



Development Review Committee

Approved Minutes

Pre-Application, PL201800083

Meeting Date: March 20, 2018

McLeod Conference Room

Bloomington Civic Plaza

1800 West Old Shakopee Road

Staff Present:

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

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

Jen Desrude (Eng.) 952-563-4862

Eileen O'Connell (Public Health)

Jim Urie (Parks & Rec) 952-563-8881

Kent Smith (Assessing) 952-563-8707

Nick Johnson (Planning) 952-563-8925

Erik Solie (Env. Health) 952-563-8978

Heidi Miller (Police) 952-563-4975

Amanda Moe (Bldg & Insp) 952-563-8961

Project Information:

Project Lifetime Senior Living w/Daycare

Site Address 6701 West 78th Street, Bloomington, MN 55439

Plat Name NINE MILE WEST 2ND ADDITION;

Project Description
1) Ordinance amendment to add residential care facility as a conditional use in the C-4 zoning district.
2) Rezone the site with the Planned Development (PD) Overlay.
3) Conditional Use Permit for a residential care facility in the C-4 zoning district.
4) Preliminary and Final Development Plans for a 183-unit senior housing development with an accessory day care.

Application Type
Ordinance Amendment
Rezoning
Conditional Use Permit
Preliminary Development Plan
Final Development Plan

Staff Contact Nick Johnson - nmjohnson@BloomingtonMN.gov, (952) 563-8925

Applicant Contact Joe Mahoney, joe.mahoney@opus-group.com

Post Application DRC Yes

Guests Present:

Name	Email
Thomas Becker, Opus Group	Tom.becker@opus-group.com
Jay Fourniea, Opus Group	Jay.fournieau@opus-group.com
Joe Mahoney, Opus Group	Joe.mahoney@opus-group.com
Matthew Rauenhorst, Opus Group	Matt.rauenhorst@opus-group.com
Susan Farr, Ebenezer	Sfarr1@fairview.org

INTRODUCTION:

- Nick Johnson (Planning):
 - The Opus Group and Ebenezer have submitted a concept for a four-story, 183-unit senior living community with a continuum of care, including independent living, assisted living and memory care located at 6701 West 78th Street. Community amenities would include club rooms, a restaurant and bistro, spa/salon, and pool. A 10,600 square foot day care facility is also proposed. Outdoor gardens and a play area for the day care are also provided. For the project to proceed, an ordinance amendment is required to make residential care facilities a conditional use in the C-4 zoning district. A planned development is proposed, necessitating eventual rezoning of the site with the Planned Development (PD) Overlay District. Nine mile Creek is on SW Corner. Residential care is not currently permitted use in C-4 so would require a City Code amendment prior to development plans, and conditional use permits.
 - Applicant mentioned they are trying to take advantage of the national topography of the site with active uses to project a commercial mixed use feel and add energy on the street level. Parking wise, they are at 1 stall per unit of parking, which they believe would be slightly less than the 1.5 stall requirement by the city.

Discussion/Comments:

- Jim Urie (Park and Recreation):
 - Robust erosion control will be required because of the site being adjacent to Nine Mile Creek.
- Kent Smith (Assessing):
 - No trigger for park dedication because this will not need to be replatted.
- Erik Solie (Environmental Health):
 - All food applications will come through Environmental Health. Applicant was provide a packetwith information on the application process. . Per applicant, Ebenezer would be an operating partner.
 - The pool review with be completed by Steve Klem with the state of MN.
 - Licensure will be done through Environmental Health as well (i.e. rental licensure).
- Duke Johnson (Building and Inspection):
 - Asked how far along applicants are with plan.
 - Applicants mentioned they are still very preliminary.
 - D. Johnson asked when they have 80% of their plans/drawings done to set up a preliminary plan review meeting with Building and Inspections. Ground quality in this area is poor.
 - Applicant asked about phased submittals. D.Johnson mentioned yes, we do accept those. They are hoping to get moving as quickly as possible. They have a Geotech report coming from Braun Intertec.
- Laura McCarthy (Fire Prevention):
 - Provide adequate turning radius throughout the property to accommodate BFD Ladder 4
 - Access shall be provided to/from all stairwells on all floors and parking levels.
 - The building is required to be fully sprinklered building.
 - Standpipes requirement in all stairwells and hose valves shall be located at the floor landing.
 - Daycare, depending on ages and number of children will most likely will be I occupancy as well as memory age care.

- Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure. There are some options on where to locate the FDC.
- Since commercial kitchen will be on site, a suppression system shall be connected to the sprinkler system.
- If utilizing Federal funding, applicants will need to follow the NFPA life safety code. The State Fire Marshal's office conducts the plan review and inspections for NFPA requirements. Bloomington Fire Prevention will conduct the plan review and inspections required in the MN State Fire Code.
- Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.
 - Underground parking garages and this site area in particular has poor radio reception for emergency responders.
- L. McCarthy asked applicant about the 2nd floor roof extension .
 - Applicant responded the roof system is approximately 10 and 15 feet in depth.
 - L. McCarthy mentioned there will need to be sprinkler coverage below the roof.
- Heidi Miller (Police):
 - A Knox Box will be required.
 - Addresses and room numbers will be required.
 - Secure access for residents will be required.
 - Asked about mixing child care with senior living and care in the building.
 - Applicant mentioned it helps with multi-use. Another reason is because of inter-generational studies of health benefits to this.
- Jen Desrude (Engineering):
 - Avoid wetland impacts and follow Wetland Conservation Act. Wetland delineation as approved by the City (LGU activity 2014-07) is valid until 11/17/2019.
 - Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits (www.ninemilecreek.org)
 - Follow Shore Area and floodplain ordinances and applicable state, watershed and federal regulations.
- Eileen O'Connell (Public Health):
 - It is state law that there is space for a nursing/mothers room.
 - Clarified with applicant that it will be a no smoking facility – correct, non-smoking.
 - Mentioned she appreciates the inter-generational study and effort.
- Nick Johnson (Planning):
 - The Ordinance Amendment to allow residential care facilities in the C-4 zoning district would need to be approved prior to the submittal of the other development applications.
 - Applicant questioned categories which N. Johnson explained.
 - The minimum floor area ratio of non-residential uses within the C-4 zoning district is 0.2, requiring 61,640 square feet of non-residential uses for the development. 10,610 square feet of non-residential uses are proposed. When removing the undevelopable land from the FAR calculation, the application requires an approximately 78% deviation from the non-residential use standards. Staff is concerned about the level of deviation requested.
 - Compliance with MN Rules 7030 Noise Pollution Control is required due to proximity to Interstate Highway 494. There is language with outdoor activity areas in relationship to this as well. MPCA would be a good start for applicants on this.

- Potential shore area impacts or disturbance must be reviewed according to the standards of the City Code (Article IX – Shore Area Regulations, Chapter 19). Within 50 feet of shore area of creek there are standards on this and special erosion control requirements here.
- A parking analysis must be provided to determine compliance with parking quantity requirements. The amount of parking required will depend on the unit mix of the senior living/care facility and the number of students and staff in the day care use. With the application, a formal evaluation will be required. He recommends sending this to planning and engineering if deviating from this. Memory care and assisted living is 1 per 4 beds. Senior citizen housing is 1.5 per dwelling unit.
- The front building setback is measured from the planned widened right-of-way. Confirm right-of-way requirement with Engineering.
 - Applicant asked about traffic study. J. Desrude said no traffic study will be required, but a parking study will be if there is a deviation. N.Johnson mentioned memory care is considered residential care. The approach is that the ordinance be approved by council prior to submittal of full application.



Comment Summary

Application #: PL2018-83

Address: 6701 West 78th Street, Bloomington, MN 55439

Request:

- 1) Ordinance amendment to add residential care facility as a conditional use in the C-4 zoning district.
- 2) Rezone the site with the Planned Development (PD) Overlay.
- 3) Conditional Use Permit for a residential care facility in the C-4 zoning district.
- 4) Preliminary and Final Development Plans for a 183-unit senior housing development with an accessory day care.

