

## GENERAL INFORMATION

Applicant:	United Properties (Owner)
Location:	5501 and 5601 American Blvd. W.
Requests:	<ol style="list-style-type: none"><li>1. Negative Declaration regarding the need for an Environmental Impact Statement (EIS) (PL2018-336);</li><li>2. Comprehensive Plan Amendment re-designating the future land use from Office to High-Density Residential.</li><li>3. Rezoning from C-4(PD) Freeway Office (Planned Development) to RM-50 Multiple-Family Residential;</li><li>4. Preliminary development plan for a two-phase residential care facility and independent senior housing building;</li><li>5. Final development plans for a four-story, 108-unit residential care facility; and</li><li>6. A conditional use permit for a four-story, 108-unit residential care facility.</li></ol>
Existing Land Use and Zoning:	Vacant land; zoned C-4(PD) Freeway Office (Planned Development)
Surrounding Land Use and Zoning:	North – Multi-family residential and Office; zoned C-4(PD) South – Office; zoned C-4(PD) East – Hospitality; zoned C-4(PD) West – Townhomes; zoned RO-24 Residential Office
Comprehensive Plan Designation:	Office

## HISTORY

City Council Action:	07/20/2009 – Adopted an ordinance rezoning 5501 and 5601 American Blvd. W. from C-4 to C-4(PD) and approved a preliminary development plan for a 10-story hotel, 10-story office building, and a shared parking structure (Case 10825BCD-09).
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## CHRONOLOGY

Planning Commission	01/10/2019 – Recommended City Council approval of the Comprehensive Guide Plan Amendment, rezoning, major revision to the preliminary development plan, final
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development plan, and conditional use permit for a residential care facility.

City Council

02/04/2019 – Public hearing scheduled (Ordinances)

## DEADLINE FOR AGENCY ACTION

Application Date:	12/05/2018
60 Days:	02/03/2019
Extension Letter Mailed:	Yes
120 Days:	04/04/2019
<b>Applicable Deadline:</b>	<b>04/04/2019 (Extended by City)</b>
Newspaper Notification:	Confirmed – (12/27/2019 Sun Current – 10 day notice)
Direct Mail Notification:	Confirmed – (500 buffer – 10 day notice)

## STAFF CONTACT

Mike Centinario  
(952) 563-8921  
mcentinario@BloomingtonMN.gov

## PROPOSAL

The applicant is proposing to develop two-phase residential care and independent living senior housing facilities at 5501 and 5601 American Blvd. W., respectively. Phase 1 would be located at 5501 American Blvd. W. and would consist of a 108-unit, four-story residential care facility living facility with a mix of assisted living, enhanced care, and memory care units. Phase 2 would be located at 5601 American Blvd. W. and consist of 131 independent senior housing rental units. The applicant originally submitted plans for a 143-unit second phase but revised preliminary development plans reducing the Phase 2 building by 12 units. To accomplish the development, the applicant is seeking the following entitlements:

- A Comprehensive Plan Amendment to re-designate the future land use designation of the two properties from Office to High-Density Residential land uses;
- Rezoning the properties from C-4(PD) Freeway Development (Planned Development) to RM-50 Multiple-Family Residential;
- Preliminary and final development plans for the two-phase residential care facility and independent living building; and
- A conditional use permit for a 108-unit residential care facility (Phase 1).

