



<b>Case number:</b>	10634ABC-08
<b>Address:</b>	2328 and 2350 Village Terrace
<b>Application type:</b>	1. Revised Preliminary and Final Development Plan for 96 catered senior living apartment units; and 2. Preliminary and Final Plat of Nine Mile Creek Senior Living
<b>Applicant:</b>	Greco Development, LLC

**This file will contain the following items as they become available:**

1. Agenda information
2. Staff report
3. Map

**Additional information**

To receive copies of submitted development applications, supplemental documents, and (in some cases) building and site plans please contact the Planning Division at 952-563-8920 or [planning@ci.bloomington.mn.us](mailto:planning@ci.bloomington.mn.us).

**Your comments are important!**

If you wish to communicate to the Planning Commission about this agenda item, please include:

- Your name
- E-mail address
- Full mailing address (number, street name, city, state, ZIP)
- Daytime telephone number
- Case file number
- Date of hearing

You may not receive a detailed response to your e-mail, but your comments, if received in time, will be presented to the Planning Commission.

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Originator <b>Community Development</b>	Item <b>Revised Final Development Plan</b>	#
Agenda Section <b>HEARINGS/PUBLIC INPUT Development Business</b>	By <b>LDP</b>	Approved Date

Description

Item 3

Case 10634ABC-08

## GENERAL INFORMATION

**Applicant:** GRECO, LLC

**Location:** 2328 and 2350 Village Terrace

**Request:**

- 1) Revised Preliminary and Final Development Plan for a 96 unit catered living units (Case 10634AB-08)
- 2) Preliminary and Final Plat of Nine Mile Creek Senior Living – Replat all of two lots and part of one lot into one lot. (Case 10634C-08)

**Existing Land Use and Zoning:** Multi-family Residential: Zoned RM-24(PD)

**Surrounding Land Use and Zoning:**

North—Quasi Public & Retail; zoned R-1 & B-2  
 East—Multi-family Residential; zoned B-4  
 South—Public; zoned R-1  
 West—Single-family Residential; zoned R-1

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

## PROPOSAL

The applicant proposes revising the Preliminary and Final Development Plan for the westerly portion of the development site adjacent to West Old Shakopee Road. The buildings main entry is at Penn Avenue and West Old Shakopee Road and directly parallel West Old Shakopee Road. The development was originally approved as a four-story 64 unit condominium building and 6 unit townhome building. This was amended on 2006 to replace the condominium building and townhome building with two townhome buildings with 24 dwelling units. This application would replace the 24 town home units with a 96 unit senior catered care facility. The unit mix would be 39 assisted living units, 42 independent units and 15 memory care units. The structure would have a community room, a full service kitchen and dining services available to all residents.

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



## Item 3

**GENERAL INFORMATION**

- Applicant: GRECO Real Estate Development, LLC
- Location: 2328 and 2350 West Old Shakopee Road (Village Terrace)
- Request: 1) Revised Preliminary and Final Development Plan for a 96 unit catered living units (Case 10634AB-08)  
2) Preliminary and Final Plat of Nine Mile Creek Senior Living – Replat all of two lots and part of one lot into one lot. (Case 10634C-08)

**PROPOSAL**

The applicant proposes revising the Preliminary and Final Development Plan for the westerly portion of the development site adjacent to West Old Shakopee Road. The buildings main entry is at Penn Avenue and West Old Shakopee Road and directly parallel West Old Shakopee Road. The development was originally approved as a four-story 64 unit condominium building and 6 unit townhome building. The plan was amended on 2006 to replace the condominium building and townhome building with two townhome buildings with 24 dwelling units. This application would replace the 24 town home units with a 96 unit senior catered care facility. The unit mix would be 39 assisted living units, 42 independent units and 15 memory care units. The structure would have a community room, a full service kitchen and dining services available to all residents.

The internal roadway pattern would remain as previously approved. Parking is provided in a 78 space underground parking garage and 51 surface parking spaces. Access to the parking garage is provided at each end of the building. The primary surface parking is a 20 space parking lot on the south side of the building. The remaining 31 spaces parallel parking spaces are evenly distributed on the access drive along the front and rear sides of the building. Exterior materials include rock face block, stucco, and hardi-plank siding to complement the existing structures.

No change is proposed in the lower level townhome buildings on Village Terrace adjacent to Nine Mile Creek and Central Park/Moir Park. The number of approved dwelling units on the entire 7.3 acre site would be increased from 118 units to 190 units. Land use density would be revised from 16.2 dwelling units per acre (du/a) to 26.03 du/a.

