

GENERAL INFORMATION

Applicant:	Rosa Development Company (owner)
Location:	3700 and 3750 American Boulevard E.
Request:	<ol style="list-style-type: none">1) Major revision to preliminary development plans for a multi-phase planned development at 3700 American Blvd E.;2) Final development plans to convert a portion of the Park N Fly remote airport parking facility into a six-story, 183-unit apartment building;3) Preliminary and final plat to subdivide 3700 American Boulevard E. into two lots; and4) Platting variance to defer park dedication fees for future phases.
Existing Land Use and Zoning:	Remote airport parking; zoned HX-R(PD) High Intensity Mixed Use with Residential (Planned Development)
Surrounding Land Use and Zoning:	North – Interstate 494 South – Appletree Square hotel/office/residential; zoned HX-R(PD) West and East – Hotels; zoned HX-R
Comprehensive Plan Designation:	South Loop Mixed Use

CHRONOLOGY

Planning Commission	03/19/2020 - Recommended City Council approval of the preliminary development plan, final development plan, preliminary and final plat, and platting variance.
City Council	04/06/2020 – Development Business agenda item

HISTORY

- City Council Action: 04/14/2019 – Approved a five-year interim use permit for remote airport parking, subject to development milestones (PL2019-11).
- City Council Action: 02/23/2015 – Approved a five-year interim use permit for remote airport parking; approved a variance to increase the interim use permit term from five to 10 years for 3750 American Blvd. E.; and approved a 10-year interim use for a remote airport parking facility at 3750 American Blvd. E. (Case 9250ABC-14).
- City Council Action: 08/03/2009 – Denied variance requesting ability to have a 10 year interim use permit. Denied request for 10-year interim use permit. Approved a five-year interim use permit for remote airport parking, expiring July 1, 2014 (Case 9250AB-09).
- City Council Action: 04/25/2005 – Rezoned to the HX-R Zoning District where remote airport parking is allowed only as an Interim Use.
- City Council Action: 04/21/2003 – Reclassified remote airport parking as an interim use in the CS-1 Zoning District.
- City Council Action: 09/23/2002 – Approved a revised final development plan to change the sunset date for the remote airport parking use in Condition #9 from 2004 to 2009 (a five year extension) (Case 9250B-94).
- City Council Action: 03/24/1994 – Approved revised preliminary development plan for the site and approved a final development plan for parking structure with a sunset date for the remote airport parking use (Case 9250A-94).
- City Council Action: 03/30/1992 – Rezoned site to apply the Planned Development Overlay District, approved a temporary conditional use permit and adopted a preliminary development plan with a sunset date for the remote airport parking use (Case 9250B-91).
- City Council Action: 11/18/1991 – Approved three year temporary conditional use permit for remote airport parking (Case 9250A-91).
- City Council Action: 08/08/1988 – Approved three year temporary conditional use permit for remote airport parking (Case 9250B-88).

City Council Action: 11/24/1986 – Adopted ordinance amending City Code to allow remote airport parking as temporary conditional uses in the CS-1 and CO-1 zoning districts.

DEADLINE FOR AGENCY ACTION

Application Date:	02/11/2020
60 Days:	04/11/2020
120 Days:	06/10/2020
Applicable Deadline:	06/10/2020 (Extended by City)
Newspaper Notification:	Confirmed – (03/05/2020 Sun Current – 10 day notice)
Direct Mail Notification:	Confirmed – (500 buffer – 10 day notice)

STAFF CONTACT

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PROPOSAL

The applicant is proposing a four-phase redevelopment of the Park N Fly remote airport parking facility. Specifically, the applicant is seeking the following entitlements:

