



Development Review Committee

Approved Minutes

Pre-Application, PL201800176
Meeting Date: May 22, 2018
McLeod Conference Room
Bloomington Civic Plaza
1800 West Old Shakopee Road

Staff Present:

Jay Forster (Fire Prev) 952-563-4812	Dan Blonigen (Assessing) 952-563-4649
Lance Stangohr (Fire Prev) 952-563-8969	Don Palmer (Assessing) 952-563-4644
Jason Schmidt (Comm. Devel.) 952-563-8922	Erik Solie (Env. Health) 952-563-8978
Randy Quale (Park & Rec) 952-563-8876	Heidi Miller (Police) 952-563-4975
Tim Skusa (Bldg & Insp) 952-563-8953	Nick Johnson (Planning) 952-563-8925
Jen Desrude (Eng., Acting Chair) 952-563-4862	Glen Markegard (Planning) 952-563-8923
Eric Wharton (Utilities) 952-563-4579	Sara Flagstad (Eng.) 952-563-4627

Project Information:

Project	Penn American Phase III (Residential and Hotel)
Site Address	8000 Knox Avenue, 1901 and 1951 American Boulevard West and 8049 Morgan Circle
Plat Name	Hays Penn Avenue 6 th Addition and Hays Penn Avenue 2 nd Addition
Project Description	Rezoning to a Planned Development and Preliminary and Final Development Plans for two four-story multiple-family residential buildings and a four-story hotel
Application Type	Rezoning, Preliminary and Final Development Plan
Staff Contact	Nick Johnson - nmjohnson@BloomingtonMN.gov (952) 563-8925
Applicant Contact	Jon Libby – (651) 643-0469 - jon.libby@kimley-horn.com
Post Application DRC	YES

NOTE: To view all documents and minutes related to this review, please go to www.blm.mn/plcase and enter “PL201800176” into the search box.

Guests Present:

Name	Email
Ryan Dunlay	rdunlay@stuartco.com
Jon Libby	Jon.libby@kimley-horn.com
Dan Elenbaas	Dan.elenbaas@kimley-horn.com
Ryan Samsa	Ryan.samsa@esgarch.com
Dennis Sutliff	Dennis.sutliff@esgarch.com

INTRODUCTION:

- Nick Johnson (Planning):
 - This is the pre-application for Penn American Phase III, which includes the existing red lobster restaurant, a four-story hotel (124 rooms), and 248 apartments within two four-story buildings. Parking is provided with 97 garage stalls in each building (78 standards and 19 compact) and 187 surface spaces (including on street). The 124 room Hotel would have 65 spaces and the Red Lobster 121 spaces. The applicant proposes 50 of the 248 residential units will be designated as affordable. The development will include the extension of 80 ½ Street. Total proposed floor area ratio is 0.85. Other applications are involved in terms of platting, in addition to the development application.
- Applicant added there are some interesting utility and infrastructure components. City has the NE Penn project with a large volume of underground retention proposed, so applicant has been working with the City throughout to ensure parties are coordinated with the alignment of the streets and utilities that serve the development.

Discussion/Comments:

- Randy Quale (Park and Recreation):
 - No comment.
- Don Palmer (Assessing):
 - Platting is a trigger for park dedication. Park dedication is estimated at \$740,000 based on current information provided; this represents 10% of current land value minus any credits for demo costs. Land value: \$7.7 million, less demo costs = 7.4 million – 10% is 740,000.
 - Kent Smith is the contact for additional questions.
- Erik Solie (Environmental Health):
 - Bloomington Environmental Health is the delegated program for MN Department of Health. When the hotel plans are more finalized, staff will review.
 - There are some monitoring wells on sites.
 - Applicant added that they worked with Public Works to put these in place two years ago. They are located in the medians currently. Applicant was unsure if they City will choose to keep these. Solie stated that the decision will be the property owner's in terms of who owns those wells.
- Tim Skusa (Building and Inspection):
 - See comment summary.
 - There were some comments in regards to underground parking, verify that entry door and ceiling height requirements are met.
 - Follow the MN Accessibility Code and MN Building Code.
 - There were some code issues in the preliminary review.
 - B&I would like to see a code analysis.
 - Call Duke Johnson or Tim Skusa with questions.
- Lance Stangohr (Fire Prevention):
 - Fire Inspector, filling in for Laura McCarthy, Fire Marshal. McCarthy's comments did not save on the comment summary—these will be forwarded in the near future.
 - Hydrants will be required within 50 ft. of the FDC, 150 ft. of all areas of the structure.
 - Standpipes are required in all stairways with access from all levels.
 - Turning radius should meet the requirements for ladder 4. Desrude will provide.
 - Fire Department Access should have a turnaround in front of the hotel.
- Heidi Miller (Police):
 - Comments will be provided later in plan development.

