



Development Review Committee

Approved Minutes

Development Application, #PL201800191

Mtg Date: 06/05/2018

McLeod Conference Room

Bloomington Civic Plaza

1800 West Old Shakopee Road

Staff Present:

Laura McCarthy (Fire Prev, Chair) 952-563-8965
Pete Miller (Fire Prev) 952-563-8967
Randy Quale (Park & Rec) 952-563-8876
Kelly Beyer (Bldg. & Insp) 952-563-4519
Tim Skusa (Bldg. & Insp) 952-563-8953
Jen Desrude (Eng.) 952-563-4862
Bruce Bunker (Eng.) 952-563-4546
Eric Wharton (Utilities) 952-563-4579

Kent Smith (Assessing) 952-563-8707
Erik Solie (Env. Health) 952-563-8978
Heidi Miller (Police) 952-563-4975
Travis Schlangen (Utilities) 952-563-8775
Nick Johnson (Planning) 952-563-8925
Glen Markegard (Planning) 952-563-8923
Amanda Moe (B&I) 952-563-8961

Project Information:

Project	Opus Senior Development and Daycare	
Site Address	6701 West 78th Street, Bloomington, MN 55439	
Plat Name	NINE MILE WEST 2ND ADDITION;	
Project Description	Rezoning from C-4 to C-4(PD), Conditional Use Permit for a residential care facility, and Preliminary and Final Development Plans for a senior living and residential care facility with a daycare.	
Application Type	Preliminary Development Plan Final Development Plan Rezoning Conditional Use Permit	
Staff Contact	Nick Johnson	
Applicant Contact	Joe Mahoney joe.mahoney@opus-group.com	<NO PRIMARY PHONE>
PC (tentative)	06/28/2018	
CC (tentative)	07/23/2018	

NOTE: All documents and minutes related to this case can be viewed at www.blm.mn/plcase, enter the permit number, "PL201800191" into the search box.

Guests Present:

Name	Email
Ernesto Ruiz-Garcia, Opus	Ernesto.ruiz-garcia@opus-group.com
Scott Shifflett	Scott.shifflett@opus-group.com
Joe Mahoney	Joe.mahoney@opus-group.com

Mandel Cameron
Chad Feigum

Mandel.cameron@opus-group.com
Chad.feigum@kimley-horn.com

Introduction:

- Nick Johnson (Planning):
 - Opus Development Company, LLC proposes a four-story senior living and residential care facility with an approximately 11,000 square-foot daycare. The facility will have 166 units of independent and assisted living, as well as 20 memory care units. The facility has other service oriented uses, including a restaurant and bistro, pool, fitness center, salon, spa, party room and other amenities. A code change was required to have this move forward and this was approved last night. The property is located in proximity to Nine Mile Creek on SW corner of site.

Discussion/Comments:

- Randy Quale (Park and Recreation):
 - No comment.
- Kent Smith (Assessing):
 - Reiterating no platting or replatting required, so no park dedication requirement.
- Erik Solie (Environmental Health):
 - No comment.
- Tim Skusa (Building and Inspection):
 - Most comments are on the plan. Currently the plan is very conceptual. The things that Building will be looking for is accessibility of all spaces and Code analysis. Questions can be directed to Duke Johnson.
- Laura McCarthy (Fire Prevention):
 - Ensure all turning radiuses meet the requirements for BFD Ladder 4.
 - Because of the size and complexity of complex, it will require multiple annunciator panels and Knox boxes.
 - Gate is in place at the memory care garden – ensure accessibility for emergency responders.
 - Exiting and hose valve comments are on the plans and can be discussed in a separate meeting.
 - For addressing purposes, there is one address for property but there should be a sub address for the daycare. Applicant mentioned that this is important, so they are working on monument signs or otherway finding methods.
- Heidi Miller (Police):
 - No comment.
- Bruce Bunker (Engineering) provided the Public Works comments and noted the following:
 - Show and label proposed street easement on all plan sheets.
 - Work with civil engineer in traffic division on medians that need to be adjusted. Some aren't wide enough.
 - A copy of the Nine Mile Creek Watershed District permit and storm water management plan (that is under review) both need to be provided.

