



January 28, 2015

Kathleen J. Allen  
Delta Metro Investments, LLC  
60 East Broadway  
Bloomington, MN 55425-5550

RE: Case 9628AB-15  
8200 28<sup>th</sup> Avenue and 8201 24<sup>th</sup> Avenue

Dear Ms. Allen:

At its regular meeting of January 22, 2015, the Planning Commission approved an Interim Use Permit for the 2015 special event series located at 8200 28th Avenue and 8201 24th Avenue (Case 9628A-15) subject to the following conditions of approval:

- 1) A Special Event Series agreement must be executed by the applicant and the City by February 1, 2015. The agreement covers the proposed events on the site from February 1, 2015 through December 31, 2015. The agreement incorporates all conditions of approval, a schedule of events, site cleanup, security deposit(s), and liability insurance coverage. No event may be conducted until this requirement is satisfied;
- 2) Individual event site set up and event operations plan(s) as deemed necessary pursuant to City Code Section 21.207.01(b)(2)(B), must be submitted at least 20 days prior to an individual event and approved by the Director of Community Development. Plans must include a parking and pedestrian circulation plan for review and approval;
- 3) All crowd queuing, loading and unloading, and site service must occur on the site of the event;
- 4) All events must be reviewed and approved by the City Engineering Division staff for impacts concerning traffic, parking, and parking overflow as a result of the event and parking displacement caused by the nearby construction project(s). The City Engineer may require the coordination of off-site parking and shuttling to an event;
- 5) If water service is needed for an event, the applicant must contact Bloomington Utilities Division, as a safe connection and water meter will be required;
- 6) To prevent debris and other pollution from entering the storm water system, washing of tents or equipment is prohibited;

Kathleen J. Allen

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- 7) Amplification plans, if applicable, must be submitted to Environmental Health Division staff for review and monitoring use during events, as appropriate. If deemed necessary to protect the public health, safety and general welfare, sound volumes shall be reduced to a level directed by Environmental Health personnel of the City;
- 8) Applicant must reimburse the City for staff costs incurred as a result of any event;
- 9) The applicant must reimburse the City for all costs, plus postage, if notice to property owners within 500 feet of events is deemed necessary due to recognized neighborhood impacts;
- 10) The applicant must obtain an Airport Zoning Permit for any structure(s) taller than 30 feet used for any event;
- 11) The Director of Community Development shall have the authority to cancel any event(s) deemed to create conflicts with construction activities, related to MOA Phase IC or other projects within the South Loop District; and
- 12) Following events, gathering areas, walking/running routes, and adjacent public streets must be swept.

And subject to the following Code requirements:

- 1) Temporary advertising signs must comply with the requirements of City Code Section 19.127;
- 2) Permits for any tents or temporary structures must be obtained and installed and used according to requirement(s) approved by the Fire Marshal and Manager of Building and Inspection, pursuant to the 2007 State Fire Code, Chapter 24; and upon a determination made by the City Engineer or designee that any proposed tent will not interfere with parking needs or traffic flow, pursuant to City Code Section 19.63.06(b)(1);
- 3) Food service must be provided in accordance with the permit and requirements of the Environmental Health Division, pursuant to City Code Sections 14.443 through 14.459;
- 4) All alcoholic beverage service, if requested, must be provided in accordance with a City of Bloomington special event license, pursuant to City Code Section 13.57 and State law;
- 5) Fire lanes on the site must remain open and be posted as approved by the Fire Marshal, pursuant to the 2007 State Fire Code, Section 503.1;
- 6) Handicapped parking, access and accessible toilet facilities must be provided in accordance with plans approved by the Director of Community Development, pursuant to the State Building Code, Chapter 1341;
- 7) No on-site or off-site temporary residential use or camping is permitted, pursuant to City Code Sections 14.539 through 14.550.
- 8) Electrical and gas installations must be installed in accordance with the requirements and permits issued by the Building and Inspection Division and/or the Fire Marshal, pursuant to the 2011 NEC and 2006 IFGC;
- 9) Amplified music and operational noise is limited to decibel levels and hours of operation as outlined in City Code Sections 10.29.02 and 10.29.07;
- 10) Applicant must provide trash and recycling receptacles at all events to prevent littering to the extent possible, pursuant to City Code Sections 10.05 (refuse) and 10.45 (recycling); and
- 11) Searchlights are prohibited pursuant to City Code Section 21.301.07(e)).

