

SEC. 19.25. RULES IN ESTABLISHING ZONING DISTRICTS.

- B. **Definition.** Bungee jumping means the sport, activity or practice of jumping, stepping out, dropping or otherwise being released into the air while attached or fastened to a cord made of rubber, latex, or other elastic type material, whether natural or synthetic, whereby the cord stops the fall, lengthens and shortens, allows the person to bounce up and down and is intended to finally bring the person to a stop at a point above the surface.
- C. **Prohibition.** The practice of bungee jumping in any form whatsoever, whether open to the general public or for demonstration, exhibition or other purposes, is hereby prohibited.
- D. **Penalty.** It shall be a misdemeanor to violate any provision of this ordinance.

(Code, 1958 S 8.03; Ord. No. 54, 12-18-61; renumbered to S 7.03; Ord. No. 66-11, 2-14-66; Ord. No. 72-38, 7-17-72; Ord. No. 89-18, 3-27-89; Ord. No. 92-42, 8-17-92; Ord. No. 96-69, 12-16-96; Ord. No. 98-3, 1-5-98; Ord. No. 98-14, 4-6-98; Ord. No. 2002-16, 5-6-2002; Ord. No. 2002-38, 12-2-2002; Ord. No. 2012-2, 1-23-2012)

SEC. 19.27. RESERVED.

SEC. 19.27.01. RESERVED.

SEC. 19.28. RESERVED.

SEC. 19.28.01. RESERVED.

SEC. 19.28.02. RESERVED.

SEC. 19.28.03. RESERVED.

SEC. 19.29. HIGH INTENSITY MIXED USE WITH RESIDENTIAL (HX-R) DISTRICT.

- (a) **Intent.** It is the purpose of this district to provide for high intensity employment-oriented, tourist-oriented and residential uses in areas close to frequent transit service. The provisions of this district are intended to:
 - (1) Promote high intensity development;
 - (2) Avoid under-utilization of the small supply of land in Bloomington that lies within one half mile of high frequency mass transit service;
 - (3) Require the creation of a significant high density residential node to diversify housing options available in Bloomington and create a live-work-recreation environment;
 - (4) Reduce vehicle trips and vehicle miles traveled relative to the same level of development in other areas by allowing residences in close proximity to employment and services, by allowing intense development in close proximity to high frequency transit service, and by encouraging multi-purpose trips, walking trips, carpool trips and transit trips;
 - (5) Reduce overall costs and impacts of parking by making shared parking feasible where peak parking demand times vary among uses;
 - (6) Maximize return on public utility and transportation infrastructure investments by requiring high intensity development;
 - (7) More efficiently use public and private infrastructure by taking advantage of peak demand time variations for infrastructure (roads, transit, sewer, water, electricity, phone) among land uses. By becoming a source of trip origins as well as trip destinations, roadway and transit systems can be used in a more efficient bi-directional manner;
 - (8) Ensure that residential development is compatible with the surrounding noise levels;
 - (9) Provide a pedestrian oriented environment; and
 - (10) Provide floor area ratio bonuses to encourage development characteristics that advance citywide and district specific objectives, including accessory retail and service uses, below grade parking, parks or plazas, affordable housing, public art and sustainable design.
- (b) **Permitted Principal Uses.**
 - (1) Offices.
 - (2) Hotels.
 - (3) Multiple family dwellings.
 - (4) Transit stations.
 - (5) Public uses.
 - (6) Cinema and theaters.
 - (7) Medical offices and clinics.
 - (8) Conference, exposition and meeting facilities.
 - (9) Entertainment and recreation special events.
- (c) **Permitted Accessory Uses.** The following uses are permitted when accessory to, clearly subordinate to and physically integrated with a permitted principal or conditional principal use. These accessory uses must not exceed 25 percent of the total floor area for a development or phase thereof.