- Eric Wharton (Utilities):
 - This property's water and sewer service are provided by the City of Edina, but the pipes themselves are owned by the City of Bloomington. They will need to be reviewed by both cities as far as flows into wastewater system. The first step is to communicate with both cities regarding the utilities in this area. For the hydrant placement and fire protection systems, work with the City of Bloomington Fire Department. There may be capacity issues that will need to be worked on with the City of Edina. Available flow capacities will need to be looked at as well. Fire and domestic supplies are combined going into the building and split from there. Everything will be routed to Engineering, but individual questions on water/sewer will be directed to Eric Wharton. Applicant questioned the SAC and WAC fees. These will most likely be through Edina. Records that have been previously collected should be on record.
- Nick Johnson (Planning):
 - A total number of 208 parking spaces (121 surface, 87 underground garage) is provided. To demonstrate compliance with Section 21.301.06 of the City Code, the application must clearly specify the number of independent vs. assisted living units, as well as the total number of day care participants with the maximum number of staff on one shift.
 - Fiber cement panel and fiber composite siding are not permitted as primary exterior materials in the C-4 zoning district. Primary exterior materials are limited to glass, stucco, stone, brick, architectural concrete, and metal in accordance with adopted policies and procedures. See Section 19.63.08(c) of the City Code.
 - Compliance with MN Rules Chapter 7030 Noise Pollution Control is required.
 - The shore area for Nine Mile Creek is defined as 50 feet from the top of bank of channel. Based on the plans submitted, it is possible that a shore area permit may be required for the construction of surface parking and grading/filling activities in the shore area. See Section 19.87.04 of the City Code. Impacts to the shore area must be further evaluated by staff.
 - A Management Plan must be provided detailing program operation, staffing, security, access control, and other pertinent information (Sec. 21.302.23(d)(3)(C) of the City Code).
 - Any comments or flexibility being requested should be submitted right away, prior to review by the planning commission.
 - There are some monument signs being proposed, setbacks come at planned widened right-of-way lane (where the monument is proposed). There is a 20 foot setback here. Signage questions can be directed to N. Johnson.

Applicant mentioned that the fiber cement comment was interesting because the stucco material was what they originally wanted, but on a wood frame building, their architects redirected them because of durability concerns. This can be discussed with Planning after the meeting.



Comment Summary

Application #: PL201800191

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

Request: **Rezoning from C-4 to C-4(PD), Conditional Use Permit for a residential care facility, and Preliminary and Final Development Plans for a daycare, senior living and assisted living facility.**

Meeting: Pre-Application DRC – March 20, 2018
Post Application DRC - June 05, 2018
Planning Commission - June 28, 2018
City Council - July 23, 2018

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

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

- 1) A total number of 208 parking spaces (121 surface, 87 underground garage) is provided. To demonstrate compliance with Section 21.301.06 of the City Code, the application must clearly specify the number of independent vs. assisted living units, as well as the total number of day care participants with the maximum number of staff on one shift.
- 2) Fiber cement panel and fiber composite siding are not permitted as primary exterior materials in the C-4 zoning district. Primary exterior materials are limited to glass, stucco, stone, brick, architectural concrete, and metal in accordance with adopted policies and procedures. See Section 19.63.08(c) of the City Code.
- 3) Compliance with MN Rules Chapter 7030 Noise Pollution Control is required.
- 4) The shore area for Nine Mile Creek is defined as 50 feet from the top of bank of channel. Based on the plans submitted, it is possible that a shore area permit may be required for the construction of surface parking and grading/filling activities in the shore area. See Section 19.87.04 of the City Code. Impacts to the shore area must be further evaluated by staff.
- 5) A building security system for the residential care facility must be approved by the City Police Department prior to occupancy (Sec. 21.302.23(d)(3)(E) of the City Code).
- 6) A Management Plan must be provided detailing program operation, staffing, security, access control, and other pertinent information (Sec. 21.302.23(d)(3)(C) of the City Code).
- 7) Trash and recycling storage facilities must be 1,072 square feet in size. Trash and recycling areas may be reduced up to 60% by incorporating a trash compactor or waste management plan. Does the day care have internal access to the trash facilities?