1. Major revision to the preliminary development plan (PDP) for a four-phase planned development at 3700 American Boulevard E. – the PDP establishes the vision for redevelopment. The four phases include:
 - a. Phase I – 183 unit multi-family residential
 - b. Phase II – 132 unit multi-family residential
 - c. Phase III – 279 room hotel
 - d. Phase IV – 133 unit multi-family residential
2. Final development plan (FDP) to convert a portion of the Park N Fly remote airport parking facility into a six-story, 183-unit apartment building with 20 percent of the units affordable to households making up to 50 percent of area median income (AMI). The applicant is requesting, and is entitled to, development incentives established in the City's Opportunity Housing Ordinance (OHO). The FDP is Phase I of the redevelopment plan;
3. Preliminary and final plat to subdivide 3700 American Boulevard E. into two lots – the plat would split off approximately 2.9 acres from the existing remote airport parking facility for Phase I; and

4. Platting variance to defer park dedication fees for future phases – unless a platting variance is approved the application would be responsible for Park Dedication Fees for all phases when the plat is filed.

BACKGROUND

The development history of the Park N Fly operation spans over 30 years. As opposed to repeating that history in this report, staff has included the staff report from 2019, which extended an interim use permit for remote airport parking and established the redevelopment framework through redevelopment milestones. The report provides extensive background about the Park N Fly development. In addition to the most recent report, staff has included the recorded Site Development Agreement in the packet materials, which memorializes the development milestones for phased redevelopment at the Park N Fly site.

ANALYSIS

Land Use

The Park N Fly preliminary development plan envisions a four-phase development totaling 645,000 square feet of gross building floor area. While Phase I would be multi-family residential, future phases are intended to include additional multi-family residential and hotel development. These land uses and their general configuration are consistent with the South Loop Mixed Use Guide Plan designation and permitted within the HX-R Zoning District.

As with most multi-phased planned developments (e.g., Mall of America or Bloomington Central Station), future land use beyond Phase I will likely change to respond to market conditions. The PDP establishes the overall land use framework and “snapshot” of what the property owner envisions for the site. As future phases progress, specific design components, such as building orientation, massing, and access, will evolve.

The existing 996-stall parking structure is proposed to remain as-is. A previously approved PDP depicted a 15-story office tower constructed on top of the parking structure. The office tower has been removed from the proposed PDP; the applicant has concerns about the office tower viability. In addition, a 15-story tower on top of the parking structure as initially conceived may not be compatible with current Airport Zoning height standards.

Code Compliance

The City Code allows for and anticipates intense development at this location. Performance standards in the HX-R District lead to a more urban character when compared to the majority of the City of Bloomington. Given the location within the South Loop District, this is deliberate – the South Loop District is intended to accommodate the densest, most intense land uses within the City.

Table 1 below identifies several City Code requirements for development in the HX-R District. Because OHO incentives apply to this development due to the inclusion of affordable units, some deviations that would otherwise require flexibility from City Code provisions are permitted “by right.” Minimal deviations are being requested and additional commentary about the overall design are provided in the pages following Table 1.

Table 1: City Code Requirement Analysis for HX-R Development

Standard	Code Required	Proposed	Compliance
Site area	120,000 square feet	127,410 square feet for Phase I; 529,790 square feet entire PD	Yes
Building setback along all streets	10 feet	10 feet	Yes
Building rear yard setback	10 feet	15 feet	Yes
Impervious surface coverage	90 percent maximum	75.7 percent	Yes
Floor area ratio	1.5 minimum 2.0 maximum (without credits)	1.55 – Phase I 1.22 – Entire PD	Yes – Phase I; No - deviation for entire PD
Residential density	30 dwelling units/acre minimum	Phase I : 62.7 units/acre Entire PD: 36.8 units/acre	Yes
Building height	As dictated by MSP Airport Zoning – 168 to 180 feet maximum	71 feet for Phase I	Yes
Parking required	363 spaces for Phase I	261 spaces for Phase I	Yes – 30% OHO parking reduction
Parking location	Structured parking with minimal surface parking	Structured parking with minimal surface parking	Yes
Sidewalks	8 feet minimum along streets	8+ feet along American Blvd.	Yes – revisions needed to drop-off design due to traffic considerations
Drive aisle	24 feet two-way; 20 foot fire lane	24 feet two-way; 20 foot fire lane	Yes
Trees	51 trees	95 trees	Yes
Shrubs	127 shrubs	370 shrubs	Yes
Storage space – other than what is provided within units	92 storage units - at least 96 c.f. – OHO incentive allows storage units equal to ½ the total units	Unknown –storage rooms included in floor plans, but undetermined storage unit count	Must be confirmed prior to building permit issuance

