

Approved Minutes

City of Bloomington
Development Review Committee
November 12, 2014

McLeod Conference Room
 Bloomington Civic Plaza – 1800 West Old Shakopee Road

Staff Present

Laura McCarthy (Fire Prev) – Chair 952-563-8965 Erik Solie (Env Health) 952-563-8978
 Kent Smith (Assessing) 952-563-8707
 Duke Johnson (Bldg & Inspection) 952-563-8959 Dennis Fields (Planning) 952-563-8925
 Londell Pease (Planning) 952-563-8926 Bernadette Gillespie (Bldg & Insp) 952-563-4709
 Jen Desrude (Engineering) 952-563-4862

<i>Item 1 - Formal</i>	Hennepin County Intensive Residential Treatment Services (IRTS)
<i>Site address</i>	8941 Portland Avenue
<i>PC Hearing</i>	12/4/2014
<i>Application type</i>	Conditional Use Permit
<i>Case number</i>	10321A-14
<i>Staff contact</i>	Fields, Dennis x8925
<i>Proposal</i>	<p>Hennepin County is looking to implement an Intensive Residential Treatment Services (IRTS) at this site. IRTS are 90-day residential placements in a group residential setting in the community for mentally ill clients who are ready to be discharged from the state hospital system but still need significant levels of support for a period of time before they can move to other community-based housing. These are essentially the same clients that were formerly housed at this site by the state some years ago. These clients are not sex offenders.</p> <p>The structure of this site in the future as an IRTS would be that the state would lease the facility to the state in the short-term until the legislature approves the sale of the building to the county. The county would sublease the building to a private, non-profit that would operate the IRTS and maintain the building with the county responsible for oversight. The clients would all have case managers from the county.</p>
<i>Staff comments</i>	Since the use has been vacant for more than 1 year, a new CUP is required. If code complying, Item will stop at the Planning Commission.
<i>Plat name</i>	BISCHOFFS 1ST ADDITION
<i>Decision maker</i>	Planning Commission
<i>Reviews</i>	DRC; Planning Commission
<i>Contact 1 name</i>	Michael Noonan, J.Michael.Noonan@hennepin.us , (612) 348-8537
<i>Contact 1 address</i>	A-2303 Government Center 300 South 6th Street Minneapolis, MN 55487-0233 Strategic Planning and Resources Department 701 Fourth Avenue South, Suite 400 Minneapolis, MN.

Guests Present

Michael Noonan
Louella Kaufer
Michael Herzing
Karen Ballor

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Discussion/Comments:

- Dennis Fields (Planning) The site has been vacant for over one year and must meet the applicable performance standards including lighting and trash collection and storage. Site requires new Conditional Use Permit. Essentially the same clients but requires new CUP, due to one year vacancy. Currently the State owns the property with Hennepin County looking at purchasing.
- Kent Smith (Assessing)-
 - Currently the property is exempt, but applicant needs to file a new exempt application. Michael Noonan asked if they need to file the application for exemption at the commencement of the lease signing or at the conveyance of the property. Smith stated when the lease is signed and may also need to be done at the time of purchase. Noonan stated they are trying to commence the lease as of January 1st but stated that the State is still creating hurdles for their application.
- Eric Solie (Environmental Health):
 - Solie asked if residents will be doing the cooking. Herzing stated residents will not be cooking, there will be warming trays, and clients will get their own food after it is prepared and go to the dining area. Solie asked if staff will be eating also? Herzing stated, yes.
 - Solie asked how the licensing will be done thru the State or license as a rental or boarding property. Herzing stated that they are going to try and license as a Rule 36 license for the service but will need to talk to the State since they are the owner. Solie stated that a full lodging code review per the State of MN review will be required as well as the food application and Solie will review it.
 - Solie, Pease, and Fields noted that there will be a requirement for an internal trash area. Noonan stated that it will be an issue because the building will have to be opened up. Pease stated that a variance will be needed for the internal trash requirement for the new CUP because it has been vacant for over a year and is no longer legally non-conforming. Pease stated that at the last meeting they had said that it was considered a residential use but now it is confirmed as commercial. Noonan asked if the scope of their business has risen to that threshold of commercial and Pease stated yes. Noonan asked questions regarding the size of the trash area that is accessible from outside. Pease stated that it is dependent on the facility and the frequency of the pickup. Pease stated it will be looked at during review as far as the size, usually required is 120 sf. Solie stated the packet that he has provided has the section of the zoning ordinance that outlines the trash requirement. Noonan asked that if they have a difficulty accommodating the trash area in the building that a variance could be applied for. Pease confirmed.
- Duke Johnson (Building and Inspections):
 - Noted that the bathroom in the dining area has to be a unisex, handicap assessible bathroom with signage. Kaufer confirmed that this would be done.
 - SAC review will be required.

