



May 21, 2019

Knox & American I LLC
ATTN: Ryan Dunlay
1000 West 80th Street
Bloomington, MN 55420

Bloomington Housing and Redevelopment Authority (HRA)
ATTN: Doug Grout, HRA Administrator
1800 West Old Shakopee Road
Bloomington, MN 55431

RE: Cases #PL2019-40 and #PL2018-255 – Phase III of the Penn American Development
1901 and 1951 American Boulevard W, 8049 Morgan Circle, and 8000 Knox Avenue S

Mr. Dunlay and Mr. Grout:

At its regular meeting of May 20, 2019, the City Council approved the following applications associated with Phase III of the Penn American development:

- 1) Rezoning 8049 Morgan Circle, 1951 American Boulevard West, and a portion of 1901 American Boulevard West from C-5 to C-5(PD) (Case #PL2019-40)
- 2) Preliminary Development Plans for two four-story multiple-family residential apartment buildings (248 total units) and an existing restaurant (Case #PL2019-40)
- 3) Final Development Plans for two four-story multiple-family residential apartment buildings totaling 248 units and an existing restaurant (Case #PL2019-40)
- 4) Variances to reduce the lot size and lot width of Lot 2, Block 1, Knox American Addition from 80,000 square feet to 78,691 square feet and from 250 feet to 191.7 feet (Case #PL2019-40)
- 5) Platting Variance to defer payment of park dedication fees for Lot 2, Block 1, Knox American Addition until prior to the issuance of a building permit (Case #PL2019-40)
- 6) Preliminary and Final Plat (Type III) of Knox American Addition - create three lots and four outlots (Case #PL2018-255)

The approval of the Preliminary and Final Development Plans is subject to conditions that must be satisfied prior to the issuance of a Grading, Footing, Foundation or Building Permit. While the conditions list includes selected City Code requirements of particular interest, the development must comply with all applicable local, state and federal codes. The following conditions apply to the Preliminary and Final Development Plans:

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 A building permit for all required changes to accommodate the proposed use must be obtained.

3. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
4. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
5. Prior to Permit Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
6. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
7. 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.
8. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
9. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed (State of MN and Federal regulation).
10. Prior to Permit An erosion control surety must be provided (16.08(b)).
11. Prior to Permit 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 (State of MN).
12. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
13. Prior to Permit The properties 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 building permits (22.03(a)(2)).
14. Prior to Permit Permanent roadway and utility easements must be provided for improvements constructed on 8100 Knox Avenue South, 2000 and 2200 West 82nd Street and 8050 Morgan Circle as approved by City Engineer and proof of filing must be provided to the Engineering Division.
15. Prior to Permit A Construction Management Plan must be submitted for review and approval by the City.
16. Prior to Permit Haul Route and Construction Traffic Control Plans must be approved by the City Engineer.
17. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
18. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
19. Prior to Permit Parking lot and site security lighting plans must be provided to satisfy the requirements of Section 21.301.07 of the City Code.
20. 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).
21. Prior to Permit 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).
22. Prior to Permit Private common driveway and access agreements as approved by the City Engineer must be filed with Hennepin County and proof of filing provided to the Engineering Division.
 23. Prior to C/O Buildings must 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.
 24. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
 25. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
 26. 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.
 27. Prior to C/O 80th 1/2 Street must be approved to be open for traffic by the City Engineer prior to issuance of certificates of occupancy for the multiple-family residential buildings.
 28. Ongoing Alterations to utilities must be at the developer's expense.
 29. Ongoing All construction related drop-off, pick-up, loading, unloading, stockpiling, staging and parking must take place on site and off adjacent public streets and public right-of-way.
 30. Ongoing Three foot high parking lot screening must be provided along American Boulevard West as approved by the Planning Manager (Sec. 19.52).
 31. Ongoing All rooftop equipment must be fully screened (Sec. 21.301.18).
 32. Ongoing All trash and recyclable materials must be stored inside the principal buildings (Sec. 21.301.17).
 33. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
 34. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
 35. Ongoing The residential buildings must maintain a minimum of 125 storage units that are compliant with City Code (Sec. 21.302.09(d)(7)).
 36. Ongoing Proposed modifications within the public right-of-way, including loading areas, are not allowed unless specifically approved by the City Engineer.

The approval of the Variances to reduce lot size and lot width of Lot 2, Block 1, Knox American Addition is subject to the following condition:

1. Ongoing The lot size and lot width variances for Lot 2, Block 1, Knox American Addition are limited to those as shown in the approved plans in Case #PL2019-40.

The approval of the Platting Variance to defer payment of park dedication fees associated with Lot 2, Block 1, Knox American Addition until prior to the issuance of a building permit is subject to the following condition:

1. Ongoing Park dedication fees must be paid prior to the issuance of a building permit on Lot2, Block 1, Knox American Addition. Park dedication fees on all other lots must be paid prior to recording the plat.

The approval of the Preliminary and Final Plat of Knox American Addition is subject to the following conditions:

1. Prior to Recording A title opinion or title commitment that accurately reflects the state of title of the property being platted, dated within 6 months of requesting City signatures, must be provided.
2. Prior to Recording A consent to plat form from any mortgage company with property interest must be provided.
3. Prior to Recording Right-of-way on American Boulevard West and Knox Avenue South must be dedicated to the public as approved by the City Engineer.
4. Prior to Recording Public drainage and utility easements must be provided as approved by the City Engineer.
5. Prior to Recording Public sidewalk and bikeway easements must be provided along all street frontages as approved by the City Engineer.
6. Prior to Recording Park dedication must be satisfied, except for Lot 2, Block 1, Knox American Addition, which must be satisfied prior to the issuance of a building permit.
7. Prior to Recording Morgan Circle must be vacated according to the procedures outlined in City Code Section 10.15.
8. Prior to Recording A permanent access agreement must be provided for 8050 Morgan Circle granting access to a public roadway as approved by the City Engineer.

Should you have any questions regarding this action, please contact Nick Johnson, Planner, at (952) 563-8925 or nmjohnson@BloomingtonMN.gov.

Sincerely,



Glen Markegard, AICP
Planning Manager