

7984ABC-10



CITY OF
BLOOMINGTON
MINNESOTA

Development Application

Case no.

7984 ABC 10

Type of application

- ☒ Standard
 ☐ Staff approval
 ☐ Hearing Examiner
 ☐ Plan Revision
 ☐ Amended
 ☐ Reapplication
- ☒ Rezoning
 ☐ Conditional Use Permit
 ☐ Variance
 ☐ Ordinance Amendment
- ☒ Preliminary Development Plan
 ☐ Interim Use Permit
 ☐ Comprehensive Plan Amendment
 ☐ Subdivision
- ☒ Final Development Plan
 ☐ Final Site and Building Plan
 ☐ Other

Site location ☐ Additional addresses on back ☐ Legal description attached

Property address

9056 Penn Avenue South

Common name

Business address

PIN

08-027-24-41-0065

Lot

1

Block

1

Plat name

Penn Properties Addition

Proposal Full documentation must accompany application

Rezoned from B-4 to B-4(CPD) Prelim & Final Development Plan
to include a 3585 sq ft Addition to existing structure

Complete all applicable sections — Select only ONE person as primary contact

Fee property owner

☐ Primary contact	Owner name per property title		E-mail	
	Bloomington Investments, LLC		ned@swervo.com	
☐ Additional owners on Back	Mailing address	City	State	Zip
	510 1st Ave. No., ste 200	Minneapolis	MN	55403
	Business address	City	State	Zip
	Daytime phone	Cell phone	FAX	
	612-332-8323, ext 3		612-332-0262	
	Nedal Abdul		President	
	Typed/printed name		Signature	
			Title	

User/occupant

☐ Primary contact	Business name/name		E-mail	
	Mailing address	City	State	Zip
	Business address	City	State	Zip
	Daytime phone	Cell phone	FAX	
	Typed/printed name		Signature	
			Title	

NOTE: Applications only accepted with ALL required support documents. See Instructions.

Deadline for agency action

60 Days: 12/11/10 120 Days: 2/9/11

Planner: Julian Tarnhaw DRC: up 10/26/10

extension letter sent 11-9-10

Shaded areas are for office use only

Received:	Date 10/13/10	By JEF
Reviewed:	Date 11-18-10	By MPC CC HE
Fee paid:	Date 10-13-10	\$ 2040.00
☐ Admin. approval:	Date	By
	☐ Comm. Dev't Dir.	☐ Planning Div. Manager
	☐ Other	

Community Development

Planning and Economic Dev.
1800 W. Old Shakopee Road
Bloomington MN 55431-3027

PH 952-563-8920
FAX 952-563-8949
TTY 952-563-8740

E-MAIL planning@ci.bloomington.mn.us
www.ci.bloomington.mn.us

web_52_001 pg1 of 1 (07/09)

Case no.

7984 ABC 10

Complete all applicable sections — Select only ONE person as primary contact

Additional parties

☒ Primary contact	Business name/name David J. Kelly, Architect, Inc.		E-mail dkarchitect@qwestoffice.net	
	Mailing address		City	State Zip
	Business address 3925 W 50th St., ste 205		City Minneapolis	State Zip MN 55424
	Daytime phone 952-922-2220	Cell phone 612-296-0867	FAX 952-922-5739	
	David Kelly		President	
	Typed/printed name		Signature <i>David Kelly</i>	
		Title		

Additional fee property owners and addresses

Business name/name		E-mail	
Mailing address		City	State Zip
Business address		City	State Zip
Daytime phone	Cell phone	FAX	
Typed/printed name		Signature	
		Title	
Business name/name		E-mail	
Mailing address		City	State Zip
Business address		City	State Zip
Daytime phone	Cell phone	FAX	
Typed/printed name		Signature	
		Title	
Business name/name		E-mail	
Mailing address		City	State Zip
Business address		City	State Zip
Daytime phone	Cell phone	FAX	
Typed/printed name		Signature	
		Title	

Use additional sheets or copy form for additional properties

David J. Kelly
Architect, Inc.

October 13, 2010

Bloomington Planning Development
Bloomington City Hall
1800 Old Shakopee Road
Bloomington, MN 55431-3027

Re: Project Narrative
Development Application
South Hennepin Work Force Center
9056 Penn Ave. So.
DKA Comm. No. 10.029

Committee and Council Members,

Bloomington Investments, LLC, the owners of the property located at 9056 Penn Avenue South, are proposing to remodel the 17,922 SF, 1-story building to accommodate the South Hennepin Work Force Center.

To meeting the Work Force Center's space requirements a small addition will be necessary. The 3,585 SF addition is proposed to be built at the northwest corner of the building, in the location of the building's depressed loading dock ramp.

To accommodate the addition the site which is zoned B-4 must be rezoned to B-4 with a Plan Development Overlay. This application statement and exhibits are being submitted to meet the requirements of the City's rezoning procedures, and for the Plan Development preliminary and final reviews.

Existing Conditions

The subject property is located along Penn Ave. South between West 90th Street and West 91st Street. The site is composed of two parcel; an 18,959 SF Parcel (B) at the corner of West 90 St. and Penn Ave. So. and the subject Parcel (A) which extends from the south edge of Parcel B to West 91st St. Its area is 138,795 SF (3.19 acres).

The existing building was originally built in 1959 to house a grocery store. Its most recent use was as a furniture retail store. The conversion of the building for office use will require the building's occupancy to be changed from M (Mercantile) to B (Business-office).

South Hennepin Work Force Center

The South Hennepin Work Force Center is a state and county sponsored facility that helps local citizens with the following:

1. employment search
2. improving job interview skills
3. training on business computers and machines

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The Facility will have the following hours of operation:

Monday from 8 AM to 4:30 PM
 Tuesday from 8 AM to 8 PM (w/ a max. of 20 visitors between 4:30PM and 8 PM)
 Wednesday thru Friday from 8 AM to 4:30 PM

The South Hennepin Work Force Center will have a staff of 65. The average number of visitors expected each day is 130, with an average stay of 1.5 hours.

The facility will have the visitor service areas along the front half of the building. The employee office areas will be in the rear half of the building and will extend into the addition.

Floor Area Ratio

According to Sec. 21.301.01 of the City Code the minimum Floor Area Ratio (FAR) permitted is 0.2 and the maximum FAR is 0.5.

The floor areas are as follows:

Existing Burger King	3,179 SF
Existing "WFC Building"	<u>17,922 SF</u>
Existing Floor Area	21,101 SF

The Floor Area Ratio for the site will be $21,101/138,795 = .152$, less than the minimum FAR permitted for Zoning District B-4.

With the proposed addition the FAR will be as follows:

Existing Floor Area	21,101 SF
Proposed "WFC Addition"	<u>3,585 SF</u>
Total Floor Area	24,686 SF

The Floor Area Ratio for the site will be $24,686/138,795 = .178$.

The new Floor Area Ratio will be slightly less than the permitted minimum but the tenant only requires an addition of 3,585 SF and they are not interested in renting unwanted space.

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Building Floor Area

The minimum building floor area within a B-4 District is 4,000 sq. ft.

The proposed total floor area of 24,668 SF meets this standard.

Impervious Surfaces

According to Sec. 21.301.01 of the City Code the maximum allowable area of impervious materials is 95% of the lot area. Given that the lot has an area of 138,795 SF, the maximum allowable impervious area is 131,855 SF ($138,795 \times .95$).

The existing site has 15,067 SF of landscaped areas. The proposed addition will provide an additional 1,111 SF of landscape area for a total of 16,178 SF.

The impervious surface area for the site is 88.4% ($((138,795 - 16,178)/138,795) \times 100$). This is less than the allowable maximum of 95%.

Site Width

The minimum site width within the B-4 District is 150 feet and 200 feet for corner sites

The existing site is 445.02 feet wide along Penn Ave. So. and 266.14 feet wide along W 91st St. The site is in compliance with the Site Width requirements.

Site Area

The minimum site area within the B-4 District is 40,000 sq. ft.

The existing site's area is 138,795 sq. ft. The site is in compliance with the Site Area requirement.

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Structure Placement

As recently as 2007 the site was zoned B-2. The site is now zoned B-4.

The existing structure placement does not comply with the minimum setback of 20 feet and the maximum setback of 40 feet required along public streets. It also does not comply with the minimum rear setback requirement of 50 feet for commercial property adjacent to residential properties.

The proposed addition to the building will be located to align with the rear wall of the existing building. As such it will not comply with the required minimum setback of 50 feet from an adjacent residential property.

Parking Placement

The parking placement requirements within a B-4 District prohibit the placement of parking between the building and the public street.

This project cannot comply with this requirement without the complete demolition of the existing structure and the construction of an entirely new 21,500 SF building. That would make the project economically infeasible. Therefore, the project is required to maintain the existing parking.

Parking

The existing 3.12 acre site contains the Work Force Center building and a Burger King Restaurant building. The site's overall parking is 185 regular stalls and 7 handicap-accessible stalls, for a total of 192 stalls.

The Burger King Restaurant has designated use of 47 parking stalls, two of which are handicap-accessible. According to Sec. 21.301.06 of the City Code restaurants are required to have 1 standard parking stall for every 2.5 seats. Given that the Burger King restaurant has seating for 72 customers, 29 stalls ($72 \text{ seats} \times 1 \text{ stall}/2.5 \text{ seats} = 28.8 \text{ stalls}$) are required. Therefore the Burger King has an excess of 18 parking stalls.

The owners intend to redesign the parking areas around the Work Force Center building to provide a minimum of 153 stalls.

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The Work Force Center has 2,286 SF of classrooms and 17,418 SF of office space. According to Sec. 21.301.06 of the City Code the required parking will be as per the following:

Classrooms

4,094 SF x 1 occupant/200 SF = 204.7 Occupants.

204.7 Occupants x 1 stall/3 Occ. = 68.25 stalls

Office Areas

17,418 SF x 1 stall/285 SF = 61.25 stalls.

Therefore, the site requires 129 standard size parking stalls.

The site design proposes to provide the following:

137 standard size parking stalls

8 accessible parking stalls

9 compact parking stalls

Total 153 stall

Traffic

The site's four access drives will remain as is. The existing entry drive at W 90th St. will remain a two-way entry/exit for the WFC and for the Burger King. The eastern access drive at Penn Ave So. will continue to serve the WFC Building and the Burger King. The western access drive off of Penn Ave. So. will serve the Burger King and the corner parcel. The existing drive accessing W 91st St will become an entry/exit drive to accommodate visitor and staff traffic approaching from the south.

The on-site traffic lanes will remain as before. The parking areas will be restriped.

As required by the City Code a curbed and landscaped parking island will be provided at each end of the double-row of parking stalls along the front of the building.

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Structure Height

The height of the proposed addition is 17'-4" so as to align with the height of the existing building. This height conforms to the Structure height requirement of 6-stories maximum in a B-4 District.

Building Design – Openings

The existing building has a large glazed area on the Penn Ave. S façade. There are no other windows on the building.

The B-4 District requires opening areas on the primary façade to be 50% of the exterior wall area and 25% of the exterior wall area on the 2nd and 3rd facades.

The east façade (facing Penn Ave. So.) of the existing building is the primary façade. However it is located approximately 108 feet from the east property line. As such it is not required to comply with Sec 21.204.03 (c)(5). With the redesign the east facade will have almost 900 SF of glazing.

The south elevation along W 91st St. is a secondary facade. Because this elevation is roughly 67 feet from the property line it should have 25% of the exterior wall composed with transparent windows and/or entrances.

The building's redesign will prove new window openings on the south (W 91st St.) elevation but not to the required 25%. The requirements of the WFC are such that they do not need nor want windows in their private offices. Therefore windows have been located were possible.

The proposed design will provide the following opening areas:

<u>Façade</u>	<u>Exterior Wall Area</u>	<u>Required Area</u>	<u>Proposed Area</u>
Primary Façade Penn Ave. So. (east)			
Existing	1,375 SF	NA (> 100')	480.4 SF
Addition	<u>570 SF</u>	NA (> 100')	<u>419.0 SF</u>
Totals	1,875 SF	0 SF	899.4 SF

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<u>Façade</u>	<u>Exterior Wall Area</u>	<u>Required Area</u>	<u>Proposed Area</u>
W 90 th St.	1,374 SF	343.5 SF	294.4 SF
North Elev.	1,496 SF	NR	109.4 SF
West Elev. (Rear)	NONE REQUIRED OR PROVIDED		

Building Design – Entrances

The facility's primary entrance will be on the east façade which faces Penn Ave. So.

Building Design – Canopies and Awnings

At the present time consideration is being given to a canvas awning or solid canopy along all or part of the east entry façade.

Should the owners decide to include a canopy or awning the drawings to be submitted for review prior to the issuance of the Building Permit will contain the required information.

Transportation Demand Management (TDM) Plan

The following TDM strategies have been incorporated into the project's design:

1. Provide bicycle racks for both visitors and employees.
2. Display a transit map in the Reception/Resource area.
3. Display a transit map in the employee break room.
4. Display transit route brochures in the Reception/Resource area.
5. Display transit route brochures in the employee break room.

In addition to the strategies listed above Hennepin County has a policy of promoting car/van pooling for employees and encourages use of the county's mass transit system.

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9056 Penn Ave. So.
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On behalf of the owners of 9056 Penn Avenue South I respectfully request the rezoning of the property to a B-4 District with a Plan Development Overlay.

Please feel free to call me at 952.922.2220 with any questions.

Respectfully,



David J. Kelly, A.I.A.

cc: File (BLMGITN-9056 PennAveSo_DRC app_10-13-10)

List of Submittals

Completed Application
Application Fee
(8) folded sets of (6) 24x36 Design Drawings
(8) folded sets of (2) 24x36 Site Lighting Design Drawings
(1) rolled set of (8) 24x36 Design and Site Lighting Drawings
(10) sets of Design and Site Lighting Drawings reduced to 11x17
(1) set of Design and Site Lighting Drawings reduced to 8-1/2x11

Color Perspective View of Proposed Design

Color Map designating service area for So. Hennepin Work Force Center

Samples of Veneer Brick and of Stone Sill

7984 ABC 10

Penn

Avenue



South

(HCSAH

No.

32,

Plat

69)

David J. Kelly
Architect, Inc.

Sheet 225 - 2015 West 90th St
Bloomington, Minnesota 55414
(612) 822-2220

Consultants

Certification

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.

David Joseph Kelly

Reg. No. : 15254

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Comm. No. : 10,029

Drawn By : djk

Date Issued : 10.13.10

Revisions :

Project

So. Hennepin
Work Force Center

9056 Penn Ave. So.
Bloomington, MN

Drawing Title

Existing Site
Conditions;
Demolition

Scale As Noted

Sheet Number

Development
Application Review
Dated: 10.13.2010

For Review Only

a1.1

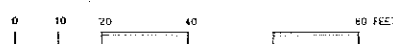
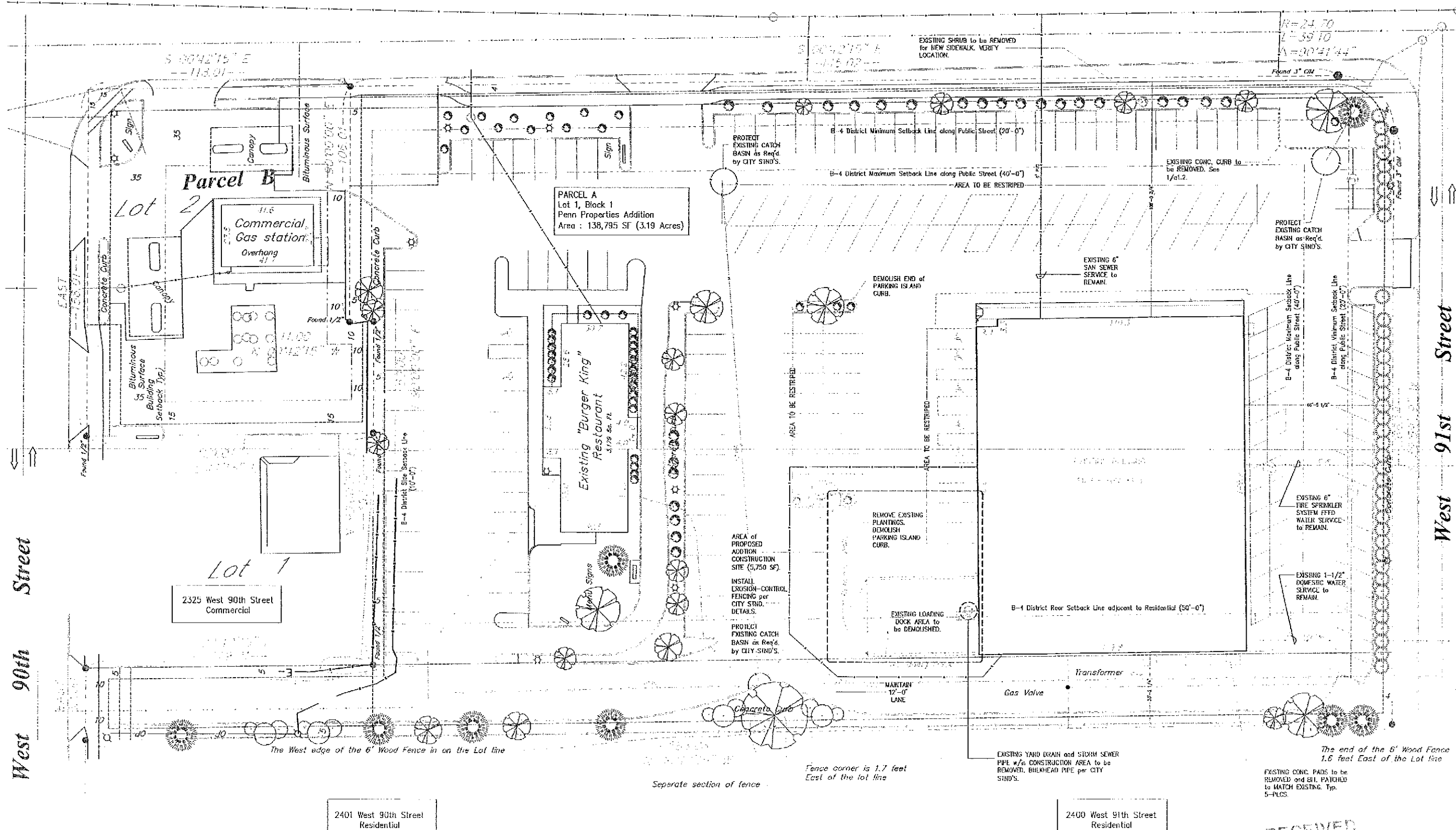
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CITY OF BLOOMINGTON

MINNESOTA

7984 ABC 10



Existing Site Plan with Intended Demolition
Scale : 1" = 20'-0"

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David J. Kelly

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Comm. No. : 10.029

Drawn By : djk

Date Issued : 10.13.10

Revisions :

