

## GENERAL INFORMATION

Applicant: Bouncing-Ton (user)  
Osborne Properties (owner)

Location: 10520 France Avenue South

Request: Conditional use permit for an indoor recreation and  
entertainment use in an existing multi-tenant building

Existing Land Use and Zoning: Valley West Shopping Center; zoned B-2(PD), General  
Commercial (Planned Development)

Surrounding Land Use and Zoning: North –Railroad and retail; zoned B-2  
East – Retail and single family residential; zoned B-4(PD)  
and R-1  
South – multiple family residential, financial institution and  
retail; zoned R-4, B-2 and B-4 (PD)  
West – Offices; zoned B-2 (PD)

Comprehensive Plan Designation: CC - Community Commercial

## CHRONOLOGY

Planning Commission 06/14/2018 – Public Hearing Scheduled.

## DEADLINE FOR AGENCY ACTION

Application Date: 05/07/2018  
60 Days: 07/06/2018  
Extension Letter Mailed: No  
120 Days: 09/04/2018  
**Applicable Deadline: 07/06/2018**  
Newspaper Notification: Confirmed – (05/31/2018 Sun Current – 10 day notice)  
Direct Mail Notification: Confirmed – (500 buffer – 10 day notice)

## STAFF CONTACT

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## **PROPOSAL**

Bouncing-Ton is requesting a conditional use permit for an indoor recreation and entertainment use in the existing Valley West Shopping Center. The business would be located in bay 41, a 4,344 square foot tenant space, on the west side of the shopping center. The business would provide entertainment with five inflatable bounce houses that would serve children under 14 years of age. There will also be a party room in the back of the tenant space. No food or beverages will be prepared on-site; customers will bring in their own food and beverages. Anticipated hours of operation would be from 9am to 9pm daily.

## **ANALYSIS**

### **Land Use**

Indoor recreational and entertainment uses are conditional uses in the B-2 zoning district.

Bouncing-Ton would be located between Big Lots! and Dollar Tree. The tenant space would be accessible from the existing Valley West entrance on the west side of the building. The front includes an area for check-in, storage of shoes/jackets, and a few tables. The middle of the space includes five large inflatable bounce houses and a toddler play area. The party room, restrooms, storage, office and mechanical rooms are located in the rear of the space.

### **Building Design**

No exterior modifications are proposed at this time.

### **Landscaping, Screening and Lighting**

Landscaping is a site characteristic where conformance to City Code is triggered when floor area is increased by 25 percent or more. Given that no expansion is proposed, landscaping upgrades are not required with this application.

Exterior lighting is a site characteristic that is triggered by a change in uses. A minimum of 1.5 FC (footcandles) is required on the parking surface nearest the tenant space. In addition, a minimum of 7 FC is required within 10 feet of the entrance door. A lighting plan must be submitted to review compliance.

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

The total required parking for Valley West Shopping Center is 914 stalls. The site has 990 parking stalls. Therefore, the amount of parking for the indoor recreation and entertainment use is sufficient. Figure 1 identifies the breakdown of the parking calculation.

**Figure 1: Parking analysis for Valley West Shopping Center**

Building Use	Square Footage	Parking Requirement
Retail	195,298	<b>794 spaces</b>
Non-retail (restaurants, fitness center)	19,465	<b>120 spaces</b>
<b>Total required parking</b>		<b>914 spaces</b>
<b>Total parking provided</b>		<b>990 spaces</b>

**Miscellaneous:**

For any change in use, an interior trash room must be provided. However, City Code Section 19.51 states the requirement for an indoor trash room may be waived for multiple tenant buildings when there is a change in occupancy per the Uniform Building Code. As such, the requirement for an indoor trash room is not a requirement in this case. The applicant must coordinate with another tenant to use their trash room. The nearest trash room to the tenant space is in the rear of Planet Fitness. Based on aerial imagery, Planet Fitness' trash room is not entirely enclosed. A condition of approval would be to provide a Code compliant trash room prior to Certificate of Occupancy for Bouncing-Ton.

**Fire Preventions and Public Safety**

Due to the material of the inflatables, the Fire Marshal is requiring the equipment to meet flame spread and smoke development ratings for interior use. Proper sprinkler protection and fire alarm system must be provided for the inflatable material being used.

**FINDINGS**

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

Required Finding	Finding Outcome/Discussion
(1) The proposed use is not in conflict with the Comprehensive Plan.	<b>Finding Made</b> – Indoor recreation and entertainment facilities are conditional uses in the B-2 Zoning District. The proposed facility would occupy a small portion of the total floor area. Indoor recreation and entertainment facilities are generally compatible with retail uses and is not in conflict with the Comprehensive Plan.
(2) The proposed use is not in conflict with any adopted District Plan for the area.	<b>Finding Made</b> - The property is not located in an area with an adopted District Plan.
(3) The proposed use is not in conflict with City Code provisions.	<b>Finding Made</b> – The proposed use complies with City Code requirements subject to the conditions of approval.
(4) The proposed use will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are	<b>Finding Made</b> – The proposed use is not of a nature, scale or intensity that will create an excessive burden on parks, schools, streets and other public facilities and utilities. The proposed use is not anticipated to create an increase in traffic that would create

proposed to serve the planned development.	an excessive burden on adjacent streets or surrounding neighbors.
(5) The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	<b>Finding Made</b> – The proposed facility is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The proposed facility will accommodate the need for play facilities for children in the area.

### **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 June 19<sup>th</sup>.**

Staff recommends the following motion:

In Case PL2018-165, having been able to make the required findings, I move to adopt a resolution approving a conditional use permit for an indoor recreation and entertainment use in an existing multi-tenant building at 10520 France Avenue South, subject to the conditions and Code requirements attached to the staff report.

## RECOMMENDED CONDITIONS OF APPROVAL

**Case** PL201800165

**Project Description:** Conditional use permit for an indoor recreation and entertainment use in an existing multi-tenant building

**Address:** 10520 FRANCE 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.

1. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
2. Prior to Permit Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
3. Prior to Permit A minimum of two bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
4. Prior to C/O A Code compliant trash room must be provided for all trash and recyclable materials for the proposed tenant.
5. Prior to C/O Sewer Availability Charges (SAC) must be satisfied.
6. Prior to C/O Parking lot and site security lighting plans must be revised to satisfy the requirements of Section 21.301.07 of the City Code.
7. Ongoing The indoor recreation and entertainment use must be as shown on the approved plans in Case File # PL2018-165.
8. Ongoing Signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and Uniform Design Plan.