



# Development Review Committee

## Approved Minutes

Development Application, #PL202300068

Mtg Date: 05/30/2023

McLeod Conference Room

Bloomington Civic Plaza

1800 West Old Shakopee Road

### Staff Present:

|                            |              |                               |              |
|----------------------------|--------------|-------------------------------|--------------|
| Brian Hansen (Eng., Chair) | 952-563-4543 | Jason Heitzinger (Assessing)  | 952-563-4512 |
| Julie Long (Eng.)          | 952-563-4865 | Michelle Benson (Assessing)   | 952-563-4749 |
| Laura McCarthy (Fire Prev) | 952-563-8965 | Erik Solie (Env. Health)      | 952-563-8978 |
| Pete Miller (Fire Prev.)   | 952-563-8967 | Glen Markegard (Planning)     | 952-563-8923 |
| Duke Johnson (Bldg & Insp) | 952-563-8959 | Londell Pease (Planning)      | 952-563-8926 |
| Kelly Beyer (Bldg & Insp)  | 952-563-4519 | Michael Centinario (Planning) | 952-563-8921 |
| Tim Kampa (Utilities)      | 952-563-8776 | Liz O'Day (Planning)          | 952-563-8919 |
| Jordan Vennes (Utilities)  | 952-563-4533 | Emily Hestbech (Planning)     | 952-563-4507 |
| Kevin Toskey (Legal)       | 952-563-4889 | Kate Ebert (Public Health)    | 952-563-4962 |
| Renae Clark (Park & Rec)   | 952-563-8890 | Mike Palermo (Port Authority) | 952-563-8924 |
| Desmond Daniels (Police)   | 952-563-8848 |                               |              |

### Project Information:

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project             | 1801 American Blvd. - Four-Story Apartment Building - CPA, Rezoning, PDP/FDP                                                                                                                                                                                                                                                                                                                                            |
| Site Address        | 1851 AMERICANBLVD W, BLOOMINGTON, MN 554311801 AMERICANBLVD W, BLOOMINGTON, MN 55431                                                                                                                                                                                                                                                                                                                                    |
| Project Description | Comprehensive Land Use Guide Plan Amendment to reguide 1801 American Blvd. W. from the Community Commercial to the High-Density land use designation; Rezoning 1801 American Blvd. W. from C-5(PD) Freeway Mixed Use (Planned Development) to RM-100(PD) High-Density Residential (Planned Development); Preliminary and Final Development Plans for a four-story, 99-unit apartment building at 1801 American Blvd. W. |
| Application Type    | Comprehensive Plan Amendment<br>Rezoning<br>Preliminary Development Plan<br>Final Development Plan                                                                                                                                                                                                                                                                                                                      |
| Staff Contact       | Mike Centinario                                                                                                                                                                                                                                                                                                                                                                                                         |
| Applicant Contact   | Bill Brohman bbrohman@civilsitegroup.com                                                                                                                                                                                                                                                                                                                                                                                |
| PC (tentative)      | 06/22/23                                                                                                                                                                                                                                                                                                                                                                                                                |
| CC (tentative)      | 07/24/23                                                                                                                                                                                                                                                                                                                                                                                                                |

**NOTE:** All documents and minutes related to this case can be viewed at [www.blm.mn/please](http://www.blm.mn/please), enter the permit number, "PL202300068" into the search box.

### Guests Present:

| Name        | Email                |
|-------------|----------------------|
| Ryan Dunley | rdunlay@stuartco.com |

Neil Riordan  
Aron Thomas  
Ryan Samsa  
Bill Brohman  
Matt Pavek

bbrohman@civilsitegroup.com

**Introduction:**

This proposal is a four story 99 unit apartment building at 1801 American Blvd, currently a vacant site.

**Discussion/Comments:**

**PLEASE NOTE:** Below is not a complete list of comments. Please read the comment summary and review plan mark-ups for a full list of comments.