Project

So. Hennepin
Work Force Center

9056 Penn Ave. So.
Bloomington, MN

Drawing Title

Revised Site
Plan

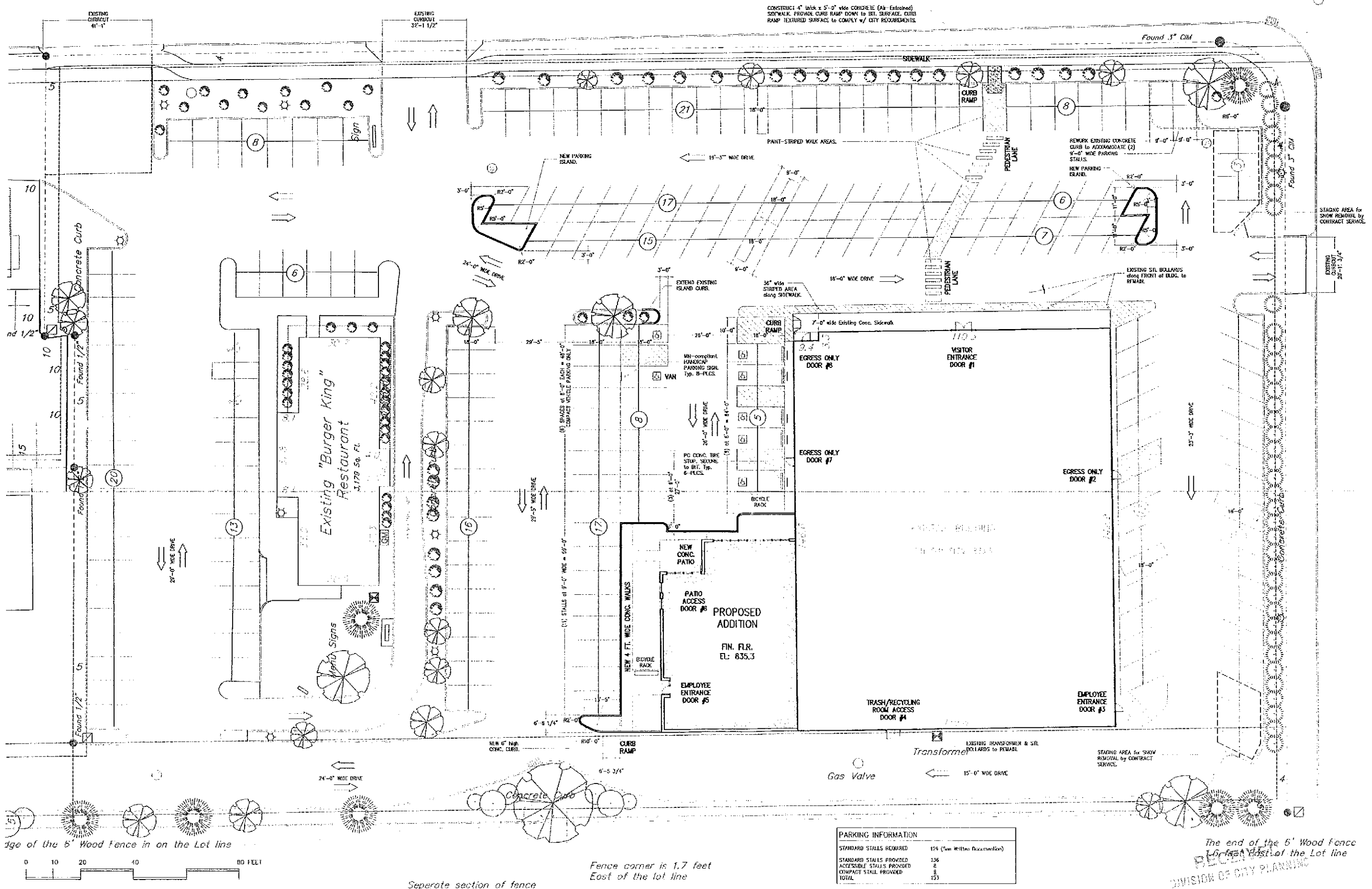
Scale As Noted

Sheet Number

Development
Application Review
Date: 10.13.2010

For Review Only

a1.2



Revised Site Plan

Scale : 1/16" = 1'-0"

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CITY OF BLOOMINGTON
DIVISION OF CITY PLANNING
10.13.2010

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David Joseph Kelly

David Joseph Kelly

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Drawn By : djk

Date Issued : 10.13.10

Revisions :

Project

So. Hennepin
Work Force Center

9056 Penn Ave. So.
Bloomington, MN

Drawing Title

Revised Grading
and Landscape
Plan

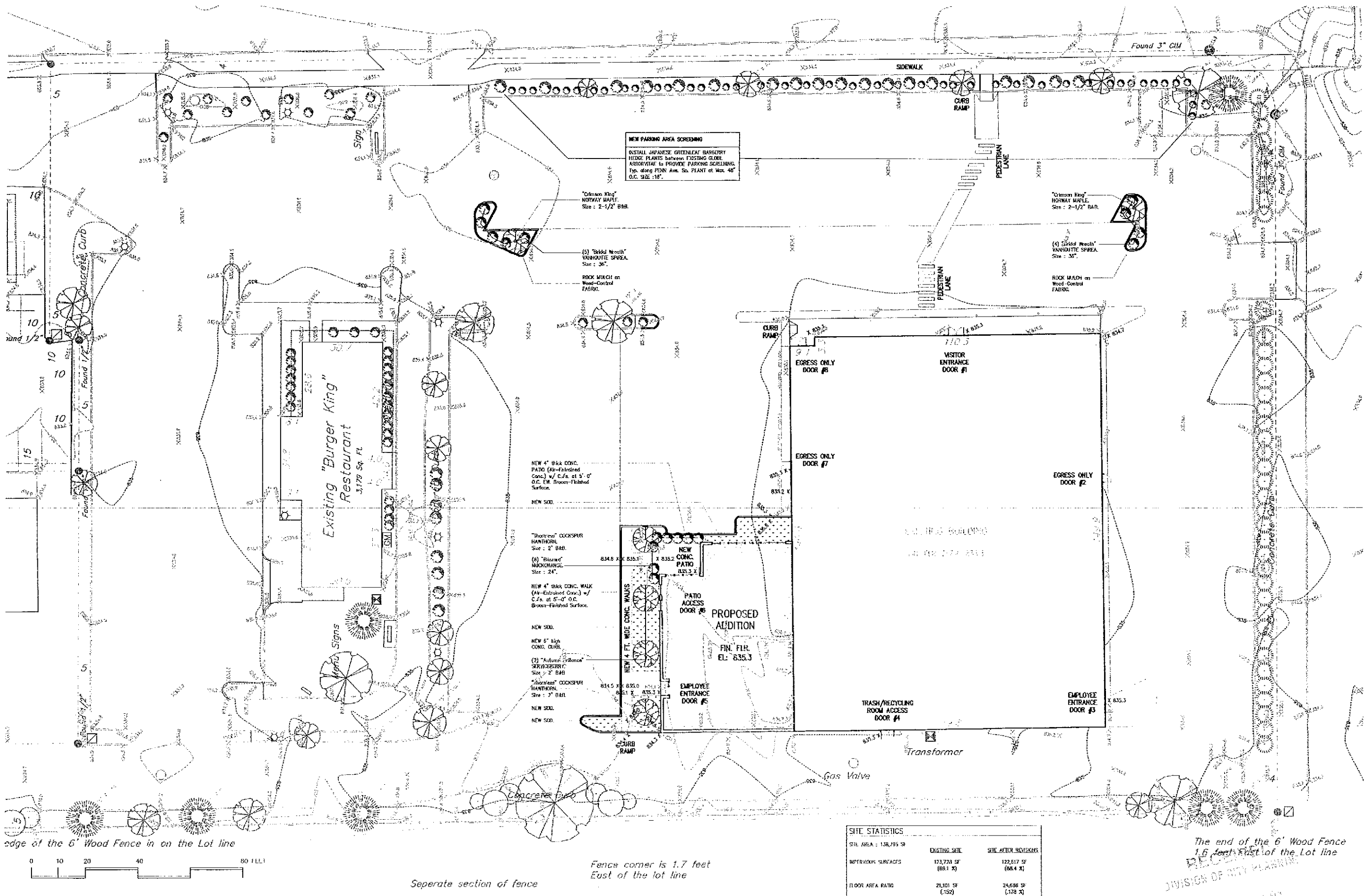
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Sheet Number

Development
Application Review
Date: 10.13.2010

For Review Only

a1.3

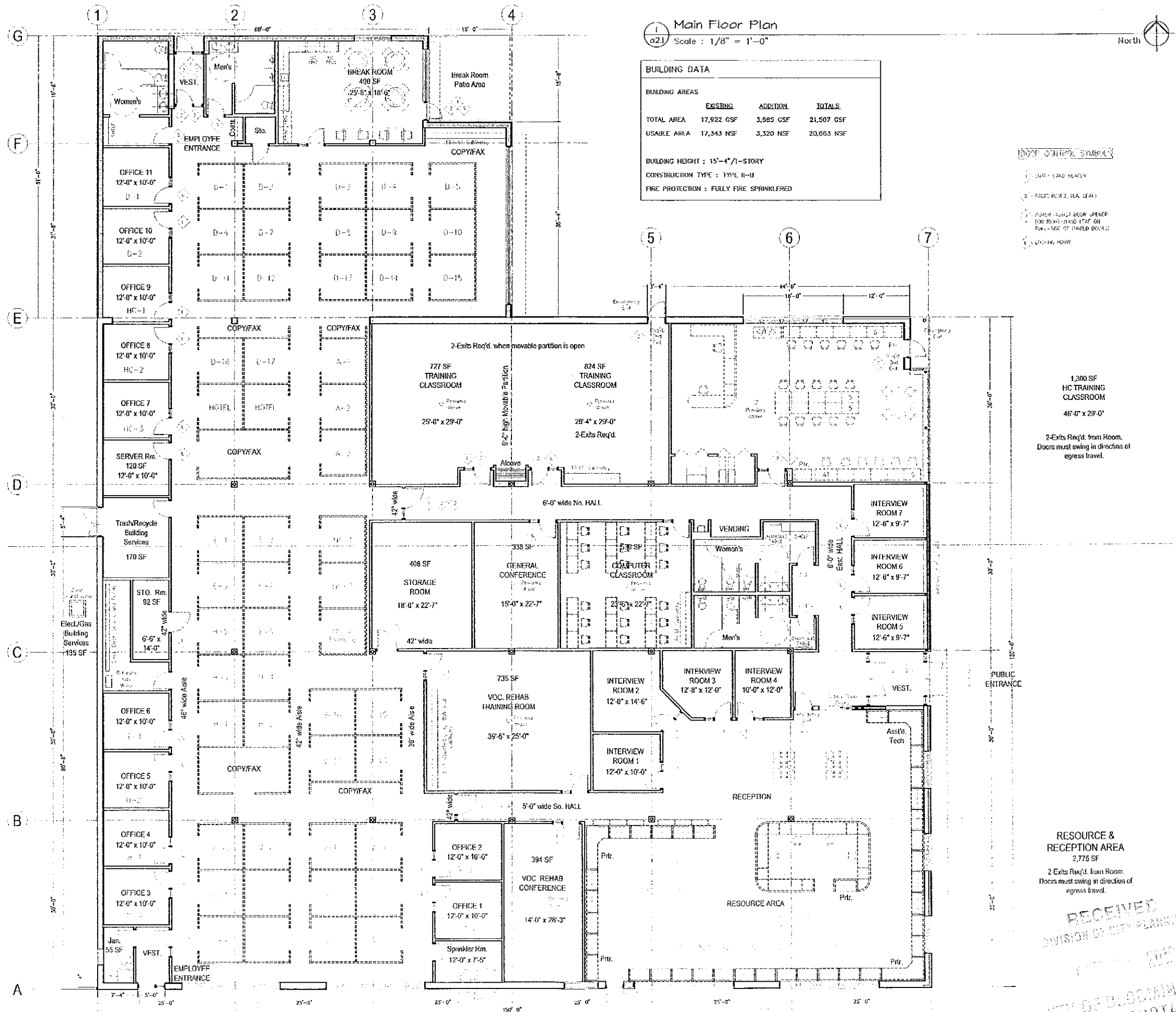


SITE STATISTICS		
SITE AREA : 138,795 SF	EXISTING SITE	SITE AFTER REVISIONS
IMPERVIOUS SURFACES	123,720 SF (89.1 %)	122,617 SF (88.4 %)
FLOOR AREA RATIO	21,101 SF (152)	24,686 SF (178 %)

Revised Grading and Landscape Plan

Scale : 1/16" = 1'-0"

7984 ABC 10



David J. Kelly
Architect, Inc.

Suite 205 3325 West 50th St
Minneapolis, Minnesota 55424
(612) 922-2278

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Drawn By : djk

Date Issued : 10.13.10

Revisions :

Project

So. Hennepin
Work Force Center

9056 Penn Ave. So.
Bloomington, MN

Drawing Title

Main Floor Plan

Scale 1/8" = 1'-0"

Sheet Number

Development
Application Review
Date: 10.13.2010

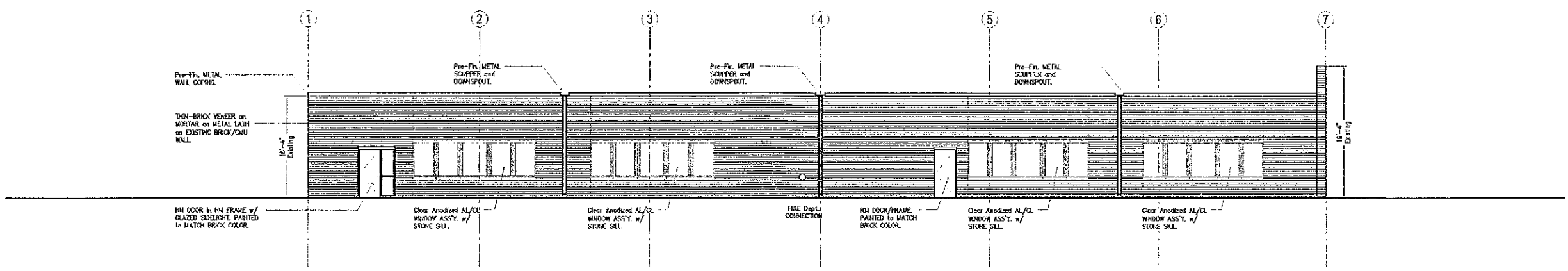
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a2.1

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David Joseph Kelly
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Drawn By : djk
Date Issued : 10.13.10
Revisions :



2 Revised South (91st St. So.) Elevation
a3.1 Scale : 1/8" = 1'-0"

Project

So. Hennepin
Work Force Center

9056 Penn. Ave. So.
Bloomington, MN

Drawing Title

Exterior
Elevations

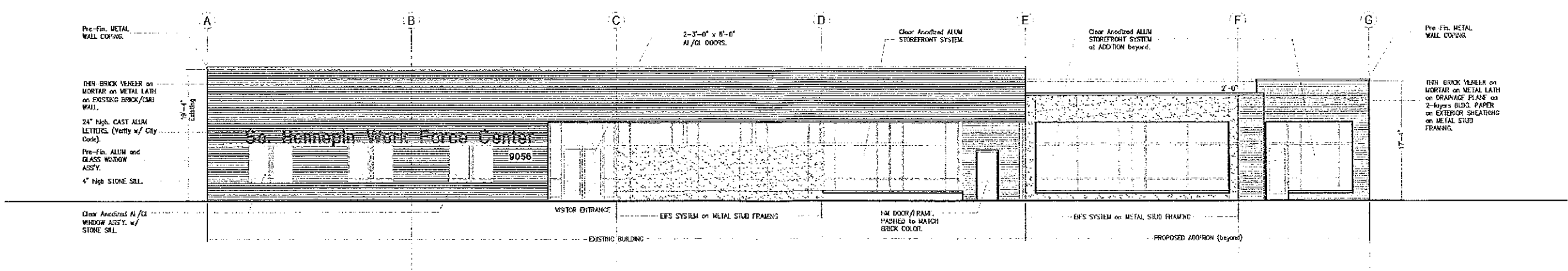
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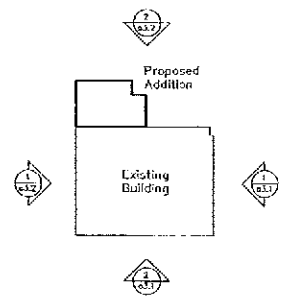
Development
Application Review
Dated: 10.13.2010

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a3.1



1 Revised East (Penn Ave. So.) Elevation
a3.1 Scale : 1/8" = 1'-0"

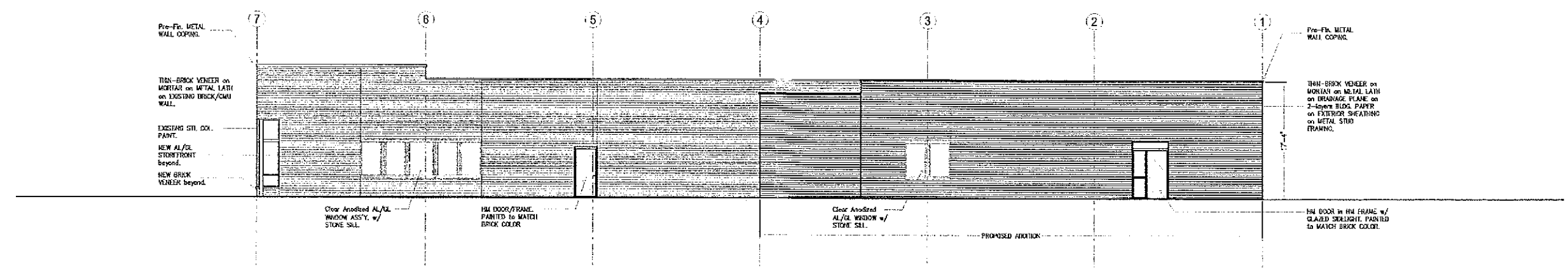


3 Key
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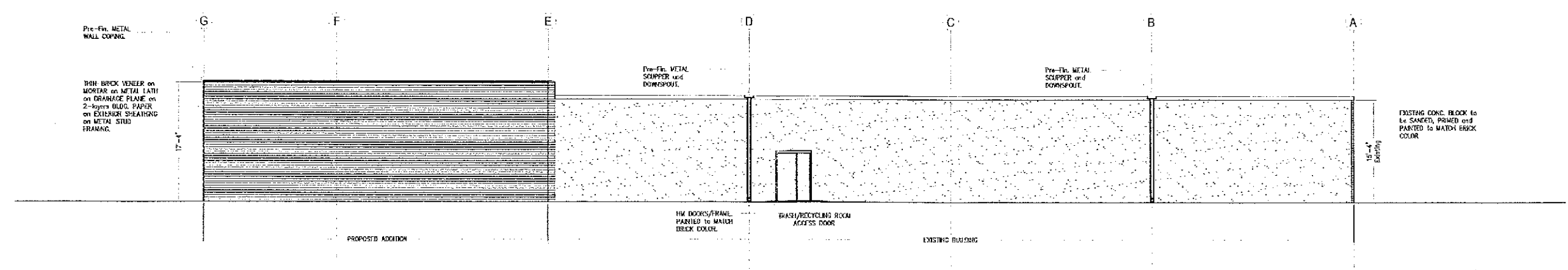
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MINNESOTA

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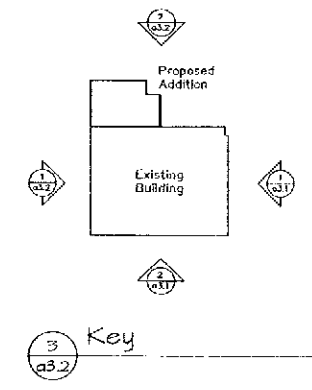
Consultants



2 Revised North Elevation
a3.2 Scale : 1/8" = 1'-0"



1 Revised West Elevation
a3.2 Scale : 1/8" = 1'-0"



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David Joseph Kelly
Reg. No. : 15254
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Comm. No. : 10.029
Drawn By : djc
Date Issued : 10.13.10
Revisions :

Project

So. Hennepin
Work Force Center

9056 Penn. Ave. So.
Bloomington, MN

Drawing Title

Exterior
Elevations

Scale 1/8" = 1'-0"

Sheet Number
Development
Application Review
Dated: 10.13.2010

For Review Only

a3.2

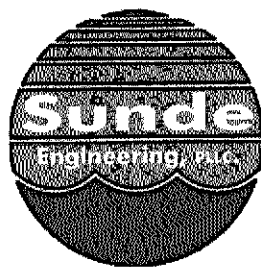
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MINNESOTA

7984 ABC 10

South Hennepin Work Force Center
Bloomington, MN

Stormwater Management

November 2, 2010



SUNDE ENGINEERING, PLLC.
10830 Nesbitt Avenue South
Bloomington, MN 55437-3100
Phone: (952) 881-3344
Fax: (952) 881-1913

So. Hennepin Work Force Center
Bloomington, MN

11/2/10
MW

Narrative

The proposed South Hennepin Work Force Center site is located at 9056 Penn Avenue South in Bloomington, MN. The project consists of a 3,500 square foot building addition and associated parking lot improvements. The building addition will be located at NW corner of the existing building and will replace the existing loading dock area. The parking lot improvements include adding landscape islands, re-striping, and re-grading around the building addition. The total disturbed area is approximately 8,500 square feet (see attached Disturbed Area Map).

Stormwater management will be provided on site in an underground infiltration basin. The infiltration basin will provide the infiltration volume for 1" of runoff over all new and disturbed impervious surfaces (see attached Drainage Area Map and Underground Infiltration Basin detail). The infiltration basin will also provide treatment for TSS and phosphorus removal of over 90% for TSS and over 60% for phosphorus for an average annual year. The runoff will be collected in a new stormsewer catchbasin and interior roof drains. The runoff from these structures will be piped into the underground infiltration trench and allowed to infiltrate. Any runoff over 1" will overflow into the existing 12" PVC stormsewer and out to the city storm sewer within the street. The soils on-site are assumed to be sandy, but soil borings are scheduled to be performed to determine infiltration rates, the groundwater elevation, and soil contamination, if any. The overall proposed site layout is providing an increase in pervious surface, therefore, the proposed site discharge rates will not exceed the existing site conditions.

Infiltration Analysis

Infiltration is provided for the new and disturbed impervious area.