- Jen Desrude (Engineering):
 - See comment summary.
 - This is a complex site, and Desrude would like to have a separate meeting with applicants and the Engineering reviewers to discuss civil issues.
 - W 81st street will require lots of detail, as there is a major water supply line through there. Cross sections will be required to show this will be protected
 - Understand the maintenance that will be provided for the site. This should be finalized and agreed upon. An agreement needs to be put in place so all parties know their responsibilities.
 - Morgan Circle is a public street, so Staff need to know applicant's intent. Will it be maintained as public or will it become private? If private, applicant will be responsible for maintenance. If public, Staff needs to assess snowplow turnarounds.
- Eric Wharton (Utilities):
 - Generic comments in summary.
 - Is there adequate easement and ROW space for maintenance of the utilities through the site, particularly if the City will be taking over responsibility for maintenance of sewer and water? There must be planned adequate space and parallel separations. This will be a separate discussion offline.
 - The proposed entrance on the southeast corner is directly over a major supply line vault. According to civil plans, it will be exposed when grading. There will be some issues with how to avoid that. Could the entrance be reconfigured? Would the vault be changed? It would be a major undertaking.
 - Applicant asked where under the entrance it falls. Wharton stated it falls under the south leg of the entrance. The vault should be shown where it is at physically. Utilities can assist with providing background information.
 - Coordinate the service of the buildings for sanitary sewer and water in conjunction with the work being done on Knox.
- Glen Markegard (Planning)
 - What is the anticipated schedule?
 - Applicant replied that the goal is to submit on schedule with this initial DRC. Formal DRC: June 5. Planning Commission: June 28. Tentative Council dates of July 9 and July 23.
 - Based on approvals, drawings will be completed over the winter with plans to start in the spring. Start of construction in spring or summer 2019. The contractor will determine if done in one or more phases. Apartments are the majority of the project and will be pushed first. The hotel needs some more work and the lot will help with staging. Potentially, all three buildings could be going up at once.
- Nick Johnson (Planning):
 - There is a discrepancy between Assessing numbers and survey numbers, so the FAR figures are a moving target.
 - Based on an overall development area of 419,399 square feet, the proposed floor area ratio (FAR) is 0.81. The minimum FAR in the C-5 zoning district is 1.0. Under the PD ordinance, the maximum amount of flexibility for zoning district FAR is 20%.
 - Based on an overall development area of 419,399 square feet, the proposed nonresidential floor area ratio (FAR) is 0.18. The minimum nonresidential FAR in the C-5 zoning district is 0.25. This could be requested as flexibility through the PD ordinance.
 - City Code (Sec. 21.301.06) requires a total of 730 parking spaces for the development proposed. 567 total parking stalls are proposed, representing a 22.4 percent deviation from City Code for parking stall quantity. This is expected based on preliminary conversations with

applicant. A parking study will be required to evaluate the parking deviation requested based on shared parking and available transit service (existing and future). This has not been discussed with Traffic yet, but this is typically the case. Additional information about shared parking arrangement must be provided. In the past, the parking study has typically been done before formal application.