Kathleen J. Allen

January 28, 2015

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Also, at its regular meeting of January 22, 2015, the Planning Commission approved the five-year Interim Use Permit for overflow parking located at 8200 28th Avenue and 8201 24th Avenue (Case 9628B-15) subject to the following conditions of approval:

- 1) The Interim Use Permit is limited to parking area as shown on approved plans in Case 9628B-15;
- 2) The Interim Use Permit will expire on January 22, 2020;
- 3) All signage / wayfinding must be approved by the City Engineer;
- 4) All parking and loading/unloading must be on site and outside of the public right-of-way.

The appeal period passed without a request for appeal being received. Should you have any questions regarding this action, please contact Dennis Fields, Planner at (952) 563-8925.

Sincerely,



Glen Markegard,  
Planning Manager



PL201600093

PL2016-93

**Planning Commission Item**

Originator Community Development	Item <b>Interim Use Permits for Special Event Series and Parking</b>
Agenda Section	Date 1/8/2015

Description

**GENERAL INFORMATION**

Applicant: Delta Metro Investments, LLC

Location: 8200 28<sup>th</sup> Avenue and 8201 24<sup>th</sup> Avenue (East Lot)

Request: A) Interim Use Permit for 2015 special event series; and  
B) Five-Year Interim Use Permit for overflow parking in the CO-2, Commercial Office Zoning District

**DEADLINE FOR AGENCY ACTION**

Application Date: 12/04/14  
60 Days: 02/01/15  
Extension Letter Mailed: No  
120 Days: 04/02/15

**STAFF CONTACT**

Dennis Fields, Planner  
(952) 563-8925  
[dfields@BloomingtonMN.gov](mailto:dfields@BloomingtonMN.gov)

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**Requested Action**

The applicant has requested continuance to the January 22, 2015 Planning Commission meeting.

Staff recommends the Planning Commission continue the item, as requested.

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**Attachments:**

Continuance request  
Narrative  
Plans Submitted

**Fields, Dennis**

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**From:** Fields, Dennis  
**Sent:** Friday, December 19, 2014 2:23 PM  
**To:** 'Kathleen Allen'  
**Cc:** Amy Grandy  
**Subject:** RE: MOA IUP Special Event Series

Thanks Kathleen,

We will recommend the Planning Commission continue the Following items to the January 22, 2015 Planning Commission meeting:

Case 6717A-15 – IUP for Special Event Series (Met Lot)  
Case 9628A-15 – IUP for Special Event Series (East Lot)  
Case 9682B-15 – IUP for 5 year overflow parking (East Lot)

Thanks,

**Dennis Fields | Planner**

Planning Division | City of Bloomington  
1800 West Old Shakopee Road | Bloomington, MN 55431  
Direct: (952) 563-8925 | [DFields@BloomingtonMN.gov](mailto:DFields@BloomingtonMN.gov)

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**From:** Kathleen Allen [<mailto:kathleen.allen@moa.net>]  
**Sent:** Friday, December 19, 2014 2:18 PM  
**To:** Fields, Dennis  
**Cc:** Amy Grandy  
**Subject:** Re: MOA IUP Special Event Series

Dennis,

To confirm our conversation, MOA is in agreement with continuing the IUP applications to January 22, 2015 so the surrounding properties may be properly noticed.

Enjoy your holiday!

Kathleen

On Dec 19, 2014, at 2:04 PM, Fields, Dennis <[dfields@BloomingtonMN.gov](mailto:dfields@BloomingtonMN.gov)> wrote:

Kathleen,

I am sorry to bother you once again about this, but I will be out of the office all of next week and if at all possible would like to get your feedback on continuing the IUP items until the January 22<sup>nd</sup> meeting before 4:00 PM today.

While I am away, our staff will need to send out the revised notices.

If you could get back to me by 4p.m. today that would be greatly appreciated.

Thanks

**Dennis Fields | Planner**

Planning Division | City of Bloomington  
1800 West Old Shakopee Road | Bloomington, MN 55431  
Direct: (952) 563-8925 | [DFields@BloomingtonMN.gov](mailto:DFields@BloomingtonMN.gov)

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**From:** Fields, Dennis

**Sent:** Friday, December 19, 2014 9:30 AM

**To:** [Amy.grandy@moa.net](mailto:Amy.grandy@moa.net); Kathleen Allen ([kathleen.allen@moa.net](mailto:kathleen.allen@moa.net))

**Subject:** MOA IUP Special Event Series

**Importance:** High

Kathleen and Amy,

As I was preparing the staff report for the Special event Series on the Met Lot, I realized there was an error on our notices to the newspaper and residents. We only sent notices for 8000 24<sup>th</sup> Avenue (Met lot). Although the narrative described the other locations, the application submitted did not list all of the properties which had special events, as required.

