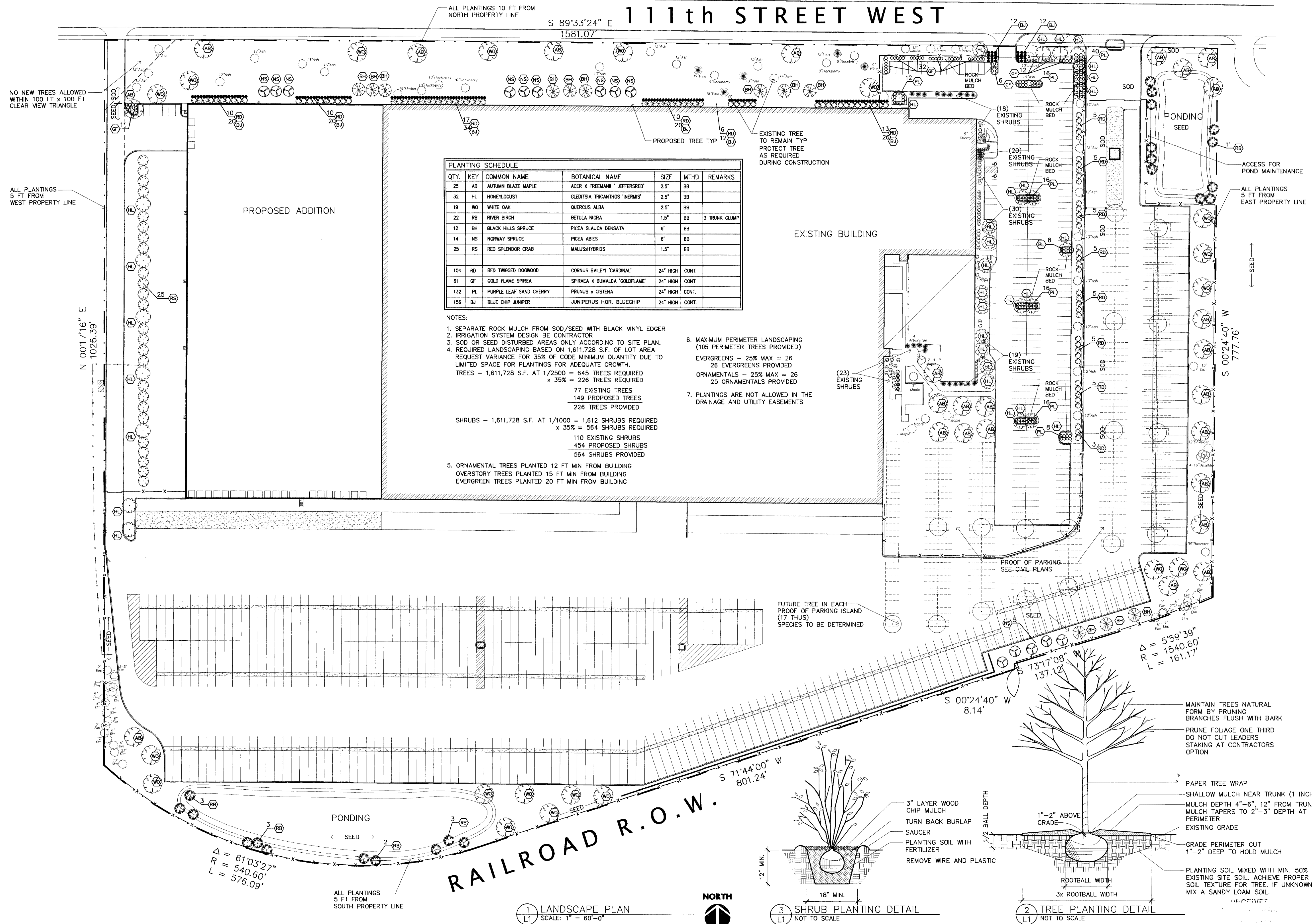
- (iii) The variance if granted will not alter the essential character of the locality.
 - * The requested reduction of on site trees would be an increase in total landscaping on the site as compared to current conditions. A tree survey provided in Case 10532A-12 verified there were over 280 trees on site prior to the start of construction, which was legally non-conforming at 43 percent of the City Code. The variance request would increase the trees to 290 trees. There was no inventory of the shrubs provided although the proposed 564 shrubs will be a notable increase from the existing landscaping. The proposed landscaping would enhance the character of the site.

