

GENERAL INFORMATION

Applicant:	Bloomington Central Station, LLC (Owner) BCS GD West, LLC (Owner) McGough Development (Applicant)
Location:	3001, 3097 and 3107 American Boulevard East 8100 31 st Avenue (there are additional addresses within the Planned Development, but no changes are proposed on those parcels)
Request:	<ol style="list-style-type: none">1) Major Revision to the Preliminary Development Plan for Bloomington Central Station to replace three proposed office towers and associated detached parking structures with three multiple-family residential apartment buildings and other phased site improvements within the northwest portion of the development;2) Final Development Plans for a six-story, 405-unit apartment building with an approximately 15,000 square-foot grocery space and other associated site improvements;3) Preliminary and Final Plat (Type III) of Bloomington Central Station 7th Addition; and
Existing Land Use and Zoning:	Parking lot; zoned High Intensity Mixed Use with Residential (Planned Development) (HX-R(PD))
Surrounding Land Use and Zoning:	North – Office and airport parking; zoned C-4(PD), C-4 and HX-R South – Office/vacant land; zoned C-4(PD)(BP) and C-4(BP)(AR-17) West – Parking, substation/office and manufacturing; zoned HX-R(PD)(AR-17), HX-R(PD) and IT(PD)(AR-17) East – Office; zoned HX-R(PD)
Comprehensive Plan Designation:	South Loop Mixed Use

HISTORY

City Council Action:	12/06/2004 – Approved rezoning from CS-1(PD)(AR-17) to HX-R (PD)(AR-17) (Case #2830A-04).
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City Council Action: 12/06/2004 – Approved a revised Preliminary Development Plan for Bloomington Central Station (Case #2830G-04).

City Council Action: 07/24/2006 – Approved Final Development Plan for Bloomington Central Station Park (Case #2830A-06).

City Council Action: 10/06/2008 – Approved Preliminary and Final Plat for Bloomington Central Station 2nd Addition (Case #2830A-08).

City Council Action: 05/06/2013 – Approved a modification to Preliminary Development Plan conditions of approval, Final Development Plan for a 302 room hotel, and Preliminary and Final Plat for Bloomington Central Station 3rd Addition (Hyatt Regency) (Case #2830ABCD-13).

City Council Action: 12/02/2013 – Approved a Major Revision to the Preliminary Development Plan, Final Development Plan for a 420 unit apartment building, and Preliminary and Final Plat for Bloomington Central Station 4th Addition (Indigo) (Case #2830FGHI-13).

City Council Action: 10/24/2016 – Approved a Type II Preliminary and Final Plat to divide one outlot into one lot and three outlots; Major Revision to Final Development Plans for a new 8-level parking structure plus loading dock and surface parking modifications at 8170 31st Avenue and 8171 30th Avenue. (Case #PL2016-146).

City Council Action: 02/05/2018 – Approved a Preliminary and Final Plat for Bloomington Central Station 6th Addition at 8041 and 8051 33rd Avenue South (Case #PL2017-216).

City Council Action: 02/05/2018 – Approved Final Development Plans for a six-story, mixed use building with 400 residential units and approximately 4,000 square feet of commercial space at 8041 and 8051 33rd Avenue South (The Fenley) (Case #PL2017-252).

City Council Action: 03/19/2018 – Approved a revised Final Development Plan for a six-story mixed use building with 402 residential units and approximately 2,100 square feet of commercial space located at 8041 and 8051 33rd Avenue South (The Fenley) (Case #PL2018-21).

CHRONOLOGY

Planning Commission	04/22/2021 – Recommended approval (Votes: 5-0, 4-1 and 5-0)
City Council	05/03/2021 – Consent Business

DEADLINE FOR AGENCY ACTION

Application Date:	03/16/2021
60 Days:	05/15/2021
120 Days:	07/14/2021
Applicable Deadline:	05/15/2021
Newspaper Notification:	Confirmed (04/08/2021 Sun Current – 10 day notice)
Direct Mail Notification:	Confirmed (500-foot buffer – 10 day notice)

STAFF CONTACT

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PROPOSAL

The subject application is comprised of three approval requests pertaining to the Bloomington Central Station (BCS) planned development (PD):

- 1) A Major Revision to the Preliminary Development Plan (PDP) to replace planned office buildings and associated parking structures in the northwest portion of the development with three mixed-use, multiple-family residential apartment structures and other associated site improvements;
- 2) A Final Development Plan for a six-story, mixed use residential apartment building with 405 total apartments and approximately 15,000 square-foot grocery space. Additional site improvements include the construction of 31st Avenue South and East 80th ½ Street, site landscaping, and other pedestrian amenities; and
- 3) Preliminary and Final Plat (Type III) of Bloomington Central Station 7th Addition.

There is also a separate application for an Airport Zoning Permit for construction cranes needed for the construction of the project. That application is reviewed and acted upon at the staff level.

The development proposed in the Final Development Plans would be located immediately north of the Blue Line light rail transit (LRT) corridor between 30th and 31st Avenue South. The property is immediately west of Bloomington Central Station Park. As part of the subject development, the portion of 31st Avenue South north in between the LRT line and American Boulevard East would be constructed as a private street, as well as East 80th ½ Street on the development's north side. On-street parking is proposed on both roadways, with significant retail parking on East 80th ½ Street. The southern end of 31st Avenue South would terminate near the LRT line with a turnaround and porte-cochere serving the residential apartment building. Upon the construction of future phases of the BCS planned development to the south, 31st Avenue would be extended southward across the LRT tracks and ultimately connect with East Old Shakopee Road (CSAH1). Both of these roadways are private and would be located within private outlots, similar to other streets within BCS. The roadways within BCS have been developed as private facilities, as narrower widths and pedestrian oriented designs do not meet minimum City standards for public roadways.

The proposed six-story apartment building includes 405 units and a 14,217 square-foot grocery store integrated into the ground level's northeast corner. The building would be constructed in two phases, with the grocery and eastern residential units in Phase 1 and western residential units in Phase 2. According to a supplemental memo detailing changes to the buildings unit type mix, the apartment building would include 299 one-bedroom or efficiency units, 94 two-bedroom units and 12 three-bedroom units. A six-story parking structure would be constructed within the center of the development, wrapped with residential apartments and the grocery space, similar to the design of other residential phases in BCS (Indigo and The Fenley). The parking structure includes 594 parking spaces, and additional site/surface parking within the development area adds 65 parking stalls (both parallel and 90-degree parking), resulting in a total parking supply of 659 parking stalls. Some of the surface and street parking provided is planned to be assigned to future phases of development.

The apartment and grocery building proposed exterior materials are glass, metal, stucco, and architectural concrete of various types. The maximum building height to the tallest structure parapet would be 77.3 feet above grade. The building includes three amenity courtyards with a swimming pool, community garden, fire pit, and other landscaped or passive recreation areas. The apartment building ground level also includes a variety of amenity spaces, including club rooms, fitness, sauna, workshop, work from home space, and other common areas. Residential units on Level One offer walk-up entrances with patios. Apartments on Levels Two through Six would have access to exterior balconies.

