



Case number:	10769ABCD-07
Address:	9508 and 9538 Lyndale Avenue and 710 West 96 th Street
Application type:	1)Rezone from CB Central Business Zoning District to B-2(PD) General Business (Planned Development) Zoning District for a New multi-tenant credit union/retail facility (Case 10769A-07) 2)Preliminary and Final Development Plan for a new multi-tenant credit union/retail facility (Case 10769B-07) 3)Conditional use permit for a restaurant (Case 10769C-07); and 4)Preliminary and Final Plat of Richfield Bloomington Credit Union addition combine three lots into one lot (Case 10769D-07)
Applicant:	Richfield Bloomington Credit Union

This file contains the following items:

1. Agenda information
2. Staff report
3. Site Plan
4. 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.

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Originator Community Development	Item Rezoning, Preliminary and Final Development Plan, Conditional Use Permit and Plat	#
Agenda Section HEARINGS/PUBLIC INPUT Development Business	By LDP	Approved Date

Item 3

Case 10769AB-07

GENERAL INFORMATION

Applicant: Richfield Bloomington Credit Union

Location: 9508 and 9538 Lyndale Avenue South and 710 West 96th Street

Request:

- 1) Rezone from CB Central Business Zoning District to B-2(PD) General Business (Planned Development) Zoning District for a new multi-tenant credit union/retail facility (Case 10769A-07)
- 2) Preliminary and Final Development Plan for a new multi-tenant credit union/retail facility (Case 10769B-07)
- 3) Conditional use permit for a restaurant (Case 10769C-07); and
- 4) Preliminary and Final Plat of Richfield Bloomington Credit Union addition combine three lots into one lot (Case 10769D-07)

Existing Land Use and Zoning: Vacant service station, service station and office/warehouse; zoned CB

Surrounding Land Use and Zoning: South, North and West – Restaurant/office/warehouse/exterior storage; zoned I-3 and CB
East – Restaurant and retail; zoned CB

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

PROPOSAL

These applications are to allow redevelopment of three properties totaling 123,957 square feet into a multi-tenant commercial development. The proposed two-story development would include a financial institution, office and retail uses and up to two restaurants. The site would be accessed from West 96th Street at Aldrich Avenue and at Lyndale Avenue at West 95th Street. A one-way drive aisle along the north side of the property provides access to a restaurant drive-through window and to three bank teller and one ATM drive-through lanes. A total of 110 parking spaces with 25 foot wide drive aisles are proposed on the east and south sides of the building.

Council Action

Motion by _____ Second by _____ to _____

QUALITY SERVICES - AFFORDABLE PRICE

The 51,000 square foot triangle shaped building first floor and basement floor area would be approximately 16,000 square feet each with a 19,000 square foot second level. The lower level would provide storage space and an employee lounge. The second level would extend over the drive-through canopy to the southwest and the outdoor seating area to the northeast. The building materials are split-face stone and prefinished composite metal panels. The building would be 45 feet high at the southeast corner with a roof-line sloping downward to the north and west to a height of 27 feet. A parking lot setback of 25 feet is provided along Lyndale Avenue and 20 feet along West 96th Street. The building would be setback 101 feet along Lyndale Avenue, 96 feet along West 96th Street and a rear yard setback of 54 feet.

Richfield Bloomington Credit Union would occupy a majority of the basement second level and the west side of the structure with the main entrance at the southeast corner of the building. All other tenant spaces would front and be accessed from the east, along Lyndale Avenue. A new 8 foot wide sidewalk along Lyndale Avenue and a 6 foot sidewalk along West 96th Street would be constructed in the 10 foot sidewalk easement. Storm water management is provided via an underground system at the southwest side of the property.

As part of the proposal, the applicant would dedicate right-of-way 50 feet from centerline along Lyndale Avenue and 30 feet from centerline for West 96th Street. A preliminary and final plat combining the parcels is provided.

