

PL2016-81
PL201600081

3-21

, 2016

Suzanne Fletcher
B&C Zoning
3000 S. Berry Rd., Ste. 110
Norman, OK 73072

Subject Property: 6161 American Blvd Bloomington, MN Parcel: 17-116-21-14-0050
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In response to your request for information regarding the above-referenced property, we have researched our files and present the following:

1. The current zoning classification for the subject property is:

B-1 (FH) + SC

2. Adjacent property zoning designations:

North: SC (FH)

South: R0 (24)

East: R0 (24)

West: SC (FH)

3. According to the zoning ordinances and regulations for this district, the current use of the subject property is a:

- ☒ Permitted Use by Right
☐ Permitted Use by Special/Specific Use Permit ☐ Copy Attached ☐ Copy Not Available (see comment)
☐ Legal Non-Conforming Use (no longer permitted by right due to amendments, re-zoning, variance granted or other changes. See comments)
☐ Non-Permitted Use

Comment: _____

4. To the best of our knowledge, the subject structure(s) was developed:

☒ in accordance with Current Zoning Code Requirements and is

☐ Legal Conforming

☐ Non-conforming (see comments) > via known - see LTR

☐ in accordance with Previous Zoning Code Requirements (amendments, rezoning, variance granted) and is Legal Non-conforming to current zoning requirements.

☐ Prior to the adoption of the Zoning Code and is ☐ Grandfathered/Legal Non-conforming to current zoning requirements.

☐ in accordance with Approved Site Plan and is Legal Conforming to approved site plan. If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.

Comment: _____

5. Information regarding variances, special permits/exceptions, ordinances or conditions:

☐ There do not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the subject property.

☒ The following apply to the subject property (see comments):

☐ Variance - Documentation attached or is otherwise, no longer available (see comment)

☒ Special Permit/Exception Documentation attached or is otherwise, no longer available (see comment)

☐ Ordinance Documentation attached or is otherwise, no longer available (see comment)

☒ Conditions Documentation attached or is otherwise, no longer available (see comment)

Comment: See Attached LTR

6. **Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:**

- ☐ May be rebuilt in its current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable).
☒ May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations or requirements. Please see section _____ of the current zoning code/ordinance for details.

7. **Code Violations Information:**

- ☐ There do **NOT** appear to be any outstanding/open zoning or building code violations that apply to the subject property.
☐ The following outstanding/open ☐ zoning / ☐ building code violations apply to the subject property:

Comment: _____

8. **Certificate of Occupancy, status:**

- ☐ A valid Certificate of Occupancy has been issued for the subject property and is attached.
☐ Certificates of Occupancy have been issued and are in effect for all buildings and, if required, for all units at the Property; however, we are unable to locate a copy in our records. The absence of a copy of the Certificate(s) of Occupancy will not give rise to any enforcement action affecting the property.
☒ Certificates of Occupancy for projects constructed prior to the year 2002 are no longer on file with this office. The absence of a copy of the Certificate(s) of Occupancy will not give rise to any enforcement action affecting the property. A Certificate of Occupancy will only be required for new construction.
☐ A Certificate of Occupancy is not required for the subject property.

Comment: _____

9. **Site Plan Information:**

- ☐ The subject property was not subject to a site plan approval process.
☒ The subject property was subject to site plan approval; a copy of the approved site plan is attached.
☐ The subject property was subject to site plan approval, but a copy of the approved site plan is no longer in existence (was lost or destroyed). All other existing documents applicable to site plan approval for the site are attached if available.
☐ An approved site plan for the subject property is on file, but our office does not have the necessary resources to reproduce and distribute copies of the plan. All other existing documents applicable to site plan approval are attached if available.
☐ Other, (as noted here): _____

This information was researched on 5-21, 2016, by the undersigned, per request and as a public service. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon, or relates to the information supplied by the requestor. The Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

By: Lordell Poase
Title: Senior Planner
Phone: 952 563 8926

Printed Name: _____

Department: Planning



PL2016-81
PL201600081

RECEIPT OF PAYMENT

Receipt Number: 2016003227
Receipt Date: 05/12/2016
Date Paid: 05/12/2016
Full Amount: \$95.00

FROM: <Expression_tmplitem="34" name="utlCATransactionPaidBy" category="Utility"></Expression>

Payment Details:	Payment Method	Amount Tendered	Check Number
	Check	\$95.00	7688

Amount Tendered: \$95.00
Change / Overage: \$0.00

FEE DETAILS:

Fee Description	Reference Number	Amount Owing	Amount Paid
Commercial, Industrial, and Residential Zoning Compliance Letters	PL201600081	\$95.00	\$95.00

REQUEST FOR COUNCIL ACTION

Originating Department Community Development	By RMS	Approved for Agenda by:	Date: Time:	Number:
Agenda Section DEVELOPMENT BUSINESS		Item Conditional Use Permit and final site plan and building plans approval		

Item 8

Case 8557DE-98

GENERAL INFORMATION

Applicant:

Mount Properties

Location:

8000,8001,8017,8121 Edwood Place and 8100 Brunswick Avenue

Request:

Conditional use permit for an office building in the RO-24 District (Case 8557D-98) and final site plan and building plans for an office building (Case 8557E-98)

Existing Land Use and Zoning:

Single-family dwellings and undeveloped; zoned RO-24 and RO-24(FH)

Surrounding Land Use and Zoning:

North -- Public and Office; zoned
East and South -- Townhouse development; zoned RO-24
West -- Single-family dwelling, undeveloped, County Road and railroad right-of-way

Comprehensive Plan:

The Comprehensive Land Use Plan recommends Mixed Use with Open Space Focus land use for the property.

Related Applications:

Case 8557C-98 -- Conditional use for deposit of fill in the floodplain.

PROPOSAL

The applicant is proposing a one-story 36,000 square foot office building on a 11.04 acre combined parcel of which 6.53 acres will be a development site and 4.51 acres will be dedicated to the City for public purposes. According to the applicant's narrative the proposed floor area ratio (FAR) will be .13. The property includes areas located in the Nine Mile Creek floodplain and a conditional use permit has

COUNCIL ACTION

Motion by _____	Second by _____	to _____
_____	_____	_____
_____	_____	_____

being requested (Case 8557C-98) to allow for the deposit of fill in a portion of the Flood Hazard (FH) Overlay District. A driveway and building floor elevation would be established between 816.5 feet to 821 feet.

Initial site access will be provided from existing Edwood Place. Future access would be from a realigned Green Valley Drive. A total of 180 surface parking spaces would be provided. The primary parking area would be on the west side of the building and a secondary area would be sited on the east side of the building.

Architecturally, the exterior building materials would be a combination of architectural stone and brick with green insulated reflective glass. The building wall includes a 3 foot high parapet for screening of roof top equipment. The proposed lighting pole height would be 20 feet. Water and sanitary sewer utility service would be provided from existing lines in Edwood Place.

