



# Development Review Committee

## Approved Minutes

Development Application, #PL2020-83  
Mtg Date: May 19, 2020  
Remotely via Webex  
Bloomington Civic Plaza  
1800 West Old Shakopee Road

### Staff Present:

Laura McCarthy (Fire Prev.) 952-563-8965  
Rena Clark (Park & Rec) 952-563-4555  
Brian Hansen (Eng., Chair) 952-563-4543  
Eileen O'Connell (Pub. Hlth) 952-563-4964  
Megan Rogers (Legal) 952-563-4889  
Cherie Shoquist (H.R.A.) 952-563-8946

Tim Kampa (Utilities) 952-563-8776  
Jason Heitzinger (Assessing) 952-563-4512  
Erik Solie (Env. Health) 952-563-8978  
Mark Stangenes (Env. Health) 952-563-8980  
Mike Thissen (Env. Health) 952-563-8981  
Michael Centinario (Planning) 952-563-8921  
Jason Schmidt (Port Authority) 952-563-8922

### Project Information:

|                     |                                                                                                                                                                                                                                  |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project             | American Square - 3701 American Blvd E. and 6 Appletree Square - PDP/FDP and Variances                                                                                                                                           |
| Site Address        | 6 APPLETREE SQUARE, BLOOMINGTON, MN 554258101 36TH AVE S, BLOOMINGTON, MN 554253701 AMERICAN BLVD E, BLOOMINGTON, MN 55425                                                                                                       |
| Plat Name           | APPLETREE SQUARE 4TH ADDITION; APPLETREE SQUARE 2ND ADDITION; APPLETREE SQUARE 4TH ADDITION;                                                                                                                                     |
| Project Description | Preliminary and final development plan for a multi-phase, mixed-use development located at 3601 and 3701 American Blvd. E. and 6 Appletree Square and variances from Bluff Protection setback and tree replacement requirements. |
| Application Type    | Preliminary Development Plan; Final Development Plan, Variances                                                                                                                                                                  |
| Staff Contact       | Mike Centinario; Planner, 952-563-8921                                                                                                                                                                                           |
| Applicant Contact   | Michael Roebuck; <a href="mailto:mike@ronclark.com">mike@ronclark.com</a> ;                                                                                                                                                      |
| PC (scheduled)      | June 11, 2020                                                                                                                                                                                                                    |
| CC (tentative)      | June 22, 2020                                                                                                                                                                                                                    |

**NOTE:** All documents and minutes related to this case can be viewed at [www.blm.mn/plcase](http://www.blm.mn/plcase), enter the permit number, "PL202000083" into the search box.

### Guests Present:

| Name            | Email                                                                                          |
|-----------------|------------------------------------------------------------------------------------------------|
| Michael Roebuck | <a href="mailto:mike@ronclark.com">mike@ronclark.com</a>                                       |
| Jeffrey Wrede   | <a href="mailto:jeff@mdgarchitects.com">jeff@mdgarchitects.com</a>                             |
| Mike Waldo      | <a href="mailto:Mwaldo@ronclark.com">Mwaldo@ronclark.com</a>                                   |
| Carl Kaeding    | <a href="mailto:carl_kaeding@msn.com">carl_kaeding@msn.com</a>                                 |
| Dave Nash       | <a href="mailto:dnash@alliant-inc.com">dnash@alliant-inc.com</a>                               |
| Brody Norland   | <a href="mailto:brody.nordland@kaedingmanagement.com">brody.nordland@kaedingmanagement.com</a> |

**Introduction (Centinario):**

The applicant has resubmitted preliminary and final development plans for a 328 unit multi-phase, mixed-use development and variances from Bluff Protection setback and tree replacement requirements. The previous submittal had included a third phase mixed-use building, but the property owner of that site did not consent to the application.

Phase 1 entails a 6-story, 242-unit market rate apartment building. Phase 2 entails a 5-story, 86-unit workforce housing building along with a shared parking structure.

