

MEMORANDUM

To: City of Bloomington

From: Laura Clarens
Kimley-Horn and Associates, Inc.

Date: March 3, 2021

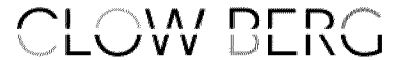
Subject: Rezoning, Preliminary and Final Development Plans, Preliminary and Final Plat,
Platting Variance to defer Park Dedication Fees, and Conditional Use Permit for the
Sick Technology Campus

Kimley-Horn has reviewed the comments provided by the City of Bloomington dated February 16, 2021 and has modified the plans accordingly. The comments and responses are listed below. Responses to comments are in ***bold italics***.

BUILDING DEPARTMENT REVIEW COMMENTS

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

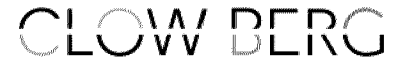
1. After City Council approval - please call Building and Inspections to schedule Pre-Permit meetings.
Acknowledged.
2. Must meet 2020 MN State Building Code and 2020 MN Accessibility Code.
Acknowledged.
3. Provide a detailed code analysis with the plans.
Acknowledged.
4. SAC review by MET council will be required.
Acknowledged.
5. Separate permit and review by MN State Elevator inspector for elevators, escalators and moving walkways.
Acknowledged.
6. An elevator is required for all mezzanines with more than 30 occupants.
Acknowledged – South Office Mezzanine is above 30 occupants, elevator is provided. North Mezzanine occupancy is below 30 occupants, elevator is not provided.



FIRE DEPARTMENT REVIEW COMMENTS

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

1. Fire Department Connection shall face 28th Avenue as depicted in the Civil Plans.
Fire department connection has been located adjacent to 28th Ave.
2. Provide adequate turning radius using Ladder 3 specs for all emergency vehicle access lanes.
See sheet C401 for fire department access and vehicular maneuvering of the Ladder 3 truck.
3. A significant dead end is created when the link between phase I and II is completed. Emergency vehicle access shall be provided in a way that does not create a dead end and access is provided around/to all buildings.
Per supplemental "2021-0209 Access Exhibit_Full Build-Out.pdf" emergency access diagram provided by Kimley Horn subsequent to initial 2/09/2021 Pre-Application DRC Review Submittal, Ladder Truck 3 turnaround space is provided from both east and west in space between Phase I and Phase II buildings. Phase II landscape / paving plans are still in development pending Fire Department approval of fire truck access concept, including depth of access required between buildings, turnaround relationship to building and roadways, etc. Access Diagram is included on sheet C401 as noted above.
4. Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.
Upon completion of building enclosure, Phase I building will be tested to determine if additional communication systems are required.
5. Fire alarm and annunciator panels and Knox box locations to be determined by the Fire Prevention Division. This project may require multiple panels and Knox boxes.
City of Bloomington Fire Department – please provide locations where Annunciator Panels and Knox Boxes will be required.
6. Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.
The fire department connection was relocated adjacent to 28th Ave and as far north along the building face as practicable. That being said, the FDC is approx. 83 feet south of an existing fire hydrant along 28th Ave. Would the City accept this location?
7. All emergency vehicle access roads shall be asphalt or concrete able to support 40 tons.
Acknowledged.



8. At least one lock box will be required for the building.
City of Bloomington Fire Department – please provide locations where lock box will be required.
9. Building/property shall be adequately signed for emergency response.
‘Fire Lane / Do Not Enter’ signage added to fire access drive entrances off 28th Ave, 26th Ave, and on-site parking lot.

CONSTRUCTION/INFRASTRUCTURE REVIEW COMMENTS

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

1. Verify ownership and managers of street lighting.
City of Bloomington to be owners and managers of public street lighting.

UTILITY REVIEW COMMENTS

Contact: 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. Please abandon the two private sanitary sewer MHs on the edge of American Blvd by plugging the downstream side of the service, pulling the top section, and filling with sand.
The sanitary sewer manholes identified may be used for future phases and therefore are not proposed to be abandoned.
2. An inspection manhole is required on all commercial sewer services. Please move the sewer service back to 28th Ave as originally proposed.
The sewer service has been relocated to 28th Ave and an inspection manhole has been added. See sheet C600 Utility Plan.
3. A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers. Please move the other utility services away from the water service so that any future water pipe repairs can be completed safely.
Gas, Communications, and Power have been shifted west to provide additional space for future water service maintenance. See sheet C600 Utility Plan.
4. Taps of live water mains are done by City forces and paid for and coordinated with the Contractor. A tapping valve will be included at the connection point as part of the City paid for services.
Acknowledged. Connections to existing watermain have been designated as a live tap by the City of Bloomington. See sheet C600 Utility Plan.

5. Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants. Please install a valve mid-way on the new south side 800' water line. Also put a valve on the water service so that hydrants won't be out of service in the case of a building water shut down.

Valves have been added as requested above. See sheet C600 Utility Plan.

6. Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement. See Engineering Detail 412 for reference. If the building is ever going to have a kitchen and serve any food, a grease interceptor will be required.

Acknowledged. Food Service Facilities are not included in the Phase I project. A grease interceptor should not be necessary at this time.

7. Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius. Make sure a hydrant to be within 50' of the Fire Department Connection.

Acknowledged.

8. Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss. Make sure the loop is 12" all the way from one side to the other.

Acknowledged. Sheet C600 Utility Plan has been updated to propose 12" throughout the water loop.

9. Abandon private San MH as directed by Utilities Inspector - See utility plan.

The sanitary sewer manholes identified may be used for future phases and therefore are not proposed to be abandoned.

10. Tap to be made by City forces - Move valve as shown on plans.

Acknowledged. See sheet C600 Utility Plan.

11. Abandon existing private san MH - Plug service downstream of MH, remove MH top section and fill with sand as directed by Utilities Inspector.

Acknowledged. See sheet C200 Demolition Plan.

12. Please move Gas Com and Power away from the water service to allow for safe repairs in the future.

Gas, Communications, and Power have been shifted west to provide additional space for future water service maintenance. See sheet C600 Utility Plan.

13. Please Move San Sewer service back to originally proposed location (SE corner of Bldg).

The sewer service has been relocated to 28th Ave. See sheet C600 Utility Plan.

14. There must be a valve on the water service for shutdown without shutting off supply to hydrants.

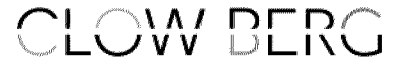
Valve has been added to water service as requested. See sheet C600 Utility Plan.

PW ADMIN REVIEW COMMENTS

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

1. Proposed 15' NSP (Xcel) Utility easement adjacent to existing easement and extending the length of property.
Discussions are ongoing with Xcel Energy and City of Bloomington regarding the extent of additional easement. Currently, surveyed locations of underground electrical duct show the system outside of the north boundary of the existing NSP easement. An additional 15' easement the entire length of the property far exceeds what would be required to capture the existing systems that were originally intended to be within the NSP easement.
2. Proposed 15' Xcel easement does not allow trees.
See Item #1 above. Landscape Plan will be adjusted respecting final extents of expanded Utility Easement.
3. 26th Ave is a public street. Do we need a turnaround area?
A turnaround area is not anticipated during this Phase. Fire access is proposed to provide adequate maneuvering.
4. Public drainage/utility and easements must be provided on the plat as approved by City Engineer. Should cover all existing utilities.
Acknowledged.
5. 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.
Sunde will provide sketch and description for vacation of easements as necessary.
6. See checklist of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.
Acknowledged.

7. 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.
Acknowledged.
8. Private common driveway/access easement/agreement must be provided.
Campus has a single ownership and therefore a driveway/access easement is not necessary for this project.
9. Private common utility easement/agreement must be provided.
Campus has a single ownership and therefore a utility easement is not necessary for this project.
10. Show and label all property lines and easements on all plan sheets.
Acknowledged. Property lines and easements have been noted on Civil Plans.
11. Right-of-way dedication is required on the final plat.
Acknowledged.
12. 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.
Acknowledged.
13. \$15 fee for certified copy of plat. Engineering staff will obtain a certified copy of the plat from Hennepin County.
Acknowledged.
14. 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.
Sunde will provide sketch and description for easement as necessary.
15. Consent to plat form is needed from any mortgage companies with property interest.
Acknowledged.
16. Emergency vehicle access agreement needed?
City of Bloomington / Fire Department to verify. See Item #3 in Fire Department Review Comments.



