

GENERAL INFORMATION

Applicant:	Seagate Technology, LLC
Location:	7801 Computer Avenue and 7850 Nord Avenue South
Request:	Major Revision to Preliminary and Final Development Plans for a two-story, approximately 81,000 square-foot building addition to an existing technology campus
Existing Land Use and Zoning:	Technology facility; zoned IT(PD) - Innovation and Technology (Planned Development)
Surrounding Land Use and Zoning:	North – Seagate Technology facility and day care facility (Edina); zoned Planned Industrial (City of Edina zoning) South – Office, showroom and data center; zoned CS-0.5 and C-4 East – Hotel; zoned CS-0.5 West – Office, bank and warehouse; zoned CS-1 and I-2
Comprehensive Plan Designation:	Industrial

HISTORY

City Council Action:	08/21/1995 – Approved the expansion of a use not in conformity with the CS-0.5 zoning district and Final Site and Building Plans for a 240,000 square-foot, three-story addition to an existing manufacturing facility at 7801 Computer Avenue South (Case #9278D-95). 03/18/1996 – Approved rezoning from CS-0.5 to I-2(PD) and Preliminary and Final Development Plans for the Seagate Technology facility (Case #9278BC-96). 11/15/2004 – Approved the Preliminary and Final Plat of Seagate 2 nd Addition (Case #9278A-04). 06/06/2005 – Approved a Minor Revision to Final Development Plans for a basketball court at the Seagate Technology campus (Case #9278A-05).
Staff Action:	05/04/2012 – Approved a Minor Revision to Final Development Plans for stormwater ponding and parking lot reconstruction at an existing technology campus (Case #9278A-12).

01/31/2020 – Approved a Minor Revision to Final Development Plans for a 1,400 square-foot addition for a freight elevator (Case #PL2020-19).

City Council Action: 03/02/2020 – Approved the rezoning of 7801 Computer Avenue South and 7850 Nord Avenue South from I-2 to IT (Case #PL2019-236).

CHRONOLOGY

Planning Commission 01/27/2022 – Public hearing continued (request by applicant)

Planning Commission 02/03/2022 – Public hearing held - Recommended approval (Vote: 6-0)

City Council 02/14/2022 – Consent Agenda

DEADLINE FOR AGENCY ACTION

Application Date: 12/07/2021
60 Days: 02/05/2022
120 Days: 04/06/2022
Applicable Deadline: 04/06/2022 (Extended by City)
Newspaper Notification: Confirmed (01/13/2022 Sun Current – 10 day notice)
Direct Mail Notification: Confirmed (500-foot buffer – 10 day notice)

STAFF CONTACT

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PROPOSAL

Seagate Technology, LLC is seeking Preliminary and Final Development Plans approval for a two-story building addition that would add approximately 80,000 square feet to their existing technology campus. The addition would be located on the south side of the facility and house additional fabrication space. The project would include a skyway connection over the existing loading dock to

provide a direct connection to other conditioned fabrication space within the campus. The proposed building addition replaces surface parking. Seagate Technology is requesting a proof of parking solution in addition to PD flexibility to address off-street parking requirements associated with the building addition and broader facility.

ANALYSIS

Land Use

The subject properties are guided Industrial in the City's Land Use Guide Plan and zoned Innovation and Technology (IT). Laboratory and fabrication uses are permitted uses in the IT zoning district.

Code Compliance

The proposed building addition and associated site improvements have been reviewed according to the performance standards for structures in the IT zoning district. The existing campus is a Planned Development (PD), allowing for requests for flexibility to some City Code standards provided the applicant demonstrates the project meets the required findings and the City Council determines a public benefit is provided. Table 3 identifies the project characteristics that comply with City Code requirements as presented. Table 4 identifies formal requests by the applicant for flexibility through the PD Overlay Zoning District. Finally, Table 5 identifies project characteristics that are not in compliance with City Code requirements.