## ANALYSIS

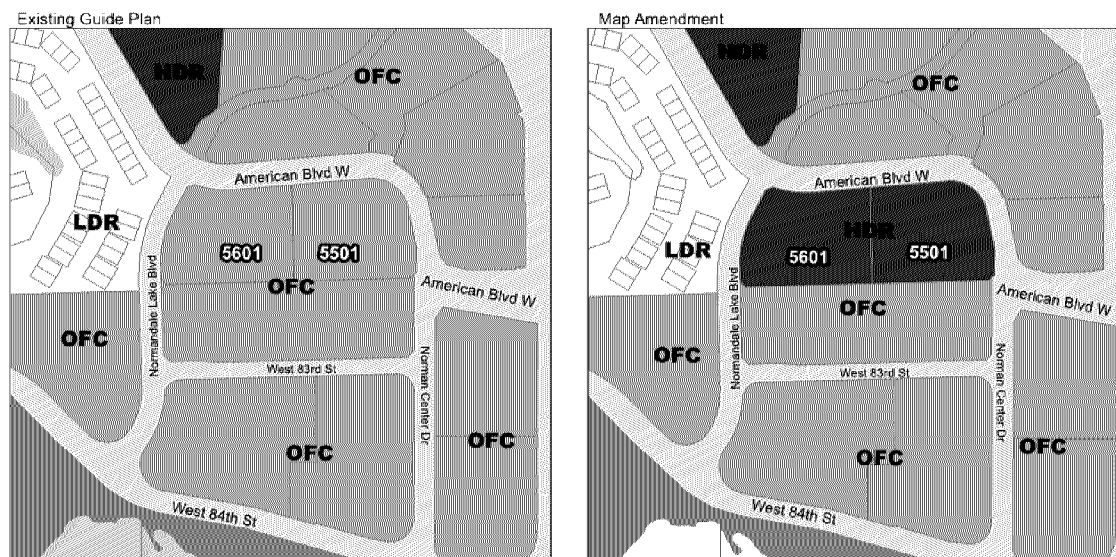
### **Mandatory Environmental Review**

A previous development application (PL2018-336) submitted by the property owner was for an Environmental Assessment Worksheet (EAW). The EAW was submitted for City review this fall and the public comment period as required by State of Minnesota Rules has been completed. Staff's response to those comments and findings of fact are included in the packet materials. Staff is seeking a negative declaration by the City Council indicating a more in depth Environmental Impact Statement is not required prior to acting on these applications.

### **Comprehensive Plan Amendment**

The current Office land use designation allows for residential uses, but only if integrated with a non-residential use. The proposed development is entirely residential, so it is inconsistent with the Office designation. The High-Density Residential land use designation, the proposed land use designation, would be consistent with the development. Figure 1 below depicts the current and proposed land use designation.

**Figure 1: Existing and Proposed Land Use Designation**



The Normandale Lake District Plan recognized office development has been in decline since the District Plan was adopted in 2008 and alternative land uses may be acceptable for undeveloped properties. Other sites within the District have similarly converted from office to high-density residential uses. The two examples are The Covington and The Preserve apartment buildings, which opened in 2014 and 2017, respectively. Both of these apartment buildings are market-rate, non-age restricted developments.

Acknowledging the lack of demand for new office development, the District Plan modelled development scenarios with a reduction in office development and increase in multi-family development. The purpose was to model whether or not the District's infrastructure would be able to handle additional residential utility demand. The conclusion was infrastructure improvements planned for the District would meet anticipated demand from higher intensity residential uses.

The Metropolitan Council is the final review authority for Comprehensive Plan Amendments, but is currently in the process of reviewing municipal-level Comprehensive Plans. The Metropolitan Council has initiated a "blackout" period for individual, site-based amendments until after the City-wide Comprehensive Plan Amendment process has been completed. Staff does not know when the Metropolitan Council will end the blackout period, but will likely end well after the City has completed its development review process. This does not impact the City Council review process, no additional permits may be issued until the Metropolitan Council approval is received.

### **Rezoning**

The current C-4 zoning district allows residential land uses, provided there is a portion of the floor area dedicated to non-residential land uses. The proposed development does not have any non-residential uses, so the properties must be rezoned.

Provided the City Council approves the Comprehensive Plan Amendment re-designating the land use from Office to High-Density Residential, the proposed RM-50 would be the most appropriate zoning district. In total, the development would entail 33 units/acre, which is within the 20 to 50 dwelling unit range within the RM-50 zoning district. Figure 2 depicts the existing and proposed zoning designation.