Impervious Area New and Disturbed = 7,563 sf

Impervious Area to Infiltration Basin = 7,737 sf

$V_{(1'')} = (1''/12'') \times 7,737 \text{ sf} = \underline{645 \text{ cf}}$ To be Infiltrated.

Volume Provided in Basin = 651cf (12'x40'x3' @ 40% void space)

Surface Area Required to Infiltrate:

Assumed design infiltration rate 0.60 in/hr.

$631 \text{ cf} = (0.6 \text{ in/hr}) \times (48 \text{ hrs}) \times (1'/12'') \times (\text{SA})$

SA = 263 sf

Surface Area Required = 263 sf

Surface Area Provided = 480 sf (12'x40')



LOOKING WEST FROM PENN AVENUE SOUTH
OF THE PROPOSED SOUTH HENNEPIN WORKFORCE CENTER

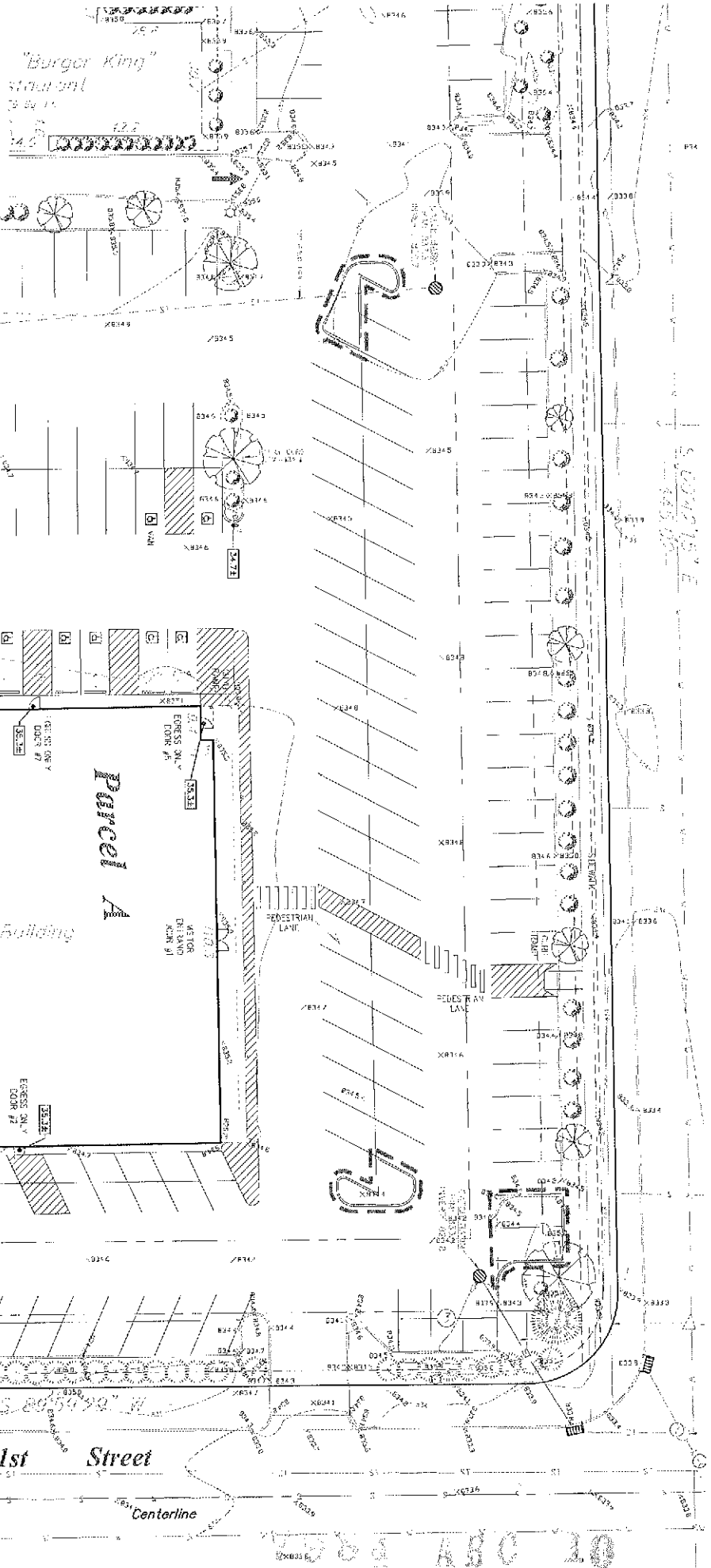
7984ABC-10

9056 PENN AVENUE SOUTH, BLOOMINGTON, MN

7984 ABC 10

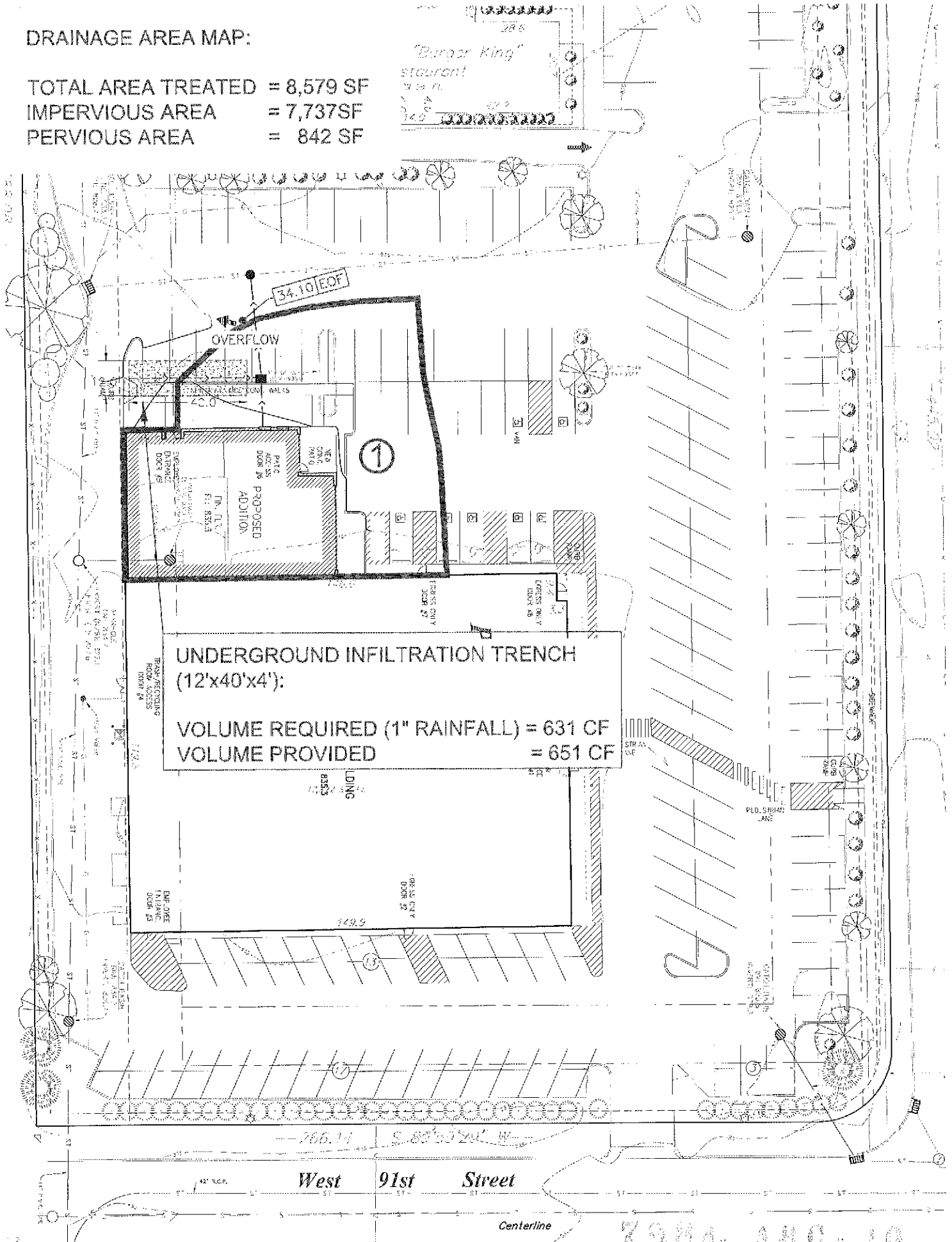
DISTURBED AREA MAP:

TOTAL DISTURBED AREA = 8,496 SF
 IMPERVIOUS AREA = 7,563 SF
 PERVIOUS AREA = 933 SF

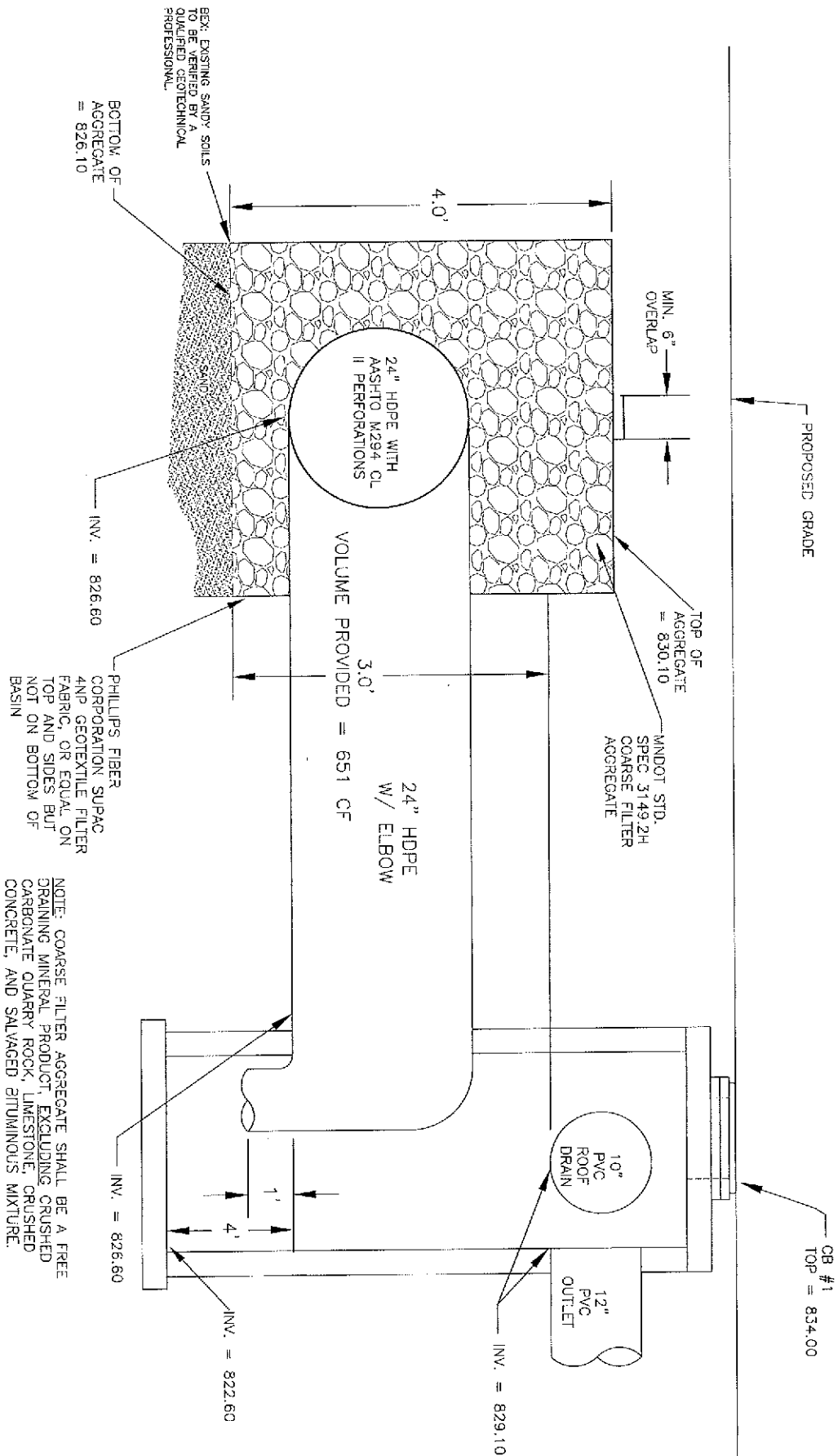


DRAINAGE AREA MAP:

TOTAL AREA TREATED = 8,579 SF
 IMPERVIOUS AREA = 7,737SF
 PERVIOUS AREA = 842 SF



SUMPED CB #1 AND UNDERGROUND INFILTRATION BASIN



**Davis Kelly
Architect, Inc.**
1000 N. 10th St., Suite 200
Birmingham, AL 35203
205.333.3300

Consultants

Certification

Drawn by: JPH
Checked by: JPH
Designed by: JPH
Date: 10/11/10
Project: 7984ABC-10

Project

**So. Hennessey
Work Force Center**

9022 Penn Ave. So.
Birmingham, AL

Drawn by

Existing Site

Demolition

Scale: As Shown

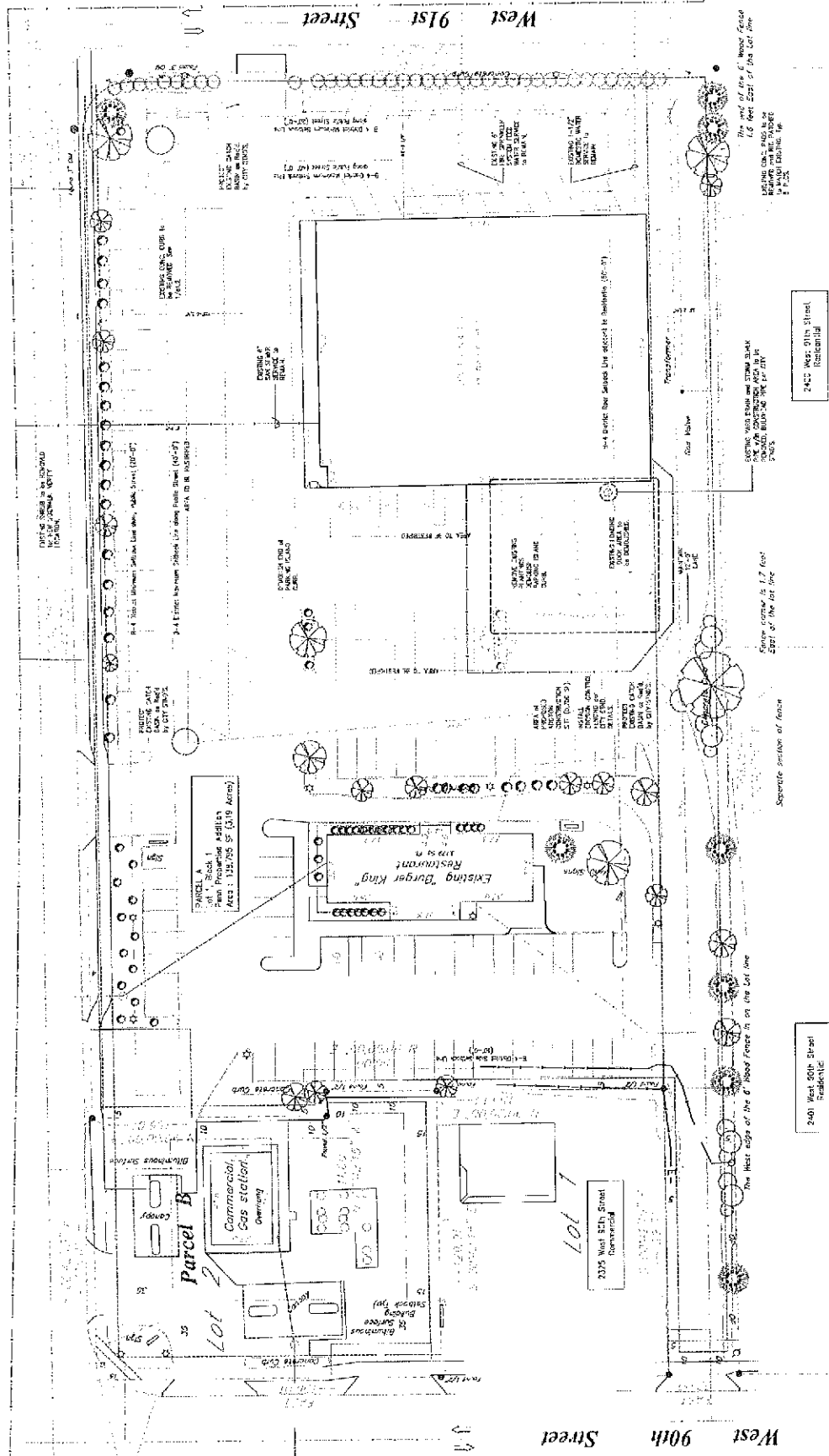
Sheet Number

10/11/10
10/11/10
10/11/10

For Review Only

a1.1

Penn Avenue South (HCSAH No. 32, Plat 69)



Existing Site plan with Intended Demolition
Scale: 1" = 20'-0"

North

7984ABC-10

**David J. Kelly
Architect, Inc.**
100 N. 1st St., Suite 200
Birmingham, AL 35203
205.261.1111

Contract Plans

Professional Seal
David J. Kelly
Architect, Inc.
100 N. 1st St., Suite 200
Birmingham, AL 35203
205.261.1111

Project Information
Project: **So. Henshall
Work Force Center**
Site No.: **7984**
Drawing No.: **10.029**
Drawing Date: **10.11.10**
Drawing Title: **Revised Site Plan**

Client
So. Henshall
Work Force Center

Site Address
8155 Hwy. 20, S.W.
Birmingham, AL

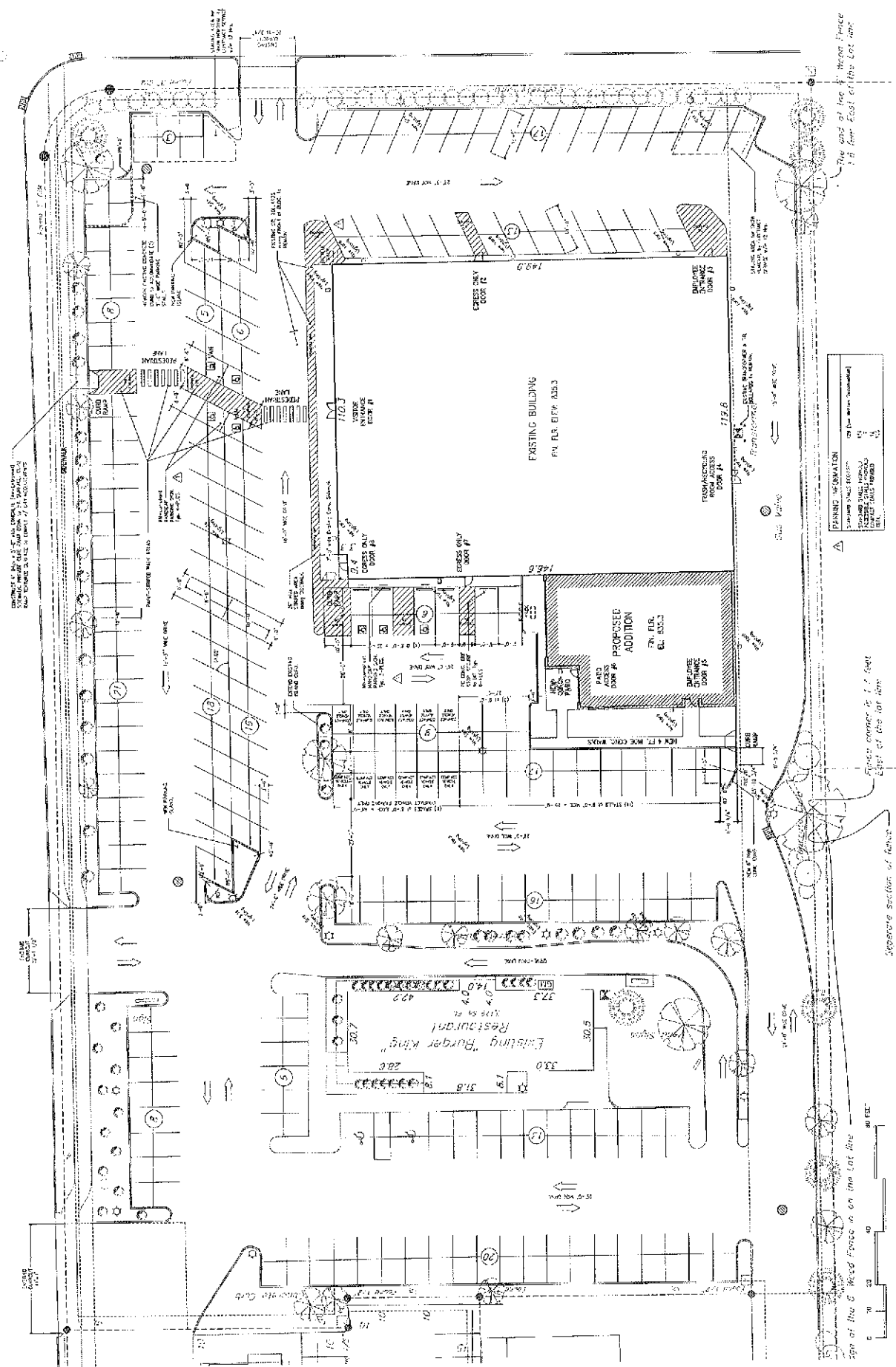
Drawn By
David J. Kelly
Architect, Inc.

