



Development Review Committee

Approved Minutes

Development Application, #PL202000133

Mtg Date: 8/18/2020

McLeod Conference Room

Bloomington Civic Plaza

1800 West Old Shakopee Road

Staff Present:

Brian Hansen (Eng., Chair) 952-563-4543
Laura McCarthy (Fire Prev) 952-563-8965
Rena Clark (Park & Rec) 952-563-8890
Tim Skusa (Bldg. & Insp) 952-563-8953
Rozlyn Tousignant (Eng.) 952-563-4627
Steve Segar (Utilities) 952-563-4533

Jennifer Blumers (Assessing) 952-563-8706
Nick Johnson (Planning) 952-563-8925
Erik Solie (Env. Health) 952-563-8978
Eileen O'Connell (Env. Health) 952-563-8981
Maureen O'Brien (Legal) 952-563-8781

Project Information:

Project	Penn City Townhomes
Site Address	8525 and 8545 Penn Avenue South
Plat Name	Unplatted – 04 027 24
Project Description	Comprehensive Plan amendment from Low Density Residential to Medium Density Residential, Rezone from R-1 to R-3(PD), Preliminary and Final Development Plan and a Type III Preliminary and Final development plan for 16 lots (15 townhomes and one common area)
Application Type	Comprehensive Plan Amendment Rezoning from R-1 to R-3(PD) Preliminary and Final Development Plan Type III Preliminary and Final Plat
Staff Contact	Nick Johnson, nmjohnson@bloomingtonmn.gov – (952) 563-8925
Applicant Contact	Steve Furlong, sfurlong@muihomeloans.com – (651) 235-6429 Brian Clemens, mcdonnelclemens@gmail.com – (612) 616-3553
Planning Commission	09/10/2020 – Public Hearing scheduled
City Council	10/05/2020 – Public Hearing (anticipated date)

NOTE: All documents and minutes related to this case can be viewed at www.blm.mn/plcase, enter the permit number, “PL202000133” into the search box.

Guests Present:

Name	Email
Steve Furlong	sfurlong@muihomeloans.com
Brian Clemens	mcdonnelclemens@gmail.com

Introduction: Nick Johnson, Planning

The applicant requests several land use approvals to allow redevelopment of one vacant lot (8525 Penn) and a lot with a single-family dwelling (8545 Penn). There are 15 units proposed in three townhome structures. A 5-unit building is fronting Penn Avenue, a 4-unit building is fronting W 86th Street, and a 6-unit building at the northeast corner of the site. Two new access locations are proposed. A right-in right-out only access at Penn Avenue and a full access point along W 86th Street, matching the access location for the park to the south. Each unit would have a two stall garage with a driveway allowing for two cars. Three visitor/guest spaces are proposed along the private access road. Stormwater would be distributed to three at grade infiltration basins and one underground infiltration basin.

Discussion/Comments:

Please review the comment summary and plans for mark-up comments as all the comments are not discussed at the meeting.

- Renae Clark (Park and Recreation):
 - No comment.
- Jennifer Blumers (Assessing):
 - Blumers noted that there will be a Park Dedication fee of approximately \$79,800.
- Erik Solie (Environmental Health):
 - Solie explained that there is a well on the property that has not been sealed.
- Tim Skusa (Building and Inspection):
 - Skusa reminded the application to follow the updated MN Building Code.
 - Skusa noted that the applicant will need a SAC Determination.
- Laura McCarthy (Fire Prevention):
 - McCarthy highlighted the requirement for sprinklering the units, McCarthy noted that staff will work with the applicant on which system-type wills are allowed.
 - McCarthy addressed the hydrant coverage, noting that adequate coverage will be needed.
 - McCarthy explained accessibility concerns for emergency vehicle access without visitor parking.
- Brian Hansen (Engineering) provided the Public Works comments and noted the following:
 - Hansen highlighted the comment regarding the configuration of the sidewalk at the southwest corner of the property.
 - Hansen noted the work on the stormwater management plan by the applicant, reminding them to follow requirements from the City and the Nine Mile Creek Watershed District.
 - Hansen explained that Hennepin County is the roadway authority for Penn Avenue and the applicant will need to work with the County on approval for the driveway access onto Penn Avenue.
 - Hansen noted that an additional 7 feet of ROW will need to be dedicated along the Penn Avenue side of the property.
- Steve Segar (Utilities):
 - Segar explained that taps of live watermains will be performed by the City.
 - Segar commented that “dead-end” water will be an issue, a potential solution would be to loop the system back to the main.