**Figure 2: Existing and Proposed Zoning Designation**



While not a City Code requirement, the intent of high-density residential districts is to have direct access from a collector or arterial street. American Blvd. W. is designated a “reliever arterial” street in the Comprehensive Plan. Both the density and access for the development are consistent with the RM-50 zoning district.

### **Code Compliance**

Table 1 identifies applicable City Code RM-50 zoning district development requirements. Additional details are provided in the paragraphs that follow the Table. Because the development is a two-phase planned development, compliance with standards for the first phase as well as the entire planned development (i.e., “full-buildout”) are included in the analysis.

**Table 1: City Code Requirement Analysis**

<b>Standard</b>	<b>Code Required</b>	<b>Provided</b>	<b>Compliance</b>
Minimum site area	80,000 sq. ft.	155,156 sq. ft. 315,183 sq. ft. (entire PD)	Meets Code
Minimum lot width	200 ft.	>300 ft.	Meets Code
Building setback (along all streets)	40 ft. minimum	47 ft.	Meets Code
Structure setback for retaining walls >4 ft. in height	40 ft.	10 ft.	Flexibility requested
Building rear yard setback	30 ft.	73 ft.	Meets Code
Parking/drive aisle setback (along street)	20 ft.	14 ft.	Revisions required – encroachment by retaining wall and parallel parking stalls
Parking setback (rear yard)	5 ft.	15 ft.	Meets Code
Landscaped parking islands	Minimum 8 ft. width; deciduous tree; no more than 300 feet of perimeter parking without island	No island along south parking field	Minor revision required – one additional island required
Floor area ratio (for institutional uses)	1.0 Maximum FAR	0.93 FAR	Meets Code
Usable open space	300 square feet per unit – 32,400 sq. ft.	~ 40,000 sq. ft. plus unit balconies	Meets Code
In-unit storage space	96 cubic feet; minimum 4 ft. horizontal and vertical dimension	Unknown	To be confirmed prior to permit

Minimum density	20 dwelling units/acre	33 dwelling units/acre	Meets Code
Building height	No maximum	50.5 ft.	Meets Code
Parking required	356 spaces (entire PD)	362 spaces	Meets Code
Drive aisle	24 ft.	24 ft.	Meets Code
Trash and recycling collection area	851 sq. ft.	439 sq. ft.	Revisions required
Trees	126 trees (entire PD)	150 trees	Quantity meets Code – minor revisions required
Shrubs	315 shrubs (entire PD)	283 shrubs and 566 perennial plantings	Meets Code

### **Building and Site Design**

Phase 1 would be a four-story building with the main entrance on the south. A second entrance, for deliveries and back-of-house operations would be located on the north side. The first floor would consist of memory and enhanced care units as well as accessory uses like dining and recreational spaces. The second through fourth floors would be assisted living units with recreational and community spaces on the second floor.

To accommodate emergency access needs, a 20-foot fire lane would be constructed on the west side of the building, straddling the property line. That fire lane would be removed with Phase 2 and an enclosed connection between the two buildings would be constructed. To maintain some access on the west side of the Phase 1 building and east side of the Phase 2 building, the applicant proposes a deep “hammerhead.” The hammerhead must provide turn radius and slope to insure the required fire truck is full maneuverable in the space.

The one development flexibility request is for a retaining wall located on the north side of the Phase 2 building. City Code requires retaining walls over 4 feet in height to meet the building setback requirement, which is 40 feet in the RM-50 district. Within the building setback, the proposed retaining wall is between 0 and 8 feet in height. Staff is supportive of the requested flexibility for a retaining wall due to the site’s topography and the need to access underground parking, but is not supportive of flexibility within the 20-foot landscape yard. Staff is recommending a condition requiring at least a 20-foot setback where the retaining wall exceeds four feet in height.

The proposed retaining must also provide a barrier between the wall and trail. Staff is recommending a condition of approval requiring a decorative barrier at least 4 feet in height between the retaining wall and the trail along the north side of the property. Another retaining wall would be constructed on the west side of the Phase 2 building, again to access the underground parking. That retaining wall is beyond the minimum building setback and is oriented perpendicular from the sidewalk along Normandale Lake Blvd. Staff does not propose requiring a barrier for the west retaining wall.

