



# Development Review Committee

## Approved Minutes

Pre-Application, PL201700278

Meeting Date: December 27, 2017

McLeod Conference Room

Bloomington Civic Plaza

1800 West Old Shakopee Road

### Staff Present:

Laura McCarthy (Fire Prev, Chair) 952-563-8965

Randy Quale (Park & Rec) 952-563-8876

Duke Johnson (Bldg & Insp) 952-563-8959

Jen Desrude (Eng.) 952-563-4862

Sue Hults Sellnow (Eng.) 952-563-4628

Travis Schlangen (Utilities) 952-563-8775

Kent Smith (Assessing) 952-563-8707

Heidi Miller (Police) 952-563-4975

Londell Pease (Planning) 952-563-8926

Glen Markegard (Planning) 952-563-8923

Eric Wharton (Utilities) 952-563-4579

### Project Information:

Project	Cecilia Circle Place of Assembly
Site Address	6301 Cecilia Circle
Plat Name	NINE MILE WEST 2ND ADDITION;
Project Description	Conditional Use Permit for a place of assembly in the I-2 zoning district.
Application Type	Conditional Use Permit
Staff Contact	Nick Johnson - nmjohnson@BloomingtonMN.gov (952) 563-8925
Applicant Contact	Laura Moore - (952) 212-2788 lmoore@platinumproperties.com
Post Application DRC	NO

### Guests Present:

Name	Email
Zac Bush, Westwood Community Church	<a href="mailto:zac.bush@westwoodcc.org">zac.bush@westwoodcc.org</a>
Tim Remington, Westwood Community Church	<a href="mailto:tim.remington@westwoodcc.org">tim.remington@westwoodcc.org</a>
Laura Moore, Platinum Property Group	<a href="mailto:lmoore@platinumproperties.com">lmoore@platinumproperties.com</a>
Jay Moore, Oppidan, Inc.	<a href="mailto:Jay@oppidan.com">Jay@oppidan.com</a>

**INTRODUCTION – Londell Pease:**

- A Conditional Use Permit for a 36,075 sq. ft. place of assembly with multiple uses on the south half of the structure. Approximately 35,000 sq. ft. in the building will be reserved for a future tenant through sub-lease. Tenant is not secured at this point, but a review subject to approval would be necessary once a tenant is identified to address parking concerns. Church area will contain a youth room, worship center, volunteer room, nursery, large commons area, all consistent to what is generally seen in places of assembly in warehouse spaces.
  - Mr. Remington: Main use for the facility would be on Sundays. The worship center will be configured for about 400 seats. 3,000 sq. ft. will be used for production support which would include technology rooms, a green room, and staging. The common area would include a café with a small kitchen used to serve coffee and donuts (using an oven just to heat up pre-made bakery items).
  - Mr. Moore: This will be an introductory church which will start off small and increase over time. The facility is quite large at 70,000 sq. ft., so part of the financial model for this church is to sublease the 35,000 sq. ft. on short-term basis, until a time when the church grows to a point where the entire space is needed.

**Discussion/Comments:**

- Randy Quale (Park and Recreation):
  - No comment
- Kent Smith (Assessing):
  - Since this is a lease/sub-lease situation, the typical tax exempt status for the church is not applicable. The property will continue to be subject to property taxes because it remains a private entity.
- Duke Johnson (Building and Inspection):
  - Ensure that proper permits are applied for.
  - With the sublease plan, some of the exits that currently exist in the building could be blocked when walls are put up to facilitate the subleasing. Need to ensure that proper exiting is maintained when making changes to the facility.
    - Staff suggested that once the church has an architect identified to have them give D. Johnson a call to discuss plans for ensuring proper exiting is maintained in the spaces.
- Laura McCarthy (Fire Prevention):
  - Fire alarm system needs to meet the requirements of an assembly occupancy (as opposed to business occupancy).
    - Since the church is looking to expand in the future, McCarthy suggests that they think about what the *anticipated* maximum occupancy will be and plan fire alarm system, exiting, etc. for that future maximum occupancy to avoid costly changes that could be needed later.
      - Note that there are additional requirements for occupancy over 1,000.
    - Mr. Remington asked if this maximum occupancy threshold of 1,000 is comprehensive for the entire facility or only the assembly.
      - McCarthy confirmed it is comprehensive for the facility. The additional requirements involve voice communication and related devices/equipment.

