

## GENERAL INFORMATION

Applicant: JR Hospitality (developer)  
Metropolitan Airports Commission and Skywater  
Technology Foundry (owners)

Location: 2300 East 86th Street  
2325, 2349, 2357 and 2373 East Old Shakopee Road

Request: Final site and building plans for a four-story, 151-room  
extended stay hotel

Existing Land Use and Zoning: Vacant land; zoned C-4 (BP-2)(AR-17)  
Parking lot; zoned C-4 (BP-2)

Surrounding Land Use and Zoning: South – Vacant land; zoned R-1  
East and North – Conservation land; zoned SC  
West – Multiple family residential, hotel and switching  
station; zoned R-4 and C-4 (PD)

Comprehensive Plan Designation: Office (subject to Metropolitan Council approval)

## CHRONOLOGY

Planning Commission: 05/24/2018 – Continued to the June 14, 2018 meeting

Planning Commission 06/14/2018 – Public hearing scheduled

## DEADLINE FOR AGENCY ACTION

Application Date: 04/03/2018  
60 Days: 06/02/2018  
120 Days: 08/01/2018  
**Applicable Deadline: 08/01/2018 (extended by City)**  
Newspaper Notification: Confirmed – (05/10/2018 Sun Current – 10 day notice)  
Direct Mail Notification: Confirmed – (500 buffer – 10 day notice)

## STAFF CONTACT

Mike Centinario  
(952) 563-8921, mcentinario@BloomingtonMN.gov

## **PROPOSAL**

The applicant proposes a four story, 151-room hotel on a 201,613 square foot triangle shaped site. The shallow L-shaped 98,744 square foot hotel would be located on the south end of the site with the main entrance and porte-cochere drop-off located on the southwest side. The 23,042 square foot first floor includes the main lobby/registration area, a 460 square foot meeting room, a dining and social seating area, an outdoor seating area and 31 guest rooms. Floors 2 through 4 have 40 guest rooms each. A hotel laundry, indoor swimming pool, fitness and trash room are located on the lower level. Exterior materials are identified as brick, glass, and stucco in two colors.

A total of 166 on-site parking spaces would be constructed on three sides of the building with the parking lots having code complying 20 foot landscape yards along both street frontages and a greater than five foot landscape yard along the rear property line. The plan proposes the required three-foot-high solid screening along all street frontages by using a variety of plant materials.

Stormwater rate and quality control is provided via a small infiltration basin at the north side of the site and a large underground chamber below the northern parking lot. The site would have final grade 13 feet higher at the building entrance than the northern edge of the parking lot. No information regarding ground or roof mounted mechanical equipment is shown on the plans.

## **ANALYSIS**

Staff had preliminary development discussions regarding this site with many parties, including applicant. The property is a difficult site to develop given its proximity to the bluff and triangular shape. This otherwise vacant site includes an overflow parking lot at the corner of East 86<sup>th</sup> Street and East Old Shakopee Road. The parking lot is owned by Skywater Technology Foundry.

The proposed development site includes five lots, four of which were zoned RM-50 and one that was zoned B-1. In addition, four lots were designated on the Comprehensive Plan as Public and one Innovation and Technology. On May 21, the City Council adopted a resolution amending the Comprehensive Plan to reguide the five parcels for Office land uses and adopted an ordinance rezoning the five parcels to C-4, Freeway Office. The City Council also approved a preliminary and final plat to combine the five parcels into one and dedicate a strip of land along East Old Shakopee Road as public right of way.

Apart from the City's development review process, the applicant must wait for the Metropolitan Council to act on the Compensative Plan Amendment before obtaining a grading, foundation or building permit.

### **Code Compliance**

Table 1 provides a performance standard analysis of the application relative to the C-4 Zoning District. The applicant does not meet the City Code for all standards and modifications are

required. The required changes will not create additional issues related to the proposed development and appropriate conditions are recommended.

The site is adjacent to a sensitive bluff area and to Ike's Creek, a spring-fed stream with a self-sustaining trout population. The City Code prohibits over the bluff discharge of stormwater and restricts development below the 800 foot contour. The Lower Minnesota River Watershed District requires a 30 foot setback from the point where the slope is 30 percent or greater. The net developable land area is approximately 180,000 square feet.

