

Development Review Committee

Approved Minutes



Pre-Application, PL201800121
Meeting Date: April 10, 2018
McLeod Conference Room
Bloomington Civic Plaza
1800 West Old Shakopee Road

Staff Present:

Laura McCarthy (Fire Prev, Chair) 952-563-8965	Kent Smith (Assessing) 952-563-8707
Heidi Miller (Police) 952-563-4975	Amy Schmidt (Legal) 952-563-4889
Randy Quale (Park & Rec) 952-563-8876	Eileen O'Connell (Pub. Health) 952-563-4964
Bernadette Gillespie (Bldg & Insp) 952-563-4709	Maggie Sasse (Pub. Health) 952-563-8904
Kelly Beyer (Bldg & Insp) 952-563-4703	Tim Kampa (Utilities) 952-563-8776
Jen Desrude (Eng.) 952-563-4862	Sue Hults Sellnow (Eng.) 952-563-4628
Michael Centinario (Planning) 952-563-8921	Glen Markegard (Planning) 952-563-8923

Project Information:

Project	511 W 78th Street - Luther Acura
Site Address	515 W 78TH ST, BLOOMINGTON, MN 55420 7801 LYNDAL AVE S, BLOOMINGTON, MN 55420 511 W 78TH ST, BLOOMINGTON, MN 55420
Plat Name	UNIPRESS 2ND ADDITION; UNIPRESS 2ND ADDITION; BLOOMINGTON ACURA ADDITION;
Project Description	Conditional Use Permit, Final Site and Building Plans, and Tax Parcel Combination to establish an Acura Dealership in an existing structure
Application Type	Conditional Use Permit Final Site and Building Plan Lot Parcel Combination
Staff Contact	Mike Centinario - mcentinario@BloomingtonMN.gov (952) 563-8921
Applicant Contact	Kevin Shay - kshay@landform.net
Post Application DRC	NO

Guests Present:

Name	Email
Peter Beck, Beck Law Office	peter@peterbecklaw.com
Linda McGinty, Luther Automotive Group	linda.mcginty@lutherauto.com
Christopher Call, Landform	ccall@landform.net
Kristy Dahlvang, Baker Associates, Inc.	kristy@bakerinvestments.com
Stephen Leighty, Baker Associates, Inc.	leighty@bakerinvestments.com

INTRODUCTION – Mike Centinorio:

Luther is proposing to convert an existing office/warehouse building to an Acura dealership. A small portion of the building at the southern end would be demolished. Three existing parcels are proposed to become one parcel through a tax parcel combination. Reminder there are standards and code requirements related to the tax parcel combination, acknowledgements and consent from mortgage holders, etc. (see code requirements in chapter 22). The conversion requires a Conditional Use Permit and Final Site and Building Plans. If no variances or development flexibility requested/required, the Planning Commission is the approval authority, subject to a three business day appeal period.

Discussion/Comments:

- Randy Quale (Park and Recreation):
 - No Comment
- Kent Smith (Assessing):
 - No Comment
- Erik Solie (Environmental Health):
 - McCarthy stated that Solie could not attend the meeting and didn't have any comment.
- Bernadette Gillespie (Building and Inspection):
 - Requested meeting with applicants once building plans are at 80% complete.
- Laura McCarthy (Fire Prevention):
 - With the scope of this project including reconstruction of the parking on the west side, the water supply needs to be brought up to code. Currently the hydrant along W 78th Street is difficult to access, and based on the new parking plans, it appears that parking will further hinder access to that hydrant. This hydrant is needed for incidents that may occur on the frontage road and freeway, so it can't be removed.
 - Additional hydrant(s) is needed on the west side of the building.
 - Recommending a new address for 511 W 78th Street building. Since there is no access to the property off of W 78th Street, the current address can be confusing for emergency responders. Suggestion made is an American Blvd address. A Lyndale Ave address doesn't appear to be an option due to the gate(s) on the 7801 property blocking access from Lyndale Avenue.
 - With either a Lyndale or American Blvd address, new signage will be important; directional signage and/or large numbers on the building.
 - Signage will be on the southwest side if a Lyndale address or the south side if American Blvd address.

