



# Development Review Committee

## Approved Minutes

Development Application, #PL201700252

Mtg Date: November 28, 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  
Eileen O'Connell (Pub. Health) 952-563-4964  
Jen Desrude (Eng.) 952-563-4862  
Sue Hults Sellnow (Eng.) 952-563-4628

Jen Blumers (Assessing) 952-563-4749  
Mark Reichel (Assessing) 952-563-4648  
Erik Solie (Env. Health) 952-563-8978  
Michael Centinario (Planning) 952-563-8921  
Glen Markegard (Planning) 952-563-8923  
Tim Kampa (Utilities) 952-563-8776  
Travis Schlangen (Utilities) 952-563-8775

**Project Information:**

Project	Bloomington Central Station Phase 3 Residential
Site Address	8041 33RD AVE S, BLOOMINGTON, MN 55425 8051 33RD AVE S, BLOOMINGTON, MN 55425
Plat Name	BLOOMINGTON CENTRAL STATION 2ND ADDN; BLOOMINGTON CENTRAL STATION 4TH ADDN;
Project Description	Final Development Plan for a six-story, mixed use building with 400 residential units and approximately 4,000 square feet of commercial space
Application Type	Final Development Plan Airport Zoning Permit
Staff Contact	Mike Centinario
Applicant Contact	Bloomington Central Station LLC c/o McGough Development mfabel@mcgough (651) 248-3024
PC (tentative)	12/21/2017
CC (tentative)	TBD

**Guests Present:**

Name	Email
Dave Higgins	<a href="mailto:david.higgins@mcgough.com">david.higgins@mcgough.com</a>
Justin Merkovich	<a href="mailto:justin.merkovich@esgarch.com">justin.merkovich@esgarch.com</a>
Tom Lincoln	<a href="mailto:tom.lincoln@kimley-horn.com">tom.lincoln@kimley-horn.com</a>
Laura Clarens	<a href="mailto:laura.clarens@kimley-horn.com">laura.clarens@kimley-horn.com</a>
Johnny Meeker	<a href="mailto:johnny.meeker@mcgough.com">johnny.meeker@mcgough.com</a>

**Introduction:**

Post-application DRC for a 6-story, 400-unit mixed use building with approximately 4,000 square feet of commercial space. No significant changes from last DRC meeting.

**Discussion/Comments:**

- Randy Quale (Park and Recreation):
  - No comment
- Mark Reichel (Assessing):
  - Park Dedication was calculated at \$532,000, but available credits to developer will net fees to zero for this project.
- Erik Solie (Environmental Health):
  - Since this is a rental property, applicant will need to work with City Licensing to obtain the required rental license.
- Duke Johnson (B&I)
  - No comment
- Laura McCarthy (Fire Prevention):
  - Fire Prevention will need to work with whomever is chosen as a communications contractor to ensure there is good radio communications throughout the property. In particular, the garage level can be problematic.
    - Mr. Lincoln: What is the process for determining communication coverage? Is it post-construction? Or, can it be anticipated?
    - McCarthy: It can be anticipated to a certain extent by completing some early testing. If hardware or antennas need to be installed to boost the signals, it is best to do this when walls are up but not fully completed. Further testing should be done post-construction to ensure radio communications are still good throughout the structure.
    - Mr. Lincoln: Mitigated by boosters?
    - McCarthy: The communications contractor will make recommendations for the best options to mitigate any communications issues found during testing (boosters, antennas, or other hardware).
- Heidi Miller (Police):
  - Officer Miller not present; comments by McCarthy
  - Addressing building access—there will be several Knox boxes located on the building; will help determine locations.
  - Officer Miller wanted applicants to be aware of the Crime-Free Multifamily Housing information. She will work with them to ensure the new development is a safe environment.
- Jen Desrude (Engineering) provided the Public Works comments and noted the following:
  - See the detailed comments on the plan markup and Comments Summary document.
  - There are steps shown on the plan which are not allowed in the right-of-way.
    - Mr. Lincoln: These steps can be shifted to the west to avoid being in the right-of-way. Believes an encroachment agreement will be needed already for other areas, mostly along E 80<sup>th</sup> ½ street, for stoops, fencing, railings, etc.
      - There is a D&U along E 80<sup>th</sup> ½ street, which is why an encroachment agreement will be needed.
      - Desrude: A single encroachment agreement is acceptable; and the city can provide “boiler-plate” language for the agreement. Apply for this with Bruce Bunker. The fee is \$300 this year, but goes up next year.
      - Mr. Lincoln: Will an encroachment agreement be a condition of approval?

