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September 27<sup>th</sup>, 2016

Mike Centinario  
City of Bloomington  
1800 West Old Shakopee Road  
Bloomington, MN 55431-3027

RE: Application # PL2016-154, Conditional Use Permit and Final Site Plan for automobile inventory lot as 8824, 8860, and 8870 Wentworth Avenue South

Dear Mr. Centinario,

We are responding to comments derived from the September 13, 2016 Pre-Application DRC Meeting. Our responses follow your comments, which are in italics.

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

- 1) *Luther is proposing a conditional use permit and final site and building plans for a vehicle inventory lot. Some initial questions:*

*Is the proposed use consistent with the existing easement(s) along the south property line?*

Yes

*Does the easement restrict vehicle deliveries?*

The easement does not restrict any specific vehicle access. Please see attached easement for verification.

*Would every truck have full access?*

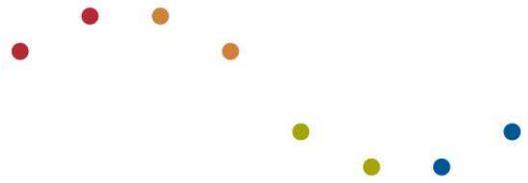
Yes

*Would inventory only be for new vehicles?*

No

- 2) *Due to the scale of the site, staff believes a truck delivery staging area is necessary along Wentworth Avenue so trucks are not parking or idling in public right-of-way. Please describe how truck deliveries will take place as well as how the access gates will be operated. Are the proposed gates compatible with winter conditions and snow storage?*

Deliveries will be unloaded on site and gates will be operated in a manner such that delivery



trucks will not be parking or idling on Wentworth Avenue. Details of the gates have yet to be determined, but design will incorporate operation in all seasons, including winter conditions.

- 3) *City Code allows the consolidation of tax parcels to create a "zoning lot," subject to administrative review. In order for a building permit to be issued, as opposed to a parking lot permit, the properties must be platted per Chapter 22 of the City Code and the approved plat recorded at Hennepin County. The tax parcels may not be split without platting, although splitting the parcels would be complicated by the proposed inventory lot and location of property lines.*

Noted

- 4) *A minimum 20-foot landscape yard is required along all street frontages. A 20.5-foot setback is proposed along Wentworth Avenue, which meets Code.*

Correction. The back of curb is located 20 feet from Wentworth Avenue ROW, which still meets Code. Dimensions on plans are to face of curb. Pardon any confusion.

- 5) *The landscape plan meets the number of trees and shrubs required given the size of the site. However, staff is concerned about the long term maintenance of trees and shrubs along the railroad corridor - railroads will typically spray herbicide to control weed growth. Staff is also concerned about planting trees in small buffers along property lines. Staff does not believe a 5-foot pervious area immediately adjacent to a building is a suitable location for a tree planting.*

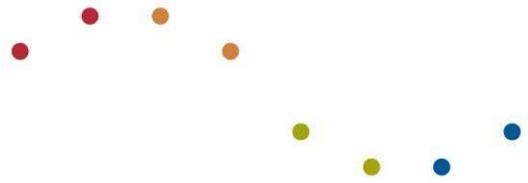
Noted. Plantings have been revised per the accompanying plan set.

- 6) *Trees on the City's prohibited tree list do not count towards meeting the minimum landscaping requirement. It appears as though ash trees are to be preserved, which are prohibited trees. The ash trees may remain, but non-prohibited trees must be added to the plan.*

Noted, tree calculations for landscaping requirements have been updated accordingly.

- 7) *Staff believes the painted parking islands must be revised to curbed islands with at least one deciduous tree. Each parking lot island must be 8 feet wide (inside to inside measurements).*

The requested use is inventory storage and other storage, not public parking. Interior



landscape island provides no benefit to the public. Highly opaque fencing will be provided on Wentworth along with plantings to provide screening and the rest of the site fencing will be 6' chain link fence. The interior of the storage lot will only be used and seen by Luther employees on a limited time basis and neighboring properties would have much difficulty seeing the islands. Although the current plan is to store vehicles on this open storage lot, Luther has a myriad of other assets that can be stored on this lot as defined in the City Code. Installing landscaping islands limits Luther's ability to customize the layout of their open storage lot for other property requiring storage.