- Ms. McGinty asked if the road address dictate what is the front yard, back yard, side yard for the property.
 - Centinario responded that it does not.
- Markegard asked Ms. McGinty as to whether or not the gate on the south side of the current dealership building would be retained.
 - She responded that she thought that the gate could possibly be removed. It had historically been there to reduce public traffic through the property. But it may no longer be needed.
- McCarthy asked if the access through the Goodwill property would remain.
 - Ms. McGinty responded that it would, since it is a public right of way.
- Ultimately, McCarthy asked to work closely with the applicants to ensure that the best address is assigned to the building and appropriate signage is installed so that emergency responders are not hindering in finding and accessing the property.
- McCarthy asked if the applicants are currently maintaining the 511 building. She couldn't find any records regarding maintenance or testing of the sprinkler systems in the building.
 - Ms. McGinty responded that she is not sure if the building is sprinkled, or what maintenance or testing has been done.
 - McCarthy reminded the applicants that the life safety systems may need to be brought up to code, functioning and tested.

- Heidi Miller (Police):
 - No Comment

- Jen Desrude (Engineering):
 - Engineering's notes recommend the address to be changed to 7811 Lyndale Ave. But this can be a discussion item. Desrude asked that if the gate is removed, would the Lyndale Ave address make sense.
 - McCarthy responded that it would, but she would still need to see new signage since you can't see the building clearly from Lyndale Ave.
 - Centinario responded that directional signage along Lyndale Ave would be easier from a zoning perspective. American Blvd presents a problem for signage since it would need to be located on Goodwill's property, which wouldn't be allowed.
 - Desrude explained that there is a formal process for changing the address; will need a written request and then the process of notifying appropriate parties can be done.
 - Storm Water Management plan under review, but the review is not fully completed.
 - Has an environmental review been done? Inquiring as to what environmental work might have been done, if any.
 - Ms. McGinty responded that they were not sure, but that some work may have been done when the property was purchased.
 - Desrude requested that they look into this, and provide any copies of environmental reviews that had been done previously.
 - Several other comments are included in the marked up plans, and in the Comments Summary which will be provided following this meeting. Follow up with Desrude if you have questions.

- Tim Kampa (Utilities):
 - Provided applicants with a map from the city GIS for the building at 511 W 78th Street. The map provided by applicants does not show where the utility services are coming into the north part of the building, which are shown on the city's GIS map.

- Install a manhole on the sewer service to bring up to code.
 - Refer to comments by Kampa on C4.1 in Plans for location.
- Adding to McCarthy's comments about wanting a hydrant with updated water supply on the west side of the 511 building, Utilities wants the water supply to the building to be "looped". This means that they are two connections to the city main.
 - Looping will ensure that the building continues to have service if work is being done on either of the two connections, and will provide enough flow of water for fire systems.
 - When putting in the hydrant on the west side, connect up to the loop that is around the current Subaru-Acura building. This will provide better water supply for both buildings (7801 Lyndale & 511 W 78th).
- Hard to see the hydrant locations/moves on the provided plans; text is too light. Make changes to better call out the hydrant moves on the plan.
- Refer to the GIS map provided to ensure that the Utility services are correctly reflected on the plans (significant elements that are drawn incorrectly on the submitted plans).
 - Important to have the elements drawn correctly, so that when work begins workers will know where various services are located.
- Eileen O'Connell (Public Health):
 - Provided applicants with pamphlets regarding state & federal law requiring employers of one or more employees to provide space for breast feeding moms.
 - Ms. McGinty confirmed that they have provided these in their other facilities and call them "private rooms".
- Amy Schmidt (Legal):
 - No Comment
- Mike Centinario (Planning):
 - Since this project is retrofitting an existing building, previously painted exterior materials may be repainted. However on the south side, a new exterior will be exposed with the demolition of the small structure. This new exterior wall cannot be painted. An alternative is to extend the metal panel design to the south elevation, which may benefit building address numbering, etc.
 - The building doesn't meet current setback requirements, but the building is legally nonconforming.
 - The plan does show an increase in the *building height* in a few places. Increases in building height are not permitted within the minimum building setback.
 - For example, the Acura logoed tower detail will need to be shifted south, so that it is out of the required setback.
 - 35 feet from the property line.
 - As with many properties, landscaping has "gone missing" over the years. There are some places on the Subaru site where landscaping will need to be replaced in accordance with the approved landscaping plans.
 - For example, a parking islands partially/fully removed, trees are shown on plans, but they are no longer present on site.
 - A lot of trees on the east property boundary should be shifted elsewhere on the site.
 - Peter Beck provided some historical context on landscaping.