APPLICABLE REGULATIONS

Section 19.40.09(d)(2) Residential Office District
RO-24 and RO-50

Section 19.40.12 Final Site and Building
Plans

REQUIRED FINDINGS

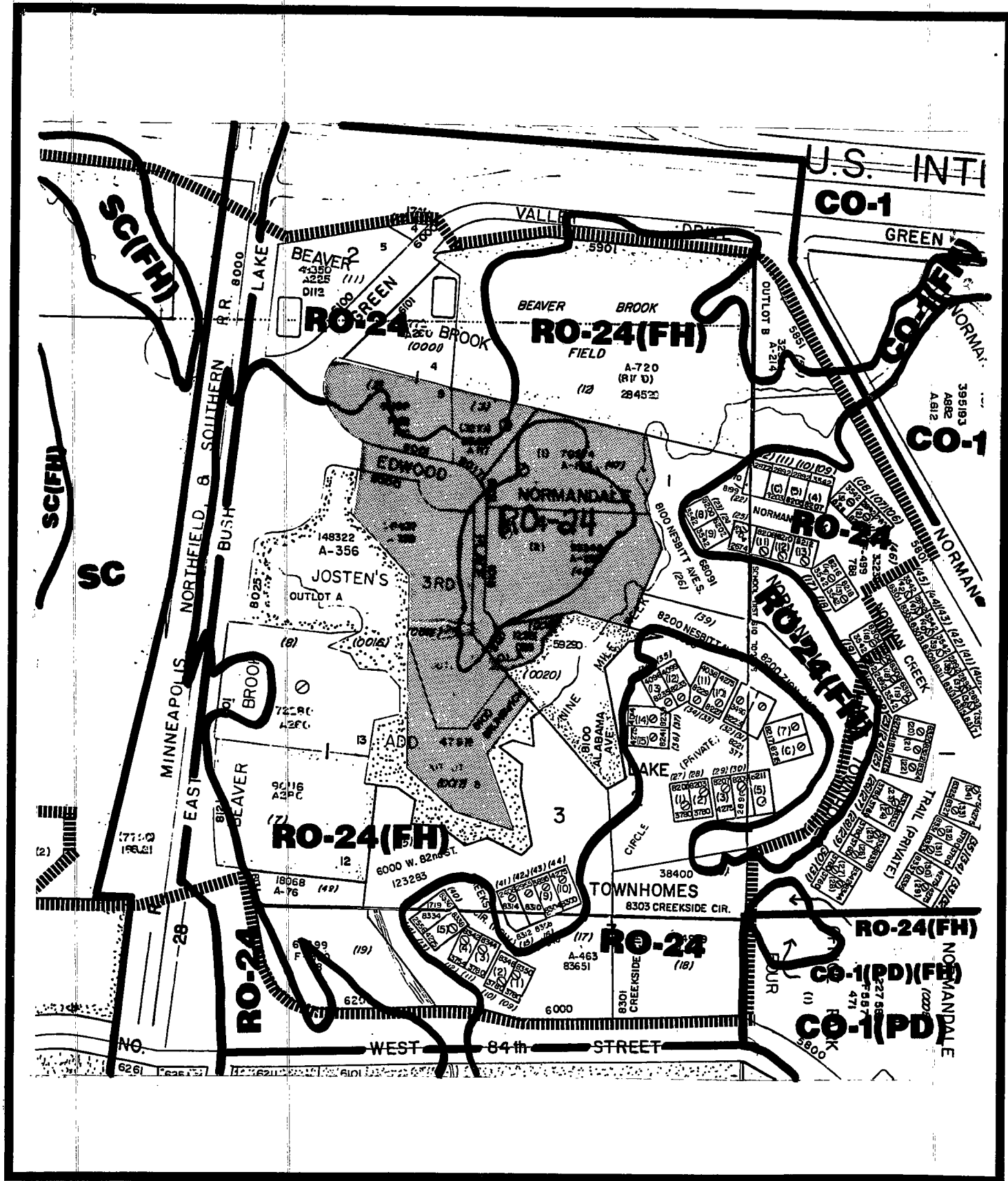
Section 19.40.11(b)(1),(2),(3),(4),(5),(6) and (7)
Conditional Use Permit

Section 19.40.12(d)(1),(2),(3),(4) and (5)
Final Site Plan and Building Plans

CHRONOLOGY

Planning Commission Agenda: 01/21/98 -- Public hearing scheduled.

planning\pc\agenda\A8557D.DOC



CASE
8557DE-98



Notification Boundary

0

300

600

SCALE: One inch equals 300 feet



[illegible]

Third part of Lates 5 & 6, Block 1, Beaver Creek living above BR-45 test is 56.7/737 feet.
Third part of Outlook Co., Clinton's 3rd Alluvial River above BR-45 test is 56.7/737 feet.
Second part of Lates 1 & 2, Block 3, Thompsonville living above BR-45 test is 56.7/737 feet.
According to the addition of section BR-45 test is 92.077 feet.
Fourth Alluvial River above BR-45 test is 149.829 feet or 1,343.727 acres (including the stream right of way of Edwards River) test is 1,343.727 acres.
Fifth Alluvial River above BR-45 test is 149.829 feet or 1,343.727 acres (excluding the stream right of way of Edwards River).

I certify that this survey was prepared by me or under my direction and that I am a duly registered land surveyor under Minnesota Statutes Section 328.02 to 328.16.

RICH MEASUREMENT
 MANHOLE
 CATCH BASIN
 HYDRAUNT
 WATER VALVE
 LEAK POLE
 WATER METER
 ELECTRIC BOX
 WATERMETER
 SANITARY SEWER
 STORM SEWER
 DOWNHOLE ELECTRIC
 WITH AN ASSORTMENT OF ACCESSORIES
 ENVIRONMENTAL CONSULTING, INC. DEPT. 36
 ENGLISH LAKE
 100 YEAR FLOOD CONTROL
 FLOOD ZONE

BECKMANN:
TOP FLOT OF HERBERT AT THE SOUTHWEST
CORNER OF LINDO PLACE AND CROTON VALLEY
DAVE ELY - 017 63

Lloyd E. Paw, Licensed Surveyor
Minnesota Registration No. 16427

HT
Kansas Thru
Admission Office
Open

OFFICE BU

DOUGLAS, M.

1

I hereby certify that

was prepared by the superposition and their registered time series

Hydrochloric Acid 36.5%
to 38.5%

1000

Key. No. _____ Date _____

1

Warning

—A—

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HYPO 08-125

100

10 DECEMBER

1

Abstract

PRELIMINARIES

PLAT

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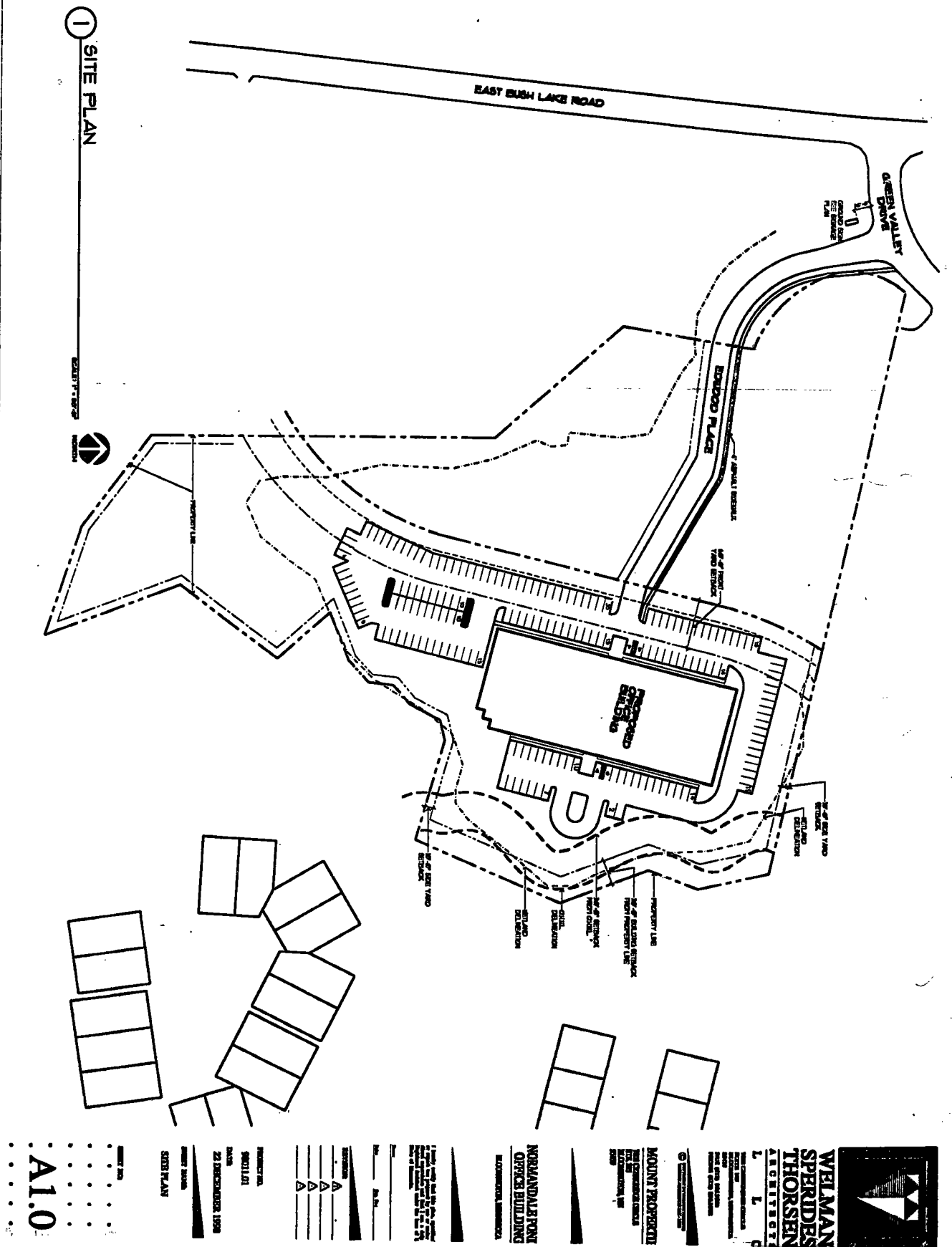
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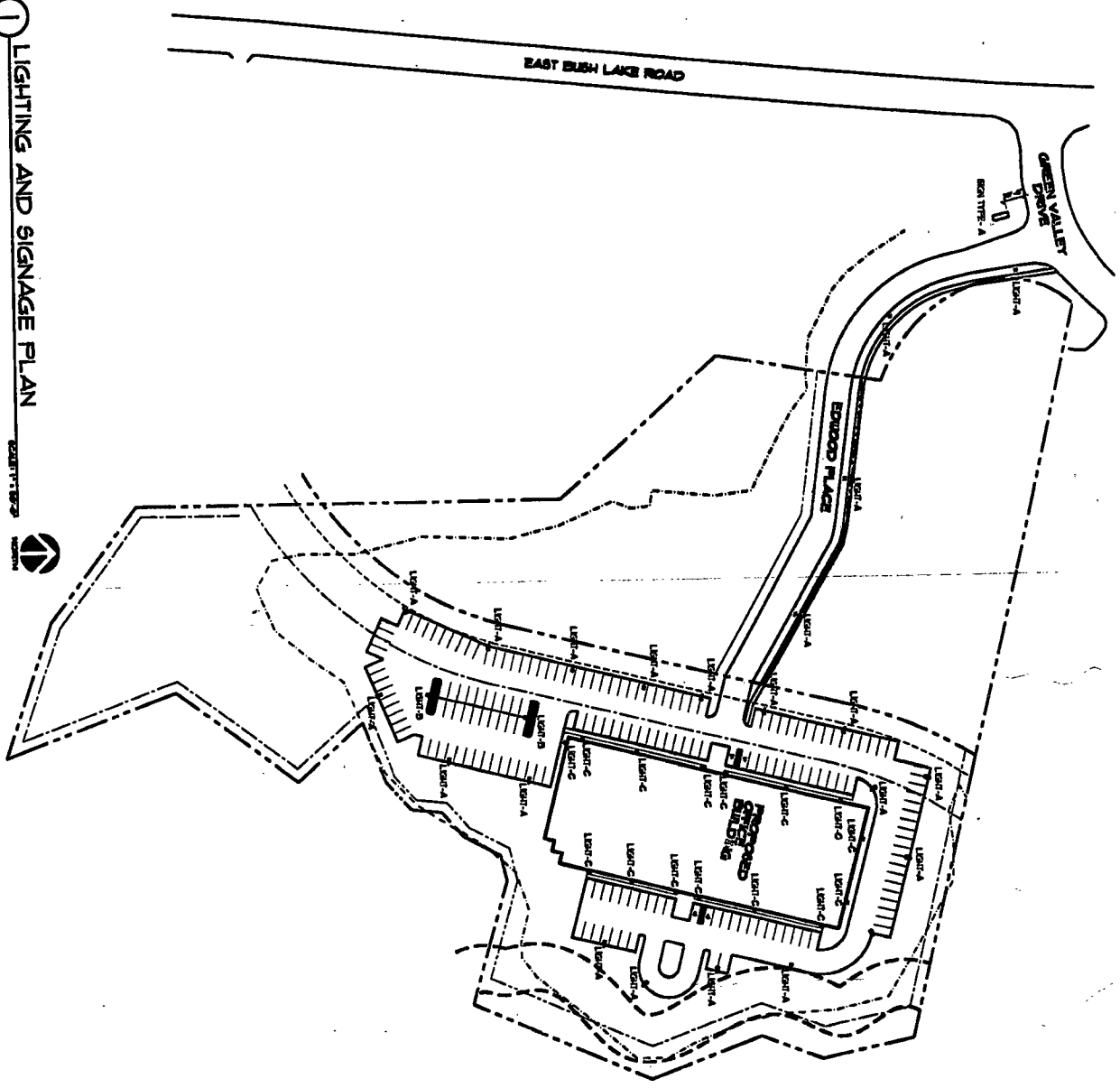
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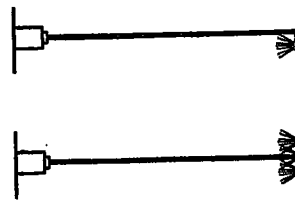


