

**Steve Furlong**

---

**Subject:** FW: [External] RE: Penn Lake CityHomes and Penn Ave access

**From:** Carla J Stueve <Carla.Stueve@hennepin.us>

**Sent:** Wednesday, December 30, 2020 9:56 AM

**To:** Steve Furlong <steve@smartfitdevelop.com>

**Cc:** Chad Ellos <Chad.Ellos@hennepin.us>; Jason D Gottfried <Jason.Gottfried@hennepin.us>; Michael D Olmstead <Michael.Olmstead@hennepin.us>; Kristy A Morter <Kristy.Morter@hennepin.us>; Jessa Trboyevich <Jessa.Trboyevich@hennepin.us>; Eric M Drager <Eric.Drager@hennepin.us>

**Subject:** RE: [External] RE: Penn Lake CityHomes and Penn Ave access

Steve,

For the design of an emergency only access, we offer the following:

- Consistent with other emergency only access locations on the county's system, our preference is that the access be controlled by a chain or cable with the appropriate "emergency access only" sign.
- Provide enough space internally near the emergency only connection for vehicles to turn around, such as a few parking stalls hatched out.
- The connection to Penn Avenue should be as narrow as possible while still accommodating a fire truck. This will likely result in a perpendicular connection to Penn Avenue or a connection with a slight skew.
- The sidewalk will need to maintain ADA standards as it travels through the emergency only access.
- In rare cases, where the use of a chain or cable is not considered feasible, the following may be considered as an alternative:
  - Use of a different pavement material (such as concrete) for the emergency access and bituminous for the internal street to provide visual cues that something is different about the access (preferably, the access would resemble a sidewalk or trail connection to the development and not a vehicle driveway).
  - The use of surmountable curb and gutter to delineate where the emergency only access connects to Penn Avenue and where it connects to the internal cul-de-sac.
  - Internal signage "Do Not Enter – Emergency Access Only" on the right and left sides.
  - Signage facing Penn Avenue - "Do Not Enter – Emergency Access Only."

Thanks,  
Carla

# HENNEPIN COUNTY

## MINNESOTA

September 1, 2020

Mr. Nick Johnson  
City of Bloomington  
1800 West Old Shakopee Road  
Bloomington, MN 55431

Re: Preliminary Plat Review – 8525 and 8545 Penn Avenue South (Received 08/06/20)  
County State Aid Highway (CSAH) 32 (Penn Avenue) at 86th Street  
Hennepin County Plat Review ID #3449A (Reviewed 08/11/20)

Dear Mr. Johnson:

Please consider the following county staff comments in your review of this preliminary plat proposal to redevelop two vacated single-family properties into 15 townhomes:

**Access:** Two new accesses are proposed, one full access on 86th Street and a right-in/right-out on Penn Avenue. Since the proposed Penn Avenue access does not meet the county's access spacing guidelines, an access is not recommended at this location due to safety and operations concerns. Based on the development size, a single access on 86th Street is recommended.

To accommodate emergency response vehicles, an emergency only access on Penn Avenue can be permitted for the site. The access design will need to prohibit general usage through a variety of means such as alignment, signage, curb, and paving materials. Acceptance of this access is predicated on county design review prior to and during the county access permitting process.

**Right-of-Way:** County staff supports the proposed seven-foot right of way dedication, along with the ten-foot sidewalk and trail, and drainage and utility easements. We believe this will provide adequate space for any future public infrastructure needs along the corridor.

**Bicycle and Pedestrian:** We support the proposed reconstructed sidewalk with a six-foot boulevard to provide enhanced pedestrian safety.