In accordance with the City's Opportunity Housing Ordinance (OHO) requirement, the residential development plans to provide 36 apartments affordable to households with incomes at or below 60 percent of Area Median Income (AMI), which is nine percent of the total unit count proposed (405 units). Satisfying the opportunity housing requirement makes the project eligible for various OHO tools and incentives provided in City Code (Sec. 9.16). Further discussion about the OHO requirement, compliance and development tools and incentives are found in a subsequent sections of the staff report.

PROPERTY HISTORY

The initial Preliminary Development Plan for the Bloomington Central Station (BCS) development was approved in 2004 in conjunction with the Reflections condominiums approval. Since that phase of development, there have been multiple developments and platting approvals for various BCS phases to achieve the existing condition. Other notable phases include Bloomington Central Station Park (2006), Hyatt Regency Hotel (2013), Indigo (2013), and The Fenley (2018). A new parking structure was approved for the existing Health Partners office tower in 2016.

ANALYSIS

Land Use

The subject properties are guided South Loop Mixed Use in the Land Use Element of the City's 2040 Comprehensive Plan. The South Loop Mixed Use land use designation works together with the HX-R zoning district to foster a mix of office, hospitality and supportive service and retail uses integrated with high density residential development in areas with excellent transit service. The proposed development in the subject Preliminary and Final Development Plans is consistent with the South Loop Mixed Use land use designation and HX-R zoning district.

Preliminary and Final Plat

In conjunction with the Preliminary and Final Development Plans for the apartment development, Type III Preliminary and Final Plat applications have also been submitted to create one platted lot (Lot 1) for the proposed development and three outlots for private roadway (Outlots A and C) and future development (Outlot B) purposes. The proposed plat, BLOOMINGTON CENTRAL STATION 7TH ADDITION, includes additional right-of-way dedication for 30th Avenue South for the creation of a proposed short term loading and unloading area. The plat must also include the dedication of public drainage and utility easements, and sidewalk/bikeway easements.

Staff supports the Preliminary and Final Plat application, subject to a list of recommended conditions. Should the plat be approved, it must be recorded at Hennepin County prior to the issuance of any footing/foundation or building permits. The applicant must satisfy the City's parkland dedication fee requirements prior to the plat being released for recording.

Preliminary Development Plan (PDP) Revisions

McGough Development proposes a Major Revision to the existing Preliminary Development Plan (PDP) for BCS to replace three existing office towers and associated parking structures in the northwest portion or area of the development with three mixed-use, residential apartment buildings. The office towers in the existing PDP total 918,300 gross square feet in three ten-story buildings (West Office C – 306,400 sq. ft., Northwest Office A – 306,400 sq. ft. and Northwest Office B – 305,500 sq. ft.). The associated parking ramps serving the office buildings would provide 3,600

total parking stalls. McGough Development would like to replace these office uses with three mixed-use residential buildings, which is consistent with the intent of both the South Loop Mixed Use land use designation and HX-R zoning district. The revised development proposed would include 925 total residential units and 26,000 gross square feet of retail space. Site parking to serve these uses would be provided in parking structures integrated into each distinct development phase.

The applicant cited multiple factors that inform the requested BCS PDP revision to replace existing office uses with residential uses. The suburban office market has shifted significantly in the last several years. This trend is not likely to change positively in the near-term due to the pandemic and its associated impacts on commercial real estate, particularly office uses. Based upon the success of previous residential developments completed by McGough in BCS (Indigo and The Fenley), favorable market dynamics for additional residential development in BCS have emerged.

In addition to these market dynamics, the Minneapolis-St. Paul International Airport (MSP) facility operational patterns and associated noise impacts have also changed in a favorable direction for BCS. The HX-R zoning district prohibits residential development within areas at or above the 70 db DNL noise contour, which previously enveloped the northwest portion of BCS. These noise contours have shifted away from BCS over time as a result of changes in the use of MSP runways for airplane take-off and landing actions. Airplanes themselves have also advanced to generate less noise than previous generations of aircraft. As a result of these changes, the northwest portion of the BCS development is now located within the 60 db DNL contour.

To assess the proposed Major Revision to the PDP, a traffic study was completed to evaluate the proposed change in land use. Trip generation associated with the mixed-use apartment buildings is less than the existing office uses would be anticipated to generate. Further discussion pertaining to traffic analysis of the proposed Major PDP Revision is found in the staff report's Traffic Analysis section.

The existing floor area ratio (FAR) of the approved Bloomington Central Station PDP is 2.23, which was achieved utilizing various floor area bonuses offered in the HX-R zoning district. Based on the amount of office floor area (918,300 sq. ft.) replaced with residential floor area (965,076 sq. ft.), the PDP revision contemplates an increase in overall FAR from 2.23 to 2.25. The HX-R zoning district offers bonus floor area based upon the provision of affordable units at a three to one square-foot ratio (Sec. 19.29(g)(4)(D)). According to OHO requirements, adding 925 residential units to the BCS development would necessitate provision of 83 affordable units. Assuming a modest minimum unit size of 500 square feet per unit, the addition of 83 affordable units would yield a FAR bonus of at least 120,000 square feet in floor area, which far exceeds the proposed increase of 46,776 square feet. By providing affordable units as required by the OHO, the subject planned development will remain in compliance with the maximum FAR standards of the HX-R zoning district.

Regarding the site parking needed for development phases contemplated in the revised PDP, each subsequent development phase will be required to provide an adequate supply of parking internal to its site, with modest consideration for shared parking. Except for BCS Hotel (Hyatt Regency), all

of the development phases within BCS have been evaluated based on providing adequate parking supply internally with the provision or consideration of on-street parking assigned to each development. The Hyatt Regency Hotel (Case #2830ABCD-13) approval did require the developer to record a shared parking easement to the benefit of the hotel in the amount of 123 parking stalls. As the future phases of residential development (BCS Phases 5 and 6) are considered, the provisions of 123 parking stalls to the hotel will be considered as part of the parking analysis of those development phases. It is likely a broader BCS development parking study would be appropriate as part of the analysis of future development given the opportunities for shared parking and unparalleled access to high frequency transit service.

The proposed revisions to the PDP also include the provision of a temporary or interim phase of development that would allow additional surface parking (40 stalls) adjacent to the Hyatt Regency Hotel located at 3107 American Boulevard East (Outlot Q of Bloomington Central Station 2nd Addition). The HX-R zoning district only allows for a minimal amount of surface parking to be provided on development sites on a permanent basis (Sec. 19.29(i)(2)(A)). For phased developments, the amount of existing surface parking must be reduced proportionally. The development proposed in the Final Development Plans does achieve the necessary proportionate surface parking reduction needed to allow for the addition of proposed surface parking serving the Hyatt Regency Hotel. The location of the subject parking is still planned for a 12-story office tower (Central Park Office) and eight-level parking structure northwest of the hotel in the final version or phase of the PDP. Staff is recommending a condition requiring additional surface parking proposed for 3107 American Boulevard East be allowed only as a temporary or interim development phase.

