



PL2016-229
PL201600229

Development Review Committee

Approved Minutes

Pre-Application for PL201600229 (PL2016-229)

Meeting Date: January 3, 2017

McLeod Conference Room

Bloomington Civic Plaza

1800 West Old Shakopee Road

Staff Present:

Laura McCarthy (Fire Prev, Chair) 952-563-8965	Kent Smith (Assessing) 952-563-8707
Jen Desrude (Eng.) 952-563-4862	Mike Thissen (Env. Health) 952-563-8981
Vicky Soukaseum (Eng.) 952-563-4627	Heidi Miller (Police) 952-563-4975
Joan Bulfer (Public Health) 952-563-8992	Londell Pease (Planning) 952-563-8926
Scott Breuer, (Park & Rec.) 952-563-8876	Glen Markegard (Planning) 952-563-8923
Eileen O'Connell (Public Health) 952-563-4964	

Project Information:

Project	Dar Al Farooq Daycare expansion
Site Address	8201 Park Avenue South
Plat Name	Smith Park 3 rd Addition
Project Description	Amend a Conditional Use Permit to increase a daycare from 20 students in 1,800 square feet to up to 264 students in 15,170 square feet
Application Type	Conditional Use Permit
Staff Contact	Londell Pease, Senior Planner lpease@bloomingtonmn.gov (952) 563-8926
Applicant Contact	Jennifer Kaplan, AIA jkaplan@mohagenhansen.com (952) 426-7421
Developer	
Post Application DRC	YES

Guests Present:

Name	Email
Saeed R. Purcell	saeed.purcell@gmail.com
Mohamed Omar	dujaanah2000@daralfarooq.com
Samnol Khalad	skajgroup@gmail.com
Jennifer Kaplan	jkaplan@mohagenhansen.com

Introduction:

The applicant proposes a significant expansion of the previously approved daycare. The approved daycare limits the use of two rooms for up to 20 students. The applicant proposes the use of 11 rooms, which would have an occupancy of up to 24 students per room. No information on hours of operation or ages was provided.

Discussion/Comments:

- Londell Pease (Planning):
 - Pease asked what is the anticipated age, hours of operation, and intent.
 - Khalad answered that it will be a daycare for children, ages beginning at infants all the way up to school age children. There will be 10-20 infants in two of the rooms and the other rooms will continue with approximately 20 toddler aged children, an additional 30 preschool students, but mostly elementary school aged children. The school aged children will be there before and after regular school programs.

- Scott Breuer (Park and Recreation):
 - No Comment.

- Kent Smith (Assessing):
 - Smith asked the representatives to clarify who owns the property. There has been an exempt application in previous years under the name Al Jazzier.
 - Omar explained that Dar Al Farooq is the previous owner, but because of the popular name and reputation in the community, they've decided to keep the name as a DBA Dar Al Farooq, while Al Jazzier is the current owner.
 - No park dedication is needed because there is no replatting.
 - Using a portion of the building for a for-profit daycare impacts property taxes. Smith asked further detail on the ownership and structure of the daycare.
 - Khaled responded that daycare is a taxable entity that would be leased out.
 - Smith added that the property is 100% exempt today, this modification could trigger real estate taxes.

- Mike Thissen (Environmental Health):
 - Thissen questioned if the trash enclosure will be sufficient for the size and use of the property.
 - Thissen said there had been complaints in the past regarding lighting in the parking lot.
 - Thissen also asked if food service will be provided within the daycare.
 - Khaled responded they will be contracting with an outside entity to bring and deliver food.

- Laura McCarthy (Fire Prevention):
 - An "I" occupancy classification, will require that there be two ways out of an infant room.

- Kaplan explained that for ages 2.5 and under, their rooms will have two exits. A door will have to be added where a large window currently sits, but it will meet code requirements. There is also a sidewalk outside the doors.
 - Fire alarm requirements may need to be upgraded in the childcare area.
 - Permits for the suppression system will be needed. McCarthy asked how far along the design for the kitchen is and when the expected completion date is.
 - Khaled answered the expected completion is to be February 15th.
 - Insure the sprinkler and fire alarm systems are tested and inspected on an annual basis.
- Heidi Miller (Police):
 - Miller had recommendations for the daycare:
 - Sign in and sign out procedure.
 - Video surveillance of the entrance to document who is coming and going.
 - Lock down procedures should be prepared. Andy Risdall has more information on how to plan these procedures. Miller included his contact information on her card.
- Jen Desrude (Engineering):
 - A rough trip generation analysis was made and it was determined that a traffic study may be required to evaluate traffic patterns for the use of the daycare and how it will affect the neighborhood. It was estimated that the daycare will have a substantial effect with an estimated 1,000 trips per day. An escrow account will need to be created by applicant for the traffic study; the City will hire an outside consultant and they will be paid from escrow. If a traffic study is required, it will have to be completed before the Conditional Use Permit application is submitted.
 - With school aged children, a bike rack is suggested.
 - With a change of use, Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.
 - There is an existing joint use agreement for use of the park and any changes to the use will need to be addressed in the agreement.
- Eileen O'Connell & Joan Bulfer (Public Health):
 - Bulfer discussed nutrition and physical activity are concerns with any daycare and school. It is suggested that children have 120 minutes of physical activity a day. Bulfer asked if there was a space and/or playground for the children to exercise.
 - Omar responded the facility has a gym and an outdoor football field.
 - Purcell added that there is an attached playground with a common park.
 - Bulfer responded, a common park shared with elementary aged children may not be suitable for smaller children.

- Londell Pease (Planning):
 - There are several comments on the comment summary, only a portion will be discussed in the meeting.
 - City Code Section 21.302.27 requires that all daycare facilities serving 13 or more persons in a residential zoning district be adjacent to a Collector or Arterial Street. This site does not meet that requirement, being adjacent to Local Streets. The current approved 20 person day care is legally non-conforming. No expansion would be allowed without a City Code change.
 - The approved CUP is for a primary school not to exceed 60 students (Monday through Friday), a daycare not to exceed 20 students, men's and women's fitness not to exceed 45 patrons from 5-9PM daily, a weekend school operating from 9 AM to 2 PM with no more than 80 students and a Friday prayer service. The applicant must update the uses and add parking, if required, to accommodate the proposed daycare use with up to 264 individuals.
 - Parking is a concern, especially on Fridays. In addition, drop-of and pick up locations were removed with the Place of Assembly expansion.
 - Given the City Code prohibition on having daycares for 13 or more persons on a local residential street, the application could not be approved unless the City Code were amended to allow a daycare of the proposed size that is not adjacent to a collector or arterial. If that is denied, expanding the daycare could not be completed. The application fee for the Code change is \$1,660 and is non-refundable. The process would take 10-12 weeks to complete. If the Code change is approved, then the Conditional Use Permit review to expand the daycare could commence.
 - Kaplan asked why the Code change would be required. The previous use of the building as a school had just as many occupants and buses.
 - Pease explained the Code provision and that the land use patterns and street design determine which streets are designated as a Collector or Arterial Street, which in turn impacts the land uses that can be located there. The building was a school in the past, the current use is a combination of several uses.
 - Markegard explained the three tiers used for street classification: Local, Collector, and Arterial. There are no Collector and Arterial streets adjacent to the property. On Local streets, there can be daycares, but they are limited to less than 13 students; for this property there was approval in 2011 for 20 students and that has been grandfathered in.
 - McCarthy suggested there be a separate meeting to discuss the options and details.