



## MEMORANDUM

To: Michael Centinario

From: Jason Scrimshaw, PE  
Kimley-Horn and Associates, Inc.

Date: September 8, 2021

Subject: Comment Response Letter – Application # PL202100145 – Partial Redevelopment of the Clover Shopping Center

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Kimley-Horn has reviewed the comments provided by City of Bloomington, dated June 29, 2021 and has modified the plans accordingly. The comments and responses are listed below. Responses to comments are in ***bold italics***.

### ENVIRONMENTAL HEALTH REVIEW COMMENTS

1. Install a 6-ft 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.  
***Acknowledged. A 6-ft tall screen fence on the north side of the building is shown on the civil Site Plan.***
2. 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 to provide barrier so guests cannot relocate tables/chairs.  
***Acknowledged. Kraus-Anderson will notify the Tenant of this issue and address this concern.***

### PLANNING REVIEW COMMENTS

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 98<sup>th</sup> Street Station Area Plan and Lyndale Retrofit Plan.  
***Acknowledged. The project team will be submitting an application for rezoning in a future submittal.***
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 98<sup>th</sup> 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.

**Acknowledged.**

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

**Acknowledged. The project team will submit a separate application for preliminary & final plat.**

4. Freestanding signs require a 20-foot setback from property lines along streets.

**Acknowledged. The proposed monument shown on Sheet C400 is located 20-feet from the southern property line.**

5. Consider locating freestanding sign where directional sign is proposed on north side of the site.

**Acknowledged.**

6. Depict the sidewalk along W. 98<sup>th</sup> Street. City Code requires a minimum 8-foot concrete sidewalk.

**Acknowledged. The current Civil plans included in this submittal are showing right-of-way improvements on the north side of W. 98th Street consisting of a 5-foot landscaped boulevard, an 8-foot concrete sidewalk, and removal of the existing retaining wall.**

7. Duplicate Comment

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.

**Acknowledged.**

9. Consider adjusting pickup area or main entrance doors so parked vehicles do not idle in front of entrance.

**Acknowledged.**

10. Remove southern planter. It would be an obstruction to the sidewalk connection.

**Acknowledged. The southern planter east of the W. 98th Street access will be removed in a future phase.**

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.

**Acknowledged. A Landscape Plan (L100) has been included in this submittal for review.**

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 redevelopment application.

**Acknowledged.**

13. The parking along MnDOT right-of-way is less than the 20-foot minimum. Development flexibility is required.

**Acknowledged.**

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.

**A rendered site plan showing massing and future phases has been included in this submittal.**

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.

**Acknowledged.**

16. Show location of a bike rack and bike rack detail on the plan.

**Acknowledged. Bike rack location for the proposed grocer is shown on sheet C400.**

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.

**Acknowledged.**

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.

**Acknowledged. Proposed light pole locations are preliminarily shown in the civil plans. The project team will conduct a photometric study and adjust light pole locations as necessary to ensure compliance with Section 21.301.07.**

19. The renderings depict new signage throughout the center. A uniform sign design will need to be re-created prior to the issuance of sign permits.

**Acknowledged.**

## BUILDING DEPARTMENT REVIEW COMMENTS

1. Must meet 2020 MN State Building Code.  
**Acknowledged.**
2. Building plans must be signed by a MN licensed architect.  
**Acknowledged.**
3. Must meet 2020 MN Accessibility Code.  
**Acknowledged.**
4. Provide a detailed code analysis with the plans.  
**Acknowledged.**

5. SAC review by MET council will be required.

***Acknowledged.***

#### FIRE DEPARTMENT REVIEW COMMENTS

1. Provide adequate turning radius for BFD Ladder 3  
***Acknowledged. AutoTurn circulation for delivery and emergency vehicles is shown on Sheet C401. Further analysis can be performed to ensure the site layout can accommodate BFD Ladder 3. Please provide the project team with the appropriate vehicle dimensions.***
2. Portions of the existing building(s) are currently not sprinklered. A change in use, remodeling etc. will required sprinkler protection in those areas.  
***Acknowledged.***
3. Additional hydrants will be required to provide coverage within 150' of all exterior walls  
***Acknowledged. Proposed hydrant locations and coverage is shown on Sheet C600.***

