



Larkin Hoffman

8300 Norman Center Drive
Suite 1000
Minneapolis, Minnesota 55437-1060

GENERAL: 952-835-3800
FAX: 952-896-3333
WEB: www.larkinhoffman.com

Memorandum

To: Glen Markegard
From: William C. Griffith and Jacob W. Steen
Date: March 1, 2017
Re: Proposed CX-2 District Text Amendments
Our File 27171-01

In addition to the proposed rezoning and Comprehensive Plan map amendment, Delta Metro Lands LLC requests the following text amendments to of the Bloomington City Code:

1. **Establish New Use Definitions (Section 19.03)**

SEC. 19.03 DEFINITIONS.

The following words and terms when used in Chapters 19 and 21 shall have the following meanings unless the context clearly indicates otherwise.

...

CONFERENCE CENTER. A facility used for conducting meetings, conferences, events and seminars. Conference Center may include meeting rooms, auditoriums, cafeterias, dining rooms, recreational uses, and supporting services designed to accommodate planned meetings, conferences, events and seminars.

...

INTEGRATED FUEL SALES AND CAR WASH. Fuel sales and/or car wash physically integrated with and fully within a structured parking facility.

...

SMALL SCALE ACCESSORY MOTOR VEHICLE STORAGE. The exterior storage and display of up to thirty (30) motor vehicles accessory to an enclosed motor vehicle sales facility.

2. **Allowed Uses in CX-2 District (Section 21.207.01)**

SEC. 21.207.01. MIXED USE (CX-2) DISTRICT.

(a) *Intent.* Within the Mixed-Use District, the most intense utilization of land in the City will take place supported by existing and future investment in public infrastructure. The CX-2 District provisions are intended to:

- (1) Allow a broad range of uses;
- (2) Ensure that new development is of significant size and intensity; and
- (3) Provide a mix of uses that balance the demand on traffic and parking.

(b) *Uses.* Uses allowed in the CX-2 District as permitted, accessory, conditional, or interim uses are listed in Table 21.209 (f) as well as the following additional interim uses:

(1) *Additional Interim Uses.*

(A) Short-term parking of passenger automobiles and recreational vehicles in support of adjacent uses.

(B) Storage of construction materials, equipment and supplies for projects involving other properties in the CX-2 Zoning District.

(C) Storage of construction materials, equipment and supplies for public street and highway projects.

(D) Reserved.

(E) Farmer's market, provided such products are sold directly to consumers by Minnesota growers and producers consistent with the exceptions allowed by Minnesota Statutes Section 329.08.

(F) New and used motor vehicle sale events of not more than 14 days that exclusively benefit a non-profit charitable organization, and are limited to not more than 200 motor vehicles. No more than one such event shall be allowed in a calendar year.

(G) Parking for an off-site use or as a primary use, not to include remote airport parking.

(2) *Interim Use Standards.* In addition to standards in Section 21.501.05, the following standards also apply to interim uses in the Mixed Use (CX-2) District.

(A) Any buildings or other site improvements associated with the interim use must be of nominal value or portable. Temporary buildings must only support the proposed use. Temporary buildings are exempt from the minimum building floor area requirements of the CX-2 District, but must be designed and constructed in a manner assuring safety for occupants and others affected, as determined by the Issuing Authority.

(B) Reserved.

(3) *Conditional Use Standards.* Conditional uses must include enclosed pedestrian access to a mixed-use center where feasible. For the purposes of this requirement, an enclosed pedestrian access is not feasible where the use is substantially separated from the mixed-use center by undeveloped land or surface parking.

(c) *Standards.* Development in the CX-2 District must comply with the following standards:

(1) *Floor area ratio,* building floor area, impervious surface area, site width and site area. See Section 21.301.01 for applicable standards.

(2) *Structure placement.* See Section 21.301.02 for applicable standards.

(3) *Structure height.* See Section 21.301.10 for applicable standards.

(4) *Floor Area Ratio.* The maximum floor area ratio in the CX-2 District may be increased to 3.0 provided that:

(A) 50 percent of the ground coverage is supplied in structures of six or more stories in height;

(B) private vehicle occupancy serving the site is an average of 1.2 persons per vehicle or greater; and

(C) at least two percent of the peak period trips serving the site are made by public transit.

