

# REQUEST FOR COUNCIL ACTION

DATE Nov 20 1980

AGENDA SECTION: NO. <b>DEVELOPMENT BUSINESS</b>	ORIGINATING DEPARTMENT <b>COMMUNITY DEVELOPMENT</b> Division of City Planning	Approved For Agenda By:
ITEM: NO. <b>Final Site and Building Plans</b>	By:	

Item 8B

Case 8794B-80

## GENERAL INFORMATION

Applicant: Orville E. Madsen and Son, Inc.  
Location: 10140 Lyndale Avenue South  
Request: Final site plan and building plans

## PROPOSAL

The applicant proposes to erect 50 townhouse units in seven structures on a 5.0 acre parcel

Existing Land Use  
and Zoning:

Vacant; zoned R-4

Surrounding Land Use  
and Zoning:

North--vacant; zoned R-4 and Church; zoned R-1  
South--multiple-family residential; zoned R-4  
West--Interstate Highway I-35W  
East--multiple-family residential; zoned R-4,  
and single-family residential; zoned R-1

Comprehensive Plan:

The 1980 Comprehensive Land Use Plan recommends high-density residential uses (10+ du/ac) for this parcel

Applicable Regulations:

Section 19.41(b), Section 19.62

## HISTORY

City Council Action:

October 23, 1978--rezoned property at 10014-10044 Lyndale Avenue from R-1 to R-4 (Case 8061A-78)

City Council Action:

November 20, 1978--approved final site plan and building plans for 172 unit apartment building, confirming a recommendation of approval by the Planning Commission

COUNCIL ACTION: Motion by \_\_\_\_\_ Second by \_\_\_\_\_ to \_\_\_\_\_

City Council Action:

October 27, 1980--approved subdivision of land at 10014-10044 Lyndale Avenue into two five-acre parcels

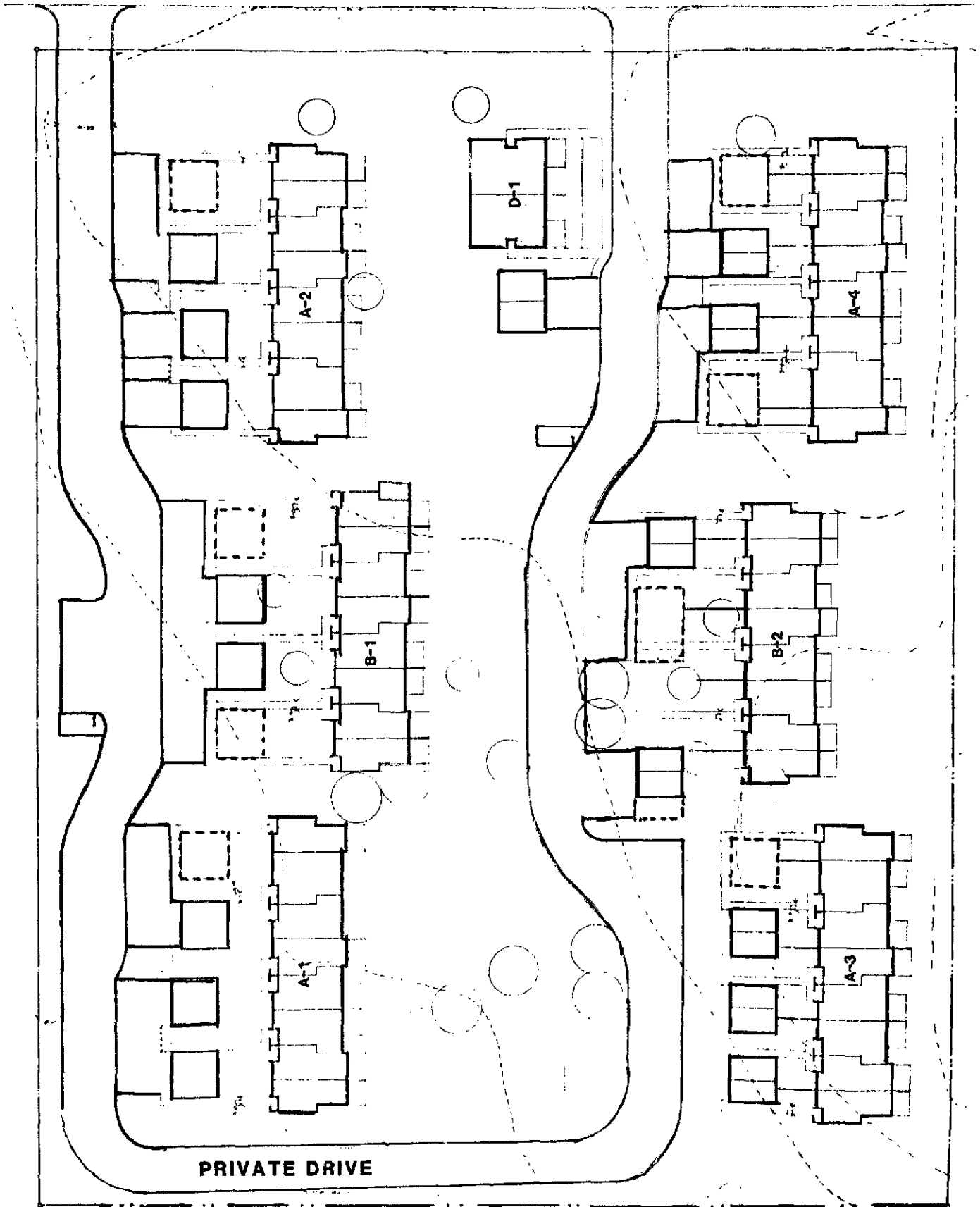
CHRONOLOGY

Planning Commission Agenda:

November 20, 1980--hearing was advertised in the official newspaper on November 5, 1980. Notices were sent to adjacent property owners on November 7, 1980.



# LYNDALE AVENUE



I-35 FRONTAGE ROAD

Items #8A and #8B

GENERAL INFORMATION

Applicant: Orville E. Madsen and Son, Inc.  
Location: 10140 Lyndale Avenue  
Requests: Variances (Case 8794CDE-80)  
Final site plan and building  
plans for 50 townhouse units (Case 8794B-80)

PROPOSAL

This applicant has been selected by the Bloomington Housing and Redevelopment Authority to develop the southerly five acres of the ten-acre parcel acquired by the Authority from the Nativity of Mary Church. On November 20, 1978, the City Council approved a plan to develop the entire ten acres with one 172-unit apartment building. Since that proposal is no longer active, the HRA has decided to change the development strategy to provide more diversity of unit types. The northerly five-acre tract will be developed separately, although no specific plans have yet been formulated.

The present proposal consists of 50 townhouse units in seven structures: six buildings containing eight units each, and one building containing two handicapped units.

The entire project will be assisted under existing programs operated by the HRA. As such, all units will be family housing. The unit mix in the project is as follows:

2-bedroom	26 units
3-bedroom	20 units
4-bedroom	4 units

Both of the handicapped units are two-bedroom, and one of the two-bedroom units is designated for an on-site caretaker.

The project is oriented around two one-way driveways extending from Lyndale Avenue to the I-35W frontage road. This configuration represents a change from the original submission as printed in the agenda, where a loop connecting the two drives parallel to the frontage road was proposed, with no connection to the frontage road. The change in driveway configuration eliminates the need for variance (E), reduction of the landscaped yard from 20 feet to 5 feet along the frontage road.

The site plan provides for an area of common open space in the central portion of the site. This allows for retention of most of the existing trees on the site, and provision of play areas in direct view of most of the units.

Items #8A and #8B continued  
Case 8794CDE-80  
Case 8794B-80

All of the eight-unit structures are two-story, wood frame structures, with a combination of wide and narrow horizontal lap siding. Building elevations show patio doors on the south elevations of all buildings. All of the eight-unit buildings are oriented with the front doors facing north, and steeply pitched roofs facing south. The front doors are provided with side and front walls for wind protection, and the roof design of the southern exposure allows for maximum passive solar access.

#### VARIANCES

The first of the two remaining variances is a reduction of setbacks from 50 feet to 40 feet for all structures fronting on Lyndale Avenue and the I-35W frontage road. Some of the early drawings submitted for discussion showed the buildings meeting all setback requirements, but with those concepts there were only 8 feet separating the structures. The staff objected to the linear massing created by the buildings, and suggested several other alternatives to increase the space between structures. In order to preserve the passive solar characteristics of the site plan and maintain a useable amount of common open space, the staff suggested that a variance be processed to allow the reduction in setbacks.

The major items to consider with this variance are: 1) the increased exposure to noise from Lyndale Avenue, and 2) the visual encroachment on travelled rights-of-way. There is very little traffic on the frontage road, and the noise wall extends the entire length of the west lot line. There would be little increase of freeway noise resulting from an encroachment to the west. Because the sides of the units face the streets, and a small wall area is presented, the impact on Lyndale Avenue would be minimal. The 40-foot front yard remaining is sufficient space for a berm six feet high and ample space for landscaping. The staff supports this request as a better use of the land available, identifying the hardship as insufficient space between buildings should the setback requirements be rigidly enforced. While it may be argued that there are too many units on the site, the proposal is in conformance with the density requirements of the Comprehensive Plan, and reducing the unit count would put the City further away from meeting its housing goals.

The second variance is a request by the applicant to reduce the number of garage parking spaces in the project, from 50 required by ordinance to 30. It is argued that the income levels of the residents do not allow most of them to rent garages since federal regulations prohibit garage rents from being subsidized. Garages cost about \$3,000, and unused garages are rented to persons outside the project, creating, in the words of the applicant,

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Items #8A and #8B continued  
Case 8794CDE-80  
Case 8794B-80

"miniwarehousing." This, he argues, would be an undesirable impact on the project residents and, therefore, a hardship.

The site plan does provide space for every garage that is required by ordinance, so there is no physical hardship, and garages could be added if necessary.

The City has no experience with detached garages in subsidized rental units. The garages are attached at the Sumter Townhouses, a project approved and under construction before the present federal regulations became effective. The Planning Commission will recall the recent discussion regarding the Penn Avenue Apartments, a subsidized family housing project, where underground parking is rented separately from the dwellings. In this project, all of the parking spaces are rented (one per unit).

#### ANALYSIS

The staff has had several meetings with the developer and feels that the plan is now acceptable as proposed. We feel there is justification for the reduced setbacks from Lyndale Avenue and the frontage road. There is no staff position on the reduction of garages since the question of hardship should be determined by the Planning Commission.

The staff is satisfied with the change in the driveway system since better access by emergency vehicles is provided.

The applicant has requested one change in the building elevations. That change is the elimination of the patio doors on the rear walls. This door is not required by the building code, and its elimination will improve security and energy efficiency. The doors would be replaced by windows meeting the exit requirements of the building code.

