

**GENERAL INFORMATION**

Applicant: Real Estate Equities, Inc. (Applicant)  
Daniel Wixon (Property Owner)

Location: 9555, 10001, 10009, 10017, 10027 and 10029 Lyndale Avenue South

Request: 1. Comprehensive Land Use Guide Plan Amendment to change the land use designation of 9955 Lyndale Ave S from General Business to High Density Residential;  
2. Rezone from B-2 and R-1 to RM-50(PD) High-Density Residential (Planned Development);  
3. Preliminary and Final Development Plans for a four-story, 180-unit multi-family residential building; and  
4. Preliminary and Final Plat to combine six parcels into one.

Existing Land Use and Zoning: Retail building and vacant land; zoned General Commercial (B-2) and Single-Family Residential (R-1), respectively

Surrounding Land Use and Zoning: North – Funeral home; zoned B-2  
South – Low rise apartments; zoned R-4  
East – Single-family residential and low-rise apartments; zoned R-1 and R-4, respectively  
West – Place of assembly and low-rise apartments; zoned R-1 and R-4, respectively

Comprehensive Plan Designation: General Business and High Density Residential

**CHRONOLOGY**

Planning Commission 01/15/2026 Public hearing scheduled

Council 02/23/2026 Public hearing anticipated

**DEADLINE FOR AGENCY ACTION**

Application Date: 12/09/2025  
60 Days: 02/07/2026  
Extension Letter Mailed: Yes

120 Days: 04/08/2026  
**Applicable Deadline: 04/08/2026**

## STAFF CONTACT

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## PROPOSAL

Real Estate Equities, Inc. proposes redeveloping six properties into a four-story, 180-unit affordable apartment building with a mix of one (36), two (104), and three-bedroom (40) units. The proposed affordability levels and corresponding unit counts are as follows:

- Four units at 30 percent Area Median Income (AMI)
- 13 units at 50 percent AMI
- 138 units at 60 percent AMI
- 25 units at 70 percent AMI

The proposed building would include below-grade parking and various amenities, including a fitness room, kid's activity space, community room, and outdoor internal courtyard with playground and patio space.

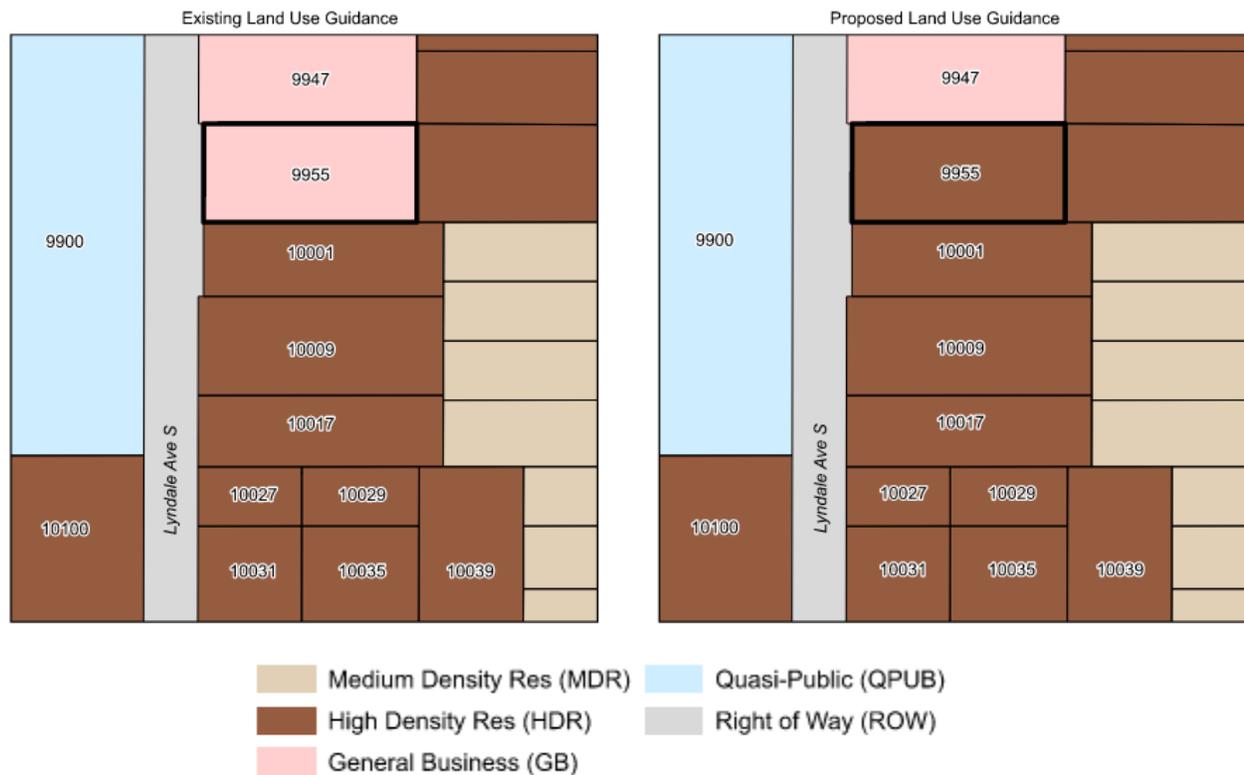
The existing six parcels are a mix of Comprehensive Plan land use designations and zoning districts. Two of the parcels (9955 and 10001 Lyndale Ave. S.) are part of the existing Wixon Jewelers retail site, while four are vacant. This application requires amending the future land use guidance for 9955 Lyndale Ave. S. from General Business to High Density Residential (HDR) to be consistent with the other parcels, which are already guided HDR. Additionally, 9955 Lyndale Ave. S. must be rezoned from B-2 General Commercial to RM-50(PD) High Density Residential (Planned Development). The other five properties (10001, 10009, 10017, 10027, and 10029 Lyndale Ave. S.) are guided for High Density Residential land uses but must be rezoned from R-1 Single-Family Residential to RM-50(PD), High Density Residential (Planned Development). The proposed residential density of the project is 47 units per acre. The application requires Preliminary and Final Development Plans, as well as a Type III Preliminary and Final Plat.