- Noonan: Asked if the State has been working with B&I regarding the last building application and inspections. Have they been working with B&I and complied? Are there still outstanding matters relating to the last building application. Johnson stated that as far as building and inspection there were a few items but most are Fire items.
- Laura McCarthy (Fire Prevention)-
 - It has been a year since Fire Prevention had been on site. Annual life safety service reports have not been received. Life safety systems will be required to be in full compliance prior to occupancy.
 - All fire alarm systems, sprinkler systems and fire extinguishers shall be tested and certified in working order by state licensed contractors.
 - All emergency lights and safety systems will be tested with a Fire Inspector on site.
 - Provide a Knox box at the main entrance with appropriate keys for main entrance and life safety systems access.
 - McCarthy asked if the commercial kitchen is type 1? If so, piranha suppression hood will be required and will have to be tied to the sprinkler system. The sprinkler contractor will provide that info for verification.
- Laura McCarthy on behalf of Heidi Miller (Police)-
 - Work with Planning to ensure the site meets the 2018 lighting requirements outlined in the City ordinance
 - Maintain landscaping bushes outside first floor windows to two or three feet in height and diameter.
 - Address displayed on property must be visible from roadway.
 - Post signs in your parking lot – Private Property. Vehicles towed at Owner’s Expense.
 - Work with Bloomington Police and other City officials if problems arise with clients’ behavior to ensure the needs of the client, facility and community are being met.
 - Visit RAIDSonline.com to learn more about crime in the immediate neighborhood.
- Jen Desrude (Engineering) Provided Public Works comments and noted the following:
 - Verified with the applicant that there are no exterior changes besides the healing garden and applicant agreed. Noted comments regarding keeping construction parking and storage on site and off public streets during any remodeling project. Noted to call Met Council regarding SAC determination.
- Dennis Fields (Planning)-
 - Parking lot lighting must provide 0.5 foot-candles for the eastern 25 feet and 1.0 foot-candles between the parking and the building. This was required in 1997, although no photometric plans were provided and there does not appear to be any lighting for the parking lot. Code accepts residential as long as less than 12 stalls, currently it is 11. If additional stalls are added, a lighting upgrade will be required. Fields gave the specifics on the lighting requirements.
 - Pease asked Johnson if they need a handicap stall or are they exempt. Johnson verified that they are exempt.
 - In 1997, a Landscape plan was required yet there is no plan on file. The applicant must submit a plan for the review and approval meeting the minimum requirements for landscaping and lighting. Minimum is 1 tree per 2500 sf and 1 shrub per 1000 sf of site area. Fields has not yet

done an analysis for landscaping but will do so and that the minimum code for the landscaping will be confirmed during the review process.

- Fencing-it will be reviewed as a residential site. On Portland, a taller fence is (up to six feet in height) allowed since Portland is an arterial street. McCarthy asked about fire access to the healing garden and if there is a gate or door for fire access. Fields pointed out a gate shown on the plan.
- Noonan noted that their intent was to provide lodging to 16 residents for a maximum of 90 days.
- Fields gave appeal information for the Planning Commission. Pease asked about the operation open date. Noonan stated that in terms of their property services schedule would be September but wanted to move it up to June. Pease stated that the public will like to know this information so plan on stating that at the Planning Commission meeting. Noonan confirmed and stated that they had provided that information at the public meetings that they had already held and will also provide that at the Planning Commission meeting on December 4th.