**Storm Water / Drainage:** Please ensure discharge rates remain less than existing flow rates. The county storm water system will not take water from new drainage areas. Additional treatments may be necessary if flow rates cannot match existing. Please also ensure the proposed vegetated gravity wall and infiltration basin adjacent to Penn Avenue is owned and maintained by the property owner. *Contact: Drew McGovern at 612-596-0208 or [drew.mcgovern@hennepin.us](mailto:drew.mcgovern@hennepin.us)*

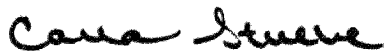
Hennepin County Transportation Project Delivery  
Public Works Facility, 1600 Prairie Drive, Medina, MN 55340  
612-596-0300 | [hennepin.us](http://hennepin.us)



Permits: Please inform the developer that all construction within county right-of-way requires an approved Hennepin County permit prior to beginning construction. This includes, but is not limited to, driveway and street access, drainage and utility construction, trail development, and landscaping. Contact: Michael Olmstead, Permits Coordinator at 612-596-0336 or [michael.olmstead@hennepin.us](mailto:michael.olmstead@hennepin.us)

More Information: Please contact Jason Gottfried: 612-596-0394, [jason.gottfried@hennepin.us](mailto:jason.gottfried@hennepin.us) for any further discussion of these items.

Sincerely,



Carla Stueve, PE, PTOE  
County Highway Engineer



# Hennepin County Property Map

PL202100050  
PL2021-50

Date: 8/11/2020



No results

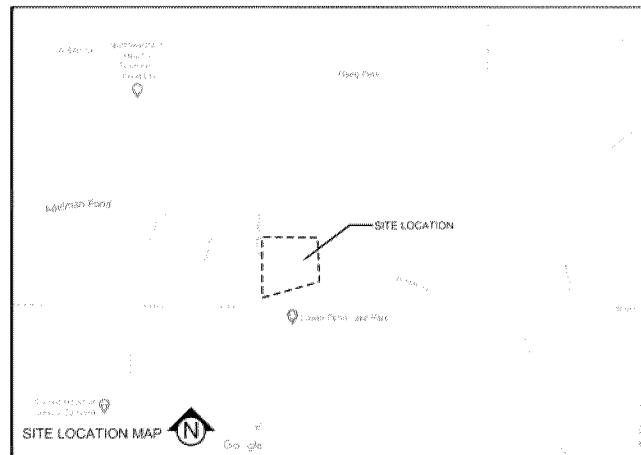
## Comments:

This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

COPYRIGHT © HENNEPIN  
COUNTY 2020

# 8525-8545 Penn Avenue

BLOOMINGTON, MINNESOTA  
ISSUED FOR: CITY SUBMITTAL



**ARCHITECT:**  
FRIM, GROUND ARCHITECTS & ENGINEERS, INC.  
275 MARKET ST #368  
MINNEAPOLIS, MN 55405  
(612) 919-1039

**DEVELOPER / PROPERTY OWNER:**  
STEVE FURLONG  
PENN LAKE CITYHOMES LLC  
6201 NORMAN CENTER DR  
SUITE 450  
BLOOMINGTON, MN 55427  
952-314-5987

**ENGINEER / LANDSCAPE ARCHITECT:**  
CIVIL SITE GROUP  
401 W 35TH STREET  
SUITE 200  
ST LOUIS PARK, MN 55416  
612-615-0661

**SURVEYOR:**  
HARRY S. JOHNSON CO. INC.  
36631 MOORE AVE S A1000  
BLOOMINGTON, MN 55420  
(953) 684-9343

## MASTER LEGEND:

	1.3' CONTOUR ELEVATION INTERVAL		PROPOSED MANHOLE STORM
	1.3' CONTOUR ELEVATION INTERVAL		PROPOSED CATCH BASIN OR CATCH BASIN MANHOLE STORM
	SPOT GRADE ELEVATION (OUTERFLOW LINE UNLESS OTHERWISE NOTED)		PROPOSED GATE VALVE
	SPOT GRADE ELEVATION TOP OF CURB (GUTTER TOP)		PROPOSED FIRE HYDRANT
	SPOT GRADE ELEVATION TOP OF WALL		PROPOSED MANHOLE SANITARY
	SPOT GRADE ELEVATION BOTTOM OF WALL		PROPOSED SIGN
	DRAINAGE ARROW		PROPOSED LIGHT
	EMERGENCY OVERFLOW		PROPOSED SANITARY SEWER
	BELT FENCE / BOLLARD - GRADING LIMIT		PROPOSED STORM SEWER
	BELT FENCE / BOLLARD - GRADING LIMIT		PROPOSED WATER MAIN
	BELT FENCE / BOLLARD - GRADING LIMIT		EXISTING SANITARY SEWER
	BELT FENCE / BOLLARD - GRADING LIMIT		EXISTING STORM SEWER
	BELT FENCE / BOLLARD - GRADING LIMIT		EXISTING WATER MAIN
	BELT FENCE / BOLLARD - GRADING LIMIT		EXISTING GAS MAIN
	BELT FENCE / BOLLARD - GRADING LIMIT		EXISTING UNDERGROUND ELECTRIC
	BELT FENCE / BOLLARD - GRADING LIMIT		EXISTING UNDERGROUND CABLE
	STABILIZED CONSTRUCTION ENTRANCE		EXISTING MANHOLE
	SOIL BORING LOCATION		EXISTING CATCH BASIN
	CURB AND GUTTER (7.5' TP OUT)		EXISTING GATE VALVE
			EXISTING HYDRANT
			EXISTING ELECTRIC BOX
			EXISTING LIGHT
			EXISTING GAS METER
			EXISTING GAS VALVE