Opportunity Housing Ordinance and Incentives

With a total of 183 units, 16 units affordable to households earning no more than 60 percent of area median income are required to comply with the Opportunity Housing Ordinance. The applicant proposes 37 units affordable to households earning no more than 50 percent of area median income. The Opportunity Housing Project Summary, which is included in the packet, provides additional information on how the project relates to OHO requirements. Requested OHO Incentives include: Parking stall reduction, alternative exterior materials, storage space reduction, development fee reimbursement (not eligible), and Tax Increment Financing. The site qualifies as a Designated Transit Area under the OHO. Given the level of affordability, the project is afforded a 30 percent parking stall requirement reduction.

Building Design and Exterior Building Materials

A distinctive design feature in the proposed development is the varied building masses, placement, and orientation. Along American Blvd., the majority of the street-facing building would be three stories while the eastern portion would be six stories. Overall, the building takes advantage of the site's topography to add to the overall urban character within the South Loop District.

The exterior materials palette is similar to other multi-family developments with proposed stucco, metal panels, fiber cement, and glass. The south or street facing ground level is predominately glass, where the interiors are amenity and lobby spaces. This would help to activate the streetscape. Pursuant to City Code OHO incentives, street facing elevations must meet exterior materials requirements. Non-street facing elevations, such as the east, west, and north elevations, are permitted to have a much greater proportion of "secondary materials." For this project, that material is fiber cement panels. Due to the level of affordability incorporated into the project, up to 75 percent of the non-street facing elevations may be comprised of secondary materials. The design meets these requirements when the OHO alternative exterior material incentive is applied. Prior to the issuance of a building permit, however, staff would work with the applicant to ensure performance standards are met for stucco and metal panels.

Floor Area Ratio

Table 2 below identifies the proposed phases along with the gross floor area, site area, and FAR. Phase I meets the FAR requirement, which is a 1.5 minimum, but the applicant is seeking development flexibility to reduce the overall planned development FAR from 1.5 to 1.2. For Park N Fly's site, City Code requires about 795,000 total square feet of development. The proposed PDP total is 645,008 square feet, which equates to a 1.22 FAR.

Table 2: Floor Area Ratio Calculations

Phase	Gross Building Area (sq. ft.)	Site Area (sq. ft.)	FAR
1	197,768	127,410	1.55
2	142,746	89,551	1.59
3	160,338	99,566	1.61
4	144,156	61,597	2.34
Totals – Phases 1-4	645,008	378,124	1.71
“Future Phase” (existing parking structure)	0	151,666	0.00
Entire Planned Development	645,008	529,790	1.22

Staff is supportive of the FAR reduction to 1.2. Today, the only building floor area that exists on the 529,790 square foot site is a 434 square foot kiosk as you enter the parking lot. Increasing the FAR from essentially zero to 1.2 is a tremendous change and furthers the City’s goals of dense development within the South Loop District. Permitting an FAR reduction does not preclude the applicant from developing more square footage than currently proposed. It does, however, give the applicant additional flexibility in development that could be supported by the market.

One major factor impacting FAR is the existence of a large parking ramp at 3750 American Blvd. E. Parking ramps do not count toward FAR, but the presence of the ramp limits impacts the ability to add additional floor area. The ramp was originally designed to support a potential future building over a portion of it. The existing planned development shows a multi-floor office building over the ramp, however, that office building entitlement is proposed by the applicant to be removed with this application. While no development is presently depicted on the ramp site, it could be added in the future.