#### RECOMMENDATION

In Case 8794C-80, if the Planning Commission recommends approval of the variance to reduce the number of garages from 50 to 30, the following conditions should be attached:

- 1) all prospective tenants be notified in writing that "one garage space per unit is required by City Code. If any tenant requests a garage space and none are available, a garage shall be erected by the developer, not to exceed 50 garages for the entire project;"
- 2) if the project is at any time sold to private owner/occupants, or becomes market rate rental housing, all required garage and surface parking spaces shall be provided by the developer.

Items #8A and #8B continued  
Case 8794CDE-80  
Case 8794B-80

In Case 8794D-80, the staff recommends approval of a reduction in building setback from public streets from 50 feet to 40 feet.

Case 8794E-80 is withdrawn.

In Case 8794B-80, the staff recommends approval of final site plans and building plans for 50 townhouse units, subject to the following conditions:

- 1) minimum five- to six-foot berms be installed along Lyndale Avenue, as approved by the Director of Planning;
- 2) grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 3) landscape plans be approved by the Director of Planning;
- 4) unit construction meet an STC rating of 35;
- 5) parking and circulation be approved by the Traffic Engineer;
- 6) lighting and security be approved by the Crime Prevention Officer, Bloomington Police Department;
- 7) dwelling addresses be posted on the garage doors, as approved by the Fire Marshal;
- 8) fire hydrant location and fire lanes be as approved by the Fire Marshal;
- 9) trash facilities be enclosed, as approved by the Director of Planning.

City of Bloomington, Minnesota

FIRE AND LIFE SAFETY COMMITTEE

November 18, 1980 / 3:00 p.m.

PRESENT: Jan Gasterland  
Bob Hawbaker  
Fred Fuecker  
Dick MacAllister  
Russ Smith  
Tim Skusa  
Wayne Enney

ABSENT: Robert Mood  
Dick Nelson  
Dick Braun  
Pete Huber  
George Hayden (alternate)  
Bill Lloyd (alternate)  
Jerry Putnam (alternate)  
Don Clough  
Lyle Berg  
Herb Freye (ex-officio)

GUESTS: Wilt Berger, Miller, Hansen, Westerbeck, Bell Architects,  
Inc. (Item 1)  
Brad Hokanson, Miller, Hansen, Westerbeck, Bell  
Architects, Inc. (Item 1)  
John Caldwell, Orville E. Madsen and Son, Inc. (Item 1)  
Dennis Daniels, Bloomington Housing and Redevelopment  
Authority Administrator (Item 1)

Item #1 Orville E. Madsen and Son, Inc., 10140 Lyndale Avenue South  
(Cases 8794CDE-80 and 8794B-80)

Wilt Berger, Brad Hokanson, and John Caldwell presented the proposal to construct 50 rental townhouse units. Mr. Hokanson stated that the proposed looped road system has been eliminated and the roads will extend from Lyndale Avenue to 35W Frontage Road. The new proposed road pattern will be a one-way circulation system. The Committee recommended that the applicants contact the Traffic Engineer regarding the traffic plans and circulation for the site.

Discussion followed concerning the fire hydrant locations for the site. The plans indicate that two interior fire hydrants are provided on the south drive. It was stated that an additional hydrant should be located at the north driveway with location as approved by the Fire Marshal.

The Committee reviewed the proposed exterior lighting for the site, and recommended that the lighting plans be reviewed by the Bloomington Crime Prevention Officer.

Mr. Berger stated that the house addresses will be provided on the garages.

Recommendations of the Committee:

- 1) fire hydrant be added at the north driveway with location as approved by the Fire Marshal;
- 2) driveway and traffic circulation pattern be as approved by the Traffic Engineer;

(continued)

Item #1 Orville E. Madsen and Son, Inc., 10140 Lyndale Avenue  
(Cases 8794CDE-80 and 8794B-80) continued

- 3) exterior lighting plans be as approved by the Crime Prevention Officer, Bloomington Police Department;
- 4) house addresses be provided on the garages;
- 5) fire lanes be posted at locations as approved by the Fire Marshal;
- 6) trash facility be enclosed in screened dumpsters.

(PC 11/20/80--three variances and final site plan and building plans for 50 townhouse units)

Item #2 Donald Ekstedt, 401 West 90th Street (Case 7343A-80)

Gasterland said that the applicant is proposing to remove the existing building and construct a new ten stall car wash facility. Hawbaker stated that the Traffic Engineer has reviewed and generally approves of the circulation.

Recommendation of the Committee:

- 1) driveway and circulation plans be as approved by the Traffic Engineer;
- 2) exterior lighting and security plans be as approved by the Crime Prevention Officer, Bloomington Police Department;
- 3) underground gasoline storage tanks be abandoned as approved by the Fire Marshal.

(PC 12/4/80--conditional use permit)

Item #3 Learning Tree Day Care Center, Bloomington Ferry Road and Ensign Road

The Committee discussed the proposal for a 6,016 square foot day care center facility. Hawbaker stated that the applicant is working on a cross access agreement for using public land with the Traffic Engineer.

Recommendations of the Committee:

- 1) joint access agreement be provided as approved by the Traffic Engineer;
- 2) fire alarm system be as approved by the Fire Marshal;
- 3) trash facility be provided within the building;
- 4) parking and circulation be as approved by the Traffic Engineer;
- 5) lighting and security plans be as approved by the Crime Prevention Officer, Bloomington Police Department.

Item #7 continued  
Case 0020ABCDEF-80

based on the ability to make the findings in Section 2.98.01(b)(3)(A), (B), (C) and (D) as required, with the following conditions:

- 1) screening be provided around all parking areas on the east, north and northerly 150 feet of the west sides, as approved on the landscape plan by the Director of Planning;
- 2) a 100-foot clearview triangle, measured along the south and east property lines from the southeast corner of the property, be provided by easement.

Mr. Fillbrandt said he feels this is a significant number of variances and questions whether or not they are minimal variances. He said he agrees that this is an appropriate use for this area, and he feels that IR bonds should not have an affect on land use and whether there should be variances.

Mr. Andruss said he finds no fault with the variances, but feels the way this is being handled is wrong. He said he does not like the Planning Commission to be a "rubber stamp."

Motion carried 4-0-1, with Andruss abstaining.

Items #8A and #8B  
Orville E. Madsen and  
Son, Inc.  
10140 Lyndale Avenue  
Case 8794CDE-80  
Variances  
Case 8794B-80  
Final site plans and  
building plans for 50  
townhouse units

11:08 p.m.

Mr. Hawbaker said the applicant has been selected by the Bloomington Housing and Redevelopment Authority to develop the southerly five acres of the ten-acre parcel acquired from the Nativity of Mary Church. The proposal is to construct 50 townhouse units in seven structures. The entire project will be assisted under existing programs operated by the Housing and Redevelopment Authority.

Mr. Hawbaker said the project is oriented around two one-way driveways extending from Lyndale Avenue to the I-35W frontage road. This represents a change from the original plan where a loop connecting the two drives, parallel to the frontage road, was proposed, with no connection to the frontage road. This change would eliminate the need for variance (E), the reduction of the landscaped yard from 20 feet to 5 feet along the frontage road. Variance (D) is a reduction of setbacks from 50 feet to 40 feet for structures fronting on Lyndale Avenue and the I-35W frontage road. Variance (C) is to reduce the number of garage spaces from 50 to 30.

The applicant has requested one change in the building elevations, which would replace patio doors on the rear walls with windows meeting exit requirements of the building code.

Mr. Hawbaker said staff feels the plan is acceptable. He said staff has no position on the reduction of garages

Items #8A and #8B continued  
Case 8794CDE-80  
Case 8794B-80

since the question of hardship should be determined by the Planning Commission. If the Commission wishes to recommend approval of this variance, two conditions are suggested. He said staff recommends approval of the remaining variances and the final site plans and building plans, subject to conditions.

Mr. Grussing said there is some disagreement among City staff regarding the change in the loop driveway system. The Fire and Life Safety Committee approves of this change as it allows better emergency vehicle access. The Traffic Engineer feels the original plan should be approved. He said the applicant's main objection to the loop road is the cost involved in providing the blacktop and curbs and gutters. The Traffic Engineer indicated he would be willing to negotiate the curbs and gutters. Mr. Hawbaker said the staff will attempt to resolve this issue before consideration by the City Council.

Mr. John Caldwell, representing the applicant, responded to Mrs. Kohlstedt's question regarding addresses posted on garage doors. He said where there would be no garages, signs for addresses would be provided.

Responding to Mr. Fillbrandt's question regarding traffic circulation, Mr. Caldwell explained that originally an H-type of pattern was proposed, but this was discouraged by the Fire Marshal because it created dead-end parking lots to the west. He said he still has no desire to connect with the service road. About three weeks ago, he said the Traffic Engineer expressed a strong dislike for coming along the west of the property without curb and gutter. Mr. Caldwell said to conform with requirements of the Fire Marshal, a fire lane would be put in, purposely without curb and gutter to discourage unwanted traffic from the development. Because the Traffic Engineer wanted curb and gutter, he said it was decided that both roads be brought out to the service road. If traffic would become a problem, a one-way system could be established. This would depend on development of the northern five acres. He said the intent is to eliminate the north curb cut on Lyndale Avenue, and bring all roads into the 10-acre development by way of two or three curb cuts. He requested direction from the Planning Commission.

Mr. Fillbrandt asked Mr. Caldwell to comment in regard to garages. Mr. Caldwell stated that HUD has placed many regulations on subsidized developments to limit and discourage amenities in order to cut the costs to the taxpayer. The detached garages would be rented by about 30 or 40 percent of the tenants. The remainder would probably be rented to whoever would want them. He said the conclusion was reached that it would be wise to reduce the requirements with the understanding that if the lack of garages became a problem, more would be built, or, if a conversion to condominiums or other form of ownership

Items #8A and #8B continued  
Case 8794CDE-80  
Case 8794B-80

occurred, additional garages would be built to comply with current code requirements. Mr. Caldwell said a 20-year commitment has been agreed to with HUD, so no conversion would occur until after that time.

Mrs. Connor asked what would happen if someone were to move into a unit without a garage and wanted a garage. Mr. Caldwell said even with a lesser number of garages, there will be a pool of vacant garages.

Mrs. Connor noted that when the subsidized development at 98th Street and Normandale Boulevard was approved, it was stated that garages are always rented 100 percent. She said she feels more information is needed in this area. Mr. Caldwell encouraged Mrs. Connor to check this information with the Minnesota Housing Finance Agency. He said current regulations are that attached garages provided on a one-to-one basis must be included with the rent. Mrs. Connor said this was not the case in the development she mentioned.

Mr. Grussing said the older units are not being charged for garages; the newer ones charge extra for detached garages. The rules have been changed not to include garages in the rent. The tenants have the option to rent garages at 98th Street and Normandale Boulevard and at 106th Street and Rhode Island Avenue.