Scale
As Shown

Sheet Number
7984ABC-10

For Review Only

a1.2



Revised Site Plan
Scale: 1/8" = 1'-0"

7984ABC-10



CITY OF
BLOOMINGTON
MINNESOTA

Request for Council Action

Originator Community Development	Item Rezoning, Preliminary Development Plan and Final Development Plan	5.4A1,2,3
Agenda Section HEARING/PUBLIC INPUT Ordinances	By JEF <i>[Signature]</i>	Approved <i>[Signature]</i> Date December 20, 2010

Case 07984ABC-10

GENERAL INFORMATION

Applicant: Bloomington Investments, LLC

Location: 9056 Penn Avenue South

Request: Rezoning to Planned Development (PD) Overlay, Preliminary Development Plan and Revised Final Development Plan

Existing Land Use and Zoning: Vacant retail store/Burger King; zoned B-4

Surrounding Land Use and Zoning: North – restaurants (Burger King, Gyropolis) and gas station; zoned B-4
East – Apartments; office; gallery; zoned R-4, B-4
South – Single family residential; zoned R-1
West -- Apartments; zoned R-4

Comprehensive Plan: The Comprehensive Land Use Plan recommends General Business (GB) land uses.

HISTORY

City Council Action: 03/02/09 – Approved rezoning of the property from B-2, General Commercial to B-4, Neighborhood Commercial Center.

CHRONOLOGY

Planning Commission Action: 11/18/10 – Recommended approval of a rezoning from Neighborhood Commercial Center (B-4) to Neighborhood Commercial Center (Planned Development) (B-4 PD) (Case 7984A-10).

Council Action

Motion by _____ Second by _____ to _____

Planning Commission Action: 11/18/10 – Recommended approval of a Preliminary Development Plan for renovation and expansion of an existing building to allow an office use and minor improvements to an existing parking lot on a site with an existing fast food restaurant with one condition (Case 7984B-10).

Planning Commission Action: 11/18/10 – Recommended approval of a Final Development Plan for a 21,625 square foot office, an existing 3,179 square foot fast food restaurant and related parking with 10 conditions and 14 Code requirements (Case 7984C-10).

City Council Agenda: 12/20/10 – Public hearing scheduled.

DEADLINE FOR AGENCY ACTION

Application Date:	10/13/10
60 Days:	12/11/10
Extension Letter Mailed:	Yes
120 Days:	02/09/11

STAFF CONTACT

Julie Farnham, Planner
(952) 563-4739
jfarnham@ci.bloomington.mn.us

APPLICABLE REGULATIONS

Section 19.38.01 Planned Development Overlay District
Section 21.501.03 Final Development Plans
Section 21.301.01 Development Intensity and Site Characteristics

PROPOSAL

Bloomington Investments, LLC is proposing to remodel and build an addition on the 17,922 square foot, one-story building at 9056 Penn to house the South Hennepin Work Force Center. The proposed 3,585 square foot addition will be added to the north side of the building. The applicant is requesting a rezoning to Planned Development to allow some flexibility to development standards (primarily setbacks) and a Preliminary and Final Development Plan for the proposed site redevelopment.

The site is one lot that contains separate uses in two existing buildings that share access and parking. No changes are proposed to the existing Burger King restaurant or its parking, however, the Burger King is included in the Planned Development. Site redevelopment focuses on the proposed renovation of an existing building for reuse as an office and minor improvements to the parking lot and stormwater management. The existing building was built in 1959 as a grocery store. Most recently it housed a retail furniture store (5-Day Furniture), which closed over 3 years ago.

BACKGROUND

The South Hennepin Work Force Center is a state and county sponsored facility that provides employment related training and assistance to local citizens. The proposed facility will operate Monday through Friday 8 AM to 4:30 PM, with extended hours on Tuesday when it will be open until 8 PM. There will be about 65 staff on site and an average total of 130 visitors per day, with an average stay of 1.5 hours.

ANALYSIS

Land Use and Zoning

The Comprehensive Plan designates this property for General Business (GB). This land use designation provides for a range of retail, service and office uses geared toward neighborhood scale commercial nodes. It allows residential uses if integrated with the commercial development. "Big box" and large shopping centers are specifically excluded.

The City of Bloomington established new commercial zoning districts in September of 2006 and undertook an effort to apply the new zoning districts where appropriate. The subject property was rezoned from B-2, General Commercial to B-4, Neighborhood Commercial Center in March 2009.

The B-4 Zoning District is intended to promote pedestrian scale development, oriented to the street, at selected neighborhood commercial nodes in the City. The intersection of 90th Street and Penn Avenue South was identified as a neighborhood commercial node and parcels around the intersection were rezoned to B-4 to foster future redevelopment in a manner that promotes pedestrian orientation and an attractive streetscape. The B-4 District standards encourage non-auto oriented uses and buildings close to the street with parking located to the rear and side of buildings. Multi-family residential and townhouses are allowed as accessory uses to foster mixed use development.

The site is currently considered legally non-conforming with respect to certain building and site characteristics. Given the proposed change in use and the proposed addition, which is needed to accommodate the new use; conformance with some current development standards is required. In particular, while the existing building can be reused in its current location, which does not meet current maximum setback requirements, the new addition is subject to the new setbacks.

Given the current economy, full redevelopment of this site, involving replacement or major reconfiguration of the existing buildings (including Burger King) is unlikely. Until more substantial redevelopment is proposed, it does not seem prudent to impose all the B-4 site development standards, particularly given the small size of the proposed addition needed to enable reuse of this building. It is also noted that placing the addition on the front of the existing building to reduce the front setback would significantly alter circulation on the site.

The applicant is requesting a rezoning to apply a PD overlay on the site to allow flexibility from strict adherence to the development standards in order to achieve reasonable and functional redevelopment of the site.

The proposed site redevelopment plan deviates from the required B-4 standards as follows:

Setbacks: The existing building, setback 108 feet from Penn Avenue, does not meet the new maximum 40 foot setback requirement and is legally non-conforming. The proposed addition will be located on the north side of the existing building. The east wall of the addition (facing Penn Ave) will be setback 176 feet.

Code also requires a minimum setback of 50 feet from residential property. The abutting property to the west (rear) is zoned R-4 and is developed with an apartment building. The existing building is setback 33'-2" from the west property line, and is legally non-conforming. The proposed addition will line up with the existing rear building wall and will also be setback 33'-2" from the rear (west) property line.

Parking Placement: The B-4 development standards restrict parking between a building and a public street. The site is non-conforming with regard to this standard. As noted by the applicant, to comply with this requirement would involve complete redevelopment of the site, including removal of the existing building and redesigning the parking lot and internal site circulation.

Floor Area Ratio: Code specifies both a minimum and maximum floor area ratio in the B-4 district. The minimum FAR required is 0.2. The existing FAR, including the Burger King building, is 0.15. After the proposed addition, the proposed floor area ratio will be 0.18; slightly less than the minimum required by Code.

The B-4 District also requires a minimum building footprint of 4,000 square feet. With the proposed addition and including the Burger King, there is a total of 24,668 square feet of building footprint(s) on this site, which exceeds code requirements.

Site Characteristics

Vehicular Access and Circulation: There are currently four access drives serving this site: two on Penn Avenue, one on 90th Street and one on 91st Street. All access drives will remain. Internal parking lot circulation also remains, with only minor revisions due to the building addition and planned parking lot upgrades to meet current Code requirements. Following are the changes being made to the parking lot:

- On the south side of the building, one parking stall will be striped "No Parking" to allow for egress out of the building.
- On the east side of the building, landscaped end-cap parking islands are being added to the center row of angled parking.
- On the north side of the building, some of the parking stalls adjacent to the building will be removed to allow for the building addition. Those stalls will be relocated to the north side of the building addition.
- The drive aisle on the north side of the building will dead-end at the building addition. A small hammer-head will be constructed for vehicle turn arounds.

Pedestrian Access and Circulation: There are existing public sidewalks along Penn Avenue and 90th Street. The applicant is proposing to stripe a pedestrian walkway through the parking lot to connect the front building entry to the public sidewalk on Penn Avenue.

Traffic Analysis: Although the site is currently vacant, the previous use of the site was for a retail furniture store. With the proposed office use and building addition, the trip generation per the ITE Trip Generation chart is expected to increase from about 90 weekday trips (10 peak hour trips) to 250 week day trips (40 peak hour trips). The adjacent roadway capacity is sufficient for the proposed trip generation.

Transit and Transportation Demand Management (TDM): The bus route that serves this site is Route 539 with service to Southdale Mall in Edina, Normandale Community College, Southtown Center and the Mall of America. This development requires a Tier 2 TDM plan, which consists of a checklist of TDM options signed by the developer or property owner, for which the developer or property owner commits to implement.

Parking: The City Code requires 129 parking spaces for the office use and 29 for the existing fast food restaurant (Burger King). There are currently 47 spaces designated for Burger King. These spaces will remain intact. The applicant is proposing to resurface and restripe the parking lot around the Work Force Center building to provide 155 spaces, including 7 accessible spaces and 12 compact spaces.

Stormwater Management: Code allows a maximum of 95% impervious surface. The existing site is 89% impervious. The applicant intends to increase the amount of pervious area from 15,067 square feet to 16,178 square feet. This will reduce the overall impervious area to 88.4%, which is less than the maximum allowed.

Stormwater must be managed to meet the City's Comprehensive Surface Water Management Plan requirements for stormwater rate control (quantity) and stormwater quality. A maintenance plan will also be required for any stormwater management infrastructure constructed on the site. This site is located within the Nine Mile Creek Watershed District, so an additional permit will be required. If over an acre of the site is disturbed, a National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) will be required. However, at this time, it appears that less than an acre is proposed for disturbance, so it is unlikely that this additional permit and plan will be needed.

Utilities: Public watermain exists in West 91st Street on the south and Penn Avenue South on the east side of the site. Water service is taken from the watermain in West 91st Street. The water service is not looped and hydrant coverage is lacking, however, since they are not doing much underground work and the building is sprinklered, looping the water or providing additional hydrants is not required.

Public sanitary sewers exist in West 91st Street on the south and Penn Avenue South on the east side of the site. Sanitary sewer service is taken from the public sewer in Penn Avenue South. No modifications are proposed to the sanitary sewer service.

Easements and Right-of-Way: No additional easements or right-of-way are needed from this development.

Building Design: The existing one-story building is 17,922 square feet in area. The addition will be located on the north side of building, where the existing loading dock is located. The main visitor entrance will remain on the east side of the building facing Penn Avenue. Employee entrances are located on the north and south facades.

The proposed addition will be the same 17'-4" height as the existing building. The existing building exterior consists of painted brick, with windows on the east (Penn Ave.) façade only. The applicant proposes to install a brick veneer (reddish-brown) on most of the building. A small amount of EIFS panels will be used around the main building entry and around a large window on the east façade of the addition. The existing block rear (west) wall will be painted to match the brick veneer. The rear (west) wall of the addition will be covered in brick veneer.

The B-4 design standards specify that a minimum amount of all building facades facing, and within 100 feet of, public streets consist of windows. The addition is over 100 feet from any public street so windows are not

required. However, over 70% of the addition façade facing Penn Avenue will consist of windows. Likewise, the existing building is over 100 feet from public streets, except on the south side. About 35% of the east façade of the existing building will consist of windows. Windows will also be added to the currently windowless north and south facades of the existing building. While the south façade is within 100 feet of a public street, it is a legally non-conforming situation that is not required to comply with current B-4 standards.

Landscaping and Lighting: Existing landscaping around the perimeter of the site provides good screening. A 6-7 foot tall evergreen hedge exists along the south edge of the property providing near solid screening to the single family residential homes across 91st Street. A solid wood fence (approximately 6 feet tall) exists along the west property line in addition to some trees and shrubs, providing screening to the apartment building on the abutting property. Existing landscaping along the Penn Avenue frontage consists of a mix of overstory trees and evergreen shrubs. There are several existing islands planted with trees in the parking lot, which is shared with Burger King.

While not required to bring the site up to current landscape standards, the applicant is proposing to add two landscape islands in the parking lot and plant additional shrubs in the landscape yard along Penn Avenue to provide additional screening. Landscaping will also be provided around the base of the new addition. The redevelopment will result in an additional 1,100 square feet of pervious/green area.

The proposed change of use from retail to office triggers compliance with current lighting regulations on the entire site. The lighting plan submitted with the application indicates that proposed lighting upgrades will comply with minimum site, parking lot and security lighting requirements in Section 21.301.07 of the City Code, with a few modifications. A revised lighting plan will be required with the building permit application.

Signage: A Uniform Sign Design (USD) plan is required to ensure that all signage on the property is coordinated. The USD must be approved by the Planning Manager prior to issuance of sign permits.

FINDINGS

The City Code specifies findings for both preliminary and final development plans. However, the findings are identical, with the exception of one, regarding Final Development Plan consistency with the Preliminary Development Plan. Because the proposed Final Development Plan covers the exact same site as the Preliminary Development Plan, the findings are largely redundant.

As such, while the required findings for a Preliminary Development Plan are listed below, they are only fleshed out for the Final Development Plan.

Section 21.501.02(d) (1),(2),(3),(4),(5), and (6) – The following findings must be made prior to the approval of new **preliminary development plans** or revisions to previously approved preliminary development plans:

- (1) **The proposed development is not in conflict with the Comprehensive Plan;**
- (2) **The proposed development is not in conflict with any adopted District Plan for the area;**
- (3) **All deviations from City Code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval;**

- Each phase of the proposed development is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit;
- (5) The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and
- (6) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

Section 21.501.03(e)(1),(2),(3),(4),(5),(6) and (7) - The following findings must be made prior to the approval of new final development plans or revisions to previously approved final development plans:

(1) The proposed development is not in conflict with the Comprehensive Plan;

- * The proposed reuse and addition to this building to accommodate an office use is consistent with the intent of the GB land use classification. This land use designation provides for a range of retail, service and office uses geared toward neighborhood scale commercial nodes. It allows residential uses if integrated with the commercial development.

(2) The proposed development is not in conflict with any adopted District Plan for the area;

- * The development is not in an area subject to a District Plan.

(3) The proposed development is not in conflict with the approved Preliminary Development Plan for the site;

- * The Preliminary Development Plan encompasses the same parcel as the Final Development Plan. The site is one lot that contains two uses in two buildings that share access and parking. No changes are proposed to the existing Burger King restaurant or its parking. Site changes include the proposed renovation of an existing building for reuse as an office and minor improvements to the parking lot and stormwater management. The Preliminary Development Plan consists of the plans for the partial redevelopment on the site. The Final Development Plan is identical to the Preliminary Development Plan and is therefore consistent with the approved Preliminary Development Plan.

(4) All deviations from City Code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval;

- * Proposed deviations from required building setbacks, parking placement and FAR will not negatively impact the use of the property or surrounding properties.

The property is currently legally non-conforming with regard to development standards in the new B-4 zoning district. To comply with these standards would require substantial changes to the site, likely involving removal and total reconstruction of the existing building. The proposed redevelopment to allow reuse of the site as an office rather than a retail store results in relatively minor changes to the site.

- (5) **The proposed development is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit;**
- * The proposed development is an addition to an existing building, which is proposed to be renovated for reuse as a single, complete office building. Parking for both the proposed office and the existing Burger King exceeds code requirements. While site access is shared by the two uses, the site is laid out in a manner that allows the uses to operate as separate, complete units.
- (6) **The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and**
- * The proposed addition will not create an excessive burden on public schools, parks, or other public facilities. Existing public utilities are sufficient to accommodate the office use. Minor improvements are proposed to the on-site stormwater management that will bring the site into compliance with current code requirements.
- (7) **The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.**
- * Existing access to the site will be retained. The proposed office use should not create issues with traffic or circulation. While the proposed change in use of the property from a retail store to an office may result in increased weekday traffic, most activity on the site will occur during regular business hours (8AM-5PM, Monday - Friday), with little activity in the evenings or on weekends. Thus, the proposed change in use should not create traffic or other conditions that will be injurious to the surrounding neighborhood.

RECOMMENDED CITY COUNCIL ACTION**(Case 7984A-10)**

The Planning Division Staff and the Planning Commission recommend approval of a Rezoning from Neighborhood Commercial Center (B-4) to Neighborhood Commercial Center (Planned Development) (B-4 PD) for property located at 9056 Penn Avenue South.

(Case 7984B-10)

The Planning Division Staff and the Planning Commission recommend approval of a Preliminary Development Plan for renovation and expansion of an existing building to allow an office use and minor improvements to an existing parking lot on a site with an existing fast food restaurant at 9056 Penn Avenue, subject to the following conditions:

- 1) No development shall proceed without final development plan approval.

(Case 7984C-10)

The Planning Division Staff and the Planning Commission recommend approval of a Final Development Plan for a 21,625 square foot office, an existing 3,179 square foot fast food restaurant and related parking at 9056 Penn Avenue, subject to the following conditions being satisfied prior to the issuance of permits:

- 1) Grading, Drainage, Utility, Erosion Control and Traffic Control plans shall be submitted for approval by the City Engineer;
- 2) A Stormwater Management Plan shall be provided that demonstrates how the development will meet the requirements of the City's Comprehensive Surface Water Management Plan, as well as a maintenance plan to be signed by the property owner and filed of record with Hennepin County, both of which shall be approved by the City Engineer;
- 3) A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) shall be provided if greater than one acre is disturbed;
- 4) Required permit(s) from the Nine Mile Creek Watershed District shall be obtained and a copy provided to the Engineering Division;
- 5) An Erosion Control Bond shall be provided;
- 6) Sewer Availability Charges (SAC) shall be satisfied; and
- 7) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit shall be obtained or notification from the MPCA that this permit is not required shall be submitted to the City.

and subject to the following conditions:

- 8) All construction stockpiling, staging, and parking take place on-site and off of adjacent public streets and public rights-of-way;
- 9) All loading and unloading occur on site and off of public streets; and
- 10) A bike rack shall be provided near the main visitor entrance to the building.