- Desrude: Yes. But encroachments won't be allowed within the right-of-way on 34<sup>th</sup> Ave.
  - At last DRC there was some discussion of vacating the small "notch" of right-of-way in the southeast corner of the site. After looking into this it was determined that this was acquired by the Met Transit as part of the LRT project. May need some additional research if they want to move forward with vacating this area. It is not in the City's control, and the applicant would need to work through the Met Council to get necessary approval for any vacation of this land.
    - Mr. Higgins: Would the city also require Met Council to approve an encroachment agreement?
    - Desrude: We will not allow encroachment into the right-of-way for items that are not necessary.
    - Mr. Higgins: But if you gave an administrative approval to an encroachment, would you still require approval from Met Council?
    - Desrude: Yes.
  - Tom Bowlin's traffic engineering comments are still forthcoming as he was unavailable prior to this DRC meeting review plans.
  - In the water resources area, the stormwater management plan is under review by Steve Segar. There will need to be an update to the maintenance agreement.
    - Mr. Lincoln: New agreement needed?
    - Desrude: Yes, or look at ways to consolidate if there are a lot of maintenance agreements. Not an immediate need to complete, but before permit is issued.
  - Centinario: Mark-ups are in the plans, which is a large file. Will determine best way to send the large file to applicants for review.
- Tim Kampa (Utilities):
  - On the west side there is currently a water utility service that comes out of the boiler plant which is used by Water Services to facilitate washdowns for the 2 LRT stations on the south side. Also there is a meter manhole which serves a couple irrigation systems for the BCS area. This was put in temporarily because there was no place to put a meter in a building at the time.
    - Now we would request that both of these services be moved into the new building. Benefits to moving the services are backflow prevention, avoiding winterization each year, safer, and more easily accessible.
    - Not sure how the LRT relates to the new building.
    - Mr. Lincoln: These serves are coming out of the boiler plant?
    - Kampa: That's what the records indicate. Kris Olk in Engineering, or the contractors that did the work at 33<sup>rd</sup> Avenue & East 80<sup>th</sup> ½ Street may be able to answer questions. There are about 4 services that need to be figured out and cleaned up in that area, ideally put into one building / one access point.
    - McCarthy: Requests that a separate meeting be set up to discuss the details of these issues.
    - Mr. Lincoln: Jim Murphy, On-Site Property Manager, will also be critical to the discussion.
    - Kampa: Staff requests that applicant moves these services into the right buildings. Travis Schlangen, Utility Inspector, can help with locating various utility components in the area.
  - In the retail component, if there is a restaurant there will need to be a grease interceptor.
  - Need stray current test stations, 3 of them along the line running parallel with the tracks, as was done in other places in the area. Equally spaced along that line.
    - Mr. Lincoln: We are definitely greater than 20 ft away.

