



# Development Review Committee

## Approved Minutes

Pre-Application Case PL202100145  
Meeting Date: June 29, 2021  
McLeod Conference Room  
Bloomington Civic Plaza  
1800 West Old Shakopee Road

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### Staff Present:

Brian Hansen (Eng., Chair) 952-563-4543  
Laura McCarthy (Fire Prev) 952-563-8965  
Erik Solie (Env. Health) 952-563-8978  
Bernadette Gillespie (Bldg & Insp) 952-563-8959  
Steve Segar (Utilities) 952-563-4533  
Rena Clark (Park & Rec) 952-563-8890  
Kate Ebert (Public Health) 952-563-4962  
Mike Palermo (Planning) 952-563-8924

Kent Smith (Assesing) 952-563-8707  
Jason Heitzinger (Assessing) 952-563-4512  
Mike Thissen (Env. Health) 952-563-8981  
Glen Markegard (Planning) 952-563-8923  
Rozlyn Tousignant (Eng) 952-563-4627  
Megan Rogers (Legal) 952-563-4889  
Maureen O'Brien (Legal) 952-563-8781

### Project Information:

Project: Clover Center – partial redevelopment

Site Address: 9728 Lyndale Avenue South

Plat Name: Not Platted

Project Description: Rezoning, Preliminary Development Plan, and Final Development Plan for a partial redevelopment of the Clover Shopping Center located at 9728 Lyndale Ave. S.; Preliminary and final plat to change the property from metes and bounds to lot and block status.

Application Types: Rezoning, Preliminary and Final Development Plan and Type II Preliminary and Final Plat

Staff Contact: Mike Centinario – (952) 563-8921 or [mcentinario@bloomingtonmn.gov](mailto:mcentinario@bloomingtonmn.gov)

Applicant Contact: Tim Marco – (612) 336-6410 or [tim.marco@krausanderson.com](mailto:tim.marco@krausanderson.com)

Post Application DRC: 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 “PL202100145” into the search box.

### Guests Present:

Name	Email
Tim Marco	<a href="mailto:tim.marco@krausanderson.com">tim.marco@krausanderson.com</a>
Laura Clarens	
Bill Whitrock	
Deb Carlson	

**INTRODUCTION – Mike Centinario (Planning):**

The applicant proposes a redevelopment of the approximate western half of the Clover Shopping Center.

**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
- Jason Heitzinger (Assessing):
  - Heitzinger stated that a park dedication fee will be required if replatted.
- Mike Thissen (Environmental Health):
  - Thissen shared that the City has received some complaints regarding the Salvation Army's exterior, the applicant may wish to consider some type of screen.
  - Thissen shared that outdoor tables and chairs at Starbucks are only approved on the south frontage and tables & chairs moved to east frontage must be moved back to the south frontage.
- Bernadette Gillespie (Building and Inspection):
  - Gillespie explained that once the plans are 80% complete, Building and Inspections will arrange a plan review with the applicant.
- Laura McCarthy (Fire Prevention):
  - McCarthy stated that some of the redevelopment will need to include fire suppression updates, and sprinklering for spaces not already sprinklered.
  - McCarthy addressed the hydrant coverage needs for the property.
- Erica Brown (Police):
  - No comment
- Brian Hansen (Engineering):
  - Hansen explained that the lot will need to be platted, the process takes a minimum of 8 weeks.
  - Hansen shared that the redevelopment would require a traffic study, staff can work with the applicant. This process takes at least 4 weeks.
  - Hansen noted that a parking study may be required.
  - Hansen informed the applicant that they will need to work with the Nine Mile Creek Watershed District regarding permitting they may require.
  - Hansen explained that the applicant will need to meet the requirements of the Bloomington Comprehensive Surface Water Management Plan.
  - Hansen noted for the driveway onto Old Shakopee Rd, the restricted left turn will remain the same. Hansen stated that the applicant should maintain a 2 ft buffer between the east edge of the proposed building and the drive aisle.
- Steve Segar or Tim Kampa (Utilities):
  - Segar noted that the City has a dead-end watermain on the south side of 98<sup>th</sup> Street.