WATER RESOURCES REVIEW COMMENTS

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

1. An erosion control bond is required.
Acknowledged.
2. List erosion control maintenance notes on the plan.
See sheet C300 and C301 for erosion control notes.
3. Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.
Acknowledged.
4. Show erosion control BMP locations on the plan.
See sheet C501 Stormwater Management Plan for location and design of BMPs.
5. After staff approval of stormwater management plans, provide an extra set of plans for staff to submit to Lower Minnesota River Watershed District.
Acknowledged.
6. 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, Conseal 231 WaterStop sealant, or approved equal will only be allowed as approved by the Engineer.
Note has been added to sheet C5.01 Stormwater Management Plan.
7. A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
Acknowledged.
8. A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
Acknowledged – City of Bloomington will provide agreement template to SICK to file at the end of the construction project.
9. Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.
Refer to the provided Stormwater Management Report dated 3/3/2021.
10. Provide a turf establishment plan
See Landscape Plan P1-100.

11. Utility as-builts must be provided prior to issuance of Certificate of Occupancy.

Acknowledged.

TRAFFIC REVIEW PRE-APP COMMENTS

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

1. All parking stall striping must be painted white. Parking islands must be 3-feet shorter than the parking stall and 8-feet wide.
Acknowledged. See note #14 on sheet C400 Site Plan.
2. Remove the stop signs at the site driveways. State code governs, and specifies that vehicles must yield at the major road. The turn restriction signs are fine.
Stop signs have been removed. See sheet C400 Site Plan.
3. Illustrate on plan that the clear view triangle (15' from property corner to driveway approaches) is not obstructed by landscaping or signage.
Refer to keynote 'Q' on sheet C400 Site Plan.
4. Show location of a bike rack and bike rack detail on the plan.
Detail and Location of bike racks have been added. See sheet C400 Site Plan
5. 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.
Acknowledged.
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) for permit information.
Acknowledged.
7. Provide appropriate MMUTCD references for signs proposed for circulating traffic. All private signage must be installed outside of the city right-of-way.
Acknowledged. See sheet C400 Site Plan.
8. A traffic study is required to be completed prior to the application submittal. The traffic study has already been completed.
Acknowledged.

ASSESSING REVIEW COMMENTS

Contact: Kent Smith at ksmith@BloomingtonMN.gov, (952) 563-8707

1. All figures are calculated from the data in the project narrative. Final park dedication subject to change if numbers differ from the ones provided. Park dedication for the entire project has been calculated, as that is the expectation when a new plat is created. The total park dedication fee for the entire project is estimated to be \$204,357. This includes credit for previously existing buildings. In the event that an agreement has been worked out to allow only a portion of park dedication to be paid up front, a phase one only calculation has also been performed. This number is \$25,506, and includes credit for previously existing buildings.

Acknowledged

PLANNING REVIEW COMMENTS

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

1. The development requires a number of entitlements. These include: rezoning 2501 and 2701 American Boulevard East and 2600 Lindau Lane from LX Lindau Mixed Use to LX(PD) Lindau Mixed Use (Planned Development); Preliminary Development Plans for a multi-phase Technology Campus at 2501, 2601, and 2701 American Boulevard East and 2600 Lindau Lane, and Final Development Plans for Phase 1 of the Technology Campus; a Preliminary and Final Plat to adjust property boundaries; a platting variance to defer park dedication for future development phases; and a Conditional Use Permit for a Technology Campus. Ensure the project description identifies all of the entitlements noted above.

Acknowledged.

2. Landscaping provided is deficient of the minimum landscaping requirement. Some landscaping is identified to be incorporated into Phase 2. Staff's expectation is the landscaping plan meet the minimum requirements for Phase 1. Landscaping may be planted in such a way as to limit the amount that is disturbed with future phases.

Per revised landscape plan, additional trees have been added, including those requested in Item #21 of Planning Review Comments. Smaller scale plantings (shrubs/perennials) meet minimum requirements: 300 proposed shrubs, remaining 108 required shrubs replaced with 727 perennials, exceeding the 4:1 substitution ratio.

3. Parking lot and exterior security lighting must meet Section 21.301.07. A minimum of 1.5 foot-candles is required on the parking surface (which may be reduced to 0.75 foot-candles for the outer perimeter of the parking lot. Higher lighting levels are required at entrances and pedestrian crossings.

See attached sheet E051 and E052 for site lighting photometrics.

4. List the number of parking spaces required by city code and the number of spaces provided on the site plan.

See sheet C400 Site Plan for required number of parking spaces versus provided parking spaces.

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.

Acknowledged.