- Kampa: Yes, however looked at others that were 20 ft away, but still had stations added as an extra insurance.
  - As noted in the last DRC, the city is in the process of updating the utility comprehensive plan and a component of this is rebuilding the waste water system model. So there is no waste water system model available right now to check the project against.
    - This development was originally projected for 2024. Moving the development up changes the CIP (Capital Improvement Plan). Starting to heavily load the 24<sup>th</sup> Ave system, and not sure if there is appropriate capacity to handle the new residential load on the sewer system.
    - In December, when the new model is available, Kampa will add this new development in to see if there is capacity.
      - Cautions that the model may indicate no capacity, in which case the city and applicant will need to discuss options for moving forward.
    - Mr. Higgins: Last time, it was mentioned that demand levels were not what they used to be, which may result in an overall demand reduction.
      - Kampa: This could be the result. However, the city is now trying to use the Met Council flow generation standards in determining capacity since developers are paying SAC fees. City is having the defendable flow generation standards built into the new model and early results are showing that the pipes will not have necessary capacity.
    - McCarthy: Perhaps include this topic in the Utilities-related side meeting to work through the details.
- Eileen O'Connell (Public Health):
  - No comment
- Mike Centinario (Planning):
  - Will not need to apply for a major revision for the changes made to the Preliminary Develop Plan. However, would note that there is a significant reduction in the commercial/retail space in the new plan. City encourages the applicant to consider, in future phases, increasing the commercial/retail space to a greater number in the PDP to account for the reduction proposed for the Phase 3 residential project.
  - There are step back provisions in the city code in certain pedestrian oriented streets; 33<sup>rd</sup> Ave is one of those streets. Hyatt and new proposed building are only directly across from each other for about 32 ft along 33<sup>rd</sup> Ave So, we have an allowance in the code to allow for this short distance. Given that it is only 32 feet, it doesn't create a canyon effect and it is in compliance. If there was a much great distance where the two buildings were directly across the street from each other, there would have to be step back. The building is within the 25% allowance that is built into the code.
  - Work with fire prevention on the landscaping plan. Seems to be some trees in the plan that are encroaching into the fire line on the south side of the site.
    - Applicant: Meeting is scheduled for Friday, Dec 1<sup>st</sup>.
    - Centinario: In addition to the approved landscaping plan, McGough will be responsible obtaining landscaping performance bond.
  - There is an outstanding issue of number of storage units being provided According to code, one storage unit is required for each dwelling in the building. We have held other multi-family housing units to this standard, and we don't have any rationale as to why this project is deficient in the number of units.
    - Mr. Higgins: The "market" suggests that 30-50% available storage units is sufficient, as opposed to 1 for each dwelling. The "market" is continuing to produce projects at this lower level. Working with Greystar to look at McGough's concept with comparable

- projects across the twin cities and their analysis shows that 30-50% is sufficient for storage units. This is the backup rationale as to why this project has a lower number of storage units. Will review report and provide to Centinario.
- Centinario: The issue is that no deviation has been requested, with appropriate rationale for why deviation is being requested. Need data and revision in the project description for why the deviation from code is being requested.
  - McCarthy: In Bloomington, from a fire prevention standpoint, deficiency of storage units is the #1 reason for write up on multifamily and apartment buildings.
    - Mr. Higgins: Asked for clarification as to why this is the case.
    - McCarthy: Indicated that both residents and management companies find places to put stuff when there is a lack of storage available. It might be in parking garages, or other locations throughout a facility. This can mean that sprinkler systems being overpowered, combustibles are located near vehicles, and in severe cases, exits are blocked. People find places to put storage.
- Dog run area is not a permitted feature in it's current location which is in a landscape yard. It will need to be relocated to a different area. Landscape yards are for landscaping and sidewalks, or sometimes raingardens. Dog runs cannot be located between the building and public right of way.
    - Mr. Higgins: Code reads that between street and building only landscaping is allowed?
    - Centinario: Or sidewalks. There is a code provision that lays out what is allowed; will forward this information to McGough.
  - Bike racks are missing for the retail space. Majority of the users/patrons will be already parked or living there. But there might be employees who may bike into the area for work.
    - Applicant: How many bike racks are needed? What is the number based on?
    - Desrude: Based on number of employees. Will have Tom Bowlin send information.
  - Note, there are a couple other comments in Comment Summary about exterior materials.
  - Airport noise attenuation standards – staff believes the approach for Indigo is appropriate for the proposed project. There was initially a higher standard required in that project. But Lennar applied for a change of condition after the approval. Staff believes what was ultimately approved for the Indigo project was successful.
  - Interior trash and recycling must be provided. Currently showing for both the retail and residential, and appear to meet the requirements.
  - Airport zoning permit, which is being addressed.
  - Kitchen equipment must be approved by Environmental Health – Eric Solie is contact.
    - At least anticipate an odor suppression in the space design, even if you are not going to implement before the tenant is identified; should plan for it so that it can be accommodated when tenant is found for the space.
  - Parking study was completed. While staff is willing to support a deviation from code, there is still a gap between what is being proposed and what the parking study suggests is sufficient.
    - Gap is related to the retail/commercial space usage. While current proposed parking would probably meet the lower parking demand, it would not be sufficient for the higher parking demand.
    - There could be a shared overflow parking agreement elsewhere in BCS.
    - Also, a parking monitoring plan should be created in advance of construction. When Indigo was built, there was not a plan in place. There have been significant issues (residents parking in guest parking spaces, for example), which have forced Indigo management to re-visit parking and put plans in place to mitigate issues.
    - Mr. Higgins: Are there plan examples available?
    - Desrude: The city had people calling from Indigo complaining about the parking situation, and we had to send them back to Indigo management with their concerns

since it was a private issue. Indigo had to deal with it when they started getting the complaints. BCS is the first place where we have allowed these significant parking deviations, so there aren't any examples to provide. The situation is new to the city and we want to ensure that we are treating it appropriately.

