



January 4, 2006

Charlie McEachron  
Greco, LLC  
129 North Second Street, Suite 100  
Minneapolis, MN 55401

RE: Case 10713ABC-05

Dear Mr. McEachron:

At its regular meeting of January 3, 2006, the City Council adopted an ordinance approving the rezoning from B-1, Limited Business, B-2 Retail Business and R-1, Single-Family Residential to B-2(PD) Retail Business (Planned Development) (Case 10713A-05) at 3800 and 3816 West Old Shakopee Road, 10549, 10601 and 10617 France Avenue, and 10548, 10600 and 10608 Ewing Avenue.

Also, at its regular meeting of January 3, 2006, the City Council approved the preliminary and the final development plan for a retail building and a retail/office building (Case 10713BC-05) at 3800 and 3816 West Old Shakopee Road, 10549, 10601 and 10617 France Avenue, and 10548, 10600 and 10608 Ewing Avenue, subject to the following conditions being satisfied prior to the issuance of grading and building permits:

- 1) A site development agreement including all conditions of approval be executed by the applicant and the City and proof of filing be provided to the Manager of Building and Inspection;
- 2) Temporary street signs, lighting, and addresses shall be provided during construction;
- 3) A bond for landscaping and site finishing be submitted as approved by the Planning Manager;
- 4) Watershed District permit be obtained and proof of permit be submitted to the Manager of Building and Inspection Division;
- 5) Exterior building materials be approved by the Planning Manager. No elevation shall have more than 15% EFIS, wood and metal trim, except as approved by the Planning Manager;
- 6) Grading, drainage, utility and erosion control plans be approved by the City Engineer;
- 7) Connection charges, as appropriate, be satisfied;
- 8) A SAC questionnaire be completed and submitted to the Department of Public Works;
- 9) Erosion control measures be in place prior to issuance of grading permits and be maintained until all disturbed areas are stabilized and removal has been approved by the City Engineer;
- 10) Access, circulation and parking plans be consistent with approved plans as approved by the City Traffic Engineer;

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and subject to the following additional conditions of approval:

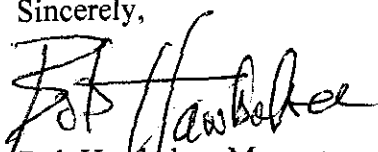
- 11) Alterations to utilities be at the developer's expense;
- 12) Sidewalk be installed along Ewing Avenue in a location determined by the City Traffic Engineer at the developer's expense;
- 13) Connection charges be satisfied as appropriate;
- 14) Sewer Availability Charge (SAC) be satisfied;
- 15) All pickup and drop-off occur on site and off of public streets;
- 16) All loading and unloading occur on site and off of public streets;
- 17) Park Dedication shall be in cash unless waived by City Council

and subject to the following Code requirements:

- 1) Landscape plan be approved by the Planning Manager, including three-foot tall screening along Ewing Avenue (Sec. 19.52) and be consistent with the France/Old Shakopee Road streetscaping plan;
- 2) All rooftop equipment be fully screened (Sec. 19.52.01);
- 3) All trash and recyclable materials be stored and screened inside the principal building. (Sec. 19.51);
- 4) Poured-in-place concrete curbs be provided on the perimeter of parking lots and traffic islands (Sec. 19.64);
- 5) Building be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code 3802; Uniform Fire Code Ch. 10.306);
- 6) Fire lanes be posted as approved by the Fire Marshal (Sec. 8.73);
- 7) Utility plan showing location of existing and proposed water main and fire hydrant locations be approved by the Fire Marshal and Utilities Engineer (Sec. 6.20, Uniform Fire Code Ch. 10.301-C);
- 8) Food service plans be approved by the Environmental Services Division (Sec. 14.360);
- 9) Parking lot and security lighting shall satisfy the requirements of Section 19.54 of the City Code; and
- 10) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code;
- 11) A uniform sign design be submitted for approval by the Planning Manager; and
- 12) Property be platted in accordance with the requirements of Chapter 16 of the City Code (Sec. 16.03).

Should you have any questions regarding this action, please contact Becky Schindler, Planner at (952) 563-8927.

Sincerely,



Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

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May 2, 2006

Regina Harris  
Bloomington HRA

Re: The Preliminary and Final Plat of THE POINT  
Case No.: 10713A-06  
Site Address: 10548, 10600 & 10608 Ewing Ave., 3800 & 3816 West Old Shakopee Rd.,  
10549, 10601 & 10617 France Ave.