Table 1: City Code Analysis: Site and Building Characteristics in Compliance

Standard and Code Standard	Proposed
Minimum Site Area – 80,000 square feet (Sec. 21.301.01(d))	1,061,604 square feet (Bloomington site)
Minimum Site Width – 250 feet (Sec. 21.301.01(d))	615 feet
Minimum Structure Setbacks Along Street – 20 feet Rear – 25 feet (Sec. 21.301.02(e))	Along street (south) – 20 feet Rear (east) – 470 feet
Floor Area Ratio (FAR) Minimum – 0.4 Maximum – 2.0 (Sec. 21.301.01(d))	0.58
Maximum Building Height – No limit (Sec. 21.301.10(b)(1)(a))	58.9 feet

Standard and Code Standard	Proposed
Exterior Building Materials and Finish – Glass, stucco, stone, brick, architectural concrete (excluding tilt - up) and metal (Sec. 19.63.08(c))	Glass, architectural concrete, and metal
Minimum Parking Stall Size – 9 feet by 18 feet (Sec. 21.301.06(c)(2)(C))	9 feet by 18 feet
Minimum Drive Aisle Width – 24 feet (Sec. 21.301.06(c)(2)(C))	24 feet
Parking Islands – Minimum eight feet wide and have a deciduous tree (Sec. 21.301.06(c)(2)(H))	All islands meet width and planting requirement
Minimum Sidewalk Width (Private) Five or seven feet when abutting parking stalls (Sec. 21.301.04(d)(1)(B))	Five and seven feet
Minimum Landscaping Requirements 78 trees and 171 shrubs (Sec. 21.301.15(c)(2))	78 trees and 200 shrubs

Table 2: City Code Analysis: Requests for PD Flexibility

Standard and Code Section	Proposed	Meets Standard?
Minimum Landscape Yard Along Street – 20 feet Side/Rear – 5 feet (Sec. 21.301.15(c)(4)(A))	Along Street (south) – 16 feet Side/Rear – 5 feet	Deviation requested – see further discussion
Minimum Parking Requirement 1,558 spaces (See Table 4) (Sec. 21.301.06(d))	1,413 spaces (includes 170 proof spaces)	Deviation requested – see further discussion

Table 3: City Code Analysis: Site and Building Characteristics Not in Compliance

Standard and Code Section	Proposed	Meets Standard?
Minimum Trash and Recycling Storage 284 sq. ft. w/out compactor (Sec. 21.301.17)	216 sq. ft. w/trash compactor	No – see further discussion

Building Design

The proposed building addition is 80,942 square feet of gross floor area across two floors. Both floors include fabrication areas with supportive facilities, such as tool and material storage, mechanical and electrical equipment, and gowning/locker room areas. The fabrication processes within the Seagate Technology campus require a high level of infrastructure and quality control. The second level includes a skyway connection, with both “clean” and “dirty” corridors, to the fabrication area located within Building J of the campus. The skyway is required to meet minimum

clearance requirements (13.5 feet) to allow for emergency vehicle circulation into the facility loading dock.

The proposed exterior building materials are glass, metal panels, and precast architectural concrete panels, which are integral in color. One of the architectural concrete panels is faced with thin brick and would be considered a secondary material. Secondary materials are limited to 15% of any given building elevation. The proposed exterior materials comply with City Code, so long as the metal panels meet minimum durability, finish and warranty requirements. Staff recommends a condition of approval that exterior materials be approved by the Planning Manager prior to permit issuance.

The City's Official Height Limits Map (Sec. 21.301.10(b)(1)(A)) governs the maximum building height allowed at the subject site. There is no height limitation imposed on the subject property. The proposed building addition is compliant with structure height requirements.

Access, Circulation, Sidewalk and Parking

No change to the site access is proposed. Three existing driveways to Computer Avenue South are to remain, in addition to existing site access to West 78th Street Circle on the east side of the campus. The north side of the campus, located in the City of Edina, also affords access to West 77th Street. Adequate circulation is provided around the proposed building addition, including the ability to turn large fire apparatus around in the existing loading dock area. The clearance height of the proposed skyway connection is also adequate and compliant with the Fire Code.

Related to site access and circulation, Seagate Technology currently utilizes a portion of unimproved public right-of-way south of the campus for additional surface parking through a use agreement with the City of Bloomington. The partial right-of-way is reserved following plat actions to complete a future connection between Computer Avenue South and West 78th Street Circle, if necessary. The roadway connection would likely not be necessary unless a portion of the West 78th Street frontage road would be abandoned related to future Interstate Highway 494 improvements or modifications. Should the unimproved right-of-way ever be utilized to construct a public street, the proposed building addition and associated site plan as shown would not inhibit the future construction of the roadway.