**Discussion/Comments:**

**Please review the comment summary and plans for mark-up comments as all the comments are not discussed at the meeting.**

- Renae Clark (Park and Recreation):
  - No comment.
- Jason Heitzinger (Assessing):
  - No comment.
- Mike Thissen (Environmental Health):
  - Please note construction start time is limited to 7 a.m.
- Laura McCarthy (Fire Prevention):
  - See Comment Summary and red-line plans for complete Fire comments.
  - Need a better understanding of the access, please continue to work with Fire regarding emergency access requirements. Please show turning radius information on plans.
- Brian Hansen (Engineering) provided the Public Works comments and noted the following:
  - All private signage must be installed outside of the City right-of-way and on private property.
  - City still wants curb line modifications to be made to straighten out the sidewalk crossing and eliminate the right turn bay on American Boulevard.
  - Provide a stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan. Drainage report shows that runoff in the proposed condition exceed existing conditions.
  - Private common utility easement/agreement must be provided due to sharing of common utilities – water and sewer mains.
- Tim Kampa (Utilities):
  - Water main not allowed under the Phase 2 building. Run the loop outside the building. Service must be metered within 10 feet of the point where the pipe enters the building.
  - Water plans shown would require large scale area shut downs and testing of old pipe. See Utility Review #10 for details.
  - Hydrant move on North side. See Utility Review #36 for details.
  - Install hydrants within 150 feet of all exterior walls and within 50 feet of the FDC.
  - Dept. of Health water permit reviews are taking longer due to COVID-19, if you have not submitted get this done ASAP.
  - Existing sewer capacity is acceptable for phase 1, but phase 2 may need more.
- Megan Rogers (Legal)
  - Noted that Building & Inspections is not present at this meeting and stated that when plans are at 80 percent, call Duke Johnson at 952-563-8959 to set up B/I Plan Review meeting.
- Eileen O'Connell (Public Health):
  - No comment.
- Cherie Shoquist (H.R.A., OHO Advisor)
  - The finance piece and OHO tools and incentives will continue to be coordinated with Jason Schmidt of the Port Authority and the applicant representatives.

- Jason Schmidt (Port Authority)
  - TIF assistance on Phase 2 is being requested so staff will need pro forma by the end of May or early June in order to start the analysis to determine the financial need for the project.
  - Fee in lieu for the affordable units is estimated at \$1.7 million dollars which is due shortly after the building permit for Phase 1 is pulled. This fee would be recaptured during Phase 2 per the Development Agreement.
  - In regards to the Affordable Housing Plan submitted, If you are looking to take advantage of the parking reduction on Phase 2 under the OHO, the Ordinance does not allow a parking fee to be charged for the affordable units.
  - The early and expedited permit review process is not available for this project as it is not located within the Gateway District.
- Mike Centinario (Planning):
  - See Comment Summary and red line plans for a full list of Planning Comments.
  - Overall, the application submittal is very detailed, however, some clarification is needed to help understand the intent of the proposal: See Planning Comment Summary #1 for details.
  - Some narrative changes need to be submitted by 5/26 in order to have time to review and write the Planning Commission staff report.
  - The two variance requests may not be necessary as part of this application if the Bluff Protection standards tentatively scheduled for Council review on 6/1/20 are adopted.
  - Revision needed – pedestrian connection between phase 1 building and Phase 2 parking.
  - If deviation is being requested outside of the OHO, it needs to be included as a FDP deviation request in the project narrative (e.g., enclosed parking stall reduction, unit size, etc.)
  - See Planning Comment Summary # 12 for clarification regarding the minimum square footage 1 bedroom unit requirement.
  - Civil plans need revision to allow for two foot vehicle overhang on parking spaces adjacent to sidewalks. (see Planning Comment Summary #15)
  - With Phase 2, provide a sidewalk connection between the parking structure and Phase 1 building. See Planning Comment Summary #14.
- Jeffrey Wrede
  - Clarified they have been in contact with B/I and the third access deck amenity (sw corner) is being eliminated due to getting access directly from the building.
- Mike Waldo
  - On track with Shoquist/Schmidt comments.
  - Will work with Centinario on the 650 square feet unit minimum size requirement. The discrepancy may be on how it is measured.
  - Asked for clarification on whether flexibility could be granted for the Fee in Lieu repayment if Phase 2 were delayed. Centinario stated he would have to get back to him on that.



# Comment Summary

**Application #:** PL2020-83

**Address:** 6 APPLETREE SQUARE, 3701 AMERICAN BLVD E, BLOOMINGTON, MN 55425

**Request:** Preliminary and final development plan for a 328 unit multi-phase, mixed-use development and variances from Bluff Protection setback and tree replacement requirements.