- Londell noted that since the property is limited by parking, getting to the 1,000 maximum occupancy is unlikely. It would be necessary to obtain more property or build a ramp to support parking for the 1,000+ maximum occupancy.
  - The nursery area will also drive requirements. McCarthy asked about usage of the Nursery—daily or Sunday only. Mr. Remington indicated that it would be used mainly for Sunday services. Since it is considered “incidental”, don’t typically need to meet the requirements of I-occupancy.
    - However, if there are infants in the nursery, exiting from the Nursery space directly to the outside will be required. Depending on the number of children and infants, it may drive an upgrade in the fire alarm system.
    - Mr. Moore asked if an architect helps determine this, and McCarthy responded that the architect will help to determine how to meet the requirements for exiting, etc.
    - Ms. Moore asked if the close proximity requirement will need to be met early on in the project, and McCarthy responded yes.
  - Fire Prevention and Environmental will need to have a good understating of the kitchen layout and appliances installed. Type of food served/prepared will drive kitchen hood requirements.
    - Mr. Remington stated that in their Chanhassen location they have a “catering kitchen” and wanted to know if that same terminology applies in Bloomington. McCarthy responded that yes, and, depending on the appliances, may require an upgraded ventilation system and suppression system.
  - Currently, there is a fire access lane around the building, however there is only one entrance from Cecilia Circle to the building. This can be probmatic is the entrance is blocked or unavailable.
  - Mr. Remington asked if the railroad track is an active line.
    - Staff responded that is an active line—run by Canadian Pacific Rail.
    - McCarthy also indicated that some changes are being made to that area as a result of a new entrance ramp being created to westbound I-494 from E Bush Lake Road, but that the line will continue to be active.
- Heidi Miller (Police):
  - Contact Miller regarding Places of Worship Group, and some thoughts on security for the facility.
    - Applicant indicated that they do have a Security team at the Chanhassen location.
    - Miller would like to meet with them to discuss security plans at the new location.
- Jen Desrude (Engineering):
  - Asked if any changes were going to be made to the current parking area.
    - Applicant indicated that they would not be making changes.
  - Will need to add bike racks to the facility; Desrude will provide a number for how many to add.
  - While doing the interior remodeling work, use of public streets or public ROW for storage is not allowed.
- Eric Wharton (Utilities):
  - If a significant kitchen facilities is designed, an exterior grease interceptor may be required.
  - With the change of use for this building, a SAC determination will be needed.
    - Mr. Moore requested clarification on the need for SAC determination. Does the letter to Met Council determine that either SAC units have been paid for previously, or the property will be subject to some new fees because more water is being used?

- Wharton responded affirmative. Also, suggests that when proposed plans are submitted to have information regarding prior use of the building so that proper credit is given for prior SACs paid. The city has records on prior SAC determinations for the building from 1973 to present.
  - Note that a large number of people all showing up at the same time can drive higher SAC. Also daycares and restaurant facilities generally have higher SAC.
  - Mr. Remington asked if Met Council takes into consideration the facilities are used for a relatively small amount of time.
  - Wharton responded that their criteria is what's the maximum flows that could be generated out the system.
  - D. Johnson said that Met Council looks at the *potential* at any given time for the building; may only meet on Sundays, but the potential is there for meeting every day of the week, this is what they will look at for determining SAC. Suggests to submit the plans as soon as possible; it could take some time.
  - Wharton indicated that Met Council currently has about a 2 week turn-around.
- Londell Pease (Planning):
    - Concern for a Place of Assembly is available parking to accommodate the use. Calculations prepared by Planner Nick Johnson for this particular, exclusive of the sub-lease use, would require 204 parking spaces. Depending on vacant space occupancy, current parking may or may not be adequate. Options should the site require more parking include:
      - A shared parking agreement that would limit the uses to insure adequate parking supply.
      - Parking, in general, would need to be reviewed when a sub-lease tenant is identified to ensure adequate parking is available for both uses of the property.
    - All properties must meet the city's minimum lighting code by December 31, 2020. With the CUP this requirement is triggered now. Therefore, exterior lighting must be brought up to city code. Lighting for the 204 spaces closest to the entrance need to be brought up to code.
    - If moving forward to apply, this will go through the Planning Commission and City Council. There is an \$880 application fee, and plan for 6-8 weeks processing time.
    - Markegard asked about truck docks on the back side of the building; bringing attention to this because of previous Council denial for a place of assembly due to safety concerns.
      - Ms. Moore confirmed there is one truck dock.
      - Pease suggested the applicants provide detailed information regarding truck traffic as part of their application. If the place of assembly will only use the space on nights and weekends, and truck traffic will not be permitted during those hours. Offering that restriction will assist in the review as we address any safety concerns up front.
    - Ms. Moore commented that is very important that sub-leasing of the rest of the building be feasible and meets city's requirements. With the issue of parking availability, how can they be assured that sub-leasing will be achievable?
      - Pease suggests during the application process, submit a "phantom plan" for optimized use of the sub-leased space. A review will be completed of the parking availability, and a shared parking agreement may need to be created and filed with the deed, which gives the city the protections that parking will be managed appropriately. There is no guarantee this will be accepted by the sub-lease tenant – sometimes it is and sometimes it is not. But there are options that can be pursued to work through the parking needs at the site.