**Table 1: City Code Compliance – C-4 District**

<b>Standard</b>	<b>Code Requirement</b>	<b>Proposed</b>	<b>Compliance</b>
Site Area - Minimum	120,000 square feet	201,613	Yes
Minimum lot width	200 feet (250 - corner lots)	316 feet	Yes
Minimum Building Floor Area	20,000 square feet	98,800 square feet	Yes
Building setback - all streets Minimum	35 feet	Old Shakopee: >40 feet East 86 <sup>th</sup> Street >50 feet	Yes
Building rear yard setback Building side yard setback	30 feet for buildings over 4 stories	> 75 feet > 200 feet	Yes
Building bluff setback	30 feet from 30 percent slope	74 feet	Yes
Parking setback – all streets Minimum	20 feet - along street	20 feet	Yes
Parking setback – internal Minimum	5 feet	> 18 feet	Yes
Parking islands	8 feet minimum width with one tree or more	> 8 feet with at least one tree	Yes
Drive Aisles	24 feet minimum width	> 24 feet	Yes
Impervious surface coverage	90 percent maximum	< 75%	Yes
Floor area ratio	0.4 Min / 2.0 Max	0.49	Yes
Building height – Maximum	Airport Height limit	61.5 feet to parapet	Yes
Parking - Minimum	166 spaces	166 spaces	Yes
Sidewalk primary entrance buffer -Minimum	10 feet	~7.5 feet	No
Trees - Minimum	72 trees	37 “new” trees	No
Shrubs - Minimum	180 shrubs	305 shrubs	Yes
Trash collection and storage	Interior with interior access	Provided	Yes
Lighting – Maintained levels - Minimum	Parking Lot – 2.0 FC Entry – 10.0 FC Sidewalk – 3 FC within 30 feet of primary access door & 2.0 FC within 5 feet of secondary door	Parking – 1.5 to 6.5 FC Entry – 11 to 20 FC Sidewalk – primary door 2.2 to 10 FC secondary door 0.0 to 5.2 FC	No

### **Building, Landscape and Lighting**

The proposed exterior building materials are interstate brick and stucco in two colors. The primary exterior material is stucco and staff would review acrylic finish specification information prior to the stucco being installed on the building.

A variety of plant materials provide the required three-foot screening along all street frontages. City Code requires a two-foot clear area along all sidewalks. The applicant evaluated the proposed landscaping at full growth and provides a two-foot setback from the parking edge and the sidewalk while providing the minimum three-foot screen.

The landscape plan is not in compliance with the minimum required trees for the property. The developable land area after deduction of the right-of-way dedication and land below the 800 foot contour is 180,153 square feet. This amount of developable area requires 72 trees and 180 shrubs. The applicant proposes 37 new trees and 5 existing trees totaling 42. Although multiple mature trees within the right-of-way would be retained, they may not be used to meet the minimum requirements. A revised landscape plan showing 72 trees on the site and a tree in every parking island must be provided.

The applicant's intent is to provide Code complying lighting. The photometric plan provided lists the maintained light levels at a 0.90 light loss factor. The City Code requires maintained light levels to be calculated at a 0.81 light loss factor or lower. The plan submitted is deficient in a few areas and the plan will require minor revisions. The plan lists the Cree ARE-EHO as 426.2 Watts and 25,113 lumens or 58 lumens per watt – City Code requires all lighting must be at least 70 lumens per watt. The applicant must modify the plan to provide Code complying parking and security lighting in compliance with the State Energy Code prior to a permit.

### **Access, Circulation, and Parking**

One “full” access is proposed along East 86<sup>th</sup> Street. East Old Shakopee Road is within Hennepin County's jurisdiction and the County is limiting access to a “right-in, right-out.” The site must be configured to assure that the Bloomington ladder truck could circulate as approved by the Fire Marshal, although preliminary analysis depicts sufficient truck circulation. City Code requires 1.1 parking stalls per room and as proposed, the parking supply complies by providing 166 spaces. Because the hotel lounge is intended to serve only hotel guests, would not have separate exterior signage, and is integrated into the first floor, hotel lounge seats do not require additional parking.

The project would construct a new public 10-foot bituminous trail within a 15-foot sidewalk/bikeway easement along East Old Shakopee Road. A sidewalk connection between East Old Shakopee Road and the hotel's main entrance is provided.

### **Stormwater Management**

Stormwater will be managed via an infiltration basin and an underground system under the parking lot on the north side of the property. Stormwater rate and quality control plans have been submitted and are being reviewed by the City Engineer. The plans must meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County.

### **Utilities**

There is public sanitary sewer and watermain under East Old Shakopee Road and East 86<sup>th</sup> Street. Watermain looping is required, which will require two connection points and a valve in between. Watermain looping will allow greater reliability should water service need to be shut off on either East Old Shakopee Road or East 86<sup>th</sup> Street. In addition, unused sewer and water services must be properly abandoned with this project.