**Meeting:** Post Application DRC - May 19, 2020

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

**Planning Review Contact:** Mike Centinario at [mcentinario@BloomingtonMN.gov](mailto:mcentinario@BloomingtonMN.gov), (952) 563-8921

- 1) Overall, the application submittal is very detailed. There are a couple areas of clarification that would help reviewers understand the intent of the proposal:
  - It is not clear that flexibility for Phase 1 is through the planned development process, not through the Opportunity Housing Ordinance (OHO). Outside of parking, there is little flexibility that is being requested for Phase 1.
  - Update the project narrative and Affordable Housing Plan to reflect the fee in lieu for Phase 1, which would be used for Phase 2 or added to the Affordable Housing Trust Fund.
- 2) Variances from Bluff Protection Ordinance standards were applied for as part of the initial development application. A re-write of Bluff Protection standards is tentatively scheduled for City Council consideration on June 1, 2020. Provided the ordinance is adopted as recommended by the Planning Commission and staff, those variances would no longer be necessary and could be withdrawn by the applicant.
- 3) Sidewalks have been provided from public streets to main building entrances. However, there is no sidewalk connection from the Phase 2 parking structure to the Phase 1 entrance. Could the gravel maintenance path be converted to concrete? Structured parking users should have a reasonably comfortable method of getting the market rate building.
- 4) All rooftop equipment must be screened equal to the height of the equipment. (Section 21.301.18)
- 5) Phase 1 must meet exterior materials requirements in Section 19.63.08. Phase 2 is eligible for OHO incentives. A detailed analysis of Phase 2's exterior materials will be conducted as part of the Phase 2 final development plan.
- 6) Parking lot and exterior security lighting must meet Section 21.301.07. A minimum of 1.5 foot-candles is required on the parking surface. Three footcandles is required for structured parking stalls, except for the top level of the Phase 2 parking structure, which must meet the surface parking lighting requirement.
- 7) The proposed development is within the site's height allowance. The applicant has submitted 7460-1 applications to the FAA for review. No hazard determinations will be required before a temporary construction crane may be erected.
- 8) Subject to the comments on the final development plan, the proposed landscaping meets the quantity requirements in City Code. Phase 2 landscaping will be more challenging given virtually all of the Phase 2

developable area will be building or parking structure. That landscaping should enhance street frontages throughout the rest of the planned development.

- 9) If construction of Phase 2 is delayed or doesn't come to fruition, will Phase 1 tenants have access to the existing surface lot? Without the Phase 2 parking structure, the parking ratios for Phase 1 alone are too small.
- 10) The Gardco SVPG fixture has been reviewed and accepted by the City of Bloomington. Continue to work with staff as lighting plans are revised. Final lighting plans must be signed by an LC or PE.
- 11) Planning staff will need to work with the lighting designer on procuring light fixture testing for some of the proposed surface lighting.
- 12) Unit types E1 and E2 do not meet the minimum square footage for a 1 bedroom unit (650 square feet). Please either adjust the plan to an alcove unit or include the flexibility request in the project narrative.
- 13) Continue to work with Planning staff to ensure the proposed metal panels and stucco exterior materials meet City performance standards.
- 14) With Phase 2, provide a sidewalk connection between the parking structure and Phase 1 building. Since some Phase 1 parking demand will be met in the Phase 2 structure, users need to have a reasonably convenient way to walk to the Phase 1 building.
- 15) Private sidewalks must maintain 5 feet clear. Widen sidewalks along surface parking stalls to account for 2-foot vehicle overhand.