Meeting: Pre-Application DRC - March 20, 2018

NOTE: All comments are not listed below. Please review all plans for additional or repeated comments.

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

- 1) Sidewalks perpendicular to parking stalls must be seven feet in width.
- 2) Parking islands must have one deciduous tree, eight feet in internal width, and must be three feet shorter than the adjacent parking stall.
- 3) Front building setback must be measured from planned widened right-of-way for West 78th Street. Verify right-of-way needs with Engineering.
- 4) The number of parking stalls required is based on the final senior living unit mix and the number of staff and participants of the day care use. Senior citizen housing requires 1.5 parking spaces per dwelling unit w/one space per 100 sq. ft. of party room space. Assisted living and memory care units require one parking space per four beds. The day care use requires 1.2 parking spaces for each 10 program participants plus one space per caregiver on the maximum shift. See Section 21.301.06 for parking requirements. A parking analysis should be provided with the formal application.
- 5) No structures are allowed in the Shore Area as defined in Article IX - Shore Area Regulations of the City Code (50-foot setback from the ordinary high water level). Parking can only be located within the Shore Area when no other reasonable alternative exists. Any disturbance within the Shore Area requires a shore area permit.
- 6) Maximum building height allowed is 6 stories or 80 feet.
- 7) Due to proximity to Interstate Highway 494, compliance with MN Rules Chapter 7030 Noise Pollution Control must be demonstrated.

- 8) The site would require 123 trees and 308 shrubs per Section 19.52 of the City Code.
- 9) A Parking lot and exterior security lighting plan must be provided that complies with Section 21.301.07 of the City Code.
- 10) Interior trash and recycling must be provided per Section 19.51 of the City Code.
- 11) According to Section 21.302.02 of the City Code, the development must have a minimum floor area ratio of 0.20 of non-residential uses. The subject property must have 61,640 square feet of non-residential uses. When removing the undevelopable land from the site, staff estimates that the development would still require approximately 50,000 square feet of non-residential uses. 10,610 square feet of non-residential uses are proposed. The subject application would require a 78% deviation from the City's non-residential use standards. Staff is concerned about the level of deviation requested for non-residential uses within the C-4 zoning district.
- 12) Exterior materials must meet Section 19.63.08(c) and may include glass, stone, brick, architectural concrete, stucco, or metal in accordance with adopted policies.
- 13) All signage must comply with Article X - Sign Regulations of Chapter 19 of the City Code.

Fire Department Review - Pre-App Contact: Laura McCarthy at
lmccarthy@BloomingtonMN.gov, (952) 563-8965

- 1) Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.
- 2) Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.
- 3) Access shall be provided to/from all stairwells on all floors and parking levels.
- 4) Standpipes requirement in all stairwells and hose valves shall be located at the floor landing
- 5) Provide adequate turning radius to accommodate BFD Ladder 4

Environmental Health Review - Pre-App Contact: Erik Solie at
esolie@BloomingtonMN.gov, (952) 563-8978

- 1) Provide specification sheets for all new and used equipment being proposed for use in this facility
- 2) Provide 2 complete sets of plans, including Plumbing, Electrical and HVAC to the Environmental Health Division for review
- 3) All trash and recycling must be stored within the principle structure of the building
- 4) Provide Environmental Health Plan Review application with submittal

Construction/Infrastructure Review - Pre-App Contact: Jen Desrude at
jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
- 2) A Minnesota licensed civil engineer must design and sign all civil plans.
- 3) All parking stall striping must be painted white. Parking islands must be 3-feet shorter than the parking stall and 8-feet wide.
- 4) 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.
- 5) Use updated city standard details for driveways, utilities, erosion control, etc. found on the website at www.bloomingtonmn.gov/information-sheets-and-handouts-engineering-division
- 6) A Minnesota licensed civil engineer must design and sign all retaining walls 4-feet high and higher and setbacks for the principle structure must be provided.