The use of the parking ramp is currently remote airport parking, however that use is temporary as it operates under an interim use permit. At such time that the current or a future interim use permit expires, the use of the lot will need to convert to supporting other development on the site, whether it is an adjacent building or a building constructed on top of the parking ramp. In that sense, the presence of the ramp will help support additional development in the future.

Landscaping, Screening and Lighting

Landscaping, including trees, shrubs, grasses, and perennials are provided throughout the Phase I site. Planting quantities exceed City Code requirements and meet City landscaping design policies. The site has some landscaping currently, but that landscaping is not particularly diverse and is primarily evergreen screening between American Blvd. E. and surface parking. The mix of trees, shrubs, and grasses near and within public right-of-way will significantly improve aesthetic appeal.

A photometric lighting plan was submitted, but only an “initial” plan with no light loss factor (LLF). A maintained photometric plan must also be submitted and approved before a building permit may be issued. The applicant is not seeking any deviations from any landscaping, lighting, or screening requirements.

Access, Circulation, and Parking

Within the South Loop District, Staff generally finds parking demand somewhat below City Code requirements due to the urban character and transit accessibility. With the proposed unit mix, the total parking requirement for Phase I is 363 stalls. This equates to a 28.2 percent deviation from City Code. However, because the development incorporates at least 9 percent of its units as affordable to those who are “very low income,” and because it is within a Designated Transit Area, an automatic 30 percent parking reduction is applied (Section 9.19). The parking supply is therefore compliant due to the OHO incentive. Nonetheless, staff has encouraged the applicant to consider making some remote airport parking stalls available to residents, should the need arise.

Table 3: Parking Analysis for Phase 1

Unit Mix	Standard	Proposed	Parking Requirement
Studio & 1 BR	1.8	140	252.0
2 BR	2.2	34	74.8
3 BR	2.6	9	23.4
Party Room (sq. ft.)	100	1,308	13.1
Total Requirement			363.3
Proposed Parking			261
Proposed Deviation (%) Prior to OHO Parking Reduction			28.2

Parking demand for future phases will be evaluated as final development plans for those phases come forward. Parking supply will continue to be met predominately with structured parking facilities and limited surface parking.

The applicant is proposing a one-way drop-off loop off of American Boulevard E. that would include median modifications within American Boulevard E. The current design for the drop-off loop shows it being constructed completely within the right-of-way. This design would require the public sidewalk to wrap around the drop-off area which would push users under the roofline of the proposed building.

Staff does not support this design as it utilizes the right-of-way for the entire drop-off loop and does not allow the public sidewalk to continue along its current alignment adjacent to American Boulevard E. The design of the drop-of area will need to be modified and approved by staff prior to permit issuance.

Public Plaza

The South Loop District Plan envisions a small public park to be included on the Park N Fly site. In the HX-R Zoning District, a public plaza is required for each site. In this case, the site is the entire Park N Fly planned development. Among other standards, the plaza must be a minimum of 5,000 square feet, have access to a public or private street, and be available to the public. The applicant has proposed a public plaza on their property which has access to American Blvd. E. and a private access road, exceeds the area requirement, and has engaged with City Parks and Recreation staff on design. While the plaza design is not finalized, Parks and Recreation staff is willing to assist the applicant in developing a space that adds value to the site as well as the South Loop District and more broadly, the City of Bloomington.

Staff has included a recommended condition of approval requiring an agreement including, but not limited to access considerations, programming, and maintenance. Additionally, a condition of approval would require Parks and Recreation Director approval of the plaza design prior to the issuance of a Building Permit.

Preliminary and Final Plat and Platting Variance

The applicant is proposing a two-lot preliminary and final plat. The proposed plat would split-off land to create a lot for the apartment building. In addition to preliminary and final plat approval, the applicant is proposing a platting variance to allow the deferral of park dedication fee payment for *future phases*. The park dedication fee for Phase I, which is estimated to be \$280,000, would be paid before the proposed plat is recorded.