The City Code (Sec. 21.301.04(b)(1)) specifies public sidewalks must be provided for all new development and significant redevelopment, defined as an increase of floor area by 25 percent or more. The proposed building addition (80,942 square feet) represents a 15.1 percent floor area increase. As a result, no public sidewalk is required to be constructed along Computer Avenue South, where no walk currently exists. The technology campus does have a sidewalk connection out to Computer Avenue South. One of the proposed proof of parking areas shown on the parking exhibit would necessitate the removal of this sidewalk connection to the public right-of-way. If these proof stalls were ever to be constructed, an alternative sidewalk connection to Computer Avenue South would need to be provided. Finally, private sidewalks are proposed in limited locations, all of which meet the City Code width requirements.

Multiple factors complicate parking analysis of Seagate Technology. First, the facility is located within two jurisdictions, Bloomington and Edina, which have different off-street parking requirements. Second, the facility currently benefits from surplus surface parking (93 spaces) located within the partial public right-of-way along the south boundary of the site. These parking spaces do not count towards the overall parking supply from a Code-analysis perspective, as they could be removed in the future. Nonetheless, these parking spaces do provide a substantial backup parking supply that is likely to be available for the near and mid-term future. Finally, there are approximately 110 parking spaces located close to the southern boundary of the property, but do not meet a typical front setback (20 feet) along a public right-of-way. As these stalls were legally established and the property owner is permitted to use the unimproved right-of-way for drive-aisle and parking purposes, these approximately 110 parking spaces are allowed to be included in the overall parking supply.

Seagate proposes removing 246 parking spaces to accommodate the proposed building addition and constructing 26 new parking spaces east of the proposed addition. In addition, Seagate is proposing 170 net proof of parking stalls. Including the proof of parking stalls, the total parking supply for the full campus, including the portion in Edina, is 1,413 parking stalls. According to Bloomington and Edina City Codes, the required quantity of parking for the campus is 1,558 parking spaces. Table 4 provides an overview of the parking analysis of the Seagate Technology campus according to both the City of Bloomington and City of Edina parking requirements. Seagate Technology is seeking a deviation of 9.3 percent from the total parking requirement through PD flexibility when factoring in the proposed proof of parking stalls into the overall supply.

Seagate is seeking to exempt 18,000 gross square feet of non-occupied mechanical and plumbing shafts from the overall parking requirement, as these areas do not allow for human occupancy. These shafts are primarily located adjacent to clean room fabrication spaces and are needed for air return and flow purposes. These areas are unique to the Seagate Technology campus from both a scale and use perspective due to the quality control needs of the fabrication process. As a result, staff is supportive of exempting these areas from the parking requirements through PD flexibility. These mechanical and plumbing shafts far exceed the needs of a typical manufacturing or industrial use or facility. The proposed exemption of these areas is noted in Table 4 in Note #1.

Proof of parking is an effective and acceptable measure to reduce parking when it is demonstrated the actual parking demand is less than the quantity of parking stalls required by City Code. Should it become clear later a larger parking supply is necessary to serve the technology campus, the City can require the property owner to install the proof of parking stalls to reduce or alleviate the parking supply deficit. To ensure the City has the proper legal authority to require the construction of additional parking at the campus, the property owner must enter into a proof of parking agreement. The agreement must be recorded against the property, so it runs with the property in perpetuity.

Table 4: Parking Quantity Analysis

Use	Standard	# of Units/Area	Parking Spaces Required
Edina Facility			396.8
Office	One space per 200 sq. ft.	31,649 sq. ft.	158.3
Manufacturing	One space per 300 sq. ft.	30,116 sq. ft.	100.4
Laboratory	One space per 500 sq. ft.	59,158 sq. ft.	118.4
Warehouse	One space per 2,000 sq. ft.	22,592 sq. ft.	11.3
Mechanical/Electrical	No parking requirement ¹	969 sq. ft.	0.0
Common Area	One space per 631 sq. ft. ²	5,297 sq. ft.	8.4
Bloomington Facility			1,160.7
Office	One space per 285 sq. ft.	126,214 sq. ft.	442.9
Manufacturing/Lab	One space per 500 sq. ft.	229,225 sq. ft.	458.5
Warehouse	One space per 1,000 sq. ft.	214,812 sq. ft.	214.8
Mechanical/Electrical	No parking requirement ¹	17,625 sq. ft.	0.0
Common Area	One space per 641 sq. ft. ³	28,514 sq. ft.	44.5
Parking Spaces Required			1,558 spaces
Parking Spaces Proposed			1,413 spaces (170 proof stalls)
Proposed Parking Deviation			9.3%