Building materials for Phase 1 would consist of brick, stone, glass, metal panels, and fiber cement panels. Brick, stone, and glass are permitted materials in the RM-50 zoning district. Metals are permitted, provided they meet City exterior materials policies. Notably, a 30-year metal panel finish warranty is required. Fiber cement panels are considered secondary materials, which are permitted so long as the total amount of secondary materials does not exceed 15 percent for any individual building elevation. The amount of secondary materials is compliant with City Code requirements. As a two-phase project, the architectural design for Phase 2 has not been determined, but a massing diagram was submitted. A future final development plan application for Phase 2 would detail the building's architecture and would be subject to City review.

### **Landscaping, Screening and Lighting**

A landscaping plan was submitted for review and meets most City Code requirements. For the entire planned development, 126 trees and 315 shrubs are required. One-hundred and fifty trees, 283 shrubs, and 566 perennial plantings are depicted on the landscaping plan. An eight-foot concrete trail along the entirety of American Blvd. W. must be constructed as part of Phase 1. Two trees and located within the American Blvd. W right-of-way and must be relocated. The applicant also proposes a back-up generator at the northeast corner of Phase 1. This location must be screened from the public street as approved by the Planning Manager; the screening should complement the building's architecture.

A lighting plan was not submitted along with the application materials. Compliance with Section 21.301.07 would be required before a building permit would be issued. Generally, City Code requires at least 1.0 footcandle within surface parking areas and 3.0 footcandles within the underground parking structures. Five footcandles are required at primary entrances, while only 2 footcandles are required at secondary entrances. "Initial" and "maintained" photometric plans must be submitted for review and must be signed by an Electrical Engineer or Certified Lighting Professional (LC).

### **Access, Circulation, and Parking**

Two "full" access points would be provided for Phase 1. The proposed access along the north side of the building would primarily be used for deliveries and back-of-house operations. A secondary egress is proposed along the north side, although staff believes minor modifications are needed to the design so the egress functions as a right-out only, particularly given its proximity to the curve in American Blvd. The second full access would be via a shared driveway in the southeast corner of the site. The shared driveway serves as an access to the 8200 Tower within the Normandale Lake Office Park.

Table 2 identifies the parking requirement for both phases. Phase 1 would consist entirely of assisted living and memory care units, the applicant would like the flexibility to convert some assisted living units to independent units in the future. Independent units have a higher parking requirement – 1.5 stalls per dwelling unit. To meet the higher parking demand, and to allow the

applicant to convert assisted to independent living units, the applicant would construct the parking requirement for the majority of Phase 1 units as if they were independent living units.

**Table 2 – Parking Requirement Analysis**

Use Description	Standard	Proposed	Parking Requirement
Senior Housing – Phase 1	1.5 stalls per unit	83 units	124.5
Memory Care – Phase 1	1.5 per 4 beds	25 units	9.4
Party room – Phase 1	1 per 100 sq. ft.	1,229 sq. ft.	12.3
Senior Housing – Phase 2	1.5 stalls per unit	131 units	196.5
Party room – Phase 2	1 per 100 sq. ft.	1,300 sq. ft.	13.0
<b>Totals</b>		<b>239 units</b>	<b>356 stalls</b>
<b>Total Proposed Parking</b>			<b>362 stalls</b>

The proposed parking supply would exceed the City Code parking requirement. Guest and employee parking for Phase 1 would be located to the north, east, and south of the building. A portion of the southern parking would be located on the Phase 2 site and would ultimately be shared with the Phase 2 development. Regardless, there would be sufficient parking for resident, guest, and employee parking between the two sites.

One minor modification is needed along the south parking field; at least one landscaped parking island must be added so the length of parking uninterrupted by a landscaped island does not exceed 300 feet. This modification would remove one parking stall from the supply if a stall is not added elsewhere. The parking supply would still exceed the Code requirement.