- (1) Retail uses for the sale of groceries, bakery goods, drugs, sundry items, gifts, books, recorded music, arts and crafts, plants and similar items.
 - (2) Personal and business service establishments including dry-cleaners, exercise and health activities, beauty and barber shops, copying services, photo developing, picture framing, licensed therapeutic massage, travel agencies and similar establishments.
 - (3) Restaurants without drive-up facilities.
 - (4) Financial institutions without drive-up facilities.
 - (5) Day care facilities.
 - (6) Fuel sales physically integrated within a structured parking facility.
 - (7) Other uses customarily incidental and clearly subordinate to a permitted principal or conditional use. Drive-through uses are prohibited.
 - (8) Type I home businesses pursuant to standards as set forth in Section 21.302.13.
 - (9) Transient merchant sales in hotel interiors only.
 - (10) Beekeeping.
 - (11) Hotel manager dwelling unit.
- (d) **Conditional Uses.**
- (1) Expansion of electric substation or electric transmission line facilities in existence prior to January 1, 2005, subject to the provisions of Section 19.29(q).
 - (2) Type II home businesses pursuant to standards as set forth in Section 21.302.13.
 - (3) Expansion of hotel facilities in existence prior to January 1, 2005, subject to the provisions of Section 19.29(q).
 - (4) Manufactured home parks pursuant to standards as set forth in Section 21.302.10.
- (e) **Interim Uses.**
- (1) Remote airport parking, subject to the provisions of Section 19.29(q).
- (f) **Residential Uses Required.**
- (1) Minimum Density. Development within the HX-R zoning district must include at least 30 residential dwelling units per acre of gross site area, with the following exceptions.
 - (A) Residential uses are prohibited in areas forecast to have average future aircraft noise levels at or above 70 dB DNL.
 - (B) For the purposes of calculating the required number of residential dwelling units for a site within the HX-R zoning district, the land area, as calculated by City staff, of the site forecast to be exposed to average future aircraft noise levels at or above 70 dB DNL will be subtracted from the overall site area.
 - (C) On sites in which over two-thirds of the site area is forecast to be exposed to average future mitigated aircraft noise levels at or above 70 dB DNL, residential uses in the area with less than 70 dB DNL are allowed but not required.
 - (D) Forecast aircraft noise levels will be determined based on the most recent MSP Part 150 aircraft noise contour map approved by the Federal Aviation Administration that incorporates the aircraft noise impacts of Runway 17-35.
 - (2) Phased Developments. When a mixed use development is constructed in phases, it is the intent of the HX-R zoning district that the residential components of the development not be set aside until the final development phase(s). Therefore, when residential uses are required on a site, Final Development Plans may not be approved for a structure or structures that would increase the total non-residential floor area on the site to over 50 percent of the total non-residential floor area on the site approved in the Preliminary Development Plan unless:
 - (A) construction has commenced on at least 50 percent of the total number of residential dwelling units on the site approved in the Preliminary Development Plan;
 - (B) the structure or structures include both non-residential and residential uses and its construction would bring the number of residential dwelling units on the site to at least 50 percent of the total number of residential dwelling units on the site approved in the Preliminary Development Plan; or
 - (C) the City Council determines that the approval satisfies the intent of the HX-R zoning district.
 - (3) The multiple-family residence requirements of Code Section 21.302.09 do not apply within the HX-R zoning district.
- (g) **Floor Area Ratio.**
- (1) The minimum floor area ratio required for development within the HX-R zoning district is 1.5.

