



June 03, 2026

Chase Real Estate
ATTN: Joe McElwain
2100 County Road 42 West
Burnsville, MN 55337

PFP 6 WF Plaza, LLC c/o Prime Financial Partners
ATTN: Matthew Bregenzer
155 N. Wacker Drive, Suite #3600
Chicago, IL 60606

RE: Case # PL202600061 – Rezoning and PDP/FDP for Gallery Apartments
7900 Xerxes Avenue South and 3400 American Boulevard West

Dear Joe McElwain and Matthew Bregenzer:

At its regular meeting of June 1st, 2026, the City Council approved an application to rezone from CO-1 (Planned Development) to C-4 (Planned Development), Preliminary Development Plans (PDP) and Final Development Plans (FDP) for a two-phase multi-family residential development (270 units in phase one, 360 units total) (Gallery Apartments) located at 7900 Xerxes Avenue South and 3400 American Boulevard West (Case #PL202600061).

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.

1. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
2. Prior to Permit A Construction Management Plan must be submitted for review and approval by the City.
3. Prior to Permit Sewer Availability Charges (SAC) must be satisfied prior to each phase of construction.
4. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
5. Prior to Permit Parking lot and site security lighting plans must satisfy the minimum requirements (see § 21.301.07).
6. 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.
7. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
8. 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 Superintendent (see § 6.20, Minnesota State Fire Code Sec. 508).
9. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.

10. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (see § 21.301.15). The plan must be revised to show detailed locations and species of trees proposed within the interior courtyard area.
11. 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).
12. Prior to Permit An erosion control surety must be provided (see §16.08(b)).
13. Prior to Permit Exterior building materials must be approved by the Planning Manager (see §21.301.24).
14. Prior to Permit A finalized shared parking agreement for 102 spaces will be required to be submitted and recorded against the properties.
15. Prior to C/O Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (see MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
16. Prior to C/O Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
17. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal (see MN State Fire Code Sec. 503.3).
18. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
19. 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.
20. Prior to C/O A 10 foot sidewalk/bikeway easement and 10 foot drainage & utility easement must be provided by document along W 79th Street, Xerxes Avenue and American Boulevard W. as approved by the City Engineer and proof of filing must be provided to the Engineering Division.
21. Prior to C/O To ensure sufficient sanitary sewer capacity and to avoid sanitary sewer surcharge, a certificate of occupancy must not be issued for Phase I or Phase II until completion of the North Central Sanitary Sewer Project to increase sanitary sewer capacity sufficient to serve the project phase.
22. Ongoing The site and building improvement are limited to as shown on the approved plans in Case File #PL202600061.
23. Ongoing Signs must be in compliance with the requirements of Chapter 21, Division D of the City Code.
24. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
25. Ongoing Trash and recyclable material storage must comply with City Code (see § 21.301.17).
26. Ongoing All rooftop equipment must be fully screened (see § 21.301.18).
27. Ongoing All construction related stockpiling, staging, loading, unloading, and parking must take place on site and off adjacent public streets and public

28. Ongoing right-of-way.
A Hennepin County/MNDOT permit for work within the right-of-way must be obtained and a copy submitted to the Engineering Division prior to work beginning in the right-of-way.

Should you have any questions regarding this decision, please contact Dylan Palmer, Planner, at (952) 563-8918 or dpalmer@BloomingtonMN.gov.

Sincerely,



Nick Johnson
Planning Manager