APPLICABLE REGULATIONS

- 1) Section 21.204.02 – General Commercial District
- 2) Section 19.38.01 -- Planned Development (PD) Overlay District
- 3) Section 21.209 – Use Tables
- 4) Chapter 16 -- Subdivision Regulations

REQUIRED FINDINGS

- 1) None
- 2) Section 19.38.01(e)(5)(A),(B),(C),(D),(E),(F),(G) and (H)
- 3) Section 19.22(2)(A),(B),(C),(D),(E),(F),(G), (H) and (I)
- 4) Section 16.05.01(e)(1), (2), (3), (4), (5), (6) and (7)

CHRONOLOGY

Planning Commission Agenda: 12/06/07 - Public Hearing scheduled

DEADLINE FOR AGENCY ACTION

Application Date: 10/31/07
60 Days: 12/29/07
Extension Letter Mailed: No
120 Days: 2/27/08

Item 3

GENERAL INFORMATION

Applicant: Richfield Bloomington Credit Union

Location: 9508 and 9538 Lyndale Avenue South and 710 West 96th Street

Request: 1) Rezone from CB Central Business Zoning District to B-2(PD) General Business (Planned Development) Zoning District for a new multi-tenant credit union/retail development (Case 10769A-07)
2) Preliminary and Final Development Plan for a new multi-tenant credit union/retail development (Case 10769B-07)
3) Conditional use permit for a restaurant (Case 10769C-07); and
4) Preliminary and Final Plat of Richfield Bloomington Credit Union Addition combine three lots into one lot (Case 10769D-07)

PROPOSAL

These applications are to allow redevelopment of three properties totaling 123,957 square feet into a multi-tenant commercial development. The proposed two-story development includes a financial institution, office and retail uses and up to two restaurants. The site would be accessed from West 96th Street at Aldrich Avenue and at Lyndale Avenue at West 95th Street. A one-way drive aisle along the north side of the property provides access to a restaurant drive-through window and to three bank teller and one ATM drive-through lanes. A total of 110 parking spaces with 25 foot wide drive aisles are proposed on the east and south sides of the building.

The 51,000 square foot triangular shaped building would have first floor and basement floor areas of approximately 16,000 square feet each with a 19,000 square foot second floor. The lower level would provide storage space and an employee lounge. The second level would extend over the drive-through canopy to the southwest and the outdoor seating area to the northeast. The building materials are split-face stone and prefinished composite metal panels. The building would be 45 feet high at the southeast corner with a roof-line sloping downward to the north and west. A 25 foot parking lot setback is provided along Lyndale Avenue and 20 feet along West 96th Street. The building would be setback 101 feet along Lyndale Avenue, 96 feet along West 96th Street and a rear yard setback of 54 feet.

Richfield Bloomington Credit Union would occupy a majority of the basement, the second level and the west side of the first floor with the main entrance at the southeast corner of the building. All other tenant spaces would front and be accessed from the east, along Lyndale Avenue. A new 8 foot wide sidewalk along Lyndale Avenue and a 6 foot sidewalk along West 96th Street would be constructed in the 10 foot sidewalk easement. Storm water management is provided by an underground system at the southwest side of the property.

As part of the proposal, the applicant would dedicate right-of-way to 50 feet from centerline along Lyndale Avenue and to 30 feet from centerline from West 96th Street. A subdivision application combining the parcels has been submitted.

ANALYSIS

Rezoning from CB to B-2(PD) is requested to allow a multi-tenant retail commercial use at this location. The General Commercial District (B-2), according to the City Code, is designed to provide for a wide variety of retail and other commercial uses essential to support surrounding neighborhoods. The B-2 District provisions are intended to:

- (1) Ensure locations distributed throughout Bloomington are available for needed retail and commercial uses, including auto-oriented uses; and
- (2) Provide flexible building and parking placement standards to serve a variety of use types and parcel sizes.

The B-2 Community Commercial District is a zoning classification that allows the proposed uses and is a suitable location. The 124,764 square foot property (after dedication for West 96th Street and Lyndale Avenue) exceeds the 25,000 square foot minimum district area requirements. The proposed two story, 51,000 square foot building exceeds the minimum 3,000 square foot building size. The proposed Floor Area Ratio (FAR) of 0.4 is below the maximum permitted FAR of 0.5. The proposed request to rezone the property for proposed development would be an appropriate rezoning reclassification.

Site Arrangement

The Progressive Rail trackage to the north, Lyndale Avenue to the east and 96th Street to the south border the 2.86 acre triangular shaped site. The building location is affected by lot configuration and the desire to provide drive-through services on the property. The proposed building reflects the parcel's shape with access around the building. The proposed dimensional and other performance requirements for development in the B-2 zone are shown in Table 1.