#### PUBLIC WORKS ADMIN REVIEW COMMENTS

1. Existing easements may be vacated. Contact Bruce Bunker at 952-563-4546 or [bbunker@bloomingtonmn.gov](mailto: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 documents  
***Acknowledged.***
2. Show and label all property lines and easements on all plan sheets.  
***Acknowledged.***
3. See checklist of items that must be included on the preliminary plat per the Bloomington City Code, Chapter 22.  
***Acknowledged.***
4. \$15 fee for certified copy of plat. Engineering staff will obtain a certified copy of the plat from Hennepin County.  
***Acknowledged.***
5. Private common driveway/access easement/agreement must be provided.  
***Acknowledged.***
6. Private common utility easement/agreement must be provided.  
***Acknowledged.***
7. Consent to plat form is needed from any mortgage companies with property interest.  
***Acknowledged.***
8. Property must be platted per Chapter 22 of the City Code and the approved plat recorded at Hennepin County prior to issuance of a foundation or building permit.  
***Acknowledged.***
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.  
***Acknowledged.***

10. Right-of-way dedication is required on the final plat.  
**Acknowledged.**
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 the easement document.  
**Acknowledged.**
12. Public drainage/utility and easements must be provided on the plat as approved by City Engineer.  
**Acknowledged.**

#### PUBLIC WORKS UTILITY REVIEW COMMENTS

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 98<sup>th</sup> Street at Aldrich as part of loop.  
**Acknowledged. A looped water system is shown on Sheet C600.**
2. Provide civil plans for the project. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.  
**Acknowledged. A full (preliminary) civil plan set has been included in this submittal.**

#### PUBLIC WORKS TRAFFIC REVIEW COMMENTS

1. A traffic study will be necessary prior to the City accepting a development application  
**Acknowledged.**
2. Show location of a bike rack and bike rack detail on the plan.  
**Acknowledged. Bike rack locations are shown and identified on the civil plans.**
3. Provide trip generation numbers for the site using ITE Trip Generation Standards.  
**Acknowledged. Trip generation numbers are provided in the Draft Traffic and Parking Study prepared by the City's traffic consultant.**
4. Illustrate that sidewalks meet ADA requirements for cross slope and longitudinal grade. Construct sidewalk ramps with metal truncated domes, if required.  
**Acknowledged. Acknowledged. Spot elevations and slope arrows have been provided, and truncated domes are shown in locations required.**
5. Existing Clover Center Sign must be relocated/removed  
**Acknowledged. A proposed monument sign is shown in a new location on the civil drawings.**

#### PUBLIC WATER RESOURCES REVIEW COMMENTS

1. Provide civil plans for the projects. Plan sheets may include grading, drainage, utility, erosion control, traffic control, civil site, etc.  
**A full (preliminary) civil plan set has been included in this submittal.**
2. An erosion control bond is required.  
**Acknowledged.**
3. List erosion control maintenance notes on the plan.

**Acknowledged. Erosion control maintenance notes are shown on sheets C100, C300, and C301.**

4. Show erosion control BMP locations on the plan.

**Acknowledged. Erosion control BMPs are shown on Sheets C300 & C301.**

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, Conseal 231 WaterStop sealant, or approved equal will only be allowed as approved by the Engineer.

**Acknowledged.**

6. Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits.

**Acknowledged.**

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.

**Acknowledged.**

8. A maintenance agreement must be signed by the property owner and recorded at Hennepin County.

**Acknowledged.**

9. Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.

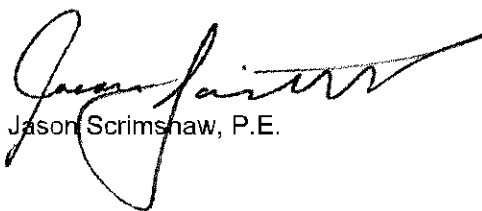
**Acknowledged. A preliminary stormwater management plan has been included in this submittal.**

10. Additional drainage review by MnDOT may be required due to site drainage to MnDOT storm sewer system at SW section of site.

**Acknowledged. The project team will coordinate with MnDOT on modifications to their drainage facilities.**

Thank you for the thorough review of the Development Application. Please contact me at [jason.scrimshaw@kimley-horn.com](mailto:jason.scrimshaw@kimley-horn.com) or (507) 216-0636 with any questions regarding the responses.

Sincerely,  
KIMLEY-HORN AND ASSOCIATES, INC.



Jason Scrimshaw, P.E.