Know what's below.  
Call before you dig.

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C0.0	TITLE SHEET
V1.0	SITE SURVEY
C1.0	REMOVALS PLAN
C2.0	SITE PLAN
C3.0	GRADING PLAN
C4.0	UTILITY PLAN
C5.0	CIVIL DETAILS
C5.1	CIVIL DETAILS
C5.2	CIVIL DETAILS
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN NOTES & DETAILS
SW1.0	SWPPP - EXISTING CONDITIONS
SW1.1	SWPPP - PROPOSED CONDITIONS
SW1.2	SWPPP - DETAILS
SW1.3	SWPPP - NARRATIVE
SW1.4	SWPPP - ATTACHMENTS
SW1.5	SWPPP - ATTACHMENTS

PROJECT	8525-8545 Penn Avenue
CLIENT	Penn Lake CityHomes LLC
LOCATION	Bloomington, Minnesota
DATE	01/15/2021
ISSUE/SUBMITTAL SUMMARY	
DATE	
DESCRIPTION	
REVISION SUMMARY	
DATE	
DESCRIPTION	
TITLE SHEET	C0.0

**PRELIMINARY PLAT OF: PENN CORNER ADDITION**

GENERAL NOTES:

2. The location of the underground office storage room, if any, are approximately only sufficient to show third contact between STONE and CALL AT 11:42. 454-0008 PRIOR TO any CONTACT.

The company and affiliates' *Interpreters* answer to this survey are per *Interpreters*' messages, in July 1979. The *Interpreters* is a member for the company in *Interpreters* of each third-party relationship. This firm is not an agent; the *Interpreters* of company during *Interpreters* *Interpreters* is beyond the scope of this survey. Any use of this information is subject to *Interpreters* the data agency *Interpreters*.

- [illegible]

LÉGENDE

1. 100% 20%  
 2. 100% 20%  
 3. 100% 20%  
 4. 100% 20%  
 5. 100% 20%  
 6. 100% 20%  
 7. 100% 20%  
 8. 100% 20%  
 9. 100% 20%  
 10. 100% 20%  
 11. 100% 20%  
 12. 100% 20%  
 13. 100% 20%  
 14. 100% 20%  
 15. 100% 20%  
 16. 100% 20%  
 17. 100% 20%  
 18. 100% 20%  
 19. 100% 20%  
 20. 100% 20%  
 21. 100% 20%  
 22. 100% 20%  
 23. 100% 20%  
 24. 100% 20%  
 25. 100% 20%  
 26. 100% 20%  
 27. 100% 20%  
 28. 100% 20%  
 29. 100% 20%  
 30. 100% 20%  
 31. 100% 20%  
 32. 100% 20%  
 33. 100% 20%  
 34. 100% 20%  
 35. 100% 20%  
 36. 100% 20%  
 37. 100% 20%  
 38. 100% 20%  
 39. 100% 20%  
 40. 100% 20%  
 41. 100% 20%  
 42. 100% 20%  
 43. 100% 20%  
 44. 100% 20%  
 45. 100% 20%  
 46. 100% 20%  
 47. 100% 20%  
 48. 100% 20%  
 49. 100% 20%  
 50. 100% 20%  
 51. 100% 20%  
 52. 100% 20%  
 53. 100% 20%  
 54. 100% 20%  
 55. 100% 20%  
 56. 100% 20%  
 57. 100% 20%  
 58. 100% 20%  
 59. 100% 20%  
 60. 100% 20%  
 61. 100% 20%  
 62. 100% 20%  
 63. 100% 20%  
 64. 100% 20%  
 65. 100% 20%  
 66. 100% 20%  
 67. 100% 20%  
 68. 100% 20%  
 69. 100% 20%  
 70. 100% 20%  
 71. 100% 20%  
 72. 100% 20%  
 73. 100% 20%  
 74. 100% 20%  
 75. 100% 20%  
 76. 100% 20%  
 77. 100% 20%  
 78. 100% 20%  
 79. 100% 20%  
 80. 100% 20%  
 81. 100% 20%  
 82. 100% 20%  
 83. 100% 20%  
 84. 100% 20%  
 85. 100% 20%  
 86. 100% 20%  
 87. 100% 20%  
 88. 100% 20%  
 89. 100% 20%  
 90. 100% 20%  
 91. 100% 20%  
 92. 100% 20%  
 93. 100% 20%  
 94. 100% 20%  
 95. 100% 20%  
 96. 100% 20%  
 97. 100% 20%  
 98. 100% 20%  
 99. 100% 20%  
 100. 100% 20%