- Mr. Higgins: We do have another meeting planned to discuss the parking issues.



## Comment Summary

**Application #:** PL2017-252

**Address:** 8041 33RD AVE S, BLOOMINGTON, MN 55425 8051 33RD AVE S, BLOOMINGTON, MN 55425

**Request:** **Final Development Plan for a six-story, mixed use building with 400 residential units and approximately 4,000 square feet of commercial space**

**Meeting:** Post Application DRC - November 28, 2017  
Planning Commission - December 21, 2017

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**Planning Review Contact:** Mike Centinario at mcentinario@BloomingtonMN.gov, (952) 563-8921

- 1) The total commercial/retail area is proposed to be reduced substantially. 30,000 square feet is being removed, but only 8,000 square feet added to future phases. Staff agreed that if the commercial/retail space was relocated to other areas within BCS, but maintained the same total, it would not be considered a major change. Consider increasing the amount of commercial/retail space in the preliminary development plan.
- 2) The Hyatt Regency Hotel is directly across the street from the proposed building for a distance of approximately 32 feet. This span falls within the pedestrian street step back allowance for buildings with no step back along an individual block face.
- 3) SRF Consulting completed a parking study to determine the parking demand for the project. Generally, staff is supportive of a significant deviation from the City Code, but a gap between the potential parking demand and the proposed supply remains.

Because the occupants/uses of the commercial/retail space are unknown, there is a range of potential parking demand. While the study concluded there would be adequate parking for the lower parking demand scenario, supply is deficient if the retail space is occupied by a use with a high parking demand. City staff believes the most appropriate option is for an overflow parking agreement in adjacent sites. The parking agreement would be utilized for overflow parking demand for the retail/commercial spaces and/or residential guest/visitor parking.

To further reduce the conflicts due to residents using guest parking, a parking monitoring and enforcement plan should be completed in advance of occupancy.

- 4) Continue to work with Fire Prevention on the landscape design along the south side of the site.

In addition to an approved landscaping plan, a landscaping surety is required prior to the issuance of a building permit.

- 5) Provide the total number of storage units. The typical storage unit meets the area and volume requirement, but there is no indication on the number of units proposed.
- 6) The dog run must be relocated to a courtyard or the south side of the building between the building and fire lane. Landscape yards are intended for landscaping and sidewalks.
- 7) Show location of a bike rack and bike rack detail on the plan. It does not appear as though any bike racks are provided for the retail space.
- 8) Provide specification and finish warranty information for prefinished metal panel 5A/5B.
- 9) Secondary materials are limited to 15% of each elevation, regardless of the prominence of a particular elevation. Include exterior material breakdown information for each elevation, similar to Sheet 1.8.
- 10) Exterior materials must meet Section 19.63.08. Because several secondary materials are proposed, include material usage breakdowns for each elevation. Metal panel product bulletins and warranty information must be provided prior to the issuance of a building permit.
- 11) Parking lot and exterior security lighting must meet Section 21.301.07.
- 12) Airport noise attenuation should mirror what was completed for the Indigo development. This includes STC ratings of at least 35 dB for windows in bedrooms and an STC rating of at least 31 dB for exterior doors and windows within living areas of the dwelling units. HVAC equipment and vents passing through the unit's walls to the exterior must provide a noise reduction of at least 30 dBA within the dwelling units.

In addition, detailed installation instructions for doors and windows, a mock up, and post construction evaluation of 10% of units was required.

- 13) Interior trash and recycling must be provided. The proposed trash facilities for the retail space and residential use meet City Code requirements.
- 14) Airport Zoning Permit must be approved by the City for any tower crane over 80 feet in height and a temporary variance from the Minneapolis-St. Paul International Airport Board of Adjustments must be obtained for any tower crane over 991 feet mean sea level.
- 15) Kitchen equipment must be approved by the Environmental Health division. Odor suppression devices may be required and the installation of odor suppression should be considered in space design. Fire suppression must be provided per the Fire Code.