- Kate Ebert (Public Health):
  - Ebert stated that City staff can assist the grocer with becoming a WIC vendor if they currently are not.
- Megan Rogers (Legal):
  - No comment
- Mike Centinario (Planning):
  - Centinario stated there are a number of existing nonconformities given the age of the development. The proposed grocery redevelopment would be considered substantially equivalent to the existing portion of the shopping center. Some standards in the B-4 zoning district, such as maximum setbacks, would not apply. But, because the project would be a significant development of the site, other site characteristics must be brought into conformance. These include parking lot design standards, public and private sidewalks, landscaping, and lighting.
  - Centinario noted that as part of the Code required preliminary development plan (PDP), future phases need to be identified depicting how the remainder of the site could be redeveloped.
  - Centinario asked that the applicant submit a revised redevelopment plan that addresses staff's comments regarding sidewalks, landscaping, and building design.
  - Centinario covered the City's landscaping and lighting requirements.



# Comment Summary

**Application #:** PL202100145

**Address:** 9728 LYNDALE AVE S, BLOOMINGTON, MN 55420

**Request:** Rezoning, Preliminary Development Plan, and Final Development Plan for a partial redevelopment of the Clover Shopping Center located at 9728 Lyndale Ave. S.; Preliminary and final plat to change the property from metes and bounds to lot and block status.

**Meeting:** Pre-Application DRC - June 29, 2021

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

**Environmental Health Review - Pre-App Contact:** Mike Thissen at [mthissen@BloomingtonMN.gov](mailto:mthissen@BloomingtonMN.gov), (952) 563-8981

- 1) Install a 6ft screening fence on the north side of the Salvation Army donation center to screen from freeway ford. Limit exterior storage at Salvation Army on north side. Have received many complaints about this.

Will Starbucks be allowed to have exterior tables and chairs on the south sidewalk only? Have received many complaints about guests relocating the tables and chairs to the east sidewalk blocking handicap access. If allowed to have them, make them permanent or provide barrier so guests cannot relocate the tables/chairs.

**Planning Review - Pre-App Contact:** Mike Centinario at [mcentinario@BloomingtonMN.gov](mailto:mcentinario@BloomingtonMN.gov), (952) 563-8921

- 1) The proposed partial redevelopment would bring a number of site characteristics into compliance. However, some deviations from City Code would be necessary. A rezoning is necessary to apply the Planned Development Overlay District to the property to allow some flexibility to some standards. As part of the planned development process, a preliminary development plan is needed, which will identify future, phased-redevelopment. That redevelopment should be consistent with the redevelopment opportunities envisioned in the 98th Street Station Area Plan and Lyndale Retrofit Plan.
- 2) The site is zoned B-4 Neighborhood Commercial Center, which is one of the City's "mixed-use" zoning districts. There are numerous standards that apply to mixed-use districts that are consistent with the vision established in the 98th Street Plan. The B-4 district establishes minimum floor area ratio requirements and maximum building setbacks. The proposed partial redevelopment is considered "substantially equivalent," which allows the development to maintain its setback nonconformities. The proposed development meets the minimum floor area ratio for the district.
- 3) 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. The property is currently a metes and

bounds property. Presumably, there would be some public right of way dedication along W. 98th Street, which makes the status change to a lot and block legal description a Type II preliminary and final plat.