### **Traffic Analysis**

The hotel is expected to generate about 1,263 new trips per day, depending on occupancy, with the peak occurring on Saturday. The hotel is expected to generate about 109 new trips in Saturday peak hour. New daily and peak hour trips generated from the site are expected to be accommodated by the existing street network with the average daily traffic on East Old Shakopee Road being approximately 9,000 vehicles per day.

### **Transit and Transportation Demand Management (TDM)**

There is currently a transit stop in front of the site on East Old Shakopee Road with service to the Mall of America station, which is the busiest transit station in Minnesota with frequent service to many destinations.

This redevelopment will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist.

### **Status of Enforcement Orders**

There are no open enforcement orders for the properties.

## FINDINGS

### Required Final Site and Building Plan Findings - Section 21.501.01(d)(1-4):

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> - There would be no conflict between the proposed development and the Comprehensive Plan. The proposed use and character of the development is consistent with the Comprehensive Plan's designation for the property as Office, which explicitly allows hotel uses.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> - The proposed use is consistent with the South Loop District Plan, which supports hospitality development within the Office land use designation.
(3) The proposed use is not in conflict with City Code provisions.	<b>Finding Made</b> – The proposed development reviewed has several minor conflicts with the City Code. These conflicts are addressed in the conditions. Corrections are required before permits may be issued.
(4) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	<b>Finding Made</b> - The development is not anticipated to have an adverse impact on the reasonable enjoyment of neighborhood property.

## RECOMMENDATION

**Note the Planning Commission has final approval authority on this Final Site and Building Plans application unless an appeal to the City Council is received by 4:30 p.m. on June 19, 2018.**

Staff recommends the following motion:

In Case PL2018-122, having been able to make the required findings, I move to approve Final Site and Building Plans for a 151 room hotel at 2325, 2349, 2357 and 2373 East Old Shakopee Road and 2300 East 86<sup>th</sup> Street, subject to the conditions and Code requirements attached to the staff report.

## **RECOMMENDED CONDITIONS OF APPROVAL**

**Case** PL201800122

**Project Description:** Final Site and Building Plans for a four-story, 151 room hotel located at 2325, 2349, 2357 and 2373 E. Old Shakopee Road and 2300 E. 86th Street

**Address:** 2357 E OLD SHAKOPEE RD2373 E OLD SHAKOPEE RD2349 E OLD SHAKOPEE RD2300 E 86TH ST2325 E OLD SHAKOPEE RD

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
2. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
3. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
4. Prior to Permit Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
5. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed (State of MN and Federal regulation).
6. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
7. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
8. Prior to Permit Approval by the Lower Minnesota Watershed District must be provided.
9. Prior to Permit The properties must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of any permits (22.03(a)(2)).
10. Prior to Permit An erosion control surety must be provided (16.08(b)).
11. Prior to Permit A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City (State of MN).
12. Prior to Permit An external grease interceptor must be provided if the proposed tenant will have food preparation and service that will produce fats, oils, grease or wax in excess of 100 mg/L. The external grease interceptor design must be approved by the Utilities Engineer. A grease interceptor maintenance agreement must be filed with the Utilities Division, if an external grease interceptor is installed. Contact City of Bloomington Utility Department at 952-563-8775 for determination.

12. Prior to Permit A Hennepin County permit for work within the right-of-way must be obtained and a copy submitted to the Engineering Division prior to work beginning in the right-of-way.
14. Prior to Permit Landscape plan must be revised to meet Code requirements and must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
15. Prior to Permit Poured-in-place concrete curbs must be provided on the perimeter of parking lots and traffic islands (Sec 19.64).
16. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
17. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
18. Prior to Permit An Airport Zoning Permit must be approved by the Community Development Director for any crane or structure on site that exceeds 120 feet in height above existing grade (MSP Airport Zoning Ordinance Section VIII (A)).
19. Prior to Permit Plans submitted for building permits must include documentation that construction will provide a Sound Transmission Class (STC) rating of at least 40 for roof, ceiling, and wall assemblies, STC rating of at least 30 for guest room windows, and STC rating of at least 20 for exterior doors unless a certified sound specialist documents the construction will provide a 20 dBA noise level reduction through alternative means.
20. Prior to C/O A 10-foot bituminous trail must be installed along East Old Shakopee Road at the developer's expense (Section 21.301.04(b)(1)).
21. Prior to C/O Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
22. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
23. Ongoing Alterations to utilities must be at the developer's expense.
24. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 19.51). Recyclable materials must be separated and collected (Sec. 10.45).
25. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
26. Ongoing All construction stockpiling, staging and parking must take place on site and off adjacent public streets and public right-of-way.
27. Ongoing All loading and unloading must occur on site and off public streets.