- Mr. Remington asked if, in the future, they take over the full 70,000 sq. ft. could agreements be established with other businesses in the area for shared parking.
  - Pease said this is possible, provided the other businesses have the parking available at the times/on the days needed.
- No formal review required by staff, but will need work with individual areas and submit plans, when available, for review.
- Next steps are to file application for CUP.
  - Wednesday, January 17<sup>th</sup> is the next deadline.



## PL2017-278 Comment Summary

**Application #:** PL201700278

**Address:** 6301 Cecilia Circle

**Request:** Conditional Use Permit for a place of assembly in the I-2 zoning district.

**Meeting:** Pre-Application DRC - December 19, 2017

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**Building Department Contact:** Duke Johnson at [djohnson@BloomingtonMN.gov](mailto:djohnson@BloomingtonMN.gov), (952) 563-8959

- 1) If there is going to be security separation exiting from each space has to be review by Building and Fire.
- 2) Any remodeling to sublease space must pull proper permits: Building, Electrical, HVAC, and plumbing.

**Fire Department Contact:** Laura McCarthy at [lmccarthy@BloomingtonMN.gov](mailto:lmccarthy@BloomingtonMN.gov), (952) 563-8965

- 1) Nursery required to meet the requirements of an E or I occupancy if used on a day to day basis.
- 2) Fire alarm system required to meet the design for an assembly occupancy.

**Traffic Review Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

- 1) Provide a site plan so parking lot can be reviewed.
- 1) Provide appropriate MMUTCD references for signs proposed for circulating traffic. All private signage must be installed outside of the city right-of-way.
- 2) Provide trip generation numbers for the site using ITE Trip Generation Standards.
- 3) All construction and post-construction parking and storage of equipment and materials must be on-site. Use of public streets for private construction parking, loading/unloading, and storage will not be allowed.
- 4) Show location of a bike rack and bike rack detail on the plan.
- 5) List the number of parking spaces required by city code and the number of spaces provided on the site plan.

**Utility Review Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

- 1) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 2) Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement.

**Assessing Review Contact:** Kent Smith at [ksmith@BloomingtonMN.gov](mailto:ksmith@BloomingtonMN.gov), (952) 563-8707

- 1) Please be aware that although the use as a place of assembly may be exempt from property tax, the ownership is not, so this property would remain taxable

**Planning Review Contact:** Nick Johnson at nmjohnson@BloomingtonMN.gov, (952) 563-8925

- 1) The application is a Conditional Use Permit for a place of assembly in the I-2 zoning district. The application fee is \$880.
- 2) Based on the use mix, the total parking requirement of the place of assembly based on preliminary analysis is 204 parking spaces. According to assessing data, the site has 265 parking stalls.
- 3) Future signage must comply with Section 19.113 (Class IV Sign District) of the City Code.
- 4) Interior trash and recycling, with interior access) must be provided per Section 19.51 of the City Code and the MN State Building Code.
- 5) Parking lot and exterior security lighting for the place of assembly must meet Section 21.301.07. A minimum of 1.0 foot-candles is required on the parking surface (which may be reduced to 0.5 foot-candles for the outer perimeter of the parking lot).
- 6) Staff is concerned with the limited access for such a large occupancy. Should look at gaining an additional access from the property to the West.
- 7) Must review the future uses. Site may not accommodate more than limited office and warehouse. If this is warehouse, staff has concern with truck traffic. Would need to review other uses and establish safeguards to reduce conflicts.