**ANALYSIS**

**Land Use**

9555, 10001, 10009, 10017, 10027 and 10029 Lyndale Avenue S have been guided as High Density Residential for multiple iterations of the Comprehensive Plan, since at least 2000. Currently, these parcels are either vacant or part of the existing Wixon Jewelers development. The property at 9955 Lyndale Avenue S. is presently guided as General Business. Surrounding land uses include General Business to the north and a mix of Medium and High Density Residential in other directions. The proposed amendment to change the guidance from General Business to High Density Residential is consistent with both the proposed multi-family apartment development and the surrounding land use patterns. Figure 1 depicts the current and proposed land use designation.

**Figure 1: Existing and Proposed Land Use Designation**



When a Comprehensive Plan Amendment is proposed, staff reviews the broader policy guidance in the Plan to evaluate the request. Additionally, staff sought guidance from the Lyndale Avenue Suburban Retrofit Plan as well as the 98<sup>th</sup> Street Area Plan. Although the subject properties are not located within the Lyndale Avenue Suburban Retrofit Plan boundary, the corridor’s goals remain relevant to the proposed development given its proximity.

The Comprehensive Plan lists the following policy goals that support the reguiding of 9955 Lyndale Avenue from General Business to High Density Residential:

**1. Redevelopment and Intensification (Comprehensive Plan Section 2.2):**

The Plan's Land Use and Redevelopment Strategy encourage infill development and redevelopment. Infill and redevelopment should be comprised of higher intensity land uses along arterial and collector roads – Lyndale Avenue is an arterial road. The Plan calls for supporting higher land use intensities in areas well served by transit – the Orange Line Bus Rapid Transit (BRT) I-35W & 98<sup>th</sup> St Station is within one-quarter of a mile from the subject site.

**2. Support for Affordable Housing (Comprehensive Plan Sections 3.1, 3.5, and 3.7):**

The City of Bloomington supports the retention and construction of affordable housing. The proposed project would be consistent with the City's objective of adding more affordable housing. It would bring the City closer to meeting goals adopted in the Comprehensive Plan by adding affordable units at the 30 percent AMI level – the level that is furthest from being met in the City. To meet affordable housing targets for 2030, both 30% and 50% units are needed.

**3. Support for Maximizing Land Use and Transportation Coordination (Comprehensive Plan Section 4.9):**

The Plan's Transportation Chapter encourages using land use controls to encourage medium and high-density residential developments near transit services and facilities. The proposed development is high-density and located near the 98<sup>th</sup> St Station.

As for other plans that support reguiding of this parcel, the Lyndale Avenue Retrofit Plan envisions a connected, walkable, and dynamic boulevard. Although the proposed properties are not located within the Plan's designated action areas, the proposed project would contribute dense housing in a walkable location, thereby supporting the Plan's overall vision. Additionally, the 98<sup>th</sup> Street Station Area Plan's vision includes improving access to the 98<sup>th</sup> Street Station for all users and promoting development patterns that support transit. The proposed multi-family apartment building is within ¼ mile of the 98<sup>th</sup> Street Transit Station, advancing the vision of this plan by increasing the number of residents who can access transit multimodally.

**Rezoning**

Figure 2 depicts the existing and proposed zoning designations. All six properties must be rezoned to accommodate the proposed development. 9955 Lyndale Ave S must be rezoned from B-2 to RM-50(PD), and the other five properties must be rezoned from R-1 to RM-50(PD).

**Figure 2: Existing and Proposed Zoning Designation**



The proposed RM-50 zoning district is the most consistent zoning district for the proposed development. The development would include approximately 47 dwelling units per acre, which falls within the RM-50 district’s density range of 20 to 50 dwelling units per acre. Provided 9955 Lyndale Ave is regulated to High Density Residential, the RM-50 zoning district is also more consistent with the future land use designation. The 2040 Comprehensive Plan describes High Density Residential as “residential development between 10 and 150 dwelling unit per acre.... Typical development includes multiple story apartments and condominiums”. The RM-50 zoning district aligns well with the intent of this land use guidance.