**ANALYSIS**

An important consideration in the original Preliminary and Final Development Plan approval was to allow for a residential development characterized by a variety of unit types within a distinct neighborhood-type environment. As noted in the September 23, 2003 Staff report:

There are a number of site factors that makes it challenging to formulate a physically and aesthetically desirable residential development plan. Creating a more pedestrian and aesthetically pleasing site plan and building design is highly desirable. The relationship of the project to the neighbors, pedestrians and motorists is a development goal.

Several of the development standards typically analyzed in a staff report were approved and constructed as part of the original development. The application is for a change in the final phase of what has become a three phased project. Traffic circulation, setbacks, storm water management and building design are dictated by the previous development approvals and construction.

The inclusion of catered living facility with condominiums and town homes creates a development serving all lifecycles. Architecturally, the catered living structure would compliment the condominium building as a four-story mid-rise building with setbacks approximately 40 feet from the right-of-way of West Old Shakopee Road. A variety of exterior building materials would compliment the existing condominium. Staff supports the revised plan to provide two four-story mid-rise building and return to the original balance of building mass and profile on the site.

The approved Preliminary and Final Development Plan provided for a high-density residential development that would be enhanced by site amenities including pedestrian walkways including the connection to Moir Park. There would be a change in the primary public connection to the lower Nine Mile Creek trail system from a single location to two locations on the property. Easements providing the access and appropriate signage at the developer expense should be required.

The applicant proposes circulation changes at the corner of Penn Avenue and West Old Shakopee Road. Particularly the connection of the two access drive which parallel West Old Shakopee Road. These changes should not be permitted and the access should remain as approved in the original development plans.

A significant concern for the existing residents is the visitor or tenant parking. The applicant proposes 129 parking spaces, 78 underground and 51 surface parking spaces. The underground parking only shows 77 spaces and only 75 are accessible when parking design standards are applied. A portion of the underground parking would be reserved for the existing condominium tenants. Because the proposed structure is not as wide as the original condominium, there is ample space for parking along the access road between the catered living facility and the town homes. The proposed site design provides parking in excess of the City Code thereby enhancing the parking problems for the entire site.

Staff is concerned that should the occupancy of the proposed structure change, parking would be significantly inadequate for 90 independent living units. A condition requiring any change of occupancy shall require parking to meet the minimum City Code for parking.

The sanitary sewer serving the town homes currently extends north through the proposed building. The applicant proposes rerouting the sanitary sewer around the south side of the building. The margin for error in the installation of the sanitary sewer is minimal. Staff recommends no building permit be issued until the new sanitary sewer main is constructed, tested and approved by the City Engineer.

The proposed development adds the element of full food service which was not part of the previous development. Food services add to the development review complexity in that there will be increased potential for odors, deliveries and handling of waste which is generally not the same as a typical housing unit. A review of the proposed food service operational characteristics is essential to minimize any impacts associated with the use. A plan for delivery of goods and collection and storage of trash shall be approved by the Planning Manager.

Intensive landscaped areas would be provided along the main entry that separates the town homes from the existing condominium building. This will create more of a greenway entrance to the site allowing for a transition between building types and building masses. Parking constructed during the second phase, at the far south side of the site, is not in compliance with the City Code for screening. This shall be completed as part of this development. Parking light and security lighting plans were not submitted. The development should be in compliance with the lighting requirements in the City Code.

## **FINDINGS**

**The Planning Commission and the City Council shall find the following prior to the approval of preliminary development plans or final development building plans:**

- (A) The planned development is not in conflict with the Comprehensive Plan.
  - The proposed development is not in conflict with the Comprehensive Land Use Plan Designation of High Density Residential Land Use.
- (B) The planned development is not in conflict with any adopted district plan.
  - There is no adopted district plan in place for this area.
- (C) The planned development is not in conflict with the intent of the primary zoning district.
  - The planned development proposes to increase the density from the permitted 24 units an acre to 26 units an acre and decreased setbacks. This is permitted in the Planned Development overlay District and the increase is not in conflict due to the location along West Old Shakopee Road and a smaller unit's size for a care facility.
- (D) The planned development is not in conflict with other applicable provisions of the City Code, subject to the provisions of Section 19.38(c).
  - The proposed planned development is in conflict with some of the applicable provisions of the City Code. The applicant requests flexibility from these provisions as permitted in Section 19.38. With the approval of the Final Development Plan, there would be no conflicts.

