



# Comment Summary

**Application #:** PL202400061

**Address:** 10700 BLOOMINGTON FERRY RD, BLOOMINGTON, MN 55438

**Request:** **Conditional use permit for an outdoor patio at a new restaurant and major revision to Final Development plans for an addition onto a new restaurant**

**Meeting:** Post Application DRC - May 14, 2024  
Planning Commission - June 06, 2024  
City Council - June 17, 2024

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

**Planning Review Contact:** Elizabeth O'Day at [ecoday@BloomingtonMN.gov](mailto:ecoday@BloomingtonMN.gov), (952) 563-8919

- 1) The conditional use permit and final development plan application goes to Planning Commission on June 6th and City Council on June 17th.
- 2) The play equipment located just north of the patio must not exceed 7 feet in height. If it exceeds 7 feet in height, it would not meet setback requirements.
- 3) Tree required in these islands per the approved landscape plan
- 4) Will there be music on the patio? If so, a noise source shall not exceed an L50 noise level of 60 dBA in the daytime (7:00 a.m. to 10:00 p.m.) and an L50 noise level of 50 dBA in the nighttime (10:00 p.m. to 7:00 a.m.) as measured at or within the applicable noise area classification at the point of human activity which is nearest the noise source. Noise must meet the city noise code standards. (Section 10.29.02)
- 5) Interior trash and recycling must be provided (see City Code Section 21.301.17) and meet the food service facility performance standards for trash and recycling.
- 6) Parking required for Pig Ate My Pizza is 52 spaces. The parking requirement for the entire center is 212 spaces (including the proposed Clawzone CUP, PL2024-63) where 179 spaces are provided. Development flexibility for parking must be requested. Please include a revised narrative that requests parking flexibility.
- 7) Exterior signs must be compliant with City Code. A separate sign permit is required.
- 8) Exterior materials must meet Section 19.63.08. The metal panels are acceptable provided they meet warranty and thickness requirements. Provide detailed information on metal panels prior to building permit.

For future reference, please note painting of brick is not allowed.

- 9) Parking lot and exterior security lighting must meet Section 21.301.07. It appears the exterior lighting for the entire Center is compliant. However, compliant lighting must be provided for the three new spaces.
- 10) A shared parking agreement must be recorded and filed prior to issuance of a building permit.
- 11) Landscaping material for the addition area is 1 tree per 2,500 square feet and 1 shrub per 1,000 square feet per disturbance area. A landscape surety is required prior to building permit for the new material. In addition, ensure the existing landscaping complies with the approved landscape plan on file.

**Building Department Review Contact:** Kelly Beyer at [kbeyer@BloomingtonMN.gov](mailto:kbeyer@BloomingtonMN.gov), (952) 563-4519

- 1) Is this an accessible means of egress (exit)?
- 2) Must meet 2020 MN State Building Code

- 3) Must meet 2020 MN Accessibility Code.
- 4) Building plans must be signed by a MN licensed architect.
- 5) SAC review by MET council will be required.
- 6) Provide a detailed code analysis with the plans.
- 7) Plumbing fixture count shall meet requirements of Table 2902.1 of 2020 MN Building Code.
- 8) Provide plans designed by a MN licensed Engineer for canopy.
- 9) Universal Toilet Rooms require an alternate design approval from the Building Official - please contact Building & Inspections to discuss.

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

- 1) Provide specification sheets during plan submittal on all new and used equipment being proposed for use in this facility.
- 2) Provide an Environmental Health Plan Review application with plan submittal for each proposed food facility.
- 3) Provide a minimum of ceramic tile to six feet in height and two feet beyond all two- and three- compartment sinks, dish washing machines, and food preparation areas designated on the plan. Stainless steel may be used in place of ceramic tile. (City Code Sec. 14.452 (a)(4)(C))
- 4) Any additions or changes to food service must be approved by the Health Department prior to construction if required.