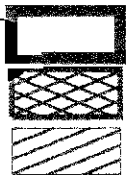
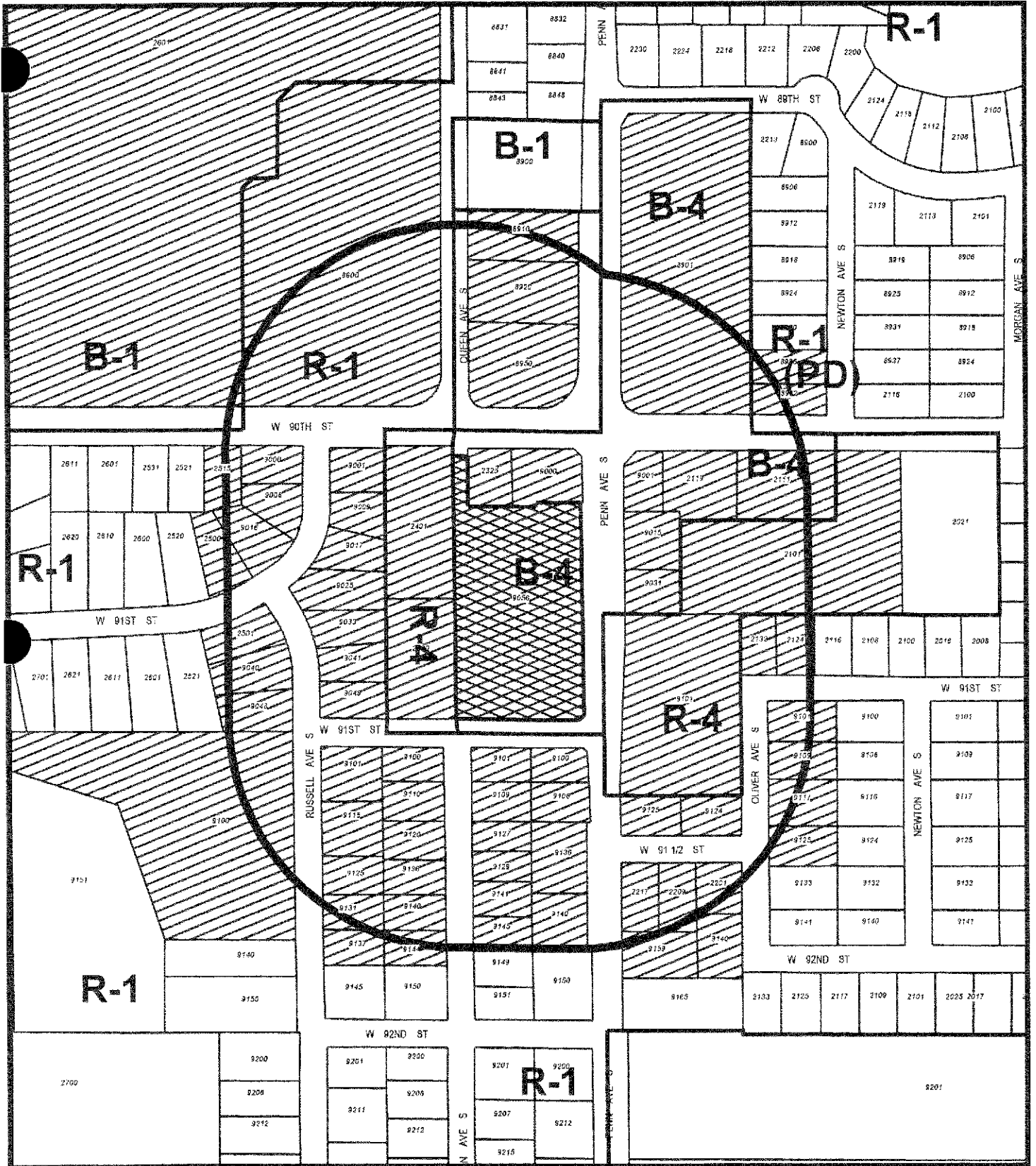
and subject to the following Code requirements:

- 1) Electronic utility as-builts, per City of Bloomington requirements, shall be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy. (17.79(a));
- 2) A Tier 2 Transportation Demand Management (TDM) Plan shall be submitted prior to the issuance of permits. (21.301.09(b)(2))
- 3) Exterior building materials shall be approved by the Planning Manager (Sec. 19.63.08);
- 4) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 5) All rooftop equipment be fully screened (Sec. 19.52.01);
- 6) All trash and recyclable materials be stored in a fully enclosed space accessible from within the principal building (Sec. 19.51);
- 7) Recyclable materials shall be separated and collected (Sec. 10.45);
- 8) Building shall be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903);
- 9) Fire lanes be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3);
- 10) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, MN State Fire Code Sec. 508);
- 11) Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
- 12) Parking lot and site security lighting shall satisfy the requirements of Section 21.301.07 of the City Code;
- 13) A Uniform Sign Design in conformance with the requirements of Chapter 19, Article X of the City Code shall be approval by the Planning Manager prior to issuance of sign permits; and
- 14) Development shall comply with the State Handicapped Code.

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City of Bloomington Notification Map

5.4P123



Notification Boundary
Applicant Property
Notified Properties

Zoning District Boundary
(Labels Refer to Zoning District)

CASE
7984ABC-10



(A notice of this application was sent to the registered owner of these properties)



5-4-2010

ORDINANCE NO. 2010-_____

AN ORDINANCE AMENDING THE ZONING MAP BY REZONING LAND LOCATED AT 9056 PENN AVENUE SOUTH FROM NEIGHBORHOOD COMMERCIAL CENTER, B-4 TO NEIGHBORHOOD COMMERCIAL CENTER (PLANNED DEVELOPMENT), B-4(PD)

The City Council of the City of Bloomington ordains that the zoning map of the City of Bloomington is hereby amended as follows:

Section 1. The primary zoning district for the parcel described in Section 2 shall remain the Neighborhood Commercial Center (B-4) Zoning District.

Section 2. The Planned Development (PD) Overlay District shall be placed on the parcel listed below:

The parcel described below shall be zoned Neighborhood Commercial Center (Planned Development) B-4 (PD)	
Parcel Address	Legal Description
9056 Penn Avenue South	Lot 1, Block 1 Penn Properties Addition

Passed and adopted this ____ day of _____, 2010

Mayor

Attest:

Approved:

Secretary to the Council

City Attorney



CITY OF
BLOOMINGTON
MINNESOTA

Council Agenda Enclosure

Originator Community Development	Item Rezoning, Preliminary Development Plan and Final Development Plan	# 5.4A1,2,3
Agenda Section HEARINGS/PUBLIC INPUT	By JEF	Approved December 20, 2010

APPLICANT: Bloomington Investments, LLC
SITE LOCATION: 9056 Penn Avenue South

Materials enclosed:

- Planning Commission Minutes of 11/18/10
- Development Review Committee Minutes of 10/26/10
- Public Works Department Development Plan Review
- Applicant's Narrative
- Stormwater Management
- Drawings

(Case 7984ABC-10)



PLANNING COMMISSION SYNOPSIS

November 18, 2010

CALL TO ORDER

Chairperson Baloga called the Planning Commission Meeting to order at 6:00 p.m. in the Council Chambers of the Bloomington Civic Plaza.

COMMISSIONERS PRESENT: Baloga, Nordstrom, Klassen, Willette, Lucas, Fricke, Oleson, Felkner, Marsh

COMMISSIONERS ABSENT: None

STAFF PRESENT: Markegard, Farnham, Hiller

ITEM 1

6:03 p.m.

CASE:	7984ABC-10
APPLICANT:	Bloomington Investments, LLC (owner) South Hennepin Work Force (user)
LOCATION:	9056 Penn Avenue
REQUEST:	1) Rezone from B-4, Neighborhood Commercial Center District to B-4 (PD), Neighborhood Commercial Center District (Planned Development); (Case 7984A-10) and 2) Preliminary and Final Development Plans to include a 3,585 square foot addition to an existing structure (Case 7984BC-10)

APPEARING FOR THE APPLICANT:

David Kelly, Architect Inc., representing the applicant

DISCUSSION BY THE COMMISSION:

Farnham summarized the staff report for Case 7984A-10 recommending approval of a Rezoning of property located at 9056 Penn Avenue from B-4 to B-4(PD) as presented in the staff report.

Farnham summarized the staff report for Case 7984B-10 recommending approval of the Preliminary Development Plan for renovation and expansion of an existing building to allow an office use and minor improvements to an existing parking lot on a site with an existing fast food restaurant at 9056 Penn Avenue subject to the 1 condition listed in the staff report.

Farnham summarized the staff report for Case 7984C-10 recommending approval of a Final Development Plan for a 21,625 square foot office, and existing 3,179 square foot fast food restaurant and related parking at 9056 Penn Avenue subject to the 10 conditions and 14 code requirements listed in the staff report.

Fricke asked staff to comment that by potentially approving this development proposal to the B-4(PD) zoning designation, does the pure B-4 vision for this parcel for any future redevelopment get limited or affected. Farnham stated future redevelopment of this parcel would be held under the B-4 standards. Fricke asked staff if the lighting improvements for this proposal would also require the lighting to be improved on the Burger King site. Farnham stated although the Burger King site is part of this parcel

and the PD, the lighting improvements would apply only to the southern portion of the parcel and not the Burger King portion of the parcel.

Lucas asked staff to comment on the proposed relocation of the South Hennepin Work Force to the proposed location including the reason for the relocation. Farnham stated she believes the reason was for more space, but the applicant may be able to better address the question when they make their presentation.

Klassen stated the B-4 district was adopted in 2006. He asked if there are other locations within the City in which it has been applied and asked when it was applied to this location. Markegard stated the B-4 district has been applied to four areas within the City: 84th Street and Stanley Avenue, France Avenue and Old Shakopee Road, 84th Street and Lyndale Avenue, and 90th Street and Penn Avenue. Markegard stated the B-4 district was applied to this location in 2009. Klassen stated this is the first test of applying the B-4 district standards and asked why staff is supportive of putting a PD overlay onto this application to allow deviations to the B-4 standards which is what is envisioned for this area. Farnham stated the vision for this area has not changed, but the developer is not asking to completely redevelop the site, they are only asking to put a relatively small addition onto the existing building and holding the developer to the complete B-4 standards did not seem prudent. She stated if the developer was proposing to demolish the existing building, staff would support applying the full B-4 standards to the new building and site. Markegard added that staff is recommending approval because this proposal is a definite improvement to a long vacant site. Klassen stated the proposal meets very few of the B-4 standards. Markegard stated there are deviations from the standards being asked for with the PD including the building setbacks and parking being allowed between the building and the street which are already legally nonconforming characteristics of this site.

Oleson asked to what extent allowing flexibility with this proposal gives the owners/developers flexibility on other parcels such as the Burger King site for revisions in future proposals. Farnham stated staff is allowed to approve some minor revisions to a PD with Council approval, but any major revisions and any Code deviations must come through Planning Commission and City Council for approval. Oleson stated he agrees with Klassen that setting a precedent this early after the rezoning of this parcel to the B-4 zoning district is a bit concerning, but given the economic circumstances and the small amount of change being requested to the existing building, it makes some sense to allow the proposed change. Oleson asked staff if there have been any preliminary plans for the corners at this intersection for a B-4 type redevelopment. Farnham stated she is not aware of any developer approaching the City with plans for any of the B-4 zoned properties at this intersection. Markegard stated more than a year ago staff had preliminary discussions with a developer regarding the 9000 and 9056 Penn Avenue parcels but they have not followed up with a submittal. Oleson asked if the existing building on the NE quadrant (Penn Lake Shopping Center) meets the B-4 standards. Markegard stated it does not and that the site is legally nonconforming.

Baloga asked Farnham if there is common ownership between the closed gas station (9000 Penn Ave. S.) and the 9056 Penn Avenue parcel. Farnham stated there is but the Gyropolis site is a different owner. Farnham stated redevelopment is difficult when there are multiple owners of the parcels and the sizes are substandard.

David Kelly, architect for the proposal, introduced himself stating he represents the applicant and explained the Work Force Center is charged with helping job seekers find employment, helping businesses find workers, and to help anyone at any stage to explore and expand careers. He stated they help those recently unemployed familiarizing them with the procedures for filing for State unemployment. They provide job search listings through a database. There is a large reception and resource area that has 25 computer stations where individuals can come in and log on for up to an hour and search the database for jobs. He explained there will be staff on hand to interview job applicants

and help them train for interviewing and prepare resumes. They hold classes for computer training and business machine training. He stated they have specialized staff that helps returning veterans and vocational rehabilitation services to help disabled clients to find and keep jobs. He stated job fairs may be hosted at the Center. He responded to previous Commissioner questions by stating the move from behind the Cub Foods on Old Shakopee Road was precipitated by needing a larger location, better visibility, better access to arterial streets, and the benefits of a single-level building to better serve the handicapped. He stated the applicant will also, in the long term, save money by signing a long-term lease at this site.

Lucas asked Kelly if he is aware of the length of the lease being considered. Kelly stated he believes it is a ten year lease with options.

Fricke asked Kelly to comment on the reasoning behind why the property owner is looking at this type of a proposal and not pursuing a higher density use that better fits the B-4 zoning at this site. Kelly stated it is his understanding the Burger King located on the site has a long-term lease for the use of part of the site and the economics of relocating the Burger King and buying out the lease does not make sense at this time.

Klassen commented he is not a fan of the purple colored brick depicted in the rendering provided in the staff report. Kelly stated the copier used to produce the staff reports may have tainted the actual color, but the true color is a reddish brown. Klassen stated he would like to see the corner parcel (empty gas station) scraped rather than let it stand vacant. Kelly stated he will mention the comment to the owners.

Oleson echoed Klassen's comment on preferring to scrape the empty gas station site and suggested perhaps the owner of the two sites could scrape the former gas station site to prepare it for a B-4 compatible use. Baloga asked for clarification on whether a gas station could be re-opened at the corner site. Markegard stated a gas station could not be re-opened on the corner site, but the structure itself could be reused with a permitted use as happened across Penn Avenue with the Mihripiri sculpture gallery.

Marsh asked Kelly what the current square footage is for the existing building and the total square footage once the proposed addition is added. Kelly stated the existing building is 17,922 square feet and the proposed building would be 21,507 square feet.

Klassen asked Kelly to comment on the landscape plan associated with the proposal. Kelly stated the screening along Penn Avenue would be enhanced as well as some plantings along the interior side of the building addition that screens an employee patio on the north side of the building. Klassen stated he would like to see the entire lot landscaped to match (including Burger King) not only the former 5-Day Furniture side of the lot.

Nordstrom stated he applauds the proposed redevelopment. He stated the B-4 zoning is visionary as is all zoning. He stated the economic environment sets the pace at which things move from the present to the future. He stated legal nonconforming status is there to protect the owner of the property from economic harm during transitional periods so they have a legitimate and continuing use of the property. He stated it seems this is a minor correction to the property and this proposal would provide a new façade, a use to the site that will promote traffic into the area so that others may be motivated to do something with the vacant spaces in the other corners. He stated he is in support of the proposal.

Klassen stated he agrees with most of the comments Nordstrom has made. He stated he wonders if the B-4 zoning for this intersection has been misapplied as he feels the intersection may not be able to handle the higher-density uses the B-4 zoning calls for. He stated he supports the project itself and wonders if the B-4 zoning at this intersection is hindering redevelopment since it seems developers are

not coming forward with proposals to develop the intersection with higher intensity uses. Baloga commented it is his recollection the Planning Commission did not support the rezoning of this area to the B-4 zoning, but that Council did approve the rezoning.

Lucas stated he agrees with the comments of Klassen and Nordstrom. He stated he believes it will take time to reach the goal for higher density uses at this intersection and stated he supports the proposal as a step in the right direction and a wonderful addition to the area.

Oleson stated the art gallery on the southeast corner seems to meet all or most of the B-4 standards and gives a nice feel for the intersection in terms of appearance and may encourage developers to redevelop the other corners at this intersection.

Baloga stated he is fully supportive of the proposal and hopes the increased traffic from this proposal will encourage development, redevelopment or leasing of the other B-4 parcels.

Baloga stated this item will be heard at the December 20, 2010 City Council meeting.

ACTIONS OF THE COMMISSION:

M/Klassen, S/Willette: To close the public hearing. Motion carried 9-0.

M/Nordstrom, S/Willette: In Case 7984A-10, the Planning Commission recommends approval of rezoning property located at 9056 Penn Avenue from B-4 to B-4(PD) as presented in the staff report. Motion carried 9-0.

M/Nordstrom, S/Oleson: Having met the findings in Case 7984B-10, the Planning Commission recommends approval of the Preliminary Development Plan for renovation and expansion of an existing building to allow an office use and minor improvements to an existing parking lot on a site with an existing fast food restaurant at 9056 Penn Avenue subject to the 1 condition listed in the staff report. Motion carried 9-0.

M/Nordstrom, S/Fricke: Having met the findings in Case 7984C-10, the Planning Commission recommends approval of the Final Development Plan for a 21,625 square foot office, and existing 3,179 square foot fast food restaurant and related parking at 9056 Penn Avenue subject to the 10 conditions and 14 code requirements listed in the staff report. Motion carried 9-0.

CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:

In Case 7984B-10:

- 1) No development shall proceed without final development plan approval.

In Case 7984C-10, the following conditions being satisfied prior to the issuance of permits:

- 1) Grading, Drainage, Utility, Erosion Control and Traffic Control plans shall be submitted for approval by the City Engineer;
- 2) A Stormwater Management Plan shall be provided that demonstrates how the development will meet the requirements of the City's Comprehensive Surface Water Management Plan, as well as a maintenance plan to be signed by the property owner and filed of record with Hennepin County, both of which shall be approved by the City Engineer;

- 3) A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) shall be provided if greater than one acre is disturbed;
- 4) Required permit(s) from the Nine Mile Creek Watershed District shall be obtained and a copy provided to the Engineering Division;
- 5) An Erosion Control Bond shall be provided;
- 6) Sewer Availability Charges (SAC) shall be satisfied; and
- 7) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit shall be obtained or notification from the MPCA that this permit is not required shall be submitted to the City.

and subject to the following conditions:

- 8) All construction stockpiling, staging, and parking take place on-site and off of adjacent public streets and public rights-of-way;
- 9) All loading and unloading occur on site and off of public streets; and
- 10) A bike rack shall be provided near the main visitor entrance to the building.

Code Requirements:

- 1) Electronic utility as-builts, per City of Bloomington requirements, shall be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy. (17.79(a));
- 2) A Tier 2 Transportation Demand Management (TDM) Plan shall be submitted prior to the issuance of permits. (21.301.09(b)(2))
- 3) Exterior building materials shall be approved by the Planning Manager (Sec. 19.63.08);
- 4) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 5) All rooftop equipment be fully screened (Sec. 19.52.01);
- 6) All trash and recyclable materials be stored in a fully enclosed space accessible from within the principal building (Sec. 19.51);
- 7) Recyclable materials shall be separated and collected (Sec. 10.45);
- 8) Building shall be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903);
- 9) Fire lanes be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3);
- 10) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, MN State Fire Code Sec. 508);
- 11) Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
- 12) Parking lot and site security lighting shall satisfy the requirements of Section 21.301.07 of the City Code;
- 13) A Uniform Sign Design in conformance with the requirements of Chapter 19, Article X of the City Code shall be approval by the Planning Manager prior to issuance of sign permits; and
- 14) Development shall comply with the State Handicapped Code.

Approved Minutes

City of Bloomington

Development Review Committee

October 26, 2010

McLeod Conference Room

Bloomington Civic Plaza – 1800 West Old Shakopee Road

Staff Present

Gene Dugal (Fire Prev.) – Chair, 952-563-8967

Kent Smith (Assessing) 952-563-8707

Duke Johnson (Bldg. & Inspection), 952-563-8959

Jennifer Desrude (Engineering) 952-563-4862

Joanne Schentzel (Engineering), 952-563-4629

Eric Solie (Environmental Health), 952-563-8978

Galen Doyle (Planning) 952-563-8924

Julie Farnham (Planning) 952-563-4739

Niki Pierson (Police), 952-563-8808

Eric Wharton (Utilities), 952-563-4579

Item 1 – 9 a.m.

<i>Title</i>	South Hennepin Workforce Center
<i>Site address</i>	9056 Penn Avenue S.
<i>PC Hearing</i>	11/18/2010
<i>Council Hearing</i>	12/20/2010
<i>Application type</i>	Preliminary and/or Final Development Plan; Rezoning
<i>Case number</i>	7984ABC-10
<i>Discussion</i>	Formal
<i>Staff planner</i>	Julie Farnham 4739
<i>Plat name</i>	Penn Properties Addition (Lot 1, Block 1)
<i>Proposal</i>	Remodel and add a 3,585 s.f. addition to the former 5-Day Furniture building at 9056 Penn Ave. for reuse of property as South Hennepin Workforce Center. Rezoning to PD to allow flexibility to B-4 requirements re: maximum building setbacks. Property is shared with Burger King. Potential issues: traffic and access; compliance w/new lighting and trash storage regs; stormwater management. See attached narrative for complete description.
<i>Replat/Park dedication</i>	Unknown at this time
<i>Reviews</i>	DRC; City Council; Planning Commission; Watershed District

Contact 1 name	David Kelly (architect)
Contact 1 address	3925 W. 50th St., Suite 205
Contact 1 e-mail	dkarchitect@questoffice.net
Contact 1 phone	952-922-2220
Contact 1 fax	952-922-5739
Contact 2 name	Glen Lindberg (architect)
Contact 2 e-mail	gllarch@aol.com
Contact 2 phone	952-922-2233

Guests Present

Glen Lindberg – David Kelly Architect

dkarchitect@questoffice.net

Discussion/Comments:

- Julie Farnham (Planning) – This proposal is for rezoning, Preliminary and Final Development plan for the redevelopment of the previous 5-Day Furniture store. They plan to reuse the existing building and add a 3,585 sf addition to the north side of the building. They may also slightly reconfigure the parking lot, along with restriping the parking lot. This does include the Burger King site.
- Randy Quale (Park and Recreation) (no one present)
- Kent Smith (Assessing) - No comments.
- Eric Solie (Environmental Health) - No additional comments since informal review.
- Duke Johnson (Building and Inspection) –Johnson stated that before they apply for any permits, please review code information just handed to them (such as MN Commercial Energy Code and MN State Handicapped code). Also call to schedule a pre-plan review meeting before they apply for permits.
- Gene Dugal (Fire Prevention) – Will be looking at sprinkler and fire alarms systems. With the notification devices, make sure they get in the right places (conference room, common areas, etc). – The building must also be monitored.
- Niki Pierson (Police) – Same comments as informal. Lighting will need to be reviewed and be code compliant. Asked about the pedestrian walkways– make sure they are striped. Farnham has looked at the lighting – and it appears they have more than enough, although the entryway area could be lit more, while other areas lit less.
- Jennifer Desrude (Engineering) Handed out Public Works comments,
 - Since this will be one lot, the first two comments are not needed (re: agreements).
 - Desrude asked if there will be any utility work. Applicant responded that there would be some modification to the storm drainage (inverts) in the parking lot. They are working on the plan for this work.
 - Requirement for any utility modification, need to provide electronic utility as-builts.