RECOMMENDED CITY COUNCIL ACTION

The Planning Division and Engineering Division Staff and the Planning Commission recommend approval of variances to reduce the amount of landscaping required from 645 trees to 290 trees and from 1,612 shrubs to 564 shrubs (Case 10532B-12) and to increase the allowed size of a guard house from 250 square feet to 356 square feet (Case 10532C-12) at 6201 West 111th Street subject to the following conditions of approval being satisfied prior to issuance of grading, foundation or building permits:

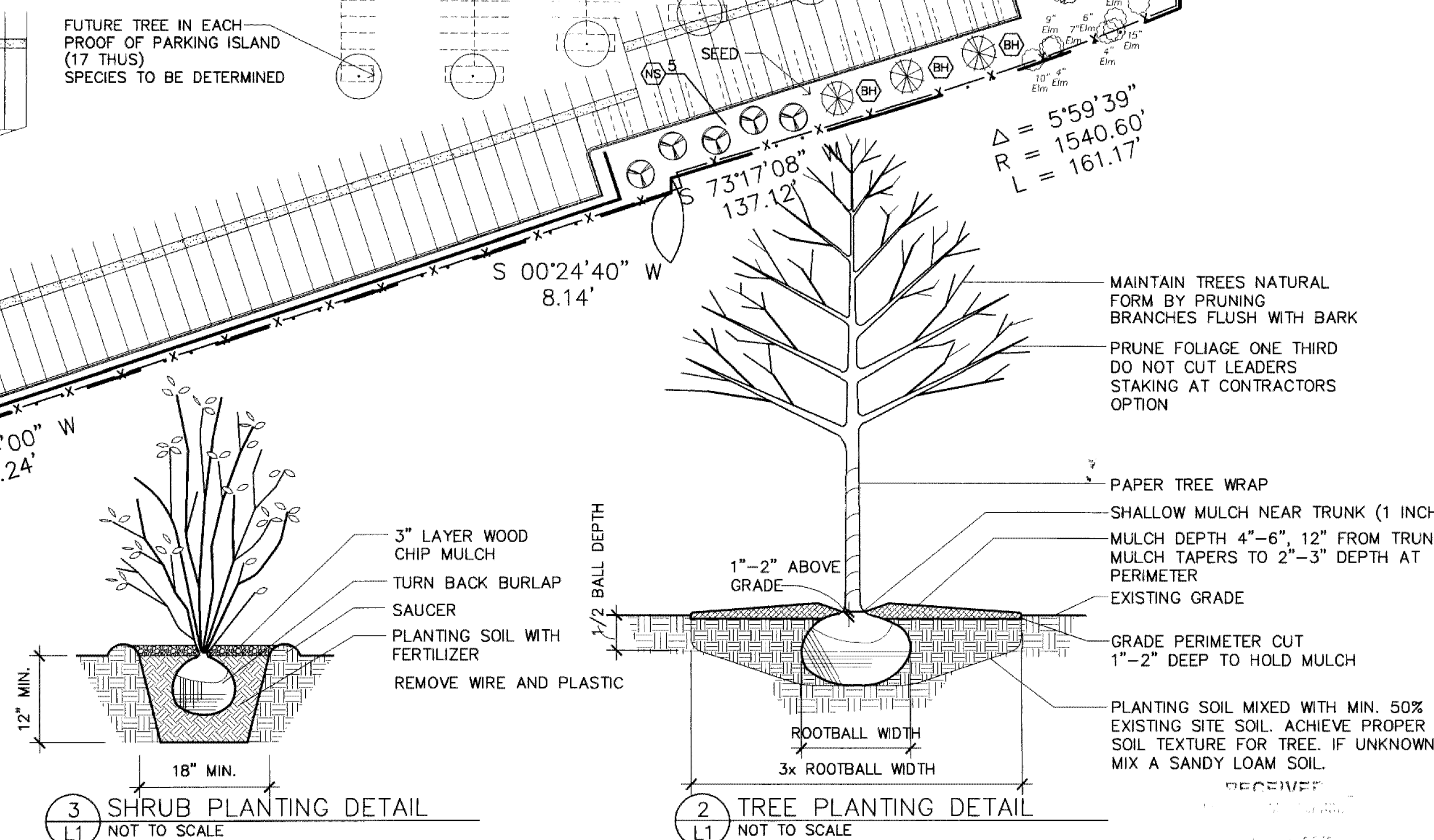
- 1) The site be limited to one detached accessory structure.
- 2) Exterior building materials for the guard house must be approved by the Planning Manager (Sec. 19.63.08);
- 3) Landscape plan, including three foot high solid screening along West 111th Street, be approved by the Planning Manager and landscape surety be filed (Sec 19.52); and
- 4) All rooftop equipment be fully screened (Sec. 19.52.01).