- Segar noted that the comments summary contain the keypoint items from Utilities.
- Eileen O'Connell (Public Health):
 - O'Connell noted that staff at Public Health can work with the applicant should they wish to make these smoke free units.
- Maureen O'Brien (Legal):
 - No comment.
- Nick Johnson (Planning):
 - Three guest parking spaces is not adequate to serve the development. Please work with Planning staff to discuss methods to increase guest parking supply.
 - Provide a construction phasing plan, detailing contractor staging, lay-down, deliveries, parking etc. Access must be maintained throughout construction.
 - There is no sidewalk connection to the eastern townhome building. Please confirm whether or not you are requesting a formal PD deviation.
 - Provide an exhibit or calculation demonstrating compliance with a minimum 20% landscaped and accessible open space.



Comment Summary

Application #: PL2020-133

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

Request: **Comprehensive Plan amendment to reguide 8525 and 8545 Penn Avenue from Low Density Residential to Medium Density Residential; Rezone 8525 and 8545 Penn Avenue from R-1 to R-3(PD); Preliminary and final development plan for 15 townhomes; and Type III preliminary and final plat to subdivide two lots into 15 townhome lots and one common lot**

Meeting: Pre-Application DRC – November 5, 2019
Post-Application DRC – August 18, 2020
Planning Commission – September 10, 2020
City Council (projected) – October 05, 2020

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) A detailed construction phasing plan must be provided. Contractor staging, parking and deliveries must be considered. Access must be maintained throughout all phases of construction.
- 2) A Comprehensive Plan Amendment also requires the approval of the Metropolitan Council following City Council action. The Metropolitan Council is allowed a minimum of 60 days upon receipt to process such an application.
- 3) Three guest parking spaces is not adequate. Please work with Planning staff to discuss methods to increase guest parking.
- 4) Proposed access must be reviewed and approved by Hennepin County. Necessary County access and right-of-way permits must be obtained prior to construction activity.
- 5) The maximum residential density in the R-3 zoning district is 8 units/acre. The proposed residential density is 7.98 units/acre, thus complying with the maximum density of the R-3 zoning district.
- 6) City Code requires sidewalk connections from the public sidewalk network to the primary entrance of all buildings (Sec. 21.301.04(b)(2)(A)). Please confirm you are seeking a deviation for the eastern townhome building.
- 7) Provide confirmation that the site complies with the minimum 20 percent accessible and landscaped open space requirement for townhome sites (Sec. 21.302.08(c)(13)(A)).
- 8) Areas for snow storage should be identified on future plans.

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

- 1) SAC review by MET council will be required.
- 2) Must meet 2020 MN State Building Code
- 3) Provide a code analysis with the plans.

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

Two (2) known wells on the property. One (1) by house has approved sealing record. Second well located on the property must be abandoned PRIOR to demo of any property or construction. See attached well location maps located in Documents and images tab or contact this office for clarification

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

- 1) Provide adequate turning radius to accommodate BFD Ladder 1
- 2) All units required to be sprinklered.
- 3) Additional review of hydrant coverage is needed. 1 hydrant provided in the complex with the next closest hydrant at the corner of 86th and Penn.
- 4) Minimum 20' access road width if no parking allowed. Recommend parking spaces be provided to reduce the risk of illegal parking on the access road.