Table 1: Dimensional Requirements for the Richfield Bloomington Credit Union Site (B-2)

Setback Location	Required	Proposed
Front Yard – Lyndale Avenue	35 feet	100 feet
Front Yard – West 96 th Street	35 feet	95 feet
Rear Yard – North (No side yard provided)	15 feet	53 feet
Maximum Impervious Surface Coverage	90 %	81 %
Parking / Access - Along West 96 th Street	20 feet	20 feet
Parking / Access - Along Lyndale Avenue	20 feet	25 feet
Parking / Access - North (rear) Yard	5 feet	16 feet

The development, as proposed, provides for the maximization of the building by utilizing an underground storm water rate and quality control. The applicant is not seeking a reduction of the required setbacks as allowed by the provisions of the Planned Development Overlay District.

Access, Circulation and Parking

The applicant proposes closure of three of the four curb-cuts along Lyndale Avenue retaining full access at West 95th Street. The City Engineer has not received adequate information to support full access at 95th Street and Lyndale Avenue. There are engineering design issues with the off-set of the intersection, acute turn angles (less than 90 degrees) and the staging of the traffic signal at this location. The City Engineer recommended limited access to Lyndale Avenue. The City Traffic Engineer has provided a memo and third party study of Lyndale Avenue access which has two alternatives for consideration. Staff recommends limited access at 95th Street or Lyndale Avenue be provided as approved by the City Engineer. Full access would be provided at West 96th Street.

The applicant would close the four existing curb-cuts along West 96th Street and request a new access lined up with Aldrich Avenue to the south. The interior circulation includes a one way circulation drive on the north which provides access to the credit union drive-through windows to the west side of the property and to the restaurant drive-through window on the north. The south and east side of the development would be fronted with parking along a single two-way drive aisle. Interior circulation is designed with 25 foot isles with turn radiuses to allow truck access and circulation.

The proposed parking layout provides an appropriate orientation of the parking field to building entrances. The City Code requires 187 parking spaces, as shown in Table 2. This assumes up to 1,872 square feet of the retail space would be occupied by up to two restaurants with no more than 40 total seats. The applicant provides 110 parking spaces which is a 41 percent reduction as part of the Planned Development. This level of reduction is not supported by staff. A reduction of 25 percent could be supported with the proposed mix of uses and the implementation of a parking management plan for the credit union operations. Staff recommends the applicant provide a minimum of 145 on-site parking spaces for the proposed uses.

Table 2: Parking Requirements for the Richfield Bloomington Credit Union Site

Use	Size	City Code	Spaces Required
Retail Sales	4,350 SF	1 per 180 SF	25 Spaces
Restaurants (2)	40 seats (1,872 SF)	1 per 2.5 seats	16 Spaces
Bank	5,120 SF	1 per 240 SF	22 Spaces
Office/Common	19,658 SF	1 per 285 SF	70 Spaces
Assembly Room	54 seats	1/3 rd capacity	18 Spaces
Lower Level	16,000 SF	1 per 1,000 SF	16 Spaces
Call Canter	2,000 SF	1 per 100 SF	20 Spaces
TOTAL PARKING REQUIRED			187 spaces

Loading/Trash Storage

A shared trash collection and storage room is centrally located along the north side of the building. The 500 square foot room is adequate providing the room is dedicated to trash and recycling collection and storage only. Additional; space may be required for the restaurant uses, depending on the final tenant combination.

Staff is concerned about the deliveries and loading and unloading for each use. As designed, deliveries appear to be in front of each store or at the rear of the property, which either location would block a drive lane or parking. Deliveries should be limited to off-peak hours or space for delivery vehicles be provided.

Utility Services

Existing water and sanitary sewer lines provide utility services to the development. An 8-inch sanitary sewer line is located in West 96th Street and a 9 inch sanitary sewer line is located in Lyndale Avenue. Both lines connect into a 48 inch sanitary sewer mainline that extends east to west along the entire north side of the property. The existing 8 inch water line in West 96th Street and 16 inch waterline in Lyndale Avenue would provide looped water service to the site. Review and approval from the Nine Mile Creek Watershed District will be required for the project. All existing on site utilities not in service must be removed rather than abandoned.