## SEE ADDRESS

U525 and 8545 Penn Avenue South  
Bloomington, Minnesota 55455

## CONFIDENTIAL

**CONTACT**  
Steve Furlong (652) 314-8863  
6201 Normandy Center Drive  
Bloomington, Minnesota 55437

## REVIEWER

**CONTACT**  
 Tim Hoeft (952) 894-5341  
 9163 Lyndale Avenue South  
 Brooklyn, Minnesota 55420

## HOUSE DETAILS

5046 88 56 62 6.7 7.7 7.9  
 5047 88 56 62 6.7 7.7 7.9  
 5048 88 56 62 6.7 7.7 7.9

## PROPOSED 10 FOOT SIDEWALK &amp; BIKEWAY EASEMENT

EXISTING PROPERTY DESCRIPTION:

Section A  
South of the South One-third of the Southwest Quarter of the Southwest Quarter of Section 4, Township 23, Range 24, Menominee County, Minnesota, described as follows:  
Commencing at a point in the West line of said Section 4, distant 162.5 feet South of the West line of said South One-third of Southwest Quarter of Southwest Quarter of Section 4, thence East, parallel with the North line of said South One-third of Southwest Quarter of Southwest Quarter, 350 feet; thence South, parallel with the West line of said Section 4, a distance of 18.5 feet more or less, to the center line of West 80th Street; thence Southwesterly along the center line of West 80th Street to its intersection with the West line of said Section 4, thence North along the West line of said Section 4 to the point of beginning.

Parcel 8  
The North 7452 feet of the West 360 feet of the South One-third of the  
Southeast Quarter of the Southeast Quarter of Section 4, Township 27, Range 24  
Furness County, Minnesota

TO BE PLATTED AS:

Lots 9 through 10, Block 1, PENN COUNTRY ADDITION, Hennepin County, Minnesota.

**SUBDIVISION SUMMARY:**  
The entire number of cells is given in Table 1.

1990 10000 1000000 00 1000 0 00000 100 00 7700 10000 0000 00 000000 00000 0000

## PROPOSED AREAS

Stn	Warp	Lat	1	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	2	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	3	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	4	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	5	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	6	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	7	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	8	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	9	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	10	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	11	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	12	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	13	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	14	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	15	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%
Stn	Warp	Lat	16	Brack	PEMEX CORP	ACD1000	eqs200	8	eqs200	fast	1	0.00%

### PROPOSED DRAINAGE & UTILITY EASEMENTS

3948400 162-171 P: 14880000, 485 3/2000 KAS

SCALE: 1 INCH = 30 FEET

## REVISIONS

முன்பு, தமிழ் மீது மிகுந்த ஆர்வம், பற்றம் இருந்தது. ஆனால் பின்னரே இது மிகுந்த குறைவாகிவிட்டது. இதுவே காரணமாக, தமிழ் மீது மிகுந்த ஆர்வம், பற்றம் இருந்தது. ஆனால் பின்னரே இது மிகுந்த குறைவாகிவிட்டது.