PW Admin Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) Request standard public drainage/utility and easements of 10 feet along street frontage and 5 feet along side lot lines.
- 2) Request a 10-foot sidewalk/bikeway easement to be provided along all street frontages.

Traffic Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) Illustrate on plan that the clear view triangle (15' from property corner to driveway approaches) is not obstructed by landscaping or signage.
- 2) Show and label existing street light poles, handholes, conduit, and signal interconnect for W 78th Street on the plans. Street lighting and interconnect conduit must be exposed for city inspection prior to pouring concrete or backfilling excavation in city right-of-way.
- 3) Show site circulation and provide appropriate MMUTCD references for signs proposed for circulating traffic. All private signage must be installed outside of the city right-of-way.
- 4) All parking stall striping must be painted white. Parking islands must be 3-feet shorter than the parking stall and 8-feet wide.
- 5) Provide trip generation numbers for the site using ITE Trip Generation Standards.
- 6) 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.
- 7) Show location of a bike rack and bike rack detail on the plan.
- 8) List the number of parking spaces required by city code and the number of spaces provided on the site plan.

- 9) Ensure drive aisle width and parking spaces meet the City Code requirements (21.301.06) - show dimensions on site plan.

Utility Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
- 2) A Minnesota licensed civil engineer must design and sign all civil plans.
- 3) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 4) Contractor shall obtain a Public Works permit for underground work within the right-of-way. Permit is required prior to removals or installation. Contact Utilities (952-563-4568) for permit information.
- 5) Use updated city standard details for driveways, utilities, erosion control, etc. found on the website at www.bloomingtonmn.gov/information-sheets-and-handouts-engineering-division
- 6) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 7) All unused water services must be properly abandoned at the main. All unused sanitary sewer services must be properly abandoned at the property line.
- 8) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 9) A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers.
- 10) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss.
- 11) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants.
- 12) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius.
- 13) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.
- 14) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.
- 15) 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.
- 16) 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.
- 17) An inspection manhole is required on all commercial sewer services.

- 18) Use standard short cone manholes without steps.
- 19) Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement.
- 20) Install interior chimney seals on all sanitary sewer manholes.
- 21) Taps of live water mains are done by City forces and paid for and coordinated with the Contractor.
- 22) Utility and mechanical contractors must coordinate the installation of all water and sewer service pipes into the building to accommodate city inspection and testing.
- 23) 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.
- 24) Use schedule 40, SDR 26, or better for PVC sewer services.
- 25) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter.
- 26) All components of the water system, up to the water meter or fire service equipment must utilize protective internal coatings meeting current ANSI/AWWA standards for cement mortar lining or special coatings. The use of unlined or uncoated pipe is not allowed.

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

- 1) Avoid wetland impacts and follow Wetland Conservation Act. Wetland delineation as approved by the City (LGU activity 2014-07) is valid until 11/17/2019.
- 2) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
- 3) A Minnesota licensed civil engineer must design and sign all civil plans.
- 4) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.
- 5) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 6) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
- 7) An erosion control bond is required.
- 8) Show erosion control BMP locations on the plan
- 9) List erosion control maintenance notes on the plan.
- 10) Provide a turf establishment plan
- 11) 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,

Conseal 231 WaterStop sealant, or approved equal will only be allowed as approved by the Engineer.

- 12) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 13) Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits (www.ninemilecreek.org)
- 14) Follow Shore Area and floodplain ordinances and applicable state, watershed and federal regulations.

Assessing Review - Pre-App Contact: Kent Smith at ksmith@BloomingtonMN.gov, (952) 563-8707

- 1) If site does not need to be re-platted, there will be no Park Dedication.

Parks and Recreation Review - Pre-App Contact: Randy Quale at rquale@BloomingtonMN.gov, (952) 563-8876

- 1) Need to make sure robust erosion controls are in place to protect the adjacent Nine Mile Creek