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- (2) Floor area ratio calculations include all residential and non-residential development on a site but exclude structured or underground parking.
- (3) In cases where development on a site occurs in phases, each individual development phase must comply with the floor area ratio requirements of this subsection on its own or in conjunction with previous phases if previous phases exceeded floor area ratio requirements. The overall development must also comply with the floor area ratio requirements of this subsection.
- (4) The maximum floor area ratio for development within the HX-R zoning district is 2.0, but may be increased through the following bonus provisions.
 - (A) Retail and service use bonus. Developments including accessory retail and service uses are eligible for bonus floor area. Two square feet of additional floor area is allowed per square foot of accessory retail and service use floor area. In no case may the retail and service use floor area ratio bonus exceed 0.50.
 - (B) Below grade parking bonus. Developments including below grade parking are eligible for bonus floor area. Two square feet of additional floor area is allowed per gross square foot of below grade parking floor area. To qualify for the bonus, parking must be fully below the finished final grade on all sides. In no case may the below grade parking floor area ratio bonus exceed 0.75.
 - (C) Plaza or park bonus. Developments not subject to park donation requirements as specified in Section 22.10 that include publicly accessible plaza or park areas are eligible for bonus floor area. One square foot of additional floor area is allowed per square foot of publicly accessible plaza or park area meeting the following requirements.
 - (i) Land used to satisfy park dedication requirements is not eligible for park or plaza bonus floor area.
 - (ii) The plaza or park must include at least 5,000 square feet of contiguous area.
 - (iii) To avoid long and narrow spaces, the length of the plaza or park must not exceed three times the width of the plaza or park.
 - (iv) At least 25 percent of the perimeter of the plaza or park must abut a public or private street.
 - (v) At least 30 percent of the plaza or park area must consist of landscaping or water features.
 - (vi) The plaza or park must be easily accessible via sidewalk.
 - (vii) The plaza or park must be designed to encourage public use through the provision of seating, tables, trash receptacles, water features and areas for public entertainment or public display of art or cultural exhibits. Seating must be provided at a rate of not less than one seat per 200 square feet of plaza or park area for the first 10,000 square feet.
 - (viii) The site development agreement must include provisions ensuring that the plaza or park is open to the public every day between 7:00 a.m. and 9:00 p.m. and maintained in good order.
 - (ix) In no case may the park or plaza floor area ratio bonus exceed 0.25.
 - (x) The site development agreement must include provisions ensuring the installation, preservation, maintenance, and replacement, if necessary, of plaza or park features.
 - (xi) The plaza or park must include pedestrian lighting at an illumination level of at least 2.0 foot candles.
 - (D) Affordable housing bonus. Developments including affordable housing as defined by the Metropolitan Council are eligible for bonus floor area. Three square feet of additional floor area is allowed per square foot of affordable housing unit floor area subject to the following requirements.
 - (i) The site development agreement must include provisions ensuring that rental units receiving the bonus will continue to remain affordable for thirty years.
 - (ii) The site development agreement must include provisions ensuring that owned units receiving the bonus will initially be sold at an affordable level and that mechanisms are in place to ensure that the owned units receiving the bonus will continue to remain affordable when resold in the future.
 - (iii) In no case may the affordable housing floor area ratio bonus exceed 1.0.
 - (E) Public art bonus. Developments committing funds to on-site public art are eligible for bonus floor area. One square foot of additional floor area is allowed per fifty dollars committed to on-site public art, subject to the following requirements.
 - (i) In no case shall the public art floor area ratio bonus exceed 0.5.

- (ii) Developments requesting the public art bonus must submit a plan, to be approved by the City Council, documenting the type of public art to be commissioned, the budget, location, schedule and artist selection process. To qualify for the bonus, the City Council must approve the plan.
 - (iii) Works of art must be placed outside of a building at a location clearly visible and freely accessible to the public.
 - (iv) The site development agreement must include provisions ensuring the installation, preservation, maintenance, and replacement, if necessary, of the public art.
 - (v) To ensure that public art is installed as proposed, a performance security in an amount equal to the bonus level approved must be submitted prior to issuance of building permits for a building on a site receiving a public art bonus. The security may consist of a bond, irrevocable letter of credit, cash deposit or other instrument that provides an equal performance guarantee to the City.
- (F) Sustainable design bonus. Developments designed to minimize negative impacts on the environment as measured by the LEED (Leadership in Energy and Environmental Design) Green Building Rating System® are eligible for bonus floor area. The LEED Rating System® is a voluntary national standard administered by the U.S. Green Building Council. Bonuses are subject to the following provisions.
- (i) One quarter square foot of additional floor area is allowed per square foot of floor area within a building that receives LEED certification at the Certified or Silver award level. One half square foot of additional floor area is allowed per square foot of floor area within a building that receives LEED certification at the Gold or Platinum award level.
 - (ii) In no case may the sustainable design floor area ratio bonus exceed 1.0. The sustainable design floor area ratio bonus applies only to the phase of development that includes a building receiving LEED certification and cannot be carried forward to future project phases.
 - (iii) Applications for development wishing to use the sustainable design bonus must include a report from a LEED certified architect or engineer that includes a statement of the anticipated LEED certification level, a copy of the most recent version LEED Scorecard, and a summary of how and/or why each LEED credit can or cannot be achieved.
 - (iv) A building permit for a building using the sustainable design bonus will not be issued until an independent, LEED certified inspector, architect or engineer under the supervision of the City and paid for by the applicant verifies that the construction plans include the elements necessary to receive LEED certification at the level for which the bonus was granted. In the event that the LEED certification level for which the bonus was granted cannot be verified during the building permit plan review process, the applicant must either modify the construction plans to achieve the verification or forfeit the bonus by amending the final development plans to remove the bonus floor area.
 - (v) A final Certificate of Occupancy for a building using the sustainable design bonus will not be issued until the City receives verification from the U.S. Green Building Council that the building has been granted LEED certification at the award level for which the bonus was granted.
 - (vi) The site development agreement must acknowledge that building permits and final Certificates of Occupancy will not be issued unless LEED certification at the level for which the bonus was granted can be verified.