Opportunity Housing Ordinance and Incentives

The proposed residential development is required to comply with the City's opportunity housing requirement specified in Section 9.06 of the City Code. Under these provisions, residential development with 20 or more newly created units must make a minimum of nine percent of total units affordable to households at or below 60 percent AMI. The subject application has submitted an affordable housing plan demonstrating the City's opportunity housing requirement would be satisfied by making nine percent of total units affordable to households with incomes at or below 60% of Area Median Income (AMI). Nine percent of the total unit count would require a minimum of 36 units affordable to 60% AMI households be provided. Staff is recommending a condition of approval memorializing this quantity and level of residential affordability to satisfy the OHO requirement. The applicant will need to enter into an Affordable Housing Agreement with the Bloomington Housing and Redevelopment Authority (HRA).

Depending on the quantity and proportion of affordable units provided, residential developments are eligible to use affordable housing tools and incentives outlined in the OHO. The subject application includes multiple requests to utilize OHO incentives. Table 1 provides an overview of the tools and incentives utilized in relation to the base performance standards of the Zoning Code. Based on the fact the subject development proposes to make nine percent of its residential units affordable to households at or below 60% AMI, the application is eligible for the tools and incentives associated with that level of affordability. The subject properties are located within a designated transit area.

To utilize the tools and incentives discussed herein, the affordable units provided within the development must be maintained for a minimum period of 20 years (Sec. 9.15), as memorialized in the Affordable Housing Agreement.

Table 1: Summary of OHO Tools and incentives Utilized

OHO Tool/Incentive Utilized	Proposed or Requested	Maximum Incentive Allowed
Parking Reduction (Sec. 9.19(a)(1))	642 parking spaces ¹ (20% reduction)	642 parking spaces (20% reduction)
Residential Storage (Sec. 9.23)	102 storage units ² (75% reduction)	203 storage units (50% reduction)

Table Notes: 1. The application is seeking the maximum residential parking incentive allowed (20% reduction), as well as an additional request for PD flexibility to further reduce parking requirements for the total mixed-use development. The full parking requirement is based on multiple uses (residential and grocery), and some portions of the parking supply are intended for shared use.
2. The application is seeking the maximum reduction in residential storage allowed (50%) by the OHO, and seeking further reductions in residential storage through PD flexibility.

Additional discussion about specific site and building characteristics proposed in the Preliminary and Final Development Plans is found in the subsequent sections of the staff report. Requests for flexibility through the Planned Development (PD) Overlay Zoning District have also been made pertaining to parking and residential storage above and beyond what is permitted under the OHO. These requests must be evaluated based upon the public benefit associated with the flexibility provided. Regarding the tools and incentive awarded to the proposed development, ongoing compliance with the OHO and commitments made in the Affordable Housing Agreement would be administrated by the City's Housing and Redevelopment Authority (HRA).

Code Compliance – Final Development Plans

The proposed apartment building and associated site improvements have been reviewed according to the performance standards for structures in the HX-R zoning district. Requests for flexibility to some City Code standards through the Planned Development Overlay Zoning District are permissible provided the applicant demonstrates the project meets the required findings and the City Council determines the flexibility provides public benefit. Table 2 identifies the project characteristics that comply with City Code requirements as presented. Table 3 identifies formal requests by the applicant for flexibility through the PD Overlay Zoning District. Finally, Table 4 identifies project characteristics that are not in compliance with City Code requirements. Incentives and tools provided through compliance with the Opportunity Housing Ordinance (OHO) are also referenced by City Code section number. The following staff report sections provide additional detail and discussion regarding Code compliance, as well as an analysis of requests for flexibility.

Table 2: City Code Analysis – Site and Building Characteristics in Compliance

Standard and Code Section	Proposed	Meets Standard?
Minimum Site Area – 120,000 sq. ft. (Sec 19.29(h)(2))	1,676,322 square feet	Yes
Minimum Density – 30 units per acre (Base Standard – Sec 19.29(f)(1))	94.2 units per acre	Yes
Floor Area Ratio (PDP) Minimum – 1.5 and Maximum – 2.24 (existing approved PDP) (Sec. 19.29(g))	BCS 4 site – 2.24 BCS PD – 2.25	Yes (multiple HX-R FAR bonuses)
Minimum Structure Setbacks 0 feet w/no encroachment into easements (Sec. 19.29(h)(1))	10.2 feet (southeast corner) No encroachments	Yes
Pedestrian Street Step-Back Standard (31st Ave S) – 37.8 feet (SE corner) and 42 feet (NE corner) (Sec 21.301.10(e))	70.3 feet (NE corner) 72.6 feet (SE corner)	Yes (eligible for exceptions)
Minimum Building Floor Area Efficiency – 400 square feet One-Bedroom – 650 square feet Two-Bedroom – 800 square feet Three-Bedroom – 950 square feet (Sec 21.301.01(c)(3))	Efficiency – 532 sq. ft. One-Bedroom – 723 sq. ft. Two-Bedroom – 948 sq. ft. Three-Bedroom – 1,321 sq. ft.	Yes
Maximum Building Height – 114 feet @ southeast corner (Sec. 21.301.10(b)(1))	70.0 feet	Yes
Entrances – Buildings within 100 feet of public street must have at least one public entrance (Sec. 19.29(j)(1))	Two public entrances to 30 th Avenue South	Yes
Minimum Enclosed Parking Spaces 405 parking spaces (see Table 5) (Sec 21.301.06(d))	594 spaces	Yes
Minimum Parking Stall Size Surface – 9 feet by 18 feet Underground – 8.5 feet by 18 feet Compact – 8 feet by 16 feet	Surface – 9 ft. by 18 ft. Underground – 9 ft. by 18 ft. Compact – 8 ft. by 18 ft.	Yes
Minimum Drive Aisles Width – 24 feet (Sec. 21.301.06(c)(2)(C)(ii))	24 feet	Yes
Minimum Sidewalk Width Public Streets and Retail Areas – 8 feet All other sidewalks – 6 feet (Sec. 19.29(k)(8))	Retail areas – 8 feet All other sidewalks – 6 feet	Yes

Standard and Code Section	Proposed	Meets Standard?
Minimum Landscape Material 75 trees and 187 shrubs (Sec. 19.52(c)(2))	BCS Phase 4 – 77 trees and 283.5 shrubs Total – 115 trees / 283.5 shrubs	Yes
Minimum Trash and Recycling Storage 2,095 square feet (Sec. 21.301.17)	2,286 square feet	Yes

Table 3: City Code Analysis – Requests for PD Flexibility

Standard and Code Section	Proposed	Meets Standard?
Minimum Total Parking Spaces 706 parking spaces (see Table 5) (Base Standard – Sec 21.301.06(d)) (OHO Incentive – Sec. 9.19(a)(1))	622 parking spaces	Deviation requested – see further discussion
Minimum HX-R Ground Level Window Requirements (Sec. 19.29) Nonresidential elevations– 50 percent Residential elevations – 25 percent	Nonresidential – 28% Residential – 27%	Deviation requested – see further discussion
Minimum Storage Spaces – 203 units (Base Standard – Sec 21.302.09(d)(7)) (OHO Incentive – Sec. 9.23)	102 units	Deviation requested – see further discussion

Table 4: City Code Analysis – Site and Building Characteristics Not in Compliance

Standard and Code Section	Proposed	Meets Standard?
Minimum Site Lighting Surface parking areas – 2.0 FC (retail) Parking ramp areas – 5.0 FC (retail) Primary building entrances – 10 FC (retail) (Sec. 21.301.07(c)(12) and (13))	Surface parking – 2.1 FC Parking ramp – Unknown Primary entrance – 14.1 FC	No – see further discussion

Site and Building Design

The proposed apartment building observes reduced structure setbacks consistent with the mixed-use HX-R zoning district. The building is located outside of required easements, but at a minimal setback as encouraged. The smallest structure setback is 10.2 feet located at the southeast corner. The four residential wings provide architectural interest recess, not presenting long expanses of continuous building façade. Walk-up ground level units are provided on all sides of the building, and balconies are also featured on upper level units. No encroachments are proposed into public easements by these structures to staff's knowledge.

