



June 23, 2020

Mr. Michael Roebuck  
Ron Clark Construction and Design  
7500 W. 78th St.  
Bloomington, MN 55439

RE: Case # PL2020-83  
3701 American Blvd. E., 6 Appletree Square, and 8101 36<sup>th</sup> Ave. S., Bloomington, MN

Mr. Roebuck:

At its regular meeting of June 22, 2020, the City Council approved a preliminary and final development plan for a 328 unit multi-phase, mixed-use development at 3701 American Blvd. E., 6 Appletree Square, and 8101 36th Ave. S., Bloomington, MN (Case # PL202000083).

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.

#### **Preliminary Development Plan Conditions of Approval**

1. Ongoing The American Square Planned Development must be implemented in accordance with the approved preliminary development plan, unless otherwise amended in accordance with City Code.
2. Ongoing Opportunity housing units must be provided in accordance with Chapter 9 of the City Code. Payment in lieu of affordable units must be provided prior to the issuance of building permits for a fully-market rate Phase I of the planned development.
3. Prior to Permit To ensure sufficient sanitary sewer capacity and to avoid sanitary sewer surcharge, a building permit must not be issued for Phase I or Phase II unless the City Council has accepted a feasibility study and ordered the associated project(s) to increase sanitary sewer capacity sufficient to serve the project phase or the Director of Public Works has determined that adequate sanitary sewer capacity exists to serve the development phase.

#### **Final Development Plan Conditions of Approval**

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 Development must comply with Lower Minnesota Watershed District standards.
  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 An erosion control surety must be provided (16.08(b)).
  6. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
  7. 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.
  8. 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).
  9. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
  10. 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).
  11. 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.
  12. Prior to Permit Professional certifications related to steep slope disturbances must be submitted in compliance with Bluff Protection standards and be approved by the City Engineer.
  13. 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).
  14. Prior to Permit Federal Aviation Administration review is required through the 7460 airspace analysis process.
  15. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
  16. Prior to Permit 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 10-foot trail along American Blvd. E. must be provided. Private sidewalk must maintain 5-feet clear. A pedestrian connection must be provided between the Phase I and Phase II sites (Section 21.301.04(b)(1)).
  18. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
  19. Ongoing All construction stockpiling, staging and parking must take place within the planned development and off adjacent public streets and public right-of-

- way.
- 20. Ongoing Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
  - 21. Ongoing All rooftop equipment must be fully screened (Sec. 19.52.01).
  - 22. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
  - 23. Ongoing Alterations to utilities must be at the developer's expense.
  - 24. Ongoing Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
  - 25. Ongoing 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).

Should you have any questions regarding this action, please contact Mike Centinario, Planner, at (952) 563-8921 or [mcentinario@BloomingtonMN.gov](mailto:mcentinario@BloomingtonMN.gov).

Sincerely,



Glen Markegard, AICP  
Planning Manager