**Building Department Review Contact:** Duke Johnson at [djohnson@BloomingtonMN.gov](mailto:djohnson@BloomingtonMN.gov), (952) 563-8959

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

Obtain a city of Bloomington rental license with the Environmental Health Division

Obtain a swimming pool license with the Environmental Health Division

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

- 1) Hydrant to be truck accessible and not blocking truck access. Move closer to the road.
- 2) Location to be determined at time of phase II plan submittal.
- 3) Provide access for personnel and ground ladder operations to the courtyard from the exterior. If access is secured, Knox box(s) to be provided.
- 4) Fire hose valves and standpipes to be located within 200' of all areas if wet, 130' of all areas in dry. Distances measured using foot travel.
- 5) Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.
- 6) Loop water system (supply from two points) to provide increased reliability of service and reduction of head loss. Combined domestic and fire service water line into the building.
- 7) Install hydrants within 150' of all exterior walls and within 50' of the FDC.
- 8) Fire alarm and annunciator panels and Knox box locations to be determined by the Fire Prevention Division. This project may require multiple panels and Knox boxes.
- 9) Standpipes requirement in all stairwells and hose valves shall be located at the floor landing
- 10) Hose valves shall be provided in the parking ramp and parking garages.
- 11) All emergency vehicle access lanes including all areas of the parking structure (top and lower levels) shall support a minimum 40 tons and provide adequate turning radius for BFD Ladder 3 for all emergency vehicle access lanes.
- 12) Insure the proposed landscaping doesn't interfere with access to the buildings.
- 13) Buildings/property shall be adequately signed for emergency response.

**Construction/Infrastructure Review Contact:** Brian Hansen at bhansen@BloomingtonMN.gov, (952) 563-4543

- 1) Use Bloomington details for curb and non-residential dwy entrance
- 2) Maintain clearance from light pole to sidewalk
- 3) Provide TW Elevations

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

- 1) All construction and post-construction parking must be accommodated on-site (no use of public streets and ROW for construction parking).
- 2) Show pedestrian connection between existing surface lot and Phase I
- 2) Provide appropriate MMUTCD references for signs proposed for circulating traffic. All private signage must be installed outside of the city right-of-way.
- 3) Show pedestrian connection between future Phase II and American Boulevard. Even if there is a trail connecting the lot to Phase I, there is still a pedestrian gap in near the SW corner of the Phase I building.
- 4) City still wants curb line modifications to be made that straighten out the sidewalk crossing and eliminate the right turn bay on American Boulevard. This is reflected on Sheet C-4.0 but does not appear to be reflected on the site plan.
- 5) Contractor shall obtain a Public Works permit for obstructions and concrete work within the right-of-way. Permit is required prior to removals or installation. Contact Sean Jenkins (952-563-4545, sjenkins@BloomingtonMN.gov) for permit information.
- 6) Provide a sidewalk connection from the building to public sidewalk or street.

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

- 1) See Bloomington Specs for MH Castings and MH Covers
- 2) 8' Required
- 3) 10' required see note 2
- 4) Water main to be DIP
- 5) San Services shall be SDR 26 or Sch 40
- 6) Water main not allowed under the building. Run the loop outside the building. Service must be metered within 10' of the point where the pipe enters the building.
- 7) Is this a water main?
- 9) Water main to be DIP
- 10) Water plan as shown would require large scale area shut downs and testing of old pipe. An 8"x8" tap could be made instead. However if larger water main is needed for demand, a new 12" Tap could be made in American Blvd and the 12" loop would be brought through the site to this point where it would reduce down to the 8" tap. Or another option would be to get approval and tie in to the existing private 10" DIP with a 10" x 10" Tap just west of this point.
- 11) Private common utility easement/agreement must be provided due to sharing of common utilities -water and sewer mains.
- 12) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 13) Contractor shall obtain a Public Works permit for underground work within the right-of-way. Permit is required prior to removals or installation. Contact Utilities (952-563-4568) for permit information.
- 14) Use updated city standard details for driveways, utilities, erosion control, etc. found on the website at [www.bloomingtonmn.gov/information-sheets-and-handouts-engineering-division](http://www.bloomingtonmn.gov/information-sheets-and-handouts-engineering-division)
- 15) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 16) Provide valves for system isolation (longest interval cannot exceed 400 feet) and for building isolation without shutting down supply to hydrants.

