



February 9, 2021

James Riley  
Roers Companies  
110 Cheshire lane, Suite 120  
Minnetonka, MN 55305

RE: Case # PL202000231  
8131 34TH AVE S

Mr. Riley:

At its regular meeting of February 8, 2021, the City Council approved a major revision to the Appletree Square preliminary development plan, final development plans for a six-story, 146-unit senior housing building; and a one-lot preliminary and final plat (Case # PL202000231).

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.

**Final Development Plan Conditions of Approval**

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.
3. 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.
4. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
5. 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).
6. 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 (State of MN).
7. Prior to Permit Fire lanes must be posted as approved by the Fire Marshal (MN State Fire

- Code Sec. 503.3).
8. Prior to Permit Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
  9. 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).
  10. Prior to Permit Federal Aviation Administration review is required through the 7460 airspace analysis process.
  11. 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.
  12. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
  13. Prior to Permit An erosion control surety must be provided (16.08(b)).
  14. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
  15. 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).
  16. Prior to Permit Professional certifications related to steep slope disturbances must be submitted in compliance with Bluff Protection standards and be approved by the City Engineer.
  17. Prior to Permit Plans submitted for building permits must include documentation that construction will provide Sound Transmission Class (STC) ratings in accordance with Section 21.301.12 of the City Code.
  18. Prior to Permit An Airport Zoning Permit must be approved by the Community Development Director for any crane or structure on site that exceeds 150 feet in height above existing grade (MSP Airport Zoning Ordinance Section VIII (A)).
  19. Prior to Permit A designated storage space of at least 96 cubic feet, with minimum dimensions at least four feet high, four feet wide and four feet deep must be located within each dwelling unit.
  20. Prior to C/O 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).
  21. 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.
  22. Prior to C/O Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
  23. Ongoing All rooftop equipment must be fully screened (Sec. 19.52.01).
  24. Ongoing Alterations to utilities must be at the developer's expense.
  25. Ongoing All construction stockpiling, staging and parking must take place on site and off adjacent public streets and public right-of-way.
  26. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X

- of the City Code and Uniform Design Plan.
27. Ongoing A sidewalk must be provided to link the primary entrance of each building on site with the public sidewalk network.
  28. Ongoing All trash and recyclable materials must be stored inside the principal building (Sec. 21.301.17).

**Final Plat Conditions of Approval**

1. A title opinion or title commitment must be provided that accurately reflects the state of title of the property being platted, dated within 6 months of requesting City signatures;
2. A consent to plat form from any mortgage company with property interest must be provided;
3. Park dedication must be satisfied;
4. A public sidewalk and bikeway easement must be provided along the frontage of American Blvd. E. as approved by the City Engineer;
5. Public drainage and utility easements must be provided as approved by the City Engineer;
6. A public pedestrian access easement must be provided as approved by the City Engineer;

And subject to the following code requirements:

1. The property must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of footing and foundation or building permits (22.03(a)(2)).

Should you have any questions regarding this action, please contact Mike Centinario, Planner, at (952) 563-8921 or [mcentinario@BloomingtonMN.gov](mailto:mcentinario@BloomingtonMN.gov).

Sincerely,



Glen Markegard, AICP  
Planning Manager