2. Traffic Section & Street Design / Construction Section

CC = Council Condition of Approval

PR = Plan Requirement - need to revise plans or satisfy comment prior to the issuance of permits

S/R = Suggestion/Recommendation

CC	PR	S/R	Comment	Date & Initial	Date Complete
Traffic					
☐	☒	☐	Illustrate that the clear view triangle (15' from property corner and driveway approaches) is not obstructed by providing landscaping plan to verify.	ALM 9/27/10	10/25/10 ALM
☐	☒	☐	Show and label on plan sheets existing street light poles, handholes and conduit, and signal interconnect. Contact Sean Jenkins at 952-563-4545 for assistance.	ALM 9/27/10	
Standard Traffic Notes to Add to Plan					
☐	☒	☐	All parking stalls to be painted with white striping.	ALM 9/27/10	
☐	☒	☐	All construction and post-construction parking shall be on-site – no on-street parking/loading/unloading allowed. (Add to removal, utility or site plan sheets)	ALM 9/27/10	
☐	☒	☐	All public sidewalks shall not be obstructed.	ALM 9/27/10	
☐	☒	☐	Storage of materials or equipment shall not be allowed on public streets or within public right-of-way. (Add to removal, utility or site plan sheets)	ALM 9/27/10	
☐	☒	☐	Street lighting and interconnect conduit must be exposed for city inspection prior to pouring concrete or backfilling excavations in city right-of-way.	ALM 9/27/10	
Street Design					
☐	☒	☐	Use updated City of Bloomington Standard Details from the City of Bloomington website: www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm	JML 9/27/10	
☐	☒	☐	No landscaping, ponds, retaining walls, or any structure shall be placed or constructed within public right-of-way or easements.	JML 9/27/10	10/18/10 JML
☐	☒	☐	Need a site plan to show circulation around building expansion and details of patio area.	JML 9/27/10	10/18/10 JML
Standard Notes to Add to Plan					
☐	☒	☐	A MN licensed Civil Engineer must design and sign all retaining walls 4-foot high and higher.	JML 9/27/10	10/18/10 JML
Sidewalks					
☐	☒	☐	Provide sidewalk connection from building(s) to public sidewalk/street.	JML 9/27/10	10/18/10 JML
☐	☒	☐	Construct sidewalk ramps with metal truncated dome panels, per Bloomington, ADA and MnDOT requirements (See Bloomington standard detail).	JML 9/27/10	

- The City TDM form must be used.
- Need a civil plan; applicant noted this is an existing site, with minor civil work.
- No utilities will be put in the street (some comments pertain to utilities in the street).
- Bike rack on the north side (employee entrance) – will need one for visitors.
- Parking lot– just restriping? Applicant stated basically just restriping with slight modification of stall spacing.
- Call Nine Mile Creek Watershed District - – Applicant stated they have already done so.
- Julie Farnham – With the angled parking - need more info on the stall size (to compare with ITE requirements).
- Pointed out a sidewalk near the building that is 4 foot wide – suggested 5 feet where parking spaces are due to the front of cars hanging over the sidewalk.
- Eric Wharton (Utilities) – See Public Works comments, and highlighted a few:
 - Asked about storm water work – applicant not sure what the extent would be and can get back to him.
 - Area for hydrant protection and water main looping is limited on this site; hydrant coverage is poor in this area. If they are not doing any utility work it may be hard to justify putting in a water main loop and extra hydrant. Dugal noted the building is going to be sprinklered. Further discussion about hydrant use, location and coverage and supply.
 - Go thru process for SAC with Met Council – make sure updated for new use.
- Julie Farnham:
 - In the narrative it talks about additional impervious surface – where is this located?
 - Set for Planning Commission – November 18, 2010.

Site Address: 9056 Penn Ave S

SOUTH HENNEPIN COUNTY WORK FORCE CENTER

Plat name: PENN PROPERTIES ADDN

Proposal: Rezoning (to PD) and Revised Preliminary and Final Development Plan to include a 3,585 sq. ft. addn to an existing structure.

PUBLIC WORKS DEPARTMENT DEVELOPMENT PLAN REVIEW

City of Bloomington 1700 West 98th Street, Bloomington, MN 55431 952-563-4870

**Applicant
Information**

David Kelly, Architect, Inc.
3925 W. 50th St. Suite 205
Minneapolis, MN 55424
952-922-2220 phone
952-922-5739 fax
612-296-0867 cell
Dkarchitect@questoffice.net

Nedal Abdul
Bloomington Investments, LLC
510 1st Ave. No. Suite 200
Minneapolis, MN 55403
612-332-8323, ext. 3
612-332-0262
ned@swervo.com

Case No: 7984ABC-10

Permit No:

Scheduled

Informal DRC: 9/28/10
for: Formal DRC: 10/26/10

Planning Commission: 11/18/10
City Council: TBD

	Date Received:	9/22/10	10/14/10		
	Return to:	Julie Farnham	Julie Farnham		
	Due Date:	9/27/10	10/20/10		
Plan Reviewer	Date	Date	Date	Date	
Development/Services Section – 952-563-4862					
Jen Desrude (JCD), Civil Engineer	9/27/10	10/25/10			
Steve Jorschumb (SKJ), Sr. Eng. Technician	9/27/10				
Traffic Section					
Kirk Roberts (KAR), Traffic & Trans. Engineer					
Tom Bowlin (TPB), Civil Engineer					
Amy Marohn (ALM), Civil Engineer	9/27/10	10/25/10			
Street Design & Construction Section					
Julie Long (JML), Senior Civil Engineer	9/27/10	10/18/10			
Lee Smith (LCS), Surveyor					
Water Resources Section					
Scott Anderson (SMA), Senior Civil Engineer					
Steve Segar (SWS), Civil Engineer	9/27/10	10/18/10			
Utilities Division					
Tim Kampa (TKK), Civil Engineer					
Eric Wharton (ECW), Civil Engineer	9/27/10	10/18/10			
Administration					
Schane Rudlang (SDR), Senior Civil Engineer					
Shelly Pederson (SAP), City Engineer		10/18/10			
Jim Gates (JBG), Deputy Director of Public Works	--				
Karl Keel (KPK), Director of Public Works	--				

Email 9/27/10 10/25/10 J Farnham, E Wharton, T Kampa, G Dugal, D Johnson

Fax

Other

MAP Requested 9/22/10 Received 9/22/10

1. Development/Services Section (Plats, Easements, Agreements, Misc.)

CC = Council Condition of Approval

PR = Plan Requirement - need to revise plans or satisfy comment prior to the issuance of permits

S/R = Suggestion/Recommendation

CC	PR	S/R	Comment	Date & Initial	Date Complete
Easements & Agreements					
☐	☒	☐	A signed copy of private common driveway/parking/access easement agreement shall be provided.	JCD 9/27/10	
☐	☒	☐	A signed copy of private common utility easement agreement shall be provided.	JCD 9/27/10	
Miscellaneous Comments					
☒	☐	☐	Furnish a revised Grading, Drainage, Utility, and Erosion Control plan. Plans shall be reviewed and approved by the City Engineer prior to issuance of permits.	JCD 9/27/10	
☒	☐	☐	MN licensed Civil Engineer must design and sign all civil plans, including Grading, Drainage, Utility and Erosion Control plans.	JCD 9/27/10	
☒	☐	☐	Connection charges shall be due prior to issuance of utility permits – dollar amount to be determined.	JCD 9/27/10	
☒	☐	☐	Prior to the issuance of the Certificate of Occupancy, developer/contractor must submit electronic utility as-builts to the Public Works Department. Any utility work proposed?	JCD 9/27/10	
☒	☐	☐	Transportation Demand Management (TDM) Plan shall be submitted prior to the issuance of permits. Must use City Checklist, owner must sign.	JCD 9/27/10	
Standard Notes to Add to Plan					
☐	☒	☐	Temporary street signs, lighting, and addresses shall be provided during construction. Add note for during construction.	JCD 9/27/10	
☐	☒	☐	Contractor shall obtain a Public Works Permit Application for obstructions and concrete work within Right-of-Way. Permit is required prior to removals or installation. Contact Brian Hansen at 952-563-4543 or bhansen@ci.bloomington.mn.us for permit application and for fee information. (If applicable)	JCD 9/27/10	
☐	☒	☐	Public Works permit application for underground work within the Right-of-Way is required prior to removal or installation of sanitary, water or storm work within the public right-of-way. Contact Dave Kutscher at 952-563-4568 or dkutscher@ci.bloomington.mn.us for permit application and for fee information. (If applicable)	JCD 9/27/10	
☐	☒	☐	Restore City street by complying with the City Street Improvement Policy; contact Dave Kutscher (952-563-4568) or dkutscher@ci.bloomington.mn.us for the requirements and show this on the plan. (If applicable)	JCD 9/27/10	
☐	☒	☐	Contractor shall obtain Hennepin County Permit for work within right-of-way. Contact Hennepin County Permit Engineer at 612-596-0336 for permit application and fee information. (If applicable)	JCD 9/27/10	

☐	☒	☐	Illustrate that sidewalks do not exceed 2% maximum cross slope and 5% maximum longitudinal grade per ADA requirements by showing appropriate spot elevations and contours on the plan.	JML 9/27/10	
Parking					
☐	☒	☐	Bicycle parking spaces shall be provided (i.e., bike rack), number to be approved by the City Engineer. • Add a bike rack to the visitor entrance, as well.	ALM 9/27/10	
☐	☒	☐	Show "end cap" islands on parking stalls, 3 feet shorter than the parking stall and 8 feet wide.	JML 9/27/10	10/18/10 JML
☐	☒	☐	Parking spaces in narrative do not match spaces shown in plan.	ALM 9/27/10	
☐	☒	☐	Add "Fire Lane" signage to restrict parking on the access lane along the West side of the site that is only 24' wide.	10/25/10 ALM	

3. Water Resources Section

CC = Council Condition of Approval

PR = Plan Requirement - need to revise plans or satisfy comment prior to the issuance of permits

S/R = Suggestion/Recommendation

CC	PR	S/R	Comment	Date & Initial	Date Complete
Erosion/Sediment Control Comments					
☐	☒	☐	An Erosion Control Plan shall be provided which includes: - o Erosion Control BMP locations shown on the plan. - o Notes for maintenance (1/3 capacity, damage, tracking onto streets) and inspection (who is responsible, frequency), etc., consistent with the <i>MPCA Protecting water Quality in Urban Areas</i> BMP Manual (Nov. 2000). - o Use of updated City of Bloomington Standard Details from the City of Bloomington website: www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm - o Use approved inlet protection at active storm sewer inlets; only basket or sack style in traffic areas. (Inlet protection at adjacent storm sewer inlets). ADD NOTES & DETAILS	SWS 9/27/10	

General Comments

☐	☒	☐	Add note to plan - contact Utilities Division (952-563-8777) regarding permit for storm sewer construction.	SWS 9/27/10	
☐	☒	☐	Submit a copy of Nine Mile Creek Watershed District comments and permit prior to the issuance of City of Bloomington permits. Contact Nine Mile Creek Watershed District, Kevin Bigalke, 952-835-2078. Permit may not be required, check with NMCWD.	SWS 9/27/10	
☐	☒	☐	Remove storm sewer structure and pipe under building addition. Bulkhead pipe. ADD NOTES TO PLAN.	SWS 9/27/10	

4. Utilities Division

Code Requirements

☒	Unused water services shall be properly abandoned (Sec. 11.15).
☒	Discharge of sanitary effluent containing fats, oil, grease, or wax in excess of 100 mg/L is prohibited (Sec. 11.31(6)(B)).

CC = Council Condition of Approval
 PR = Plan Comments - need to revise plans or satisfy comment, but does not necessitate a Council condition
 S/R = Suggestions/Recommendations

CC	PR	S/R	Comment	Date & Initial	Date Complete
General					
☐	☒	☐	Sewer Availability Charge (SAC) be satisfied. Contact the Met Council at 651-602-1378 for a SAC determination, which is required by the Metropolitan Council Environmental Services.	ECW 9/27/10	
☐	☒	☐	There shall be at least a 10-foot horizontal separation between water and sewer lines.	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Water mains crossing storm or sanitary sewers shall have a minimum of 18-inch vertical separation.	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Use updated City of Bloomington Standard Details from the City of Bloomington website: www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Provide peak hour and average day water demand and wastewater flow estimates.	ECW 9/27/10	
Water					
☐	☒	☐	Loop water system (supply from two points) to provide increased reliability of service and reduce head loss.	ECW 9/27/10	
☐	☒	☐	Additional valves required for system isolation. (Longest interval shall not exceed 400 feet.)	ECW 9/27/10	
☐	☒	☐	Install enough hydrants to provide fire protection for the entire building (each hydrant covers a 150' radius).	ECW 9/27/10	
☐	☒	☐	Provide valving such that the building service can be isolated without shut down of the supply to hydrants.	ECW 9/27/10	
☐	☒	☐	Provide a minimum of 8 feet and a maximum of 10 feet of cover on all water lines, valves, services etc.	ECW 9/27/10	
☐	☒	☐	Use Class 54 for 8" DIP and Class 55 for 6" DIP. (8 mil min. polywrap on all DIP is required.)	ECW 9/27/10	
Sanitary Sewer					
☐	☒	☐	A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit is required for the proposed development. It is the responsibility of the developer to: - o Complete the application - o Obtain all necessary signatures (including the signature of the authorized City representative) - o Submit the application and fee to the MPCA - o Submit a copy of the application and check to Met Council - o Submit a copy of the application and check to the City of Bloomington - o After permit is received submit a copy of the permit to the City of Bloomington Visit the MPCA website (www.pca.state.mn.us/water/permits/index.html) for application and fee information. <u>No permits will be issued before the City has received a Sanitary Sewer Extension or Modification Permit from the MPCA. Please note that MPCA review may take up to 6 weeks.</u>	ECW 9/27/10	10/18/10 ECW

CC = Council Condition of Approval

PR = Plan Comments - need to revise plans or satisfy comment, but does not necessitate a Council condition

S/R = Suggestions/Recommendations

CC	PR	S/R	Comment	Date & Initial	Date Complete
☐	☒	☐	An inspection manhole is required on all commercial sewer services.	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Use standard short cone manholes (no steps allowed).	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Use schedule 40, SDR 26, or better for PVC sewer services	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Design sewer (mainline pipes, clean-outs, manholes, and services) with adequate depth of cover, or (high density polystyrene) insulation to prevent freezing.	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	All parking garages and ramps draining to sanitary sewer must be metered. If these underground parking garages drain to the sanitary sewer system, an engineer must submit a detail of how the service lines will be metered.	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Maintenance Schedule/Plan for Grease Interceptor BMP signed by property owner must be filed with the Utilities Division prior to issuance of permit to connect with sanitary sewer system. A copy of the signed agreement, the Grease Interceptor manufacturer's operation and maintenance manual, and continuous maintenance records for the previous twelve (12) months shall be kept on site and available to City of Bloomington staff for review. [Sec. 11.31 (7)]	ECW 9/27/10	10/18/10 ECW
☐	☒	☐	Install exterior chimney seals on all sanitary sewer manholes.	ECW 9/27/10	10/18/10 ECW

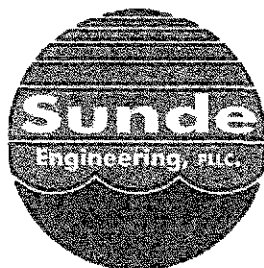
Standard Notes to Add to Plan

☐	☒	☐	A note shall be added to the plans stating: Taps of live water mains to be done by City forces, however they shall be paid for and coordinated by the Contractor.	ECW 9/27/10	
☐	☒	☐	All components of the water system, up to the water meter or fire service equipment, (i.e., mainline pipes, services larger than 2", valves, fittings, caps, etc.) shall utilize protective internal coatings meeting current ANSI/AWWA Standards for cement mortar lining or special coatings. The use of unlined or uncoated (cast-iron, gray-iron, steel, galvanized, etc.) pipe shall not be allowed.	ECW 9/27/10	
☐	☒	☐	Combination Fire and Domestic services must terminate with a thread on flange or an MJ to flange adapter.	ECW 9/27/10	
☐	☒	☐	Utility and mechanical contractors shall coordinate installation of water service pipes, fittings, and valves all the way into the building (i.e. up to meters and/or fire service equipment) to accommodate City inspection and testing.	ECW 9/27/10	
☐	☒	☐	Utility and mechanical contractors shall coordinate installation of sewer services all the way into the building to accommodate City inspection and testing.	ECW 9/27/10	

South Hennepin Work Force Center
Bloomington, MN

Stormwater Management

November 2, 2010



SUNDE ENGINEERING, PLLC.
10830 Nesbitt Avenue South
Bloomington, MN 55437-3100
Phone: (952) 881-3344
Fax: (952) 881-1913

7984 ABC 10

Narrative

The proposed South Hennepin Work Force Center site is located at 9056 Penn Avenue South in Bloomington, MN. The project consists of a 3,500 square foot building addition and associated parking lot improvements. The building addition will be located at NW corner of the existing building and will replace the existing loading dock area. The parking lot improvements include adding landscape islands, re-striping, and re-grading around the building addition. The total disturbed area is approximately 8,500 square feet (see attached Disturbed Area Map).

Stormwater management will be provided on site in an underground infiltration basin. The infiltration basin will provide the infiltration volume for 1" of runoff over all new and disturbed impervious surfaces (see attached Drainage Area Map and Underground Infiltration Basin detail). The infiltration basin will also provide treatment for TSS and phosphorus removal of over 90% for TSS and over 60% for phosphorus for an average annual year. The runoff will be collected in a new stormsewer catchbasin and interior roof drains. The runoff from these structures will be piped into the underground infiltration trench and allowed to infiltrate. Any runoff over 1" will overflow into the existing 12" PVC stormsewer and out to the city storm sewer within the street. The soils on-site are assumed to be sandy, but soil borings are scheduled to be performed to determine infiltration rates, the groundwater elevation, and soil contamination, if any. The overall proposed site layout is providing an increase in pervious surface, therefore, the proposed site discharge rates will not exceed the existing site conditions.

Infiltration Analysis

Infiltration is provided for the new and disturbed impervious area.

Impervious Area New and Disturbed = 7,563 sf

Impervious Area to Infiltration Basin = 7,737 sf

$V_{(1")} = (1"/12") \times 7,737 \text{ sf} = \underline{645 \text{ cf}}$ To be Infiltrated.

Volume Provided in Basin = 651cf (12'x40'x3' @ 40% void space)

Surface Area Required to Infiltrate:

Assumed design infiltration rate 0.60 in/hr.

$631 \text{ cf} = (0.6 \text{ in/hr}) \times (48\text{hrs}) \times (1"/12") \times (\text{SA})$

SA = 263 sf

Surface Area Required = 263 sf

Surface Area Provided = 480 sf (12'x40')

David J. Kelly
Architect, Inc.

October 13, 2010

Bloomington Planning Development
Bloomington City Hall
1800 Old Shakopee Road
Bloomington, MN 55431-3027

Re: Project Narrative
Development Application
South Hennepin Work Force Center
9056 Penn Ave. So.
DKA Comm. No. 10.029

Committee and Council Members,

Bloomington Investments, LLC, the owners of the property located at 9056 Penn Avenue South, are proposing to remodel the 17,922 SF, 1-story building to accommodate the South Hennepin Work Force Center.

To meeting the Work Force Center's space requirements a small addition will be necessary. The 3,585 SF addition is proposed to be built at the northwest corner of the building, in the location of the building's depressed loading dock ramp.

To accommodate the addition the site which is zoned B-4 must be rezoned to B-4 with a Plan Development Overlay. This application statement and exhibits are being submitted to meet the requirements of the City's rezoning procedures, and for the Plan Development preliminary and final reviews.

Existing Conditions

The subject property is located along Penn Ave. South between West 90th Street and West 91st Street. The site is composed of two parcel; an 18,959 SF Parcel (B) at the corner of West 90 St. and Penn Ave. So. and the subject Parcel (A) which extends from the south edge of Parcel B to West 91st St. Its area is 138,795 SF (3.19 acres).

The existing building was originally built in 1959 to house a grocery store. Its most recent use was as a furniture retail store. The conversion of the building for office use will require the building's occupancy to be changed from M (Mercantile) to B (Business-office).