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QTY.	KEY	COMMON NAME	BOTANICAL NAME	SIZE	MTHD	REMARKS
25	AB	AUTUMN BLAZE MAPLE	ACER X FREEMANI 'JEFFERSRED'	2.5"	BB	
32	HL	HONEYLOCUST	GLEDITSIA TRICANTHOS 'NERMIS'	2.5"	BB	
19	WO	WHITE OAK	QUERCUS ALBA	2.5"	BB	
22	RB	RIVER BIRCH	BETULA NIGRA	1.5"	BB	3 TRUNK CLUMP
12	BH	BLACK HILLS SPRUCE	PICEA GLAUCA DENSATA	6"	BB	
14	NS	NORWAY SPRUCE	PICEA ABIES	6"	BB	
25	RS	RED SPLENDOR CRAB	MALUS HYBRIDS	1.5"	BB	
104	RD	RED TWIGGED DOGWOOD	CORNUS BAILEY 'CARDINAL'	24" HIGH	CONT.	
61	GF	GOLD FLAME SPIREA	SPIRAEA X BUMALDA 'GOLDFLAME'	24" HIGH	CONT.	
132	PL	PURPLE LEAF SAND CHERRY	PRUNUS X OSTENA	24" HIGH	CONT.	
156	BJ	BLUE CHIP JUNIPER	JUNIPERUS HOR. BLUECHIP	24" HIGH	CONT.	

- NOTES:
- SEPARATE ROCK MULCH FROM SOD/SEED WITH BLACK VINYL EDGER
 - IRRIGATION SYSTEM DESIGN BE CONTRACTOR
 - SOD OR SEED DISTURBED AREAS ONLY ACCORDING TO SITE PLAN.
 - REQUIRED LANDSCAPING BASED ON 1,611,728 S.F. OF LOT AREA. REQUEST VARIANCE FOR 35% OF CODE MINIMUM QUANTITY DUE TO LIMITED SPACE FOR PLANTINGS FOR ADEQUATE GROWTH.
TREES - 1,611,728 S.F. AT 1/2500 = 645 TREES REQUIRED
x 35% = 226 TREES PROVIDED
77 EXISTING TREES
149 PROPOSED TREES
226 TREES PROVIDED
 - ORNAMENTAL TREES PLANTED 12 FT MIN FROM BUILDING
OVERSTORY TREES PLANTED 15 FT MIN FROM BUILDING
EVERGREEN TREES PLANTED 20 FT MIN FROM BUILDING
 - MAXIMUM PERIMETER LANDSCAPING (105 PERIMETER TREES PROVIDED)
EVERGREENS - 25% MAX = 26
26 EVERGREENS PROVIDED
ORNAMENTALS - 25% MAX = 26
25 ORNAMENTALS PROVIDED
 - PLANTINGS ARE NOT ALLOWED IN THE DRAINAGE AND UTILITY EASEMENTS
- SHRUBS - 1,611,728 S.F. AT 1/1000 = 1,612 SHRUBS REQUIRED
x 35% = 564 SHRUBS PROVIDED
110 EXISTING SHRUBS
454 PROPOSED SHRUBS
564 SHRUBS PROVIDED