### **Stormwater Management**

Stormwater will be managed to meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. The Stormwater Management plan calculations and narrative have been reviewed and appear to meet the requirements in the City of Bloomington Comprehensive Surface Water Management Plan. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County. This site is located within the Nine Mile Creek Watershed District, so an additional permit will be required.

### **Utilities**

Sanitary sewer and water service proposed for the site is feasible. The below grade parking will require protection from stormwater intrusion into any sanitary sewer system.

### **Traffic Analysis**

The subject site falls within the Normandale Lake District which is guided by the Normandale Lake District Plan. The development of that plan also included the Normandale Lake District Traffic

Study, which was last updated for this area in December 2015 based on expected land use for the district. The 2015 Study did anticipate additional mixed use occurring in the district, but nothing similar (from a traffic and trip generation perspective) to the current proposal. With the proposed zoning and parcel use that accompanies the subject application, an update to the Normandale Lake Traffic Study would be required to adequately capture the anticipated traffic impacts resulting from this proposal. While American Boulevard is a minor arterial roadway and we would anticipate it has adequate capacity to serve this proposed development, the Normandale Lake Traffic Study Update will evaluate the capacity of the roadway as well as the intersection of American Boulevard West and Normandale Lake Boulevard to determine if the new trip generation would warrant a traffic signal at this intersection or any other modifications to Normandale Lake Boulevard and surrounding roadways. This update would also capture new trips that have begun using American Boulevard since the westbound freeway ramp has opened on Bush Lake Road. From the 2015 Normandale Lake District Traffic Study it is known that the new freeway ramp, combined with the proposed development of the vacant parcels in the district will likely trigger the need to proceed to construction on the aforementioned signal, but the traffic study is needed prior to using district abatement funds for that work.

The subject application proposes four access points to the site, upon completion of all phases of the development. Three of the access points are proposed to be full accesses, two of which are at signalized intersections, and the most easterly access along American Boulevard West is proposed to be egress (right-out) only. Traffic staff have concerns with the easterly access point, given its location on the inside curve of the roadway and the limited sight lines available for traffic exiting at this location. Because of the limited sight distance on the inside of the curve traffic staff have recommended the access point be eliminated and a turn-around area be created on site in order to just utilize the full access driveway located along American Boulevard West, just west of this proposed partial access driveway. If the proposed egress only drive is still proposed, it must be designed in a way that meets AASHTO design guidelines for stopping sight distance and decision sight distance, which will dictate the skew of the driveway and also limit landscaping and other details on the American Boulevard frontage close to the driveway.

As noted in the conditions, an 8' sidewalk along the south side of American Boulevard will be required to be constructed with the development. This new sidewalk is to be constructed parallel to the future planned alignment of American Boulevard. This sidewalk is a critical element for accessibility and mobility in the District and is identified in City's Alternative Transportation Plan and the Normandale Lake District Plan.

#### **Transit and Transportation Demand Management (TDM)**

This redevelopment will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist.

#### **Fire Preventions and Public Safety**

The access and circulation design must meet or exceed the minimum fire code standards and be maintained in accordance to the approved plan, including a surface to provide all weather driving capabilities. Apparatus access must be asphalt or concrete and support a minimum of 80,000 pounds with a turning radius to accommodate BFD ladder 4. The applicant must insure the proposed landscaping plans do not interfere with building access.

Hydrants must be strategically placed to provide an adequate water supply for firefighting operations in and around all areas of the project and subsequent development including coverage within 50 feet of the fire department connection and within 150 feet of any exterior wall. Hydrants will be approved by the Utilities and Fire Prevention Divisions.

The building must be addressed plainly and visible from the street or road using numbers that contrast with the background. The numbers must be a minimum of four inches, be Arabic numbers or alphabetic letters with a minimum stroke width of 0.5 inches. A Knox box(s) will be required at the main entrances and other areas as designated by the Fire Prevention Division.