Although the subject properties are not located within an area specifically recommended for rezoning in the 98th Street Station Area Plan, the Plan identifies sites closest to the transit station as having the highest redevelopment potential and recommends increased density and improved pedestrian accessibility in these locations. Concentrating high density residential development near

the station enables residents to utilize transit and access nearby businesses, thereby reducing vehicular congestion. Rezoning the properties to RM-50, Multiple-Family Residential would support the policy objectives of this plan.

The applicant is requesting flexibility for the front setback and protected residential property step back height requirement, which is what necessitates the rezoning to add the Planned Development (PD) Overlay District. Flexibility to some zoning standards are authorized under the PD Overlay District (see Sec. 21.208.03(c)) when such flexibility provides public benefit and is consistent with the intent of the overlay district. These requests are discussed in greater detail later in this report.

**Code Compliance**

The proposed development complies with most City Code requirements. Table 1 provides a Code analysis of items that meet or exceed City Code. Table 2 identifies any deviations requested and where Opportunity Housing Ordinance (OHO) incentives are used.

**Table 1: City Code Analysis – Regulations in compliance**

<b>Standard</b>	<b>Code Required</b>	<b>Provided</b>
Site area (min.) (Sec. 21.301.01(c))	80,000 square feet	168,405 square feet
Density (max.) (Sec. 21.301.01(c))	50 dwelling units/acre	47 units/acre
Minimum site width (Sec. 21.301.01(c))	200 feet	543 feet
Structure setbacks (min.) (Sec. 21.301.02)	30 feet (rear) 10 feet plus 0.25 feet for each foot in height over 30 feet (side)	30 feet (rear) 15 feet (side)
Parking setbacks (min.) (along street) (Sec. 21.301.06(c))	20 feet	20 feet
Parking setback (rear and side yard) (Sec. 21.301.01(c))	5 feet	5 feet
Impervious surface coverage (max.) (Sec. 21.301.01(c))	90 percent	71 percent
Parking stall size (min.) (Sec. 21.301.06(c))	9 feet by 18 feet 8 feet by 16 feet for compact spaces	9 feet by 18 feet 8 feet by 18 feet for compact spaces
Drive aisle width (Sec. 21.301.06(c))	24 feet	24 feet
Trash collection (Sec. 21.301.17)	Interior	Stored in underground garage
Storage spaces (Sec. 21.302.09(d))	180 units	180 units
Landscaping (min.)	168 shrubs	169 shrubs

**Table 2: City Code Analysis – Regulations requiring amendments, OHO incentive, or flexibility**

<b>Standard</b>	<b>Code Required</b>	<b>Provided</b>
Structure setbacks (min.) (Sec. 21.301.02(d))	40 feet (front)	19.7 feet (front) (flexibility requested)
Structure step back from residential (min) (Sec. 21.301.10(f))	43 feet	30 feet (east) (flexibility requested)
Building height (max.) (Sec. 21.301.10(b))	3 stories/50 feet (4 stories/60 feet with OHO incentive)	4 stories/43 feet
Parking spaces required (min.) (Sec. 21.301.06 and 9.19)	346 spaces, 180 enclosed (295 spaces with OHO incentive, 90 enclosed)	318 spaces, 164 enclosed
Open Space (Sec. 21.203.08(c) and 19.16.05)	54,000 square feet (40,500 square feet with OHO incentive)	41,600 square feet
Landscaping (min.) (Sec. 21.301.15(c)) (Sec. 21.301.15(c))	68 Trees	59 Trees; revision required
Sidewalks (Sec. 21.301.04(d))	8 feet minimum along Lyndale Ave S; 7 feet along parking stalls	8 feet along Lyndale Ave S; minor revision required for sidewalk along parking stalls
Drive lane width (Sec. 21.301.06(c))	20 feet where there is no adjacent parking	18 feet; revision required

**Opportunity Housing Ordinance Incentives**

With 180 units, 16 affordable housing units at 60 percent AMI or below are required to comply with the Opportunity Housing Ordinance (OHO). The application proposes that units will be affordable for 30 years for households earning various incomes. The number of affordable units exceeds OHO requirements, including integration, dispersion, design, phasing, and concurrent construction objectives. The site qualifies as a Designated Transit Area I under the OHO.

The Affordable Housing Plan, included within the packet, provides detailed information on how the project relates to the OHO. Requested OHO incentives include:

- Open space reduction
- Height bonus
- Parking stall reduction
- Enclosed parking space conversion
- Alternative exterior materials allowance
- Landscape fee in-lieu reduction

- Development fee reimbursements
- Development fee deferment
- Expedited review of plans

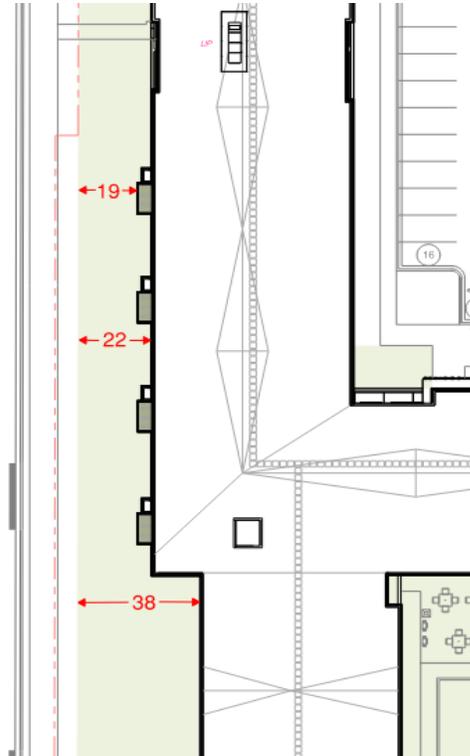
More information will be provided on the open space reduction, height bonus, parking stall reduction, enclosed parking space conversion, and alternative exterior materials in the forthcoming sections of the report.