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

**Environmental Health Review Contact:** Erik Solie at [esolie@BloomingtonMN.gov](mailto:esolie@BloomingtonMN.gov), (952) 563-8978

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



- 1) Separate annunciator panels required at each quad entrance.
- 2) Knox boxes to be installed by each quad entrance door and other designated areas determined by the FP Division.
- 3) Provide clear definable addressing for each quad and main building address.
- 4) Stairwells to be accessible from the interior on each floor
- 5) Emergency radio communications shall be provided throughout the structure and meet the requirements of appendix L in the MN Fire Code.
- 6) Final FDC location will be reviewed at the time of sprinkler plan review and final placement will be field verified.
- 7) Landscaping design shall not interfere with fire department operations and truck placement.

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

- 1) "Roof" Drain
- 2) Landing?
- 3) Valley Gutter not shown in plans
- 4) Clarify which are City streets and which need to be restored to McGough's standards. In the past this has been confusing to contractors as they assume all are City streets which is not true.
- 5) Show WM built with City Projects 13-304/13-305
- 6) Shift so legible
- 7) Shift so legible
- 8) City does not believe the 12" from the back of this CB is in place
- 9) Show existing Xcel service
- 10) Lighting Handhole
- 11) Manhole does not exist
- 12) 21Ft -12" PVC Storm Stub
- 13) Do not believe this pipe was installed
- 14) Yes, there is an 8" existing valve here.

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

- 1) 34th Ave ROW adjacent to site was acquired by Met Council for LRT. Met Council approval needed for landscaping in the ROW.

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

- 1) Traffic engineering comments are forthcoming.

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

- 1) See Document Markups
- 2) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 3) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 4) Provide peak hour and average day water demand and wastewater flow estimates.
- 5) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants.
- 6) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.
- 7) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.
- 8) Minnesota Department of Health (MDH) water permit/review may be required. Provide a copy of MDH approval letter or written confirmation from MDH that no permit/approval is required.
- 9) Minnesota Pollution Control Agency (MPCA) sanitary sewer permit/review may be required. Provide a copy of MPCA approval letter or written confirmation from MPCA that no permit/approval is required.
- 10) Install interior chimney seals on all sanitary sewer manholes.
- 11) Sanitary sewer mainline, clean-outs, manholes, and services must be designed with adequate depth of cover or install high-density polystyrene insulation to prevent freezing.
- 12) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter.
- 13) The City's Wastewater and Comprehensive Sewer Plan is in the process of being updated. The update includes a revised City wide wastewater system model for evaluating available capacity for proposed development. The model will not be available until late December at best. There's a significant possibility that the existing system will NOT have enough capacity for this development as this was not anticipated until 2024.
- 14) Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement. This will be needed if a restaurant is included.
- 15) There may be an existing valve here.
- 15) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.  
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Install three stray current test stations on the new watermain running parallel with the LRT tracks.
- 16) Flange

- 17) There needs to be a valve on this water service so the building can be shut off without losing service to the hydrant.
- 18) The water meters must be located at the point where the pipes enter the building.
- 19) Records are not clear exactly how the LRT station water service and BCS irrigation water service are configured. The services may come out of the old steam plant building and/or the existing water MH. The water MH was installed at the time as a temporary solution. It is requested that the water MH now be eliminated and those services along with the meters be installed within a heated accessible portion of the new building.

**Water Resources Review Contact:** Steve Segar at ssegar@BloomingtonMN.gov, (952) 563-4533

- 1) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan, under review.
- 2) A maintenance agreement must be signed by the property owner and recorded at Hennepin County. Is update needed?
- 3) After staff approval of stormwater management plans, provide an extra set of plans for staff to submit to Lower Minnesota River Watershed District.
- 4) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided. Transfer as needed.
- 5) An erosion control bond is required.
- 6) Show erosion control BMP locations on the plan, under review
- 7) List erosion control maintenance notes on the plan, under review.
- 8) HDPE pipe connections into all concrete structures must be made with water tight materials utilizing an A-Lok or WaterStop gasket or boot, cast-in-place rubber boot, or approved equal. Where the alignment precludes the use of the above approved watertight methods, Con Seal 231 WaterStop sealant, or approved equal will only be allowed as approved by the Engineer.
- 9) Bend?
- 9) See Document Markups
- 10) Bend?