31st Avenue South is subject to the pedestrian street step back standards applied to designated pedestrian street segments according to the City's official heights limits map. As such, the eastern building elevation is subject to the step back standards, which are intended to maintain a pedestrian scale and character while limiting the "canyon effect" of tall buildings on both sides of the street. The eastern side of the building includes both a north and south wing in close proximity to 31st Avenue South. On the basis of the eastern structure setbacks of these wings, the maximum building height of these would be 42 feet for the northern wing and 37.8 feet for the southern wing. The respective building height at these corners far exceed the maximum height allowed based on the setback. However, the project is eligible for multiple exceptions. First, the southern half of the building is across from Bloomington Central Station Park, where no development is proposed. Second, the remaining portion of the building exceeding the maximum height is less than 25 percent of the block face along 31st Avenue South. As a result of these two exceptions, the project complies with the step back standards.

The maximum building height for the subject property is governed by the airport height limits established in the Minneapolis-St. Paul International Airport Zoning Ordinance. The southeast corner of the site is subject to the most restrictive height limit of 114 feet above grade. The proposed building at the southeast corner of the site is 70 feet in height and compliant. The maximum building height without an Airport Zoning Permit at the subject property is 80 feet, so an Airport Zoning Permit is not required for the building. However, an Airport Zoning Permit has been submitted for the proposed construction cranes needed to construct the building. Further discussion about the Airport Zoning Permit is found in a subsequent section of the staff report.

The mixed-use apartment building with grocery is proposed to have glass, stucco, metal panels and precast architectural concrete panels, some of which is faced with stone. All of these materials are permitted materials in the HX-R district, so long as they comply with durability and warranty provisions of the City's Exterior Materials and Finish Policies and Procedures Guide. The proposed six-story parking structure is wrapped by the residential apartment building and mostly not visible as a result. The ramp's exposed portion is faced with architectural concrete with metal battens as a secondary and accent material to add visual interest, which are compliant with the requirements for parking structures. Staff is recommending exterior materials be reviewed and approved by the Planning Manager prior to full building permit issuance.

The HX-R zoning district requires transparent windows and doors comprise the ground level area in an amount of 25 percent for residential uses and 50 percent for nonresidential uses. The residential portions of the building are compliant with the minimum glazing standard. For the nonresidential portions of the building, the application seeks flexibility through the Planned Development (PD) Overlay Zoning District to reduce the amount of required glazing around the grocery use for multiple reasons. The amount of transparent windows and doors on the northern elevation is 28 percent and the eastern elevation is 46.5 percent. The application seeks to utilize a combination of fritted or colored glazing and wall mounted, permanent art installations as a means to make up for the transparent glazing deficit. The flexibility request is rooted in the operational and floor layout requirements of a grocery use, which necessitates a higher quantity of product shelving and storage than traditional retail uses. In addition, the truck delivery court and product storage area for the

grocery is located in the northwest portion of the space, making glazing in this area impractical. The methods used to make up for the deficit of transparent glazing are supported as alternative methods to address inadequate glazing in the B-4, C-5 and LX zoning districts (see Sec. 21.301.03(b)(1)). Based on the operational characteristics of a grocery use, and the fact that utilizing glazing alternatives is an accepted practice in other districts when compliance is not practical or feasible, staff is supportive of the requested deviation assuming compliance with the alternative methods is achieved. Staff is recommending a condition requiring the combination of transparent glazing, colored glazing and permanent art to exceed 50 percent of the grocery tenant's ground level space.

The application also includes a request to reduce the required amount of residential storage from 203 storage units to 102 storage units to serve the apartment building, assuming a 50 percent reduction through the OHO is granted. That would provide one storage unit per four dwelling units. Based on the applicant's project description, the request is based on their knowledge or experience pertaining to market utilization of on-site resident storage. However, market variance related to residential storage unit utilization is specifically tied to user fees for storage, in staff's judgment.

Recent amendments to the Opportunity Housing Ordinance (OHO) were approved by the City Council in March (Ordinance #2021-1) that revised the tools and incentives to increase the reduction of residential storage for developments that provide greater levels of affordability. If the development were to provide 20% of total units at or below 50% AMI, the project would be eligible for the requested reduction in storage units – a 75% reduction in storage. Given the recent ordinance revision provided tied further reductions in residential storage to higher affordability levels, staff would not recommend further reduction through PD flexibility. Staff is recommending a condition 203 residential storage units be provided compliant with the dimension requirements of Code (Sec. 21.302.09(d)(7)). Note that further discussion on residential storage standards is planned with the City Council in June. Some of the arguments for and against in building storage units are the following:

Arguments in Favor of Storage Units	Arguments Against Storage Units
<ul style="list-style-type: none"> • Important amenity for livability/quality of life • Opportunity units have difficulty affording off site self-storage units • Low income residents have higher needs to retain items rather than repurchasing if the items may be needed again later • Difficulty in transporting items to off-site self-storage via transit • Fire safety • Reduces complaints (such as storage on balconies) • Reduces impacts of in-unit hoarding issues • Removing standard would encourage more self-storage facilities in the community 	<ul style="list-style-type: none"> • Adds cost for developer, which can increase funding gaps • Provision should be market driven (similar to swimming pools or exercise rooms) • Units may sit empty depending on cost charged • Adds administrative obligations to developer (for example, assigning storage units to dwelling units, hassle of abandoned items in the storage units) • Not a common requirement among cities (note that storage requirements interplay with garage requirements and some cities require garages)

Arguments in Favor of Storage Units	Arguments Against Storage Units
<ul style="list-style-type: none">• Developments without storage units often see storage in garages, displacing vehicles	

Noise Mitigation

As a result of the subject property being located within the 60 dB DNL contour due to proximity to MSP International Airport, the new building is required to have noise mitigation according to Section 21.301.12 of the City Code. Residential uses are among the most noise sensitive land uses. Successful noise mitigation has been provided at Reflections, Indigo and The Fenley residential developments, all in BCS. The applicant and their respective architects and general contractors have experience implementing successful noise mitigation in this area.

The noise mitigation ordinance requires the residential portion of the development to maintain an average interior sound level of 45 dBA or less with windows closed in living and sleeping areas. To satisfy the noise mitigation requirements, the architectural plans submitted for building permit must demonstrate compliance with the materials standards of Section 21.301.12(d)(1)(B) of the City Code, which specifies minimum STC rating of ceilings, walls, exterior windows and exterior doors. As an alternative method, the applicant would have the option of submitting an acoustical analysis submitted by a certified sound specialist demonstrating the proposed building will meet the minimum noise standards. Staff is recommending a condition of approval that the applicant demonstrate compliance with the noise mitigation requirements prior to the issuance of a building permit.

