



September 13, 2018

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 # PL201800226 – Conditional Use Permit for a place of assembly, community center, and prekindergarten-8<sup>th</sup> grade school with a maximum enrollment of 130 students  
8201 Park Avenue South

Mr. Omar and Mr. Rabeaa:

At its regular meeting of September 10, 2018, the City Council approved a Conditional Use Permit for an existing place of assembly, community center and prekindergarten-8th grade school, and to expand the existing prekindergarten-8th grade school student enrollment from 84 students to 130 students (Case # PL201800226).

The approval is subject to conditions that must be satisfied prior to the increase in student enrollment from 84 to 130 students. 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 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 Enrollment Increase      The following mitigation measures must be provided as specified prior to any increase of prekindergarten-8<sup>th</sup> grade school enrollment above 84 students:
  - a) Add traffic control signs and striping as required by the City Engineer to make the eastern parking lot drive aisle one way, northbound;
  - b) Construct screening to buffer the institutional use from abutting residential uses as required by the City Code;
  - c) A vehicular circulation plan must be prepared and at least annually communicated with site users;
  - d) Prior to any increase of prekindergarten-8<sup>th</sup> grade school enrollment above 84 students, provide a



- b. 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;
  - c. The use of the large gymnasium is limited to 500 occupants at any one time;
  - d. Assembly uses may not occur in the assembly rooms, large gymnasium, small gymnasium or cafeteria during prekindergarten-8<sup>th</sup> grade school hours, athletic programming, or instructional activities; and
  - e. 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.
10. Ongoing The floor area of the assembly rooms is limited to the size and location shown in the floor plan for Case #PL2018-226.
11. Ongoing The property owner must maintain rights to utilize the off-site parking spaces identified in the staff report 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 identified in the staff report must be reviewed and approved by the Planning Manager and may require an amendment to the Conditional Use Permit.
12. Ongoing All prekindergarten curriculum must meet Minnesota's early learning instructional program standards for children.
13. Ongoing The property owner must provide and fund traffic control services as required by Chapter 14 of the City Code.
14. Ongoing Due to parking availability and the increase in trip generation, the school use is limited to grades prekindergarten-8<sup>th</sup> grade.
15. 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.
16. Ongoing The property owner, subject to the 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.
17. Ongoing Any use of the kitchen must be reviewed and approved by the Environmental Health, Planning and Fire Prevention Divisions.
18. Ongoing Parking lot and site security lighting plans for new parking areas must comply with Section 21.301.07 of the City Code.
19. Ongoing All pickup, drop-off, loading and unloading must occur on-site and off public streets.
20. Ongoing Interior or exterior site alterations must comply with the Minnesota

21. Ongoing State Accessibility Code.  
Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
22. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
23. Ongoing Recyclable materials must be separated and collected (Sec. 10.45).
24. 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).
25. Ongoing Alterations to utilities must be at the property owner's expense.
26. Ongoing Execute an agreement approved by the City Attorney by 12/31/18 for the property owner/applicants to be assessed 50% of the cost (but not more than \$10,000) for the construction of a driveway from Park Avenue to the Smith Park parking lot. Upon the construction of such driveway, the property owner shall revise site circulation making the southern driveway from Park Avenue an entrance only and making the northern driveway from Park Avenue an exit only.

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

cc: Melissa Manderschied, City Attorney