(h) **Dimensional Requirements.**

- (1) Building Placement. HX-R zoning district building placement requirements are intended to promote intensity, to maximize design flexibility, to facilitate pedestrian movement and to create an active pedestrian environment.
 - (A) There is no minimum building setback required from property lines fronting public streets.
 - (B) The minimum building setback along a lot line not adjacent to a public street is ten feet, unless the lot line separates two portions of the same site, in which case no minimum building setback from the internal lot line is required.
 - (C) Buildings must not encroach into public easements.
 - (D) To create an active pedestrian level environment, at least one public entrance to buildings with ground level retail and service uses must be located within 20 feet of a public street, internal private street or major pedestrian way. The City Council may approve an alternative location for buildings with ground level retail and service uses provided the alternative location better serves the goal of creating an active pedestrian level environment.

(E) Skyways, tunnels, and similar pedestrian connection structures have no setback requirements from property lines for a width of 120 feet.

(2) Minimum Site Area. The minimum site area within the HX-R zoning district is 120,000 square feet. Parcels with areas below 120,000 square feet may be created as part of a planned development, provided the area of the overall planned development is at least 120,000 square feet.

(3) Maximum Structure Height. Maximum structure height is set forth in Section 21.301.10 of this Code.

(i) **Parking.**

(1) The number of motor vehicle parking spaces provided within a development must not exceed 130 percent of the citywide requirements set forth in Section 21.301.06 of this Code, unless the City Council determines that additional motor vehicle parking levels are warranted based on the results of a motor vehicle parking study, prepared by an independent traffic engineering professional under the supervision of the City and paid for by the applicant.

(2) Location of motor vehicle parking. In order to more efficiently use available land, improve aesthetics and create a pedestrian-oriented environment that promotes walking, biking and transit use, the location of motor vehicle parking is restricted within the HX-R zoning district.

(A) Motor vehicle parking must be located below grade, within structured ramps, or in individual on-street spaces parallel with and adjacent to low volume streets. At-grade motor vehicle parking areas are prohibited with the exception of small, short-term visitor parking areas near structures. At-grade visitor parking areas, if provided, may include no more than one motor vehicle parking space per 20,000 square feet of floor area in the associated building.

(B) For phased developments where at grade motor vehicle parking already exists, the overall number of at grade motor vehicle parking spaces on site must be proportionally reduced with each phase of development so that compliance with limitations on at grade parking is achieved prior to or in conjunction with the final phase of construction.

(3) Bicycle parking. Bicycle parking facilities commensurate with anticipated demand must be provided near building entrances.

(j) **Building Design.**

(1) Entrances. Buildings adjacent to and within 100 feet of public streets must include at least one public entrance clearly visible and directly accessible from an adjacent public street. The public entrance may include security controls.

(2) Windows. First floor building facades facing and within 100 feet of public or private streets or major pedestrian corridors must meet the following window standards on those facades in order to promote a pedestrian oriented environment and add visual interest.

(A) For residential uses, a minimum of 25 percent of the area of the first floor building facade must be composed of windows or entrances.

(B) For non-residential uses, a minimum of 50 percent of the area of the first floor building facade must be composed of windows or entrances. No more than 25 percent of the total window area and eye level window area may be obscured by signs, product displays or similar covering. Blinds, curtains and similar temporary coverings for privacy or sunlight control are permitted.

(C) To count toward window area requirements, windows must be transparent.

(3) Blank Facades. Blank building facades or walls must not exceed 20 feet in length. A building facade or wall is considered to be blank if it is uninterrupted by windows, doors, ornamentation, decoration, articulation or other architectural detailing.