### **Building and Site Design**

Proposed building materials include a combination of brick, fiber cement, masonry veneer, aluminum panels, and composite windows. Glass, brick, and metal panels (aluminum) are considered primary exterior materials, though the metal panels will require further review prior to building permit approval to ensure compliance with the required minimum 30-year manufacturer's finish warranty and appropriate gauge. Fiber cement and masonry veneer are classified as secondary materials and are limited to 35 percent of each façade. With the use of OHO incentives, up to 75 percent of façades not facing public streets may consist of secondary materials. This standard is met for all non-street-facing façades, and the west elevation facing Lyndale Avenue complies with the required 65 percent primary and 35 percent secondary material ratio.

The building meets the required side and rear yard setbacks; however, the applicant is requesting development flexibility for the front yard setback. The Code requires a setback of 40 feet from the front property line, where a minimum of 19 feet 7 inches is proposed. The front setback varies at different parts of the building, as shown in Figure 3 below. Staff is supportive of the proposed deviation because the reduced setback enhances the building's presence along Lyndale Avenue, facilitates pedestrian access, and reinforces the corridor's urban character. Locating the building closer to the street shifts the proposed building further away from existing low density residential uses to the east.

**Figure 3: Front Setback Variability**



The applicant is also requesting flexibility on the required step back from protected residential properties found in the City’s height standards. The Code requires a 1:1 step back ratio from the closest protected residential property line based on building height, which in this case would require a 43-foot setback from the rear property line, where only 30 feet is proposed. Figure 4 illustrates the requested flexibility in elevation view, while Figure 5 illustrates the requested flexibility in site plan view. Staff is supportive of this deviation, as the shadow study submitted by the applicant indicates minimal shadow impacts on adjacent residential properties. The design of the building includes a flat roof, limiting overall structure height (43 feet). In addition, the reduced step back allows for greater development density, supporting the creation of additional housing along an arterial roadway in proximity to transit service, consistent with the Lyndale Avenue Suburban Retrofit Plan and the 98th Street Station Area Plan. Further, the Planning Commission recently recommended City Council approval of an ordinance that would amend the City’s building height map. One of the recommended changes related to the residential step back provision. Should the City Council adopt the ordinance as recommended by the Commission, the development flexibility pertaining to residential step back requirements would no longer be necessary, as the properties east of the subject site are guided Medium Density Residential in the future land use map of the Comprehensive Plan.

