



August 04, 2020

Al Jazari Institute Property, LLC
ATTN: Mohamed Omar
8201 Park Avenue South
Bloomington, MN 55420

Success Academy
ATTN: Magdy Rabeaa
8201 Park Avenue South
Bloomington, MN 55420

RE: Case # PL202000098 – CUP for an existing place of assembly, community center and prekindergarten-8th grade school and FDP for a greenhouse addition to an existing school 8201 Park Avenue South

Mr. Omar and Mr. Rabeaa

At its regular meeting of August 3, 2020, the City Council approved a Conditional Use Permit for an existing place of assembly, community center, and prekindergarten-8th grade school, to increase the school student enrollment from 130 to 180 total students utilizing a hybrid educational program, and a Major Revision to the Final Development Plans to construct a greenhouse addition at the existing school (Case # PL202000098).

The approval is subject to conditions that must be satisfied prior to the increase in student enrollment from 130 to 180 students, as well as conditions that must be satisfied prior to the issuance of a building permit for the greenhouse addition. While the conditions list includes selected City Code requirements of particular interest, the development must comply with all applicable local, state and federal codes.

1. Prior to Enrollment Increase 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 Enrollment Increase Sewer Availability Charges (SAC) must be satisfied.
3. Prior to Enrollment Increase Prior to any increase in prekindergarten-8th grade school enrollment above 130 students, life safety requirements must be reviewed and approved by the Fire Marshal.
4. Prior to Enrollment Increase Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
5. Prior to Permit A building permit for all required changes to accommodate the proposed greenhouse be obtained.
6. Prior to Permit Grading, Drainage and Erosion Control plans must be approved by the City Engineer for the proposed greenhouse addition.
7. Prior to Permit Based upon the amount of site disturbance and landscape material removal associated with the greenhouse addition, a landscape plan must be reviewed

and approved by the Planning Manager and landscape surety must be filed (Sec 19.52).

8. Ongoing The following occupancy restrictions must be followed to manage the multiple concurrent uses on the site:
 - a) The prekindergarten-8th grade school is limited to a total enrollment of 180 students, at least 50 of which must be enrolled in the hybrid education program;
 - b) The hybrid education program is limited to on-site instruction Monday - Thursday. No on-site instruction may be provided on Fridays to hybrid education program participants;
 - c) Instructional activities associated with the community center or place of assembly are limited to a combined total of 80 participants at any one time. Athletic program participants are not subject to the 80 participant total;
 - d) The use of the large gymnasium is limited to 500 occupants at any one time;
 - e) Assembly uses may not occur in the assembly rooms, large gymnasium, small gymnasium or cafeteria during prekindergarten-8th grade school hours, athletic programming, or instructional activities; and
 - f) While the on-site assembly areas are in use, the use of the large gymnasium, small gymnasium, and cafeteria is limited to activities that do not generate additional parking demand.
9. Ongoing The greenhouse building addition is limited to the size and location as shown on the approved plans in Case File #PL2020-98.
10. Ongoing The floor area of the assembly rooms is limited to the size and location shown in the approved floor plan for Case File #PL2020-98.
11. Ongoing The existing or equivalent Proof of Parking Agreement (Hennepin County Recorder Document #A9710204) between the City and the property owner for 49 new parking spaces must be maintained or approved by the Planning Manager if revised.
12. Ongoing The property owner must maintain rights to utilize the off-site parking spaces identified in the staff report in Case #PL2018-226 and must provide copies of agreements and leases to the Planning Manager. Changes in occupancy, building use, or access to the off-site parking spaces must be reviewed and approved by the Planning Manager and may require an amendment to the Conditional Use Permit.
13. Ongoing All prekindergarten curriculum must meet Minnesota's early learning instructional program standards for children.
14. Ongoing The property owner must provide and fund traffic control services as required by Chapter 14 of the City Code.
15. Ongoing Due to parking availability and the increase in trip generation, the school use is limited to grades prekindergarten-8th grade.
16. Ongoing Due to parking availability, the Joint Use Agreement dated March 2, 2015, providing shared access to 110 off-site parking spaces on adjacent land must be maintained unless the Conditional Use Permit is amended to reflect a new use mix parking demand that can be met through on-site parking.

17. Ongoing The property owner, subject to review and approval of the Parks and Recreation Director, must prepare in January of each year, an annual plan that coordinates the use of joint parking areas and outdoor recreation/athletic facilities in a manner that minimizes overlapping demand.
18. Ongoing Any expanded use of the kitchen must be reviewed and approved by the Environmental Health, Planning and Fire Prevention Divisions.
19. Ongoing Parking lot and site security lighting plans must comply with Section 21.301.07 of the City Code.
20. Ongoing All construction related pick-up, drop-off, loading, unloading, staging and parking must occur on-site and off public streets.
21. Ongoing Interior or exterior site alterations must comply with the Minnesota State Accessibility Code (Chapter 1341).
22. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code.
23. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 21.301.17).
24. Ongoing Recyclable materials must be separated and collected (Sec. 10.45).
25. Ongoing Interior modifications must be reviewed and approved by the Fire Marshal to verify automatic fire sprinkler system coverage is in compliance (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
26. Ongoing Alterations to utilities must be at the property owner's expense.

Should you have any questions regarding this action, please contact Nick Johnson, Planner, at (952) 563-8925 or nmjohnson@BloomingtonMN.gov.

Sincerely,



Glen Markegard, AICP
Planning Manager

C: Jake Steen, Larkin Hoffman Attorneys