Subdividing land is the trigger for the City to collect park dedication fees. The platting variance, if approved, would allow the proposed plat to be recorded without satisfying the park dedication requirement for Phases II-IV. Only park dedication fees for Phase I would be collected. If the variance is not approved, the application would be responsible for paying park dedication fees estimated to be \$832,000 before recording the Phase I plat.

Unlike zoning variances, platting variances are evaluated based on an “unusual hardship” test. Staff has evaluated the required findings established in Section 22.07(d), and listed in a following section of this report, and believe the request has merit. Requiring park dedication fees now based on future, hypothetical development phases represents a unique hardship in the pursuit of development. Staff is recommending approval of the platting variance.

Stormwater Management

Stormwater will be managed to meet the City’s and Watershed District’s requirements for stormwater rate control (quantity), stormwater quality and volume.

The Stormwater Management plan calculations and narrative have been reviewed and appear to meet the requirements in the City of Bloomington Comprehensive Surface Water Management

Plan. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County. This site is located within the Lower Minnesota River Watershed District, so no additional permit will be required.

Utilities

The subject property is served by both City sanitary sewer and water. The utility plans for the site must be approved by the City Engineer prior to the issuance of a building permit for the site. Fire hydrant coverage and adequate supply for fire protection will also be evaluated as part of the review of the utility plans.

Traffic Analysis

Access to the subject property is not proposed to substantially change, with the exception of a proposed drop-off loop and median modifications on American Boulevard E. described earlier in the Staff Report. Staff is open to the median modifications as proposed but will require the drop-off loop design to be revised prior to permit approval. There is adequate capacity on American Boulevard E. for traffic generated from the site. Traffic impacts for future phases will be evaluated as those projects come online. The project must include bicycle parking facilities, as noted in the recommended conditions attached to the staff report.

Fire Prevention and Public Safety

The applicant has agreed to continue design work and meet the minimum requirements prior to the issuance of the building permits. The approved access road must be maintained in accordance to the approved plan including a surface to provide all weather driving capabilities. Apparatus access roads must be asphalt or concrete and support a minimum of 80,000 pounds.

A looped water supply feeding a single, combined water service into the building is required for the domestic and sprinkler system water demand. Hydrant coverage must be provided within 150 feet of all exterior walls and within 50 feet of the fire department connection. Hydrant locations would be approved by the Utilities and Fire Prevention Divisions.

The building must be addressed plainly and visible from the street or road using numbers that contrast with the background. The numbers must be a minimum of four inches, be Arabic numbers or alphabetic letters with a minimum stroke width of 0.5 inches.

The applicant must ensure the proposed landscaping plans do not interfere with access to the building. Knox boxes and annunciator panels would be required at the main entrances and other areas as designated by the Fire Prevention Division.

All stairwells must 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.

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, must be reviewed by the Fire Marshal to insure continued compliance with the fire code.

Status of Enforcement Orders

There are no open enforcement orders for the site.

FINDINGS

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

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan	Finding made – There is no conflict between the proposed development and the Comprehensive Plan. The proposed apartment building is consistent with the Comprehensive Plan’s South Loop Mixed Use designation.
(2) The proposed use 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.
(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 proposed deviations would facilitate a development that is of similar character with the nearby multi-family housing development. The building’s height, density, massing, design and other characteristics are consistent with development projects within the South Loop District. The deviations would not have an adverse impact on the surrounding neighborhood and are in the public interest.
(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 – The planned development’s Phase I is not dependent on subsequent phases.
(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 – Given the size and characteristics of the proposed development, an excessive burden is not anticipated on parks, schools, streets, the sanitary sewer system or the water system once planned sanitary sewer improvements are completed in the area.