44-38861-1000  
 SEARCHED INDEXED  
 SERIALIZED FILED  
 MAR 19 1968  
 FBI - NEW YORK

PRELIMINARY PLAT  
OF  
GOPHER PLAT

**For:**

McDONNELL CLEMENS, LLC

**SITE:**

325-3345 PENN AVENUE SOUTH

BLOOMINGTON, MINNESOTA

HENNEPIN COUNTY

HARRY S. JOHNSON CO., INC.  
LAND SURVEYORS

9563 Lyndale Avenue South  
Bloomington, MN 55437  
Tele: 952-884-5341 Fax: 952-884-6344

462 1-3-10268PP  
2019348  
1 OF 1

PL202100050  
PL2021-50



## CITY OF BLOOMINGTON SITE SPECIFIC NOTES:

1 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.

**SITE LAYOUT NOTES:**

1. THE CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION INCLUDING BUT NOT LIMITED TO LOCATIONS OF EXISTING AND PROPOSED PROPERTY LINES, EASEMENTS, SETBACKS, UTILITY BUILDINGS AND STRUCTURES, EXISTING AND PROPOSED CONSTRUCTION, AND LOCATIONS OF ALL ELEMENTS FOR THE SITE. ANY REVISIONS REQUIRED AFTER COMMENCEMENT OF CONSTRUCTION DUE TO LOCATIONAL ADJUSTMENTS SHALL BE CORRECTED AT NO ADDITIONAL COST TO OWNER. ADJUSTMENTS TO THE LAYOUT SHALL BE APPROVED BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF MATERIALS. STANDARDS FOR MATERIALS SHALL BE SPECIFIED BY THE ENGINEER/LANDSCAPE ARCHITECT.
2. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION INCLUDING A RIGHT-OF-WAY AND STREET OPENING PERMIT.
3. THE CONTRACTOR SHALL VERIFY RECONSTRUCTION AND LOCATION DIMENSIONS OF THE BUILDING AND STAKE FOR REVIEW AND APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION OF FOOTING MATERIALS.
4. LOCATIONS OF STRUCTURES, ROADS/PAVEMENTS, CURBS AND SUTTERS, EDDGLES, AND WALLS ARE APPROXIMATE AND SHALL BE STAKED WITHIN THE FIELD PRIOR TO INSTALLATION FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT
5. CURB DIMENSIONS SHOWN ARE TO FACE OF CURB. BUILDING DIMENSIONS ARE TO FACE OF CONCRETE FOUNDATION. LOCATION OF WALLS IS TO FACE OF WALL. LOCATION AND SHAPE OF CURBS AND SUTTERS ARE TO FACE OF CURBS.
6. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS OR EASEMENTS AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER/LANDSCAPE ARCHITECT PRIOR TO APPLICATION FOR AND ALL PRELIMINARY SITE "IMPROVEMENT" MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING: FURNISHINGS, PAVEMENTS, WALLS, WALLS, BENCHES, FLAGPOLES, LINENING PADS FOR CURB WALLS, AND LIGHT AND SIGN MOUNTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
7. PEDESTRIAN CURB RAMP SHALL BE CONSTRUCTED WITH "TRUNCATED" DOWN SLOPING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
8. CROSSWALK STRIPING SHALL BE A WIDE WHITE PAINTED LINE SPACED 8" ON CENTER PERPENDICULAR TO THE PLAN OF TRAFFIC. WIDTH OF CROSSWALK SHALL BE 6' WIDE. ALL CROSSWALK MARKINGS SHALL BE WHITE COLOR. FOR LESS OVERLAP NOTE OR DISAPPEARANCE OF WHITE COLOR, OVERLAPPING SHALL BE 12" MINIMUM.
9. SEE SET PLAN FOR CURB AND SUTTER TYPE. TYPED BETWEEN CURB TYPES SEE DETAIL.
10. ALL CURB RAMP ARE MINIMUM 1% SLOPE OF CHANGE NOTE.
11. CONTRACTOR SHALL REVIEW TO FINAL PLAN FOR LOT BOUNDARIES, NUMBERS, AREAS AND DIMENSIONS PRIOR TO SITE REPRESENTATIONS.
12. FIELD VERIFY ALL EXISTING SITE CONDITIONS, DIMENSIONS.
13. PARKING TO BE TYPED PARALLEL OR PERPENDICULAR TO EXISTING BUILDING UNLESS NOTED OTHERWISE.
14. ALL PARKING, LOT PAIRING STRIPING TO BE WHITE, A WICK TYPE.
15. BURNING/BLACK TOPPING TO BE LIGHT OILY WHITE OVERPAINT OVERPAINT. SEE DETAIL, SHEETS FOR PAVEMENT SECTIONS.
16. ALL TREES THAT ARE TO REMAIN ARE TO BE PROTECTED FROM DAMAGE WITH A CONSTRUCTION FENCE, AT THE TRIP LINE. SEE LANDSCAPE DOCUMENTS.