6. All rooftop equipment must be screened equal to the height of the equipment. (Section 21.301.18)

Per Project Narrative and previous discussions with city development staff, rooftop equipment that is visible from adjacent streets and sidewalks will be screened from view using unit-mounted mechanical screen enclosures. Six rooftop units located near the center of the roof area, and not visible from adjacent streets and sidewalks are proposed not to be screened. See sheets P1-031. A deviation from City Code is requested based on rooftop mechanical limited visibility from publicly occupied areas around the development.

7. The development does not meet the minimum floor area ratio (FAR) for the LX zoning district. A deviation from City Code is required.

Per Project Narrative and previous discussions with city development staff, Phase I will not meet minimum FAR of 0.70 IN LX Zoning District. A deviation is requested for the Phase I FAR of 0.0.38 (building area: 140,400 / site area: 360,894 sf), with the intention of exceeding the minimum FAR requirements upon completion of all building phases.

8. Sidewalk connection from the building to public sidewalk or street must be a minimum 5-feet in width.

Acknowledged. See sheet C400 Site Plan for the revised sidewalk width.

9. A three foot high screen for a parking lot adjacent to all public streets.

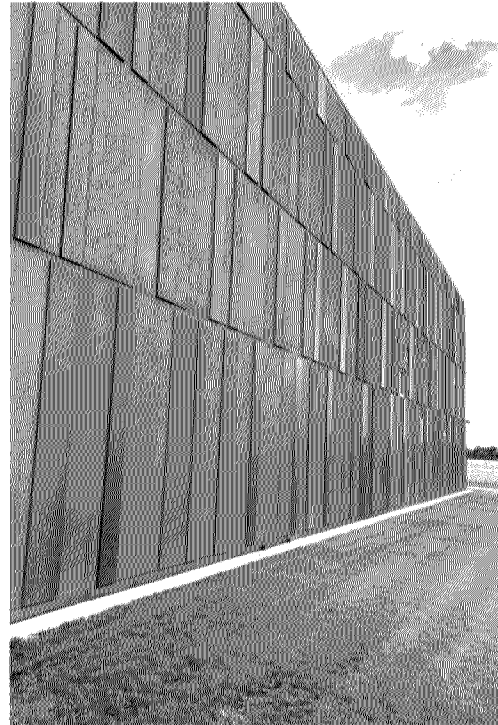
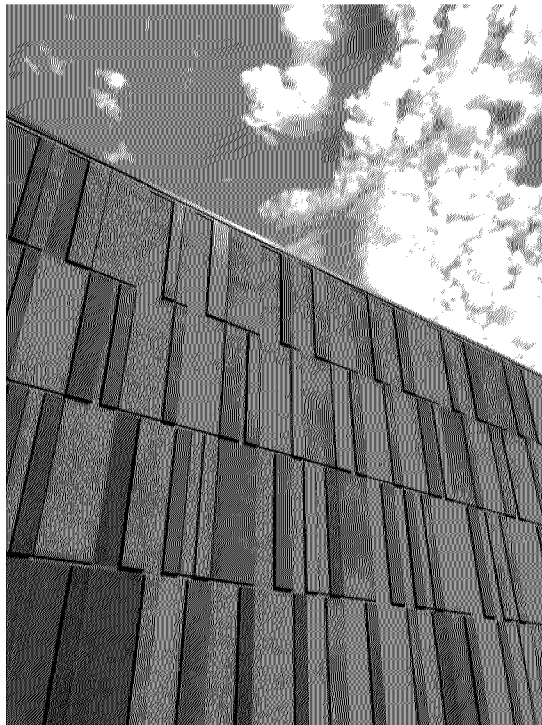
Phase I surface parking is not adjacent any public streets, and as such, a three foot high screen is not required. The loading dock area on the north side of the building is screened with a 5' high berm between the loading area and the street, with significant planting development on top of it. Additional smaller berms to the east and west of loading area access drives are also provided, along with significant clusters of deciduous and evergreen trees, providing visual screening.

10. Show location of a bike rack and bike racks detail on the plan. Number and location of bike racks must be approved by City Engineering.

See Item #4 in Traffic Review Pre-App Comments above.

11. Exterior materials must meet Section 19.63.08. The proposed materials, pre-cast architectural concrete panels require a deviation from City Code. Please provide additional detail on the proposed panels.