Table Notes:

- 1) Seagate is seeking to exempt uninhabitable mechanical and plumbing shaft areas (approximately 18,000 sq. ft. of gross floor area) through PD flexibility. These areas are non-occupied
- 2) Common area calculation based on proportionality of use mix on Edina side of the facility and Edina parking ratios.
- 3) Common area calculation based on proportionality of use mix on Bloomington side of the facility and Bloomington parking ratios.

There are multiple considerations unique to the Seagate Technology campus that support the proposed reduction in off-street parking through both proof of parking and PD flexibility:

- **Facility Infrastructure and Equipment** – The physical infrastructure and equipment necessary to perform the facility's fabrication processes result in a significant amount of unoccupied space, generating little or no parking demand for these spaces. The proposed building addition and total facility more broadly include expanses of large mechanical equipment (chillers and air filtration units) that are unoccupied. In addition, large air exchanges or fan towers similarly remain unoccupied spaces. The physical needs of the fabrication facility are unique and significant, far exceeding a typical manufacturing or fabrication use.
- **Operational Characteristics** – Due to the unique equipment and characteristics of Seagate's fabrication processes, the density or concentration of employees within these spaces is lower than a typical manufacturing or fabrication use. For example, Seagate

Technology is estimating the proposed building addition will be staffed by 45 employees per shift. By comparison, the City's parking requirements would specify 120 parking spaces be provided for this building addition based on parking requirements for typical manufacturing and warehouse uses.

- **Backup Parking Supply within Public Right-of-Way** – The ability to utilize an unimproved, adjacent public right-of-way for parking and drive aisles purpose provides a significant backup parking supply for the campus. There are currently 93 parking spaces located within the unimproved right-of-way. The opportunity to utilize this area helps mitigate potential instances or occurrences of parking demand exceeding available parking supply on-site. Based on the most current versions of MnDOT design efforts related to future I-494 improvement projects, staff is not anticipating the West 78th Street frontage road would be removed. As such, it is unlikely a public roadway will need to be constructed in the near future to connect Computer Avenue South and West 78th Street Circle.

Based on these factors, staff supports the requested deviation providing flexibility to the City's off-street parking requirements. To ensure adequate parking continues to serve the full technology campus, staff recommends a site development agreement with all of the associated conditions of approval be recorded against all properties within the Seagate campus, including the site in Edina (4625 West 77th Street). The Engineering and Planning staff were involved in a parking study of another comparable facility in Bloomington with similar equipment and use characteristics within the last three years. That specific study supported a parking deviation much higher than what is currently proposed as part of the Seagate building addition project. While these facilities vary slightly from a use mix perspective, Seagate having more office use than the comparable facility, the study of the comparable facility provides another data point to consider and increased confidence among staff the parking supply proposed will adequately serve the campus.

Regarding the use of the public right-of-way for parking and drive-aisle purposes, allowances for this use were granted when the right-of-way was dedicated to the City. However, a formal right-of-way use agreement was never recorded. As part of this project, staff recommends a condition of approval a formal right-of-way use agreement be recorded prior to the issuance of a building permit. A right-of-way use agreement would include provisions about maintenance responsibilities, liability for injury, and provisions of future conversion should the area ever be needed for public roadway purposes.

Finally, the process to construct the large building addition has the potential to be disruptive to the existing site circulation and parking. Staff must better understand the proposed lay-down and staging areas that are needed for construction. Staff recommends a condition of approval that a construction management plan be provided. The plan would be reviewed by staff (Planning, Engineering and Fire Prevention) to ensure there is adequate emergency vehicle access, access to utilities, and parking on-site.