- Renae Clark (Park and Recreation):
  - No comments
- Jason Heitzinger (Assessing):
  - Didn't see anything referencing re-platting these lots.
- Mike Palermo (Port Authority):
  - They were re-platted already—there was uniqueness with how the TIF district was drawn. It should be all set. It is platted correctly.
- Mike Centinario (Planning):
  - Is there a deferred park dedication that comes with this phase or is there no park dedication? Planning Manager Markegard confirmed that park dedication had been deferred for previous phases and the fee would be due at the time of building permit.
- Jason Heitzinger (Assessing):
  - If it turns out that park dedication fees need to be calculated, let Assessing know.
- Glen Markegard:
  - Clarification on the park dedication--there was a platting variance that deferred park dedication payment until issuance of the building permit.
- Erik Solie (Environmental Health):
  - No comments.
- Kelly Beyer (Building and Inspection):
  - Set up a meeting with the plan reviewers when 80% of the plans are done.
- Laura McCarthy (Fire Prevention):
  - Comments on plans, none are different than what was already discussed.
- Desmond Daniels (Police):
  - During building the last time there were a lot of alarm calls—something was worked out in the end so let's start with what was ended with.
- Brian Hansen (Engineering):

- Discussion in last meeting regarding the patios extending into drainage/utility easement along the east side of the building. Engineering can't support the encroachment into the easement area. If there is a height of at least 12 feet, Engineering could consider that encroachment but it's not shown that high on the first floor. Option is to either shift the building or remove the NE and SE first floor patios that encroach.
- Mike Centinario (Planning):
  - From a design aspect we prefer the patios but if they need to be removed, perhaps it could be a Juliette balcony to still have a visual presence
- Brian Hansen (Engineering):
  - There is a City-owned treatment structure in the area, there needs to be coordination of any sediment that may enter into that as a result of construction. There will be an inspection in August to verify the condition prior to construction. Applicants can send a representative. If there is contamination after, the City would look to the applicants to clean that up. The inspection is annual.
  - The City is trying to reduce the amount of salt in design. When considering snow storage, look if there are areas that snow can be stored so that it wouldn't melt across sidewalks, reducing the need for salt to be applied.
- Jordan Vennes (Utilities):
  - Configuration of water main on the west side—the City requires that hydrant and the combined service to be served off of 8-inch. If that combined service is reduced to a 6" service, that would have to take place after an 8" x 6" tee.
  - On the east side there are 5 different sewer crossings of this main. There is concern that in the event of a fire sprinkler system is used, the hydrants may be starved. Consider making a wet-tap to the east. All the main between the hydrant and to the west could be eliminated. Private line serving building is looped to City standards so there is redundancy.
  - Would like to see an inspection manhole added at the existing sanitary stub at the connection point.
  - The City is trying to evaluate how to fund sanitary sewer capacity expansion, so depending on the outcome of the study, there may be a fee in place for this development.
- Kevin Toskey (Legal):
  - No comments.
- Mike Centinario (Planning):
  - The applicant is proposing 9% of the units affordable to a 50% AMI level, therefore there are OHO incentives that can be applied.
  - There is an integration standard in OHO objectives which states that the affordable units need to be evenly distributed between different unit types. Only studio units are proposed to be affordable – there needs to be a mix of studio, alcove, and one bedroom units.
  - Staff would like to see a larger lot. It is rare that there is a development that is over the Code requirement parking by 21 stalls, when the OHO standard is applied. There are stalls that could be removed.
  - The trash pad does require deviation from the City Code because it is a parking island that requires a tree.
  - Flexibility will not be needed on exterior materials for the north elevation but the OHO incentive that is sought is on the west elevation. Based on the Code, plans are complying on the north, east, and south elevations. Need more information on the metal panel 5A. Same expectations in terms of finish warranty and panel thickness as past projects.

- Looking at the center strip in the parking lot—are you confident that it is wide enough to support long term tree health?
- Bill Brohman (Applicant):
  - 5 feet is the width of many boulevards in the state and it is the same standards as building-to-building coverage.
  - A majority of cities don't want a tree within 10 feet of the fire hydrant. Need the fire hydrants where they currently are.
- Mike Centinario (Planning):
  - In the past, developments have been able to co-located a fire hydrant and a tree within a parking island. It is a code requirement and Staff will recommend trees added to those islands and the hydrant might have to shift a few feet.
- Matt Pavek (Applicant):
  - There is an existing hydrant 100 feet from the proposed one on the street. Is it possible to tap off the line and have two hydrants on one line?
- Laura McCarthy (Fire Prev.):
  - As far as using the hydrant on the street in lieu of the one on the island, that won't work very well. With retaining walls, landscaping, etc., there is no way to connect the truck to the hydrant. Need to make the flows work.