On May 1, 2006 the City Council approved the preliminary and final plat of THE POINT with the following conditions:

1. Standard drainage and utility easements shall be provided 10 feet along street frontages and 5 feet along internal lot lines.
2. A 10-foot sidewalk/bikeway easement shall be provided along all street frontages.
3. Grading, Drainage, Utility, and Erosion Control plan shall be approved by the City Engineer prior to the issuance of permits.
4. Temporary street signs, lighting, and addresses shall be provided during construction.
5. Surveyor shall provide a monumentation letter certifying that all monuments shall be placed within in one year of filing the plat, unless set before filing.
6. A non-access easement shall be provided along France Avenue and West Old Shakopee Road.
7. A landscape easement shall be provided at the southwest corner.
8. Right-of-way or street easement shall be provided for the Ewing Avenue cul-de-sac.
9. The Final Plat will not be released for filing with Hennepin County until the Engineering Division receives written notification from utility companies approving the vacation of easements.

and subject to the following Code Requirements:

10. The approved Final Plat shall be filed with Hennepin County (Section 16.05.01). A certified copy shall be provided to the Engineering Division prior to the issuance of building permits (Section 16.10).
11. All development setbacks shall be based on planned widened rights-of-way for the abutting public street(s) (Section 19.42).

Sincerely,

DEPARTMENT OF PUBLIC WORKS

Jennifer C. Desrude, PE  
Development Coordinator

JCD/cr

cc: ✓ Bob Hawbaker  
Plat in Process File, Case File

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September 12, 2006

John Lemieux  
Wilkus Architects, Inc.  
11487 Valley View Road  
Eden Prairie, MN 55344

RE: Case 10713C-06  
3800 West Old Shakopee Road

Dear Mr. Lemieux:

At its regular meeting of September 11, 2006, the City Council adopted a resolution approving a Conditional Use Permit for a restaurant in a shopping center at 3800 West Old Shakopee Road subject to the following conditions:

- 1) The conditional use permit is limited to 2,515 square feet of leased space as shown in the plans approved in Case 10713C-06;

And subject to the following conditions being satisfied prior to the issuance of any permits:

- 2) Plans for the trash and recyclable material collection and storage space, with access directly from the restaurant, be approved by the Planner Manager;
- 3) Sewer Availability Charge (SAC) be determined and satisfied;

And subject to the following conditions:

- 4) Restaurant seating must not exceed 80 seats (indoor and outdoor);
- 5) All loading and unloading occur on site and off of public streets;
- 6) Alterations to utilities be at the developer's expense;

And subject to the following Code requirements:

- 1) All rooftop equipment shall be fully screened (Sec. 19.52.01);
- 2) All restaurant trash and recyclable materials be stored inside the building space (Sec. 19.51);
- 3) Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);

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- 4) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code; and
- 5) All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109).

Should you have any questions regarding this action, please contact Carol Dixon, Planner at (952) 563-4740. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at (952) 563-8930 to discuss the requirements for building permit application.

Sincerely,



Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

cc: Mr. Arnie Gregory  
France Avenue Development Partners, LLC  
129 North 2<sup>nd</sup> Street, Suite 100  
Minneapolis, MN 55401

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June 26, 2007

Neil R. Hagre  
SLP Gaming Inc.  
dba Play N Trade  
3308 East 52<sup>nd</sup> Street  
Minneapolis, MN 55417

RE: Case 10713A-07  
3818 West Old Shakopee Road

Dear Mr. Hagre:

At its regular meeting of June 25, 2007, the City Council adopted a resolution approving a Conditional Use Permit for secondhand goods sales in a retail shopping center, at 3818 West Old Shakopee Road (tenant address ) subject to the following conditions of approval:

- 1) The conditional use permit is limited to 1,200 square feet of leased space as shown in the plans approved in Case 10713A-07; and

and subject to the following conditions being satisfied prior to the issuance of any permits;

- 2) Sewer Availability Charge (SAC) be determined and satisfied;

and subject to the following additional conditions:

- 3) Tournament shall be contained inside the tenant space, and adequate parking provided. Days, hours and duration of each event must be approved by the center management.
- 4) All parking shall occur on site and off of public streets.
- 5) Alterations to utilities be at the developer's expense;
- 6) A minimum of 10 bicycle parking spaces shall be provided, as approved by the City Engineer.

and subject to the following Code requirement:

- 1) All trash and recyclable materials be stored inside the building space (Sec. 19.51).

Mr. Neil R. Hagre  
June 26, 2007

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Should you have any questions regarding this action, please contact Carol Dixon, Planner at (952) 563-4740. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at (952) 563-8930 to discuss the requirements for building permit application.

Sincerely,



Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

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January 15, 2008

Mr. David C. Brunner  
Nick- N-Willy's  
10933 Normandale Boulevard  
Bloomington, MN 55437

RE: Case 10713E-07  
3800 West Old Shakopee Road  
3806 West Old Shakopee Road

Dear Mr. Brunner:

At its regular meeting of January 14, 2008, the City Council adopted a resolution approving a restaurant in a shopping center, at 3806 West Old Shakopee road (tenant address), subject to the following conditions of approval:

- 1) The conditional use permit is limited to 1,600square feet of leased space as shown in the plans approved in Case 10713E-07; and

and subject to the following conditions being satisfied prior to the issuance of any permits;