South Hennepin Work Force Center

The South Hennepin Work Force Center is a state and county sponsored facility that helps local citizens with the following:

1. employment search
2. improving job interview skills
3. training on business computers and machines

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Development Application
9056 Penn Ave. So.
DKA 10.029
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The Facility will have the following hours of operation:

Monday from 8 AM to 4:30 PM
Tuesday from 8 AM to 8 PM (w/ a max. of 20 visitors between 4:30PM and 8 PM)
Wednesday thru Friday from 8 AM to 4:30 PM

The South Hennepin Work Force Center will have a staff of 65. The average number of visitors expected each day is 130, with an average stay of 1.5 hours.

The facility will have the visitor service areas along the front half of the building. The employee office areas will be in the rear half of the building and will extend into the addition.

Floor Area Ratio

According to Sec. 21.301.01 of the City Code the minimum Floor Area Ratio (FAR) permitted is 0.2 and the maximum FAR is 0.5.

The floor areas are as follows:

Existing Burger King	3,179 SF
Existing "WFC Building"	<u>17,922 SF</u>
Existing Floor Area	21,101 SF

The Floor Area Ratio for the site will be $21,101/138,795 = .152$, less than the minimum FAR permitted for Zoning District B-4.

With the proposed addition the FAR will be as follows:

Existing Floor Area	21,101 SF
Proposed "WFC Addition"	<u>3,585 SF</u>
Total Floor Area	24,686 SF

The Floor Area Ratio for the site will be $24,686/138,795 = .178$.

The new Floor Area Ratio will be slightly less than the permitted minimum but the tenant only requires an addition of 3,585 SF and they are not interested in renting unwanted space.

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Building Floor Area

The minimum building floor area within a B-4 District is 4,000 sq. ft.

The proposed total floor area of 24,668 SF meets this standard.

Impervious Surfaces

According to Sec. 21.301.01 of the City Code the maximum allowable area of impervious materials is 95% of the lot area. Given that the lot has an area of 138,795 SF, the maximum allowable impervious area is 131,855 SF ($138,795 \times .95$).

The existing site has 15,067 SF of landscaped areas. The proposed addition will provide an additional 1,111 SF of landscape area for a total of 16,178 SF.

The impervious surface area for the site is 88.4% ($((138,795 - 16,178)/138,795) \times 100$). This is less than the allowable maximum of 95%.

Site Width

The minimum site width within the B-4 District is 150 feet and 200 feet for corner sites

The existing site is 445.02 feet wide along Penn Ave. So. and 266.14 feet wide along W 91st St. The site is in compliance with the Site Width requirements.

Site Area

The minimum site area within the B-4 District is 40,000 sq. ft.

The existing site's area is 138,795 sq. ft. The site is in compliance with the Site Area requirement.

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Development Application
9056 Penn Ave. So.
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Structure Placement

As recently as 2007 the site was zoned B-2. The site is now zoned B-4.

The existing structure placement does not comply with the minimum setback of 20 feet and the maximum setback of 40 feet required along public streets. It also does not comply with the minimum rear setback requirement of 50 feet for commercial property adjacent to residential properties.

The proposed addition to the building will be located to align with the rear wall of the existing building. As such it will not comply with the required minimum setback of 50 feet from an adjacent residential property.

Parking Placement

The parking placement requirements within a B-4 District prohibit the placement of parking between the building and the public street.

This project cannot comply with this requirement without the complete demolition of the existing structure and the construction of an entirely new 21,500 SF building. That would make the project economically infeasible. Therefore, the project is required to maintain the existing parking.

Parking

The existing 3.12 acre site contains the Work Force Center building and a Burger King Restaurant building. The site's overall parking is 185 regular stalls and 7 handicap-accessible stalls, for a total of 192 stalls.

The Burger King Restaurant has designated use of 47 parking stalls, two of which are handicap-accessible. According to Sec. 21.301.06 of the City Code restaurants are required to have 1 standard parking stall for every 2.5 seats. Given that the Burger King restaurant has seating for 72 customers, 29 stalls ($72 \text{ seats} \times 1 \text{ stall}/2.5 \text{ seats} = 28.8 \text{ stalls}$) are required. Therefore the Burger King has an excess of 18 parking stalls.

The owners intend to redesign the parking areas around the Work Force Center building to provide a minimum of 153 stalls.

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The Work Force Center has 2,286 SF of classrooms and 17,418 SF of office space. According to Sec. 21.301.06 of the City Code the required parking will be as per the following:

Classrooms

4,094 SF x 1 occupant/200 SF = 204.7 Occupants.

204.7 Occupants x 1 stall/3 Occ. = 68.25 stalls

Office Areas

17,418 SF x 1 stall/285 SF = 61.25 stalls.

Therefore, the site requires 129 standard size parking stalls.

The site design proposes to provide the following:

137 standard size parking stalls

8 accessible parking stalls

9 compact parking stalls

Total 153 stall

Traffic

The site's four access drives will remain as is. The existing entry drive at W 90th St. will remain a two-way entry/exit for the WFC and for the Burger King. The eastern access drive at Penn Ave So. will continue to serve the WFC Building and the Burger King. The western access drive off of Penn Ave. So. will serve the Burger King and the corner parcel. The existing drive accessing W 91st St will become an entry/exit drive to accommodate visitor and staff traffic approaching from the south.

The on-site traffic lanes will remain as before. The parking areas will be restriped.

As required by the City Code a curbed and landscaped parking island will be provided at each end of the double-row of parking stalls along the front of the building.

2984 ABC 10

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Development Application
9056 Penn Ave. So.
DKA 10.029
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Structure Height

The height of the proposed addition is 17'-4" so as to align with the height of the existing building. This height conforms to the Structure height requirement of 6-stories maximum in a B-4 District.

Building Design – Openings

The existing building has a large glazed area on the Penn Ave. S façade. There are no other windows on the building.

The B-4 District requires opening areas on the primary façade to be 50% of the exterior wall area and 25% of the exterior wall area on the 2nd and 3rd facades.

The east façade (facing Penn Ave. So.) of the existing building is the primary façade. However it is located approximately 108 feet from the east property line. As such it is not required to comply with Sec 21.204.03 (c)(5). With the redesign the east facade will have almost 900 SF of glazing.

The south elevation along W 91st St. is a secondary facade. Because this elevation is roughly 67 feet from the property line it should have 25% of the exterior wall composed with transparent windows and/or entrances.

The building's redesign will provide new window openings on the south (W 91st St.) elevation but not to the required 25%. The requirements of the WFC are such that they do not need nor want windows in their private offices. Therefore windows have been located where possible.

The proposed design will provide the following opening areas:

<u>Façade</u>	<u>Exterior Wall Area</u>	<u>Required Area</u>	<u>Proposed Area</u>
Primary Façade Penn Ave. So. (east)			
Existing	1,375 SF	NA (> 100')	480.4 SF
Addition	<u>570 SF</u>	NA (> 100')	<u>419.0 SF</u>
Totals	1,875 SF	0 SF	899.4 SF

Project Narrative
Development Application
9056 Penn Ave. So.
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<u>Façade</u>	<u>Exterior Wall Area</u>	<u>Required Area</u>	<u>Proposed Area</u>
W 90 th St.	1,374 SF	343.5 SF	294.4 SF
North Elev.	1,496 SF	NR	109.4 SF
West Elev. (Rear)	NONE REQUIRED OR PROVIDED		

Building Design – Entrances

The facility's primary entrance will be on the east façade which faces Penn Ave. So.

Building Design – Canopies and Awnings

At the present time consideration is being given to a canvas awning or solid canopy along all or part of the east entry façade.

Should the owners decide to include a canopy or awning the drawings to be submitted for review prior to the issuance of the Building Permit will contain the required information.

Transportation Demand Management (TDM) Plan

The following TDM strategies have been incorporated into the project's design:

1. Provide bicycle racks for both visitors and employees.
2. Display a transit map in the Reception/Resource area.
3. Display a transit map in the employee break room.
4. Display transit route brochures in the Reception/Resource area.
5. Display transit route brochures in the employee break room.

In addition to the strategies listed above Hennepin County has a policy of promoting car/van pooling for employees and encourages use of the county's mass transit system.

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9056 Penn Ave. So.
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On behalf of the owners of 9056 Penn Avenue South I respectfully request the rezoning of the property to a B-4 District with a Plan Development Overlay.

Please feel free to call me at 952.922.2220 with any questions.

Respectfully,



David J. Kelly, A.I.A.

cc: File (BLMGTN-9056 PennAveSo_DRC app_10-13-10)

List of Submittals

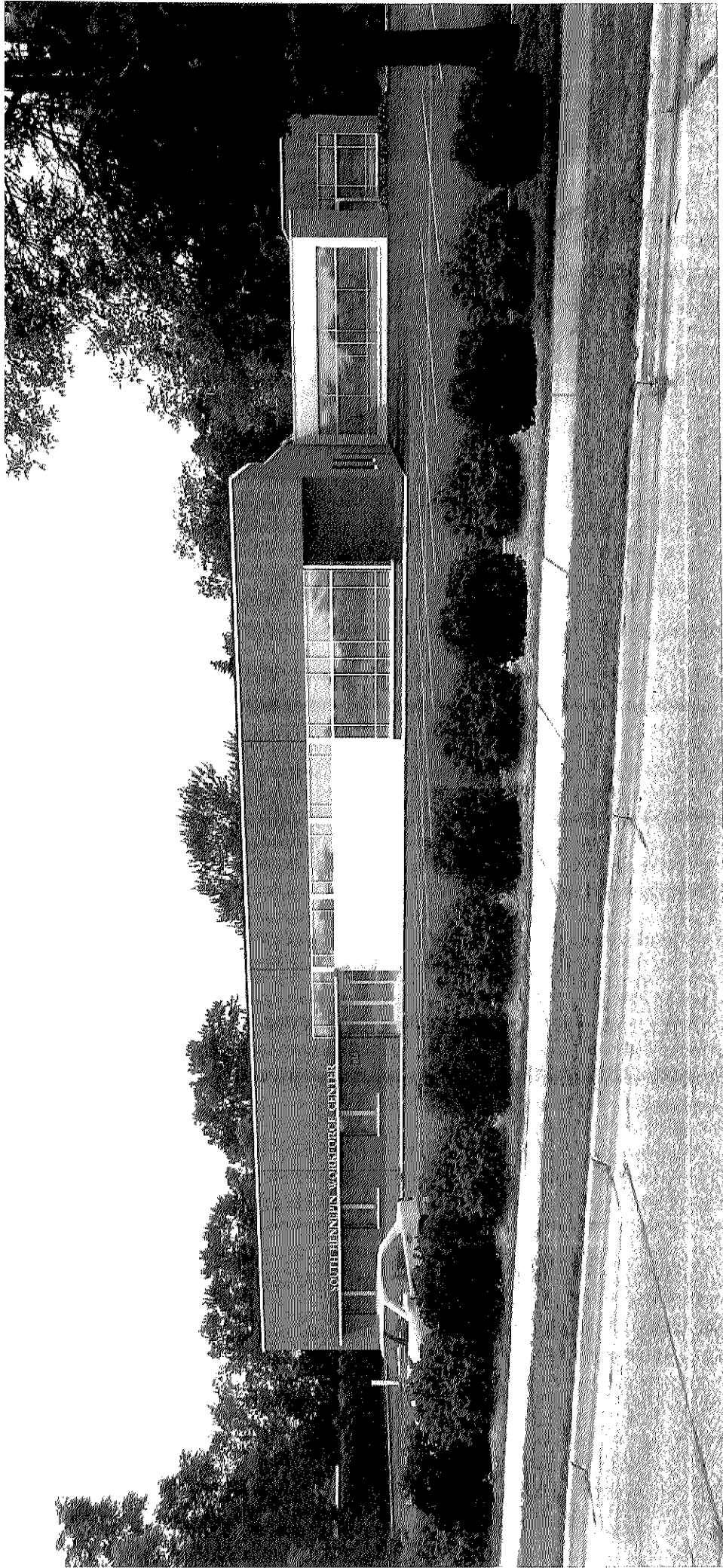
Completed Application
Application Fee
(8) folded sets of (6) 24x36 Design Drawings
(8) folded sets of (2) 24x36 Site Lighting Design Drawings
(1) rolled set of (8) 24x36 Design and Site Lighting Drawings
(10) sets of Design and Site Lighting Drawings reduced to 11x17
(1) set of Design and Site Lighting Drawings reduced to 8-1/2x11