- 8) *Proposed fencing and fence height is mostly Code-compliant. Six-foot fencing is acceptable along Wentworth, but the proposed 10-foot fencing must meet the principle building setback, which in I-3 is 35 feet.*

Fencing has been revised to include portions of the existing chain link fence that is 6' and all new fencing will be installed at 6' in height. See plans for more details of fencing.

- 9) *Side and rear setbacks for the proposed inventory lot are met.*

Noted

- 10) *The minimum drive aisle width meets the City Code requirements (21.301.06). Drive aisles must remain unobstructed.*

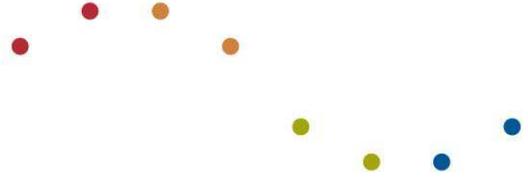
Noted

- 11) *Vehicle inventory must be kept in a neat and orderly manner. Use of panic alarms to identify vehicle locations would be prohibited given the proximity of residential uses.*

Noted

- 12) *Parking lot and exterior security lighting must meet Section 21.301.07. The proposed fixtures have been pre-approved by staff. Lighting is not required for secured storage lots, so no lighting is required for the inventory lot. Staff does typically require as a condition of approval that the entrance gates are lit to 2.0 footcandles. Minor adjustments to lighting pole locations is necessary to meet 2.0 footcandles at gates.*

Photometric plans have been revised to achieve 2.0 footcandles at the south gate. We are having issues meeting both the 2.0 footcandle minimum at the gate on Wentworth and also



meet the Max 0.5 footcandle at the property line. With residential being across the street, it would be preferred to meet that requirement. Would staff allow the gate to be lit at less than 2.0 footcandles?

13) *Combining tax parcels is an administrative review, but does require a \$130 application fee. Please remit \$130 in addition to the conditional use permit and final site and building plan application fees.*

Noted. Fee will be provided at time of application.

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

1) *Maintain emergency vehicle access throughout.*

Noted

**Public Works Review - Pre-App Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

1) *Update Civil Engineering plans based on comments.*

Noted

2) *A Minnesota licensed civil engineer must design and sign all civil plans.*

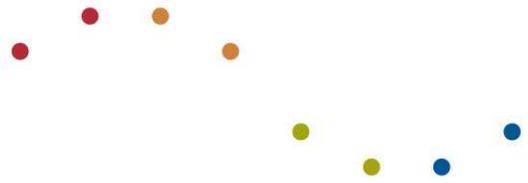
Noted

**Construction/Infrastructure Review - Pre-App Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

1) *A Minnesota licensed Civil Engineer must design and sign all retaining walls 4-feet and higher and setbacks for the principle structure must be provided.*

Noted. Current retaining wall designs do not exceed four feet in height. Per (Sec. 19.08 (c)(2)): Retaining walls up to 4 ft. must maintain a 10 ft. setback from the front property line. No minimum setback from any side or rear property line required (no encroachment into public easements permitted). Please clarify principle structure setback comment.

**Traffic Review - Pre-App Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862



- 1) *All parking stall striping must be painted 4" wide, white. Parking islands must be 3-feet shorter than the parking stall and 8-feet wide.*

Noted, current design meets requirements listed.

- 2) *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.*

Noted

- 3) *The minimum drive aisle width and parking stall dimensions must meet the City Code requirements (21.301.06)*

Noted, current design meets requirements listed in Code.

- 4) *A 10-foot sidewalk/bikeway easement shall be provided along Wentworth Avenue. Developer/owner shall provide the legal description and Engineering staff will prepare the easement document.*

Noted

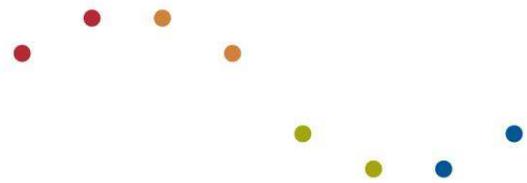
**Utility Review - Pre-App Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

- 1) *City Records indicate a Private Shared 2" water service split into 2 - 1" services serving 8850 and 8870. Also records indicate the common 2" shutoff valve is buried under the street and the 1" shutoff to 8870 is damaged and won't shut off. Abandon the 1" service to 8870 at the point of the split.*

Water services will be abandoned per the City of Bloomington's requirements. Could you please provide the City Records regarding this service?

