



Case number:	6688A-10
Address:	9125 Lyndale Avenue (site address) 680 West 92 nd Street (tenant space)
Application type:	Conditional Use Permit for retail sales
Applicant:	Saltwater Empire, LLC

This file will contain the following items as they become available:

1. Agenda information
2. Staff report
3. Location map

Additional information

To receive copies of submitted development applications, supplemental documents, and (in some cases) building and site plans please contact the Planning Division at 952-563-8920 or planning@ci.bloomington.mn.us.

Your comments are important!

If you wish to communicate to the Planning Commission about this agenda item, please include:

- Your name
- E-mail address
- Full mailing address (number, street name, city, state, ZIP)
- Daytime telephone number
- Case file number
- Date of hearing

You may not receive a detailed response to your e-mail, but your comments, if received in time, will be presented to the Planning Commission.

If you wish to send comments via e-mail, write to planning@ci.bloomington.mn.us. Anonymous e-mails will not be forwarded.

Originator Community Development	Item Conditional Use Permit	#	
Agenda Section HEARINGS/PUBLIC INPUT Development Business	By LDP	Approved	Date

Item 1

Case 6688A-10

GENERAL INFORMATION

Applicant: Saltwater Empire LLC, Herman F. Grimm IV

Location: 9125 Lyndale Avenue – Site Address
680 West 92nd Street – Tenant Address

Request: Conditional Use Permit for retail sales

Existing Land Use and Zoning: Office/Warehouse; zoned I-3

Surrounding Land Use and Zoning: North – Office; zoned I-3
East – Industrial; zoned I-3
South – Car wash; zoned I-3
West – Multi-family Residential; zoned R-4

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

PROPOSAL

This application for a Conditional Use Permit for retail sales of coral and aquarium related products allows a use which has operated since 2007 under a Temporary Conditional Use Permit. The company occupies approximately 2,300 square feet, which is mostly showroom area with less than 1,000 square feet used for direct retail sales. The applicant specializes in saltwater fish and coral. Off-street parking is available in existing parking areas on the property.

APPLICABLE REGULATIONS Section 19.33(d)(9)

REQUIRED FINDINGS Section 21.501.04(1), (2), (3), (4) and (5)

Council Action

Motion by _____ Second by _____ to _____

HISTORY

City Council Action: 03/07/07 – Approved a three year temporary conditional use permit for retail sales with one condition.