Airport Zoning Permit

Although not part of the Planning Commission or City Council's review, the application includes an Airport Zoning Permit for the construction cranes necessary to erect the building, which would exceed the 80-foot height limit for when the permit is triggered. The application includes an exhibit showing various building and crane heights at different locations on site. The City has not received all of the FAA No Hazard Determinations (Form 7460-1) for the proposed construction cranes. The City is unable to approve the Airport Zoning Permit until the FAA No Hazard Determination is provided. Staff will not take action on the Airport Zoning Permit until all of the required analysis is submitted. There is currently adequate time remaining in the agency action timeline to delay action, and staff will seek extensions of the timeline if need be. Staff is recommending a condition for the Final Development Plans that the Airport Zoning Permit be approved prior to issuance of a building permit.

Access, Circulation, Sidewalks and Parking

The subject property would be accessible from both American Boulevard East, a minor arterial roadway, and East Old Shakopee Road, a major collector roadway, via 30th Avenue South. A residential drop-off area is proposed within the public right-of-way of 30th Avenue South on the west side of the building. In addition, 31st Avenue South would be constructed between American

Boulevard East and the Blue Line LRT tracks, terminating in a turnaround at the eastern residential entrance. Access to the development would also be available from the east through the Bloomington Central Station development via East 81st Street between the Hyatt Regency Hotel and Bloomington Central Station Park. The proposed parking structure is accessible from two locations in both the north and east. The combination of the public and private roadways serving the subject property provide adequate site access.

Circulation around the proposed mixed-use apartment building is provided with both roadways and pedestrian facilities. A planted/enhanced fire/pedestrian lane is proposed along the southern side of the building. East 80th ½ Street, a private roadway, would be constructed north of the development with on-street parking facilities (eastern stalls partially elevated). Pedestrian circulation is provided all around the building, to building entrances, residential courtyard and amenity spaces, as well as walk up ground level residential units.

BCS Phase 4 proposes private sidewalks throughout the development area to serve the proposed apartment building and grocery space. The HX-R zoning district places a high emphasis on pedestrian facilities given that it is intended for high intensity, mixed-use development. Sidewalks within the HX-R zoning district have increased width requirements to create an enhanced pedestrian environment. Residential uses must be served by sidewalks six feet in width, whereas retail areas must include eight-foot wide sidewalks. The proposed site plan demonstrates compliance with these requirements. A sidewalk along 31st Avenue South is proposed to be constructed on both sides of the street adjacent to the mixed use development, while a sidewalk is only proposed on the east side of 31st Avenue South north towards American Boulevard East. Additional sidewalks would be constructed on the west side of 31st Avenue South when future residential development phases north of BCS Phase 4 would be constructed.

City Code (Sections. 21.301.06(d) and 9.19(a)) would require the development to include off-street parking of 706 parking stalls to serve the residential and grocery uses, setting aside consideration of shared parking. Table 5 provides an overview of the off-street parking requirement for the development proposed. Based on the provision of 36 residential units affordable to households with incomes at 60% AMI or less, the development is eligible for a 20 percent reduction of the residential parking requirement. The OHO parking reduction is reflected in Table 5 and the overall off-street parking requirement. The development is not seeking any reduction for the enclosed parking requirement, as the proposed parking structure exceeds the base standard that one enclosed parking stall be provided for each dwelling or apartment. The applicant is seeking flexibility through the Planned Development (PD) Overlay Zoning District (Sec. 19.38.01) to further reduce the total parking requirement by 11.9 percent based on several factors. As with any request for PD flexibility, the deviation must be evaluated for consistency with the PD overlay district's intent and demonstrate a public benefit.

Table 5: Parking Analysis of BCS Phase 4

Unit Type/Use	Standard	# of Units/Area	Parking Spaces Required
One-Bedroom	1.8 spaces per unit (1 inside a garage)	299 units	538.2 spaces (299 inside a garage)
Two-Bedroom	2.2 spaces per unit (1 inside a garage)	94 units	206.8 spaces (94 inside a garage)
Three-Bedroom	2.6 spaces per unit (1 inside a garage)	12 units	31.2 spaces (12 inside a garage)
Party Room	1 space per 100 sq. ft.	2,674 sq. ft.	26.7 spaces
Standard Residential Parking Requirement			802.9 spaces (405 inside a garage)
OHO Reduced Residential Parking Requirement (20% reduction in total residential parking) (10% reduction in enclosed parking)			642.3 spaces (365 inside a garage)
Grocery	1 space per 225 sq. ft.	14,271 sq. ft.	63.4 spaces
Total Parking Requirement			706 spaces (365 inside a garage)
Maximum Parking Allowed (HX-R cap of 130%)			918 spaces
Parking Proposed			622 spaces¹ (594 inside a garage)
Parking Deviation			11.9 percent

Table Notes: 1. The quantity of off-street parking proposed in Table 5 includes parking stalls proposed within private streets or roadways (East 80th ½ Street and 31st Avenue South) that are assigned to the subject development as determined by the applicant (28 parking stalls).

The factors that support the requested parking deviation pertain both to the specific subject development and the broader BCS Planned Development (PD). These factors include the following:

- **Additional Street Parking** – The total on-street parking supply to be constructed with the project is 65 parking spaces, 28 of which are technically assigned to the project in the subject Final Development Plans. The remaining 37 on-street parking stalls constructed as part of the project will likely be assigned to future development phases. However, these stalls will be constructed and available for the time being until future phases proceed. If you include the additional 37 parking stalls in the total parking supply, the parking deficit or deviation would reduce from 11.9 percent to 6.7 percent. Although temporarily available

from a technical perspective, these stalls provide additional parking supply for an interim period.

- **Shared Parking** – The off-street parking ordinance considers the sharing of parking between businesses or entities as a legitimate consideration when considering reductions in overall parking supply. While parking stalls in the BCS Phase 4 project are proposed to receive formal assignment, staff anticipates that informal parking sharing will occur in some instances, resulting in increased efficiency of use.
- **Enhanced Linkages to Mass Transit** – Access to nearby transit facilities is another factor when considering reductions or flexibility to off-street parking requirements. The Bloomington Central Station (BCS) development has a very high level of high frequency and efficient transit service. Access to the Blue Line LRT station is as close as 300 feet to the southeast corner of the building, providing access to downtown Minneapolis, MSP International Airport, and the Mall of America Transit Station, thereby providing access to additional transit linkages. The enhanced linkage to mass transit in this case warrants consideration of additional parking reduction.
- **Backup Parking Supply** – The site of BCS Phases 5 and 6 (3001 American Blvd E) currently exists as an effective and adequate backup parking supply during the interim period. As noted previously in the report, there is a 123-stall parking easement dedicated to the Hyatt Regency Hotel in this area. However, there are currently 286 parking stalls located on this site, leaving an excess backup supply of 163 stalls when removing the 123-stall easement from consideration. This backup supply would go away as future development proceeds. Nonetheless, it provides a strong safety net of backup parking in the interim period. Depending on the level of parking provided in BCS Phases 5 and 6, staff may recommend a parking study be completed at that time to ensure adequate parking is being provided in consideration of the future development proposed, the parking dedicated to the Hyatt Regency Hotel, and the broader BCS parking supply as a whole.
- **Previous Development in BCS** – Given that Indigo and The Fenley, previous mixed-use residential projects in BCS, have been developed utilizing similar or comparable parking ratios, the success of these projects from a parking utilization standpoint provides staff confidence in the parking supply proposed for BCS Phase 4. Both Indigo and The Fenley were subject to site specific parking studies performed by independent traffic engineers, and both were found to have adequate parking supply.