- Some of the trees on the north side were lost at the time of a highway construction taking.
 - Centinario responded that that was accounted for on a 2008 plan.
 - Christopher Call asked if they can shift some of the trees from the east side of the Acura building.
 - Mike responded yes, they can shift trees from the east side of property line; just need to need the minimum landscaping code requirements for the overall property.
- Plans may have overestimated the parking requirements.
 - Car wash is not public, so no parking or stacking required.
 - Vehicle services bays have different parking requirements based on type of services provided in the bay (e.g., major or minor). Parking requirement would be reduced by several stalls.
 - Calculation is gross square footage requirement, plus 2 stalls for minor vehicle services bay or plus 3 stalls per major vehicles services bay.
 - Suggest review of the code, estimating the primary use of each vehicle service bay, and make adjustments to parking stalls accordingly.
- The patio / sidewalk areas on the north side of the site encroach into the 20 foot yard area. Adjust so parking and sidewalks meet a 20 foot landscape area.
- McCarthy asked, for the building at 511 W 78th St will there be a show floor, and applicants responded affirmative.
 - McCarthy added that if it is determined that the building is not sprinkled, and there is a change of use, then there will be a requirement to add sprinkler system to the building.
 - Ms. McGinty responded that there does seem to be a fire suppression room towards the front of the building. But even if it doesn't have a sprinkler system, it is their intent to add one.
- McCarthy asked to ensure that the applicants include in the landscaping plan a pad or sidewalk that goes to the fire department connection.
- Markegard noted for the record that MnDOT plans to acquire the north part of the 511 W 78th Street building if and when they do the 494-35W Interchange project. This will be necessary to accommodate a new collector-distributor lane in that area.
 - Mr. Beck responded that they are aware of this. However, with this manufacturer they need to move forward in splitting the dealership, and it can't be put off any longer. So the object has been to use the building that is already there, and not add any more infrastructure in that area.
 - Ms. McGinty asked Markegard if there is an update on the project.
 - Markegard responded that city has applied for Corridors of Commerce funding; we should find out in May. Markegard asked Desrude if she knew if this funding approval would trigger phase 1 of the project.
 - Desrude responded that she didn't know, but thought that phasing for the project was still being studied and not yet finalized.
 - Ms. McGinty commented that with the phasing, she had understood that this area wouldn't be touched with the first phase of the project.
 - Desrude responded that she wasn't aware of what was included in the phases, and that MnDOT was still studying what could be built with the funding available.
- Determined that this will not need to back for formal DRC. However, revisions are needed before applications are submitted for Planning Commission review.



Comment Summary

Application #: PL2018-121

Address: 511, 515 W 78TH ST AND 7801 LYNDAL AVE. S., BLOOMINGTON, MN 55420

Request: **Conditional Use Permit, Final Site and Building Plans, and Tax Parcel Combination to establish an Acura Dealership in an existing structure**

Meeting: Pre-Application DRC – April 10, 2018

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

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

- 1) Introduction: Luther is proposing to convert an existing office/warehouse building to an Acura dealership. A small portion of the building at the southern end would be demolished. Three existing parcels are proposed to become one parcel through a tax parcel combination.

The conversion requires a Conditional Use Permit and Final Site and Building Plans. If no variances or development flexibility is requested/required, the Planning Commission has approval authority, subject to a three business day appeal period.