① LIGHTING AND SIGNAGE PLAN

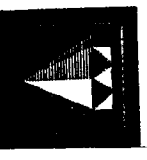
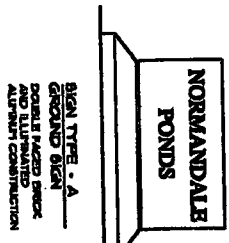


LIGHTING LEGEND

- TYPE A - 0-0 TYPE B - 0-0 TYPE C - 0
- 400 W.H.P. SCOUT
SQUARE PATTERN
20' H.P.O.L.
P.E. CELL
- 400 W.H.P. SCOUT
SQUARE PATTERN
20' H.P.O.L.
P.E. CELL
- 400 W.H.P. SCOUT
SQUARE PATTERN
20' H.P.O.L.
P.E. CELL



SIGNAGE LEGEND



WELMAN
SPIDERS
THORSEN
ARCHITECTS
L L C
1000 W. 10TH AVE.
SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112
WWW.WELMANSPIDERS.COM

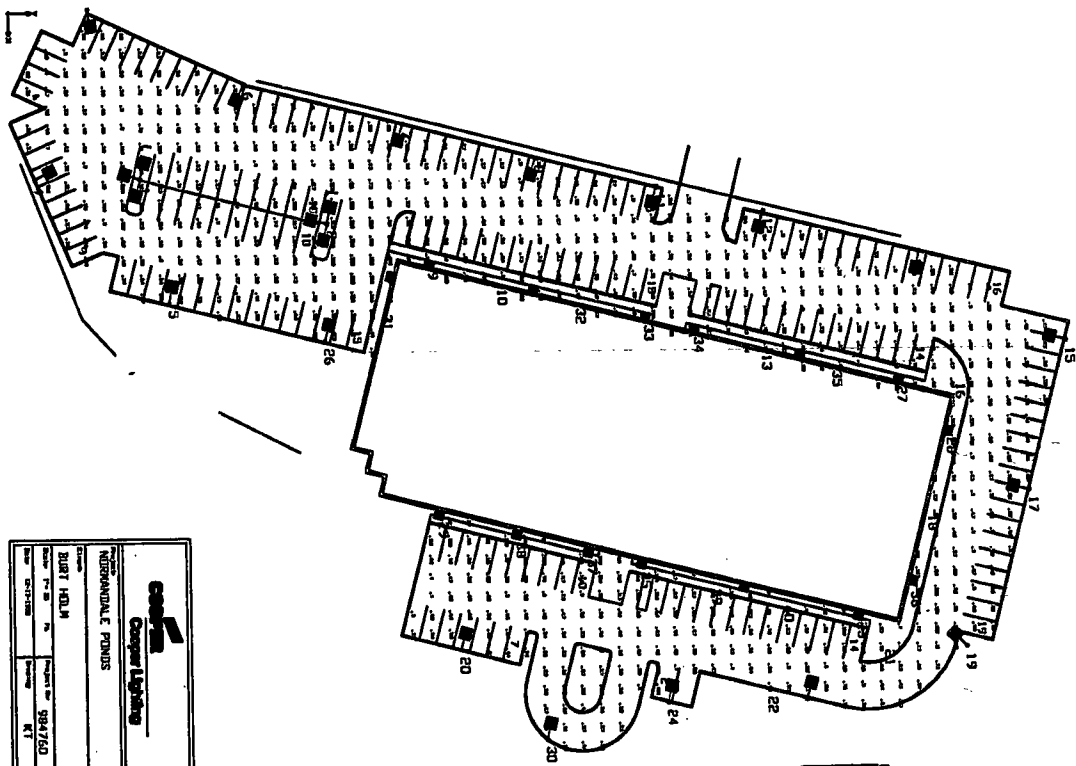
NORMANDALE FOR
OFFICE BUILDING
WILSON/CLARK/CLARK

PROJECT NO.
001121
DATE
22 DECEMBER 1998
SHEET NO.
1
LIGHTING AND
SIGNAGE PLAN

A3.0

① PHOTOMETRIC PLAN

02/07/1999



| | |
|---------------------------------|--------------------|
| COOK
Company Lighting | |
| NORWANDA PONDS | |
| BUILT FOR | |
| DATE: 02/07/99 | PROJECT NO: 990700 |
| BY: [Signature] | SCALE: 1/8" |

| LUMINAIRE SCHEDULE | | | |
|--------------------|-----|-----------------------|---------|
| LABEL | QTY | LUMINAIRE DESCRIPTION | WATTAGE |
| 1 | 1 | 1' x 4' RECESSED | 40 |
| 2 | 1 | 1' x 4' RECESSED | 40 |
| 3 | 1 | 1' x 4' RECESSED | 40 |
| 4 | 1 | 1' x 4' RECESSED | 40 |
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| 29 | 1 | 1' x 4' RECESSED | 40 |
| 30 | 1 | 1' x 4' RECESSED | 40 |

LUMINAIRE LOCATION SUMMARY
 DISTANCE IN FEET

| NO. | LUMINAIRE | 1'-0" X 4'-0" RECESSED | 4'-0" X 6'-0" RECESSED | TOTAL |
|-----|-----------|------------------------|------------------------|-------|
| 1 | 1 | 1 | 0 | 1 |
| 2 | 1 | 1 | 0 | 1 |
| 3 | 1 | 1 | 0 | 1 |
| 4 | 1 | 1 | 0 | 1 |
| 5 | 1 | 1 | 0 | 1 |
| 6 | 1 | 1 | 0 | 1 |
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| 11 | 1 | 1 | 0 | 1 |
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| 26 | 1 | 1 | 0 | 1 |
| 27 | 1 | 1 | 0 | 1 |
| 28 | 1 | 1 | 0 | 1 |
| 29 | 1 | 1 | 0 | 1 |
| 30 | 1 | 1 | 0 | 1 |