- 2) *Reuse of the old 2" water service for irrigation (at 8824) will require a meter MH - per Bloomington Utilities Standards. Otherwise abandon the service at the main.*

Noted, a meter manhole will be provided for irrigation service per City of Bloomington Standards.



- 3) *Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information.*

Noted, the General Contractor and its subcontractors will obtain all necessary permits prior to construction.

- 4) *All unused water services must be properly abandoned at the main. All unused sanitary sewer services must be properly abandoned at the property line.*

Noted, all abandonment will be to the City of Bloomington's Standards.

- 5) *Contact Bloomington Utilities (Jeff Aldinger at 952 563-4654) regarding demolition information related to SAC credits.*

Noted.

- 6) *There currently are no fire hydrants in this area suggest adding some to provide fire protection for the inventory.*

Suggestion is noted.

- 7) *Abandon the existing sewer service to 8870 by cutting off the service and plugging it just outside the MH and also plugging it inside the MH.*

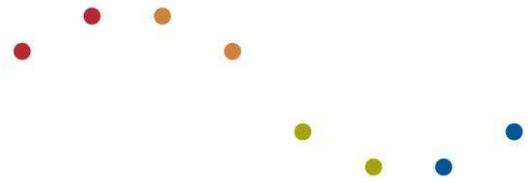
Noted, see response for comment 1 in this section.

**Water Resources Review - Pre-App Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

- 1) *Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan.*

The Stormwater Narrative and Documents meet the requirements outlined in the Bloomington Comprehensive Surface Water Management Plan.

- 2) *HDPE pipe connections into all concrete structures must be made with water tight materials utilizing an A-Lok or WaterStop gasket or boot, cast-in-place rubber boot, or approved equal. Where the alignment precludes the use of the above approved watertight methods, Conseal 231 WaterStop sealant, or approved equal will only be allowed as approved by the*



*Engineer.*

Noted

- 3) *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))*

Noted, NMCWD permit and comments will be provided once received.

- 4) *Verify storm sewer pipe elevations, inverts. Plan differs from City GIS data.*

Noted. Could you please provide City GIS data and note where discrepancies occur?

- 5) *See Superfund map attached, requires testing in proposed infiltration area for potential contamination.*

Luther is working with an Environmental Consultant for guidance on viability of infiltration practices based on Phase II's performed on the property.

- 6) *An erosion control bond is required.*

Noted

- 7) *A maintenance agreement must be signed by the property owner and recorded at Hennepin County.*

Noted

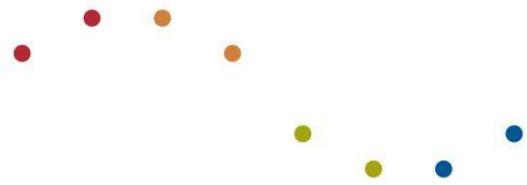
- 8) *A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided.*

The General Contractor will apply for an NPDES permit with the MPCA prior to picking up the parking lot permit. The final approved documents and Stormwater Narrative and any subsequent issued documents prior to construction will act as the SWPPP.

- 9) *Show erosion control BMP locations on the plan.*

Noted, all BMPs are shown on plan. Any changes or additions throughout construction will be documented by the General Contractor and remain on site as modifications to the SWPPP.

- 10) *List erosion control maintenance notes on the plan.*



Erosion Control notes are listed on C3.1 – Grading, Drainage, Paving, & Erosion Control, and C3.2 – SWPPP Notes.

11) *Provide storm sewer maintenance agreement filed with Hennepin County.*

The storm sewer maintenance agreement will be sent to the City once it has been recorded with the County.

12) *Provide details for storm sewer detention system.*

The underground system details can be provided once the bid is awarded.

13) *CB #101, Can Preserver handle three inlet pipes?*

Plans have been revised to add MH #100 downstream of CB #101 to simplify Preserver design.

**PW Admin Review - Pre-App Contact:** Jen Desrude at [jdesrude@BloomingtonMN.gov](mailto:jdesrude@BloomingtonMN.gov), (952) 563-4862

1) *Private common utility easement/agreement must be provided. Update existing.*

Luther will work with the City on easements and agreements that require updating.

2) *Private common driveway/access easement/agreement must be provided. Update existing with 8850 Wentworth Ave. Address Roadway easement.*

**Luther will work with the City on easements and agreements that require updating.**

Sincerely,  
Landform

Steve Sabraski, PE  
Principal