We need to re-notice the item to the newspaper and surrounding property owners, but unfortunately there is not enough notice time to maintain the meeting date on January 8, 2015. We would like to continue this item from the January 8, 2015 meeting until the January 22, 2015 meeting. From what I can see in your materials, this shouldn't affect any of the special events as the first special event date is February 1<sup>st</sup> for the Little Box Sauna at IKEA.

I believe it would also make sense to continue all applications Met Lot and East Lot IUPs to the same Meeting date on January 22<sup>nd</sup> so you do not need to attend multiple meetings and keeps all of the IUPs together on the same date. Let me know if the MOA has any issues with postponing the applications until the January 22<sup>nd</sup> Planning Commission meeting.

**Please respond ASAP as we need to adjust the notices accordingly.**

Thanks,

**Dennis Fields | Planner**

Planning Division | City of Bloomington  
1800 West Old Shakopee Road | Bloomington, MN 55431  
Direct: (952) 563-8925 | [DFields@BloomingtonMN.gov](mailto:DFields@BloomingtonMN.gov)

December 3, 2014

Ms. Julie Farnham  
Division of Planning and  
Economic Development  
City of Bloomington  
1800 W. Old Shakopee Road  
Bloomington, MN 55431

Re: Delta Metro Investments LLC Reapplication for Interim Use Permit for 2015 Special Event Series in the CO-2 District (East Lot)

Dear Ms. Farnham:

This application is filed on behalf of Delta Metro Investments LLC ("DELTA") for a Special Event Series Interim Use Permit for seven (7) events in the East Lot, which is in the CO-2 District. Bloomington City Code, section 19.40.08.01(e), allows for a comprehensive Interim Use Permit for a series of special events in the CO-2 District for promotional, charitable, or entertainment purposes that are open to the public and are permitted interim uses.

Last year the previous land owner was granted approval of an Interim Use Permit covering special events under a set of specified conditions. On behalf of DELTA, we request that DELTA be granted approval of an Interim Use Permit for the East Lot from January 1, 2015 to December 31, 2015, under similar conditions as previous years. Please also note the following regarding conditions on the East Lot with respect to the 2015 events:

We have enclosed the following materials:

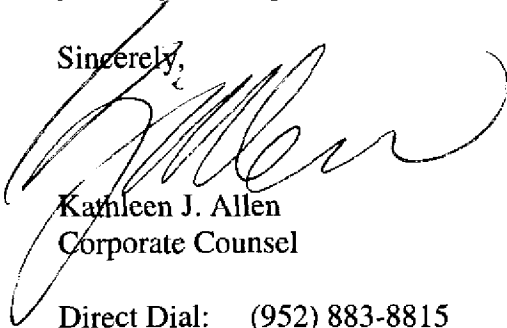
1. Thirteen (13) copies of Attachment A, noting the seven (7) events with dates and brief description;
2. Thirteen (13) copies of Attachment B, noting similar conditions to those approved in February 2014 for the 2014 events;
3. Thirteen (13) copies of the Completed application form;
4. Thirteen (13) copies of the 11 x 17 site plan for the Special Events Series Interim Use Permit;
5. Reapplication fee in the amount of \$220 for the Interim Use Permit; and

6. Thirteen (13) copies of the Signed Consent Agreement.

This letter and the attachments will serve as the narrative for the Interim Use Permit. DELTA will build on its positive record that has evolved in hosting special events at Mall of America. As in prior years, events will be conducted with careful coordination of the staff of the City of Bloomington, DELTA and their event partners.

Please note that we will coordinate with the event staff at Mall of America and the development staff in the event there is any preparation of the site for construction activity for Phase II. We are requesting that we be placed on the Agenda for the January 8, 2015 Planning Commission Meeting, please provide notice when this matter is scheduled for the aforementioned public hearing. Thank you for your cooperation with our request.

Sincerely,



Kathleen J. Allen  
Corporate Counsel

Direct Dial: (952) 883-8815  
Direct Fax: (952) 883-8683  
Email: kathleen.allen@moa.net

KJA:alg

Enclosures

cc: Mike Tvrdik, Mall of America  
Katelyn Nelson, Mall of America

**ATTACHMENT A****1. Car ride and drive (Three)**

A car dealership would conduct a ride and drive with Mall of America guests in the East Lot. Set up would include 1-2 tents and a cone course.