# Comment Summary

**Application #:** PL2023-68

**Address:** 1801 and 1851 American Blvd. W., Bloomington, MN 55431

**Request:** **Comprehensive Land Use Guide Plan Amendment to reguide 1801 American Blvd. W. from the Community Commercial to the High-Density land use designation; Rezoning 1801 American Blvd. W. from C-5(PD) Freeway Mixed Use (Planned Development) to RM-100(PD) High-Density Residential (Planned Development); Preliminary and Final Development Plans for a four-story, 99-unit apartment building at 1801 American Blvd. W.**

**Meeting:** Post Application DRC - May 30, 2023  
Planning Commission - June 22, 2023  
City Council (Projected) - July 24, 2023

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

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

- 1) This can be discussed at the 80% plan review meeting.
- 2) Must meet 2020 MN State Building Code
- 3) Building plans must be signed by a MN licensed architect.
- 4) SAC review by MET council will be required.
- 5) Provide a detailed code analysis with the plans.
- 6) Must meet 2020 MN Accessibility Code.

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

- 1) 1. Obtain a City of Bloomington rental license for facility prior to occupancy

**Fire Department Review Contact:** Pete Miller at [pmiller@BloomingtonMN.gov](mailto:pmiller@BloomingtonMN.gov), (952) 563-8967

See comments on "DRC plan markups - Applicant Responses" document.

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

- 1) See document markups

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

- 1) All construction and post-construction parking and storage of equipment and materials must be on-site. Use of public streets for private construction parking, loading/unloading, and storage will not be allowed.
- 2) Show location of a bike rack and bike rack detail on the plan.

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

- 1) Remove patios. With the bus station built, this area is needed for any future utilities. There may be existing utilities within this area already.

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

- 1) Stormwater management plan as submitted appears to meet city stormwater rules. Provide stormwater management plan approved by Nine Mile Creek Watershed District that matches final design with building permit application.
- 2) Provide enough infiltration BMP access points so inspection and maintenance can be performed.
- 3) List erosion control maintenance notes on the plan.
- 4) An erosion control bond is required.
- 5) Show erosion control BMP locations on the plan.
- 6) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 7) Utility as-builts must be provided prior to issuance of Certificate of Occupancy.
- 8) A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.
- 9) A maintenance agreement must be signed by the property owner and recorded at Hennepin County.
- 10) Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits ([www.ninemilecreek.org](http://www.ninemilecreek.org))
- 11) City owned pre-treatment structure that is overloaded with construction related sediment will be the responsibility of the project to remove. City will perform an inspection of system in early August 2023 to document current conditions and perform post construction inspection once project is complete. Owner's representative welcome to coordinate with city to be involved in any city infrastructure inspection activity.
- 12) This statement appears inconsistent with the stormwater report.
- 13) Ensure timelines are consistent with draining to Penn Lake as an impaired water body.
- 14) If area is being considered for snow storage consider grading to limit snow melt runoff from running across paved surfaces to increase safety and decrease use of salt.

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

- 1) This is not a wet tap, there is an existing stub.-JSV
- 2) eliminate reducer, 8" main should continue to hydrant branch/tee at minimum. 6" combined service must meet fire flow requirements without use of solenoid valve, otherwise 8" combined service should be evaluated. -JSV
- 3) Proposed config. may starve this hydrant in the event of fire. Add wet tap connection to the east for this hydrant. Wet taps performed by City crews.

The main between this hydrant and tee to west could be eliminated with requested tap, eliminating 5 sewer crossings. If this main remains and crossings are present, provide table with elevations of utility crossings, including separation of outside walls of pipes -JSV

- 4) Add inspection manhole at connection to ex. san stub -JSV
- 8) Combination fire and domestic service must terminate with a thread on flange or an MJ to flange adapter. -add this note to the plan
- 10) Taps of live water mains are done by City forces. The contractor pays for and coordinates this work. -add this note to the plan
- 11) Private common utility easement/agreement must be provided if sharing a utility with another property.
- 14) Contractor shall obtain a Public Works permit for underground work within the right-of-way. A permit is required prior to removals or installation. Contact Utilities (952-563-4568) for permit information.