**SITE PLAN LEGEND:**

- LIGHT DUTY BITUMINOUS PAVEMENT SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & BINDER COURSE DEPTH. SEE DETAIL.
- MEDIUM DUTY BITUMINOUS PAVEMENT SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & BINDER COURSE DEPTH. SEE DETAIL.
- SEVERE DUTY BITUMINOUS PAVEMENT SEE GEOTECHNICAL REPORT FOR AGGREGATE BASE & BINDER COURSE DEPTH. SEE DETAIL.
- CONCRETE PAVEMENT SEE DETAIL.
- CONSTRUCTION NOTES
- CURB AND GUTTER SEE NOTES TO CITY LOT GUTTER. LENGTH AVAILABLE SEE PLAN.
- SIGN AND POST ASSEMBLY (S-P) FRAMEWORK REQUIRED  
HC = HOODS/POST  
HC = NO HOODS/POST  
S-P = STOP  
CP = COMPACT CURB PARKING ONLY

SITE AREA TABLE:

SITE AREA CALCULATIONS				
	EXISTING CONDITION		PROPOSED CONDITION	
BUILDINGS/COVERAGES	1,624 SF	7.0%	22,744 SF	28.2%
PAVEMENTS	2,033 SF	9.6%	33,253 SF	29.7%
ALL OTHER PAVEMENTS	75,916 SF	95.4%	83,976 SF	42.2%
TOTAL SITE AREA	79,573 SF	100.0%	79,573 SF	100.0%
IMPERVIOUS SURFACE				
EXISTING CONDITION	3,657 SF	4.6%		
PROPOSED CONDITION	45,597 SF	57.8%		
DIFFERENCE (EX. VS PROP.)	41,940 SF	53.2%		

**8525-8545 Penn Avenue**

Bloomington, Minnesota

**Penn Lake CityHomes LLC**  
Blountville, Tennessee

I HEREBY CERTIFY THAT THIS PLAN,  
(SPECIFICALLY, AN AGREEMENT WAS  
REACHED BY THE COLLECTIVELY BARGAINED  
SUPERVISORS AND THAT I AM A FULLY  
LICENSED PROFESSIONAL ENGINEER  
UNDER THE LAWS OF THE STATE OF  
MASSACHUSETTS

*Michael R. Smith*  
Michael R. Smith

## ISUE/SUBMITTAL SUMMARY

[illegible]

4404 BY 02      02/02/02 BY 02  
 ~~~~~  
 ~~~~~

2017年12月31日

$$C_{\text{eff}} = \frac{1}{2} \left( \frac{1}{\lambda_1} + \frac{1}{\lambda_2} \right) \left( \frac{1}{\lambda_1} + \frac{1}{\lambda_2} \right)$$

## SITE PLAN

C2.0



04/12/2011 11:01 AM

[illegible]

# HENNEPIN COUNTY

## MINNESOTA

February 5, 2021

Steve Furlong, President  
Penn LakeCity Homes, LLC  
[Steve@smartfitdevelop.com](mailto:Steve@smartfitdevelop.com)

### **RE: Penn Avenue (CSAH 32) Access Permit Appeal Determination**

Dear Mr. Furlong,

On January 26, 2021, I received notice of your intent to appeal the County's denial of a right of way access permit at 8525 and 8545 Penn Avenue South (CSAH 32) in Bloomington. Based on the process outlined in Hennepin County Ordinance 22, Section 19.0, I undertook a renewed review of your application. I'm writing to inform you that your appeal is respectfully denied.