- (E) The planned development or unit thereof is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit.
- The planned development is of sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit without dependence upon any subsequent unit.
- (F) The planned development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.
- As proposed, the planned development will not create an excessive burden on streets.
- (G) The planned development will not have an undue and adverse impact on the reasonable enjoyment of neighborhood property.
- The planned development would not have an undue and adverse impact on the reasonable enjoyment of neighboring residential property. The proposed development is consistent with the original Planned Development and consistent with the approvals previously granted.
- (H) That any variation from strict application of the primary zoning district provisions in the planned development are not in conflict with the intent of the Planned Development Overlay District and are justified by the design of the proposed development.
- The Planned Development Overlay District intent is, in part, to improve the arrangement of structures, facilities and amenities on a site for both private and public benefit. The providing of lifecycle housing in the development allows for long term housing options in the area. The established parking and circulation for the existing development make the proposed development complimentary to the Planned Development. The development is not in conflict with the intent of the Planned Development Overlay District.

## **RECOMMENDATION**

In Case 10634AB-08, Staff recommends approval of the Revised Preliminary and Final Development Plans subject to the following conditions being satisfied prior to Grading, Footing, and Foundation Permits:

- 1) A development agreement including all conditions of approval be executed by the applicant and the City and proof of filing be provided to the Manager of Building and Inspection;
- 2) Exterior building materials be approved by the Planning Manager;
- 3) Sanitary Sewer serving the existing development be relocated, tested and approved by the City Engineer;

- 4) Grading, drainage, utility and erosion control plans be approved by the City Engineer following review by the appropriate watershed district;
- 5) Drainage and utility easement be provided along the interior drive parallel to West Old Shakopee Road as approved by the City Engineer and Planning Manager and proof of filing be provided to the Manager of Building and Inspection;
- 6) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit is required for the proposed development. It is the responsibility of the developer to:
  - o Complete the application
  - o Obtain all necessary signatures (including the signature of the authorized City representative)
  - o Submit the application and fee to the MPCA
  - o Submit a copy of the application and check to Met Council
  - o Submit a copy of the application and check to the City of Bloomington
  - o After permit is received submit a copy of the permit to the City of Bloomington
- 7) Connection charges be satisfied;
- 8) A SAC determination and payment be paid;
- 9) Haul Route and Construction Traffic Control Plans shall be approved by the City Engineer;

and subject to the following additional conditions:

- 10) Signage be provided for the public access to central park, as approved by the City Engineer.
- 11) Alterations to utilities be at the developer's expense;
- 12) All pickup and drop-off occur on site and off of public streets;
- 13) All loading and unloading occur on site and off of public streets;
- 14) Any change of occupancy shall meet the minimum parking requires in the City Code;

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) Erosion control measures be in place and bond be filed;
- 3) All rooftop equipment be fully screened (Sec. 19.52.01);
- 4) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 5) All trash and recyclable materials be stored and screened inside the principal building/in a screened area (pick appropriate requirement). (Sec. 19.51);
- 6) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
- 7) Building 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);
- 8) Fire lanes be posted as approved by the Fire Marshal (Uniform Fire Code Sec. 901.4);
- 9) Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
- 10) Parking lot and site security lighting shall satisfy the requirements of Section 21.301.07 of the City Code; and
- 11) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.

In Case 10634C-08, Staff recommends approval of the Preliminary and Final; Plat of Nine Mile Creek Senior Living Addition subject to the following conditions:

- 1) Public trail access sidewalk/bikeway easement be provided to the connection point to Central Park and the Nine Mile Creek trail as approved by the City Engineer; (10' wide).
- 2) Title opinion or title commitment dated within the past six months shall be provided. (Due prior to Mayor and City Manager signatures on final plat)
- 3) Standard drainage and utility easements 10 feet along street frontages and 5 feet along internal lot lines shall be dedicated on the final plat.
- 4) A signed copy of private common driveway/parking/access easement agreement shall be provided.
- 5) Relocate existing sidewalk to fall entirely with the right-of-way for West Old Shakopee Road.
- 6) Existing drainage and utility and street easements be vacated with proof of filing provided to the City Engineer.
- 7) Surveyor to provide monumentation letter certifying that all monuments shall be placed within one year of filing the plat.
- 8) Park Dedication shall be in cash.
- 9) The approved Final Plat shall be filed with Hennepin County, a certified copy provided to the Engineering Division.
- 10) A temporary easement for construction on City property to be provided as needed and approved by the City Engineer.
- 11) The applicant shall sign Conditional Approval for Encroachment into Public Easements agreement as needed with the City of Bloomington and proof of filing to the Engineering Division.
- 12) A street modification agreement, as approved by the City Engineer and Planning Manager, for traffic signal modification(s) and median modification for a pedestrian crosswalk, if determined to be needed, will be executed with the City and/or County by the developer/applicant/owner.

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