



# Development Review Committee

## Approved Minutes

Pre-Application, PL201900210  
Meeting Date: November 5, 2019  
McLeod Conference Room  
Bloomington Civic Plaza  
1800 West Old Shakopee Road

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### Staff Present:

Laura McCarthy (Fire Prev, Chair) 952-563-8965	Jason Heitzinger (Assessing) 952-563-4512
Duke Johnson (Bldg & Insp) 952-563-8959	Jennifer Blumers (Assessing) 952-563-8706
Steve Segar (Utilities) 952-563-4533	Erik Solie (Env. Health) 952-563-8978
Brian Hansen (Eng.) 952-563-4543	Nick Johnson (Planning) 952-563-8925
Rozlyn Tousignant (Eng.) 952-563-4627	Glen Markegard (Planning) 952-563-8923
Maureen O'Brien (Legal) 952-563-8781	Megan Rogers (Legal) 952-563-4889

### Project Information:

Project	Townhouse development at 8525 and 8545 Penn Avenue South
Site Address	8252 and 8245 Penn Avenue South
Plat Name	Unplatted
Project Description	16-unit townhouse development.
Application Type	Comprehensive Plan Amendment, Rezoning, Preliminary and Final Development Plan, Preliminary and Final Plat
Staff Contact	Nick Johnson – <a href="mailto:nmjohnson@BloomingtonMN.gov">nmjohnson@BloomingtonMN.gov</a> (952) 563-8925
Applicant Contact	Steve Furlong - <a href="mailto:sfurlong@muihomeloans.com">sfurlong@muihomeloans.com</a> (952) 214-6087
Post Application	YES

NOTE: To view all documents and minutes related to this review, please go to [www.blm.mn/plcase](http://www.blm.mn/plcase) and enter "PL201900210" into the search box.

### Guests Present:

Name	Email
Brian Clemens	<a href="mailto:mcdonnelclemens@gmail.com">mcdonnelclemens@gmail.com</a>
Steve Furlong	<a href="mailto:sfurlong@muihomeloans.com">sfurlong@muihomeloans.com</a>
Paul Nelson	<a href="mailto:Paul.nelson@cball.co">Paul.nelson@cball.co</a>

### INTRODUCTION – Nick Johnson (Planning):

Applicant is applying for a Comprehensive Plan Amendment, Rezoning, Preliminary and Final Development Plan, and Preliminary and Final Plat for a 16 unit townhouse development.

**Discussion/Comments:**

**PLEASE NOTE:** Below **is not** a complete list of comments. Please read the comment summary and review plan mark-ups for a full list of comments.

- Renae Clark (Park and Recreation):
  - No comment
- Jennifer Blumers (Assessing):
  - Blumers indicated that a park dedication fee of \$20,873 will be required.
- Erik Solie (Environmental Health):
  - Solie explained that there are existing wells that will need to be sealed prior to development.
- Duke Johnson (Building and Inspection):
  - Johnson noted that a SAC determination will be required for all units, and the applicant must meet MN state building code.
  - Johnson explained that once plans are 80% complete, staff would like to meet with applicant.
- Laura McCarthy (Fire Prevention):
  - McCarthy explained that the developer should be mindful of turning radius and driveway length impacts to emergency apparatus.
  - McCarthy noted that townshomes will be required to be sprinklered.
- Brian Hansen (Engineering):
  - Hansen highlighted the concern for snow storage, requesting that it be addressed by applicant.
  - Hansen noted that storm water should be retained on site, not being redirected onto other properties.
  - Hansen explained that the application will require a traffic/parking study.
- Steve Segar (Utilities):
  - Segar noted the number of existing services that would need to be abandoned.
  - Segar requested that the applicant highlight size of the sewer and water mains.
  - Segar discussed the City's preference for looping water service.
  - Segar noted that the interior hydrant will need to meet spacing requirement of 150 ft radius.
  - Segar addressed the need for a 10 ft separation between water and sewer.
- Maureen O'Brian (Legal):
  - No comment
- Nick Johnson (Planning):
  - Johnson explained that Comprehensive Pla Amendment would need to be approved by the Met Council following City Council approval. This extra step likely adds 4 weeks to the approval process.
  - Johnson noted the potential options for rezoning to either the R-3 or RM-12 zoning districts. Staff finds greater merit in rezoning to the R-3 zoning district.
  - Johnson requested that the applicant further refine parking and snow storage on plans.
  - Johnson explained that buildings must have a connection to sidewalks.
  - Johnson highlighted the discrepancy in the roadway width. The City requires a 20' width for fire trucks, however the applicant is showing 30'. A conversation was held regarding road width.