(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 multi-family housing development within the South Loop District and the Interstate 494 corridor.
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Required Final Development Plan Findings – Section 21.501.03(e)(1-7)

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan	Finding made – There is no conflict between the proposed development and the Comprehensive Plan. The proposed apartment building is consistent with the Comprehensive Plan’s South Loop Mixed Use designation.
(2) The proposed use 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.
(3) The proposed development is not in conflict with the approved preliminary development plan for the site	Finding made – the final development is consistent with Phase I of the preliminary development plan.
(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 proposed deviations would facilitate a development that is of similar character with the nearby multi-family housing development. The building’s height, density, massing, design and other characteristics are consistent with development projects within the South Loop District. The deviations would not have an adverse impact on the surrounding neighborhood and are in the public interest.
(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 planned development’s Phase I is not dependent on subsequent phases.
(6) The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or	Finding made – Given the size and characteristics of the proposed development, an excessive burden is not anticipated on parks, schools, streets, the sanitary sewer system or the water system once planned sanitary sewer

are proposed to serve the planned development; and	improvements are completed in the area.
(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 multi-family housing development within the South Loop District and the Interstate 494 corridor.

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, subject to approval of the platting variance, and is sufficient for development allowed 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 consistent with the South Loop District’s vision for dense, mixed-use development.
(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 the proposed preliminary development plan, final development plan, and platting variance to defer park dedication fees for future phases.
(4) The plat does not conflict with existing easements	Finding made – There are no known easements in conflict with 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 will 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	Finding made – The plat would subdivide an existing

the public health, safety and welfare	platted lot into two lots to facilitate redevelopment. The redevelopment 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.

Required Platting Variance Findings – Section 22.07(d)(1-5):

Required Finding	Finding Outcome/Discussion
(1) An unusual hardship exists that justifies the platting variance	Finding made – In order to finance the first phase of construction on the existing site- a 183 unit apartment building, the applicant must create a separate, developable lot. Subdividing land triggers park dedication for the entire development, even though only a fraction of the site is proposed for redevelopment as Phase I. Paying park dedication up front for several future development phases is an unusual hardship that would serve to stifle multi-phase development.
(2) The unusual hardship is not the result of actions of the applicant	Finding made – Subdividing land in order to create a separate lot is a routine step in development. The hardship results from the process of how park dedication fees are collected.
(3) The platting variance requested is the minimum variance necessary to address the unusual hardship	Finding made – As proposed by the applicant, the park dedication fees for future phases will still be paid prior to the issuance of a building permit for future development. The deferment of park dedication fees until prior to building permit is the minimum variance necessary to address the hardship.
(4) The platting variance will not conflict with the purpose and intent of the city code	Finding made – The purpose and intent the park dedication ordinance is for each development to contribute towards the City's park system in proportion to the burden that the development will place upon the park system. As proposed, the issuance of a building permit will not inhibit the collection of park dedication fees prior to when the burden of future development on

	the park system is realized. Prior to future development being constructed, the required park dedication fee must be collected, thereby contributing to the City's park system and meeting the intent of the City Code.
(5) The platting variance will not have a substantially detrimental impact on neighboring property owners or the public welfare.	Finding made – A platting variance to defer the payment of park dedication fees until prior to the issuance of a building permit will not have a substantially detrimental impact on neighboring property owners or the public welfare given that park dedication fees will be collected prior to the additional park demands created by each phase.

RECOMMENDATION

The Planning Commission and staff recommend approval using the following motions:

In Case PL2020-28, having been able to make the required findings, I move to approve a major revision to preliminary development plans for a multi-phase planned development at 3700 and 3750 American Boulevard E. and final development plans to convert a portion of the Park 'N Fly remote airport parking facility into a six-story, 183-unit apartment building located at 3700 American Blvd. E., subject to the conditions and Code requirements attached to the staff report.

In Case PL2020-28, having been able to make the required findings, I move to approve the preliminary plat and adopt a resolution approving the final plat for ROSA ADDITION, subject to the conditions and Code requirements attached to the staff report.

In Case PL2020-28, having been able to make the required findings, I move to adopt a resolution approving a platting variance to defer park dedication fees for future development phases to the time of building permit issuance of those phases.