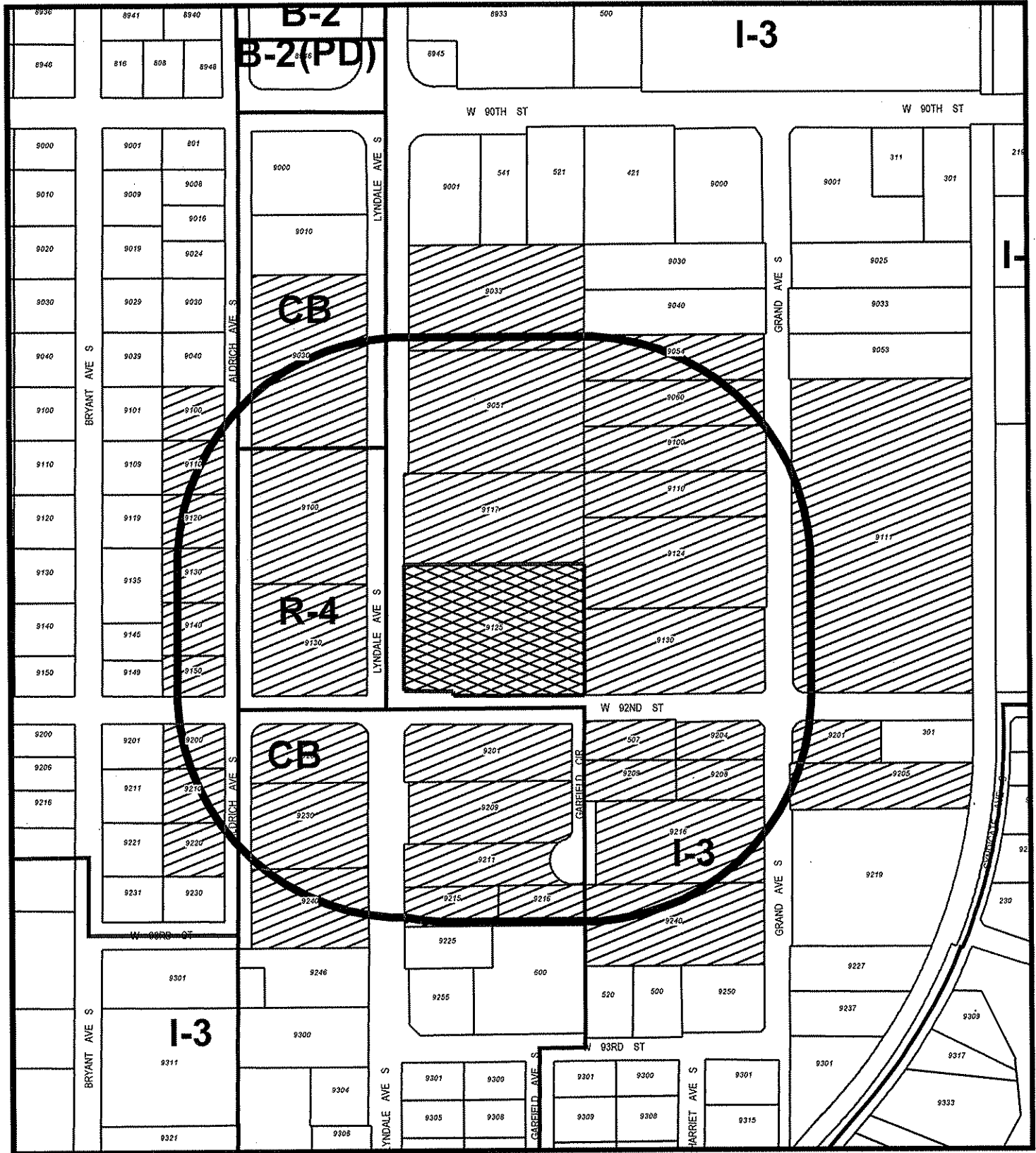
CHRONOLOGY




Planning Commission Agenda: 03/25/10 - Public Hearing scheduled

DEADLINE FOR AGENCY ACTION

Application Date:	02/16/10
60 Days:	04/16/10
Extension Letter Mailed:	No
120 Days:	06/15/10

City of Bloomington Notification Map

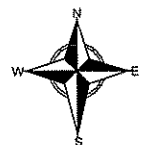


-  Notification Boundary
-  Applicant Property
-  Notified Properties

Zoning District Boundary (Labels Refer to Zoning District)

CASE 6688A-10

(A notice of this application was sent to the registered owner of these properties)



Scale: 1:3600

Plot time: 02/16/2010 15:43:53

Section 21.501.04(e)

... The following findings must be made prior to the approval of a conditional use permit:

- (1) The proposed use is not in conflict with the Comprehensive Plan;
- (2) The proposed use is not in conflict with any adopted District Plan for the area;
- (3) 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; and
- (5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

Saltwater Empire – Coral Farm & Saltwater Aquarium Store / Service

Saltwater Empire has been operating in Bloomington, MN for two years now. We have become one of the premier saltwater reef and fish stores in the United States. Our sales are up 35% in 2009 and our bank account remains in the green. We expect to grow at 10% a year from here. Our future plans prospect obtaining more space for expanded online sales and / or a maintenance division. We look forward to doing business in Bloomington for a long time to come.

.....

Saltwater Empire is the Twin Cities Center for reefkeeping. "Reefkeeping" is done in specialized aquariums with specialized equipment. Our business model focuses on passing on information. We creating a comfortable environment where customers can come together to trade stories, used equipment and home grown corals (corals are simple animals whose skeletons build the reef. They grow plants inside their "skin", so we think of them and treat them like plants. You may think of them as orchids of the sea). Inevitably information giving results in sales as we grow and stock a very unique inventory list continently available for the excited aquarist.

While our traffic is much lower than a typical aquarium store, and much less than a typical pet store, our average transaction is much higher; 90% of people who walk through the door make purchases. We never have more cars than can fit in front of our building, other than during some special weekend promotions. Of course, many of our sales are made off site and online.

If you have any questions please visit our website or call me directly.