Construction/Infrastructure: Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Sawcut limits must be out of vehicle wheel paths on all streets
- 2) This is an odd configuration for the sidewalk near the intersection and will be hard to maintain. Use radiuses similar to the existing condition.
- 3) Include spot elevations and percent grades near the pedestrian ramp location to show that it is ADA compliant.
- 4) Install a non-residential driveway entrance, per City of Bloomington detail. Also include the detail with the plan set.
- 5) Use the City's Non-Residential Driveway Approach and Include Detail
- 6) Provide change of direction ADA landings for sidewalk connections

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

- 1) City requires 1.1" for volume reduction
- 2) City requires 90% TSS
- 3) Review City Surface Water Plan for recurrence interval rainfall depths. 2-yr = 2.83, 10-yr = 4.24, 100-yr = 7.5
- 4) 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.
- 5) An erosion control bond is required.
- 6) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 7) Show erosion control BMP locations on the plan
- 8) Storm discharge rate to Penn Avenue significantly increasing. Evaluate proposed discharge for impacts on allowable roadway spread as well as inlet capacity and flood potential at low point at Penn Circle.
- 9) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 10) Provide a turf establishment plan
- 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) List erosion control maintenance notes on the plan.
- 13) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.
- 14) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.

- 15) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
- 16) Protect all cbs
- 17) Show protection for infiltration basins during construction activity

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

- 1) Add non-residential driveway detail
- 2) Replace curb cut from existing driveway using City detail
- 3) 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 Paul Jarvis (952-563-4548, pj Jarvis@BloomingtonMN.gov) for permit information.

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

- 1) The sidewalk connections are steep at grades near 15%
- 2) Public drainage/utility and easements must be provided on the plat.
- 3) Private common utility easement/agreement must be provided. This needs to be in the form of a Common Interest Community declaration and plat.
- 4) Right-of-way dedication to 40' from center-line of Penn Ave and 86th St is required on the final plat.
- 5) 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.
- 6) See checklist of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.
- 7) \$15 fee for certified copy of plat. Engineering staff will obtain a certified copy of the plat from Hennepin County.
- 8) 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.
- 9) Private common driveway/access easement/agreement must be provided. This needs to be in the form of a Common Interest Community declaration and plat.
- 10) Consent to plat form is needed from any mortgage companies with property interest.
- 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.

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

- 1) All unused water services must be properly abandoned at the main. All unused sanitary sewer services must be properly abandoned at the property line.
- 2) Install interior chimney seals on all sanitary sewer manholes.
- 3) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius.
- 4) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss.
- 5) A Minnesota licensed civil engineer must design and sign all civil plans.
- 6) 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.
- 7) An inspection manhole is required on all commercial sewer services, install at main.
- 8) Utility and mechanical contractors must coordinate the installation of all water and sewer service pipes into the building to accommodate city inspection and testing.
- 9) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.
- 10) 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.

- 11) 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.
- 12) 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.
- 13) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter.
- 14) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 15) A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers.
- 16) Taps of live water mains are done by City forces and paid for and coordinated with the Contractor. The tap into the 30" PCCP requires a specialized contractor, 2-3 days and permit cost ~ \$13,000.
- 17) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 18) Private common utility easement/agreement must be provided.
- 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) 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.
- 21) Use standard short cone manholes without steps.
- 22) Use schedule 40, SDR 26, or better for PVC sewer services.
- 23) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 24) 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. Remove duplicate detail(s).
- 25) Abandon Unused Water Services
- 25) Homeowners association agreement should include maintenance of sewer and water utilities\.
- 26) Expand construction limits to include water abandons
- 27) Add inspection MH over existing main
- 28) Verify 18" Min. separation at sewer and water crossing(s)
- 29) Show proposed building sewer and domestic/fire water services and FFEs
- 30) See notes on C1.0 for water service abandons and comment on PCCP watermain tap.
- 31) Add MH at sewer dead end
- 32) Check sewer flow direction, looks like it is reversed
- 33) Add hydrant at dead end watermain to aid maintenance and allow flushing.

Water Resources Review: Jennifer Blumers at bhansen@BloomingtonMN.gov, (952) 563-8706

- 1) Assessing has calculated a park dedication fee for this plat at a total of \$79,800, which includes a credit for the existing house.