**Figure 4: Residential Step Back Flexibility Required – Elevation View**



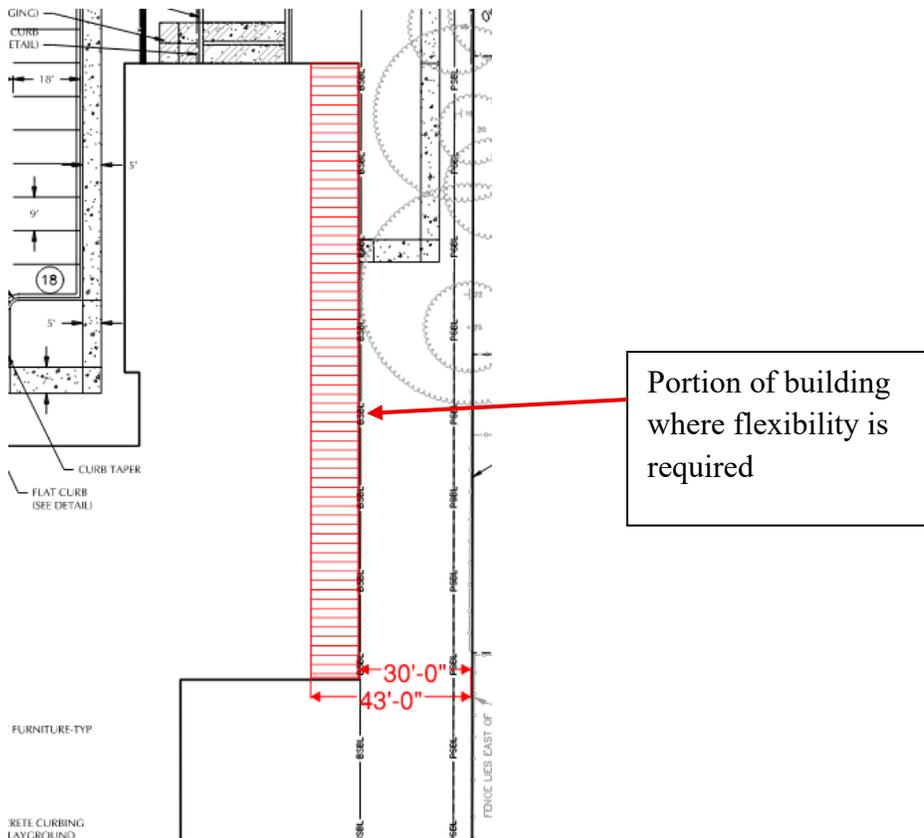
3 EAST ELEVATION

36% PRIMARY MATERIALS; 64% SECONDARY MATERIALS



Portion of building where flexibility is required

**Figure 5: Residential Step Back Flexibility Required – Site Plan View**



Overall, staff finds that the flexibility requested as part of the Preliminary and Final Development Plans meet the required public benefit test and are within the parameters allowed within the Planned Development (PD) Overlay Zoning District.

The proposed building is four stories in height and approximately 43 feet tall. The City's Height Limit Map permits a maximum of three stories and 50 feet on the property; however, with OHO incentives, the project qualifies for a height bonus of one additional story and up to 10 additional feet. As proposed, the development complies with the baseline height requirements when the OHO height bonus is applied.

**Access, Circulation, and Parking**

The site plan proposes a single vehicular access point from Lyndale Avenue S., with surface parking located along the north side of the site. Drive aisles and lanes generally meet City Code width requirements; however, the drive lane near the northwest corner of the site is proposed at 18 feet wide, which does not meet code requirement of 20 feet. This requirement must be met before permit issuance.

Parking islands are provided at the end of each parking row, satisfying that requirement. However, parking islands are required to be three feet shorter than adjacent parking stalls to facilitate vehicle ingress and egress, and this standard has not been met. This requirement must be met before permit issuance. All parking spaces comply with size requirements, including those designated as compact spaces.

An underground parking structure is proposed beneath the building footprint. Table 3 shows the required number of parking stalls, total and enclosed. Based on the proposed affordability level, OHO incentives allow a 15 percent reduction in the total number of required parking spaces and permit up to 50 percent of enclosed parking spaces to be converted to unenclosed spaces. With these incentives applied, the proposal meets parking requirements. While base zoning would require 346 total spaces, including 180 enclosed spaces, the OHO-adjusted requirement is 295 total spaces, with 90 enclosed spaces. The proposal includes 318 total spaces, of which 164 are enclosed.

**Table 3: City Code Required Parking Analysis**

Use	Code requirement	Unit or number	Required
One bedroom and efficiency units	1.6 spaces per dwelling unit; at least 1 space must be within a fully enclosed garage or covered within a structured parking ramp	36	58
Two or more bedrooms	2.0 spaces per dwelling unit; at least 1 space must be within a fully enclosed garage or covered within a structured parking ramp	144	288
Code Required			346 (180 enclosed)
Total Parking Required – with OHO Incentive (15% overall reduction and 50% conversion of enclosed spaces to unenclosed spaces)			295 (90 enclosed)
Parking Proposed			318 spaces (164 enclosed)

The proposed eight-foot sidewalk along Lyndale Avenue South meets minimum code requirements; however, it may need to be relocated to fall within the required 10-foot sidewalk and bikeway easement. Private sidewalks throughout the site generally meet the required five-foot minimum width, except in areas directly adjacent to parking stalls where additional width is needed to accommodate vehicle overhang. The civil plan does not currently depict the required seven-foot sidewalk width in front of parking stalls and would need to be revised to demonstrate compliance prior to permit issuance.

**Landscaping, Screening and Lighting**

The proposed landscaping plan meets the Code-required quantity for shrubs, and trees are provided within each parking island. New fencing is proposed along a portion of the eastern boundary where none currently exists. The required perimeter screening for parking areas adjacent to residentially used properties has also been satisfied, as has the requirement for rooftop screening equal to the height of the mechanical equipment. However, there are a few minor amendments required:

- The plan does not meet the minimum number of trees required. 59 trees are proposed, whereas 68 trees are required.
- A three-foot-high screen is required for parking lots adjacent to public streets. This screening is not currently shown along the west side of the site where the parking lot faces Lyndale Avenue.
- Trees are proposed between Lyndale Avenue and the front of the building. While this contributes to a streetscape consistent with the goals of the Lyndale Avenue Suburban Retrofit Plan, adjustments to tree placement or spacing may be necessary to accommodate Fire Department access requirements.

An exterior lighting plan was provided for review. The plans provided include an “initial” plan with no light loss factor and a “maintained” plan with a 0.81 light loss factor. Lighting plans for the site and parking structure were included and meet City Code. The applicant is not requesting any deviations from landscaping, screening, or lighting requirements. The applicant would need to obtain approval of their lighting and landscaping plans prior to the issuance of a building permit.

### **Miscellaneous**

City Code requires interior trash and recycling facilities for residential apartment buildings. The submitted floor plans show a designated interior trash and recycling area located within the underground parking garage, which satisfies this requirement.

The required amount of usable open space is 300 square feet per dwelling unit, totaling 54,000 square feet for the building. With OHO incentives, the usable open space requirement can be reduced by up to 25 percent. With this reduction applied, 40,500 square feet of open space are required, and the proposal provides approximately 41,600 square feet, meeting the standard. There are 12 balconies located on units on the west side of the building, which contribute to the open space requirement.