As you know, my staff and I have had numerous previous exchanges and conversations regarding this matter with both you and planning staff for the City of Bloomington. My renewed review included all facts available to me leading up to today's date, including the Traffic Analysis Memorandum forwarded by your attorney on January 28, 2021. It is my duty and obligation to make reasonable decisions that promote and protect the public's health, safety, and welfare, specifically to protect the safety of right of way users. With these factors in mind, I offer the following background and rationale supporting my decision:

#### Background

Your application for access onto Penn Avenue South is intended to accommodate a proposed residential development in the northeast quadrant of Penn Avenue and 86<sup>th</sup> Street in the City of Bloomington ("Development"). Penn Avenue is a county state aid highway, also referred to as CSAH 32. Hennepin County controls access to its rights of way pursuant to applicable state laws, county ordinances, and police power authority. The Development is subject to plat approval and other related subdivision regulations governed by the City of Bloomington ("City"). The City's authority to govern land development within its boundaries does not extend to grants of access to highways under county jurisdiction. *See e.g.* Minn. Stat. § 505.03. The preliminary plat related to your Development borders a Hennepin County road, and therefore the City was required to submit the plat to me for written comments and recommendations pursuant to Minn. Stat. § 505.03. The City officially did so on August 6, 2020, and I officially responded to the City on September 1, 2020 (see enclosures for reference). My written response to the City included the following comment specific to access onto Penn Avenue:

*Access: Two new accesses are proposed, one full access on 86th Street and a right-in/right-out on Penn Avenue. Since the proposed Penn Avenue access does not meet the county's access spacing guidelines, an access is not recommended at this*





*location due to safety and operations concerns. Based on the development size, a single access on 86th Street is recommended.*

To accommodate emergency response vehicles, an emergency only access on Penn Avenue can be permitted for the site. The access design will need to prohibit general usage through a variety of means such as alignment, signage, curb, and paving materials. Acceptance of this access is predicated on county design review prior to and during the county access permitting process. (emphasis mine).

My September 1, 2020 written response to the City represented the County's official comments and recommendations as to all related questions before the County under Minn. Stat. § 505.03.

Thereafter, on October 19, 2020 the City issued combined approval of the preliminary plat, and conditional approval of the final plat. Notwithstanding the County's official comments and recommendations related to access onto Penn Avenue, the City conditioned final plat approval on your ability to obtain public use access onto Penn Avenue to serve as a secondary access to the Development. As a result of the City's October 19, 2020 action, exchanges ensued during November and December 2020 between you, the City, me, and my staff to again consider whether public access could be granted from the Development on to Penn Avenue to serve as secondary access to the Development.

During the November and December 2020 exchanges, the parties considered the addition of a median within Penn Avenue to mitigate safety and operational concerns and allow for a right-in/right-out only access. City staff determined that this approach is not feasible due to insufficient right of way space as well as other concerns put forth by the City in a November 25, 2020 email from City planner, Nick Johnson to you. In the same email, Mr. Johnson stated, "IF the access will not include a true public use component, you [Steve Furlong] would need to go back to City Council to seek their approval for a change of condition or revised development plans." (emphasis original). Notably, in a follow up message forwarding Mr. Johnson's November 25 email to me that same day, you indicated, "... we as developer do not share the need for public access as the city does. The council's approval of the development plan does condition for public access, however." The County shares your opinion that secondary access is not essential to the Development; rather, public access from 86<sup>th</sup> Street together with secondary emergency access to and from Penn Avenue would reasonably serve the property based on the proposed use. The Penn Avenue secondary access condition that has been imposed on your final plat approval is supported by the City alone.

After exhausting consideration of traffic engineering measures to regulate right in/right out public access from the Development onto Penn Avenue, I declined to reverse my earlier position again pointing to safety and operational concerns. I then directed you to the County's permit application process. You submitted your access permit application on December 30, 2020 and the application was denied on January 4, 2021. Your current appeal followed.