- 8) Based on the developable area calculation provided by the applicant, the required amount of floor area of nonresidential uses is 38,234 square feet. The applicant is requesting PD flexibility for consideration of what constitutes nonresidential uses within the development.
- 9) Parking island tree required.
- 10) For the lighting of surface parking areas, parking dedicated to the day care use must be a minimum of 2.0 foot-candles (which can be reduced to 1.0 foot-candle along the perimeter 25 feet of the parking lot). Parking dedicated to the senior living use must be a minimum of 1.0 foot-candle (which can be reduced to 0.5 foot-candles along the perimeter 25 feet of the parking lot). Initial and maintained photometric lighting plans must be submitted for the underground parking garage. The parking garage must have a minimum light level of 3.0 foot-candles (which can be reduced to 1.5 foot-candles along the perimeter of the underground parking area).
- 11) Each senior citizen housing unit must have a dedicated storage space with each dwelling that is a minimum of 96 cubic feet (Sec. 21.302.02).
- 12) Food service plans must be approved by Environmental Health.
- 13) The setback requirement for freestanding signs in the C-4 zoning district is 20 feet from planned widened right-of-way. The development is limited to one freestanding sign per street frontage. See Section 19.113 of the City Code. The site may benefit from directional signage (see Sec. 19.116) to direct traffic to various uses.
- 14) Per Section 21.302.02(e)(4) of the City Code, odor suppression systems designed by a professional must be provided for the commercial kitchen.
- 15) Therapeutic massage services that are open to the public must be licensed by the Bloomington Licensing Division (952-563-8728).

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

- 1) Must meet current MN State Building Code
- 2) Must meet MN Accessibility Code
- 3) Provide a code analysis with the plans.
- 4) Separate permit and review by Mn State Elevator inspector for elevators, escalators and moving walkways.

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

- 1) Provide Environmental Health Plan Review application with submittal of plans for kitchen areas
- 2) Pool review will be conducted by the Minnesota Department of Health. Contact Steve Klemm.

- 3) Provide specification sheets for all new and used equipment being proposed for use in this facility

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

- 1) Provide adequate turning radius to accommodate BFD Ladder 4
- 2) Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.
- 3) Annunciator panel
- 4) Knox Box
- 5) Knox Box
- 6) Provide access to standpipe
- 7) Provide access to standpipe from this area
- 8) Gate to be accessible by emergency responders
- 9) Annunciator panel
- 10) Knox Box
- 11) Knox Box
- 12) Standpipes requirement in all stairwells and hose valves shall be located at the floor landing
- 13) Hose valves shall be provided within 130' of all areas if dry standpipe or within 200 feet if installing a wet standpipe
- 14) 2 exits required
- 15) 2 exits required
- 16) Provide access to stairwell and hose valve

Public Works Review Contact: Bruce Bunker at bbunker@BloomingtonMN.gov, (952) 563-4546

Construction/Infrastructure Review Contact: Bruce Bunker at bbunker@BloomingtonMN.gov, (952) 563-4546

- 1) 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.
- 2) White pines aren't very salt tolerant and it is sensitive to urban pollution. These are likely too close to the road to be successful. Consider a different species. Same comment for all locations along driveways and W.78th Street

- 3) Extend sawcut to eliminate the small triangle piece that would be left and likely crack
- 3) Understand with the existing topography that the sidewalk won't be ADA compliant, however you may want to consider putting a resting spot, including a spot for a wheelchair mid way up the hill
- 4) Suggest placing heavy duty silt fence here where the steep slope drains to the adjacent property to keep all sediment on this property even in heavy rain events.
- 5) Ensure that there is 2' clearance from the new sidewalk to the fire hydrant
- 6) Include detail for Standard Non-Res Driveway with Sidewalk
- 7) Install Standard Non Res Driveway Approaches

PW Admin Review Contact: Bruce Bunker at bbunker@BloomingtonMN.gov, (952) 563-4546

- 1) Show and label proposed street easement on all plan sheets.
- 2) Do not plant new trees in proposed street easement.

