



July 24, 2018

Opus Development Company, LLC
ATTN: Joe Mahoney
10350 Bren Road West
Minnetonka, MN 55343

RE: Case # PL201800191 – Rezoning from C-4(FH) to C-4(PD)(FH), PDP and FDP for a 186-unit residential care and senior living facility w/100 person day care, and a CUP for a residential care facility
6701 West 78th Street

Mr. Mahoney:

At its regular meeting of July 23, 2018, the City Council approved the Rezoning of 6701 West 78th Street from C-4(FH) to C-4(PD)(FH), a Conditional Use Permit for a residential care facility in the C-4 zoning district, and Preliminary and Final Development Plans for a four-story, 186-unit residential care and senior living facility with a 100-person day care (Case #PL201800191).

The approval is subject to conditions that must be satisfied prior to the issuance of a Grading, Footing, Foundation or Building Permit. 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 Permit 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 Permit Access, circulation and parking plans must be approved by the City Engineer. The applicant must provide the Code-required quantity of parking or enter into a proof of parking agreement.
3. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
4. Prior to Permit Street modification agreement must be executed by the developer and the applicant and proof of filing be provided to the Manager of Building and Inspection.
5. Prior to Permit Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
6. Prior to Permit An erosion control surety must be provided (16.08(b)).
7. Prior to Permit Landscape plan must be revised to be Code Compliant, must be approved

- by the Planning Manager and landscape surety must be filed (Sec 19.52).
8. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
 9. Prior to Permit Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
 10. 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 Engineer (City Code Sec. 6.20, Minnesota State Fire Code Sec. 508).
 11. Prior to Permit Food service plans must be approved by the Environmental Health Division (City Code Sec. 14.360).
 12. Prior to Permit Revise sign plans to be Code compliant except for the deviation granted to reduce the freestanding sign setback along W. 78th St. from 20 feet from planned widened right of way to ten feet. Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.
 13. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
 14. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
 15. 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.
 16. 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.
 17. Prior to Permit A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City.
 18. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City.
 19. Prior to Permit Shore Area Permit must be obtained prior to any grading or development activity in the shore area of Nine Mile Creek (Sec. 19.87.04).
 20. Prior to Permit An odor control system meeting the approval of the Environmental Health Division must be provided.
 21. Prior to Permit An external grease interceptor must be provided if the proposed tenant will have food preparation and service that will produce fats, oils, grease or wax in excess of 100 mg/L. The external grease interceptor design must be approved by the Utilities Engineer. A grease interceptor maintenance agreement must be filed with the Utilities Division, if an external grease interceptor is installed.
 22. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.

23. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
24. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
25. Prior to C/O A 10-foot sidewalk/bikeway easement must be provided by document along West 78th Street as approved by the City Engineer and proof of filing must be provided to the Manager of Building and Inspection.
26. Prior to C/O Sidewalk must be installed along West 78th Street behind the planned widened right-of-way at the developer's expense and private sidewalks must comply with City Code (Sections 21.301.04(b)(1) and (2)).
27. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
28. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
29. Prior to C/O A building security system for the residential care facility must be approved by the Bloomington Police Department (Sec. 21.302.23(d)(3)(E)).
30. Prior to C/O Buildings must 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.
31. Ongoing All pickup and drop-off must occur on site and off public streets.
32. Ongoing Three foot high parking lot screening must be provided along W. 78th St. as approved by the Planning Manager (Sec. 19.52).
33. Ongoing Poured-in-place concrete curbs must be provided on the perimeter of parking lots and traffic islands (Sec 19.64).
34. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 19.51).
35. Ongoing All rooftop equipment must be fully screened (Sec. 19.52.01).
36. Ongoing A uniform sign design must be submitted for approval by the Planning Manager (Section 19.109).
37. Ongoing Compliance with MN Rules Chapter 7030 Noise Pollution Control is required.
38. Ongoing The nonresidential space proposed as a day care must remain in nonresidential use.
39. Ongoing Alterations to utilities must be at the developer'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