- 2) Replace missing islands and landscaping as shown on the original plan.
- 3) The parallel stalls on the east side of the existing site are not permitted and in the required fire lane.
- 4) The architectural tower feature is in the required setback. Any change in height or reduced setback from the existing structure would require a variance.
- 5) New parking stalls, sidewalks, and paved entrance areas must maintain a minimum 20 foot setback.
- 6) The portion of the south elevation that is not already exposed to the exterior may not be coated. Integral color masonry or some other Code-complying material must be used.
- 7) Provide floor plans for both buildings so staff is able to confirm parking analysis. Staff is presuming there will be some level of shared parking between the two dealerships. Customer, employee, and inventory parking areas must be delineated on the site plan.
- 8) Identify the number of bays that will be used for "minor" repair versus "major" repair. Minor vehicle repair requires 2 spaces instead of 3.
- 9) Landscaping on the Subaru site has been removed and must be replaced.
- 10) The drive lane between the existing and "new" parking stalls does not meet the minimum 24 foot requirement. These stalls may not be designated for customer or employee parking.
- 11) Provide specification and warranty information for the ACM panels.
- 12) Existing and new rooftop mechanical units on the proposed Acura building must be screened from view.

- 13) Show location of a bike rack and bike rack detail on the plan.
- 14) Parking lot and exterior security lighting must meet Section 21.301.07.
- 15) A three foot high screen for a parking lot adjacent to Interstate 494. Proposed landscaping along the north side of the site likely meets the screening requirement. Please identify the proposed plantings.
- 16) An interior trash and recycling room must be provided.
- 17) As a nonconforming building, any expansion must be compliant with relevant City Code standards. The architectural wall elements on the north side of the building expands the building height. Any increase in height must meet City setback standards. Along the west elevation, this would entail a minimum 35 foot setback from the north property line.

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

- 1) Maintain access drive lane with no barriers.
- 2) Provide adequate turning radius to accommodate BFD Ladder 1
- 3) Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.
- 4) Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.
- 5) Insure building life safety systems have been inspected within the last year and any deficiencies have been corrected.
- 6) Change building address from 511 W 78th to a Lyndale Avenue or American Blvd address.

Construction/Infrastructure Review - Pre-App Contact: Jen Desrude at
jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) See document markups.

PW Admin Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) Include easements per Final Certificate Hennepin County Recorder Doc No A09924767.
- 2) Consult with Xcel Energy for construction activity and plantings under power lines within easement.
- 3) Need to change the building address of 511 West 78th Street to a Lyndale Avenue South address. Proposed Address will 7811 Lyndale Avenue South.

Utility Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) See Document Markups
- 2) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 3) Use updated city standard details for driveways, utilities, erosion control, etc. found on the website at www.bloomingtonmn.gov/information-sheets-and-handouts-engineering-division
- 4) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.

- 5) Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
- 6) Suggest looping the water service for the 511 building to the 7801 water system to provide increased reliability of flow for the fire service, reduction of head loss, and redundancy.
- 7) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius. Bloomington Fire would like more coverage on the west side of the 511 Building.
- 8) An inspection manhole is required on all commercial sewer services. Add one to the 511 building sewer service.
- 9) Use standard short cone manholes without steps.
- 10) Install interior chimney seals on all sanitary sewer manholes.
- 11) The utility (water and sewer) plan shows a slightly different layout or location of the pipes than what the City has on file. There are even some pipes and services missing on the north end of the plans. Please verify locations to help the contractors working in those areas to avoid damage to the existing infrastructure.

Water Resources Review - Pre-App Contact: Steve Segar at ssegar@BloomingtonMN.gov, (952) 563-4533

- 1) See Document Markups
- 2) Provide soil boring(s) at location of underground stormwater system. Does any contamination exist where infiltration is proposed?
- 3) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan. Under review.
- 4) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 5) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided. SWPPP received.
- 6) An erosion control bond is required.
- 7) Show erosion control BMP locations on the plan.
- 8) List erosion control maintenance notes on the plan.
- 9) Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits (www.ninemilecreek.org)
- 10) Provide pretreatment prior to UG infiltration system. Provide detail of ADS system.
- 10) Provide Environmental review, MPCA lists two tank remediation sites nearby, one at 515 W78th (Forklifts of MN). Was a Phase 1 ESA done at time of sale?
- 11) What is this line?
- 12) Provide detail of UG CMP detention system.
- 13) How will slotted drain be protected from sediment during construction?
- 14) Change casting for non-curb locations

Traffic Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) Provide a bike rack at each building, minimum 2 spaces each - for employee bike parking. Show location of a bike rack and bike rack detail on the plan.