Mr. Caldwell said his firm has been building only detached garages and, whenever possible, tries to eliminate as many as possible. He said it is his feeling that most of the tenants cannot afford the extra rent.

Mrs. Connor inquired where bicycles and other items would be stored if garages are not available. Mr. Caldwell said, in most developments he has been involved with, these items are better controlled by locking them in racks that are provided. In each living unit, there is an area for winter storage.

Responding to Mrs. Kohlstedt's question regarding patio doors, Mr. Caldwell said patio doors are energy-inefficient. He said a six-foot by six-foot sliding window would have better weather control. There is not much difference in cost.

The Planning Commission reviewed the findings in Section 2.98.01(b)(3)(A),(B),(C) and (D).

M/Andruss, S/Kohlstedt, to close the hearing. Motion carried 5-0.

M/Kohlstedt, S/Andruss, in Case 8794C-80, to recommend denial of a variance to reduce the number of garages from 50 to 30. Motion carried 4-1, with Gerard opposed.

Items #8A and #8B continued  
Case 8794CDE-80  
Case 8794B-80

M/Kohlstedt, S/Gerard, in Case 8794D-80, to recommend approval of a variance to reduce the building setback from public streets from 50 feet to 40 feet, based on the ability to make the findings in Section 2.98.01(b)(3)(A),(B),(C) and (D) as required. Motion carried 5-0.

M/Kohlstedt, S/Gerard, in Case 8794E-80, to recommend approval of a variance to reduce the landscaped area along a public street from 20 feet to 5 feet, based on the ability to make the findings in Section 2.98.01(b)(3)(A),(B),(C) and (D) as required.

Mr. Fillbrandt said he does not favor eliminating an access. Mr. Hawbaker said the Traffic Engineer has indicated that a curb cut from the loop street to the frontage road would be possible.

Motion failed 3-2, with Fillbrandt and Connor opposed. (Four affirmative votes are required.)

M/Andruss, S/Connor, in Case 8794B-80, to recommend approval of the final site plans and building plans for 50 townhouse units, with the following conditions:

- 1) minimum five- to six-foot berms be installed along Lyndale Avenue, as approved by the Director of Planning;
- 2) grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 3) landscape plans be approved by the Director of Planning;
- 4) unit construction meet an STC rating of 35;
- 5) parking and circulation be approved by the Traffic Engineer;
- 6) lighting and security be approved by the Crime Prevention Officer, Bloomington Police Department;
- 7) dwelling addresses be posted on the garage doors, as approved by the Fire Marshal;
- 8) fire hydrant location and fire lanes be as approved by the Fire Marshal;
- 9) trash facilities be enclosed, as approved by the Director of Planning;
- 10) no recreational or inoperative vehicles be stored on the site.

Motion carried 5-0.

Adjournment

M/Gerard, S/Connor, to adjourn. Motion carried 5-0, and the meeting adjourned at 12:10 a.m.

Variance to Side Yard  
Setback - LandTech  
Corporation  
Case 8771B-80  
Item 6.5

The Council was requested by the LandTech Corporation to consider approving a variance to reduce the side yard setbacks from the height of a structure 17.6 feet to 16.5 feet at 9827-29 Cavell Circle.

The Planning Commission, at its meeting of November 20, recommended approval of the variance. Following discussion, motion was made by Mahon, seconded by Spies, and all voting aye, to approve the variance.

Final Development  
Plan, Final Site Plan  
and Building Plans  
Case 8768B-80  
Item 5.2

The Council was requested by the Richfield Bank and Trust Company at the Amsden Ridge Center to consider approving the final development plan, final site plan and building plans for Phase I of the Amsden Ridge Center. The applicants propose to erect a freestanding bank building with drive-up teller facilities and a retail convenience food store as the first phase of this planned business development.

The Planning Commission, at its meeting of November 20, recommended approval of the plans based on making the required City Code findings in Section 19.38(g)(1) through (7) with the following conditions:

1. exterior brick on all buildings be as approved by the Director of Planning,
2. a complete, detailed design plan be approved by the Planning Commission, and all changes to that design be approved by the Planning Commission,
3. a grading and berming plan, which takes into account sidewalks along Bloomington Ferry Road and Ensign Road, be reviewed by the Director of Planning and the Traffic Engineer, and approved by the City Engineer,
4. overall landscape plan for the entire center and detailed plans for individual uses be approved by the Director of Planning,
5. drainage, utility and erosion control plans be approved by the City Engineer; parking lot storm water system include adequate protection for adjacent wetlands,
6. fire lanes and fire department connections be as approved by the Fire Marshal,
7. parking and circulation be as approved by the Traffic Engineer; an agreement be submitted by the bank to provide personnel to direct traffic during peak usage of the drive-up teller facility and to close the westerly entrance from the driveway from Bloomington Ferry Road if a determination for such measures is deemed necessary by the Traffic Engineer,
8. exterior lighting plan be reviewed by the Crime Prevention Officer, Bloomington Police Department and approved by the Director of Planning; measures shall be taken to avoid glare on adjacent residential uses,
9. all trash facilities be contained within the buildings,
10. common parking agreements be submitted, as approved by the Traffic Engineer,
11. water lines and fire hydrants be as approved by the Fire Marshal,
12. handicapped access be provided to all buildings, and reserved handicapped parking space be provided with approved signs,
13. alterations to existing utilities be at the developers' expense.

Following discussion, motion was made by Herbst, seconded by Blessum, and all voting aye, to approve the final development plan, final site plan and building plans based on compliance with the conditions set forth by the Planning Commission.

Declare Recess

A short recess was declared after which the meeting was reconvened by the Mayor at 8:40 p.m.

Final Site and  
Building Plans for  
Townhouses  
Case 8794B-80  
Item 5.3 and  
Requests for  
Variances  
Cases 8794CDE-80  
Item 6.8

The Council was requested by Orville E. Madsen and Son, Inc., to consider approving the final site plan and building plans for a townhouse project at 10140 Lyndale Avenue South. In addition, the Council was requested to consider approving three variances for this project. The variances would be to reduce the number of garage parking spaces for 50 multiple-family units from 50 to 30; to reduce the building setback from public streets from 50 feet to 40 feet; and to reduce the landscaped yard along a public street (1-35W frontage road) from 20 feet to 5 feet.

The Planning Commission, at its meeting of November 20, recommended denial of the variance to reduce the number of garages, and recommended approval of the other variances. In addition, the Planning Commission recommended approval of the final site plans and building plans with the following conditions:

1. minimum five to six-foot berms be installed along Lyndale Avenue, as approved by the Director of Planning,
2. grading, drainage, utility and erosion control plans be approved by the City Engineer,
3. landscape plans be approved by the Director of Planning,
4. unit construction meet an STC rating of 35,
5. parking and circulation be approved by the Traffic Engineer,
6. lighting and security be approved by the Crime Prevention Officer, Bloomington Police Department,
7. dwelling addresses be posted on the garage doors, as approved by the Fire Marshal,
8. fire hydrant location and fire lanes be as approved by the Fire Marshal,
9. trash facilities be enclosed, as approved by the Director of Planning,
10. no recreational or inoperative vehicles be stored on the site.

Plans for the project were posted on the wall and reviewed by the Director of Planning. Mr. Grussing said this is development of one-half of the property purchased from the Nativity of Mary Church by the Bloomington Housing and Redevelopment Authority, and the townhouses to be erected will

be Section 8 leased housing. He said the required number of garages will be constructed, alleviating the request for a variance to reduce the number. He reviewed the plans, saying all of the buildings will have an east-west orientation for maximum solar benefit.

Question was raised by Spies as to decreasing the setback from Lyndale Avenue, saying his understanding was that a 50-foot setback was required because of the noise from that street. The HRA Administrator said the buildings have been designed so that the walls on the ends of the buildings facing Lyndale Avenue will be solid with no windows. He said the building plans have been reviewed by the Building and Inspection Division and will meet the City's and FHA requirements for alleviation of noise. Mr. Daniels said present plans for the remainder of the property are for development of condominiums and a senior citizen home.

Following discussion, motion was made by Mahon and seconded by Peterson to approve the plans based on compliance with the conditions set forth by the Planning Commission. The motion was amended by Darr, seconded by Mahon, and all voting aye, to approve the two variances requested in Cases 8794D&E. All voted aye on the motion as amended, and the motion carried 7-0.

Hearing - Proposed  
Increases in Water  
and Sewer Rates  
Item 7.9  
0-80-54

The Council was requested to consider adopting an ordinance increasing the water and sewer rates of the City, thereby amending Sections 11.06 and 11.29 of the City Code. The Director of Staff Services reviewed the proposed increases. He said it is anticipated that expansion of the treatment plant will be needed in the next few years and funding should be established for that purpose, in addition to providing working capital. He said the waste water utility has been doing better financially than the water utility.

Following discussion, motion was made by Lindau and seconded by Blessum to close the hearing and adopt the ordinance increasing the water rates. All voted aye, except Mahon, who voted nay, and the motion carried 6-1. Mahon said he opposed increasing the rates at this time if it was primarily for the purpose of establishing a reserve for future use. Motion was made by Mahon, seconded by Peterson, and all voting aye, to close the hearing and to make no change in the present waste water rates.

Halley Land Corporation  
Assessments  
Item 7.4

The Council was requested by Michael Halley, President of Halley Land Corporation, to consider deferring payment of existing assessments against property at 9750 Ensign Avenue South until it can be determined what the disposition of this land will be. It has been anticipated that this parcel will be acquired for improvement of County Road 18 whenever that occurs, and for that reason, the owner has been persuaded not to develop it.

Mr. Halley said at the time the request was made to withhold development of the land, he felt it would be acquired for the road improvement within a short period of time. However, he said it has been three years and nothing has happened. He said if the assessments are deferred, he could sell the land to someone who would hold it until such time as it was needed for the street right-of-way, and the assessment would be paid at that time.

Following discussion of what could be done to aid Mr. Halley, motion was made by Lindau, seconded by Herbst, and all voting aye, to refer this matter to the Staff and to request that the City Attorney research a solution to be brought back to the Council in either one or two weeks.

Continued Evaluation  
of Stop Signs at 106th  
Street and Thomas  
Avenue  
Item 7.5

The Council was requested to evaluate the stop signs at 106th Street and Thomas Avenue, and to determine whether they should be left in place for the duration of the one-year trial period ending May 4, 1981, or to set a public hearing for their removal.

The signs were installed on May 7, 1980, after requests had been made for their installation before the Traffic and Transportation Advisory Commission and the Council. A one-year trial period was established after which an evaluation was to be made as to their effectiveness.

Blessum noted that one resident in particular has continually asked for removal of the signs. The Traffic Engineer was asked what his opinion was now that the stop signs are in place. Mr. Berg said his opinion has not changed, that the problem on 106th Street is one of speed and that stop signs are not a speed deterrent. He said of nine accidents this year on 106th Street, five have been at the 106th Street and Thomas Avenue intersection.