With regard to storm water management, the applicant proposes an underground storm water rate and quality control system at the southwest corner of the property. The applicant has provided drainage calculations for review by the City Drainage Engineer. Should the proposed storm water management system not be adequate to meet the requirements for storm water quality and quantity control, the retention system must be resized in a manner to assure compliance. Grading, drainage, utility and erosion control plans will be reviewed by the City Engineer prior to the issuance of any permits for the proposed project. Adjustments to the size and location of the underground storm water rate and quality control system must also be approved by the Planning Manager as this will impact landscaping. The applicant proposes a 6 foot high Cedar fence along the north property line.

Landscaping, Screening and Lighting

The applicant has submitted a landscaping plan but has not submitted parking lot lighting photometrics for review. The applicant proposes a 15 foot landscaped yard along West Lyndale Avenue and a 10 foot landscaped yard along West 96th Street. No over story landscaping is proposed along the north property line as this is the location of the 48 inch sanitary sewer line. The provision of a landscaped yard is supplemented by landscaped parking islands and deciduous and evergreen tree plantings throughout the site.

The applicant has not submitted a photometric lighting plan for review. The applicant shall meet the requirements in Section 19.54 with regard to parking lot lighting. A light source shall also be provided at each entrance into the building for security purposes.

Building Architecture and Exterior Building Materials

Architecture and site design considerations were major topics of pre-submission meetings between the applicant and City staff. This is a large structure that will have a significant visual impact for the area. The proposed materials are a combination of split face stone, glass and prefinished metal panels. The height of the two-story building is 45 feet at the highest elevation.

Details of rooftop equipment and were not included in the plans, and all rooftop mounted equipment must be screened from views from off the property. Further, any ground mounted mechanical equipment must be properly screened from views from off the site.

Signage

The applicant proposes a freestanding sign at the corner of West 96th Street and Lyndale Avenue and several directional signs on the property. Some of the directional signs are in public right-of-way which is not permitted. Area for wall signs for the primary tenant and the retail tenants. No sign band is identified for the second story office tenants. All signs shall comply with the City Code and a Uniform Sign Design shall be submitted and approved for all signs on the property.

The proposed signage remains in non-compliance with the City Code and will require modification. A uniform sign design must be submitted for review and approval prior to any sign permits being issued for the project.

Additional comments

The proposed development is a single phase redevelopment of several nonconforming properties. Dedication of right-of-way essential to complete planned transportation improvement projects is provided. The applicant seeks deviations under the Planned Development for landscaping and parking. The proposed redevelopment of a heavily blighted area is supported by staff, with conditions.

FINDINGS

The Planning Commission and the City Council shall find the following prior to the approval of preliminary development plans or final development building plans:

- (A) The planned development is not in conflict with the Comprehensive Plan.
 - There would be no conflict between the proposed development and the Comprehensive Plan.
- (B) The planned development is not in conflict with any adopted district plan.

- The planned development is not in conflict with any adopted Oxboro Redevelopment Plan which designates the area for commercial uses.
- (C) The planned development is not in conflict with the intent of the primary zoning district.
- Subject to the proposed rezoning, the planned development is not in conflict with the intent of the primary zoning district requested.
- (D) The planned development is not in conflict with other applicable provisions of the City Code, subject to the provisions of Section 19.38(c).
- The planned development is not in conflict with the provisions of the City Code.
- (E) The planned development or unit thereof is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit.
- The planned development is sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit without dependence upon any subsequent unit.
- (F) The planned development 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.
- The planned development will not create an excessive burden on streets and other public facilities serving or proposed to serve the planned development.
- (G) The planned development will not have an undue and adverse impact on the reasonable enjoyment of neighborhood property.
- The planned development will not have an undo and adverse impact on the reasonable enjoyment of neighborhood property if planned roadway improvements are completed.
- (H) That any variation from strict application of the primary zoning district provisions in the planned development are not in conflict with the intent of the Planned Development Overlay District and are justified by the design of the proposed development.
- The rezoning as proposed is justified by the design of the proposed development and is in conflict with the intent of the Planned Development Overlay District.

