

## GENERAL INFORMATION

Applicant: MOAC Mall Holdings, LLC (owner)  
TREVLs, Inc. (user)

Location: 8100 24<sup>th</sup> Avenue South

Request: Conditional use permit for a vehicle rental facility within the Mall of America

Existing Land Use and Zoning: Regional Shopping Center; zoned CX-2(PD) Mixed Use (Planned Development)

Surrounding Land Use and Zoning: North – Overflow parking; zoned CX-2(PD)  
South – Hospitality, restaurants, offices; zoned C-4(PD)  
East – Hospitality and restaurants; zoned LX(PD)  
West – Highway 77

Comprehensive Plan Designation: High Intensity Mixed Use

## CHRONOLOGY

Planning Commission 02/01/2018 – Public Hearing Scheduled

## DEADLINE FOR AGENCY ACTION

Application Date: 12/27/2017  
60 Days: 02/25/2018  
120 Days: 04/26/2018  
**Applicable Deadline: 02/25/2018**  
Newspaper Notification: Confirmed – (01/18/2018 Sun Current – 10 day notice)  
Direct Mail Notification: Confirmed – (500 buffer – 10 day notice)

## STAFF CONTACT

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## **PROPOSAL**

The applicant has applied for a conditional use permit to allow a vehicle rental facility within the Mall of America (MOA). The applicant initially proposes 12 to 15 Tesla automobiles would be charged and stored within a MOA parking structure with a potential increase to 30 vehicles. A small customer rental kiosk and display vehicle would be added within the mall and online rental will also be available. No vehicles would be displayed to the general public outside of MOA and would be delivered to the customer's requested location.

Recently published news articles indicate the vehicle rental use has already been implemented at MOA. This is in violation of the City Code given the conditional use permit has not yet been approved by the Planning Commission. At the time of writing, staff has not independently verified the City Code violation. City staff would consider enforcement action should the news articles prove accurate.

## **ANALYSIS**

### **Land Use**

Rental vehicles are an incidental part of the hospitality industry and consistent with land use regulations, subject to approval.

### **Access, Circulation, and Parking:**

This application would not alter the access and circulation. The rental vehicles would be stored in the Phase 1C parking structure, located underneath the office tower and JW Marriott hotel on the north side of MOA. The parking spaces are currently reserved for valet parking, so general public parking availability for MOA guests would not be reduced from overall parking supply.

The proposed plan identifies 12 tandem parking spaces within the structure. Four spaces are located immediately adjacent to those spaces, so a future expansion to 16 spaces would seem logical. The applicant states a desired potential increase to 30 rental vehicles. To accommodate a modest rental vehicle expansion without the need to amend a conditional use permit, staff is recommending approval of up to 16 rental vehicles. This would "fill up" the small parking area where the proposed rental vehicles would be located. The applicant must ensure vehicles are stored within designated stalls and not in drive lanes or general parking. Parking in drive lanes would impede circulation and potentially impede emergency services.

Parking stalls used for rental vehicle storage do not count towards meeting parking requirements. When removing the proposed rental vehicle stalls from the overall parking supply, the total MOA parking supply still exceeds the parking requirement. Parking supply is accomplished with on-site parking structures and off-site surface lots. The rental vehicle storage would have a negligible parking impact overall.

**Fire Preventions and Public Safety**

Vehicle rental storage in the valet parking area would not create a fire or public safety concern. The charging stations must have a separate disconnect that is easily accessible for the Fire Department. Any access drive or fire lane parking, storage or loading/unloading must be prohibited.

**Status of Enforcement Orders**

There are no open enforcement orders for this property, however staff will be investigating a news article report that the use has commenced. Orders may be issued in that event.

**FINDINGS**

**Required Conditional Use Permit Findings - Section 21.501.04 (e) (1)**

<b>Required Finding</b>	<b>Finding Outcome/Discussion</b>
(1) The proposed use is not in conflict with the Comprehensive Plan.	Finding Made – the proposed use is not in conflict with the Comprehensive Plan. Vehicle rental is a complementary use with hospitality and entertainment uses prevalent in land designated as High Intensity Mixed Use.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	Finding Made – the proposed use is not in conflict with the South Loop District Plan. A vehicle rental facility would support hospitality, entertainment, and retail land uses.
(3) The proposed use is not in conflict with City Code provisions.	Finding Made – provided the vehicle rental facility with up to 16 vehicles complies with rental vehicle operational requirements, the use would not be in conflict with City Code provisions.
(4) The proposed use 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.	Finding Made – the use would not create an excessive burden on public facilities or utilities. The use would utilize existing parking facilities and streets. Increased traffic from the vehicle rental facility would be negligible.
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – the use would not be injurious to the surrounding public. The use would be located entirely within the Mall of America using existing facilities.

## **RECOMMENDATION**

**Note the Planning Commission has final approval authority on this conditional use permit application unless an appeal to the City Council is received by 4:30 p.m. on February 6, 2018.**

Staff recommends the following motion:

In Case PL2017-288, having been able to make the required findings, I move to adopt a resolution approving a conditional use permit for a vehicle rental facility located within the Mall of America, subject to the conditions and Code requirements attached to the staff report.