Roger Otto, 2700 West 106th Street, said he does not believe the stop signs do any good in controlling the traffic. He said his prime complaint is with the noise of the cars stopping and starting at the signs.

Discussion was held on holding a hearing for removal of the signs, and question was raised as to notification of residents of the area. Mr. Berg said the residents on two blocks either side of Thomas Avenue on 106th Street were notified for the TTAC hearing, as well as residents three lots north and south of 106th Street on Thomas Avenue.

Following discussion, motion was made by Peterson, seconded by Lindau, and all voting aye, to request the Staff to set a public hearing on an ordinance to remove the stop signs and to notify the residents of the area who were previously notified.

INTER-OFFICE CORRESPONDENCE

DATE: January 15, 1981


TO: Robert A. Mood, Acting Director of Community Development

FROM: Arlyn J. Grussing, Director of Planning

SUBJECT: LETTER OF TRANSMITTAL  
Orville E. Madsen and Son, Inc.  
Case 8794DE-80, Variances  
Case 8794B-80, Final Site Plan and Building Plans

At its regular meeting of December 8, 1980 the City Council approved variances at 10140 Lyndale Avenue to reduce the building setback from a public street from 50 to 40 feet and the landscaped yard along I-35W frontage road from 20 to 5 feet. The City Council also approved the final site plan and building plans for 50 town-house units in seven structures with the following conditions:

- 1) minimum five- to six-foot berms be installed along Lyndale Avenue, as approved by the Director of Planning;
- 2) grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 3) landscape plans be approved by the Director of Planning;
- 4) unit construction meet an STC rating of 35;
- 5) parking and circulation be approved by the Traffic Engineer;
- 6) lighting and security be approved by the Crime Prevention Officer, Bloomington Police Department;
- 7) dwelling addresses be posted on the garage doors, as approved by the Fire Marshal;
- 8) fire hydrant location and fire lanes be as approved by the Fire Marshal;
- 9) trash facilities be enclosed, as approved by the Director of Planning;
- 10) no recreational or inoperative vehicles be stored on the site.

  
Arlyn J. Grussing  
Director of Planning

lmi

8794 B 80  
8794 DE 80



# Request for Council Action

Originator <b>Community Development</b>	Item <b>Revised Final Site Plan and Building Plan</b>	#
Agenda Section <b>HEARINGS/PUBLIC INPUT Development Business</b>	By <b>CDC</b>	Approved  Date <b>April 12, 2007</b>

Item 1

Case 8794A-07

## GENERAL INFORMATION

**Applicant:** Bloomington Leased Housing Associates III  
dba Dominion Development (Blooming Glen Townhomes)

**Location:** 10140 Lyndale Avenue S.

**Request:** Revised Final Site Plan and Building Plans for site improvements, building renovations and a new community center

**Existing Land Use and Zoning:** Multi-family housing; zoned R-4

**Surrounding Land Use and Zoning:** West – East Bloomington Freeway, across I-35W Single family residential; zoned R-1  
North, and South -- Multifamily residential; zoned R-4 and RM-24; Single family residential, zoned R-1  
East – Single family residential, zoned RM-12(PD)

**Comprehensive Plan:** The Comprehensive Land Use Plan recommends High Density Residential land use for the property.

## PROPOSAL

The applicant proposes to substantially rehabilitate an existing 50 unit rental townhouse development, including improvements to exterior building materials, roofing, doors, windows and a new community center. All units will also be renovated internally, including mechanical and electrical updates, new kitchens, baths and repair of walls and ceilings. All units will receive a private landscaped patio area. A new community center will be built adjacent to the existing playlots which will serve as an office space for an on-site manager, provide space for residents meeting with social service agencies, and trainings.

The existing southern driveway and parking will be realigned and new play areas, landscaping and site lighting will be provided.

<b>Council Action</b>	Motion by _____ Second by _____ to _____
	_____
	_____

**APPLICABLE REGULATIONS**

Section 19.28 Multiple-Family Residential (R-4) District  
Section 19.40.12(e) Revisions to Final Site and Building Plans  
Section 21.301(06) Parking and Loading

**REQUIRED FINDINGS**

Section 19.40.12(d)(1)(2)(3)(4)(5)

**HISTORY**

City Council Action: 11/20/80 – Conditional Use Permit and Final Site Plan and Building Plan approval to build 50 townhomes.

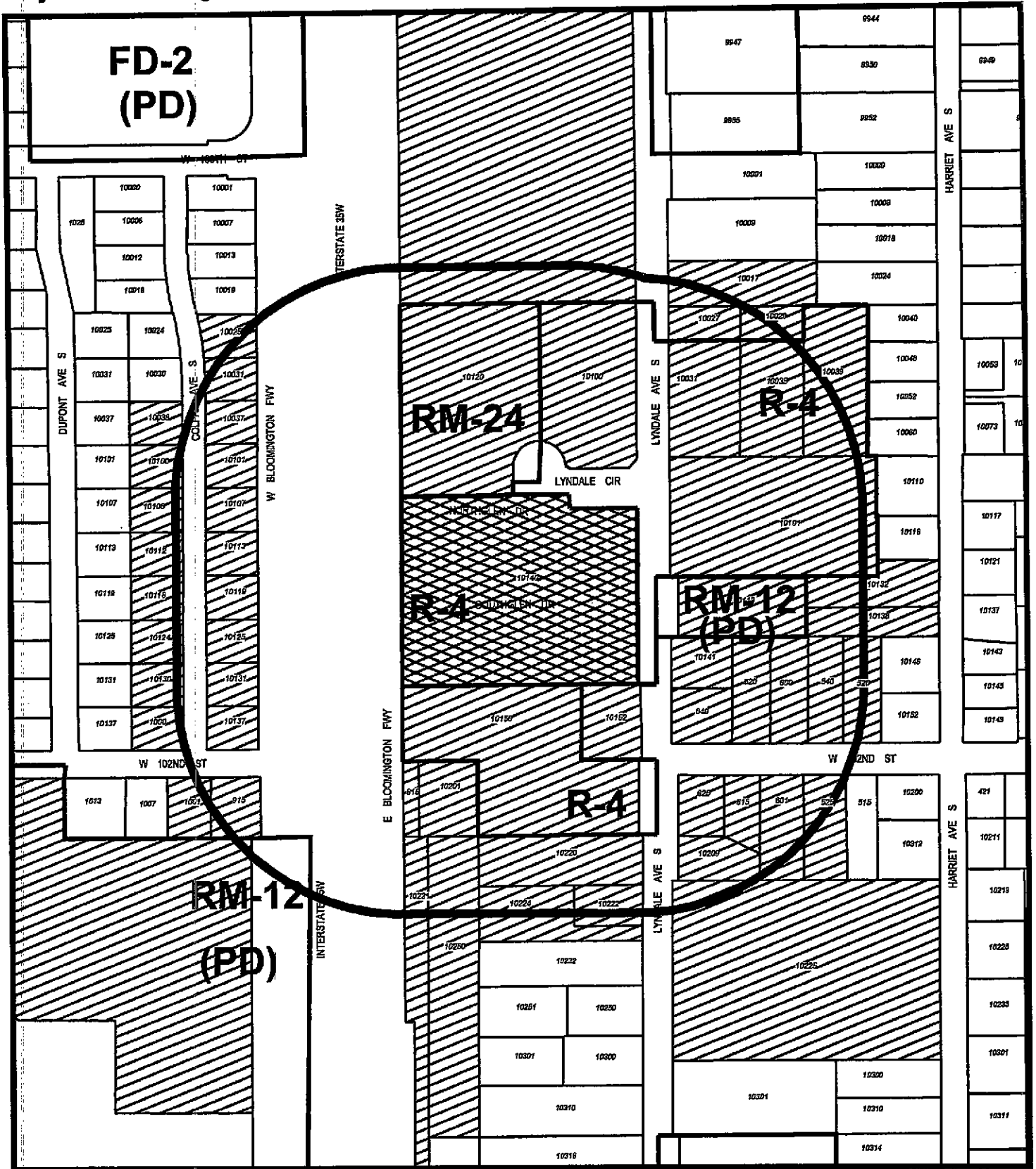
**CHRONOLOGY**



Planning Commission Agenda: 04/12/07 - Public Hearing scheduled

**DEADLINE FOR AGENCY ACTION**

Application Date: 03/07/07  
60 Days: 05/05/07  
Extension Letter Mailed: No  
120 Days: 07/04/07

# City of Bloomington Notification Map



-  Notification Boundary
-  Applicant Property
-  Notified Properties

Zoning District Boundary ———  
 (Labels Refer to Zoning District)

CASE 8794A-07

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

Scale: 1:3600

0' 100' 200' 300' 400' 500' 600' 700'



Plot time: 03/08/2007 12:51:06

Findings Required for Approval of  
**Final Site Plans and Building Plans**

**The City Council shall find the following prior to the approval of final site and building 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.
- (3) The proposed development is not in conflict with the zoning district provisions.
- (4) The proposed development is not in conflict with other applicable provisions of the City Code subject to the provisions of Section 19.40.03.
- (5) The proposed development is not incompatible with existing and anticipated future development.

CC	PC	S/R	Comment	Initial	Date Complete
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Separation and collection of recyclable materials by users of commercial, industrial and institutional property is required, Section 10.45.	jd	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage of refuse and recyclable material must be in a fully enclosed space, Section 19.51.	jd	

Item 2  
9:25 a.m.

**Project Name:** Blooming Glen Apartments  
**Formal/Informal:** Informal  
**Case:** NA  
**Application Type:** Revised Final Site Plan and Building Plan  
**Site Address:** 10140 Lyndale Avenue S.  
**Proposal:** Building rehabilitation with site alterations.  
**Contact Name:** Mark Moorehouse, Dominion Development  
**Address:** 2355 Polaris Lane North, Plymouth, MN  
**Phone/Fax:** 763-354-5500  
**Staff Planner:** Carol Dixon  
**Extension:** X4740  
**Process:** Public Hearing  
**Reviews:** DRC

**Comments:** Planning Commission  
City Council  
The applicant is proposing external improvements to these multifamily units as part of the acquisition of the development. Improvements include new siding, lighting on the buildings and site, parking expansion and drive isle changes. There is also the addition of a new community room, two attached handicap garages and a new children's play area. Issues include parking, and site and building improvements, security.

**Guests Present**

Ryan Lunderby – Dominion  
Phil Durand – BKV Group  
Brent Russell – BKV Group

[rlunderby@dominiuminc.com](mailto:rlunderby@dominiuminc.com)  
[pdurand@bkvgroup.com](mailto:pdurand@bkvgroup.com)  
[brussell@bkvgroup.com](mailto:brussell@bkvgroup.com)

**Discussion/Comments:**

- Carol Dixon (Planning) – Dominion is purchasing and doing a rehab on the buildings. They are creating a new community room, some parking changes and handicapped garages, some patio areas

being provided, also including façade and interior unit improvement. Staff will be reviewing parking changes, lighting upgrades and landscaping. The site has some existing variances for parking, but now they are adding more parking.