# Comment Summary

**Application #:** PL2019-210

**Address:** 8525 and 8545 Penn Avenue South, Bloomington, MN 55431

**Request:** **Comprehensive Plan Amendment, Rezoning, Preliminary and Final Development Plan, and Preliminary and Final Plat for a 16 unit townhouse development.**

**Meeting:** Pre-Application DRC - November 05, 2019

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

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

- 1) The required applications would include a Comprehensive Plan Map Amendment, a Rezoning, a Preliminary Development Plan, a Final Development Plan, and Preliminary and Final Plat (Type III). The application fee is estimated to be \$8,880.
- 2) The proposed density of the development is 8.42 units per acre. The planned land use for the site must be reguided to the medium density residential land use designation. The site must be rezoned to the R-3 or RM-12 zoning district depending whether or not flexibility to maximum residential density requirements is sought through the planned development overlay district.
- 3) The RM-12 zoning district requires a front setback of 40 feet along streets. The required front setback of the R-3 zoning district is 30 feet.
- 4) 16 three-bedroom townhomes would require 48 parking spaces according to City Code (Sec. 21.301.06(d)). Demonstrate compliance with minimum parking requirements.
- 5) Parking area must be setback 20 feet from front property line to maintain front landscape yard.
- 6) Based upon the guidance of the ITE manual, parallel parking spaces must be eight feet in width and 25 feet in length. Parallel parking dimensions must be revised.
- 7) End-of-tier parking island required.
- 8) Internal drive aisle not adjacent to surface parking could be reduced in width to 20 feet. Reducing drive aisle width would reduce impervious surface and allow more area for a sidewalk and landscaping.
- 9) Provide a private sidewalk (five feet wide) through the development along a minimum of one side of the private circulation drive to the public sidewalk network on Penn Avenue South and West 86th Street (Sec. 21.301.04(b)(2)(A)).
- 10) Retaining walls over four feet in height must meet principal building setbacks (30 feet in R-3 zoning district).
- 11) Consider street facing front facade. Townhomes fronting on Penn Ave or W 86th Street would provide greater architectural interest and activate the streetscape. This design would also allow direct sidewalk connection to public sidewalk network. Please review 9731 3rd Ave S as an example of street-facing townhomes.
- 12) At least 20% of townhouse development site must be used for accessible landscaped open space (Sec. 21.302.08(c)(13)(A)).
- 13) A landscape plan must be provided that includes 33 trees and 83 shrubs (Sec. 19.52(c)(2)). Existing trees on-site that would remain post-development would count towards landscaping requirements as long as the

trees are not on the City's prohibited species list (Sec. 18.03). The trees would need to be surveyed/identified in order to be eligible to count towards landscaping requirements.

- 14) Patios and decks must follow the setback requirements of Section 19.08(d) of the City Code.
- 15) The only stormwater management facilities allowed within the front landscape yard (20 feet) are rain gardens (Sec. 19.52(c)(4)(B)(i)).
- 16) Areas for snow storage should be considered and identified on future plans.
- 17) Circulation to Lot 1 of the southern building is challenging. A hammerhead or turn-around must be provided.
- 18) Townhouse buildings must comply with articulation regulations (Sec. 21.302.08(c)(10)). Blank facades along public streets are to be avoided. Any building with three or more units must be designed so that the front facade and roof line of each unit is visually distinct through staggering or offset.
- 19) Maximum building height is 2 stories/40 feet, but must also comply with the shadow standards of Section 21.301.10(d) of the City Code. The new townhome buildings are prohibited from exceeding a height that will cast shadows on existing residentially used buildings on protected residential property at both 10:00am and 2:00pm Central Standard Time on December 21. A shadow study according to the provisions of Section 21.301.10(d)(2) must be included in the application.

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

- 1) Must meet current MN State Building Code
- 2) Must meet MN Accessibility Code
- 3) SAC review by MET council will be required.

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

- 1) Provide adequate turning radius to accommodate BFD Ladder 1.
- 2) Hydrant coverage shall be provided within 150' of all portions of the structure.
- 3) Units are required to be sprinklered per 2015 MSFC.

