

## RECOMMENDED CONDITIONS OF APPROVAL — REVISED 8/23/18

Case PL2018-226

**Project Description:** Conditional Use Permit for an existing place of assembly, community center and charter school, and to expand the existing charter school student enrollment from 84 students to 130 students.

**Address:** 8201 Park 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 Release A Site Development Agreement, including all conditions of approval, must be executed by the property owner and the City and must be properly recorded by the property owner with proof of recording provided to the Director of Community Development.
2. Prior to Release ~~All~~ The following mitigation measures identified in the staff report, traffic study, and traffic study amendment must be constructed and/or funded prior to any increase of ~~weekday prekindergarten-8<sup>th</sup> grade~~ school enrollment:-
  - a) Revise site circulation to improve safety for the student drop-off/pick-up and to improve site circulation and reduce driveway congestion by:
    - i. Making the eastern parking lot drive aisle one way, northbound;
    - ii. Making the southern driveway an entrance only;
    - iii. Making the northern driveway an exit only;
    - iv. Adding a new driveway into Smith Park west lot, from the north side of the lot to improve access to the park for all users and address the one-way circulation of the 8201 Park parking lot;
    - v. Adding a new driveway access to ~~the~~ East 83rd Street; ~~and~~
    - vi. Abandoning or restricting the driveway connection between the Smith Park parking lot and 8201 Park Avenue South;
    - vii. Adding signs as identified in the traffic study in locations approved by the City Engineer; and
    - viii. Connecting the sidewalk along the southerly access driveway to Park Avenue as depicted in the traffic study;
  - b) Add a minimum of 24 additional on-site parking spaces along the new driveway to East 83<sup>rd</sup> Street that will be more convenient and relieve/remove the on-street parking demand on Park Avenue;
  - c) Address speed and pedestrian safety concerns at the intersection of Park Avenue and E 82nd Street by
    - i. Adding curb bump outs to the north leg of the intersection of Park Avenue and East 82nd Street (both east and west sides) to

reduce speeds of vehicles traveling both northbound and southbound through the intersection and to improve pedestrian safety for students and park user with a marked, signed school crossing at this intersection;

ii. Adding curb bump outs to the west leg of the intersection of Park Avenue and East 82nd Street (both north and south sides) to control driver speeds turning the corner at this intersection.

d) Install playground equipment dedicated to the public school use; and

e) Install ~~landscaping-screening~~ to buffer the institutional use from surrounding residential uses as required by the City Code.

3. Prior to Release Final Site and Building Plans must be approved for all site changes related to the required mitigation measures.
4. Prior to Release A Proof of Parking Agreement between the City and the property owner for 25 new parking spaces in a location approved by the Planning Manager-must be approved and filed with Hennepin County to replace the existing proof of parking agreement (Hennepin County Recorder Document #A9710204).
5. Prior to Release All Sewer Availability Charges (SAC) must be satisfied.
6. Prior to Release Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
7. Prior to Release Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
8. Prior to Release Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
9. Ongoing The following occupancy restrictions must be implemented to minimize the impacts of the joint uses in the building:
  - a. The prekindergarten-8<sup>th</sup> grade weekday school is limited to an enrollment of 130 students.
  - b. Instructional activities ~~Weekend classes~~ associated with the community center ~~and/or~~ place of assembly may not occur during prekindergarten-8<sup>th</sup> grade school hours.
  - ~~b.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.
  - ~~e.d.~~ The use of the large gymnasium is limited to 500 occupants at any one time.
  - e. During prekindergarten-8<sup>th</sup> grade school hours ~~While the weekday or weekend school is in session~~, the use of the large gymnasium, small gymnasium, and cafeteria is limited to school activities.
  - ~~e.f.~~ During instructional activities associated with the community center or place of assembly, the use of the large gymnasium, small gymnasium, and cafeteria is limited to instructional activities and athletic programs.
  - ~~e.g.~~ While other on-site assembly areas-rooms are in use, the use of the large gymnasium, small gymnasium, and cafeteria is limited to activities that do not generate additional parking demand.

104.	Ongoing	The floor area of the assembly rooms is limited to the size and location shown in the floor plan for Case #PL2018-226.
112.	Ongoing	The user of the site must maintain rights to utilize the off-site parking spaces identified in the staff report and must provide copies of agreements/leases to the Planning Manager. Changes in occupancy, building use or access to the off-site parking spaces identified in the staff report must be reviewed and approved by the Planning Manager and may require an amendment to the Conditional Use Permit.
123.	Ongoing	All prekindergarten curriculum must meet Minnesota's early learning instructional program standards for children.
134.	Ongoing	The property owner must provide <u>and fund</u> <del>private</del> traffic control services as approved by the Planning Manager if <u>significant</u> overflow parking occurs.
145.	Ongoing	Due to parking and trip generation, the <del>weekday-school</del> <u>use</u> is limited to grades <u>prekindergarten-8<sup>th</sup> grade</u> <del>Pre K-8</del> .
156.	Ongoing	Due to parking demand, 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.
167.	Ongoing	The property owner, subject to the review and approval of the Parks and Recreation Manager, 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.
178.	Ongoing	Any use of the kitchen must be reviewed and approved by the Environmental Health, Planning and Fire Prevention Divisions.
189.	Ongoing	Parking lot and site security lighting plans for new parking areas must comply with Section 21.301.07 of the City Code.
1920.	Ongoing	All pickup, drop-off, loading and unloading must occur on-site and off public streets.
204.	Ongoing	Development must comply with the Minnesota State Accessibility Code.
212.	Ongoing	Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
223.	Ongoing	All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
234.	Ongoing	Recyclable materials must be separated and collected (Sec. 10.45).
245.	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).
256.	Ongoing	Alterations to utilities must be at the property owner's expense.