- Phil Durand – Stated that all exterior and interior materials would be removed (down to sheetrock and concrete/wood floor), basically down to the structure itself and then rebuild with all new materials.
- Park and Recreation (no one present)
- Judy Remer (Assessing) – Asked if they have closed on the property yet – applicant stated not at this time, but planning to close in August, 2007. They are planning to keep these as apartments.
- Mark Stangenes (Environmental Health) - Have had a previous meeting and are working with the applicant. Mark asked if there would be an address for the community room, applicant stated they typically have been addressed separately. Mark added for licensing, it could be handled with one application for the entire project. Public Works assigns the addresses.
- Duke Johnson (Building and Inspection) – Asked about the location of the new community center.
- Phil Durand (passed out updated plans) – The community room is located basically at the center, between the north and south set of buildings. They straightened out the drive as best they could. They propose a play lot (for 2-5 years olds) on the east side of clubhouse, the existing playlot to the west is for 5 years and older and will be refurbished and resized.
- Duke Johnson mentioned that permits need to be pulled by licensed contractors (Benson Orth is general contractor). Some of the remodeling will be constructed under the IRC and some under IBC. Community room does not need to be constructed by a licensed contractor. Community room itself is a fully sprinkled building, and due to the occupancy load another HC bathroom would be required. Most requirements have been discussed at a previous meeting.
- Gene Dugal (Fire Prevention) – They would be overseeing the sprinkler system in the community center (contractor should send them plans). Asked if they are sprinkling the other buildings, applicant stated no (under square footage calculations requirement). Applicant asked about the need to run a new separate water line to the community building; Eric Wharton stated staff needs to know if they are having a separate meter. He asked applicant to supply civil plans so staff can review how this site is best serviced for sewer and water. Applicant noted the sewer lines run out to Lyndale Avenue. Eric Wharton stated they need to know how they will propose bringing water to the new building (metered or off the existing). Gene Dugal noted it must meet the hydraulic calculation for the sprinkler system, with a concern about the shut off valves that could shut the system down.
- Niki Pierson (Police) – Make sure they have the best way to identify these buildings and that the address is prominently displayed. The applicant noted that the addresses would be on the gable above the front door or vertically on the post in front of each unit, Niki Pierson suggested the post. She also asked that people living in south units going to the playlot have to cross the drives and how will this be handled. Applicant noted speed bumps would stay in and crosswalk marking could be added. How will the Community room hours (locking of) be handled? The applicant noted it would be locked certain hours, monitored by an on-site manager during normal business hours. He added that other groups (homeowners) could use the building for parties, etc in the off hours. Niki emphasized good lighting and security to deter vandalism would be to their advantage. Applicant noted they would install a lock box outside the community room.
- Jennifer Desrude (Engineering) – Handed out Public Works comments to the applicants and touched base on a few: Provide more detail about community center use: applicant stated it is only open for tenant use. He reviewed the interior layout of the community room and added they would add a

second bathroom. The office would be used for inviting groups in that could provide services for the residents. In the main area is a small kitchen/bar with refrigerator, microwave, dishwasher and sink. Also included in this area are TV's, a fireplace and a computer work station. Jen Desrude stated the main concern would be for enough on-site parking sites (for visitors). Applicant noted they would have the potential for 11 more spaces with this proposal. Another concern is for storm water management (adding impervious surface).

- Eric Wharton (Utilities) (See PW comments, area 4) He pointed out that a garage is being built directly over a water main – need to look at rerouting this line.
- Jean Buckley (Recycling) – Jean noted that businesses are required to recycle. Discussed the trashrooms which must be all enclosed. In community room, make sure there is recycling included in the common space.
- Brian Hartmann (HRA) – no comment.
- Carol Dixon – Reviewed some of the issues:
  - Adjacent to the community room – provide parking dimensions. In that area and play areas they will need to come up to code on lighting and landscaping.
  - Mailboxes – where are they located? Applicant stated they have been moved south of present location.
  - More internal sidewalks have been added.
  - Lighting has been added around the community building and the play areas.
  - Crossing the drive areas from the southern units – define these walkways. (Build a berm in this area).
  - Signs along Lyndale Avenue; make sure they are out of the clear view triangle (15'); Applicant noted there would be new signs.
  - Asked if parking spaces along the new drive need further review and are they included in proof of parking.
  - Patios and/or privacy fences/walls discussed, end units having privacy taken away. Applicant reviewed patio locations and added they are opposed to moving the patios off the back side of the buildings (would reduce the size of the living room).
- Timeline of project was discussed, with tentative construction start date of August/September, 2007.

Public Works comments discussed and/or provided to the applicant:

Site Address: 10140 Lyndale Ave S

Blooming Glen Apartments

Plat name: *Southwood Park 2<sup>nd</sup> Addn*

Proposal: Revised FS & BP's – building rehabilitation with site alterations

<b>PUBLIC WORKS DEPARTMENT DEVELOPMENT PLAN REVIEW</b> City of Bloomington, 1700 W 98 <sup>th</sup> Street Bloomington, MN 55431 952-563-4870
--

Applicant Information ?- no info

Case No:  
Permit No:

Scheduled for: PC:

DRC: Informal 2/13/07  
Formal

CC:

Date Received: 2/8/07  
 Return to: Carol Dixon  
 Due Date: 2/12/07

Plan Reviewer	Date	Date	Date	Date
<b>Development/Services Section – 952-563-4862</b>				
Jennifer Desrude (JD), Civil Engineer	2/12/07			
Steve Jorschumb (SJ), Sr. Engineering Technician	2/12			
<b>Traffic Section</b>				
Chad Smith (CS), Traffic Engineer				
Tom Bowlin (TB), Civil Engineer	2/12			
Amy Marohn (AM), Civil Engineer				
<b>Street Design &amp; Construction Section</b>				
Julie Long (JL), Senior Civil Engineer	2/12			
Wayne Force (WF), Civil Engineer	2/12			
Lee Smith (LS), Surveyor				
<b>Water Resources Section</b>				
Scott Anderson (SA), Senior Civil Engineer	2/12			
Steve Segar (SS), Civil Engineer	2/12			
<b>Utilities Division</b>				
Tim Kampa (TK), Civil Engineer				
Eric Wharton (EW), Civil Engineer	2/9			
<b>Recycling Section</b>				
Jean Buckley (JB)	2/12			
Schane Rudlang (SR), Senior Civil Engineer				
Shelly Pederson (SP), City Engineer				
Jim Gates (JG), Deputy Director of Public Works	--			
Charles Honchell (CH), Director of Public Works	--			

Email 2/12/07 Carol Dixon

Fax

Other

MAP Requested x Received x

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

*Code Requirements*

- All development setbacks shall be based on planned widened rights-of-way for the abutting public street(s) (Section 19.42).

CC = Council Condition of Approval

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

S/R = Suggestions/Recommendations

CC	PC	S/R	Comment	Initial	Date Complete
<b>Miscellaneous Comments</b>					

CC	PC	S/R	Comment	Initial	Date Complete
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.	jd	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MN licensed Civil Engineer must design and sign all civil plans, including Grading, Drainage, Utility and Erosion Control plans.	jd	
<b>Standard Notes to Add to Plan:</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Temporary street signs, lighting, and addresses shall be provided during construction.	tb	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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 Sean Jenkins at 952-563-4545 or <a href="mailto:sjenkins@ci.bloomington.mn.us">sjenkins@ci.bloomington.mn.us</a> for permit application and for fee information.	jd	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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 <a href="mailto:dkutscher@ci.bloomington.mn.us">dkutscher@ci.bloomington.mn.us</a> for permit application and for fee information.	jd	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Restore City street by complying with the City Street Improvement Policy; contact Dave Kutscher (952-563-4568) or <a href="mailto:dkutscher@ci.bloomington.mn.us">dkutscher@ci.bloomington.mn.us</a> for the requirements and show this on the plan.	jd	

## 2. Traffic Section & Street Design / Construction Section

CC = Council Condition of Approval

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

S/R = Suggestions/Recommendations

CC	PC	S/R	Comment	Initial	Date Complete
<b>Traffic</b>					
	<input checked="" type="checkbox"/>		Schedule for a Traffic & Transportation Advisory Commission (TTAC) review. Contact Jen Desrude at 952-563-4862 or <a href="mailto:jdesrude@ci.bloomington.mn.us">jdesrude@ci.bloomington.mn.us</a> .	tb	
<input checked="" type="checkbox"/>			Furnish a construction traffic control plan, as needed for utility work within Public ROW. Plans shall be reviewed and approved by the City Engineer prior to the issuance of permits.	tb	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		The clear view triangle shall not be obstructed.	tb	
<b>Standard Traffic Notes to Add to Plan:</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>		All parking stalls to be painted with white striping.	tb	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		All parking shall be on-site – no on-street parking/loading/unloading allowed.	tb	

CC	PC	S/R	Comment	Initial	Date Complete
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All public sidewalks shall not be obstructed.	tb	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storage of materials or equipment shall not be allowed on public streets, or within Public ROW.	tb	
<b>Street Design</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use updated City of Bloomington Standard Details from the City of Bloomington website: <a href="http://www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm">www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm</a>	jl	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Show and label all property lines and easements on all plan sheets.	jl	
<b>Parking</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Show parking required by City Code in comparison to parking provided.	tb	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dimension parking stalls.	tb	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provide detail on Community Center use (i.e. how often to be used, type of events, time of day, expected parking generation, etc).	tb	

### 3. Water Resources Section

CC = Council Condition of Approval

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

S/R = Suggestions/Recommendations

CC	PC	S/R	Comment	Initial	Date Complete
<b>Storm Water Comments</b>					
<input checked="" type="checkbox"/>			<p>A Stormwater Management Plan/Report shall be provided which includes:</p> <ul style="list-style-type: none"> <li>o Stormwater Rate Control – No net increase in runoff.</li> <li>o Storm Water Volume Control – no increase in volume.</li> <li>o Water Quality Treatment meeting requirements of Bloomington Comprehensive Surface Water Management Plan (CSWMP) <a href="http://www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/waterres/waterres.htm#mgmtplan">www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/waterres/waterres.htm#mgmtplan</a></li> <li>o Maintenance Schedule/Plan for Stormwater BMP signed by property owner to be filed on record with Hennepin County. Proof of filing must be submitted to Engineering.</li> </ul>	sa	
<input checked="" type="checkbox"/>			An NPDES construction site permit and SWPPP shall be provided. The name and phone number of party responsible for erosion control shall be included, if greater than one acre is disturbed.	sa	

CC	PC	S/R	Comment	Initial	Date Complete
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Need to address storm water for proposed community center and increased parking and paved surfaces.	sa	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Review storm water management for existing site – show infrastructure, existing bmpps, existing utilities	sa	
<b>Erosion/Sediment Control Comments</b>					
<input checked="" type="checkbox"/>			Erosion Control Bond required prior to issuance of permits – dollar amount to be determined by Building and Inspections Division.	sa	
	<input checked="" type="checkbox"/>		<p>An Erosion Control Plan shall be provided which includes:</p> <ul style="list-style-type: none"> <li>o Erosion Control BMP locations shown on the plan.</li> <li>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).</li> <li>o Use of updated City of Bloomington Standard Details from the City of Bloomington website: <a href="http://www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm">www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm</a></li> <li>o No bales allowed for inlet protection and/or ditch checks.</li> <li>o All materials shall meet MnDOT approved materials list: <a href="http://www.mrr.dot.state.mn.us/materials/apprprod.asp">www.mrr.dot.state.mn.us/materials/apprprod.asp</a></li> <li>o Use approved inlet protection at all active storm sewer inlets; only basket or sack style in traffic areas.</li> <li>o Include turf establishment plan.</li> </ul>	sa	
<b>Standard Notes to Add to Plan</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contact Utilities Division (952-563-8777) regarding permit for storm sewer permit, required when connecting to public storm sewer.	sa	

#### 4. Utilities Division

##### Code Requirements

- Unused water services shall be properly abandoned (Sec. 11.15).