- Desrude clarified that much more information will be required about the types of units, and the business model for parking before this can be started.
- Sutliff added that they had requested information about the need for parking study in the past; and thought it had already been initiated. Desrude clarified that it had not, and the June 5th formal application would not be met if it is needed. Traffic staff will need to have a conversation regarding whether the application process can continue with the parking study as a condition, as requested by the applicant.
 - Staff initiates the parking study with a third party, and applicant would like to get this started as soon as possible.
- Building setback requirements are identified in Section 21.301.02(e) of the City Code. Please identify all building setbacks and any potential request for flexibility.
- Primary exterior materials must comply with Section 19.63.08(c) of the City Code and adopted policies related to exterior materials.
- What is included in the comment summary represents the Code standard, and Staff will likely follow up on details regarding PD flexibility at a later date. Staff are still having internal discussions and will follow up with an additional discussion.
 - Desrude proposed a follow up meeting with applicant and relevant City staff.



Comment Summary

Application #: PL201800176

Address: 8000 Knox Avenue South, Bloomington, MN 55431
1901 and 1951 American Boulevard West, Bloomington, MN 55431
8049 Morgan Circle, Bloomington, MN 55431

Request: **Preliminary and Final Development Plans for two four-story multiple-family residential buildings and a four-story hotel.**

Meeting: Pre-Application DRC - May 22, 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) Based on an overall development area of 419,399 square feet, the proposed floor area ratio (FAR) is 0.81. The minimum FAR in the C-5 zoning district is 1.0. Under the PD ordinance, the maximum amount of flexibility for zoning district FAR is 20%.
- 2) Based on an overall development area of 419,399 square feet, the proposed nonresidential floor area ratio (FAR) is 0.18. The minimum nonresidential FAR in the C-5 zoning district is 0.25.
- 3) The minimum floor area of the restaurant does not meet the minimum building floor area in the C-5 zoning district of 20,000 square feet. This is an existing condition.
- 4) City Code (Sec. 21.301.06) requires a total of 730 parking spaces for the development proposed. 567 total parking stalls are proposed, representing a 22.4 percent deviation from City Code for parking stall quantity. A parking study will be required to evaluate the parking deviation requested based on shared parking and available transit service (existing and future). Additional information about shared parking arrangement must be provided.
- 5) Building setback requirements are identified in Section 21.301.02(e) of the City Code. Please identify all building setbacks and any potential request for flexibility.
- 6) Primary exterior materials must comply with Section 19.63.08(c) of the City Code and adopted policies related to exterior materials.
- 7) Primary facades must have a minimum of 50% transparent windows per Section 21.301.03(b) of the City Code.
- 8) Based on a developable landscaping area of 419,399 square feet, the total site must have 168 trees and 419 shrubs per Section 19.52 of the City Code.

- 9) City Code (Sec. 19.52(c)(4)) requires 20-foot landscape yards when adjacent to public or private streets.
- 10) The City's supplemental landscaping policy has additional performance standards and requirements pertaining to landscaping. Staff can provide a copy of the policy.
- 11) Parking lot and exterior security lighting must meet Section 21.301.07 for residential and retail uses.
- 12) Interior trash and recycling must be provided per Section 19.51 of the City Code and the MN State Building Code. The hotel must provide 214 square feet of trash and recycling facilities. Each multiple family residential building must provide 623 square feet of trash and recycling facilities.
- 13) All rooftop equipment must be screened equal to the height of the equipment. (Section 19.52.01)
- 14) The minimum width of a parking island is eight feet (Sec. 21.301.06(c)(2)(H)). Parking islands must have one deciduous tree.
- 15) The proposed buildings do not exceed four stories in height. As a result, the development complies with the pedestrian street step back standard (Sec. 21.301.10(e)).
- 16) Property must be platted per Chapter 22 of the City Code and the approved plat recorded at Hennepin County prior to the issuance of a foundation or building permit.
- 17) Residential storage requirements are found in Section 21.302.09 of the City Code.

Building Department Review - Pre-App 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) When 80% of plans are completed, a preliminary plan review meeting can be set up with Building & Inspections manager.
- 5) Entry door and ceiling height must meet MN State Accessibility code.
- 6) Elevator lobbies must have doors on floors 2-4 that meet MN State Building Code

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

Fire comments will follow in a separate email.