- 4) Freestanding signs require a 20-foot setback from property lines along streets.
- 5) Consider locating freestanding sign where directional sign is proposed on north side of the site.
- 6) Depict the sidewalk along W. 98th Street. City Code requires a minimum 8-foot concrete sidewalk.
- 7) Freestanding signs require a 20-foot setback from property lines along streets.
- 8) It makes sense to align parking on both sides of the access drive. However, because the setback is less than 20 feet, development flexibility is required.
- 9) Consider adjusting pickup area or main entrance doors so parked vehicles do not idle in front of entrance.
- 10) Remove southern planter. It would be an obstruction to the sidewalk connection.
- 11) At least one deciduous tree is required for each parking island. A three-foot landscaping screen is required along the street. The plantings along Lyndale Avenue do not provide a screen and will need to be replaced with alternative plantings.
- 12) The overall parking requirement with the proposed redevelopment would decrease. Please provide the uses for tenant spaces, including the number of seats for restaurants. Staff will prepare a parking analysis to determine the level of deviation from City Code. Depending on the level of deviation, a parking study may be necessary prior to the City accepting a development application
- 13) The parking along MnDOT right of way is less than the 20-foot minimum. Development flexibility is required.
- 14) "EX 2" could be identified as a Phase II for the Clover Center preliminary development plan. Also envision what a Phase III and any additional phases would entail. Also identify potential timelines for phases.
- 15) The City has very specific standards pertaining to exterior building materials. Brick, glass, and stucco are permitted primary building materials. There are limitations on "secondary" materials such as EIFS and fiber cement panels. Metal panels may be permitted as "primary" material, subject to finish warranty and gauge requirements.
- 16) Show location of a bike rack and bike rack detail on the plan.
- 17) Exterior materials must meet Section 19.63.08. Consult with City Planning and Zoning staff regarding proposed materials. Painting or staining existing brick is not permitted - the brick color on the east portion of the building is a different color.
- 18) Parking lot and exterior security lighting must meet Section 21.301.07. A minimum of 2.0 foot-candles is required on the parking surface (which may be reduced to 1.0 foot-candles for the outer perimeter of the parking lot. The partial redevelopment triggers lighting compliance for the entire site.
- 19) The renderings depict new signage throughout the center. A uniform sign design will need to be re-created prior the issuance of sign permits.

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

- 1) Must meet 2020 MN State Building Code
- 2) Building plans must be signed by a MN licensed architect.
- 3) Must meet 2020 MN Accessibility Code.
- 4) Provide a detailed code analysis with the plans.
- 5) SAC review by MET council will be required.

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

- 1) Provide adequate turning radius for BFD Ladder 3.
- 2) Portions of the existing building(s) are currently not sprinklered. A change in use, remodeling etc. will require sprinkler protection in those areas.
- 3) Additional hydrants will be required to provide coverage within 150' of all exterior walls.

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

- 1) 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.
- 2) Show and label all property lines and easements on all plan sheets.
- 3) See checklist of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.
- 4) \$15 fee for certified copy of plat. Engineering staff will obtain a certified copy of the plat from Hennepin County.
- 5) Private common driveway/access easement/agreement must be provided.
- 6) Private common utility easement/agreement must be provided.
- 7) Consent to plat form is needed from any mortgage companies with property interest.
- 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) 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.
- 10) Right-of-way dedication is required on the final plat.
- 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.
- 12) Public drainage/utility and easements must be provided on the plat as approved by City Engineer.

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

- 1) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss. City is interested in extending dead-end watermain on south side of 98th St at Aldrich as part of loop.
- 2) Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.

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

- 1) A traffic study will be necessary prior to the City accepting a development application
- 2) Show location of a bike rack and bike rack detail on the plan.
- 3) Provide trip generation numbers for the site using ITE Trip Generation Standards.
- 4) Illustrate that sidewalks meet ADA requirements for cross slope and longitudinal grade. Construct sidewalk ramps with metal truncated domes, if required.
- 5) Existing Clover Center Sign must be relocated/removed.

**Water Resources Review - Pre-App Contact:** Brian Hansen at 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) An erosion control bond is required.
- 3) List erosion control maintenance notes on the plan.
- 4) Show erosion control BMP locations on the plan.
- 5) 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.

- 6) 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))
- 7) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided for site disturbing 1 acre or more.
- 8) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 9) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.
- 10) Additional drainage review by MnDOT may be required due to site drainage to MnDOT storm sewer system at SW section of site.