CC = Council Condition of Approval

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

S/R = Suggestions/Recommendations

CC	PC	S/R	Comment	Initial	Date Complete
<b>General</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use updated City of Bloomington Standard Details from the City of Bloomington website: <a href="http://www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm">www.ci.bloomington.mn.us/cityhall/dept/pubworks/engineer/streets/specific.htm</a>	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sewer Availability Charge (SAC) be satisfied. Contact Utilities at 952-563-8777 for a SAC determination, which is required by the Metropolitan Council Environmental Services.	ew	

CC	PC	S/R	Comment	Initial	Date Complete
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There shall be at least a 10-foot horizontal separation between water and sewer lines.	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water mains crossing storm or sanitary sewers shall have a minimum of 18-inch vertical separation.	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provide utility plans showing location of existing utilities and proposed additions and modifications to sanitary sewer and water system.	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Show proposed services to new community center.	ew	
<b>Water</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provide a minimum of 8 feet and a maximum of 10 feet of cover on all water lines, valves, services etc.	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use Class 54 for 8" DIP and Class 55 for 6" DIP. (8 mil min. polywrap on all DIP is required.)	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Relocate watermain to be clear of new garage and to be accessible for maintenance.	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Show how water service to new building to be metered.	ew	
<b>Sanitary Sewer</b>					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use schedule 40, SDR 26, or better for PVC sewer services	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Design sewer (mainline pipes, clean-outs, manholes, and services) with adequate depth of cover, or (high-density polystyrene) insulation to prevent freezing.	ew	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Show proposed sewer service.		

**5. Refuse / Recycling**

CC = Council Condition of Approval

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

S/R = Suggestions/Recommendations

CC	PC	S/R	Comment	Initial	Date Complete
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Separation and collection of recyclable materials by users of commercial, industrial and institutional property is required, Section 10.45.	jb	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage of refuse and recyclable material must be in a fully enclosed space, Section 19.51. (If not already enclosed)	jb	

CITY OF BLOOMINGTON  
Division of City Planning  
**REPORT TO THE PLANNING COMMISSION**  
April 12, 2007

Item 1

**GENERAL INFORMATION**

**Applicant:** Dominion Development  
(Blooming Glen Townhomes)  
(Case 8794A-07)

**Location:** 10140 Lyndale Avenue

**Request:** Revise Final site Plan and Building Plans for site improvements and building renovations for a new community center (Case 8794A-07)

**PROPOSAL**

The applicant proposes to substantially rehabilitate an existing 50 unit rental townhouse development, including rehabilitation of unit interiors, improvements to building exteriors, roofing, doors, windows, parking lot and access drive changes, and a new community center.

Blooming Glen Townhomes is located at 101<sup>st</sup> Street and Lyndale Avenue South and consists of seven (7) existing buildings with 50 total dwelling units. There are 26 2 BR units, 18 3BR units, 4 4BR units and 2 2BR accessible units. There are also 24 detached garage buildings available for 50 tenant vehicles. Dwellings are typically two stories and the accessible building is one story. All existing buildings consist of wood frame construction with wood and vinyl siding and sloped, shingled roofs. The development provides workforce housing and the new ownership and financing will require this use to continue for 30 years.

Construction is scheduled to begin in August of 2007 and be completed in spring of 2008. All units will be completely renovated internally, including mechanical and electrical updates, new kitchens, bathroom remodels, flooring replacement and repair of walls and ceilings. All units will receive a private landscaped patio area. All new fixtures and fittings will meet "CIP" and MHFA "Green Design Criteria".

Exterior improvements include re-siding and re-roofing of all buildings, new gutters and downspouts. Windows will be added at specific locations to enhance visual security of the site and existing windows will be replaced with vinyl insulated glass windows.

New construction includes building the new community center and a new garage building for ADA tenants. The garage building will be attached to the existing accessible units and will provide a secure area for tenants of these units. The existing garage building adjacent to the ADA units will be removed and parking spaces built. A new, approximately 1,600 square foot community center will be built between the two proposed playlots and will serve as an office space for an on-site manager, provide space for after school activities, and public assistance meetings with individual tenants.

The existing southern driveway and parking will be realigned and new play areas, landscaping and site lighting will be provided. All parking and drive areas will be removed to subgrade and completely replaced. The applicant is proposing to increase on-site parking from 68 surface parking spaces to 80 surface spaces. Concrete sidewalks, curbs, slabs and stoops will be added or replaced. Site security lighting will be replaced and/or added to meet City standards. Two new dumpster enclosures will replace the existing structures and will fully enclose trash and recycling. The applicant will be required to construct a sidewalk along the I-35W Frontage Road or sign a petition and waiver for the sidewalk.

Other site changes include bringing disturbed areas into compliance with the City Landscape Code, private tenant patios, re-building play areas and a new irrigation system. Along the western side of the site, an on-site water filtration area will be created.

## **ANALYSIS**

This townhouse development was built in 1980. The buildings and site are being sold to Dominion Development, who will continue to operate as rental housing. All tenants will continue to reside on-site during the rehabilitation and will be accommodated by using vacant units during the rehab period.

Site preparation will involve grading and some land alteration. The site is relatively level, and the northern portion of the site will have little disruption, with the exception of a new trash enclosure and the patio enclosures which will be built at the fronts of units. The southern drive isle will be re-aligned to the south to allow for the construction of the new community center and two play lots. The parking changes here include adding 18 parking spaces on either side of the community center, building two play lots, relocating the mail center and building a new enclosed trash building. There is a section of water line which is located to the south of the existing handicapped building which will have to be relocated for the garages to be built in their proposed location.

Architecturally, the overall design includes wood sided buildings painted two complementary colors. The exterior materials and finish of the siding and colors are not out of character with existing residential development in the surrounding area. The addition of patios, additional landscaping and improved walkways throughout the site will complement the design.

Landscape and lighting plans were included with the application. These will require revisions to get staff approval. The applicant proposes 17 trees for a total of 96 on site. They also propose 340 shrubs throughout the site, adding additional shrubs adjacent to the new parking spaces will screen auto lights from shining into nearby units. The City Code requires 87 trees and 217 shrubs throughout the site. There is an existing yard in excess of 20 foot wide landscaped and maintained along the public street right-of-ways. There is sufficient existing landscaping in this yard area without adding additional trees. The applicant shall provide a revised plan in compliance with City Code before building permits are issued.

The applicant proposes a new freestanding sign as part of the application package. There are two existing signs in non-conforming locations at the entrances. Any new sign must be in a code compliant location, and must be 20 feet from the ROW and adhere to a 15 foot sight triangle standard.

## **RECOMMENDATION**

In Case 8794A-07, staff recommends approval of the revised final site plan and building plans for site improvements, building renovations and a new community center at 10140 Lyndale Avenue subject to the following conditions:

- 1) Exterior building materials be approved by the Planning Manager;
- 2) Revised grading, drainage, utility and erosion control plans be approved by the City Engineer prior to the issuance of permits.
- 3) A signed petition and waiver of objection for sidewalk improvements along the I-35 Frontage road shall be submitted or the sidewalk shall be constructed as part of the project.
- 4) The site circulation, access and parking plan shall be approved by the City Engineer;
- 5) The clear view triangle shall not be obstructed.
- 6) A Stormwater Management Plan shall be provided which shall include:
  - a) Stormwater Rate Control;
  - b) Stormwater Volume Control;
  - b) Water Quality Treatment which meets the requirements of the Bloomington Comprehensive Surface Water Management Plan (CSWMP); and
  - c) Maintenance Schedule/Plan for Stormwater BMP signed by property owner.
- 7) Provide Nine Mile Creek Watershed District comments and permit before the issuance of a grading permit.
- 8) NPDES construction site permit and Storm Water Pollution Prevention Plan (SWPPP) shall be provided, if greater than one acre will be disturbed.
- 9) Connection charges be determined and satisfied;
- 10) Sewer Availability Charge (SAC) be determined and satisfied;
- 11) Erosion control bond shall be provided to the Building and Inspections Department prior to the issuance of permits.
- 12) All unused water services shall be property abandoned per Section 11.15 of the Bloomington City Code.
- 13) If the use of the Community room changes to include activities which attract off-site users, the owner shall provide adequate parking, as approved by the Planning Manager;

and subject to the following additional conditions:

- 14) Alterations to utilities be at the developer's expense;
- 15) Temporary street signs, lighting, and addresses shall be provided during construction;
- 16) All loading and unloading occur on site and off of public streets;
- 17) All construction parking, storage and staging occur on-site and off of adjacent public streets, except as approved by the Director of Public Works;
- 18) All public sidewalks shall not be obstructed; and
- 19) Approved erosion control measures be in place before start of construction;
- 20) Following construction and prior to a Certificate of Occupancy, the developer must submit electronic utility as-builts to the Public Works Department;

and subject to the following Code requirements:

- 1) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 2) All rooftop equipment be fully screened (Sec. 19.52.01);

- 3) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) All trash and recyclable materials be stored inside a fully enclosed building (Sec. 19.51);
- 5) Community center be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1, Mn Rules Chapter 1306; Uniform Fire Code Sec. 1003);
- 6) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 7) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
- 8) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.

planning\pc\reports\Blooming Glen Townhomes\8794A-07

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Item 2  
9:25 a.m.