**2. Delta Airlines Employee Event Park and Ride/Shuttle Service (One Saturday in early June)**

Delta Airlines employees would park at the East Lot and be shuttled back and forth to a private, off-site Delta Airlines event.

**3. Colon Cancer Coalition – Get Your Rear in Gear 5K Run (June 7, 2015)**

A community partner, Colon Cancer Coalition, would host their 5K family run and related events on Sunday, June 7, 2015. The event would include Sponsor tents, a Sponsor and Survivor Dinner, and a 5K run with several routes proposed. The expected attendance is 4000-5000 participants and spectators. Additional detailed information and proposed routes are attached hereto .

**4. Minnesota Street Rod Association (MSRA) “BACK TO THE 50’s” Park and Ride/Shuttle Service (June 19 – 21, 2015)**

The Public would park at the East Lot and be shuttled back and forth to the MSRA “BACK TO THE 50’s” Event at the State Fair grounds.

**5. Minnesota State Fair Park and Ride/Shuttle Service (August - September)**

The Public would park at the East Lot and be shuttled back and forth to the State Fair grounds.

## 2015 Get Your Rear in Gear 5K Run/Walk Activities

**Proposed Event Date: Sunday, June 7, 2015**  
**Planning Organization: Colon Cancer Coalition**  
**Contact: Jackie Erzinger 920-619-5379**  
*Preliminary as of November 25, 2014*

### **Onsite Activation:**

Kids' Area: face painting, balloon artists, sidewalk chalk, coloring sheets, jump rope, hula-hoop, etc.  
Survivor Tent: chair massages, giveaways, special treats/gift bags, etc.  
Caregiver Tent: giveaways, special treats/gift bags, etc.  
Photo Booth: Free fun photos for groups and individuals, including props and backdrop  
Team Photo Area (including survivor and caregiver photos)  
Post-Race Food Tent: including fruit, bagels, beverages, etc.

### **Set-Up Needs: Sponsor/vendor space, activities, participant benefits, etc. (preliminary list)**

Registration: 10x30 tent w/ tables  
Stage: 10x20 (covered)  
Jumbotron: needs at least a 10x10 space  
Food: 20x40 tent w/ tables  
Coffee: 10x10 tent w/tables  
Presenting Sponsor: 10x10 tent with space for inflatable colon (includes generator)  
Add'l sponsor tents (minimum 7): 10x10 tent w/tables  
Caregiver Tent: 10x10 tent w/tables  
Survivor Tent: 10x10 tent plus tables surrounding tent  
Kids' Tent: 10x10 tent plus tables surrounding tent  
Photo Booth: 10x10 tent  
Get Your Rear in Gear Store: 10x10 tent w/tables  
Volunteers: 10x10 tent w/tables  
Radio Partner: 10x10 tent and/or table with station vehicle  
Vendor Tents (minimum 3): 10x10 tents w/tables  
Team Photo Area: risers? TBD  
Massage Chairs  
Port-a-potties



### **Sponsor/Vendor Information**

**June 7, 2015**

Thank you for your support of the Get Your Rear in Gear-Twin Cities 5K Run/Walk to raise awareness for colon cancer. Below is some information that will be helpful to you in preparation for this event.

**Event Address:** INSERT ADDRESS

#### **Sponsor tents and materials:**

- You may drop off exhibit materials between 5 a.m. and 6:45 a.m. Registration and packet pick-up opens at 7:00 a.m., so we would like all sponsors to be ready by that time.
- If we are providing you a tent it will be in the parking lot labeled with your name.
- If we are providing your banner we will have it on your tent the morning of the race.
- If you are handing out brochures/giveaways, plan on bringing 1000-1500.
- The map shows the Sponsor Materials Drop off location. There is a parking lot near (insert area). You will turn into the parking lot, and you can either park there temporarily and bring your materials down to your tent, or you may park (insert area). Volunteers will be on hand to help and direct you.

#### **Survivor/Caregiver Photo**

- If you have a Survivor on your team, we are taking a Survivor Photo at 7:50 a.m. Please send this special person over to the MAIN STAGE by 7:40 a.m. so we can take the picture. Please encourage Survivors to also stop by the Survivor tent. Caregiver photo will follow.

#### **Sponsor and Survivor Celebration**

- We are having a dinner celebration to honor our survivors and thank our sponsors.
- It will take place starting at 5:30 pm with a survivor/sponsor thank you reception on INSERT DATE. There is a \$15.00 suggested donation per person.
- Watch for a special invitation via e-mail.