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

- 1) ped ramp is significantly wider than opposing ramp

- 2) Provide a grading plan for the Morgan Circle Area, valley gutter may be needed rather than ribbon curb depending on drainage directions
- 3) Increase to 7' for vehicle overhang (TYP)
- 4) Use Bloomington Non-Residential Driveway Detail
- 5) Maintenance considerations for relatively small areas between ped ramps (TYP)

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

- 1) See list of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.
- 2) Property must be platted per Chapter 22 of the City Code and the approved plat recorded at Hennepin County prior to the issuance of a foundation or building permit.
- 3) A title opinion or title commitment that accurately reflects the state of the title of the property being platted, dated within 6 months of requesting City signatures, must be provided.
- 4) Consent to plat form is needed from any mortgage companies with property interest.
- 5) Right-of-way dedication is required on the final plat. Plan would call for vacation of part of Morgan Circle. Coordination of vacation, dedication and construction needed. Construction of 81st St requires approval of 8100 Knox Ave.
- 6) Public drainage/utility and easements must be provided on the plat as approved by City Engineer.
- 7) Private common utility easement/agreement must be provided.
- 8) Private common driveway/access easement/agreement must be provided.
- 9) Existing easements may be vacated. Contact Bruce Bunker at 952-563-4546 or bbunker@BloomingtonMN.gov for information regarding the Public Rights-of-Way Vacation Application. It is the responsibility of the developer to determine if private utilities exist in the easement prior to submitting the application. Developer/owner to provide legal description and Engineering staff will prepare vacation document.
- 10) \$15 fee for certified copy of plat. Engineering staff will obtain a certified copy of the plat from Hennepin County.
- 11) A 10-foot sidewalk/bikeway easement shall be provided along all street frontages. Developer/owner shall provide legal description and Engineering staff will prepare easement document.

Traffic Review - Pre-App Contact: Amy Marohn at amarohn@BloomingtonMN.gov, (952) 563-4532

- 1) Traffic review forthcoming.

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

- 1) CONCRETE VALVE VAULT STRUCTURE HAS A TOP ELEVATION OF 840 AND CONFLICTS WITH THE PROPOSED ENTRANCE GRADES.
- 2) STORM AND WATER MAIN CONFLICT
- 3) Additional easement space may be needed along W 80 1/2 St and parallel to the watermain that runs north and south between the multifamily residential buildings to permit the safe installation of commercial utilities.
- 4) Public drainage/utility and easements must be provided on the plat.
- 5) Private common utility easement/agreement must be provided.
- 6) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
- 7) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 8) 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.
- 9) 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
- 10) Show and label all property lines and easements on all plan sheets.
- 11) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 12) All unused water services must be properly abandoned at the main. All unused sanitary sewer services must be properly abandoned at the property line.
- 13) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 14) A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers.
- 15) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss.
- 16) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants.
- 17) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius.
- 18) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.
- 19) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.

- 20) 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.
- 21) 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.
- 22) An inspection manhole is required on all commercial sewer services.
- 23) Use standard short cone manholes without steps.
- 24) Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement. The location and piping adjacent to the hotel should be shown on the utility plan.
- 25) Install interior chimney seals on all sanitary sewer manholes.
- 26) Taps of live water mains are done by City forces and paid for and coordinated with the Contractor.
- 27) Utility and mechanical contractors must coordinate the installation of all water and sewer service pipes into the building to accommodate city inspection and testing.
- 28) 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.
- 29) Use schedule 40, SDR 26, or better for PVC sewer services.
- 30) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter.
- 31) 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.
- 32) The stormwater system should be confirmed to prevent stormwater during large storm events from entering the sanitary sewer in underground parking structures.

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

- 1) Review underground parking entrance for surface runoff/flooding.
- 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) 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
- 5) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.

- 6) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 7) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
- 8) An erosion control bond is required.
- 9) Show erosion control BMP locations on the plan
- 10) List erosion control maintenance notes on the plan.
- 11) Provide a turf establishment plan
- 12) 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.
- 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) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 15) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.

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

- 1) Platting is the trigger for park dedication. Based on information supplied an estimate of park dedication will be approximately \$740,000.