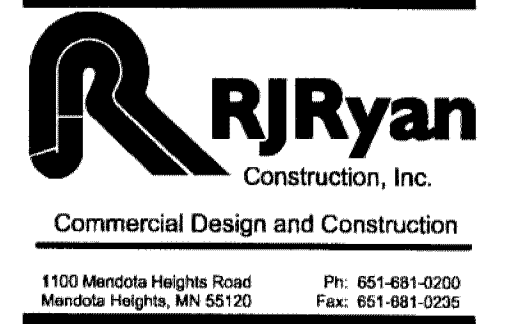


1 LANDSCAPE PLAN
SCALE: 1" = 60'-0"

3 SHRUB PLANTING DETAIL
NOT TO SCALE

2 TREE PLANTING DETAIL
NOT TO SCALE

PRELIMINARY
NOT FOR
CONSTRUCTION



BEST BUY
DISTRIBUTION FACILITY
6201 West 111th Street, Bloomington, MN

Drawn By: JRB
Checked By: LL

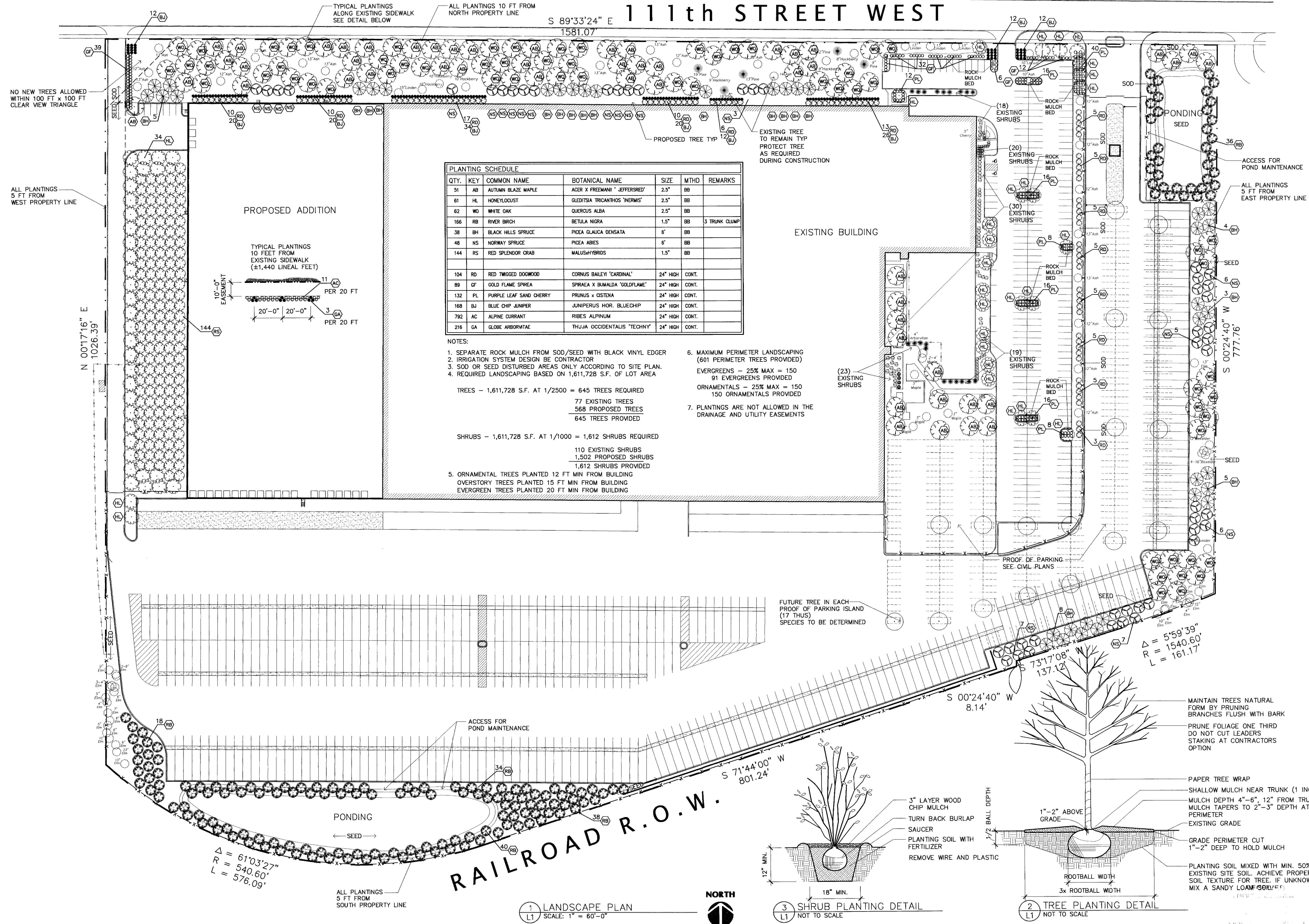
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LANDSCAPE PLAN