Landscaping, Screening and Lighting

The required landscaping for the proposed project is based on the amount of site disturbance. As a result, the developable landscaping area for the project is 170,530 square feet. Based on this amount of site disturbance, the project must include the installation of 68 trees and 171 shrubs. However, ten trees are scheduled for removal with the project and must be replaced on-site. As a result, the required number of trees to be installed is 78. The submitted landscape plan includes 78 new trees and 200 shrubs and is compliant from a quantity perspective. Finally, the proposed building addition meets the foundation planting requirements of the City's supplemental landscaping policy.

The applicant is requesting PD flexibility to allow for the encroachment of two small stairs and stoops on the south side of the building addition into the minimum front landscape yard (20 feet required – Sec. 21.301.15(c)(4)(A)). The front landscape yard would be reduced from 20 feet to 16 feet at the western stoop/stair. Given that area of these stoops/stairs is quite small and that the construction of a public roadway along this area is not certain, staff is supportive of this modest request for PD flexibility.

The surface parking areas that are modified or newly constructed are far enough away from public rights-of-way so that the City Code does not require parking lot screening. There is an outdoor mechanical equipment area at the southeast corner of the proposed building addition below the proposed skyway. The outdoor equipment must be screened according to City Code (Sec. 21.301.15(d)(1)(D)). Chain link fencing with privacy slats are currently proposed, which is not fully opaque. The equipment area must be screened, especially to the south, according to the City's perimeter screening standards. Finally, rooftop mechanical equipment must be screened according to City Code Section 21.301.18. Conditions of approval related to screening are attached to satisfy these requirements.

A lighting plan has been submitted and reviewed by City staff. The parking areas and building entrances shown on the lighting plan appear to meet Code. However, Code-compliant lighting must be provided for the number of parking spaces required for the proposed building addition. As a result, compliant lighting must be provided for 162 parking spaces to serve the proposed building addition. Staff recommends a condition of approval requiring the lighting plan to be revised to meet minimum requirements prior to the issuance of a building permit.

Stormwater Management

Stormwater must be managed to meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume. Both above ground and subsurface stormwater management facilities are proposed on the west side of the campus near Computer Avenue South and under the existing surface parking lot, which would be reconstructed. The Stormwater Management Plan calculations and narrative are currently under review and must meet the requirements of the City of Bloomington Comprehensive Surface Water Management Plan. A maintenance plan must also be provided and will be required to be signed and recorded at

Hennepin County. This site is located within the Nine Mile Creek Watershed District, so an additional permit will be required. The broader area, and including the subject development, is low-lying and becomes inundated during large rain events. As part of the stormwater management report, the applicant must include flood mitigation strategies, such as increased low opening elevations or other means to prevent seepage into the building addition during periods of inundation. These strategies must be approved by City staff as part of the stormwater management plan review.

Utilities

The proposed building addition 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 maintained and provided for the site for redundancy purposes and to provide adequate fire protection. Utility plans must be approved by the City Engineer prior to the issuance of any permits or significant site disturbance.

Traffic Analysis

In Bloomington, the Seagate Technology campus is served by Computer Avenue South and West 78th Street Circle. West 78th Street Circle is a minor collector road, and Computer Avenue South is a local road serving commercial and industrial properties. The campus is also served by West 77th Street in Edina, a minor arterial roadway according to the City of Edina roadway classification system. There are multiple ways to ingress and egress the site from multiple directions. Significant impacts to the adjacent traffic patterns due to the proposed building addition have not been identified.

Transit and Transportation Demand Management (TDM)

This redevelopment will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist.

Fire Prevention and Public Safety

Emergency vehicle access and circulation design must meet or exceed the minimum standards of the Fire Code. A minimum 20-foot wide access road around the building. The access road shall be maintained in accordance with the approved plan including a surface to provide all weather driving capabilities and support a minimum of 40 tons. Provide an adequate turning radius and a minimum height of 13'6" under obstructions to support the fire apparatus designated by the Fire Department. The emergency vehicle access roads shall be free of any obstructions. Parking fire lane signage to be reviewed, approved and installed prior to the certificate of occupancy. Ensure the proposed landscaping doesn't interfere with access to the building and egress components.