NOTES:
 1. ALL LUMINAIRES ARE 1' x 4' RECESSED.
 2. ALL LUMINAIRES ARE 40 WATT.
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8-15-99 D.H. 9.5

E1

WELMAN
SPERIDES
THORSEN
ARCHITECTS

PROJECT NO.
9901101

DATE
22 DECEMBER 1999

PROJECT NAME
NORWANDA PONDS
OFFICE BUILDING

**PHOTOMETRIC
PLAN**

SCALE
1/8"

BY
[Signature]

FOR
[Signature]

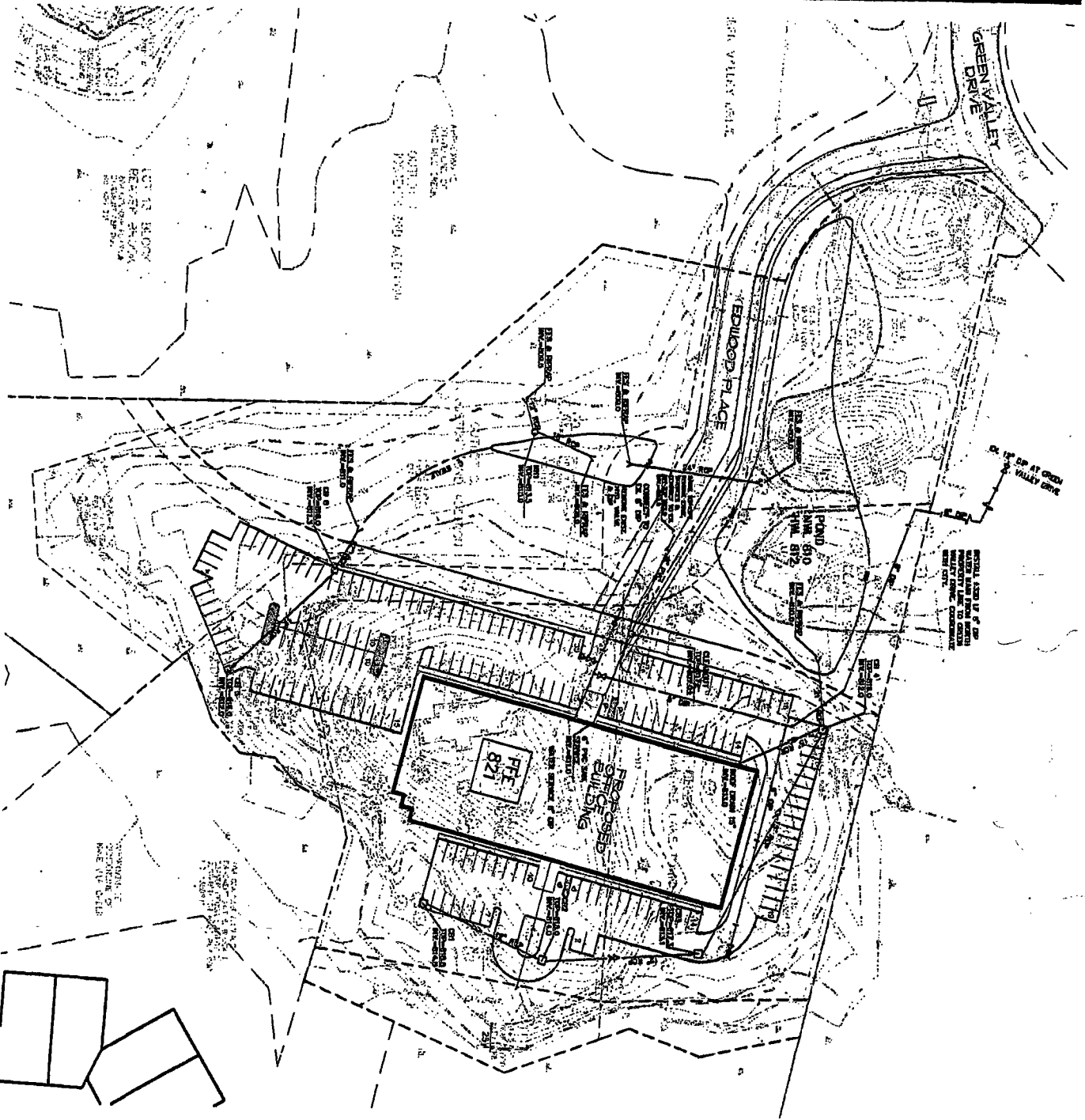
REVISIONS

| NO. | DESCRIPTION |
|-----|-------------------|
| 1 | ISSUED FOR PERMIT |

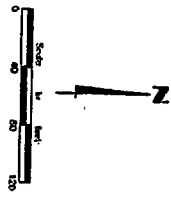
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29. ALL LUMINAIRES ARE 1' x 4' RECESSED.
30. ALL LUMINAIRES ARE 40 WATT.

8/21



- LEGEND**
- FROM MONUMENT
 - WATER
 - CATCH BASIN
 - WATER VALVE
 - LIGHT POLE
 - ELECTRIC BOX
 - WATERMETER
 - SANITARY SEWER
 - STORM SEWER
 - OVERHEAD ELECTRIC
 - WETLAND ACCORDING TO PERROW, ENVIRONMENTAL CONSULTING, INC. SEPT. 86
 - PROPOSED 100' CANTON
 - PROPOSED 20' ELEVATION
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NOTE: ALL WATER MAIN SHALL BE 12" DIAMETER.

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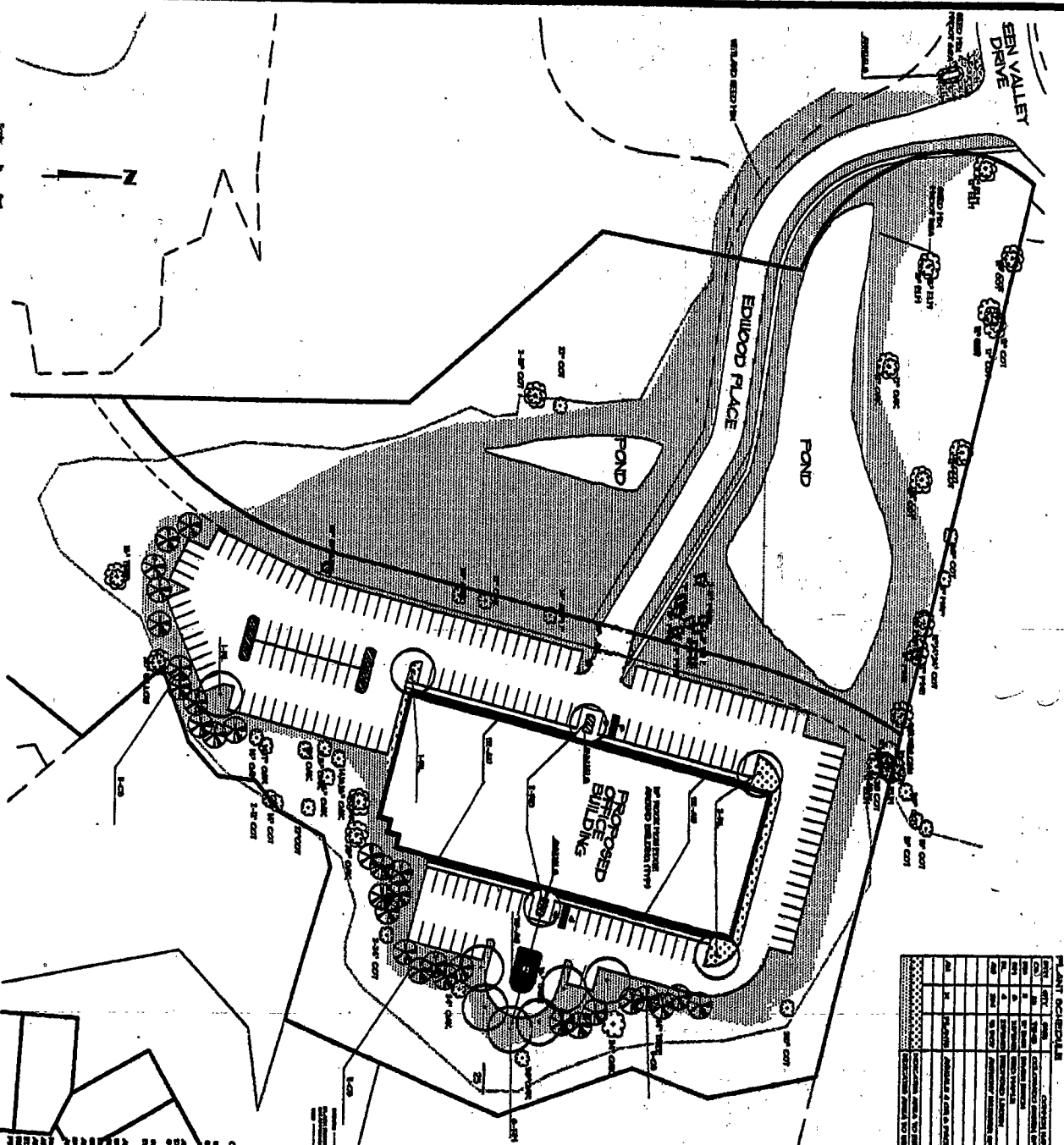
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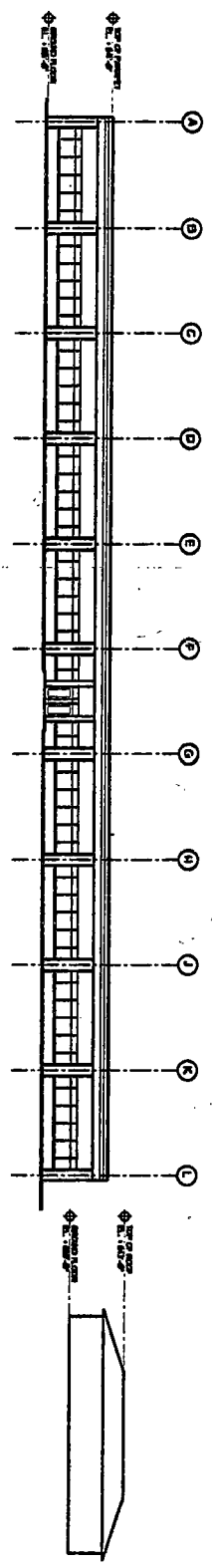
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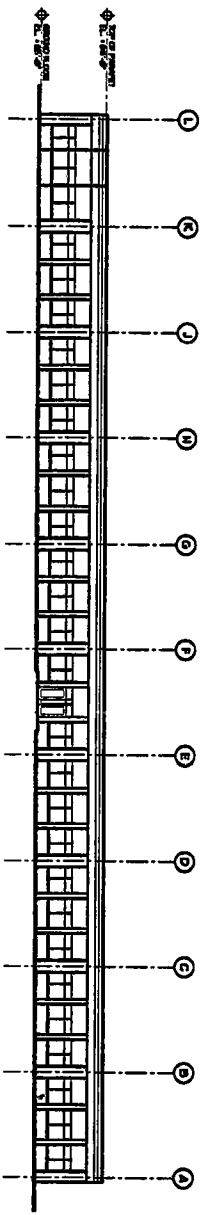