Color Perspective View of Proposed Design

Color Map designating service area for So. Hennepin Work Force Center

Samples of Veneer Brick and of Stone Sill

7984 ABC 10

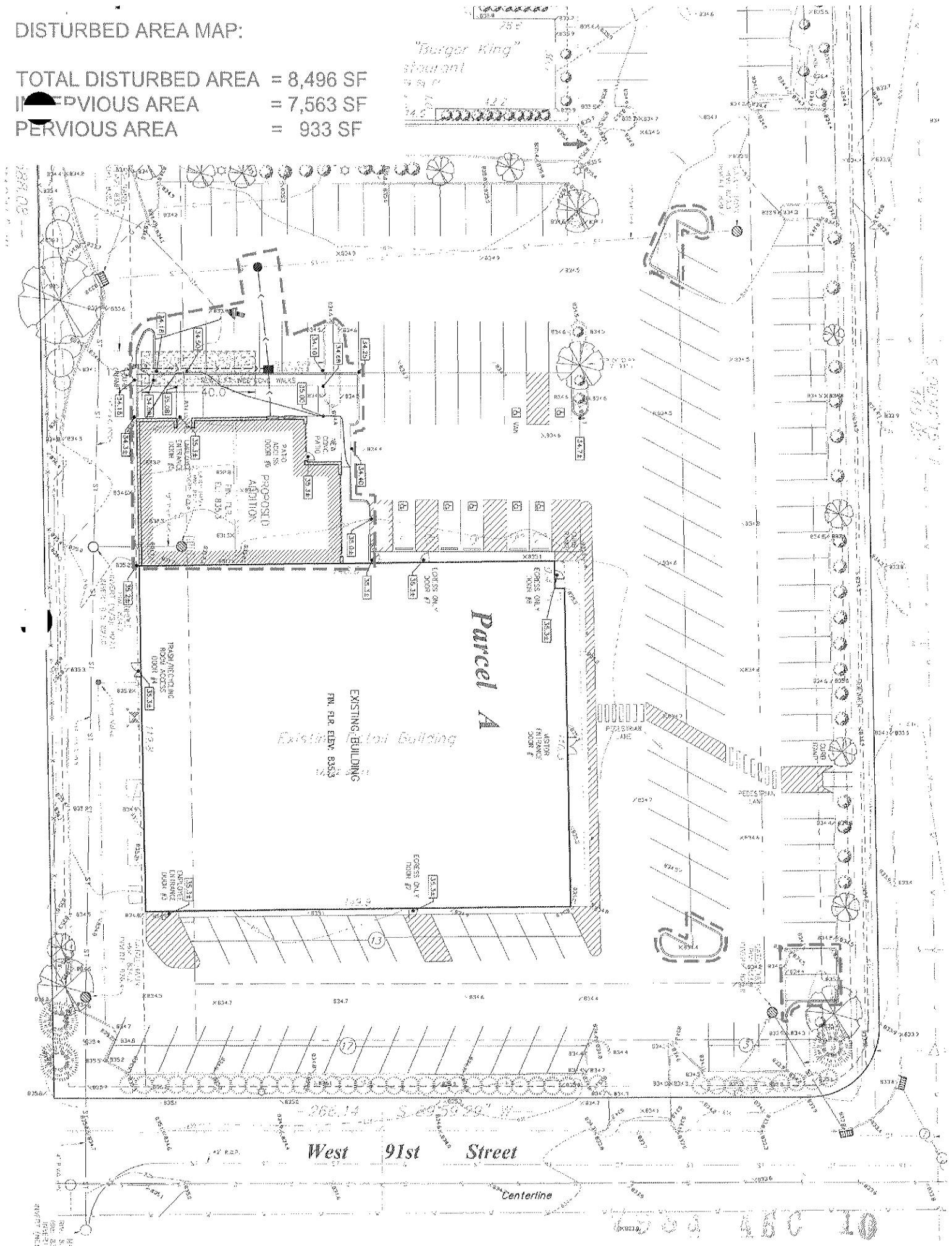


LOOKING WEST FROM PENN AVENUE SOUTH
OF THE PROPOSED SOUTH HENNEPIN WORKFORCE CENTER

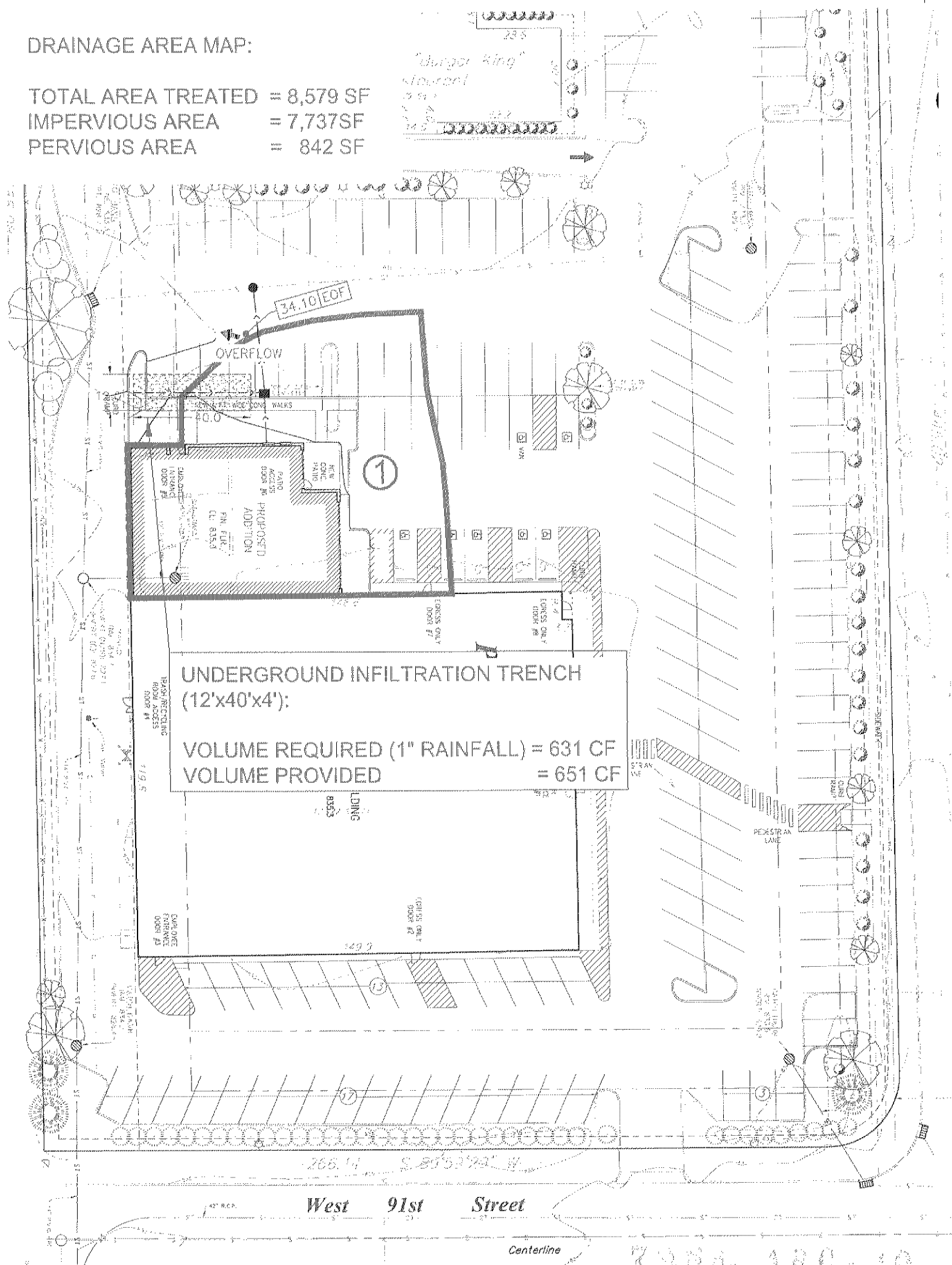
9056 PENN AVENUE SOUTH, BLOOMINGTON, MN

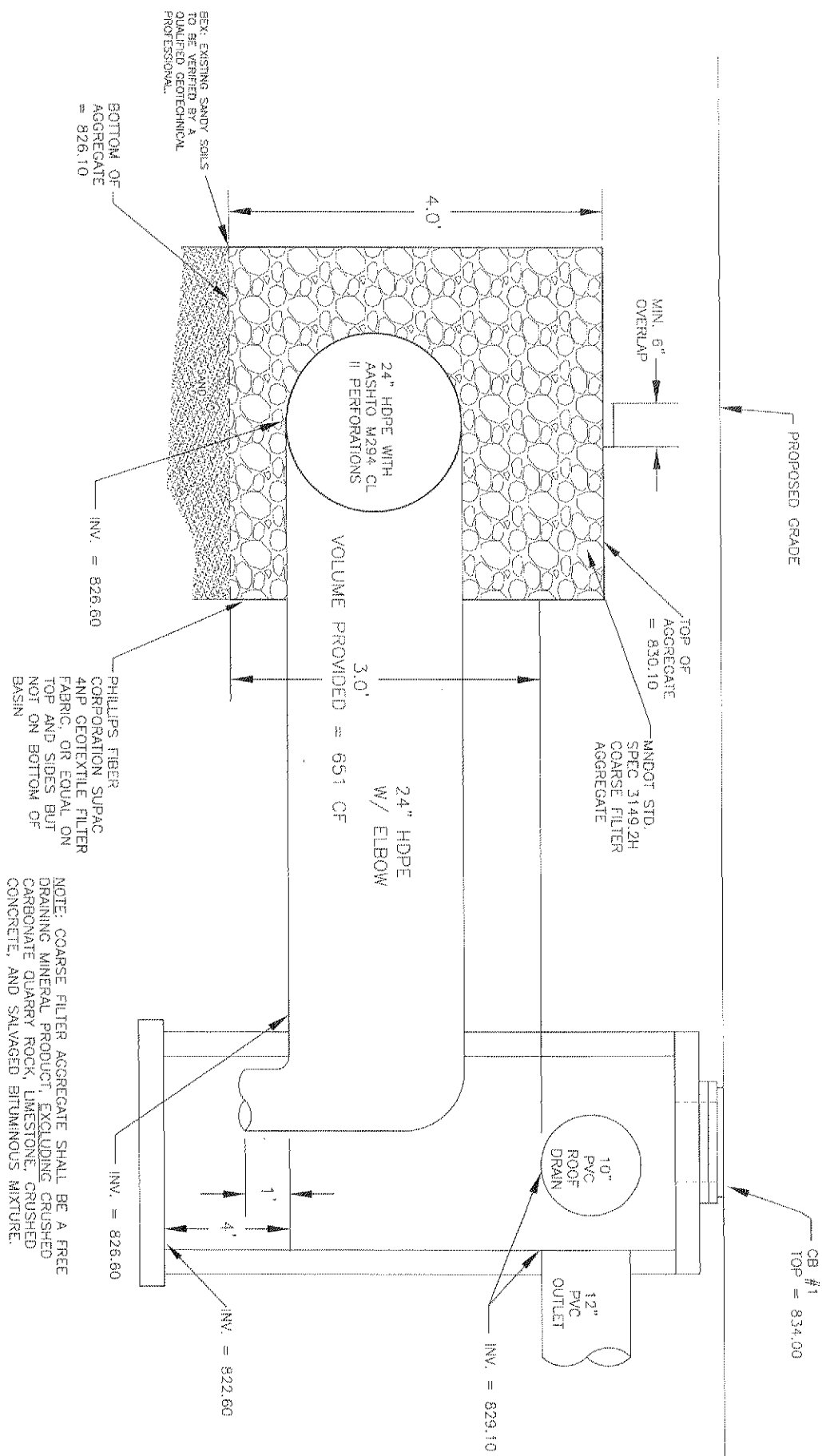
FACE BRICK
SAMPLE

TOTAL DISTURBED AREA = 8,496 SF
IMPERVIOUS AREA = 7,563 SF
PERVIOUS AREA = 933 SF



TOTAL AREA TREATED = 8,579 SF
IMPERVIOUS AREA = 7,737 SF
PERVIOUS AREA = 842 SF





SUMPED CB #1 AND UNDERGROUND INFILTRATION BASIN

2024 02 24

David J. Kelly
Architect, Inc.
100 West 91st Street
New York, NY 10024
Tel: 212-692-1000
Fax: 212-692-1001

ABC 4984

Consultants

Collection
100 West 91st Street
New York, NY 10024
Tel: 212-692-1000
Fax: 212-692-1001

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Comm. No. 100379
Drawn By: JPK
Date: 10/13/00
Sheet: 1 of 1

Project

So. Hanesin
Work Force Center

100 West 91st Street
New York, NY 10024

Drawing Title

Existing Site
Demolition
Demolition

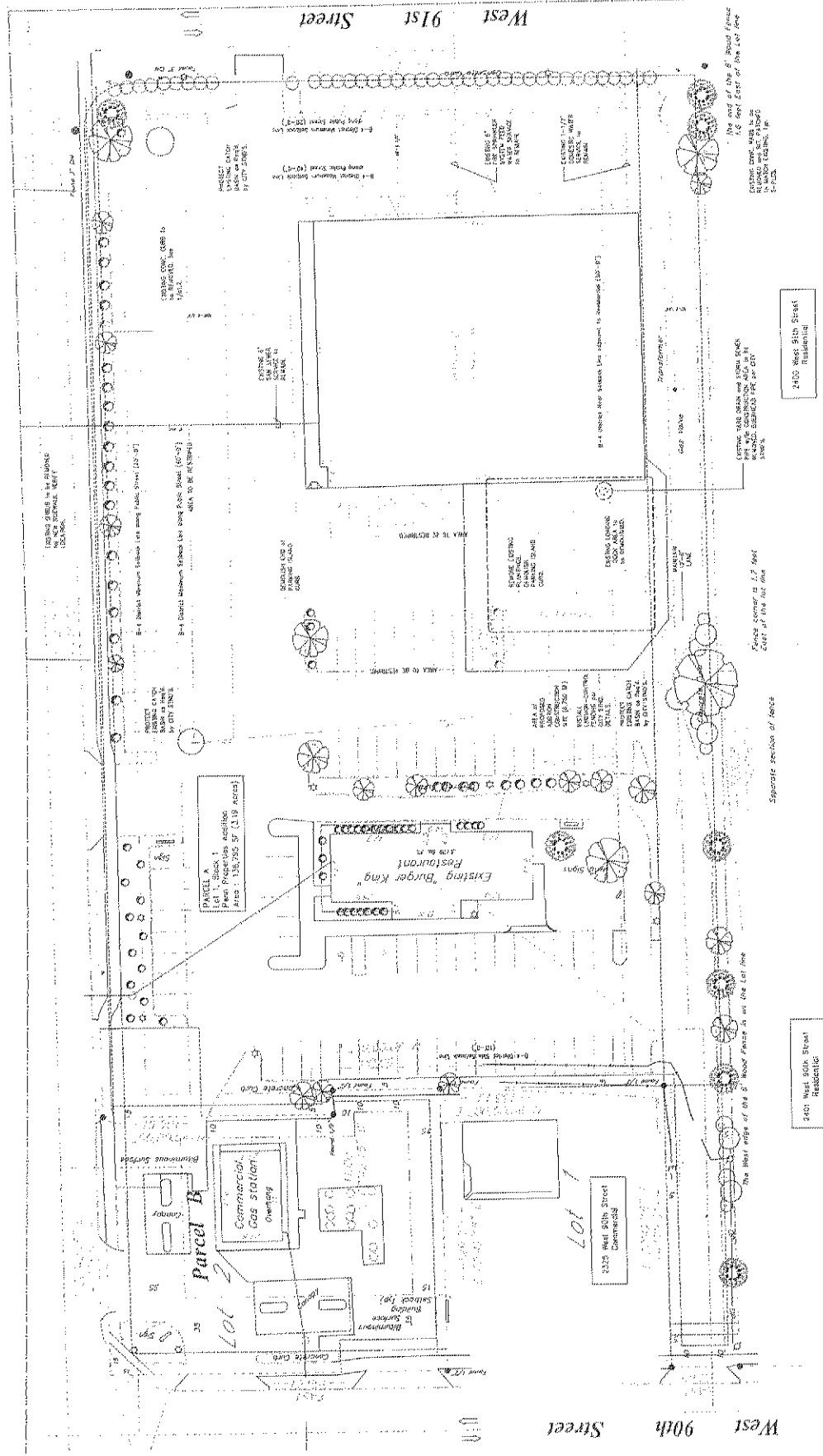
Scale: As Noted

Sheet Number
100 West 91st Street
New York, NY 10024
Date: 10/13/00

For Review Only

a1.1

Penn Avenue South (HCSAH) No. 32, Plat 69)



North

Existing Site Plan with Intended Demolition
Scale: 1" = 20'-0"

~~7.1.2.2.2 continued~~

1. Building be provided with an automatic fire sprinkler system or existing sprinkler system be modified as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN. Rules Chapter 1906, MN State Fire Code Sec. 903);
2. All rooftop equipment be fully screened (Sec. 19.52.01);
3. All trash and recyclable materials for the business be collected and stored inside the building (Sec. 19.51); and
4. Parking lot and site security lighting shall satisfy the requirements of Section 21.301.07 of the City Code;
5. The operator must obtain and continue to hold a commercial animal establishment license (Section 14.94).

**Adopted Ordinance
Rezoning 9056 Penn
Avenue South for
Bloomington
Investments, LLC
Case 7984A-10
ITEM 5.4A1
O-2010-33**

Markegard presented the staff report on the applications by Bloomington Investments, LLC for a rezoning to a Planned Development (PD) Overlay and a Preliminary and a Revised Final Development Plan at 9056 Penn Avenue. He stated the State of Minnesota is planning to relocate its workforce center to 90th Street & Penn Avenue. It will be a single tenant in the building at 91st & Penn Avenue in the former 5-day Furniture location. He stated a small addition of 3,585 square feet on the north side of the building is being proposed. In addition, some minor changes are proposed for the outside of the addition. No changes will be made to the four existing site access points. He showed a photo of how the building looks today and explained there will be a new brick veneer on the front and that the block facades will be painted to match them. New windows will also be installed. Their hours of operation will be from 8:00 am - 4:30 pm Monday, Wednesday, Thursday & Friday and from 8:00 am – 8:00 pm on Tuesday. There will 65 employees on site with 130 visitors expected per day. He stated the site is currently zoned B-4 but the applicant is proposing a Planned Overlay District for flexibility. They desire flexibility on the Floor Area Ratio (FAR). He stated this will occupy a long vacant building and will bring activity into the neighborhood. He stated it's recommended for approval with conditions by both the Planning Division staff and the Planning Commission.

Winstead inquired if the corner lot and the gas station are owned by the same person.

Using an aerial map, Markegard indicated the area outlined in red as the Planned Development site. He stated the gas station is on a separate parcel but it's under the same ownership as the larger parcel.

Winstead inquired why not include the corner gas station site if it is under the same land owner. He suggested combining all of the parcels into the Planned Development would help facilitate a better development in that location.

Using a site plan, Markegard indicated the Planned Development Overlay District being proposed is outlined in red, which includes the former 5-Day Furniture site and the Burger King. He stated also under common ownership is the corner parcel, which includes the vacant gas station. He stated between these parcels but under separate ownership, is the Gyropolis building. The gas station is a separate parcel but is under the same ownership as the bigger parcel. He explained a Planned Development basically memorializes the buildings that are already there. He stated any amendments to the Planned Development would require a Revised Final Development Plan.

Elkins inquired if Burger King and the 5-Day Furniture building are on the same parcel.

Markegard replied yes and stated it's appropriate the Planned Development not bisect a parcel.

ITEM 5.4A1 continued

Speaker #1: David Kelly, Project Architect & Applicant Representative

Speaking on behalf of the owners, Kelly addressed a couple of issues that were brought up at the Planning Commission. He stated originally they were only going to landscape along the front of the Workforce Center property (5-day Furniture parcel) but were approached about landscaping the area in front of the Burger King. He confirmed the owners have agreed to duplicate the landscaping in front of the Burger King. With regard to the small corner property (approximately 18,000 square feet), he said they hope to find a tenant to take the building. They are receiving bids to remove the gas pumps, islands and canopies and to repair the bituminous paving but right now they're hoping to find someone to take the building or rent it. If a viable tenant comes forth, they would come to the City to see what options they would have to make improvements to the building, etc. before signing a lease. Perhaps it could be used as a flower shop.

Elkins asked how long the lease will run for the Workforce Center.

Kelly replied it is a 10-year lease with a 5-year option based on the fact that the Burger King is now in the third year of a 10-year lease. This means they are committed to the Burger King for 7 years unless they attempt to buy out that lease. He described what other options might be possible on this site in five years.

Elkins commented this isn't the Council's vision for this area but it's about as good as it can be for the next 10 years.

Motion was made by Nordstrom, seconded by Grady, and all voting aye, to adopt an ordinance amending the Zoning Map by rezoning land located at 9056 Penn Avenue South, Case 7984A-10, from Neighborhood Commercial Center, B-4 to Neighborhood Commercial Center (Planned Development), B-4(PD) for Bloomington Investments, LLC.

No public testimony was received.

**Approved Preliminary
Development Plan for
Bloomington
Investments, LLC at
9056 Penn Avenue S
Case 7984B-10
ITEM 5.4A2**

Motion was made by Nordstrom, seconded by Wilcox, and all voting aye, to approve a Preliminary Development Plan for renovation and expansion of an existing building to allow an office use and minor improvements to an existing parking lot on a site with an existing fast food restaurant at 9056 Penn Avenue, Case 7984B-10, for Bloomington Investments, LLC, subject to the following condition as set forth by the Planning Division staff and the Planning Commission:

1. No development shall proceed without final development plan approval.

No public testimony was received.

**Approved Final
Development Plan for
Bloomington
Investments, LLC at
9056 Penn Avenue S
Case 7984C-10
ITEM 5.4A3**

Motion was made by Nordstrom, seconded by Wilcox, and all voting aye, to approve a Final Development Plan for a 21,625 square foot office, an existing 3,179 square foot fast food restaurant and related parking at 9056 Penn Avenue, Case 7984C-10, for Bloomington Investments, LLC, subject to the following 10 conditions of approval and 14 Code requirements as set forth by the Planning Division staff and the Planning Commission being satisfied prior to issuance of the permits:

1. Grading, Drainage, Utility, Erosion Control and Traffic Control plans shall be submitted for approval by the City Engineer;
2. A Stormwater Management Plan shall be provided that demonstrates how the development will meet the requirements of the City's Comprehensive Surface Water Management Plan, as well as a maintenance plan to be signed by the property owner and filed of record with Hennepin County, both of which shall be approved by the City Engineer;
3. A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) shall be provided if greater than one acre is disturbed;
4. Required permit(s) from the Nine Mile Creek Watershed District shall be obtained and a copy provided to the Engineering Division;
5. An Erosion Control Bond shall be provided;

ITEM 5.4A3 continued

6. Sewer Availability Charges (SAC) shall be satisfied; and
7. A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit shall be obtained or notification from the MPCA that this permit is not required shall be submitted to the City.

and subject to the following conditions:

8. All construction stockpiling, staging, and parking take place on-site and off of adjacent public streets and public rights-of-way;
9. All loading and unloading occur on site and off of public streets; and
10. A bike rack shall be provided near the main visitor entrance to the building.

and subject to the following Code requirements:

1. Electronic utility as-builts, per City of Bloomington requirements, shall be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy. (17.79(a));
2. A Tier 2 Transportation Demand Management (TDM) Plan shall be submitted prior to the issuance of permits. (21.301.09(b)(2))
3. Exterior building materials shall be approved by the Planning Manager (Sec. 19.63.08);
4. Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
5. All rooftop equipment be fully screened (Sec. 19.52.01);
6. All trash and recyclable materials be stored in a fully enclosed space accessible from within the principal building (Sec. 19.51);
7. Recyclable materials shall be separated and collected (Sec. 10.45);
8. Building shall be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903);
9. Fire lanes be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3);
10. Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, MN State Fire Code Sec. 508);
11. Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
12. Parking lot and site security lighting shall satisfy the requirements of Section 21.301.07 of the City Code;
13. A Uniform Sign Design in conformance with the requirements of Chapter 19, Article X of the City Code shall be approval by the Planning Manager prior to issuance of sign permits; and
14. Development shall comply with the State Handicapped Code.

No public testimony was received.

**CLOSED PUBLIC
COMMENT PERIOD**

~~Public testimony was received during the public comment period. The public comment period would be closed. No one came forward to speak so the public comment period was closed.~~

**Adopted Resolution
Approving the 2011
Tax Levy
ITEM 5.5A
R-2010-138**

Chief Financial Officer Lori Economy-Scholler presented the 2011 Property Tax Levy and 2011 General Fund Budget. She presented the following slides:

- Imagine Bloomington 2025 Vision
- Council's 2011 Budget Objectives
- Financial Sustainability
(City is 1 of 31 municipal governments out of 91,000 to achieve this)
- Factors Impacting Individual Property Taxes
- What's Happened?
(General Fund decrease of .09% in 2010 and a .50% decrease in 2011)
- Delivering Quality Services at an Affordable Price
- 2011 Recommended Tax Levy: (A decrease of .12% for a total of \$44,332,753)
- Proposed 2011 General Fund Revenues: (\$54,436,064)
- Proposed 2011 Expenditures: (\$54,436,064)



December 21, 2010

Mr. Nedal Abdul
Bloomington Investments, LLC
510 1st Avenue north, Suite 200
Minneapolis, MN 55403

RE: Cases 7984ABC-10
9056 Penn Avenue

Dear Mr. Abdul:

At its regular meeting of December 20, 2010, the City Council adopted an ordinance amending the zoning map by rezoning land located at 9056 Penn Avenue South from Neighborhood Commercial Center, B-4 to Neighborhood Commercial Center (Planned Development), B-4(PD) (Case 7984A-10).

Also, at its regular meeting of December 20, 2010, the City Council approved a Preliminary Development Plan for renovation and expansion of an existing building to allow an office use and minor improvements to an existing parking lot on a site with an existing fast food restaurant at 9056 Penn Avenue South (Case 7984B-10), subject to the following conditions:

- 1) No development shall proceed without final development plan approval.

Also, at its regular meeting of December 20, 2010, the City Council approved a Final Development Plan for a 21,625 square foot office, an existing 3,179 square foot fast food restaurant and related parking at 9056 Penn Avenue (Case 7984C-10), subject to the following conditions being satisfied prior to the issuance of permits:

- 1) Grading, Drainage, Utility, Erosion Control and Traffic Control plans shall be submitted for approval by the City Engineer;
- 2) A Stormwater Management Plan shall be provided that demonstrates how the development will meet the requirements of the City's Comprehensive Surface Water Management Plan, as well as a maintenance plan to be signed by the property owner and filed of record with Hennepin County, both of which shall be approved by the City Engineer;

7984 ABC 10

- 3) A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) shall be provided if greater than one acre is disturbed;
- 4) Required permit(s) from the Nine Mile Creek Watershed District shall be obtained and a copy provided to the Engineering Division;
- 5) An Erosion Control Bond shall be provided;
- 6) Sewer Availability Charges (SAC) shall be satisfied; and
- 7) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit shall be obtained or notification from the MPCA that this permit is not required shall be submitted to the City.

and subject to the following conditions:

- 8) All construction stockpiling, staging, and parking take place on-site and off of adjacent public streets and public rights-of-way;
- 9) All loading and unloading occur on site and off of public streets; and
- 10) A bike rack shall be provided near the main visitor entrance to the building.

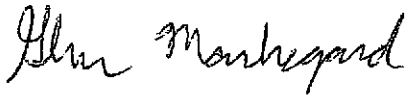
and subject to the following Code requirements:

- 1) Electronic utility as-builts, per City of Bloomington requirements, shall be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy. (17.79(a));
- 2) A Tier 2 Transportation Demand Management (TDM) Plan shall be submitted prior to the issuance of permits. (21.301.09(b)(2))
- 3) Exterior building materials shall be approved by the Planning Manager (Sec. 19.63.08);
- 4) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 5) All rooftop equipment be fully screened (Sec. 19.52.01);
- 6) All trash and recyclable materials be stored in a fully enclosed space accessible from within the principal building (Sec. 19.51);
- 7) Recyclable materials shall be separated and collected (Sec. 10.45);
- 8) Building shall be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903);
- 9) Fire lanes be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3);
- 10) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, MN State Fire Code Sec. 508);
- 11) Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
- 12) Parking lot and site security lighting shall satisfy the requirements of Section 21.301.07 of the City Code;

- 13) A Uniform Sign Design in conformance with the requirements of Chapter 19, Article X of the City Code shall be approval by the Planning Manager prior to issuance of sign permits; and
- 14) Development shall comply with the State Handicapped Code.

Should you have any questions regarding this action, please contact Julie Farnham, Planner at (952) 563-4739.

Sincerely,



Glen Markegard, Acting Manager
Division of Planning and
Economic Development

cc: David Kelly, DK Architects
3925 West 50th Street, Suite 205
Minneapolis, MN 55424