



November 29, 2022

Mr. Dino Contolatis
Gyropolis Investments
2325 W. 90th Street
Bloomington, MN 55431

RE: Case # PL202200183 – Gyropolis Expansion
9000 Penn Avenue S. and 2325 W. 90th Street

Mr. Contolatis:

At its regular meeting of November 28, 2022, the City Council approved: a rezoning from B-4 to B-4(PD); preliminary and final development plans and a conditional use permit to expand an existing restaurant and add an outdoor patio; and a preliminary and final plat to combine two parcels into one located at 9000 Penn Avenue S. and 2325 W. 90th Street (Case # PL202200183).

The approval is subject to conditions that must be satisfied before issuing a Grading, Footing, Foundation, or Building Permit. While the conditions list includes selected City Code requirements of particular interest, the development must comply with applicable local, state, and federal codes.

Conditional Use Permit and Preliminary and Final Development Plan Conditions of Approval

1. Prior to Permit A Site Development Agreement, including all conditions of approval, must be executed by the applicant and the City and must be properly recorded by the applicant with proof of recording provided to the Director of Community Development.
2. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
3. Prior to Permit Any modifications to common driveway/access/parking agreements must be provided and proof of filing must be provided to the Manager of Building and Inspection.
4. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
5. 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).
6. Prior to Permit Landscape plan must be revised to be Code compliant, must be approved by the Planning Manager, and landscape surety must be filed (Sec 21.301.15).
7. Prior to Permit An erosion control surety must be provided (16.08(b)).
8. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.

9. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
10. Prior to Permit Three-foot-high parking lot screening must be provided along W. 90th and Penn Avenue S. as approved by the Planning Manager (Sec. 21.301.15).
11. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
12. Prior to Permit Bicycle parking spaces must be provided and located on site as approved by the City Engineer.
13. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
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 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)).
16. Prior to C/O Sidewalk must be installed along W. 90th and Penn Avenue S. at the developer's expense (Section 21.301.04(b)(1)).
17. 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).
18. Ongoing All loading and unloading must occur on site and off public streets.
19. Ongoing This conditional use permit approval replaces and supersedes past conditional use permits for this property.
20. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
21. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 21.301.17).
22. Ongoing Alterations to utilities must be at the developer's expense.
23. Ongoing All rooftop equipment must be fully screened (Sec. 21.301.18).

Final Plat Conditions of Approval

1. A title opinion or title commitment that accurately reflects the state of title of the properties being platted, dated within 6 months of requesting City signatures, must be provided.
2. A consent to plat form from any mortgage company with property interest must be provided.
3. Drainage and utility easements must be provided as approved by the City Engineer.
4. A 10-foot sidewalk easement must be provided along all street frontages as approved by the City Engineer.
5. Right-of-way on Penn Avenue South must be dedicated to the public as approved by the City Engineer.
6. Park dedication in the amount of \$4,212 must be satisfied.
7. A private common driveway/access easement/agreement must be provided as approved by

the City Engineer and proof of recording the easement/agreement with Hennepin County must be provided to the City Engineer.

And subject to the following Code requirement:

1. 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)).

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Glen Markegard".

Glen Markegard, AICP
Planning Manager