



December 3, 2013

Doug Bober
Lennar Multi-Family Investors, LLC
1300 East Woodfield Road
Schaumburg, IL 60173

Schane Rudlang
Bloomington Port Authority
1800 West Old Shakopee Road
Bloomington, MN 55431

RE: Case 2830FGHI-13
8001 33rd Avenue South

Gentlemen:

At its regular meeting of December 2, 2013, the City Council approved a major revision to the Preliminary Development Plan (Case 2830F-13) at 8001 33rd Avenue South subject to the following conditions of approval:

- 1) All previous conditions of approval in Case 02830G-04 remain in effect;
- 2) The entire BCS planned development must provide a minimum 1348 parking spaces;
- 3) Each subsequent final development plan application which is not consistent with the approved preliminary development plan as determined by the Planning Manager must be accompanied by an application for a revised preliminary development plan complying with all zoning district regulations.

Also, at its regular meeting of December 2, 2013, the City approved a Final Development Plan for a 420 unit, six-story apartment building located at 8001 33rd Avenue South (Case 2830G-13) subject to the following conditions of approval being satisfied prior to the issuance of building permit:

- 1) A site development agreement reflecting all conditions of approval in Case 02830FGHI-13 must be signed by the landowner and recorded with Hennepin County;
- 2) An address plan must be submitted and approved by Engineering, Fire Prevention, and Police;
- 3) The Grading, Drainage, Utility, Erosion Control and Traffic Control, access, circulation and parking plans must be revised for approval by the City Engineer;
- 4) A two-year haul plan must be provided and approved by the City Engineer;

- 5) A Storm water Management Plan must be provided that demonstrates how the development will meet the requirements of the City's Comprehensive Surface Water Management Plan and a maintenance plan must be signed by the property owner and filed of record with Hennepin County;
- 6) A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided since greater than one acre is disturbed;
- 7) An Erosion Control Bond must be provided;
- 8) Sewer Availability Charges (SAC) must be satisfied;
- 9) A private utility easement or agreement must be filed of record with Hennepin County and a copy of the recorded document must be provided to the Engineering Division;
- 10) A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City Engineering Division;
- 11) A Minnesota Department of Health (MDH) approval for water service extension must be obtained or a notification from MDH that this approval is not required must be submitted to the City Engineering Division;
- 12) Airport Zoning Permit must be approved by the City for any tower crane over 80 feet in height and a temporary variance from the Minneapolis-St. Paul International Airport Board of Adjustments must be obtained for any tower crane over 991 feet mean sea level;
- 13) Plans submitted for building permits must include documentation that unit construction and building materials will provide a composite Sound Transmission Class (STC) 45 dB rating for exterior noise protection to dwelling units and interior common spaces, unless the City Council approves an alternate level of exterior noise protection after the applicant has submitted an acoustical report;
- 14) The developer will perform as-built testing of the building's actual noise reduction. Reports of these tests will be submitted to the Director of Community Development;

and subject to the following ongoing conditions:

- 15) All construction stockpiling, staging, and parking must take place on-site and off of adjacent public streets and public rights-of-way;
- 16) A mountable curb and no landscaping is required for emergency vehicle access on the southwest corner of 80 ½ Street and 34th Avenue;
- 17) A minimum of 55 visitor parking spaces must be provided.
- 18) Development must comply with the Minnesota State Accessibility Code; and
- 19) Alterations to utilities must be at the developer's expense;

and subject to the following Code Requirements:

- 1) The property must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of footing and foundation or building permits (22.03(a)(2));
- 2) Utility permits will not be issued until sewer and water connection charges have been paid or petition for inclusion in an assessment district has been signed. (11.04, 11.27);

- 3) Utility plan showing location of existing and proposed water main and fire hydrant locations must be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, MN State Fire Code Sec. 508);
- 4) Unused water services must be properly abandoned. (11.15);
- 5) Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903);
- 6) Electronic utility as-builts, per City of Bloomington requirements, must be submitted to the Public Works Department prior to the issuance of the Certificate of Occupancy (17.79(a));
- 7) A Tier 1 Transportation Demand Management (TDM) Plan must be submitted prior to the issuance of permits. (21.301.09(b)(1));
- 8) Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08);
- 9) Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52);
- 10) All rooftop equipment must be fully screened (Sec. 19.52.01);
- 11) Poured-in-place concrete curbs must be provided on the perimeter of parking lots and traffic islands except where flexibility has been approved (Sec 19.64);
- 12) All trash and recyclable materials must be stored inside the principal building (Sec. 19.51);
- 13) Recyclable materials must be separated and collected (Sec. 10.45);
- 14) Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3);
- 15) Parking lot and site security lighting must satisfy the requirements of Section 21.301.07 of the City Code; and
- 16) Sign design must be in conformance with the requirements of Chapter 19, Article X of the City Code.

Also, at its regular meeting of December 2, 2013, the City Council approved the preliminary plat and adopted a resolution granting approval of the final plat of BLOOMINGTON CENTRAL STATION 4th ADDITION at 8001 33rd Avenue South (Cases 2830HI-13) subject to the following conditions:

- 1) A title opinion or title commitment that accurately reflects the state of the title of the property being platted, dated within the past 6 months, must be provided;
- 2) Consent to plat forms must be provided for any mortgage companies with property interest;
- 3) Drainage and utility easements as approved by the City Engineer must be dedicated on the final plat;
- 4) Sidewalk/bikeway easement must be provided as approved by the City Engineer;
- 5) A private access/parking/utility easement or agreement must be filed of record with Hennepin County and a copy of the recorded document must be provided to the Engineering Division or provide permanency of shared access, parking and utilities in another manner approved by the City Engineer and Planning Manager; and
- 6) Park dedication must be paid in cash;

and subject to the following Code Requirements:

- 1) The property must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of footing and foundation or building permits (22.03(a)(2)).

Should you have any questions regarding this action, please contact Dennis Fields, Planner at (952) 563-8925.

Sincerely,



Glen Markegard,
Planning Manager

cc: Thomas J. Lincoln
Kimley-Horn and Associates, Inc.
2550 University Avenue West
St. Paul, MN 55114

Mark Fabel
Bloomington Central Station, LLC
c/o McGough Development
2737 Fairview Avenue North
St. Paul, MN 55113