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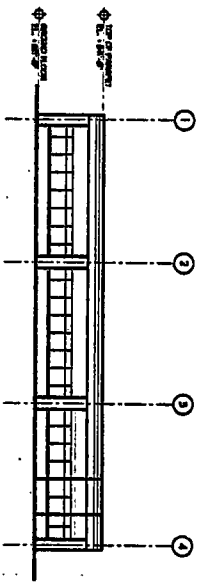
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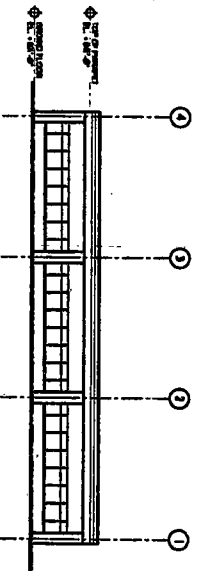
1 WEST ELEVATION
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SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
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4 NORTH ELEVATION
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**WELMAN
SPERIDES
THORSEN
ARCHITECTS**
L L C
1000 10TH AVENUE
SUITE 1000
DENVER, CO 80202
303.733.1000
WWW.WELMAN-SPERIDES-THORSEN.COM

JOINT PROPERTIES
1000 10TH AVENUE
SUITE 1000
DENVER, CO 80202
303.733.1000
WWW.JOINTPROPERTIES.COM

**NORMANVILLE POND
OFFICE BUILDING**
ARCHITECTURAL SERVICES

**1000 10TH AVENUE
SUITE 1000
DENVER, CO 80202
303.733.1000
WWW.JOINTPROPERTIES.COM**

**PROJECT NO.
S001101
DATE
22 DECEMBER 1998**

**OWNER: NORTON
EXTENSION
225 VARIOUS**

A2.1



MOUNT PROPERTIES

December 22, 1998

Mr. Robert Hawbaker
Planning and Economic Development
City of Bloomington
2215 West Old Shakopee Road
Bloomington, Minnesota 55431-3096

RE: Written narrative - Proposed development application for Normandale Ponds
Office Building at 8000 Edwood Place.

Applicant:

Robert Solfelt and Stephen Michals
Mount Properties, Inc.
7808 Creekridge Circle #305
Bloomington, Minnesota 55439
Telephone: (612) 941-1383
Fax: (612) 941-1560

Dear Mr. Hawbaker:

This letter constitutes the written narrative required by the City of Bloomington, submitted with the enclosed development application by Mount Properties, seeking approval of:

1. **Final Site Plan and Building Plans** to construct a 36,000 SF office building with parking; and
2. a Conditional Use Permit for approval of an office building in the RO-24 district.

The following professionals have been retained by the applicant to provide assistance with this application.

8557 DE 98

612-941-1383 fax 612-941-1560 7808 Creekridge Circle, Suite 305 Bloomington, Minnesota 55439

Architects

Nicholas Sperides & David Thorsen
Welman, Sperides, Thorsen Architects
7808 Creekridge Circle
Bloomington, MN 55438
Telephone: (612) 996-9662
Fax: (612) 996-9663

Civil Engineers & Surveyors and Landscape Architect

Steve Pellinen

Hansen, Thorp, Pellinen, Olson, Inc.
7565 Office Ridge Circle
Eden Prairie, MN 55344
Telephone: (612) 829-0700
Fax: (612) 829-7806

Environmental Advisors

Ronald Peterson
Peterson Environmental Consulting, Inc.
1155 Mendota Heights Road
Mendota Heights, MN 55120-1112
Telephone: (612) 686-0151
Fax: (612) 686-0369

Consulting Traffic Engineer

BRW, Inc.
700 Third Street South
Minneapolis, MN 55415
Telephone: (612) 370-0700
Fax: (612) 370-1378

Project Description**A. Introduction**

Located at the southeast corner of East Bush Lake Road and I-494, this 480,776 SF parcel of land was previously part of the Josten's campus. Situated just south of Beaver Brook Park, it is served by Edwood Place and Green Valley Drive, as accessed from East Bush Lake Road. Edwood Place will be vacated and the applicant requests an address assignment of 6205 Green Valley Drive.

This parcel's development from existing vacant land to active use will donate 4.51 acres public ownership Right Of Way for the necessary planned improvements to East Bush Lake Road at I-494; thereby accelerating the city and MnDOT's plans for the much awaited realignment of Green Valley Drive, as a portion of Bloomington's ring route.

This development proposal will provide for a low intensity office use which will preserve open space and be environmentally sensitive to the wetland and existing trees. The existing zoning is RO-24 residential office. This district provides for freestanding offices as a conditional use.

B. Description

1. General Components

The Normandale Ponds Office Building development is on an 11.04 acre site, of which 6.53 acres will be developed, and 4.51 acres given to the city by the applicant for public purposes. The office building will consist of one story, 36,000 gross square feet. It will be a multi-tenant office building or a corporate headquarter building. The current zoning district provides for a .3 floor area ratio FAR - This development provides for a .13 FAR.

There will be 180 parking stalls.

The development also includes a storm water pond, which will comply with city and Nine Mile Creek Watershed District rate control and water quality treatment criteria.

2. Site Plan

The office building is situated on the center of the site to maximize wooded screening to Nine Mile Creek and the surrounding area. The north, east and south sides of the building have views of the wetland area. Colorado spruce trees have been added on the site plan to screen cars and the general massing of the building.

Access to the office building will be via East Bush Lake Road, east on Green Valley Drive, and south on Edwood Place. There will be a pedestrian walk from Green Valley Drive to the building parking lot.

3. Flood Plain and Wetland

The building elevation and driveway will be established at 816.5 to 821 feet. Flood plain at the 100-year flood elevation is at 814.5 feet in this area. In order to accommodate interim usage of Edwood Place, the applicant will raise it to approximately 816.5 feet.

The conditional use permit to fill the flood plain was requested and approved by the planning commission in our previous application.

4. Office Building Design

The exterior walls of the office building will be a combination of architectural stone and brick. The glass system will be green insulated reflective glass set in an exterior glazed aluminum framing system. EFIS will be used with the concrete products to provide a mix of materials to soften the overall architecture of the building.

5. Landscaping

The site will be heavily landscaped in keeping with the mature oaks on the south and east side of the property. The plan has numerous colorful plants at the entrance of the site and around the building. The landscape architect has created a buffer along the east and south views of this property. The landscape plan shows the mature trees retained in these areas along with the natural underbrush will provide a strong buffer to the neighboring properties.

6. Lighting

Exterior lighting poles will be at 20 feet and feature up to 400 watt H.P.S. with asymmetric throw type III fixtures. A point by point photometric site lighting plan will be submitted, before specific lights and standards are final. The applicant will work with the Bloomington Police Department to amend the lighting hours during non-business hours.