Traffic Review Contact: Bruce Bunker at bbunker@BloomingtonMN.gov, (952) 563-4546

- 1) Utility permit needed from City of Bloomington prior to Sanitary Service removal. Traffic control plan for this work will need to be approved by City of Bloomington and City of Edina.
- 2) If right out is not allowed, add a median in the driveway that will physically restrict left turns out of this driveway and add signs R3-2 (regulatory, no left turn signs) below the stop sign and in the public right-of-way across 78th Street West (possibly in the median and far side).
- 3) Confirm that a "R6-1 (One Way) sign is placed in the center median across from this driveway. One will need to be added if not in place.
- 4) This median opening is only about 25' wide. This is not wide enough to facilitate full access. Median modifications will need to be completed to allow full access.
- 4) Contractor shall obtain a Public Works permit for obstructions and concrete work within the right-of-way. Permit is required prior to removals or installation. Contact Brian Hansen (952-563-4543, bhansen@BloomingtonMN.gov) for permit information.
- 5) It appears this driveway opening was shifted to the left from the previous opening. You may need to modify the center median for left turns out of the site to safely occur or re-shift the driveway to the east.
- 6) All parking stall striping must be painted white.

Utility Review Contact: Bruce Bunker at bbunker@BloomingtonMN.gov, (952) 563-4546

- 3) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination. The SAC reporting and payments will be administered by Bloomington's Building and Inspection division since the building permit is from Bloomington.

- 4) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss. The east water service must be located further east (past the existing mainline valve) to form a true redundant loop.
- 5) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants. A valve on the building service needs to be called out.
- 6) Taps of live water mains are to be done by City of Bloomington Forces. This will require Bloomington permits and tapping fees to be paid for and coordinated with the Contractor.
- 8) 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. Check the Rim Elevations near the building, plan shows only about one foot deep?
- 9) Use schedule 40, SDR 26, or better for PVC sewer services. Note number 2 doesn't call out a specific material for the 10" pipe size.
- 10) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter. Bloomington Fire also prefers that a combined Domestic and Fire water service is used to reduce stagnant water in the fire system. The engineer will need to confirm that the design of the service size and the water system loop are sized accordingly to provide the necessary domestic and fire flow demand.
- 11) All unused water services must be properly abandoned at the main. There are two services in W 78th St.
- 11) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.
- 12) The east water service must be located further east (past the existing mainline valve) to form a true redundant loop.
- 13) Bloomington Records show a water mainline valve in a MH about here
- 14) The Water and Sanitary Sewer mains serving this property are owned by the City of Bloomington, however the water in the pipes comes from the Edina systems. Since this property is located in Bloomington, the Bloomington Fire department will respond to any calls in the area. Therefore Bloomington standards for fire systems, hydrants, and watersystem looping are required. Plan Review, Utility Permits, and Inspection are to be issued by Bloomington. Meter permits and Utility Billing are to be issued by Edina.
- 15) The valve on the building service(s) needs to be called out.
- 16) Check the Rim Elevations near the building, plan shows only about one foot deep?
- 17) What about 10" Pipe?
- 18) There should be a Bi-directional cleanout on the inlet to the Grease Interceptor an inspection MH at the point where the grease interceptor discharge pipe connects with the sewer service.
- 19) Contact Edina for Meters and Utility Billing permits Permits
- 20) Including Edina

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

- 1) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 2) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan. Under review.
What are the estimated pond water level for the 100-yr storm event?
- 3) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 4) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
- 5) An erosion control bond is required.
- 6) Show erosion control BMP locations on the plan
- 7) List erosion control maintenance notes on the plan.
- 8) Provide a turf establishment plan
- 9) 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.
- 10) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 11) Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits (www.ninemilecreek.org)
- 12) Will drainage from this outlet go towards the stormwater pond? Will any drain to the east onto neighboring property?