(4) Exterior materials. The exterior materials and finish of all buildings and structures erected within the HX-R zoning district must conform with the applicable requirements of Section 19.63.08 of this Code.

(5) Canopies and Awnings. First floor canopies and awnings are encouraged on buildings in order to promote a pedestrian oriented environment and add visual interest. Canopies and awnings must not extend above the first floor of a building or more than 15 feet above the finished grade.

(6) Parking Structures. Given the anticipated intensity of development within the HX-R zoning district, above grade parking structures are likely to be common features within the district. The following standards are intended to ensure that parking structures complement the visual character, pedestrian orientation, and overall attractiveness of the area.

(A) Placement.

(i) Above grade parking structures must not front on either American Boulevard or 34th Avenue within 200 feet of the point at which the applicable site's property lines that front on both streets would intersect if extended.

(ii) To the extent feasible, parking structures should be placed in locations where their visibility from active areas is reduced.

- (iii) Establishing retail and service uses on the ground floor of parking structures and partially wrapping the parking structure with active building space is encouraged.
- (B) **Architecture and Materials.** Parking structure facades visible from public streets, private streets or transit corridors must architecturally complement the building or buildings the parking structure serves through the use of exterior materials, architectural elements, and color.
 - (i) Parking structure exterior materials must meet the requirements of Section 19.63.08.
 - (ii) Parking structure exterior material color must complement the color of the building or buildings the parking structure serves.
 - (iii) Parking structures must include architectural elements that enhance the structure, break up its mass and complement the building or buildings the parking structure serves. Examples of specific architectural elements that may assist in meeting this requirement include decorative piers and pilasters, banding, reveals, architectural accents, wall plane articulation, decorative artwork, ornamental grillwork, recessed window openings, facade treatment variations and locating tenant signs on the side of parking ramps.
 - (iv) Parking structure access points must be architecturally articulated to add visual interest.
 - (v) Parking structures must be designed to block the visibility of vehicle headlights from outside the parking structure.
- (k) **Pedestrians and Bicycles.** Achieving the intent of the HX-R zoning district will require high quality, linked sidewalks and bikeways.
 - (1) Development must provide sidewalks and bikeways that support movement throughout the Airport South District and are consistent with the Airport South sidewalk and bikeway plan.
 - (2) Site design for new development must promote pedestrian circulation and the principles of Crime Prevention Through Environmental Design (CPTED).
 - (3) Development must provide sidewalks and, where appropriate, bikeways along all public and private streets unless the City Council determines that an alternative sidewalk or bikeway location better serves the development and surrounding area.
 - (4) Development must provide sidewalks between building entrances and the streetside or areawide system.
 - (5) Development must provide for direct and continuous pedestrian and bicycle connections to adjacent sites, where links to existing, proposed or potential development are appropriate.
 - (6) Development sites that contain a transit station must provide direct and continuous sidewalk and bikeway connections between the transit station and buildings on site as well as to adjacent sites, where links to existing, proposed or potential development are appropriate.
 - (7) To support street level retail uses, pedestrian movement between adjacent buildings and sites is encouraged to take place at grade rather than through skyways or tunnels. Grade separated pedestrian crossings over arterial and collector streets are encouraged.
 - (8) Sidewalk width requirements.
 - (A) Sidewalks adjacent to public streets, major sidewalks internal to sites and sidewalks adjacent to retail and service storefronts must have an unobstructed, walkable width of at least eight feet. Additional width is encouraged in appropriate areas to accommodate outdoor seating, benches, landscaping, light posts, trash receptacles, bicycle parking and similar pedestrian oriented infrastructure.
 - (B) All other sidewalks must have an unobstructed, walkable width of at least six feet.
 - (C) The City Council may require greater sidewalk widths through condition of approval when greater widths are deemed necessary to meet anticipated pedestrian needs or State Aid standards.
- (l) **Open Space and Landscaping.**
 - (1) Landscaping must conform with the requirements of Section 19.52 and other applicable requirements of this Code.
 - (2) Development must conform with any applicable district streetscape or open space plan.
 - (3) Each development site subject to park donation requirements as specified in Section 22.10 must include at least one on-site plaza or park that meets the following requirements.
 - (A) The plaza or park must include at least 5,000 square feet of contiguous area. The first 5,000 square feet of plaza or park area qualifies as a credit toward the park donation requirements of Section 22.10. Additional plaza or park land area above 5,000 square feet may qualify as a credit toward the park donation requirements of Section 22.10 if the City determines that additional land is needed on the site to meet the park and recreation needs of area workers and residents.