Based upon these multiple factors, staff is supportive of the proposed parking deviation of 11.9 percent as shown in Table 5. The HX-R Zoning District is intended to be a high density and intensity mixed use district with residential. Pedestrian facilities and linkages to mass transit are a feature of development in this district. There are provisions within the underlying zoning district that limit the over-construction of off-street parking. In totality, staff is supportive of the parking supply proposed based on this analysis.

Landscaping, Screening and Lighting

City Code requires the development site for BCS Phase 4 to include 75 trees and 187 shrubs based on the developable landscaping area (187,210 square feet). The amount of the landscaping provided on the development site is 77 trees and 283.5 shrub units when factoring the maximum amount of perennials to be counted towards the Code requirement – 50 percent. The proposed landscaping for the subject property exceeds the Code requirement. The southern pedestrian/emergency access corridor includes both planting within and trees along the border. The Fire Marshal must review the planting types and locations to ensure adequate access, both within the corridor and the southern residential corridors. The western building foundation along 30th Avenue South meets the foundation plantings standard recommended in the City's supplemental landscaping policy.

In addition to the site landscaping, trees and perennials are proposed within both private street segments to be constructed with the project – 31st Avenue South and East 80th ½ Street. The plantings planned for the street segments are consistent with the South Loop Streetscape Master Plan, which was prepared and adopted in 2013. Within the Streetscape Master Plan, both 30th and 31st Avenue South are identified as local roads (high density). These roadways are recommended to include street lighting, broomed and scored concrete, boulevard trees, bump-out crosswalks and other treatments. The landscaping elements proposed in the subject landscape plan are consistent with these recommendations.

Based on the land uses proposed in the Final Development Plans and surrounding land uses, no perimeter screening is required by Code as part of this project. The surface parking areas on the north side of the grocery and apartment building within East 80th Street include perennial grasses within parking island areas that would offer seasonal screening of headlights. The parking ramp's visible portion on the north elevation is designed to include wall heights that will screen vehicle headlights, as required by the parking ramp design standards. Finally, any visible roof-mounted mechanical equipment would be required to be screened if visible from adjacent streets and sidewalks according to City Code (Sec. 21.301.18).

Photometric lighting plans have been submitted for the apartment site and adjacent private roadways. Lighting plan for the structured parking ramp must still be submitted. Required lighting levels differ for residential vs grocery uses, as well as surface vs. structured parking. The light levels proposed for the surface parking areas, sidewalks and primary building entrances appear to be in compliance. Verification of lighting compliance of the parking ramp would be completed upon submission and review of the ramp lighting plan. Staff is recommending a condition of approval the Planning Manager approve lighting plans for the full project prior to building permit issuance.

Stormwater Management

Stormwater will be managed to meet the City's requirements for stormwater rate control (quantity), stormwater quality and volume. The Stormwater Management plan calculations and narrative are under review and must meet the requirements in the City of Bloomington Comprehensive Surface

Water Management Plan. A stormwater facility maintenance agreement has not yet been provided and will be required to be signed and filed at Hennepin County for the proposed underground structures. This site is located within the Lower Minnesota River Watershed District, so an additional permit will not be required.

Utilities

The proposed development would be served by both City sanitary sewer and water service. Fire hydrants must be provided according to the requirements of the Fire Code, as approved by the Fire Prevention and Utilities Divisions. A looped water system must be provided for the site for redundancy purposes and to provide adequate fire protection. The grocery use must be served by a grease interceptor designed to address the proposed demand as determined by the Utilities Division.

There is a City sanitary sewer improvement project scheduled to take place on American Boulevard East in 2022. The applicant and City are working together to coordinate the work with the proposed development and the City project to minimize the impacts to American Boulevard East. The utility plans must be approved by the City Engineer prior to the issuance of any permits or significant site disturbance.

Traffic Analysis

The subject development has been evaluated as part of a broader traffic study of the BCS planned development performed by SRF dated March 16, 2021. The study concludes that all intersections included in the study area currently operate at a LOS of D or better. The study recommends the construction of a westbound left turn lane on American Boulevard West at 31st Avenue. Staff is working with the applicant to see if this work can be coordinated with the City sanitary sewer project scheduled to take place in 2022.

Roadway improvement projects already identified in the City's capital improvement plan will sufficiently address the additional traffic generated from the proposed development. These improvements should be implemented when conditions warrant or they can be included as part of other improvement projects in the area.

Transportation Demand Management (TDM)

The Bloomington Central Station (BCS) development has previously submitted and received approval for a Tier 1 TDM Plan. The existing TDM Plan must be updated to reflect the changes proposed in the revised Preliminary Development Plan (PDP) and subject Final Development Plans (FDP). An updated TDM plan, agreement and financial guarantee, if necessary, would be required to be submitted for review and approval prior to the issuance of Certificate of Occupancy (C/O) for the residential and grocery buildings. Staff is recommending a condition memorializing this requirement.

Fire Prevention and Public Safety

The access and circulation design must meet or exceed the minimum standards of the Fire Code with a minimum 20 foot wide access around the building and be maintained in accordance to the approved plan including a surface to provide all weather driving capabilities. Apparatus access roads shall be asphalt or concrete and support a minimum of 80,000 pounds with a turning radius to accommodate BFD ladder 3.

A looped water supply feeding a single, combined water service into the building(s) is required for the domestic and sprinkler system water demand. The retail space will be provided with an independent sprinkler system and FDC. Hydrant coverage must be provided within 150 feet of all exterior walls and within 50 feet of the fire department connection (FDC). Hydrant locations 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 tall, be Arabic numbers or alphabetic letters with a minimum stroke width of 0.5 inches. Due to the size, complexity, and location of the building, additional addressing/identification will be required and coordinated with Fire Prevention.

The applicant shall ensure the proposed landscaping plans don't interfere with access to the building. Knox boxes and annunciator panels will be required at the main entrances and other areas as designated by the Fire Prevention Division.

All stairwells shall have an access door to the interior on all floors including the first floor. The Fire Code requires wet standpipe hose valves within 200 feet of all areas within the structure. Due to limited emergency vehicle access, automatic wet standpipes per section 503.1.1.1(2) may be required. 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, water supply and addressing, shall be reviewed by the Fire Marshal to ensure continued compliance with the Fire Code.

Miscellaneous

The future grocery store will need to submit a Food Service Plan to the Environmental Health Division for review and approval prior to the building permit for the grocery use being issued. The review will include an analysis of all equipment and apparatus utilized in on-site cooking and food preparation. Per the odor control requirement of City Code (Sec. 10.24), the grocery use may require an odor suppression system be installed. The system selected must be certified by a qualified and licensed professional engineer and be installed and maintained according to the manufacturer's recommendations.