City Code also requires a fully enclosed, lockable storage space located outside of each dwelling unit. The proposal includes 180 storage units, distributed throughout the building, which meets the requirement of one storage space per dwelling unit. Because long-term bicycle parking is provided outside of these storage spaces, each storage unit must measure at least three feet by four feet, for a minimum volume of 96 cubic feet. Compliance with this size requirement will need to be confirmed prior to permit approval.

### **Preliminary and Final Plat**

The preliminary and final plat meet relevant zoning standards. Because the building would cross existing property lines, the plat must be recorded before a building permit may be issued. Before the plat is recorded, Park Dedication Fees must be satisfied. At the time of the application, the Park Dedication fees for the development are estimated to be \$310,550. Conditions pertaining to platting, park dedication, and easements are included in the proposed conditions of plat approval.

### **Stormwater Management**

Stormwater will need to be managed to meet the City’s and Watershed District’s requirements for stormwater rate control (quantity), stormwater quality and volume.

The Stormwater Management plan calculations and narrative have been reviewed and appear to meet the requirements in the City of Bloomington Comprehensive Surface Water Management Plan. The site is located within the Lower Minnesota River Watershed District, so no additional permit will be required prior to issuing a grading, footing/foundation or building permit. A

maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County.

**Utilities**

The subject property is served by City sanitary sewer and water service. The City Engineer must approve utility plans prior to issuing grading or other building permits. Sanitary sewer to service to the site is proposed to be provided via a 12” sanitary sewer pipe that runs along the boundary between 9955 and 10001 Lyndale Avenue South within an existing drainage & utility easement. This pipe provides sanitary sewer service to other properties in the area, and must be protected throughout construction. New easements will need to be recorded over the pipe to ensure the City can effectively maintain this utility. Based on the applicant’s estimated peak hour wastewater flows, there is sufficient City sanitary sewer network capacity to handle the increased flows from the proposed development..

The site is served by City watermain located within Lyndale Ave S. A looped watermain will be required. A combined domestic/fire service connection to the building will be required. Finally, the proposed building must have adequate fire hydrant coverage.

**Traffic Analysis**

The site is served by a single driveway directly off Lyndale Ave S, which is an arterial roadway. There is adequate capacity on the adjacent roadway network to accommodate the trips generated from the site. No significant impacts to the adjacent traffic patterns from the proposed development have been identified.

**Fire Prevention and Public Safety**

The access and circulation design must meet or exceed the minimum standards for Fire Prevention and be maintained in accordance with the approved plan, including a surface to provide all-weather driving capabilities. Apparatus access roads must be asphalt or concrete and support a minimum of 80,000 pounds.

The applicant must provide adequate water supply with a hydrant within 50 feet of the fire department connection and within 150 feet of any exterior wall. Hydrants will be approved by the Utilities and Fire Prevention Divisions. A looped water supply feeding a single, combined water service into the building is required for the domestic and sprinkler system water demand.

The building must be addressed plainly and visible from the street or road using numbers contrasting with the background. The numbers must be a minimum of four inches, be Arabic numbers or alphabetic letters with a minimum stroke width of 0.5 inches.

A Knox box will be required at the main entrances and other areas as designated by the Fire Prevention Division. Emergency responder radio coverage throughout the complex and in all

structures per the requirements of Appendix L in the 2015 Minnesota State Fire Code must be provided.

Any changes made to the current plans, including building location, access roads, water supply, and addressing, must be reviewed by the Fire Marshal to ensure continued compliance with the Fire Code.

**Status of Enforcement Orders**

There are currently open enforcement orders on 9955 and 10001 Lyndale Ave S for a small section of fence that has fallen into disrepair. Any outstanding orders that exist related to the fence would need to be resolved as part of the construction of the project.

**OUTREACH**

Outreach/Notification

- Mailed Notice (10-day notice – 500-foot buffer)
- Newspaper Notice (10-day notice – 01/01/26 Sun Current)
- Public Hearing Notice Online
- E-Subscribe Group Notification
- Inclusion on Development Map
- Signs on Site

**FINDINGS**

**Required Preliminary Development Plan Findings - Section 21.501.02(d)(1-6):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed development is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – Provided the Comprehensive Land Use Guide Plan is amended for 9955 Lyndale Ave. S., there would be no conflict between the proposed development and the Comprehensive Plan. The proposed multi-family apartment building would be consistent with the High Density Residential designation.
(2) The proposed development is not in conflict with any adopted district plan for the area.	<b>Finding Made</b> – The proposed development is not located in an area with an adopted District Plan.