3. Allowed Uses in CX-2 District (Section 21.209(f))

SEC. 21.209(f). Use Table: Specialized Zoning Districts

USE TYPE	ZONING DISTRICT								REFERENCES
	CX- 2	LX							See Listed Section
RESIDENTIAL									
Residences									
Multiple-family residence	C								21.302.02
OTHER RESIDENTIAL									
Manufactured Home Park	C								21.302.10 Chapter 14 Article VI and MN Statute Chapter 327
GOVERNMENT, INSTITUTIONAL, OPEN SPACE									
Educational Facilities									
Day care facility	P	C							21.302.27
College or university	P								21.302.25
Instructional center	P								
School (K-12)	P								21.302.25
Sports training facility	P								
Parks and Open Space									
Community garden	P	P							
Parks	P	P							
Public Services and Utilities									
Government facility, general	P	P							
Government facility, limited									
Public utility facility, general	P	P							
Public utility facility, limited	C								
Social and Cultural Facilities									
Community education or arts center	P	P							
Conservatory	P	P							
Convention center	C	P							

Library	P	P																
Museum	P	P																
Place of assembly	P																	19.63
Social service distribution facility	P	P																
OFFICE AND RETAIL/SERVICES																		
OFFICE																		
Home businesses, Type I	P																	21.302.13
Home businesses, Type II																		21.302.13
Office, general	P	P																
RETAIL/SERVICES																		
Accommodations																		
Hotel/motel	P	P																
Medical Facilities																		
Laboratory, medical or dental	P	P																
Office, medical or dental	P	P																
Hospital	P																	
Medical marijuana distribution	C	C																14.267, 21.302.22
Motor Vehicle Services																		
Car wash																		
Convenience facility with fuel sales																		19.61
Integrated fuel sales <u>and</u> car wash	A																	
Motor vehicle sales, Class I																		21.302.01
Motor vehicle sales, Class II																		21.302.01
Motor vehicle sales, Class III																		
Motor vehicle sales, Class IV	P	P																
Motor vehicle sales, enclosed	P	P																21.302.01
Motor vehicle storage lot																		
<u>Small scale accessory motor vehicle storage</u>	<u>A</u>																	
Remote airport parking																		
Towing service																		

Vehicle repair, major																			
Vehicle repair, minor	<u>A</u>																		
Vehicle rental facility	C																		19.63.07
Recreation and Entertainment																			
Health club	P	P																	
Recreation and entertainment, indoor	P	P																	
Recreation and entertainment, outdoor	C																		
Studio, audio or video	P	P																	
Restaurants and Food Service																			
Private food service	A	A																	
Restaurant, with drive- through (including drive- in)																			21.301.05
Restaurant, without drive- through (including take- out)	P	P																	
Retail Sales and Services																			
Artisan shop		P																	
Bank or financial institution	P	P																	
Body art establishment	P	A																	14.376 to 14.390.01
Currency exchange	P	A																	14.159 to 14.165
Exterminating shop																			
Firearm sales, incidental	P	P																	21.302.11
Firearm sales, primary																			21.302.11
Funeral homes, mortuaries, crematories	C																		
Pawn shops																			14.287 to 14.295.08
Pet services facility	C	CA																	
Retail sales and services	P	P																	
Therapeutic massage enterprise	P	P																	14.259 to 14.275
<u>Conference center</u>	<u>P</u>																		
Technology and Manufacturing																			
Low impact, high- technology manufacturing																			
Printing and publishing																			

Research laboratories	P											
Warehousing												
GENERAL												
Accessory												
Accessory building	A	A										21.301.19
Antenna	A	A										19.63.05
Fuel pump, private												
Helistop	CA											
Hotel airport parking	CA	CA										
Tower	CA											19.63.05
Agriculture												
Agriculture, limited												12.115, 12.116, 21.302.05
Beekeeping	A	A										12.116, 21.302.05
TEMPORARY/SEASONAL												
Seasonal Uses												
Seasonal sales, outdoor	I	I	I									14.314 to 14.323
Special Events												
Entertainment and recreation special events	P	P										14.61
Temporary Uses												
Transient merchant sales (interior to hotels)	A	A										14.180 to 14.192

4. FAR and Site Area Requirements in the CX-2 District (Section 21.301.01)

SEC. 21.301.01. DEVELOPMENT INTENSITY AND SITE CHARACTERISTICS

Zoning District	Floor Area Ratio		Building Floor Area	Impervious Surface Area	Site Width	Site Area
	Minimum	Maximum	Minimum	Maximum	Minimum	Minimum
CX- 2	NA	2.0	200,000 100,000 sq. ft. 2,000 sq. ft. for accessory buildings	NA	200 ft. 250 ft. for corner sites	150,000 100,000 sq. ft.