Hydrant coverage shall be provided within 50 feet of the fire department connection and within 150 feet of all exterior walls of the structure. A minimum clear space of 36 inches around the hydrants

is required. The hydrants must be clearly visible and accessible from the emergency access road. A looped water supply feeding a single, combined water service is required for the domestic and sprinkler system water demand. All hydrants, new and existing on the property or that serve the property shall have City approved storz connections. Hydrant locations, style etc. will be reviewed by the Utilities Division and Fire Department. A looped water supply feeding a single, combined water service is required for the domestic and sprinkler system water demand.

The property and building(s) address and building numbers shall be clearly visible from the entry point into the property and from the emergency vehicle access road if the entry point serves multiple buildings. The property and or building(s) may require additional signage depending on size and location. Address shall be a minimum of four inches, be Arabic numbers or alphabetical letters with a minimum stroke width of .5 inches and contrasting to the background. Sizing may be required to be increased depending on the size of the structure and/or location. All exterior doors that allow access to the interior of the building(s) shall be numbered in a sequential order starting with the main entrance (public entrance) as number 1 and continue in a clockwise manner. Each separate building will have its own sequence of numbers. The numbering plan will be approved by the Police and Fire Departments.

Fire alarm and annunciator panel location(s) to be determined by the Fire Department. Multiple annunciator panels may be required depending on the size and configuration of the building. Alarm systems are required to meet the 2016 edition of NFPA 72. Regarding suppression systems, NFPA 13 systems are required to meet the 2016 edition of NFPA 13. Fire suppression systems shall not penetrate fire rated walls, and solation control valves are required per floor. Wet standpipes must be within 200-foot travel distance to all interior areas and must be located within heated stairwells and/or protected areas. Access shall be provided to/from all stairwells on all floors. Fire hose valves shall be located at the stairwell landings. Horizontal exits require fire hose valves within 130 feet.

Provide for emergency responder radio coverage throughout the complex and in all structures per the requirements of Appendix P of the 2020 Minnesota State Fire Code.

Any changes made to the current plans, including building location, access road, water supply and addressing, shall be reviewed by the Fire Department to ensure continued compliance with the Fire Code.

Miscellaneous

There is an existing trash and recycling storage area in Building A of the campus. The area is 216 square feet in size and includes a trash compactor. The existing facility is nonconforming from a perspective of meeting the needs for the full campus according to Bloomington City Code. The portion of the facility in Bloomington would require a trash and recycling room or storage area that is 3,081 square feet in size. Due to the existing trash compactor, the solid waste storage area could be reduced by 60%, resulting in a total Bloomington facility requirement of 2,156 square feet. The existing trash facility does not meet the requirements for the full facility. Alternatively, additional

trash and recycling storage areas to the project that would meet the needs for the building addition only. This approach would require adding 282 square feet of trash and recycling storage area when giving credit for the existing compactor on site. Staff recommends a condition of approval requiring compliance with City Code standards for trash and recycling storage (Sec. 21.301.17).

The development is subject to the signage provisions of the Class IV Sign District (Sec. 19.113). Architectural plans show wall signage on the facility. Staff recommends a condition all proposed signage complies with Chapter 19 – Article X of the City Code.

Status of Enforcement Orders

The property is not subject to enforcement orders.

Public Correspondence

As of the publication date of the staff report, the City has not received any correspondence regarding this application.

Planning Commission Review

The Planning Commission held a public hearing to consider the subject application on February 3, 2022. No one spoke at the hearing except for the applicant. Following discussion, the Planning Commission unanimously recommended approval of the application (Vote: 6-0). Full detail of the discussion can be found in the meeting minutes attached to the staff report.

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 Industrial in the Comprehensive Plan. A building addition with fabrication and laboratory space to an existing technology facility 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 not located in an area with an adopted district plan.

Required Finding	Finding Outcome/Discussion
(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 – Two deviations are requested as part of the subject Preliminary and Final Development Plans. The request to reduce the required quantity of off-street parking throughout the campus via proof of parking and flexibility is informed by the demonstrated physical infrastructure needs of the facility and the associated lessor occupancy rate than a typical fabrication and warehouse use. The requested deviation to allow for the encroachment of stoops and stairs into the front landscape yard of an unimproved right-of-way provides necessary egress for a building addition that is otherwise compliant with required structure setbacks. The proposed deviations from City Code is in the public interest and within the parameters allowed under the Planned Development Overlay District.
(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 subject development is proposed in a single phase. The construction and operation of the proposed building addition is feasible without dependence on any subsequent unit or phase.
(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.	Finding Made – The subject properties are served by roadways and utilities with adequate capacity to serve the development proposed in the Preliminary Development Plans. The proposed development will not impact parks and schools in the area. The proposed development will not create an excessive burden on public facilities that serve the subject properties.
(6) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – The development proposed in the Preliminary Development Plans is consistent with the surrounding land uses in the area, which is comprised of office and industrial uses. The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