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
<p>(3) The proposed development is not in conflict with state law and all deviations from city code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval.</p>	<p><b>Finding Made</b> - The requested deviations would facilitate a development compatible with the goals of the Lyndale Avenue Suburban Retrofit Plan and 98<sup>th</sup> Street Station Area Plan. The proposed development is also consistent with multiple other goals and strategies in the Bloomington Forward 2040 Comprehensive Plan. The building’s height, density, streetscape enhancements and design would contribute to the Lyndale Avenue Retrofit Plan vision of the corridor and 98<sup>th</sup> Street Station Area Plan, while mitigating impacts to surrounding properties. The requested deviations from city code are in the public interest within the allowed parameters of the PD Overlay Zoning District.</p>
<p>(4) Each phase of the proposed development is of sufficient size, composition and arrangement that its construction, marketing and operation is feasible as a complete unit without dependence upon any subsequent unit.</p>	<p><b>Finding Made</b> – The proposed development would be completed in one phase and is not dependent on any subsequent unit.</p>
<p>(5) The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.</p>	<p><b>Finding Made</b> – Given the size and characteristics of the proposed development, an excessive burden is not anticipated on parks, schools, streets, the sanitary sewer system, or the water system. The site is located within a mile of multiple City parks, including Gene Kelly Playfield. Lyndale Avenue South is a minor arterial roadway with adequate capacity in the area. Public utility systems have adequate capacity for the proposed development.</p>
<p>(6) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.</p>	<p><b>Finding Made</b> - The proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare. There is adequate public infrastructure in the area to serve the development, and it must meet stormwater requirements. The building design, building heights, and site circulation are consistent with multiple-family development within the City of Bloomington and are found to adequately mitigate potential impacts to surrounding properties.</p>

**Required Final Development Plan Findings - Section 21.501.03(e)(1-7):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed development is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> - Provided the Comprehensive Land Use Guide Plan is amended, there would be no conflict between the proposed development and the Comprehensive Plan. The proposed multi-family apartment building would be consistent with the High Density Residential designation.
(2) The proposed development is not in conflict with any adopted district plan for the area.	<b>Finding Made</b> - The proposed development is not located in an area with an adopted District Plan.
(3) The proposed development is not in conflict with the approved preliminary development plan for the site.	<b>Finding Made</b> - The requested deviations would facilitate a development compatible with the goals of the Lyndale Avenue Suburban Retrofit Plan and 98 <sup>th</sup> Street Station Area Plan. The proposed development is also consistent with multiple other goals and strategies in the Bloomington Forward 2040 Comprehensive Plan. The building’s height, density, streetscape enhancements and design would contribute to the Lyndale Avenue Retrofit Plan vision of the corridor and 98 <sup>th</sup> Street Station Area Plan, while mitigating impacts to surrounding properties. The requested deviations from city code are in the public interest within the allowed parameters of the PD Overlay Zoning District.
(4) The proposed development is not in conflict with state law and all deviations from city code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval.	<b>Finding Made</b> – The proposed deviations would facilitate a development compatible with the Lyndale Avenue Corridor and 98 <sup>th</sup> Street Station Area. The building’s height, density, streetscape enhancements and design would contribute to the Lyndale Avenue Retrofit Plan vision of the corridor and 98 <sup>th</sup> Street Station Area Plan.
(5) The proposed development is of sufficient size, composition and arrangement that its construction, marketing and operation is feasible as a complete unit without dependence upon any subsequent unit.	<b>Finding Made</b> – The planned development is proposed to be completed in one phase and is not dependent upon a subsequent unit.

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(6) The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	<b>Finding Made</b> – Given the size and characteristics of the proposed development, an excessive burden is not anticipated on parks, schools, streets, the sanitary sewer system, or the water system. The site is located within a mile of multiple City parks, including Gene Kelly Playfield. Lyndale Avenue South is a minor arterial roadway with adequate capacity in the area. Public utility systems have adequate capacity for the proposed development.
(7) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	<b>Finding Made</b> – The proposed development is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety, and welfare. There is adequate public infrastructure in the area to serve the development, and it must meet stormwater requirements. The building design, building heights, and site circulation are consistent with multiple-family development within the City of Bloomington and are found to adequately mitigate potential impacts to surrounding properties.

**Required Preliminary Plat Findings - Section 22.05(d)(1-8):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The plat is not in conflict with the Comprehensive Plan	<b>Finding Made</b> – The plat is not in conflict with the Comprehensive Plan. The proposed site and corresponding development would be consistent with the proposed High Density Residential land use designation, provided the Comprehensive Land Use Guide Plan is amended for 9955 Lyndale Avenue South.
(2) The plat is not in conflict with any adopted district plan for the area.	<b>Finding Made</b> - The proposed plat is not located in an area with an adopted District Plan.
(3) The plat is not in conflict with City Code provisions	<b>Finding Made</b> – The plat is not in conflict with City Code provisions. The proposed plat meets the minimum lot area, width, and access requirements. New easements will need to be recorded per the requirements of City Code
(4) The plat does not conflict with existing easements	<b>Finding Made</b> – There are no known easements in conflict with the plat. New easements will need to be recorded per the requirements of City Code

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(5) There is adequate public infrastructure to support the additional development potential created by the plat	<b>Finding Made</b> – There is adequate public infrastructure, including utilities and roadways, to support the development intended for the lot created by the plat.
(6) The plat design mitigates potential negative impacts on the environment, including but not limited to topography; steep slopes; trees; vegetation; naturally occurring lakes, ponds, rivers, and streams; susceptibility of the site to erosion, sedimentation or flooding; drainage; and stormwater storage needs	<b>Finding Made</b> – The plat must establish new drainage and utility easements. The proposed development plan will be required to manage erosion, stormwater, and mitigate any potential negative impacts on the environment. There are no environmentally sensitive areas or steep topography.
(7) The plat will not be detrimental to the public health, safety and welfare	<b>Finding Made</b> – The plat combines six existing lots into one lot in order to facilitate redevelopment of underutilized properties. The redevelopment will not be detrimental to the public health, safety, or general welfare.
(8) The plat is not in conflict with an approved development plan or plat.	<b>Finding Made</b> – The proposed plat would facilitate construction of the proposed development on site and is not in conflict with the proposed development.