#### **Race Day Registration**

- Opens at 7 a.m. Please come to the Pre-registration tent on race day or pick up your race numbers and shirts if you didn't pick them up at packet pickup.

#### **Team Photos**

- Please take advantage and have a photo taken of your Team.
- Proceed to the Team Meeting area to have your photo taken.
- They will be taken throughout the morning.

**Parking:** Insert parking information.

**Expected attendance:** We are expecting 4,000-5,000 participants and spectators.

**Race Day Schedule**

7:00 a.m.	Registration Opens
7:50 a.m.	Survivor/Caregiver photo
8:00 a.m.	Opening Ceremony and Team awards – WCCO welcomes and various politicians and survivors speak
8:30 a.m.	Kids' Fun Run
8:40 a.m.	Team and Fundraising Awards
9:00 a.m.	Start for 5K Run
9:05 a.m.	Start for 5K Walk
10:00 a.m.	Welcome Back! WCCO TV-Presentation of age group award winner medals and closing ceremony

**Thank you, this event would not be possible without each of you!**

**QUESTIONS?** Email Anne Carlson at [annecarlson@getyourrearingear.com](mailto:annecarlson@getyourrearingear.com) or call at 612-272-0738.

# 2015 Get Your Rear in Gear 5K Run/Walk Weekend Timeline

**Proposed Event Date: Sunday, June 7, 2015**  
**Planning Organization: Colon Cancer Coalition**  
**Contact: Jackie Erzinger 920-619-5379**  
*Preliminary as of November 25, 2014*

## **Friday, June 5**

Noon to 7 p.m. Packet pick-up in Mall of American's main rotunda

## **Saturday, June 6**

Morning: Set up of Tents in Event Village (East Lot)

Port-a-potties delivered (East Lot)

10 a.m. to 5 p.m. Packet pick-up continues in Mall of America's main rotunda

## **Race Day Timeline - Sunday, June 7**

**5:00 a.m. First volunteers arrive**

- Unload truck and start set-up
- Set Out Mile Markers on course
- Set Up Water Stop