Sheet Number

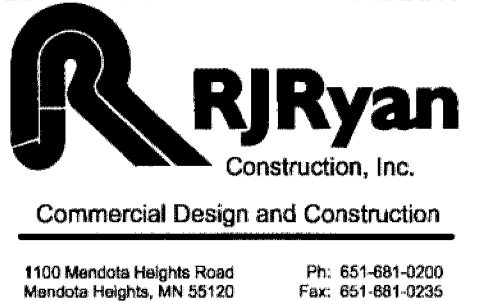
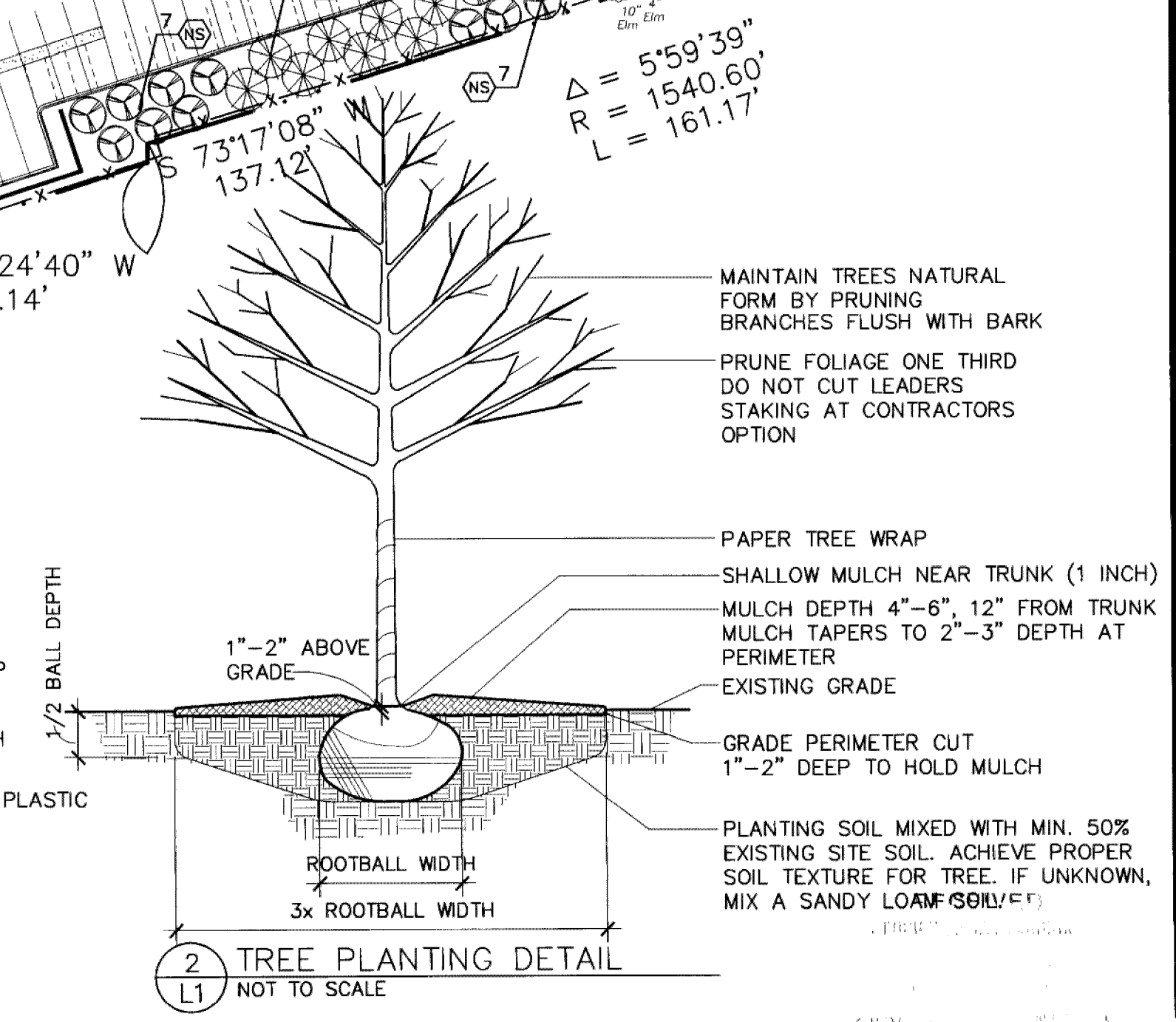
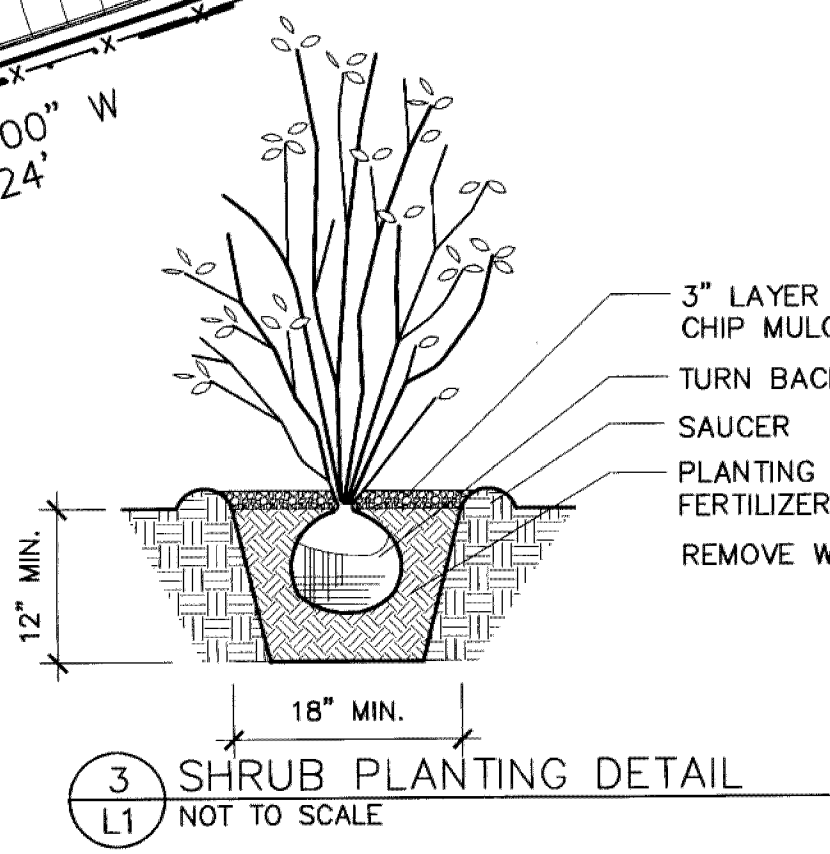
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Project No. 120120-3



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168	BJ	BLUE CHIP JUNIPER	JUNIPERUS HOR. BLUECHIP	24" HIGH	CONT.	
792	AC	ALPINE CURRANT	RIBES ALPINUM	24" HIGH	CONT.	
216	GA	GLOBE ARBORVITAE	THUJA OCCIDENTALIS 'TECHNY'	24" HIGH	CONT.	