Thank you,

Fritz Grimm – Owner – 952-210-1650

SWEmpire.com – Sales@SWEmpire.com

Lyndale 92 Properties, LLC
c/o Dale Simonson
3400 Gulf Shore Blvd. N., Apt O-1
Naples, FL 34103

January 11, 2010

Saltwater Empire, LLC
Attn: Herman F. Grimm IV
10309 Drew Avenue

Bloomington, MN 55431

Dear Mr. Grimm:

Lyndale 92 Properties, LLC is the fee title holder for the Lyndale 92 building. This letter is to consent for you and / or Curt Delegard or your agent to apply for and accept a City of Bloomington permanent conditional use permit for the space your company occupies in the subject building.

Sincerely,



Dale A. Simonson
General Manager
Lyndale 92 Properties, LLC

cc: City of Bloomington (Case 6688A-07)

Curt Delegard

Saltwater Empire Contact Sheet for City of Bloomington

Fritz Grimm – Owner – 952-210-1650
10309 Drew Avenue South, Bloomington, MN 55431

Li Cai – Manager – 952-838-0174 (store)
680W. 92nd Street, Bloomington, MN 55420

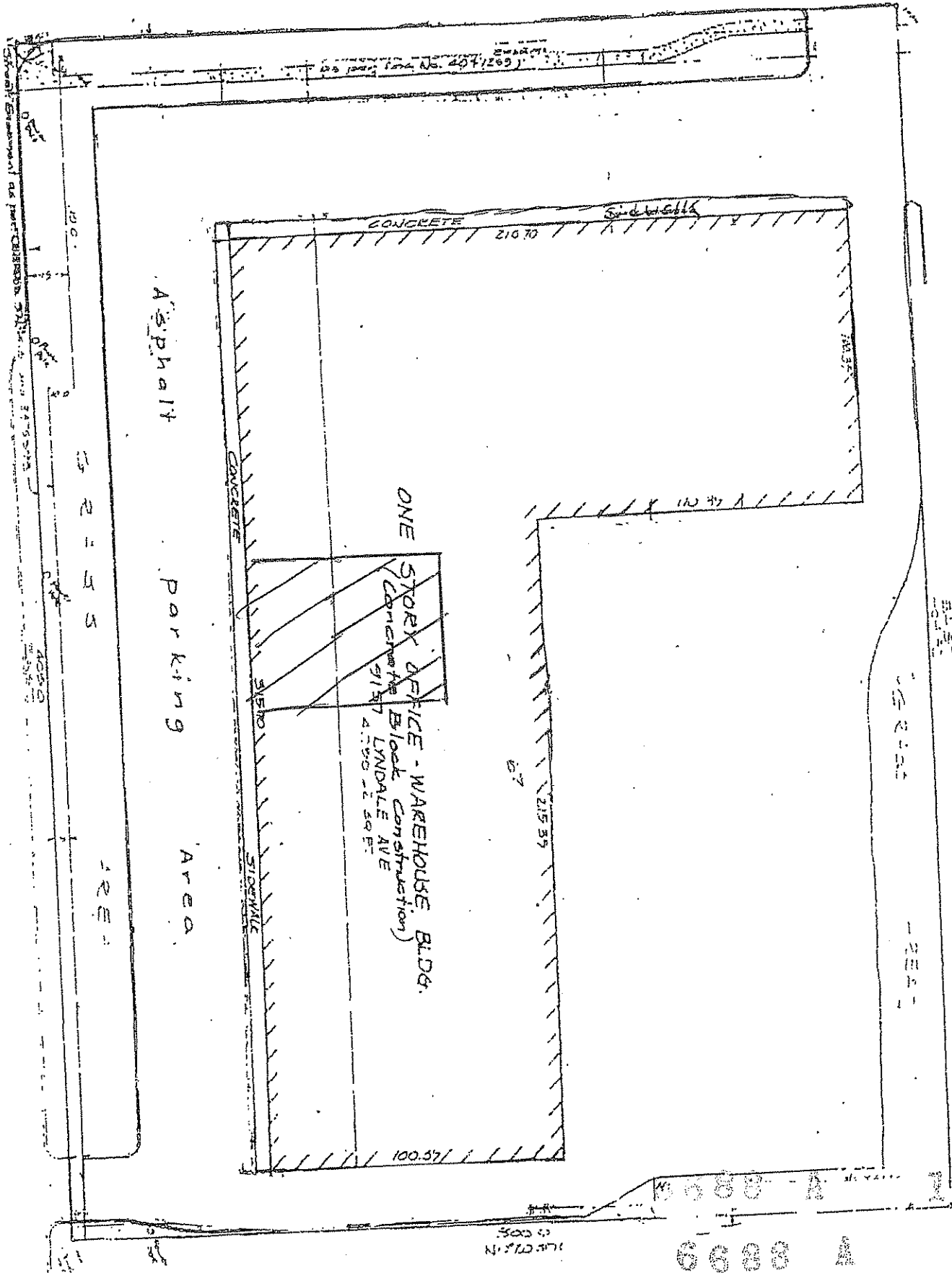
Delegard Tool Co. – Building Owners
205 East 78th Street, Bloomington, MN 55420
Duane Delegard 952-881-8683 X 505
Curt Delegard 952-881-6656 X 506