**Construction/Infrastructure Review:** Brian Hansen at [bhansen@BloomingtonMN.gov](mailto:bhansen@BloomingtonMN.gov), (952) 563-4543

- 1) Non-residential driveway approach following City of Bloomington detail required at all driveways
- 2) Where is the proposed snow storage areas? Deposit of snow from private property into the public right-of-way is prohibited.

**Water Resources Review:** Brian Hansen at [bhansen@BloomingtonMN.gov](mailto:bhansen@BloomingtonMN.gov), (952) 563-4543

- 1) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
- 2) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 3) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.
- 4) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 5) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
- 6) An erosion control bond is required.
- 7) Show erosion control BMP locations on the plan
- 8) List erosion control maintenance notes on the plan.
- 9) Provide a turf establishment plan
- 10) 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.

- 11) Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits ([www.ninemilecreek.org](http://www.ninemilecreek.org))
- 12) SHOW UNDERDRAIN DETAIL AND CONNECTIONS IF FILTRATION SYSTEM IS USED.
- 13) Stormwater appears to flow onto adjacent properties. Show how this will be mitigated.

**Traffic Review:** Brian Hansen at [bhansen@BloomingtonMN.gov](mailto:bhansen@BloomingtonMN.gov), (952) 563-4543

- 1) Traffic and parking study required
- 2) 10' sidewalk/bikeway easement required on 86th and on Penn.
- 3) If roadway modifications (striping and signage) are required based on this new driveway location, they will be the responsibility of the applicant under a right-of-way permit.
- 4) Hennepin County review required for elements related to Penn Avenue (CSAH 32), including access, sidewalk and center median mentioned in project description.
- 5) Consider a hammerhead so unit on Lot 1 can get out.
- 5) A Hennepin County right-of-way permit is required.
- 6) 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 Sean Jenkins (952-563-4545, [sjenkins@BloomingtonMN.gov](mailto:sjenkins@BloomingtonMN.gov)) for permit information.
- 7) Illustrate on plan that the clear view triangle (15' from property corner to driveway approaches) is not obstructed by landscaping or signage.
- 8) Provide appropriate MMUTCD references for signs proposed for circulating traffic. All private signage must be installed outside of the city right-of-way.
- 9) 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.

**Utility Review:** Brian Hansen at [bhansen@BloomingtonMN.gov](mailto:bhansen@BloomingtonMN.gov), (952) 563-4543

- 1) See Document Markups of existing sewer and water services (to be abandoned) and mains (for taps and looping options).
- 2) Encroachment agreement application must be submitted for encroachment in public right-of-way or easements.
- 3) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
- 4) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 5) Move landscaping, pond, retaining wall, or other structure out of right-of-way or easement.
- 6) All unused water services must be properly abandoned at the main. All unused sanitary sewer services must be properly abandoned at the property line.
- 7) A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers.
- 8) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss. City may accept alternative WM loop configuration to 86th St. instead of tapping 30" PCCP.
- 9) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants.
- 10) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius.
- 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) 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.
- 13) 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.

- 14) Use standard short cone manholes without steps.
- 15) 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.
- 16)
- 17) 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.
- 18) 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](http://www.bloomingtonmn.gov/information-sheets-and-handouts-engineering-division)
- 19) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 20) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 21) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.
- 22) Taps of live water mains are done by City forces and paid for and coordinated with the Contractor.
- 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) Install interior chimney seals on all sanitary sewer manholes.
- 26) UG stormwater systems limit restrict locations.
- 27) Public drainage/utility and easements must be provided on the plat.
- 28) Show and label all property lines and easements on all plan sheets.
- 29) Provide details on proposed water services and fire services.

**PW Admin Review:** Brian Hansen at [bhansen@BloomingtonMN.gov](mailto:bhansen@BloomingtonMN.gov), (952) 563-4543

- 1) Driveway can't cross property line without recorded agreement with neighbor
- 2)
- 3) Show easements
- 4) See checklist of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.
- 5) 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.
- 6) 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.
- 7) Consent to plat form is needed from any mortgage companies with property interest.
- 8) Right-of-way dedication is required on the final plat. 40 feet from centerline of Penn Ave and 86th St.
- 9) Public drainage/utility and easements must be provided on the plat.
- 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.

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

- 1) Existing wells must be sealed prior to any new development (see diagram in documents and images). Two wells are located on the property. One well is known to be sealed, status of second well is unknown. All well must be sealed prior to ANY construction.

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

- 1) Park dedication fee estimated at \$20,873