- NOTES:
- SEPARATE ROCK MULCH FROM SOD/SEED WITH BLACK VINYL EDGER
 - IRRIGATION SYSTEM DESIGN BE CONTRACTOR
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 - 77 EXISTING TREES
 - 568 PROPOSED TREES
 - 645 TREES PROVIDED
 - SHRUBS - 1,611,728 S.F. AT 1/1000 = 1,612 SHRUBS REQUIRED
 - 110 EXISTING SHRUBS
 - 1,502 PROPOSED SHRUBS
 - 1,612 SHRUBS PROVIDED
 - ORNAMENTAL TREES PLANTED 12 FT MIN FROM BUILDING
OVERSTORY TREES PLANTED 15 FT MIN FROM BUILDING
EVERGREEN TREES PLANTED 20 FT MIN FROM BUILDING
 - MAXIMUM PERIMETER LANDSCAPING (601 PERIMETER TREES PROVIDED)
 - EVERGREENS - 25% MAX = 150
 - 91 EVERGREENS PROVIDED
 - ORNAMENTALS - 25% MAX = 150
 - 150 ORNAMENTALS PROVIDED
 - PLANTINGS ARE NOT ALLOWED IN THE DRAINAGE AND UTILITY EASEMENTS



1100 Mendota Heights Road
Mendota Heights, MN 55120
Ph: 651-681-0200
Fax: 651-681-0235

BEST BUY
DISTRIBUTION FACILITY
 6201 West 111th Street, Bloomington, MN

Drawn By: JRB
Checked By: LL

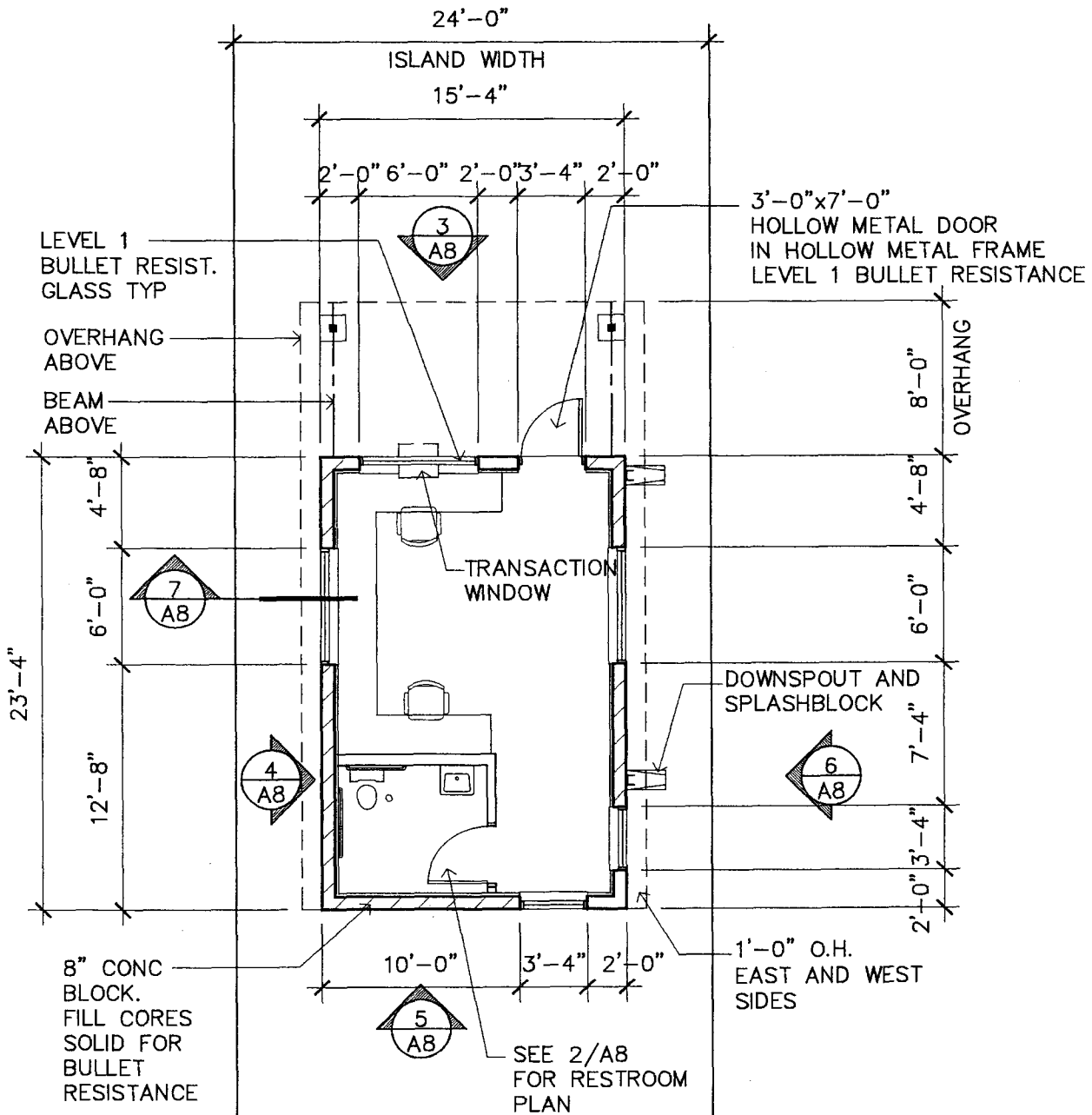
Revisions	
11/2/11	PRELIMINARY
4/10/12	CITY SUBMITTAL
4/24/12	ISSUE FOR BIDS
5/9/12	ISSUE FOR PERMIT