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 Industrial in the Comprehensive Plan. A building addition with fabrication and laboratory space to an existing technology facility 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 not located in an area with an adopted district plan.

Required Finding	Finding Outcome/Discussion
(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 approved Preliminary Development Plan for the subject properties. Contingent upon the approval of the submitted Preliminary Development Plans in this case, the proposed development is not in conflict with the approved Preliminary Development Plan for the site.
(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 – Two deviations are requested as part of the subject Preliminary and Final Development Plans. The request to reduce the required quantity of off-street parking throughout the campus via proof of parking and flexibility is informed by the demonstrated physical infrastructure needs of the facility and the associated lessor occupancy rate than a typical fabrication and warehouse use. The requested deviation to allow for the encroachment of stoops and stairs into the front landscape yard of an unimproved right-of-way provides necessary egress for a building addition that is otherwise compliant with required structure setbacks. The proposed deviations from City Code is in the public interest and within the parameters allowed under the Planned Development Overlay 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 subject development is proposed in a single phase. The construction and operation of the proposed building addition is feasible without dependence on any subsequent unit or 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.	Finding Made – The subject properties are served by roadways and utilities with adequate capacity to serve the parking structure proposed in the Final Development Plans. The proposed development will not impact parks and schools in the area. The proposed development will not create an excessive burden on public facilities that serve the subject properties.
(7) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – The development proposed in the Preliminary Development Plans is consistent with the surrounding land uses in the area, which is comprised of office and industrial uses. The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.

RECOMMENDATION

Planning Commission and staff recommend approval through the following motion:

Motion made by _____, seconded by _____, in Case #PL2021-255, having been able to make the required findings, I move to approve a Major Revision to Preliminary and Final Development Plans for a two-story, approximately 81,000 square-foot building addition to an existing technology campus located at 7801 Computer Avenue South and 7850 Nord Avenue South, subject to the conditions and Code requirements attached to the staff report.

RECOMMENDED CONDITIONS OF APPROVAL

Case #PL2021-255

Project Description: Major Revision to Preliminary and Final Development Plans for a two-story, approximately 81,000 square-foot building addition to an existing technology campus.

Address: 7801 Computer Avenue South and 7850 Nord 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.

1. Prior to Permit A Site Development Agreement, including all conditions of approval, must be executed by the applicant and the City and must be properly recorded by the applicant with proof of recording provided to the Director of Community Development.
2. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
3. Prior to Permit A Construction Management Plan must be submitted for review and approval by the City.
4. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
5. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
6. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
7. Prior to Permit An erosion control surety must be provided (16.08(b)).
8. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
9. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
10. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed (State of MN and Federal regulation).
11. Prior to Permit A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City (State of MN).
12. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
13. Prior to Permit 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).
14. Prior to Permit A Proof of Parking Agreement for 170 additional parking spaces must be approved and filed with Hennepin County.

15. Prior to Permit A public right-of-way use agreement must be approved and recorded to allow continued use of the right-of-way along the southern boundary of the campus for parking and circulation purposes.
16. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
17. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 21.301.15).
18. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of City Code Section 21.301.07.
19. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
20. Prior to Permit New outdoor equipment yard must be screened according to Section 21.301.15(d) of the City Code.
21. Prior to Permit Trash and recyclable storage facilities must be compliant with Section 21.301.17 of the City Code.
22. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
23. 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).
24. 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.
25. 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.
26. Prior to C/O Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
27. Ongoing Alterations to utilities must be at the developer's expense.
28. Ongoing All new rooftop equipment must be fully screened according to Section 21.301.18 of the City Code.
29. Ongoing Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
30. Ongoing All construction related loading, unloading, pick-up, drop-off, staging, stockpiling or parking must occur on site and off public streets.
31. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code.