7. Utilities

All utilities access to this site are existing in Edwood Place, and the new right of way may provide opportunities to loop or refine the city system.

8. Signage

The location and design of the development's signage will comply with the city's sign ordinance. One free-standing ground sign is proposed for the southwest corner of Edwood Place and Green Valley Drive. The sign will serve as the primary indicator for the entrance to the office complex. The sign will be an internally lit, two sided ground sign, not to exceed 100 square feet. The building will have an identification sign on the west side facing I-494.

9. Occupancy and Schedule

We intend to begin construction in the Spring of 1999 with completion and occupancy by January 2000.

10. Timeline

This application seeks the opportunity to appear before the Planning Commission at its January 21st meeting.

11. Traffic

Please refer to the enclosed BRW letter dated December 11, 1998 which refers to the daily trip generation for this project. The comparison was for an apartment complex of 120 units. The projected number of daily trips would be 606 as compared to 854 trips for a high density apartment development.

12. Rooftop Equipment Screening

The architectural design of the building has provided for a 3' extension of the brick exterior to provide necessary rooftop screening. This architectural component will provide for continuity of the building's architecture from all angles. Metal screening around the heating and cooling equipment will not be required.

13. Building Height

The overall building height will be 20' set at an elevation of 821, which would bring the overall height of this building to 841 feet. The existing topography is at 828. With a single family home set at this elevation, that home is approximately 14 feet tall, which would bring the roof line up to 842 feet. The proposed building would be at or below the existing maximum height of this home. Should this property be developed for 120 apartment units, the current zoning district provides for a 40' tall building. This 40' is based on the top floor ceiling height. A traditional pitch roof apartment building would add approximately 12 additional feet which would bring the overall height of the apartment building to 52'. Should the project be set at 821 elevation, this would bring the overall height of the building to 873 feet. An apartment complex then could be 32' higher than the proposed one story office building.

14. Density

The proposed building is 120' by 300' long, totaling 36,000 s.f.. The north/south dimension of this property is approximately 1,000'. This will provide for approximately 1/3 of the eastern view occupied by a one story building. Should this property be developed with high density apartments at 1,200 s.f. per unit, the proposed footprint of that building would be 36,000 s.f. At 30 units per floor, this would allow for a four level building at 10' per floor. The footprint of the apartment building would be exactly the same as the proposed office building. The current project is proposed at 180 parking stalls, which would be 1.5 parking stalls per unit of the 120 unit apartment project. The comparison of this low density office building to the current zoning of the 120 unit apartment project would have similar parking, however, the overall building height would be substantially less.

On behalf of Mount Properties and the project team, we look forward to working with the city staff to obtain a favorable staff recommendation for this project. Please feel free to call us when you are ready to meet to review the specific information on this application. Thank you in advance for your consideration.

Sincerely,



Robert Solfelt
President

RS/sn
Enclosure

Item 8

GENERAL INFORMATION

Applicant: Mount Properties, Inc.

Location: 8000, 8001, 8017, 8025, 8101 and 8121 Edwood Place and 8100 Brunswick Avenue

Request: Conditional use permit for an office building in the RO-24 District (Case 8557D-98) and final site plan and building plans for an office building (Case 8557E-98)

PROPOSAL

The applicant is proposing a one-story 36,000 square foot office building on a 11.04 acre combined parcel of which 6.53 acres will be a development site and 4.51 acres will be dedicated to the City for public purposes. According to the applicant's narrative, the proposed floor area ratio (FAR) will be .13. The property includes areas located in the Nine Mile Creek floodplain and a conditional use permit has been requested (Case 8557C-98) to allow for the deposit of fill in a portion of the Flood Hazard (FH) Overlay District. A driveway and building floor elevation would be established between 816.5 feet to 821 feet.

Initial site access will be provided from existing Edwood Place. Future access would be from a realigned Green Valley Drive. A total of 180 surface parking spaces would be provided. The primary parking area would be on the west side of the building and a secondary area would be sited on the east side of the building.

Architecturally, the exterior building materials would be a combination of architectural stone and brick with green insulated reflective glass. The building wall includes a three foot high parapet for screening of roof top equipment. The proposed lighting pole height would be 20 feet. Water and sanitary sewer utility service would be provided from existing lines in Edwood Place.

ANALYSIS

The applicant is requesting a conditional use permit and final site and building plan approval for a one-story, 36,000 square foot office building. This request is under the existing Residential Office District RO-24 designation which is the primary zoning district in place. Freestanding offices in lieu of a permitted principal use is listed as a conditional use.

The general character of the site is described as low density single-family residential uses with adjacent natural wetlands. There are several stands of overstory deciduous trees, residential lawn, and natural wetlands on the site. Two existing dwellings will be removed for the development.

The total site area is 11.04 acres including floodplain and wetland areas. The proposed development area or area disturbed by the project is approximately 5.23 acres or 53.6% of the total site area. The remaining 4.51 acres or 46.4% of the site area will be undisturbed to be dedicated to the City for

roadway and open space purposes. In comparison, the 30.07 acre Normandale Lake Townhomes and Condominium project breakdown was 18.6 acres disturbed (62%) and 11.4 acres (38%) undisturbed.

The site contains large areas of floodplain marsh consisting of Type 2 (inland fresh meadow) and Type 3 (inland fresh shallow marsh) wetlands. There will be no site alteration or grading or filling in of any of the designated wetland areas identified on the development site. The building is sited to maintain the 25 foot shore area impact zone parallel to the top of the bank of Nine Mile Creek which regulates the removal of vegetation. The building is setback an additional 25 feet to maintain a minimal 50 foot structure setback from the top of the bank of Nine Mile. These setbacks are consistent with Bloomington's Shore Area Management regulations.

The existing house on the highest portion of the site, located on the parcel identified as 8101 Edwood Place, is on a knoll with a ground elevation of approximately 829 feet. This peninsula shaped area bounded by the 100 year floodplain is the developable portion of the site. The site will require the deposit of fill in the floodplain to allow for roadway access grades and a portion of the building envelope. Important elevations to note on the site include the 808 foot top of the bank elevation which represents the ordinary high water level of Nine Mile Creek and the 814.5 foot elevation which is the Nine Mile Creek Watershed District 100 year flood plain elevation. The Planning Commission at the meeting of December 17, 1998 recommended approval of a conditional use permit for the deposit of fill in the flood plain.

The preliminary alignment proposed by the Minnesota Department of Transportation (MnDOT) for Green Valley Drive strongly influences the proposed site layout for the project. In the short-term, consideration must be given to servicing the proposed building from the existing Edwood Place. A major long-term consideration is compatibility of the proposed project with the re-aligned Green Valley Drive. There are minor improvements, such as the addition of bypass lanes on Bush Lake Road at Green Valley Drive, which could be implemented fairly rapidly. These minor improvements do not rise to the level of inclusion on a County or Metro Capital Improvement Program.

Positioning of the building on the site to the west of the creek will result in preservation of some of the mature overstory trees on the property, particularly those on the southeast corner of the development area. New tree plantings would replace trees removed for construction. The landscape plan review and approval, noted as a Code requirement, should emphasize tree replacement to create for a transition between the building and parking and the wetland and Nine Mile Creek area.

The building is all on one level with surface parking. This proposed development is similar to the alternative plan reviewed by the Planning Commission at the December 17, 1998 meeting. The original development proposal was for a five-story structure and a two level parking ramp. A one story building is compatible with the existing development in the area. The location of the building on the site allows for tree preservation and a degree of tree massing. Project landscaping will have a greater impact on a one-story structure than on a building with two to five floors.

Final staff approval of exterior building material should be listed as a condition of approval. Given the location of the building in relation to open space areas and adjacent residential areas, careful review of the lighting plan and separate approval should also be listed as a condition of approval. Specific lighting criteria have been included in the Code Requirement section of the Staff Recommendation.

The applicants have submitted a trip generation study. An initial review indicates that the projected number of daily trips would be 606 trips which would be significantly less than the trips generated by the original proposal (estimated in the range of 1,000 to 1,100 trips per day). Included in the trip generation study is information on trip generation related to an apartment or condominium development at 24 dwelling units per acre. The trip generation for such a development would be 854 trips. A copy of the study is attached to the Staff report as reference material.

There are several important roadway improvements planned which will affect traffic in the area. MnDOT is considering the addition of a third lane in each direction of I-494 in 2002 or 2003. The Public Works Department has requested MnDOT to consider improvement of the East Bush Lake Road/I-494 interchange as part of that reconstruction, but no commitment has been made. The desired future plans for the interchange and the realignment of Green Valley Drive were reviewed at the previous meeting of the Commission, although at this time there is no timetable for its implementation.

As noted in the City Code, the intent or purpose of the Residential Office District RO-24 and RO-50 is as follows:

(a) Intent. It is the purpose of these districts to provide for a mix of uses appropriate to a high-density residential environment. It is intended that these districts provide an arrangement of land uses which incorporates office and commercial activities which are interrelated to the principal residential use. These districts are to be applied only to areas with direct access to arterial or collector streets in proximity to high-intensity employment areas and adjacent to public open space.