A common concern for commercial kitchens, especially those producing grease laden vapors, is to assure the hood suppression system is tested to the UL300 Standard, be listed and labeled for the intended application and have the capability to flow water through the same nozzles upon discharge of the wet chemical. Provide for emergency responder radio coverage throughout the complex and in all structures per the requirements of Appendix L in the 2015 Minnesota State Fire Code.

Any changes made to the current plans, including building location, access roads, and water supply and addressing, shall be reviewed by the Fire Marshal to insure continued compliance with the fire code.

#### **Status of Enforcement Orders**

There are no open enforcement orders for the properties.

## **FINDINGS**

### **Required Preliminary Development Plan Findings - Section 21.501.02(d)(1-6):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed use is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – Provided the property's Future Land Use Designation is amended to High Density Residential, there would be no conflict between the proposed development and the Comprehensive Plan. The Comprehensive Plan encourages life cycle housing and promotes housing for all age groups. Incorporating life cycle housing would diversify housing options in the Normandale Lake District.
(2) The proposed use is not in	<b>Finding Made</b> - The proposed development is located in

conflict with any adopted District Plan for the area.	an area Normandale Lake District. The District Plan encourages balanced development, including a mix of multi-family housing types.
(3) All deviations from City Code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval.	<b>Finding Made</b> – The proposed development is almost entirely Code complying. The proposed deviation for a retaining wall is intended to accommodate sufficient underground parking on a site with substantial topography.
(4) Each phase of the proposed development 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	<b>Finding Made</b> – The planned development is proposed to be completed in two phases, although Phase 1 is not dependent on Phase 2.
(5) The proposed 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.	<b>Finding Made</b> – The property is served by an arterial roadway with adequate capacity. There is adequate utility infrastructure available to serve the development. The proposed use is not anticipated to be an excessive burden on parks, schools, streets, and other public facilities.
(6) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare	<b>Finding Made</b> – The senior residential development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare.

**Required Final Development Plan Findings - Section 21.501.03(d)(1-7):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed use is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – Provided the property's Future Land Use Designation is amended to High Density Residential, there would be no conflict between the proposed development and the Comprehensive Plan. The Comprehensive Plan encourages life cycle housing and promotes housing for all age groups. Incorporating life cycle housing would diversify housing options in the Normandale Lake District.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> - The proposed development is located in an area Normandale Lake District. The District Plan encourages balanced development, including a mix of multi-family housing types.

(3) The proposed development is not in conflict with the approved Preliminary Development Plan for the site.	<b>Finding Made</b> – The applicant has simultaneously submitted an application for a Preliminary and Final Development Plan, which are consistent with each other.
(4) All deviations from City Code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval.	<b>Finding Made</b> – The proposed development is almost entirely Code complying. The proposed deviation for a retaining wall is intended to accommodate sufficient underground parking on a site with substantial topography.
(5) The proposed development 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.	<b>Finding Made</b> – The planned development is proposed to be completed in two phases, although Phase 1 is not dependent on Phase 2.
(6) The proposed 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.	<b>Finding Made</b> – The property is served by an arterial roadway with adequate capacity. There is adequate utility infrastructure available to serve the development. The proposed use is not anticipated to be an excessive burden on parks, schools, streets, and other public facilities.
(7) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare	<b>Finding Made</b> – The senior residential development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare.

**Required Conditional Use Permit Findings - Section 21.501.04 (e) (1)**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed use is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – Provided the property's Future Land Use Designation is amended to High Density Residential, there would be no conflict between the proposed development and the Comprehensive Plan. The Comprehensive Plan encourages life cycle housing and promotes housing for all age groups. Incorporating life cycle housing would diversify housing options in the Normandale Lake District.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> - The proposed development is located in an area Normandale Lake District. The District Plan encourages balanced development, including a mix of multi-family housing types.