- 15) Utility and mechanical contractors must coordinate the installation of all water and sewer service pipes into the building to accommodate city inspection and testing. -add this note to the plan
- 17) Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.
- 18) A minimum 10-foot horizontal separation and 18-inch vertical separation is required between watermain and sewers. -add this note to the plan
- 19) Use Class 52 DIP water main for pipe 12-inches in diameter and smaller. A minimum 8 mil polywrap is required on all DIP.
- 20) All components of the water system, up to the water meter or fire service equipment must utilize protective internal coatings meeting current ANSI/AWWA standards for cement mortar lining or special coatings. The use of unlined or uncoated pipe is not allowed.
- 21) Minnesota Pollution Control Agency (MPCA) sanitary sewer permit/review may be required. Provide a copy of MPCA approval letter or written confirmation from MPCA that no permit/approval is required.
- 22) Minnesota Department of Health (MDH) water permit/review may be required. Provide a copy of MDH approval letter or written confirmation from MDH that no permit/approval is required.

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

- 1) The development necessitates modifying the Comprehensive Plan's land use designation from Community Commercial to High-Density Residential and rezoning from C-5 to RM-100. The applicant is seeking the appropriate entitlements. Should the City Council approve the development the Metropolitan Council must affirm the Comprehensive Plan Amendment.

Nine percent of the units are proposed to be affordable at a 50% Area Median Income (AMI) level. This is consistent with Chapter 9 of the City Code and allows the development to take advantage of some Opportunity Housing Ordinance incentives.

- 2) A minimum 20-foot landscape yard is required along all street frontages (see City Code Section 21.301.15). In the northwest corner of the site only a 6-foot landscape yard is proposed. Staff continues to believe a greater setback is warranted and will recommend a larger landscape yard is incorporated into the plan.
- 3) Landscaping quantities provided meet City Code requirements. The parking lot island proposed for trash storage requires development flexibility.
- 4) A Minnesota licensed civil engineer must design and sign all retaining walls 4-feet high and higher and setbacks for the principal structure must be provided.
- 5) All rooftop equipment must be screened equal to the height of the equipment. (Section 21.301.18)
- 6) Parking lot and exterior security lighting must meet Section 21.301.07. A minimum of 1.0 foot-candles is required on the parking surface (which may be reduced to 0.5 foot-candles for the outer perimeter of the parking lot).
- 7) The minimum open space of 29,700 square feet is provided. Staff concurs with the open space calculations as presented. Balconies must remain at least 50 square feet to take advantage of the open space bonus.
- 8) Each parking lot island must be 8 feet wide (inside to inside measurements) and must have a minimum of one tree.
- 9) A three-foot-high screen for a parking lot adjacent to all public streets (see City Code Section 21.301.15).
- 10) Interior trash and recycling must be provided (see City Code Section 21.301.17).
- 11) Exterior materials must meet Section 19.63.08. Continue to work with staff on the exterior materials palette.
- 12) The combination of 34 storage lockers and 22 stall storage boxes meets the City Code storage unit requirement when taking the OHO incentive into account.
- 13) Two level II or better EV chargers are required. This can be in the parking garage or on the surface lot.

- 14) All affordable units are proposed to be studio units. The expectation is that there are a few one-bedroom affordable units. This is at issue with the following OHO Objective:
- (b) Integration. Opportunity housing units in a housing development must be mixed with, and not clustered together or segregated in any way from market rate units. Opportunity housing units in a housing development must be distributed across all unit sizes proposed in the development, including efficiencies, one, two, and three or more bedroom units.
- 15) Provide specification information for Prefinished Metal Wall Panel 5A. City staff is primarily concerned with metal panel finish warranty and panel gauge.
- 16) Each parking island must have a deciduous tree. Three islands do not include a tree - one of those islands is proposed for dumpster storage on pick-up days.
- 17) Is a 5-foot landscape strip in the middle of the parking lot wide enough to support long term tree health?
- 18) Staff believes the line of grasses and dogwood shrubs is not adequate to meet the parking lot screen standard. This is especially true if the reduced landscape yard along American Blvd. is approved by the City Council.
- 19) The proposed combination of grading and retaining wall meets staff's expectation for improved street enclosure along Knox Avenue S.
- 20) Provided the stucco and metal panel 5A meet City requirements the north, south, and east building elevations meet City Code requirements. The west building elevation would take advantage of the OHO exterior material incentive.

For the metal panel, please ensure the panels have a minimum 30-year finish warranty. For steel panels, a minimum of 22-gauge panel is required to be considered a "primary" material. The finish and gauge requirement does not apply to secondary panels.