6:00 a.m. Committee/Volunteers meet on site

6:30 a.m. Vendor/Sponsor arrive for set up

**7:00 a.m. Registration Starts**

- Balloons Delivered
- Police Arrive and Shutdown Parkway
- Photography Arrive

7:30 a.m. Start/Finish Line Set-up complete

- Medical Arrives

**7:50 a.m. Survivor & Caregiver photos**

**8:00 a.m. Opening Ceremony** with speeches from organizers and sponsors

**8:30 a.m. Kids' Fun Run** (Route TBD based on feedback from MOA and City)

**8:40 a.m. Opening Ceremony continues** with awards presented to top team and individuals

8:57 a.m. National Anthem

**9:00 a.m. Start for 5K Run**

**9:05 a.m.**      **Start for 5K Walk**    **PL201600093**      **PL2016-93**

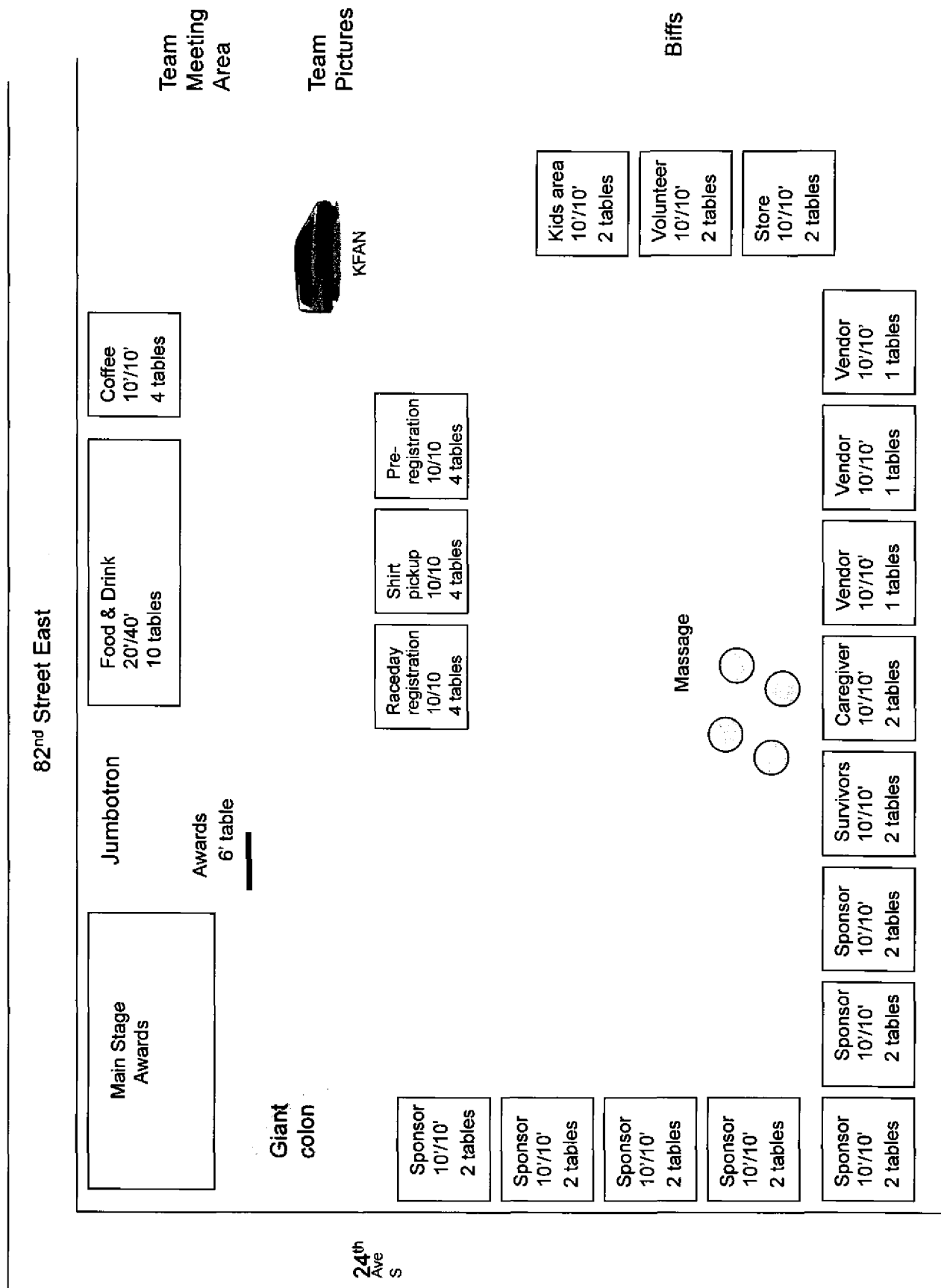
**10:00 a.m.**      **Runners Awards and Closing Ceremony**

11:00-Noon      Tear-down and Clean-up

**11 a.m.**      **National Cancer Survivor Day celebration inside** Mall of American's main rotunda.

Additional activities inside the Mall - To Be Determined.

# 2015 Get Your Rear in Gear Race Day Layout



**ATTACHMENT B****CONDITIONS OF APPROVAL**

1. A Special Event Series agreement with no more than seven (7) events between January 1, 2015 through December 31, 2015, including all conditions of approval and providing for the submission of a monthly schedule of events, site cleanup, security deposit(s), and liability insurance coverage be executed by the applicant and the City no later than January 15, 2015. No event may be conducted until this requirement is satisfied;
2. Individual event set up to be in accordance with a site plan (including plans for the deposit and removal of soil) as approved by the Director of Community Development and submitted at least 14 days prior to an event in accordance with the special event notification requirements in the Interim Use Agreement;
3. Site security and traffic control plan, as deemed necessary by the Directors of Community Development and Public Works, be approved by the Bloomington Police Department and submitted to the Director of Community Development at least 14 days prior to an individual event;
4. Permits for any tents or temporary structures be obtained and installed and used according to requirement(s) approved by the Fire Marshal and Manager of Building and Inspection;
5. Temporary advertising signs shall comply with the requirements of Section 19.119;
6. Food service to be provided in accordance with the permit and requirements of the Environmental Health Services Division;
7. Fire lanes on the site must remain open and be posted as approved by the Fire Marshal;
8. All crowd queuing, loading and unloading, and site service occur on the site for the event;
9. Handicapped parking, access and accessible toilet facilities be provided in accordance with plans approved by the Director of Community Development;
10. Events in which dirt is hauled in to allow for a field track shall be reviewed by the City Engineer prior to the setup of an event in order to assure erosion control.
11. Site restoration and cleanup be completed no later than 36 hours from the completion or termination of an event;
12. Applicant shall provide trash and recycling receptacles at all events to prevent littering to the extent possible;
13. Applicant shall be responsible for pick-up or disposal of trash and recycling following the event. Implementation of a waste reduction plan may be considered as an alternative to recycling if such measures adequately reduce the waste generated at the event;