(3) The proposed use is not in conflict with City Code provisions.	<b>Finding Made</b> – Subject to approval of minor City Code deviations, as part of the planned development application, and compliance with conditions of approval, the proposed use is not in conflict with City Code provisions.
(4) The proposed use 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.	<b>Finding Made</b> – The property is served by an arterial roadway with adequate capacity. There is adequate utility infrastructure available to serve the development. The proposed use is not anticipate to be an excessive burden on parks, schools, streets, and other public facilities.
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	<b>Finding Made</b> – The proposed residential care facility is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare.

## RECOMMENDATION

The Planning Commission and staff recommend the following motions:

In Case PL2018-336, I move to adopt a resolution approving a negative declaration regarding the need for an Environmental Impact Statement (EIS) for the United Land, LLC Development at 5501 and 5601 American Blvd. W.

In Case PL2018-394, I move to adopt a resolution amending the Comprehensive Land Use Guide Plan to reguide 5501 and 5601 American Blvd. W. from Office to High-Density Residential.

In Case PL2018-394, I move to adopt an ordinance rezoning the primary zoning district of 5501 and 5601 American Blvd. W. from C-4 Freeway Office to RM-50 Multiple-Family Residential.

In Case PL2018-394, having been able to make the required findings, I move to approve a major revision to the Preliminary Development Plan for a two-phase senior assisted living and senior independent living development located at 5501 and 5601 American Blvd. W.

In Case PL2018-394, having been able to make the required findings, I move to approve final development plans for a four-story, 108-unit senior assisted living facility located at 5501 American Blvd. W.

In Case PL2018-394, having been able to make the required findings, I move to adopt a resolution approving a conditional use permit for a 108-unit residential care facility located at 5501 American Blvd. W.

## RECOMMENDED CONDITIONS OF APPROVAL

Case PL201800394

**Project Description:** Comprehensive Plan Amendment, Rezoning, Major Revision to the Preliminary and Final Development Plans for a Senior Housing Development, and Conditional Use Permit for a 108-unit residential care facility.

**Address:** 5501 & 5601 AMERICAN BLVD. W.

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

1. Prior to Permit A Site Development Agreement, including all conditions of approval, must be executed by the applicant and the City and must be properly recorded by the applicant with proof of recording provided to the Director of Community Development.
2. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
3. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
4. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
5. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
6. Prior to Permit An erosion control surety must be provided (16.08(b)).
7. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
8. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
9. Prior to Permit 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, Minnesota State Fire Code Sec. 508).
10. Prior to Permit Food service plans must be approved by the Environmental Health Division (City Code Sec. 14.360).
11. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
12. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
13. Prior to Permit Unit floor plans must demonstrate compliance with storage requirements in Section 21.302.09 of the City Code.
14. Prior to Permit Retaining walls must comply with the required setback except for the retaining wall along American Blvd. may have a height greater than four feet at a 20 feet setback.

15. Prior to Permit A protective border at least 4 feet in height must be installed between the retaining wall and the trail along American Blvd., as approved by the Planning Manager.
16. Prior to C/O Buildings shall meet the requirements of the Minnesota State Fire Code Appendix L (Emergency Responder Radio Coverage) adopted through City Ordinance to have approved radio coverage for emergency responders based upon the existing coverage levels of the public safety communication systems.
17. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
18. Prior to C/O Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
19. Prior to C/O Poured-in-place concrete curbs must be provided on the perimeter of parking lots and traffic islands (Sec 19.64).
20. Prior to C/O 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).
21. Prior to C/O Eight-foot wide sidewalk must be installed along American Blvd. W. Six-foot sidewalk must be installed along Normandale Lake Blvd. along with the construction of Phase 2. Sidewalk must be installed at the developer's expense (Section 21.301.04(b)(1)).
22. Prior to C/O A sidewalk with a width equal or greater to five feet must be provided to link the primary entrance of each building on site with the public sidewalk network.
23. Ongoing Alterations to utilities must be at the developer's expense.
24. Ongoing All loading and unloading must occur on site and off public streets.
25. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
26. Ongoing All rooftop equipment must be fully screened (Sec. 19.52.01).
27. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.