- 2) Plans for the trash and recyclable material collection and storage space, with access directly from the restaurant, be approved by the Planning Manager;
- 3) Sewer Availability Charge (SAC) be determined and satisfied;

and subject to the following additional conditions:

- 4) Restaurant seating must not exceed 35 seats (indoor and outdoor);
- 5) All loading and unloading must occur on-site and off of public streets;

and subject to the following Code requirements:

- 1) All rooftop equipment shall be fully screened (Sec. 19.52.01);
- 2) All restaurant trash and recyclable materials be stored inside the building space (Sec. 19.51);
- 3) Food service plans be approved by the Environmental Services Division (City code Sec. 14.360);

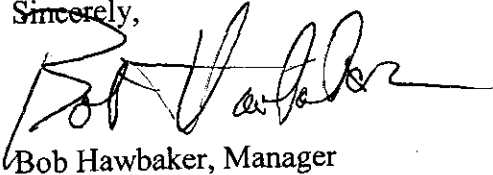
January 15, 2008  
Mr. David Brunner

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- 4) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code; and
- 5) All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109).

Should you have any questions regarding this action, please contact Carol Dixon, Planner at (952) 563-4740. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at (952) 563-8930 to discuss the requirements for building permit application.

Sincerely,



Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

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July 8, 2008

Mathnasium Learning Center  
Linh Huynh  
13636 Atwood Avenue  
Rosemount, MN 55068

RE: Case 10713D-08

Dear Ms. Huynh:

At its regular meeting of July 8, 2008, the City Council adopted a resolution approving a conditional use permit to operate an instructional facility in a B-2 Planned Development zoning district at 3800 West Old Shakopee Road (3810 West Old Shakopee Road – tenant address) subject to the following conditions:

- 1) The conditional use permit is limited to 1,200 square feet of leased space as shown in the plans approved in Case 10713D-08; and

and subject to the following conditions being satisfied prior to the issuance of any permits;

- 2) Plans for the trash and recyclable material collection and storage space, be approved by the Planning Manager;
- 3) Sewer Availability Charge (SAC) be determined and satisfied;

and subject to the following additional conditions:

- 4) Students on-site at one time must not exceed 24;
- 5) All loading and unloading must occur on-site and off of public streets;

Should you have any questions regarding this action, please contact Carol Dixon, Planner at (952) 563-4740. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at (952) 563-8930 to discuss the requirements for building permit application.

Sincerely,

A handwritten signature in black ink that reads "Bob Hawbaker".

Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

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November 17, 2009

Mr. Thomas Boerboom  
American Wellness LLC  
dba Welcyon Fitness After Fifty  
1391 Butterfly Lane  
Jordan, MN 55352

RE: Case 10713B-09  
3800 West Old Shakopee Road

Dear Mr. Boerboom:

At its regular meeting of November 16, 2009, the City Council adopted a resolution approving a Conditional Use Permit for a health club in the B-4 Zoning District as part of an existing shopping center at 3800 West Old Shakopee Road subject to the following conditions being satisfied prior to the issuance of permits:

- 1) The Conditional Use Permit is restricted to the lease area of 2,240 square feet as shown in the plans in Case 10713B-09; and
- 2) All required licenses shall be maintained;

and subject to the following City Code requirements:

- 1) All signage be in accordance with the approved Uniform Sign Design (Sec. 19.109);
- 2) Sewer Availability Charges (SAC) shall be satisfied;
- 3) All trash and recyclable materials be screened and stored inside the principal building (Sec. 19.51).

Should you have any questions regarding this action, please contact Michaela Ahern, Planner at (952) 563-8920. Before any construction work begins, you must obtain all required building permits. Please contact the Building and Inspection Division at (952) 563-8930 to discuss the requirements for a building permit application.

Sincerely,

Bob Hawbaker, Manager  
Division of Planning and  
Economic Development

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November 16, 2010

Arnie Gregory  
France Avenue Development Partners, LLC  
129 North Second Street  
Minneapolis, MN 55401

Daniel Vansteenburgh  
STP JJ Team 1, LLC  
DBA Jimmy John's  
7845 3<sup>rd</sup> Street North, Suite 211  
Oakdale, MN 55128

RE: Case 10713D-10  
3800 West Old Shakopee Road

Gentlemen:

At its regular meeting of November 15, 2010, the City Council adopted a resolution approving a Conditional Use Permit for a restaurant in a B-4, Neighborhood Commercial Zoning District at 3800 West Old Shakopee Road, subject to the following conditions of approval:

- 1) All trash and recyclable materials be stored inside the principal building (Sec. 19.51);
- 2) Food service plans be approved by the Environmental Services Division (City Code Sec. 14.360);
- 3) Signage be in conformance with the requirements of Chapter 19, Article X of the City Code and the approved Uniform Sign Design;
- 4) Maximum employee count per shift be limited to 8 unless approved by the Planning Manager;
- 5) Hour of operation be limited to 7:00 AM to 10:00 PM unless approved by the Planning Manager.

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