- 17) Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius. Make sure there is a hydrant within 50' of the FDC and that a fire truck can access this hydrant.
- 18) Provide a minimum of 8-feet and a maximum of 10-feet of cover over all water lines, valves, services, etc.
- 19) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP. - Please put this note on the plan.
- 20) Minnesota Department of Health (MDH) water permit/review may be required. Provide a copy of MDH approval letter or written confirmation from MDH that no permit/approval is required. These are taking longer due to Covid!
- 21) Minnesota Pollution Control Agency (MPCA) sanitary sewer permit/review may be required. Provide a copy of MPCA approval letter or written confirmation from MPCA that no permit/approval is required.
- 22) Use standard short cone manholes without steps.
- 23) Install interior chimney seals on all sanitary sewer manholes.
- 24) Taps of live water mains are done by City forces. The Contractor excavates, restores, coordinates and pays for this tap with the utility permit. - Please put this note on the plan.
- 25) Utility and mechanical contractors must coordinate the installation of all water and sewer service pipes into the building to accommodate city inspection and testing. - Please put this note on the plan.
- 26) Sanitary sewer mainline, clean-outs, manholes, and services must be designed with adequate depth of cover or install high-density polystyrene insulation in accordance with City specs to prevent freezing. Several of the sewer lines shown are at depths that may freeze. Also invert elevations are missing.
- 27) Use schedule 40, SDR 26, or better for PVC sewer services.
- 28) Combination fire and domestic services must terminate with a thread on flange or an MJ to flange adapter. - Please put this note on the plan.
- 29) All components of the water system, up to the water meter or fire service equipment must utilize protective internal coatings meeting current ANSI/AWWA standards for cement mortar lining or special coatings. The use of unlined or uncoated pipe is not allowed. - Please put this note on the plan.
- 30) See Bloomington Specs for MH Castings and MH Covers
- 31) Water main to be DIP
- 32) San Services shall be SDR 26 or Sch 40.  
Indicate where forcemains are located and what size and type of pressure rated pipe will be used.
- 33) Make sure sewer is 10' from hydrant.
- 34) Show Tapping valve here second valve not needed.
- 35) Water main to be DIP
- 36) The existing water line feeding the hydrant is actually an 8" service to the property with an 8" valve and a 8x6 tee for the hydrant. If the 8" service isn't big enough for the water loop just replace the valve and Tee (with a 90 bend), add an 8 x 6 reducer and install a new hydrant in the location out of the new turn lane. Don't change the 12" x 8" tee, or extensive shutdowns and testing old pipe will be required. A new larger tap for the service loop (located just east of this point) would be less disruptive.
- 38) There are at least 8 water pipe crossings please show all to avoid conflicts.
- 39) Use 3 phase power for LS  
Work with Power Co.
- 40) Provide more detailed elevations at underground parking entrances. Ensure street runoff stays in American BLVD. Provide protection for the 100-yr event.
- 41) It appears that there is Sewer System Capacity for the first phase of the development however many City mains will need to be upsized before the second phase can come on line.

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

- 1) PROVIDE DETAILS SHOWING HOW THIS IS ROUTED TO THE STORM SEWER.
- 2) PROVIDE SUMP MANHOLES AT ROOF DRAIN CONNECTIONS AS PER STORMWATER REPORT.
- 3) PROVIDE SAFL BAFFLE FOR PRETREATMENT AT INFILTRATION BASIN.
- 4) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.

- 5) Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan. Drainage Report shows that runoff rates in the proposed condition exceed existing conditions.
- 6) An erosion control bond is required.
- 7) HDPE pipe connections into all concrete structures must be made with water tight materials utilizing an A-Lok or WaterStop gasket or boot, cast-in-place rubber boot, or approved equal. Where the alignment precludes the use of the above approved watertight methods, Con Seal 231 WaterStop sealant, or approved equal will only be allowed as approved by the Engineer.
- 8) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 9) After staff approval of stormwater management plans, provide an extra set of plans for staff to submit to Lower Minnesota River Watershed District.
- 10) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.

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

- 1) Lot 4, Block 1, Apple Tree Square 2nd Addition is not in description?
- 2) This is a 15' easement
- 3) Is there a public park agreement?
- 4) Private common utility easement/agreement must be provided.
- 5) Private common driveway/access easement/agreement must be provided.
- 6) Show and label all property lines and easements on all plan sheets.

**Assessing Review Contact:** Kent Smith at ksmith@BloomingtonMN.gov, (952) 563-8707

- 1) Per the project narrative, there is no re-platting necessary for this project, therefore Assessing has no comment. If re-platting is deemed to be necessary at a later date, a park dedication fee will apply and will be calculated at that time.