14. Applicant shall reimburse the City for staff costs incurred as a result of the event;
15. Electrical and gas installations shall be installed in accordance with the requirements and permits issued by the Building and Inspection Division and/or the Fire Marshal;
16. All alcoholic beverage service, if requested, be provided in accordance with a City of Bloomington special event license, City Code and State law;
17. Amplified music shall not extend beyond 10:00 p.m. and as listed on the special event license for each individual event, as appropriate;
18. Environmental Health Services Division staff to review any amplification plans and monitor volumes during events as appropriate. If deemed necessary to protect the public health, safety and general welfare, sound volume shall be reduced to a level directed by Environmental Health Service personnel of the City;
19. The applicant shall reimburse the City for all costs, at a rate of \$50 per hour plus postage, associated with the required notice to all property owners within 500 feet of any event;
20. Individual event attendance limits be approved by the Director of Community Development;
21. Any individual event occupying the property for more than 14 days shall require a separate Interim Use Permit approved by the City Council;
22. No on-site or off-site temporary residential use or camping as noted in Section 14.283(g), License Restrictions;
23. The Director of Community Development is authorized to cancel any event if construction activities begin on Phase II of the Mall of America; and
24. Applicant shall submit a haul route, as deemed necessary by the Director of Public Works, for approval by the Bloomington Police Department and City Traffic Engineer at least 14 days prior to an individual event.

MALL OF AMERICA

December 3, 2014

Ms. Julie Farnham  
Division of Planning and  
Economic Development  
City of Bloomington  
1800 W. Old Shakopee Road  
Bloomington, MN 55431

Re: Delta Metro Investments LLC Application for Five (5) Year Overflow Parking Interim  
Use Permit in the CO-2 District (East Lot)

Dear Ms. Farnham:

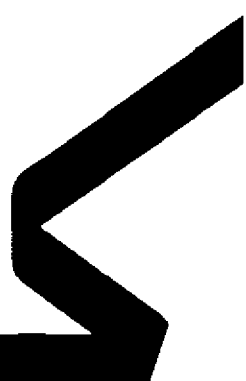
This application is filed on behalf of Delta Metro Investments LLC ("DELTA") for a Five (5) Year Overflow Parking Interim Use Permit on the former Metropolitan Airports Commission property (a/k/a "Adjoining Lands", aka "East Lot"), which is in the CO-2 District. Bloomington City Code, section 19.40.08.01(e), allows for a comprehensive Interim Use Permit for overflow parking, limited shuttle parking use and related activities that are open to the public and are permitted interim uses.

DELTA is requesting an IUP for continued use of the East Lot for overflow parking. The Site is flat and no improvements are required for this use. The Site Plan also illustrates the parking locations, roadways, construction areas and wayfinding signage. Together with the Site Plan we are including a sign schedule that describes the wayfinding sign information.

For a limited number of events, DELTA has in the past used the parking area for shuttle buses to major events, such as the Minnesota State Fair. Visitors are able to park on the East Lot and board buses to the event. This reduces congestion and parking problems at the event site. Both DELTA and transit providers believe that shuttle bus use increases when provided at the same site year after year.

On behalf of DELTA, we request that DELTA be granted approval of an Interim Use Permit for the East Lot from January 1, 2015 to December 31, 2015, under similar conditions as previous years.

We have enclosed the following materials:

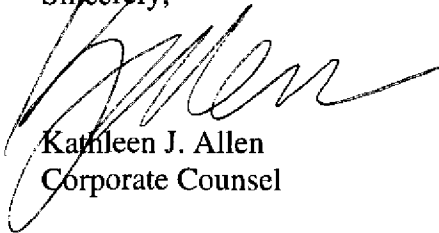
1. Attachment A, noting the one (1) event with dates and brief description;
  2. Completed application form;
- 

3. 11 x 17 site plan for the Special Events Series Interim Use Permit;
4. Reapplication fee in the amount of \$220 for the Interim Use Permit; and
5. The Signed Consent Agreement.

This letter and the attachments will serve as the narrative for the Interim Use Permit. DELTA will build on its positive record that has evolved in hosting special events at Mall of America. As in prior years, events will be conducted with careful coordination of the staff of the City of Bloomington, DELTA and their event partners.