While special attention to design is needed to blend multiple uses on an individual site, the unique character of sites suitable for these districts will provide convenience and amenities not immediately available in most neighborhoods.

A small scale office development would be consistent with the intent of the zoning district. Currently, Edwood Place has access to Green Valley Drive and East Bush Lake Road which are collector/arterial roadways. Future realignment of Green Valley Drive would result in the development having direct frontage on the realigned Green Valley Drive. The project would be in proximity to high intensity employment areas and is adjacent to public open space.

The project would be consistent with the intent of the Mixed Use with Open Space Focus land use designation contained in the Northwest District Plan element of the City of Bloomington Comprehensive Plan. This district plan element was approved by the City Council in 1991 and provides the basis for the RO-24 primary zoning area. The RO-24 zoning district was the primary zoning for the Normandale Lake townhome project. A low intensity office use can be planned to preserve open space and environmentally sensitive and natural features.

General policy considerations of the Mixed Use with Open Space Focus land use designation include the following: devoting a large percentage of land to open space use so environmentally sensitive or unique features can be protected; cluster development into locations that will not adversely affect the environmentally sensitive and unique areas; the majority of structures in the developable locations must be low rise so that the open space character of the area can be maintained; and the maximum average density of nonresidential development is .3 Floor Area Ratio (FAR); and a mixture of uses should be connected by pedestrian/bicycle paths to minimize dependence upon automobiles.

The project takes into account policy considerations. It maintains a low building coverage percentage and is a low profile structure within zoning district height limitations. The predominate environmentally sensitive or unique features of the development site are Nine Mile Creek and associated Type 2 and Type 3 wetlands. The project will not impact the main watercourse or on-site wetlands. Development intensity is within a .3 FAR and the re-aligned Green Valley Drive will have a sidewalk and bikeway.

The project was reviewed by the Fire and Life Safety Committee at the meeting of January 12, 1999. The Committee's recommendations have been included in the recommended conditions of approval and City Code requirements. A copy of the Public Works Department comment sheet is attached.

RECOMMENDATION

In Case 8557D-98, Staff recommends approval of conditional use permit for an office building

In Case 8557E-98, Staff recommends approval of final site plan and building plans for an office building subject to the following conditions being satisfied prior to the issuance of any grading or building permits:

- 1) A development agreement including all conditions of approval be executed by the applicant and the City;
- 2) A bond for landscaping and site finishing be submitted as approved by the Planning Manager;
- 3) All applicable State and Watershed District permits be obtained and proof of permits be submitted to the Manager of Building and Inspection Division;
- 4) Exterior building materials be approved by the Planning Manager;
- 5) Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
- 6) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 7) Connection charges as appropriate be satisfied;
- 8) A SAC questionnaire be completed and submitted to the Department of Public Works;
- 9) Access, circulation and parking plans be approved by the City Traffic Engineer and with parking lot turn around area to be approved by the Fire Marshal;
- 10) Erosion control measures be in place prior to issuance of grading permits and be maintained during the construction period and not removed until all disturbed areas are stabilized;
- 11) Wetland area be field verified and hydrology calculations, as appropriate, be submitted for review and approval by the City Engineer;
- 12) An on-site meeting be conducted with the developer, grading contractor, and assigned city staff from the Engineering and Planning Divisions prior to any grading or tree removal;
- 13) Prior to the issuance of a grading permit a four foot high orange fence be installed, inspected and approved to delineate grading limits as shown on approved plans. Fence to be maintained in place until authorized by the Manager of Building and Inspection;
- 14) Street modification agreement be executed by the applicant and the City;

and subject to the following additional conditions of approval:

- 15) Alterations to utilities be at the developer's expense;

- 16) Sidewalk be installed along the realigned Green Valley Drive in a location approved by the City Traffic Engineer at the developer's expense;
- 17) Temporary street signs and addresses be provided during construction;
- 18) All pickup and drop-off occur on site and off of public streets;
- 19) All loading and unloading occur on site and off of public streets;

and subject to the following Code requirements:

- 1) Landscape plan be approved by the Planning Manager (Sec 19.52);
- 2) All rooftop equipment be fully screened (Sec. 19.52.01);
- 3) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
- 5) Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code 3802; Uniform Fire Code Ch. 10.306);
- 6) Fire lanes be posted as approved by the Fire Marshal (Sec. 8.73);
- 7) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (Sec. 6.20, Uniform Fire Code Ch. 10.301-C);
- 8) Food service plans be approved by the Environmental Services Division (Sec. 14.360);
- 9) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code and as noted below:
 - A) Reduce all pole heights to a 20 foot maximum;
 - B) All pole fixtures shall be up to a maximum of 400 watts;
 - C) All fixtures shall contain flat lenses;
 - D) All fixtures shall be 90 degree cut-off luminaries;
 - E) Electronic control system to be installed to turn fixtures off at 9:30 p.m. on weekdays and 6:30 p.m. on Saturdays. Only lighting as directed by Bloomington Police Department for security reasons shall be on during non-business hours, holidays and Sundays;
 - F) House side shields shall be used on all luminaries adjacent to residential properties; and
- 10) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.

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PUBLIC WORKS DEPARTMENT
Commercial, Industrial and Multiple Development

Name: Mount Properties, Inc. Case No.: 8557DE-98
8000, 8001, 8017, 8025, 8101 & 8121 Edwood
Location: Place and 8100 Brunswick Avenue Scheduled for PC: 1/21/99
Return to: Bob S. By: 1/11/98

1. Engineering
Office Supervisor DM 12/28/98
Initial & Date

Replatting Required.

Recommend right of way be dedicated to provide access to Lot 1 and to provide right of way for existing utilities.

Provide standard easements along perimeter of development.

Connection charges due - amount depends on final lot areas and configuration of development.

2. Traffic Engineer LLB 12/31/98
Initial & Date

Yes if the basic development concept is approved - the following conditions are essential for inclusion with the approval.

Plat and dedicate all land westerly of base lot to the city as R.O.W.

Provide 10' wide easement for sidewalk, utility, bikeway, and grade alteration along the new ROW perimeter.

Modest adjustment to driveway with higher capacity and space for larger emergency vehicle to negotiate turns.

Possibly add 3 more spaces to proof of package and eliminate 3 spaces shown for better driveway geometrics; i.e. radii & width necessary to move in and out of circulation system even when cars are parked in all spaces near driveway.

Establish No Parking at anytime on Public Streets.

Establish and show grade and alignment for 8 ft. wide non-motorized way on easement between one foot and nine feet from the par lane at this time and keep that easement space clear of obstruction along the proposed realigned Green Valley/Norman Center

If concept is approved; the development actions and plans will need to include proper detail handling of Edwood Pl. interim access well as modest radii and by pass modification at East Bush Lake Road.

3. Street Engineer WAF 1/8/99
Initial & Date

Relocate ponds out of future street!

CB's 4 & 6 require environmental sumps (traps)

Place sanitary manhole instead of cleanout at property line.

0.7% slope in ditch (swale) at southwest is marginal for flow.

Slopes around parking areas are too steep (2:1 in some areas) if they are to be maintained.

Concrete curb required around all drives and parking areas.

9 Mile Creek and NPDES permits required.

4. Surveyor

7 Jan 99

LCNS

Initial & Date

Dedicate access road in plat.

Show erosion control on erosion control plan.

Show erosion control - details.

Show and spec revegetation.

5. Utilities

TKK 1/11/99

Initial & Date

Abandon the existing water services in accordance with Bloomington utility regulations. (3 total)

Need more detail on water line to Green Valley Drive (include a valve to be installed on the 12" main separating the two service ties (common utility easements may be necessary).

Contact utilities re: SAC charges.

Add a valve to the building service, for isolation of the building without affecting any fire hydrants.

Also shift the valve in the parking lot entrance to the point where tying into existing water system.

6. Water Resources_
Engineer

SAP 12/28/98
Initial & Date

Submit drainage calculations for 1, 10, 100 year (1 & 24 hour) events.

Show city standard storm sewer details on a detail sheet.

Show erosion control location of C-3 and detail.

Obtain a permit form 9-Mile Creek Watershed District.

Show swale cross-section and detail on how the swale will be revegetated.

CB4 & CB6 shall be trap manhole's.

?When new read ROW is established and the road is built it will encroach on the ponding area and pond storage will be lost.

7. Civil Engineer

SMA 1/4/99
Initial & Date

NPDES permit needed from MPCA.

Provide floodage easement to 814.5 - 100 year flood elevation for 9 Mile Creek as referenced on plan.

Provide 9-Mile Creek Watershed District comments/permit.

Provide flood plain encroachment permits.

Provide plan details - storm sewer and erosion control.

8. Right of Way Agent

DF 1/4/99
Initial & Date

Dedicate Outlot 1 as street right of way, and provide sidewalk, drainage, utility, bikeway and grade alteration easement on the west 10 feet of proposed Lot 1.