RECOMMENDATION

In Case 10769ABC-07, Staff recommends approval of rezoning from CB to B-2(PD), preliminary and final development plan for a financial institution and retail shopping uses and a Conditional Use Permit for up to two restaurants located at 9508 and 9538 Lyndale Avenue South and 710 West 96th Street subject to the following conditions be satisfied prior to the issuance of any grading, foundation or building permits:

- 1) A site development agreement including all conditions of approval be executed by the applicant and the City and proof of filing be provided to the Manager of Building and Inspection;
- 2) Modify access at 95th Street and Lyndale Avenue as directed by the Public Works Department.
- 3) A minimum of 145 off-street parking spaces be provided;
- 4) Temporary street signs, lighting, and addresses shall be provided during construction;
- 5) The revised Grading, Drainage, Utility, Erosion Control and Construction Traffic Control plans be approved by the City Engineer;
- 6) An Erosion Control Bond shall be provided prior to the issuance of permits;
- 7) Erosion control measures be in place prior to issuance of grading permits and be maintained until all disturbed areas are stabilized and removal has been approved by the City Engineer;
- 8) Access, circulation and parking plans be consistent with approved plans as approved by the City Engineer;
- 9) A Storm water Maintenance Plan shall be provided and shall include:
 - a) Storm water rate control, volume control and water quality treatment which meets the requirements of the Bloomington Comprehensive Surface Water Management Plan (CSWMP);
 - b) Maintenance Schedule/Plan for Storm water BMP signed by property owner and to be filed on record with Hennepin County. Proof of filing shall be submitted to Engineering.

and subject to the following additional conditions of approval:

- 10) A Transportation Demand Management (TDM) Plan, including trip reduction alternatives and programs, shall be submitted prior to the occupancy of the building;
- 11) A minimum of 10 bicycle parking spaces shall be provided, as approved by the City Engineer;
- 12) Alterations to utilities be at the developer's expense;
- 13) Up to two restaurants totaling a minimum of 1,800 square feet and containing no more than 40 seats shall be permitted.
- 14) Sidewalks shall be constructed in a new sidewalk/bikeway easement at the developer's expense;
- 15) Sewer Availability Charge (SAC) be satisfied;
- 16) All pickup and drop-off, loading and unloading and parking occur on site and off of public streets;
- 17) The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy;

and subject to the following Code requirements:

- 1) NPDES construction site permit and Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the issuance of permits. The SWPPP shall include the name and phone number of the party responsible for erosion control;

- 2) Connection charges shall be satisfied prior to issuance of utility permits;
- 3) Nine Mile Creek Watershed District Permit and comments shall be submitted to the Engineering Division;
- 4) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit shall be provided prior to the issuance of permits;
- 5) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 6) Exterior building materials shall be approved by the Planning Manager (Sec. 19.63.08);
- 7) All rooftop equipment be fully screened (Sec. 19.52.01);
- 8) All trash and recyclable materials be stored and screened inside the principal building. (Sec. 19.51);
- 9) Recyclable materials shall be separated and collected (Sec. 10.45);
- 10) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands;
- 11) Building shall 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);
- 12) Fire lanes be posted as approved by the Fire Marshal (Sec. 8.73);
- 13) All unused water services shall be properly abandoned, per Section 11.15 of the Bloomington City Code;
- 14) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (Sec. 6.20, Uniform Fire Code Ch. 10.301-C);
- 15) Food service plans be approved by the Environmental Services Division (Sec. 14.360);
- 16) Parking lot and security lighting shall satisfy the requirements of Section 19.54 of the City Code;
- 17) A Uniform Sign Design in conformance with the requirements of Chapter 19, Article X of the City Code shall be approved by the Planning Manager and all signage be in conformance with the requirements of Chapter 19, Article X of the City Code.

In Case 10769D-07, Staff recommends approval of a preliminary and Final Plat of Richfield Bloomington Credit Union addition 9508 and 9538 Lyndale Avenue South and 710 West 96th Street subject to the following conditions:

- 1) The approved Final Plat shall be filed with Hennepin County and a certified copy shall be provided to the Engineering Division prior to the issuance of building permits.
- 2) Title opinion or title commitment dated within the past 6 months shall be provided.
- 3) A 10-foot sidewalk/bikeway easement, by document, shall be provided along all street frontages.
- 4) A Deed of Access Rights (non-access) shall be provided along Lyndale Avenue in locations as determined by the City Engineer.
- 6) Park dedication shall be paid in cash prior to filing the plat with Hennepin County.
- 7) A drainage and utility easement shall be dedicated along the northwesterly property line as follows: the northwesterly 33' to the intersection of underlying Tract A and angling out to 42' at the intersection with the new southerly property line, as approved by the City Engineer.

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