**Required Final Plat Findings - Section 22.06(d)(1):**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The plat is not in conflict with the approved preliminary plat or preliminary plat findings	<b>Finding Made</b> – The final plat is consistent with the preliminary plat and preliminary plat findings, subject to conditions of approval.

**RECOMMENDATION**

Staff recommends approval through the following motions:

In Case #PL2025-198, I move to recommend the City Council adopt a resolution approving a Comprehensive Land Use Guide Plan Amendment to reguide 9955 Lyndale Avenue South from General Business to High Density Residential.

In Case #PL2025-198, I move to recommend the City Council adopt an ordinance rezoning 9955 Lyndale Avenue South from B-2 General Commercial to RM-50(PD) Multiple Family Residential (Planned Development), and 10001, 10009, 10017, 10027, and 10029 Lyndale Avenue South from R-1 Single-Family Residential to RM-50(PD) Multiple Family Residential (Planned Development).

In #Case PL2025-198, I move to recommend the City Council approve preliminary and final development plans for a four-story, 180-unit multi-family residential building at 9955, 10001, 10009, 10017, 10027, and 10029 Lyndale Avenue South, subject to conditions and Code requirements attached to the staff report.

In Case #PL2025-198, I move to recommend the City Council approve a Type III Preliminary Plat and adopt a resolution approving the Final Plat to combine 9955, 10009, 10017, 10027, and 10029 Lyndale Avenue South into one lot, subject to the conditions attached to the staff report.

## **RECOMMENDED CONDITIONS OF APPROVAL**

**Case** PL202500198

**Project Description:** Comprehensive Plan Amendment to Reguide 9955 Lyndale Avenue S. from General Business to High Density Residential, Rezoning, Preliminary and Final Development Plans, and a Type III Preliminary and Final Plat to redevelop 9955, 10001, 10009, 10017, 10027, and 10029 Lyndale Avenue S. into a four-story, 180-unit affordable apartment building.

**Address:** 9955 LYNDAL AVE S

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.

### **Preliminary and Final Development Plan Conditions of Approval**

1. Prior to Permit A Site Development Agreement, including all conditions of approval, and an Affordable Housing Plan must be executed by the applicant and the City. The agreement(s) must be properly recorded by the applicant with proof of recording provided to the Director of Community Development.
2. Prior to Permit The properties 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 any permits. See §22.03(a)(2)
3. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
4. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
5. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
6. Prior to Permit Plans must be revised to show an increased a minimum drive lane of 20' and parking lot islands three feet shorter than adjacent parking stall.
7. Prior to Permit Sidewalk immediately adjacent to parking spaces must be at least 7' wide.
8. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
9. 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. See See § 6.20, Minnesota State Fire Code Sec. 508).
10. 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.
11. 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).
12. Prior to Permit A permit or other form of project approval by the Lower Minnesota Watershed District must be provided.
  13. Prior to Permit An erosion control surety must be provided. See §16.08(b)
  14. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed. See §21.301.15. The plan must be revised to add nine additional trees and a three foot screen between the parking lot and Lyndale Ave.
  15. Prior to Permit Parking lot and site security lighting plans must satisfy the minimum requirements. See §21.301.07.
  16. Prior to Permit Exterior building materials must be approved by the Planning Manager, See §21.301.24.
  17. Prior to Permit A Construction Management Plan must be submitted for review and approval by the City.
  18. Prior to C/O Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
  19. Prior to C/O Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal. See MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903
  20. 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.
  21. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal. See MN State Fire Code Sec. 503.3
  22. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
  23. Ongoing All construction stockpiling, staging and parking must take place on site and off adjacent public streets and public right-of-way.
  24. Ongoing All loading and unloading must occur on site and off public streets.
  25. Ongoing All trash and recyclable materials must be stored inside the principal building. See §21.301.17
  26. Ongoing Development must comply with the Minnesota State Accessibility Code (Chapter 1341).
  27. Ongoing Signs must be in compliance with the requirements of Chapter 21, Division D of the City Code.
  28. Ongoing All rooftop equipment must be fully screened. See §21.301.18

**Preliminary and Final Plat Conditions of Approval**

1. Prior to Plat A sidewalk and bikeway easement must be provided as approved by the City Engineer
2. Prior to Plat Vacation of existing easements is recommended upon the dedication of new drainage and utility easements on the new plat.
3. Prior to Plat A title opinion or title commitment that accurately reflects the state of title of the properties being platted, dated within 6 months of requesting City signatures, must be provided.
4. Prior to Plat A consent to plat form from any mortgage company with property interest must be provided.
5. Prior to Plat Park dedication must be satisfied.