9. City Engineer

Initial & Date

10. Deputy Director
Public Works

Initial & Date

11. Director of
Public Works

Initial & Date

Law Offices
1400 AT&T Tower
901 Marquette Avenue
Minneapolis, MN 55402-2859
Telephone: (612) 305-1400
Facsimile: (612) 305-1414



Winston E. Munson
Of Counsel
612-305-1458
mcm@mcmlaw.com

January 6, 1999

Planning Commission
City of Bloomington
2215 West Old Shakopee Road
Bloomington, MN 55431-3096

Re: Case 8557DE-98 – Mount Properties, Inc.

Dear Commissioners:

I am writing on behalf of myself and my wife, Carole Munson. We are unable to attend the Planning Commission meeting because we will be out of town. We are the owners of the townhouse at 8235 Creekside Circle directly across from the proposed Mount Properties, Inc. project. Our property would be significantly adversely affected if the requested conditional use permit is granted. The value of our property would be greatly diminished. We paid a lot premium to purchase our lot in addition to the significant purchase price of our home. The views from our house are directed to the creek as are the views of most other owners in the development. The proposed development would be directly in line with these views.

We recognize that it is likely that some development on the property will occur. However, we feel that any presently permitted use under the existing zoning would likely be less undesirable and are prepared to take that risk. Under the permitted uses of the present zoning, any offices would have to be part of a residential permitted principal use such as offices within a multi-family residential building and with a height limitation of forty feet. This would be far more acceptable than the proposed free standing office building. We request that the Planning Commission deny the conditional use permit.

We appreciate any consideration which you give to our letter and to the views of our neighbors.

Very truly yours,

A handwritten signature in cursive script that reads "Winston E. Munson".
Winston E. Munson

WEM/mgs/505535.1

RECEIVED
DIVISION OF CITY PLANNING

JAN 07 1999

CITY OF BLOOMINGTON
MINNESOTA

From: <SSinykin@aol.com>
To: COB.COB(planning)
Date: 1/10/99 12:45pm
Subject: Public hearing re: 8557DE-98

The proposal of this developer is no better now than it was in its previous forms. The utter destruction of the whole areas ambiance by the intrusion of this football sized project should be sufficient reason prevent its approval. When you include the sharp jump in the traffic on roads that are not currently adequate with no planned improvement the ludicrousness of the project increases geometrically. Further add in the fact that despite the testimony of the city engineer, the real hazard to the flooding problem as demonstrated by the fact that roads have been under water from rain storms just recently, would certainly put many of the existing homes in jeopardy, and you can understand why we are so opposed to this developers' plan.

Dr. Stephen and Jackie Sinykin, 8211 Norman Creek Trail are hereby on record as opposing this development. We will be at the Planning Commission meeting on Jan. 21 to support this letter.

Sincerely, Dr. S.G.Sinykin and Jackie Sinykin

RECEIVED
DIVISION OF CITY PLANNING
JAN 11 1999
CITY OF BLOOMINGTON
MINNESOTA

April 6, 1999

Mount Properties, Inc.
7808 Creekridge Circle, Suite 305
Bloomington, MN 55439

RE: Case 8557CDE-98

Dear Mr. Michals:

At its regular meeting of April 5, 1999, the City Council approved a conditional use permit for the deposit of fill in the floodplain at 8000, 8001, 8017, 8025, 8101 and 8121 Edwood Place and 8100 Brunswick Avenue.

The Conditional Use Permit approval is subject to the following conditions being satisfied prior to the issuance of any building permits (Case 8557C-98):

- 1) Nine Mile Creek Watershed District floodplain permit be obtained and proof of permit be presented to the Manager of Building and Inspection Division.

Also, at its regular meeting of April 5, 1999, the City Council approved a conditional use permit for an office building in the R0-24 Residential Office District at 8000, 8001, 8017, 8025, 8101, 8025, 8101 and 8121 Edwood Place and 8100 Brunswick Avenue (Case 8557D-98).

Also, at its regular meeting of April 5, 1999, the City Council approved the final site plan and building plans for an office building at 8000, 8001, 8017, 8025, 8101, 8025, 8101 and 8121 Edwood Place and 8100 Brunswick Avenue (Case 8557E-98).

The Final Site and Building Plan approval is subject to the following conditions being satisfied prior to the issuance of any building permits:

- 1) A development agreement including all conditions of approval be executed by the applicant and the City;
- 2) A bond for landscaping and site finishing be submitted as approved by the Planning Manager;
- 3) All applicable State and Watershed District permits be obtained and proof of permits be submitted to the Manager of Building and Inspection Division;
- 4) Exterior building materials be approved by the Planning Manager;
- 5) Building plans shall identify trash and recyclable material collection and storage area provided within the building as approved by the Fire Marshal and the Planning Manager;
- 6) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 7) Connection charges as appropriate be satisfied;

- 8) A SAC questionnaire be completed and submitted to the Department of Public Works;
- 9) Access, circulation and parking plans be approved by the City Traffic Engineer and with parking lot turn around area to be approved by the Fire Marshal;
- 10) Erosion control measures be in place prior to issuance of grading permits and be maintained during the construction period and not removed until all disturbed areas are stabilized;
- 11) Wetland area be field verified and hydrology calculations, as appropriate, be submitted for review and approval by the City Engineer;
- 12) An on-site meeting be conducted with the developer, grading contractor, and assigned city staff from the Engineering and Planning Divisions prior to any grading or tree removal;
- 13) Prior to the issuance of a grading permit a four foot high orange fence be installed, inspected and approved to delineate grading limits as shown on approved plans. Fence to be maintained in place until authorized by the Manager of Building and Inspection;
- 14) Street modification agreement be executed by the applicant and the City;

and subject to the following additional conditions of approval:

- 15) Alterations to utilities be at the developer's expense;
- 16) Sidewalk be installed along the realigned Green Valley Drive in a location approved by the City Traffic Engineer at the developer's expense;
- 17) Temporary street signs and addresses be provided during construction;
- 18) All pickup and drop-off occur on site and off of public streets;
- 19) All loading and unloading occur on site and off of public streets;

and subject to the following Code requirements:

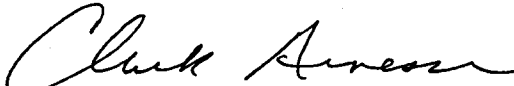
- 1) Landscape plan be approved by the Planning Manager (Sec 19.52);
- 2) All rooftop equipment be fully screened (Sec. 19.52.01);
- 3) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec 19.64);
- 4) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03);
- 5) Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (Mn Bldg. Code 3802; Uniform Fire Code Ch. 10.306);
- 6) Fire lanes be posted as approved by the Fire Marshal (Sec. 8.73);
- 7) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (Sec. 6.20, Uniform Fire Code Ch. 10.301-C);
- 8) Food service plans be approved by the Environmental Services Division (Sec. 14.360);
- 9) Parking lot and site security lighting shall satisfy the requirements of Section 19.54 of the City Code and as noted below:
 - A) Reduce all pole heights to a 20 foot maximum;
 - B) All pole fixtures shall be up to a maximum of 400 watts;
 - C) All fixtures shall contain flat lenses;
 - D) All fixtures shall be 90 degree cut-off luminaries;

- E) Electronic control system to be installed to turn fixtures off at 9:30 p.m. on weekdays and 6:30 p.m. on Saturdays. Only lighting as directed by Bloomington Police Department for security reasons shall be on during non-business hours, holidays and Sundays;
 - F) House side shields shall be used on all luminaries adjacent to residential properties; and
- 10) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code.

Should you have any questions regarding this action, please contact Robert Sharlin, Planner at 612-948-8925. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at 612-948-8930 to discuss the requirements for building permit application.

The City will issue the necessary permits for development and use of the property for the purpose stated in Case 8557E-98, subject to the conditions set forth above.

Sincerely,



Clark Arneson
Planning Manager

May 6, 1999

Attn: Stephen Michals
Mount Properties
7808 Creek Ridge Cir.
Suite 305
Bloomington, MN 55439

Re: MOUNT PLAT FIVE - Case No.8557A-99

Dear Mr. Michals:

On April 5, 1999, the City Council approved the preliminary and final plat of MOUNT PLAT FIVE with the following conditions:

1. Grading, drainage, utility and erosion control plans be approved by the City Engineer;
2. Connection charges, as appropriate, be satisfied;
3. Access, circulation and parking plans be approved by the City Traffic Engineer;
4. Alterations to utilities be at the developer's expense;
5. Provide 10' concurrent sidewalk/bikeway easement along the new Green Valley Drive right of way.
6. Dedicate drainage easement to the 814.5 flood elevation along Nine Mile Creek, as approved by the City Drainage Engineer.
7. Right of way for the re-alignment of Green Valley Drive be dedicated in lieu of Park Dedication.
8. Dedicate 5' drainage and utility easement along the northerly and southerly line of Lot 1, and dedicate a 10' drainage and utility easement adjacent to the street frontages.

The DEPARTMENT OF PUBLIC WORKS



Don Mattson
Engineering Division

DTM:cr

cc: Bob Hawbaker