- (B) To avoid long and narrow spaces, the length of the plaza or park must not exceed three times the width of the plaza or park.
- (C) The plaza or park must be reserved for public use through a permanent easement and must be open to the public every day between 7:00 a.m. and 9:00 p.m.
- (D) At least 30 percent of the plaza or park must consist of landscaping or water features.
- (E) The plaza or park must include pedestrian lighting at an illumination level of at least 2.0 foot candles.
- (F) At least 25 percent of the perimeter of the plaza or park must abut a public or private street.
- (G) The plaza or park must be easily accessible via sidewalk.
- (H) The plaza or park must be designed to encourage public use through the provision of seating, tables, trash receptacles, water features and areas for public entertainment or public display of art or cultural exhibits. Seating must be provided at a rate of not less than one seat per 200 square feet of plaza or park area for the first 10,000 square feet.
- (I) The plaza or park must be maintained in good order.
- (J) The site development agreement must include provisions ensuring public access as well as the installation, preservation, maintenance, and replacement, if necessary, of plaza or park features.
- (m) **Noise Insulation.** Until citywide aircraft related noise insulation standards are adopted, required noise insulation levels within the HX-R zoning district will be established through conditions attached to individual development approvals and site development agreements.
- (n) **Reserved.**
- (o) **Public Art.** The provision and exterior display of public art creates visual interest within the HX-R zoning district and helps to facilitate a pedestrian oriented environment.
 - (1) Preliminary and final development plans for new development in the HX-R zoning district must designate potential future locations for public art near high volume pedestrian corridors. At least one potential future public art location must be designated per 2.5 acres of site area. The HX-R zoning district does not require the provision of public art but does offer floor area ratio bonuses for public art subject to the provisions of Section 19.29(g)(4)(D).
- (p) **Sign Regulations.** Refer to Article X of this Chapter.
- (q) **Construction or Expansion Not in Compliance with HX-R District Standards.** Where construction or expansion not in compliance with HX-R District residential use and minimum floor area ratio requirements is allowed to occur through issuance of a Conditional Use Permit or Interim Use Permit, such construction or expansion is subject to the following provisions.
 - (1) The new or expanded use is not required to comply with HX-R District residential use and minimum floor area ratio requirements. The new or expanded use must meet all other applicable requirements of the District and City Code, including parking requirements.
 - (2) Expansion of an existing use not in compliance with HX-R District residential use and minimum floor area ratio requirements must be contained within the parcel currently occupied by the existing use.
 - (3) Additional requirements for nonconformities are set forth in Section 21.504 of this Code.

(Code, 1958 S 7.051; Added by Ord. No. 78, 5-21-62; Ord. Nos. 63-13, 63-21, 6-24-63; Ord. No. 65-24, 5-3-65; Ord. No. 65-78, 10-11-65; Ord. No. 75-36, 7-7-75; Ord. No. 87-1, 1-12-87; Ord. No. 90-29, 7-2-90; Ord. No. 90-42, 9-10-90; Deleted by Ord. No. 91-64, 10-7-91; Added by Ord. No. 2004-32, 7-6-2004; Ord. No. 2004-35, 8-16-2004; Ord. No. 2005-2, 1-18-2005; Ord. No. 2005-11, 4-25-2005; Ord. No. 2006-54, 12-18-2006; Ord. No. 2008-1, 1-14-2008; Ord. No. 2008-13, 4-21-2008; Ord. No. 2009-33, 11-2-2009; Ord. No. 2009-40, 12-7-2009; Ord. No. 2010-29, 11-1-2010; Ord. No. 2011-16, 8-1-2011; Ord. No. 2015-18, 7-2-2015; Ord. No. 2015-33, 11/26/2015)

SEC. 19.30. RESERVED.