The precast architectural concrete panels being proposed are a combination of acid-etched, polished and sandblasted charcoal grey/black concrete, in combination with Structurally Glazed (butt glazed) curtain wall systems. The precast concrete is a high-quality and durable finish in keeping with the standards of the City of Bloomington for developments in this area. Large portions of the concrete will be polished to a reflective finish resembling polished granite. See image below from a completed project with similar finishes.



12. Maximum building height is limited due to proximity to MSP. The maximum construction height without an Airport Zoning Permit is 60 feet. If construction cranes exceed 60 feet for Phase 1 construction, an airport zoning permit is required. FAA review is also required - be sure to apply for FAA review as early as practicable. If construction cranes would pierce height limits, a temporary construction variance would be required through the Metropolitan Airports Commission.

FAA Determinations have been obtained for this site and will be provided at the time of applying for the Airport Zoning Permit. We are initiating the variance application with the MSP Board of Adjustment for the cranes.

13. Building permits cannot be issued until an Airport Zoning Permit is issued by the City. In order to process an Airport Zoning Permit quickly, provide FAA No Hazard Determinations. An Airport Zoning Permit may not be necessary for Phase 1.
FAA Determinations have been obtained for this site and will be provided at the time of applying for the Airport Zoning Permit.

14. The Phase 2 building setback along Lindau Lane and 28th Avenue is well above the maximum setback. To mitigate the large building setback, the PDP should identify a public plaza/space.
Public Plaza space will be provided at the corner of 28th and Lindau, final design to be developed in parallel with the design of the Phase 2 office building. See sheet P1-012, Phase II site plan. The plaza will be a combination of paved areas and landscape, with site amenities such as site furnishing, lighting, etc.

15. Continue to depict sidewalk connections for future phases. Phases 2-4 do not show many sidewalks.
See sheet P1-012. P1-013 and P1-014 for future phase site connectivity development and general planning. Final site layout / landscaping is tentative, pending final design of Phase future phase buildings.

16. The Phase 3 parking analysis (Sheet P1-013) does not include Phase 3.
See Parking analysis on phased site plan sheets P1-011, P1-012, P1-013 and P1-014.

17. The Phase 4 parking analysis (Sheet P1-014) does not include Phases 3 or 4.
See Parking analysis on phased site plan sheets P1-011, P1-012, P1-013 and P1-014.

18. Identify sidewalk widths. Sidewalks along parking stalls must be 7 feet wide to account for vehicle overhang. Other sidewalk connections must be at least 5-feet. A number of sidewalks do not meet minimum width requirements.
Acknowledged. Sidewalk widths have been revised to meet the City's minimum width requirements. See sheet C400 Site Plan.

19. The site is located in an area with significant airplane noise. Noise attenuation measures must be studied by a noise consultant. The development must follow the recommendations of the consultant's report as required by the Development Agreement.
Acknowledged – SICK has engaged an acoustical consultant who will be providing recommendations based on the construction type and occupancy. These recommendations will be incorporated in final construction documents / permit set.

20. A number of deviations are needed for mixed use district building design standards (Section 21.301.03(b)). These standards are for building setback, massing, and transparency along public right of way. The project description includes commentary on these requirements, but identifies a 50-foot building height requirement. That section of the Code reads: (3) Structure height. To promote intensity in the mixed use districts (C-5, LX), at least 60% of the building footprint area on a site must rise to at least two stories or 25 feet in height. Structures in the mixed use districts must meet the height limitations of § 21.301.10. Additionally, structures in the LX District must meet the height limitations of the Airport Runway Overlay Districts in § 19.38.03.

Questions about Setback, Massing and Transparency are answered in other areas of this response letter and the Project Description. Regarding project height, the entire Phase I building meeting the minimum of 25'.

21. Add a tree to southernmost parking islands.

See Item #2 in Planning Review Comments above.

22. Identify the Phase 1 transparency percentage along 28th Avenue. The proposed elevation will not meet the minimum 50% requirement - a deviation from City Code is required.

See current Building Elevations, sheet P1-030. Glass area between 2' and 10' is 45% of wall areas. The project team requests deviation from City Code requirements based on planned development of future phases, which when complete will significantly exceed the minimum transparency requirement along 28th Avenue.

23. It seems like there is a building elevation color issue. The Phase 1 north elevation identifies 32% glass, which is visually inconsistent with the drawing. Please update.

See current Building Elevations, sheet P1-030 and P1-031.

Thank you for the thorough review of the layout. Please contact me with any questions regarding the responses.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Laura Clarens