Ben Merriman – Building Manager
612-720-9213
bmerriman@centercompanies.com

Ken Jarcho – Insurance
9052 Lyndalle Avenue South
Bloomington, MN 55420
952-884-2358

Christine Kaehler - Fritz' Banker – Wells Fargo
612-667-4868
Christine.A.Kaehler@WellsFargo.com
90 South Seventh Street
Minneapolis, MN 55402

LYNDALE AVENUE SOUTH
 (66 foot wide asphalt roadway)
 (public street)



6688 A 10
 6688 A 07

CITY OF BLOOMINGTON
Division of City Planning
REPORT TO THE PLANNING COMMISSION
March 25, 2010

Item 1

Case 6688A-10

GENERAL INFORMATION

Applicant: Saltwater Empire
(Case 6688A-10)

Location: 9125 Lyndale Avenue South (Tenant space - 680 West 82nd Street)

Request: Conditional Use Permit for retail sales

PROPOSAL

This Conditional Use Permit application allows for retail sales of coral and aquarium related products in an existing office/warehouse zoned Industrial. The use has operated since 2007 under a Temporary Conditional Use Permit. The use occupies approximately 2,300 square feet of total floor area, which is mostly showroom area with less than 1,000 square feet used for direct retail sales. The applicant specializes in saltwater fish and coral. Off-street parking is available in existing parking lot immediately adjacent to the primary entrance.

ANALYSIS

The business leases approximately 2,300 square feet within the one story, 42,500 square foot building. The applicant has experienced growth and anticipates the desire to expand in the future. The applicant seeks approval for up to 1,200 square feet of additional space be allowed in the future. Staff recommends that a condition would allow the Planning Manager to review and approve expansion not to exceed a total of 3,500 square feet.

The low intensity retail sales activity has a low traffic generation which is similar to an office use. Retail sales are an important part of the permitted wholesale/service business. Available on-site parking along the west and south sides of the building is more than adequate to serve parking demand. Additional parking is provided at the rear (north side) of the building. There are no proposed changes to the property as part of this application. Staff supports the issuance of a conditional use permit for limited retail sales of aquatic pets and supplies at this location.

FINDINGS

Section 21.501.04(e)(1),(2),(3),(4) and (5) -- The following findings must be made prior to the approval of a conditional use permit:

(1) The proposed use is not in conflict with the Comprehensive Plan;

- * The applicant specializes in the manufacturing, distribution and sale of products which are not generally sold in a traditional retail setting. The use is compatible with office uses and would not be in conflict with the Comprehensive Plan.

(2) The proposed use is not in conflict with any adopted District Plan for the area;

- * The property not is subject to any adopted District Plan.

(3) The proposed use is not in conflict with City Code provisions;

- * Since 2007, the applicant has operated in compliance with all City Code provisions. The business license and conditions of approval would provide assurance of continued compliance.

(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; and

- * Low volume and specialty retail sales do not have an adverse impact on any parks, school, streets and utilities.

(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

- * Low volume and specialty retail sales have not nor are anticipated to be injurious to the surrounding neighborhood or harmful to the public health, safety, and welfare.

RECOMMENDATION

In Case 6688A-10, Staff recommends approval of a Conditional Use Permit for retail sales of aquatic pets and supplies at 9125 Lyndale Avenue South (Tenant space - 680 West 82nd Street) subject to the following conditions:

- 1) The retail sales be limited to aquatic pets and supplies;
- 2) License as required in City Code Section 14.305 be obtained; and
- 3) The gross floor area of business nor the floor area devoted to the retail sales (activity) be increased without approval by the Director of Community Development.

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