(Code, 1958 S 11.02; Village Ord. No. 173, 2-16-59; Ord. No. 54, 12-18-61, renumbered to S 7.06; Ord. No. 63-21, 6-24-63; Ord. No. 63-35, 9-23-63; Ord. No. 65-24, 5-3-65; Ord. No. 65-43, 7-12-65; Ord. No. 65-78, 10-11-65; Ord. No. 67-9, 2-13-67; Ord. No. 69-17, 2-17-69; Ord. No. 71-9, 1-25-71; Ord. No. 76-27, 5-10-76; Ord. No. 79-1, 1-22-79; Ord. No. 81-59, 11-23-81; Ord. No. 82-18, 6-7-82; Ord. No. 88-53, 9-19-88; Ord. No. 89-40, 7-17-89; Ord. No. 90-29, 7-2-90; Ord. No. 90-42, 9-10-90; Ord. No. 92-38, 7-27-92; Ord. No. 96-25, 7-1-96; Ord. No. 97-36, 8-18-97; Ord. No. 2002-38, 12-2-2002; Ord. No. 2004-27, 5-3-2004; Ord. No. 2004-35, 8-16-2004; Deleted by Ord. No. 2006-35, 9-11-2006)

SEC. 19.31. RESERVED.

(Code, 1958 S 11.03; Village Ord. No. 166, 1-12-59; Village Ord. No. 173, 2-16-59; Village Ord. No. 180, 3-20-59; Village Ord. No. 206, 10-5-59; Ord. No. 5, 1-3-61; Ord. No. 54, 12-18-61, renumbered to S 7.07; Ord. No. 80, 6-11-62; Ord. No. 65-24, 5-3-65; Ord. No. 65-43, 7-12-65; Ord. No. 65-69, 9-20-65; Ord. No. 66-11, 2-14-66; Ord.



October 25, 2016

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

RE: Case # PL201600146
8170 31ST AVE S

Mr. Fabel:

At its regular meeting of October 24, 2016, the City Council approved a Type II Preliminary and Final Plat to divide one outlot into one lot and three outlots, and a Major Revision to Final Development Plans for a new 8-level parking structure plus loading dock and surface parking modifications. (Case # PL201600146).

The approval 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.

1. Prior to Permit 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 any permits (22.03(a)(2)).
2. Prior to Permit The Grading, Drainage, Utility, Erosion Control, Access, Traffic, Parking and Circulation plans must be approved by the City Engineer.
3. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
4. 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).
5. 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).
6. 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).
7. 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).
8. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction

PLANNING DIVISION

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AN AFFIRMATIVE ACTION/EQUAL
OPPORTUNITIES EMPLOYER

- 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).
9. 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.
 10. Prior to Permit Public drainage and utility easement must be provided on the plat as approved by the City Engineer and proof of filing must be provided to the Manager of Building and Inspection:
 11. Prior to Permit Private common driveway/access and utility easement agreements be filed with Hennepin County and proof of filing provided to the Engineering Division
 12. Prior to Permit A 10-foot sidewalk/bikeway easement must be provided by document along all street frontages as approved by the City Engineer.
 13. Prior to Permit All sidewalks within the development must meet Section 21.301.04 of the City Code.
 14. Prior to Permit Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
 15. Prior to Permit An erosion control surety must be provided (16.05(b)).
 16. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
 17. 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.
 18. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
 19. Prior to Permit An Airport Zoning Permit must be approved by the Community Development Director for the parking structure. No portion of the structure above 80 feet in height from grade may be constructed prior to the issuance of a no-hazard declaration from the Federal Aviation Administration.
 20. Prior to Permit Haul Route and Construction Traffic Control Plans must be approved by the City Engineer.
 21. Prior to Permit A Construction Management Plan must be submitted for review and approval by the City
 22. 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.
 23. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
 24. Ongoing The site and building improvements are limited to those shown on the approved plans in Case File #PL201600146.
 25. Ongoing Alterations to utilities must be at the developer's expense.
 26. Ongoing All construction stockpiling, staging, loading, unloading, drop-off, pick-up and parking must take place on-site and off adjacent public streets and public rights-of-way.
 27. Ongoing Development must comply with the Minnesota State Accessibility Code.

- 28. Ongoing Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
- 29. Ongoing Three foot high parking lot screening must be provided along 30th Avenue South as approved by the Planning Manager (Sec. 19.52).
- 30. Ongoing Poured-in-place concrete curbs must be provided on the perimeter of parking lots and traffic islands (Sec 19.64).
- 31. Ongoing An Airport Zoning Permit must be approved by the Community Development Director for the crane structure prior to its erection or use.

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