**Project Name:** Blooming Glen Apartments  
**Formal/Informal** Informal  
**Case:** NA  
**Application Type:** Revised Final Site Plan and Building Plan  
**Site Address:** 10140 Lyndale Avenue S.  
**Proposal:** Building rehabilitation with site alterations.  
**Contact Name:** Mark Moorehouse, Dominion Development  
**Address:** 2355 Polaris Lane North, Plymouth, MN  
**Phone/Fax:** 763-354-5500  
**Staff Planner:** Carol Dixon  
**Extension:** X4740  
**Process:** Public Hearing  
**Reviews:** DRC  
Planning Commission  
City Council  
**Comments:** The applicant is proposing external improvements to these multifamily units as part of the acquisition of the development. Improvements include new siding, lighting on the buildings and site, parking expansion and drive isle changes. There is also the addition of a new community room, two attached handicap garages and a new children's play area. Issues include parking, and site and building improvements, security.

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#### Guests Present

Ryan Lunderby – Dominion  
Phil Durand – BKV Group  
Brent Russell – BKV Group

[rlunderby@dominiuminc.com](mailto:rlunderby@dominiuminc.com)  
[pdurand@bkvgroup.com](mailto:pdurand@bkvgroup.com)  
[brussell@bkvgroup.com](mailto:brussell@bkvgroup.com)

#### Discussion/Comments:

- Carol Dixon (Planning) – Dominion is purchasing and doing a rehab on the buildings. They are creating a new community room, some parking changes and handicapped garages, some patio areas being provided, also including façade and interior unit improvement. Staff will be reviewing parking changes, lighting upgrades and landscaping. The site has some existing variances for parking, but now they are adding more parking.
- Phil Durand – Stated that all exterior and interior materials would be removed (down to sheetrock and concrete/wood floor), basically down to the structure itself and then rebuild with all new materials.
- Park and Recreation (no one present)
- Judy Remer (Assessing) – Asked if they have closed on the property yet – applicant stated not at this time, but planning to close in August, 2007. They are planning to keep these as apartments.
- Mark Stangenes (Environmental Health) - Have had a previous meeting and are working with the applicant. Mark asked if there would be an address for the community room, applicant stated they

typically have been addressed separately. Mark added for licensing, it could be handled with one application for the entire project. Public Works assigns the addresses.

- Duke Johnson (Building and Inspection) – Asked about the location of the new community center.
- Phil Durand (passed out updated plans) – The community room is located basically at the center, between the north and south set of buildings. They straightened out the drive as best they could. They propose a play lot (for 2-5 years olds) on the east side of clubhouse, the existing playlot to the west is for 5 years and older and will be refurbished and resized.
- Duke Johnson mentioned that permits need to be pulled by licensed contractors (Benson Orth is general contractor). Some of the remodeling will be constructed under the IRC and some under IBC. Community room does not need to be constructed by a licensed contractor. Community room itself is a fully sprinkled building, and due to the occupancy load another HC bathroom would be required. Most requirements have been discussed at a previous meeting.
- Gene Dugal (Fire Prevention) – They would be overseeing the sprinkler system in the community center (contractor should send them plans). Asked if they are sprinkling the other buildings, applicant stated no (under square footage calculations requirement). Applicant asked about the need to run a new separate water line to the community building; Eric Wharton stated staff needs to know if they are having a separate meter. He asked applicant to supply civil plans so staff can review how this site is best serviced for sewer and water. Applicant noted the sewer lines run out to Lyndale Avenue. Eric Wharton stated they need to know how they will propose bringing water to the new building (metered or off the existing). Gene Dugal noted it must meet the hydraulic calculation for the sprinkler system, with a concern about the shut off valves that could shut the system down.
- Niki Pierson (Police) – Make sure they have the best way to identify these buildings and that the address is prominently displayed. The applicant noted that the addresses would be on the gable above the front door or vertically on the post in front of each unit, Niki Pierson suggested the post. She also asked that people living in south units going to the playlot have to cross the drives and how will this be handled. Applicant noted speed bumps would stay in and crosswalk marking could be added. How will the Community room hours (locking of) be handled? The applicant noted it would be locked certain hours, monitored by an on-site manager during normal business hours. He added that other groups (homeowners) could use the building for parties, etc in the off hours. Niki emphasized good lighting and security to deter vandalism would be to their advantage. Applicant noted they would install a lock box outside the community room.
- Jennifer Desrude (Engineering) – Handed out Public Works comments to the applicants and touched base on a few: Provide more detail about community center use: applicant stated it is only open for tenant use. He reviewed the interior layout of the community room and added they would add a second bathroom. The office would be used for inviting groups in that could provide services for the residents. In the main area is a small kitchen/bar with refrigerator, microwave, dishwasher and sink. Also included in this area are TV's, a fireplace and a computer work station. Jen Desrude stated the main concern would be for enough on-site parking sites (for visitors). Applicant noted they would have the potential for 11 more spaces with this proposal. Another concern is for storm water management (adding impervious surface).
- Eric Wharton (Utilities) (See PW comments, area 4) He pointed out that a garage is being built directly over a water main – need to look at rerouting this line.
- Jean Buckley (Recycling) – Jean noted that businesses are required to recycle. Discussed the trashrooms which must be all enclosed. In community room, make sure there is recycling included in the common space.

- Brian Hartmann (HRA) – no comment.
- Carol Dixon – Reviewed some of the issues:
  - Adjacent to the community room – provide parking dimensions. In that area and play areas they will need to come up to code on lighting and landscaping.
  - Mailboxes – where are they located? Applicant stated they have been moved south of present location.
  - More internal sidewalks have been added.
  - Lighting has been added around the community building and the play areas.
  - Crossing the drive areas from the southern units – define these walkways. (Build a berm in this area).
  - Signs along Lyndale Avenue; make sure they are out of the clear view triangle (15'); Applicant noted there would be new signs.
  - Asked if parking spaces along the new drive need further review and are they included in proof of parking.
  - Patios and/or privacy fences/walls discussed, end units having privacy taken away. Applicant reviewed patio locations and added they are opposed to moving the patios off the back side of the buildings (would reduce the size of the living room).
- Timeline of project was discussed, with tentative construction start date of August/September, 2007.

# PLANNING COMMISSION SYNOPSIS

April 12, 2007

**CALL TO  
ORDER**

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Chairperson Spencer called the Planning Commission Meeting to order at 6:00 p.m. on April 12, 2007 in the City Council Chambers of the Bloomington Civic Plaza.

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**COMMISSIONERS PRESENT:** Spencer, Bruce, Klassen, Lucas, Catania, Saccoman

**COMMISSIONERS ABSENT:** Baloga

**STAFF PRESENT:** Sharlin, Dixon, Hase

**ITEM 1**

*6:00 p.m.*

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**CASE:** 8794A-07  
**APPLICANT:** Dominion Development (Blooming Glen Townhomes)  
**LOCATION:** 10140 Lyndale Avenue  
**REQUEST:** Revised Final Site Plan and Building Plans for site improvements and building renovations and a new community center

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**APPEARING FOR THE APPLICANT:**

Mark Moorhouse, representing Dominion Development

**SPEAKING FROM THE PUBLIC:**

No one.

**DISCUSSION BY THE COMMISSION:**

Dixon presented the staff report recommending approval of the Revised Final Site Plan and Building Plans for site improvements, building renovations and a new community center at 10140 Lyndale Avenue subject to 20 conditions and eight Code requirements.

Klassen asked for clarification regarding the runoff for the site. Dixon stated the current runoff area will be upgraded. The City Engineering Department is working with the applicant regarding the runoff issues. Bruce asked if Condition #3 regarding sidewalks is a standard condition. Dixon confirmed and stated the frontage road along this site does not currently have sidewalks and the condition allows for them to be constructed in the future. Spencer asked if the community center would be open to the general public. Dixon stated the community center would not be open to the general public and would not be open to the residents for personal functions, such as birthday parties. Lucas asked if the residents will remain on site during the construction and renovations. Dixon stated most current tenants will remain on site and be moved into vacant units during construction. Handicapped tenants will be moved into off-site housing while these units are rehabilitated.

Mark Moorhouse stated the current vacancy rate is 3-7% with a typical lease length being one year. It is estimated to be four to six weeks for each unit's renovation. Klassen asked if the residents will be responsible for the cost of moving the utilities when moving to a renovated unit. Moorhouse stated there is a fund established to cover those costs for the residents. Catania asked if a delay in the start of construction would cause problems. Moorhouse stated a minor delay would not be a problem, as long as construction begins before there is frost in the ground.

**ACTIONS OF THE COMMISSION:**

**M/Klassen, S/Bruce:** To close the hearing. Motion carried 6 - 0.

**M/Bruce, S/Klassen:** Having reviewed the Findings in Section 19.40.12(d)(1)(2)(3)(4)(5), in Case 8794A-07 to recommend approval of the Revised Final Site Plan and Building Plans for site improvements, building renovations and a new community center at 10140 Lyndale Avenue subject to 20 conditions and eight Code requirements. Motion carried 6 - 0.

**CONDITIONS OF APPROVAL RECOMMENDED BY THE COMMISSION:**

- 1) Exterior building materials be approved by the Planning Manager;
- 2) Revised grading, drainage, utility and erosion control plans be approved by the City Engineer prior to the issuance of permits;
- 3) A signed petition and waiver of objection for sidewalk improvements along the I-35 Frontage road shall be submitted or the sidewalk shall be constructed as part of the project;
- 4) The site circulation, access and parking plan shall be approved by the City Engineer;
- 5) The clear view triangle shall not be obstructed;
- 6) A Stormwater Management Plan shall be provided which shall include:
  - a) Stormwater Rate Control;
  - b) Stormwater Volume Control;
  - c) Water Quality Treatment which meets the requirements of the Bloomington Comprehensive Surface Water Management Plan (CSWMP); and
  - d) Maintenance Schedule/Plan for Stormwater BMP signed by property owner;
- 7) Provide Nine Mile Creek Watershed District comments and permit before the issuance of a grading permit;
- 8) NPDES construction site permit and Storm Water Pollution Prevention Plan (SWPPP) shall be provided, if greater than one acre will be disturbed;
- 9) Connection charges be determined and satisfied;
- 10) Sewer Availability Charge (SAC) be determined and satisfied;
- 11) Erosion control bond shall be provided to the Building and Inspections Department prior to the issuance of permits;
- 12) All unused water services shall be property abandoned per Section 11.15 of the Bloomington City Code;
- 13) If the use of the Community room changes to include activities which attract off-site users, the owner shall provide adequate parking, as approved by the Planning Manager;

and subject to the following additional conditions:

- 14) Alterations to utilities be at the developer's expense;
- 15) Temporary street signs, lighting, and addresses shall be provided during construction;
- 16) All loading and unloading occur on site and off of public streets;
- 17) All construction parking, storage and staging occur on-site and off of adjacent public streets, except as approved by the Director of Public Works;
- 18) All public sidewalks shall not be obstructed;
- 19) Approved erosion control measures be in place before start of construction;
- 20) Following construction and prior to a Certificate of Occupancy, the developer must submit electronic utility as-builts to the Public Works Department;

and subject to the following Code requirements:

- 1) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 2) All rooftop equipment be fully screened (Sec. 19.52.01);
- 3) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) All trash and recyclable materials be stored inside a fully enclosed building (Sec. 19.51);
- 5) Community center be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1, Mn Rules Chapter 1306; Uniform Fire Code Sec. 1003);
- 6) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 7) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
- 8) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.