LANDSCAPE PLAN

Sheet Number

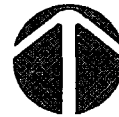
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Project No. 120120-3



1 ENLARGED BUILDING PLAN
A8 SCALE: 1/8" = 1'-0" 358 S.F.

NORTH



PROJECT NAME:

BEST BUY DISTRIBUTION
6201 W 111th St, Bloomington, MN
GUARD HOUSE VARIANCE PLAN

DATE:
5/18/12



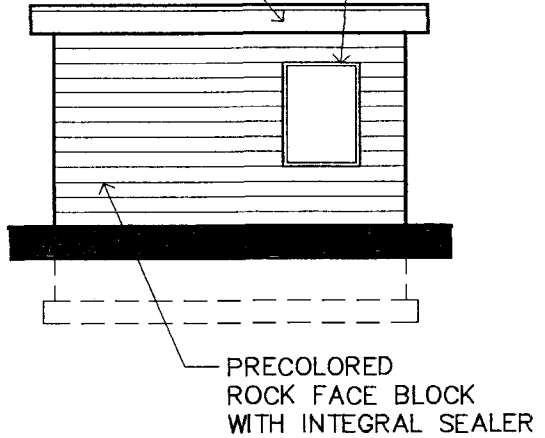
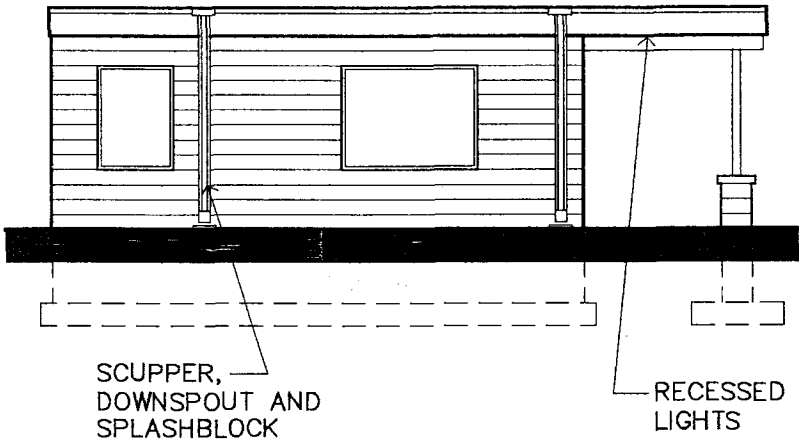
LAMPERT ARCHITECTS

420 Summit Avenue, St. Paul, MN 55102 Phone: 763.755.1211 Fax: 763.757.2849

10532 RC

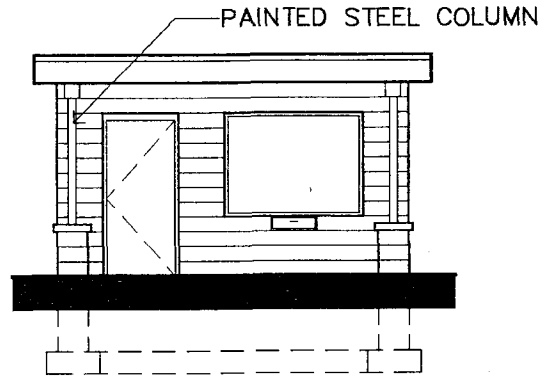
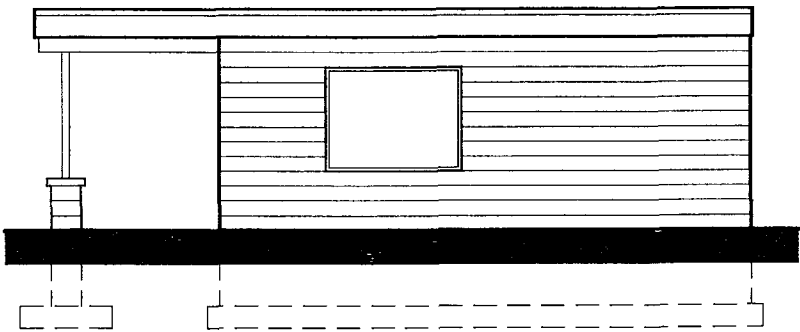
12