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

- 1) Patio exits shall be separated by at least 1/3 the diagonal per MSFC 1007.1.1
- 2) Entire space(s) shall have fully Code complying sprinkler protection.
- 3) Building/property shall be adequately signed for emergency response.
- 4) Appliances/cooking producing grease laden vapors requires a hood and suppression system.
- 5) Ensure landscaping doesn't interfere with access to the building, hydrants and/or FDC.
- 6) Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.
- 7) Sprinkler protection may be required for the patio.
- 8) FDC to be moved to the front (south side) of the building.
- 9) Ensure landscaping doesn't interfere with access to the building, hydrants and/or FDC.
- 10) FDC to be moved to the front (south side) of the building.
- 11) Sprinkler protection may be required for the patio.

**Water Resources Review Contact:** Brian Hansen at [bhansen@BloomingtonMN.gov](mailto:bhansen@BloomingtonMN.gov), (952) 563-4543

- 1) An erosion control bond is required.
- 2) Submit a copy of Riley Purgatory Bluff Creek Watershed District permit and comments prior to the issuance of City of Bloomington permits ([www.rpbcwd.org](http://www.rpbcwd.org))
- 3) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 4) Regarding stormwater management, ensure the calculations include any new and fully reconstructed impervious surfaces to calculate the volume retention volume.
- 5) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 6) Drawdown time needs to be 48 hours, adjust design to meet requirement
- 7) Provide soil boring from within proposed stormwater BMP to confirm proposed infiltration rate and 3 feet of separation from groundwater.
- 8) Stormwater infiltration BMP must not mobilize contaminants in soil or groundwater. Given past history of site as a gas station address any known contaminants and prevent mobilizing contaminants with stormwater infiltration. See the Minnesota Stormwater manual for guidance on infiltration BMP's on contaminated sites.
- 9) Stormwater management for site must also demonstrate compliance with water quality standards (60% TP removal and 90% TSS removal) and decrease runoff rate from existing.
- 10) Provide an existing conditions model to confirm existing runoff characteristics.

- 11) Address HydroCAD warnings indicated throughout report
- 12) Provide connection detail and pipe size information with final design.
- 13) Will drain tile discharge to infiltration BMP or directly downstream? Ensure drainage characteristics are modeled correctly.
- 14) Ensure maintenance of pre-treatment chamber is accessible and able to be maintained with vector truck or similar.
- 15) Can the infiltration chambers be accessed to provide maintenance?
- 16) Show connection to existing catch basin
- 17) Provide perforated infiltration chamber section detail
- 18) List erosion control maintenance notes on the plan.
- 19) Show erosion control BMP locations on the plan.
- 20) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.

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

- 1) Add Note that the 15' bituminous multi-use trail on the west side of Bloomington Ferry Road should remain open and unobstructed during site construction.
- 2) It's not clear, but based on sheet L101, I don't think these 2 are parking spaces - don't include in the space count. Will this have a ped ramp?
- 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 Sean Jenkins (952-563-4545, [sjenkins@BloomingtonMN.gov](mailto:sjenkins@BloomingtonMN.gov)) for permit information.
- 4) 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.
- 5) Any requested sidewalk closure will only be considered for a limited duration and alternative access/TPAR will be required, as approved by the City Engineer.

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

- 1) Show easements on all sheets. 10' drainage and utility easement along street frontage. 15' sidewalk/bikeway easement along Bloomington Ferry Road and 10' walkway easement along Landau Circle.

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

- 1) Any new or substantial remodel of a food service facility must provide an exterior grease interceptor and grease interceptor maintenance agreement. See attached grease interceptor info packet for reference.

**Clerk's Office Review Contact:** Matt Brillhart at [mbrillhart@BloomingtonMN.gov](mailto:mbrillhart@BloomingtonMN.gov), (952) 563-4923

- 1) Apply for liquor license at least 60 days prior to projected opening date. Fees can be pro-rated by month.