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**ITEM 2**  
6:17 p.m.

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**CASE:** 10751AB-07  
**APPLICANT:** Jillian Carlson  
**LOCATION:** 1900 West 105<sup>th</sup> Street and 10400 Logan Avenue  
**REQUEST:** 1) Variance to reduce the required lot width from 80 feet to 46 feet for a replat of two existing parcels (Case 10751A-07); and  
 2) Preliminary and Final Plat of Carlson Haven Addition (plat two lots into two lots) (Case 10751B-07)

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**APPEARING FOR THE APPLICANT:**

Jillian Carlson, applicant

**SPEAKING FROM THE PUBLIC:**

No one.

**DISCUSSION BY THE COMMISSION:**

Sharlin presented the staff report recommending approval in Case 10751A-07 of a variance to reduce the required lot width from 80 feet to 46 feet for Lot 1, Block 1, Carlson Haven Addition (1900 West 105<sup>th</sup> Street) subject to one condition and approval in Case 10751B-07 of a Preliminary and Final Plat of Carlson Haven Addition subject to ten conditions and one Code requirement.

Klassen asked if Condition #9 is because of non-compliance with outside storage currently on the site. Sharlin stated the Environmental Health Division is currently working with the applicant to bring the property into compliance. Spencer asked if there was an easement to the original lot. Sharlin stated the applicant purchased both of the lots as they are and did not create the land lock situation.

Jillian Carlson stated the reason for the application is to be able to sell a lot, however, the current platting does not allow access to the area they are looking to sell. Spencer asked if she agrees with the conditions. Carlson confirmed. Lucas asked if the applicant would be the developer for the new parcel. Carlson stated the land would be sold to a separate developer/builder.

**Approved Special  
Event On-Sale Liquor  
License for Everett  
McClay VFW Post #1296  
ITEM 5.1C**

Motion was made by Grady, seconded by Wilcox, and all voting aye, to approve a Special Event On-Sale Liquor license for Everett McClay VFW Post #1296 for a fundraising event scheduled at their Post 1296 located at 311 West 84<sup>th</sup> Street on Saturday, April 28, 2007, to raise proceeds for the restoration of the Old Town Hall.

Motion was made by Grady, seconded by Elkins, and all voting aye, to donate \$450 to the Bloomington Historical Society from Strategic Priorities funding to be applied towards the costs associated with this fundraising event subject to the approval by the City Attorney.

No staff report was provided and no public testimony was received.

**Adopted Resolution  
Approving a  
Conditional Use  
Permit for a  
Farmers Market  
Case 10550A-07  
ITEM 5.2A  
R-2007-37**

Larry Lee, Director of Community Development provided the staff report regarding the City's application for a Conditional Use Permit for a farmers market to operate on 15 Saturdays between July 7 through October 13 in the east parking lot at Bloomington Civic Plaza at 1800 West Old Shakopee Road subject to two conditions.

Motion was made by Peterson, seconded by Grady, and all voting aye, to adopt a resolution approving a Conditional Use Permit for a farmers market on the property at 1800 West Old Shakopee Road, Case 10550A-07, for the City of Bloomington, subject to the following 2 conditions of approval as set forth by the Planning Division Staff:

1. The farmers market operation be as described in the applicant's letter in case file 10550A-07; and
2. Any increase in area or number of vendors be approved by the Planning Manager.

No public testimony was received.

**Approved Revised  
Final Site & Building  
Plans for Blooming  
Glen Townhomes  
10140 Lyndale Ave S  
Case 8794A-07  
ITEM 5.2B**

Lee provided the staff report on the Revised Final Site Plan & Building Plans application by Blooming Glen Townhomes for site improvements, building renovations, and a new community center at 10140 Lyndale Avenue South. He stated the application is recommended for approval with 20 conditions and 8 Code requirements.

Motion was made by Grady, seconded by Peterson, and all voting aye, to approve the Revised Final Site Plan and Building Plans for site improvements, building renovations and a new community center at 10140 Lyndale Avenue South, Case 8794A-07, for Bloomington Leased Housing Associates III dba Dominion Development (Blooming Glen Townhomes), subject to the following 20 conditions of approval as set forth by the Planning Division Staff and the Planning Commission:

1. Exterior building materials be approved by the Planning Manager;
2. Revised grading, drainage, utility and erosion control plans be approved by the City Engineer prior to the issuance of permits.
3. A signed petition and waiver of objection for sidewalk improvements along the I-35 Frontage road shall be submitted or the sidewalk shall be constructed as part of the project.
4. The site circulation, access and parking plan shall be approved by the City Engineer;
5. The clear view triangle shall not be obstructed.
6. A Stormwater Management Plan shall be provided which shall include:
  - a. Stormwater Rate Control;
  - b. Stormwater Volume Control;
  - c. Water Quality Treatment which meets the requirements of the Bloomington Comprehensive Surface Water Management Plan (CSWMP); and
  - d. Maintenance Schedule/Plan for Stormwater BMP signed by property owner.
7. Provide Nine Mile Creek Watershed District comments and permit before the issuance of a grading permit.
8. NPDES construction site permit and Storm Water Pollution Prevention Plan (SWPPP) shall be provided, if greater than one acre will be disturbed.
9. Connection charges be determined and satisfied;



April 24, 2007

Mark Moorhouse  
Dominium Development  
2355 Polaris Lane North, Suite 100  
Plymouth, MN 55447-4853

RE: Case 8794A-07  
10140 Lyndale Avenue

Dear Mr. Moorhouse:

At its regular meeting of April 23, 2007, the City Council approved the revised final site plan and building plans for site improvements, building renovations and a new community center at 10140 Lyndale Avenue. The revised final site plan and building plans approval shall be activated upon submission of this letter, signed by the permit holder, guaranteeing compliance with the conditions of approval attached to the permit by the City Council. This letter must be delivered to Cyndi Osberg in the Planning Division, City of Bloomington. A duplicate copy is included for your files.

Approval of the revised final site plan and building plans is subject to the following conditions being satisfied prior to the issuance of any grading or building permits:

- 1) Exterior building materials be approved by the Planning Manager;
- 2) Revised grading, drainage, utility and erosion control plans be approved by the City Engineer prior to the issuance of permits.
- 3) A signed petition and waiver of objection for sidewalk improvements along the I-35 Frontage road shall be submitted or the sidewalk shall be constructed as part of the project.
- 4) The site circulation, access and parking plan shall be approved by the City Engineer;
- 5) The clear view triangle shall not be obstructed.
- 6) A Stormwater Management Plan shall be provided which shall include:
  - a) Stormwater Rate Control;
  - b) Stormwater Volume Control;
  - b) Water Quality Treatment which meets the requirements of the Bloomington Comprehensive Surface Water Management Plan (CSWMP); and
  - c) Maintenance Schedule/Plan for Stormwater BMP signed by property owner.
- 7) Provide Nine Mile Creek Watershed District comments and permit before the issuance of a grading permit.

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- 8) NPDES construction site permit and Storm Water Pollution Prevention Plan (SWPPP) shall be provided, if greater than one acre will be disturbed.
- 9) Connection charges be determined and satisfied;
- 10) Sewer Availability Charge (SAC) be determined and satisfied;
- 11) Erosion control bond shall be provided to the Building and Inspections Department prior to the issuance of permits.
- 12) All unused water services shall be property abandoned per Section 11.15 of the Bloomington City Code.
- 13) If the use of the Community room changes to include activities which attract off-site users, the owner shall provide adequate parking, as approved by the Planning Manager;
- 14) Alterations to utilities be at the developer's expense;
- 15) Temporary street signs, lighting, and addresses shall be provided during construction;
- 16) All loading and unloading occur on site and off of public streets;
- 17) All construction parking, storage and staging occur on-site and off of adjacent public streets, except as approved by the Director of Public Works;
- 18) All public sidewalks shall not be obstructed; and
- 19) Approved erosion control measures be in place before start of construction;
- 20) Following construction and prior to a Certificate of Occupancy, the developer must submit electronic utility as-builts to the Public Works Department;

and subject to the following Code requirements:

- 1) Landscape plan be approved by the Planning Manager and landscape bond be filed (Sec 19.52);
- 2) All rooftop equipment be fully screened (Sec. 19.52.01);
- 3) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) All trash and recyclable materials be stored inside a fully enclosed building (Sec. 19.51);
- 5) Community center be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code Sec. 904.1, Mn Rules Chapter 1306; Uniform Fire Code Sec. 1003);
- 6) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 7) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
- 8) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.


Should you have any questions regarding this action, please contact Carol Dixon, Planner at (952) 563-4740.

Continued on next page

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Acknowledgment:

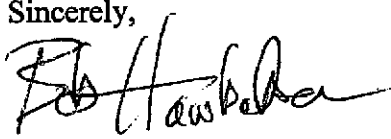
The Permit Holder acknowledges that the use of the Property shall be in conformance with all City Council conditions as set forth above, and all applicable building, fire, safety and other Code requirements.

DATED 5/3/07 By   
Signature  
Mark S. Moorhouse  
Typed or Printed Name  
V.P. of General Partner  
Title  
2355 Polaris Ln. N, Suite 100  
Address

---

Plymouth MN 55447  
City State ZIP  
763-354-5613  
Telephone

The City will issue the necessary permits for development and use of the property for the purpose stated in Case 8794A-07, subject to the conditions set forth above.

Sincerely,  
  
Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

planning\cmit07\8794A-07

RECEIVED  
DIVISION OF CITY PLANNING  
MAY 07 2007  
CITY OF BLOOMINGTON  
MINNESOTA

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CITY OF  
**BLOOMINGTON**  
MINNESOTA

November 6, 2007

Mark Moorhouse  
Dominium Development  
2355 Polaris Lane North, Suite 100  
Plymouth, MN 55447-4853

RE: Case 8794B-07  
10140 Lyndale Avenue


Dear Mr. Moorhouse:

On November 6, the Director of Community Development approved an administrative review for the conversion of an existing garage to an accessory building in an R-4 zoning district, located at 10140 Lyndale Avenue. This approval is subject to the following conditions of approval:

1. Exterior building materials be approved by the Planning Manager; and
2. Adequate parking for the site must be maintained; and
3. Public sidewalks shall not be obstructed; and
4. The revised site circulation, access and parking plan shall be approved by the City Engineer;

If you have any questions regarding this approval, please contact Carol Dixon at (952) 563-4740.

Sincerely,

  
Bob Hawbaker  
Planning Manager

Cc: Bob Sharlin, Senior Planner

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