## Safety Analysis

In reviewing your appeal, I relied on dimensions from the plans submitted with your December 30, 2020 application<sup>1</sup> and applied the stated measurements to Hennepin County Access Spacing Guidelines (“Spacing Guidelines”). The Spacing Guidelines are consistent with MnDOT access management standards as well as those of other Minnesota counties, and they are applied consistently to all applications for new access to county roads.

The current Spacing Guidelines were published in 2009 and have since been considered and reviewed as part of the County’s 2030 Hennepin County Transportation System Plan and 2040 Comprehensive Plan. These resources consider local crash data and demonstrate that crash rates increase rapidly as the density of access increases. In particular, the number of crashes is shown to increase rapidly as the average spacing between access points drops below 500 feet.

The access point you have requested is approximately 300 feet north of 86<sup>th</sup> Street, falling well within the high crash risk range cited above.<sup>2</sup> The proposed access spacing is substantially short of what is recommended for a 4-lane undivided roadway. Additionally, sight distance is limited for northbound traffic; oncoming drivers cannot see through the signalized intersection due to the crest along the grade of Penn Avenue. Speed rates and traffic volumes at this location would not support an exception to the County’s adopted standards, nor would extenuating circumstances, such as a lack of alternate access to the parcel (reasonable public access exists at 86<sup>th</sup> Street).

In addition to the above, I have also reviewed and considered the January 27, 2021 Traffic Analysis Memorandum from Swing Traffic Solutions (“Memorandum”), submitted by your attorney. The Memorandum asserts that a public right-in/right-out design can be safely achieved by incorporating a pork chop island (vs. center median). Contrary to the Memorandum, research and experience support the need for a center median to prohibit restricted movements. A “pork chop” channelization island may discourage prohibited movements; however, this design generally has a lower rate of compliance than locations where a median is used to prohibit left turns as demonstrated in research, including the report cited in the Memorandum. Notably, a significant retail center exists to the north of the Development at I-494/Penn Avenue. Based on proximity and high demand for this center, drivers would be faced with a natural desire to make left turns into the Development off Penn Avenue.

City of Bloomington fire and emergency response have consistently maintained that direct access to the Development from/to the north is necessary to limit response times. For this reason, I would renew my previous decision to allow an access permit that is limited to emergency vehicle access (with the corresponding design elements to be further considered). However, I decline to

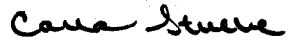
---

<sup>1</sup> Hennepin County property map overlays were used to aid measurement where specific distances were not included.

<sup>2</sup> While not the primary basis of this determination, it should be noted that Penn Circle is approximately 240 feet north of the proposed access (again falling short of Spacing Guidelines). The County has received emails from Penn Circle residents concerned about ability to navigate to and from Penn Avenue with a new development access in close proximity.

reverse the County's decision to deny an access permit for public use of a right in/right out access point along Penn Avenue.

Sincerely,



Carla Stueve, P.E.  
County Highway Engineer

Enclosures

cc: Robin Hennessy, Assistant Hennepin County Attorney  
Michael Klemm, Attorney at Law

# HENNEPIN COUNTY

## MINNESOTA

### Hennepin County, Board of Commissioners RESOLUTION 21-0083

2021

---

The following resolution was moved by Commissioner Irene Fernando and seconded by Commissioner Jeff Lunde:

BE IT RESOLVED, that having timely considered the matter, including written submissions from both the Applicant and the County Engineer, the Hennepin County Board of Commissioners hereby affirms the County Engineer's denial of the right of way access permit to Penn Avenue South (CSAH 32) in Bloomington requested by Applicant Penn LakeCity Homes, LLC, and adopts the attached Findings of Fact.

The question was on the adoption of the resolution and there were 6 YEAS and 0 NAYS, as follows:

---

**County of Hennepin  
Board of County Commissioners**

---

**YEAS:** Anderson, Conley, Fernando, Greene, LaTondresse, Lunde

**NAYS:**

**ABSTAIN:**

**ABSENT:** Goettel

**RESOLUTION ADOPTED ON 3/9/2021**

**ATTEST:**



Deputy/Clerk to the County Board

**Hennepin County** Board of Commissioners  
300 South Sixth Street, Minneapolis, MN 55487  
hennepin.us