The architectural plans for the mixed-use building provide a total of 2,286 square feet of trash and recycling storage facilities in three separate ground-level spaces (two for the residential apartment building and one for the grocery space). A trash compactor is also provided, which is located in the screened truck court on the north side of the building. The trash and recycling storage facilities for the grocery use must meet the minimum finish requirements specified in Section 21.301.17(d)(2) of the City Code, including quarry tile or equivalent material, wall material, hose bib and floor drain, among other requirements. Staff recommends a condition of approval requiring compliance with the trash and recycling storage standards.

The proposed development would be subject to the provisions of the Class VII Sign District (Sec. 19.115.01). In addition, a Uniform Sign Design (USD) must be prepared and approved for the development based on the multi-tenant or use nature. Staff is recommending a condition that all signage for the development comply with City Code. Permits must be obtained for all signage prior to installation unless designated as exempt by the City Code. As a result of the project location within the South Loop District, the property is eligible to pursue a Master Sign Plan process according to Section 21.501.06 of the City Code if necessary. Master Sign Plans must be reviewed by the Planning Commission and approved by City Council prior to implementation.

Public Correspondence

One email from the public has been received that is in support of the application. It is attached to the staff report. No other correspondence has been received.

Status of Enforcement Orders

The properties are not subject to any open enforcement orders.

Planning Commission Review

The Planning Commission held a public hearing on the subject applications on April 22, 2021. Other than the applicant, no one from the public spoke during the hearing. The applicant provided additional information pertaining to their request to reduce residential storage requirements by 75% (102 storage units total). The Planning Commission discussed the request to reduce residential storage, offering a wide range of perspectives pertaining to the topic. The full detail of the Planning Commission discussion can be found in the attached meeting minutes. Ultimately, the Planning Commission supported the staff recommendation to reduce the residential storage requirements by 50% (203 units) as set forward in the Opportunity Housing Ordinance, but did note an interest to research the subject further at a future date. The Planning Commission recommended approval of all applications submitted (Votes: PDP 5-0, FDP 4-1 and Preliminary and Final Plat 5-0).

FINDINGS

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

Required Finding	Finding Outcome/Discussion
(1) The proposed development is not in conflict with the Comprehensive Plan.	Finding Made – The subject properties are guided South Loop Mixed Use, which is intended to foster a mix of office, hotel and retail uses integrated with high density residential uses. Revising the Bloomington Central Station PDP to include three high density residential buildings, two of which would be mixed use, is consistent with the guidance of the South Loop Mixed Use land use designation. Satisfying the City’s Opportunity Housing requirements within these developments will result in the creation of additional affordable housing in Bloomington. The proposed uses are not in conflict with the Comprehensive Plan.
(2) The proposed development is not in conflict with any adopted District Plan for the area	Finding Made – The proposed development is consistent with the South Loop District’s vision for dense, mixed use development that takes advantage and supports nearby transit options. Enhanced pedestrian facilities and streetscapes throughout the development area continue to improve the pedestrian scale and character of the district. The creation of 925 additional residential apartments in BCS will expand housing supply in South Loop, and additional affordable units required would expand housing opportunity. The proposed development is not in conflict with the adopted District Plan for the area.
(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	Finding Made – The deviations requested in the Preliminary Development Plans pertain to overall parking supply, which is within the parameters allowed under the Planned Development Overlay Zoning District. Based upon the factors of shared parking, backup and additional on-street parking supply, enhanced linkages to mass transit, and previous comparable precedents within the PD, the requested parking deviation can be supported. The HX-R zoning district seeks to limit the over-construction of surface and overall parking supply to encourage an active, mixed use, transit oriented environment. The deviations are in the public interest to support the Bloomington Central Station development, the South Loop District, and affordable housing creation.
(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	Finding Made – Each phase of mixed-use, residential development proposed within the revised Preliminary Development Plan 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.

Required Finding	Finding Outcome/Discussion
(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; and	Finding Made – The subject properties have excellent access to arterial roadways and mass transit. The planned development has a central park for passive recreation. The sanitary sewer and water infrastructure in the area has adequate capacity to serve the proposed development. The proposed development is not anticipated to create 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	Finding Made – The proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The development must meet stormwater requirements and the building design, building heights, and site circulation are consistent with other mixed-use residential developments within the South Loop District and City of Bloomington.

Required Final Development Plan Findings – Section 21.501.03(e)(1-7)

Required Finding	Finding Outcome/Discussion
(1) The proposed development is not in conflict with the Comprehensive Plan	Finding Made – The subject properties are guided South Loop Mixed Use, which is intended to foster of mix of office, hotel and retail uses integrated with high density residential uses. The Final Development Plans would allow for a mixed use, high density residential building, which is consistent with the guidance of the South Loop Mixed Use land use designation. Satisfying the City’s Opportunity Housing requirements within this will result in the creation of additional affordable housing in Bloomington. The proposed development is not in conflict with the Comprehensive Plan.
(2) The proposed development is not in conflict with any adopted District Plan for the area	Finding Made – The proposed development is consistent with the South Loop District’s vision for dense, mixed use development that takes advantage and supports nearby transit options. Enhanced pedestrian facilities and streetscapes throughout the development area continue to improve the pedestrian scale and character of the district. The creation of 405 additional residential apartments in BCS will expand housing supply in South Loop, and additional affordable units required would expand housing opportunity. The proposed development is not in conflict with the adopted District Plan for the area.
(3) The proposed development is not in conflict with the approved preliminary development plan for the site	Finding Made – The subject application includes a Major Revision to the Preliminary Development Plan for the Bloomington Central Station development. The proposed development is consistent with the Preliminary Development Plans for the site upon approval of the application.

Required Finding	Finding Outcome/Discussion
(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	Finding Made – The deviations requested in the Final Development Plans pertain to overall parking supply and ground level transparent windows, which are within the parameters allowed under the Planned Development Overlay Zoning District. Based upon the factors of shared parking, backup and additional on-street parking supply, enhanced linkages to mass transit, and previous comparable precedents within the PD, the requested parking deviation can be supported. The HX-R zoning district seeks to limit the over-construction of surface and overall parking supply to encourage an active, mixed use, transit oriented environment. The deviation for the ground level windows is specific to the operational characteristics of a grocery store. Allowing for a grocery store in the South Loop District is a public benefit and the deviation can be supported as a result. The deviations are in the public interest to support the Bloomington Central Station development, the South Loop District.
(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	Finding Made – The Final Development Plan is proposed as a single phase of a multi-phase planned development. The development proposed in the Final Development Plans is not dependent on a subsequent phase.
(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; and	Finding Made – The subject properties have excellent access to arterial roadways and mass transit. The planned development has a central park for passive recreation. The sanitary sewer and water infrastructure in the area has adequate capacity to serve the proposed development. The proposed development is not anticipated to create 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	Finding Made – The proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The development must meet stormwater requirements and the building design, building heights, and site circulation are consistent with other mixed-use residential developments within the South Loop District and City of Bloomington.