ANODIZED ALUMINUM FRAMES
 PREFINISHED METAL



6 EAST ELEVATION
 A8 SCALE: 1/8" = 1'-0"

5 SOUTH ELEVATION
 A8 SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
 A8 SCALE: 1/8" = 1'-0"

3 NORTH ELEVATION
 A8 SCALE: 1/8" = 1'-0"

PROJECT NAME:

BEST BUY DISTRIBUTION
 6201 W 111th St, Bloomington, MN
 GUARD HOUSE VARIANCE PLAN

DATE:
 5/18/12



LAMPERT ARCHITECTS

420 Summit Avenue, St. Paul, MN 55102 Phone: 763.755.1211 Fax: 763.757.2849

1052200

RESOLUTION NO. 2012-_____

A RESOLUTION APPROVING VARIANCES TO REDUCE THE AMOUNT OF LANDSCAPING REQUIRED AND INCREASE THE ALLOWED SIZE OF A GUARD HOUSE FROM 250 SQUARE FEET TO 356 SQUARE FEET AT 6201 WEST 111TH STREET, BLOOMINGTON, MINNESOTA

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington; and

WHEREAS, an application has been filed on behalf of First Industrial, the owner of the premises located at 6201 West 111th Street, and legally described as follows:

Lot 1, Block 2, Nesbitt Industrial Park Addition

For variances from the City Code to reduce the amount of landscaping required and to increase the allowed size of a guard house from 250 square feet to 356 square feet.

WHEREAS, the Bloomington Planning Commission has reviewed said request at a duly called public meeting and recommends approval.

WHEREAS, the City Council is empowered to approve variances to provisions of the City Zoning Ordinance when such variances are in harmony with the general purpose and intent

of the Zoning Ordinance, are consistent with the Comprehensive Plan, and when the applicant has established that there are practical difficulties in complying with the Zoning Ordinance.

WHEREAS, the City Council has considered the report of the City staff, the findings and decision of the Planning Commission, the comments of persons speaking regarding the proposed variances and the factors in Bloomington City Code Section 2.98.01(b)(3)(A), (B), and (C) and has found as follows:

- (A) The variance is in harmony with the general purposes and intent of the ordinance;
 - * The City Code provides thirteen specific goals for landscaping as part of an expansion or development. The applicant proposes landscaping which is less than the minimum trees and shrubs required. The site plan approved for a distribution center limits the ability to provide landscaping without altering the site plan to include larger planting areas. The larger than typical truck access, parking and storage restrict the location for landscaping. The reduction from 645 trees to 290 trees and the reduction from 1,612 shrubs to 564 shrubs on the constrained site is in harmony with the purpose and intent of landscaping standards in the City Code.

- (B) The variance is consistent with the comprehensive plan;
 - * The proposed variance to reduce the landscaping would not have any impact on the implementation of the Comprehensive Land Use Plan.

- (C) The applicant for the variances has established that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone do not constitute practical difficulties. Practical difficulties as used in connection with the granting of the variance, means that:
 - (i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
 - * The variance to reduce the landscaping where a large portion of the site is required for truck access, parking and storage is reasonable. Placing landscaping in the stormwater ponding area or in the truck storage areas would not allow for the needed area to operate the large distribution **center**.

 - (ii) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and

- * Site design and layout are physical circumstances that affect the form and function of a reasonable development that is not a result of a direct action of the applicant. The large site which abuts railroad property on two sides has a high demand for truck access, parking and storage and provides loading docks on the entire south side of the structure limit the Code complying options for landscaping. These are related to the use characteristics of a distribution center which are not created by the landowner.
- (iii) The variance if granted will not alter the essential character of the locality.
- * The requested reduction of on site trees would be an increase in total landscaping on the site as compared to current conditions. A tree survey provided in Case 10532A-12 verified there were over 280 trees on site prior to the start of construction, which was legally non-conforming at 43 percent of the City Code. The variance request would increase the trees to 290 trees. There was no inventory of the shrubs provided although the proposed 564 shrubs will be a notable increase from the existing landscaping. The proposed landscaping would enhance the character of the site.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON IN REGULAR MEETING ASSEMBLED:

- A. That the affirmative findings of the Planning Commission are adopted by the City Council;
- B. That the variances shall expire if not used or applied in accordance with the provisions of City Code Section 19.23.01;
- C. That the requested variances are approved, subject to the following conditions:
 - 1) The site be limited to one detached accessory structure.
 - 2) Exterior building materials for the guard house must be approved by the Planning Manager (Sec. 19.63.08);
 - 3) Landscape plan, including three foot high solid screening along West 111th Street, be approved by the Planning Manager and landscape surety be filed (Sec 19.52); and
 - 4) All rooftop equipment be fully screened (Sec. 19.52.01).

D. That additional variance documents relating to the subject premises will be available for inspection pursuant to Minnesota Statutes Section 462.36, Subd. 1, through the Bloomington City Planning Office.

Passed and adopted this ____ day of _____, 2012.

Mayor

ATTEST:

Secretary to the Council