Required Preliminary Plat Findings - Section 22.05(d)(1-8):

Required Finding	Finding Outcome/Discussion
(1) The plat is not in conflict with the Comprehensive Plan	Finding Made – The plat is not in conflict with the Comprehensive Plan as the proposed lots meet City Code requirements and are sufficient for development permitted in the underlying zoning district.
(2) The plat is not in conflict with any adopted District Plan for the area	Finding Made – The proposed plat is not in conflict with the South Loop District Plan.
(3) The plat is not in conflict with City Code provisions	Finding Made – The proposed plat is not in conflict with provisions of the City Code subject to compliance with the conditions of the plat, preliminary development plan, and final development plan.
(4) The plat does not conflict with existing easements	Finding Made – The plat is compatible with existing easements. New public easements would also be granted as a result of the plat.
(5) There is adequate public infrastructure to support the additional development potential created by the plat	Finding Made – There is adequate public infrastructure to support the development intended for the lots created by the plat.
(6) The plat design mitigates potential negative impacts on the environment, including but not limited to topography; steep slopes; trees; vegetation; naturally occurring lakes, ponds, rivers, and streams; susceptibility of the site to erosion, sedimentation or flooding; drainage; and stormwater storage needs	Finding Made – The plat must establish new drainage and utility easements. The proposed development plan will be required to manage erosion, stormwater, and mitigate any potential negative impacts on the environment. There are no environmentally sensitive areas or steep topography.
(7) The plat will not be detrimental to the public health, safety and welfare	Finding Made – The development will not be detrimental to the public health, safety, or general welfare.
(8) The plat is not in conflict with an approved development plan or plat.	Finding Made – The proposed plat would facilitate construction of the proposed development on site and is not in conflict with the proposed development.

Required Final Plat Findings – Section 22.06(d)(1):

Required Finding	Finding Outcome/Discussion
(1) The plat is not in conflict with the approved preliminary plat or preliminary plat findings	Finding Made – The final plat is consistent with the preliminary plat and preliminary plat findings.

RECOMMENDATION

Planning Commission and staff recommend approval of the subject applications through the following motions:

Motion made by _____, seconded by _____, in Case #PL2021-57, having been able to make the required findings, I move to approve a Major Revision to the Preliminary Development Plan of Bloomington Central Station to replace existing office uses with mixed use, high density residential buildings, subject to the conditions and Code requirements attached to the staff report.

Motion made by _____, seconded by _____, in Case #PL2021-57, having been able to make the required findings, I move to approve Final Development Plans for a six-story, 405-unit apartment building with an approximately 15,000 square-foot grocery space located at 8100 31st Avenue South, subject to the conditions and Code requirements attached to the staff report.

Motion made by _____, seconded by _____, in Case #PL2021-57, having been able to make the required findings, I move to approve the Preliminary Plat and adopt a resolution approving the Final Plat of Bloomington Central Station 7th Addition, creating one platted lot and three outlots, subject to the conditions and Code requirements listed in the resolution.

RECOMMENDED CONDITIONS OF APPROVAL

Case PL2021-57

Project Description: Major Revision to the Preliminary Development Plan for Bloomington Central Station to replace three proposed office towers and associated detached parking structures with three multiple-family residential apartment buildings and other phased site improvements within the northwest portion of the development; Final Development Plans for a six-story, 405-unit apartment building with an approximately 15,000 square-foot grocery space and other associated site improvements; and Preliminary and Final Plat (Type III) of Bloomington Central Station 7th Addition.

Addresses: 3001, 3097 and 3107 American Boulevard East
8100 31st Avenue South

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.

Approval of a Major Revision to the Preliminary Development Plan (PDP) of Bloomington Central Station (BCS) is subject to the following conditions of approval:

1. Ongoing As part of the consideration of Final Development Plans for Bloomington Central Station (BCS) Phases 5 and 6, overall development parking supply must be reviewed, and a study may be required depending on parking quantities proposed.
2. Ongoing Temporary surface parking proposed on Outlot Q of Bloomington Central Station 2nd Addition (3107 American Boulevard East) will only be permitted as a temporary phase of development as shown in the revised Preliminary Development Plan in Case #PL2021-57.

Approval of the Final Development Plans for a six-story, 405-unit apartment building with approximately 15,000 square foot grocery store within the Bloomington Central Station (BCS) planned development is subject to the following conditions of approval:

3. 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.
4. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
5. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
6. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
7. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
8. Prior to Permit An erosion control surety must be provided (16.08(b)).
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 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).
11. 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).
12. 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).
13. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
14. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of City Code Section 21.301.07.
15. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
16. Prior to Permit The grocery space must provide alternative glass and permanent art on the northern and eastern building elevations to satisfy the minimum ground level transparent window requirement for nonresidential uses in Section 19.29(j)(2)(B) of the City Code.
17. Prior to Permit Plans submitted for building permits must include documentation that construction will provide noise mitigation consistent with the requirements of Section 21.301.12 of the City Code.
18. Prior to Permit A minimum of 203 residential storage spaces located outside of the unit consistent with the design specifications of Section 21.302.09(d)(7) of the City Code must be provided.
19. Prior to Permit All trash and recyclable materials must be stored inside the principal building (Sec. 21.301.17).
20. 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 any permits (22.03(a)(2)).
21. Prior to Permit An Airport Zoning Permit must be approved by the Community Development Director for any crane or structure on site that exceeds 80 feet in height above existing grade (MSP Airport Zoning Ordinance).
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 An external grease interceptor must be provided if the proposed tenant will have food preparation and service that will produce fats, oils, grease or wax in excess of 100 mg/L. The external grease interceptor design must be approved by the Utilities Engineer. A grease interceptor maintenance agreement must be filed with the Utilities Division, if an external grease interceptor is installed.
24. Prior to C/O A revised Tier I Transportation Demand Management Plan for BCS must be submitted for review and approval by the City Engineer (Sec. 21.301.09(b)(2)). An updated financial guarantee, if necessary, must be submitted prior to occupancy.

- 25. Prior to C/O Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
- 26. 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).
- 27. 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.
- 28. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
- 29. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
- 30. Prior to C/O All rooftop equipment must be fully screened (Sec. 19.52.01).
- 31. Ongoing In accordance with Chapter 9 of the City Code and to ensure continued public benefit, the residential development must include 36 units affordable to households with incomes at or below 60% AMI as approved in the Affordable Housing Agreement with the Bloomington HRA.
- 32. Ongoing All loading and unloading must occur on site and off public streets.
- 33. Ongoing Development must comply with the Minnesota State Accessibility Code.
- 34. Ongoing Alterations to utilities must be at the developer's expense.
- 35. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code. A Uniform Sign Design (USD) must be submitted for review and approval prior to the issuance of sign permits for the development.

The following conditions of approval are recommended for the Preliminary and Final Plat of BLOOMINGTON CENTRAL STATION 7TH ADDITION:

- 36. 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.
- 37. Prior to Recording A consent to plat form from any mortgage company with property interest must be provided.
- 38. Prior to Recording Right-of-way on 30th Avenue South must be dedicated to the public as approved by the City Engineer.
- 39. Prior to Recording Public drainage and utility easements must be provided as approved by the City Engineer.
- 40. Prior to Recording Public sidewalk and bikeway easements must be provided along street frontages as approved by the City Engineer.
- 41. Prior to Recording Park dedication must be satisfied.