Please note that we will coordinate with the event staff at Mall of America and the development staff in the event there is any preparation of the site for construction activity for Phase II. We are requesting that we be placed on the Agenda for the January 8, 2015 Planning Commission Meeting, please provide notice when this matter is scheduled for the aforementioned public hearing. Thank you for your cooperation with our request.

Sincerely,



Kathleen J. Allen  
Corporate Counsel

Direct Dial: (952) 883-8815  
Direct Fax: (952) 883-8683  
Email: kathleen.allen@moa.net

KJA:alg

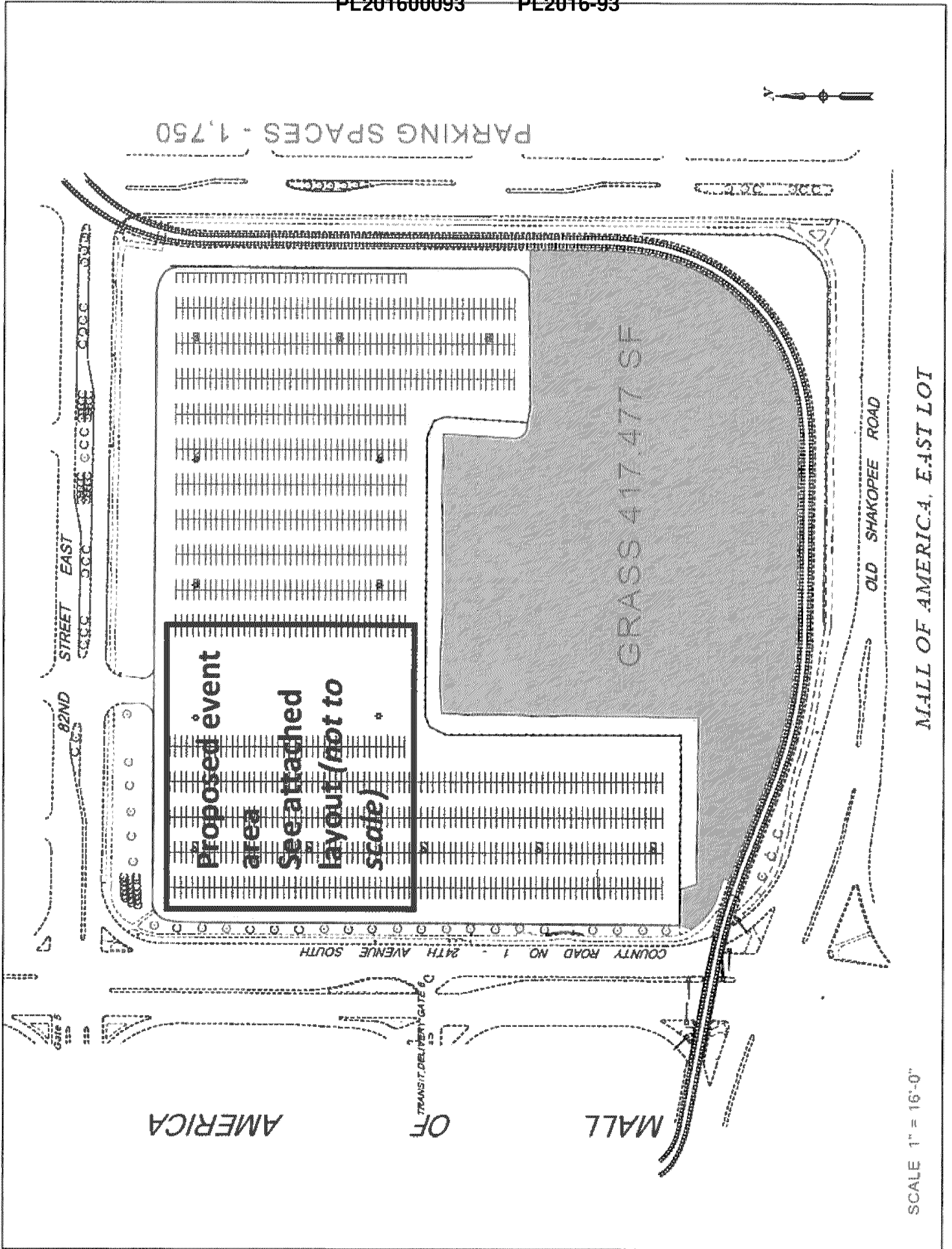
Enclosures

cc: Mike Tvrdik, Mall of America  
Katelyn Nelson, Mall of America

**ATTACHMENT A**

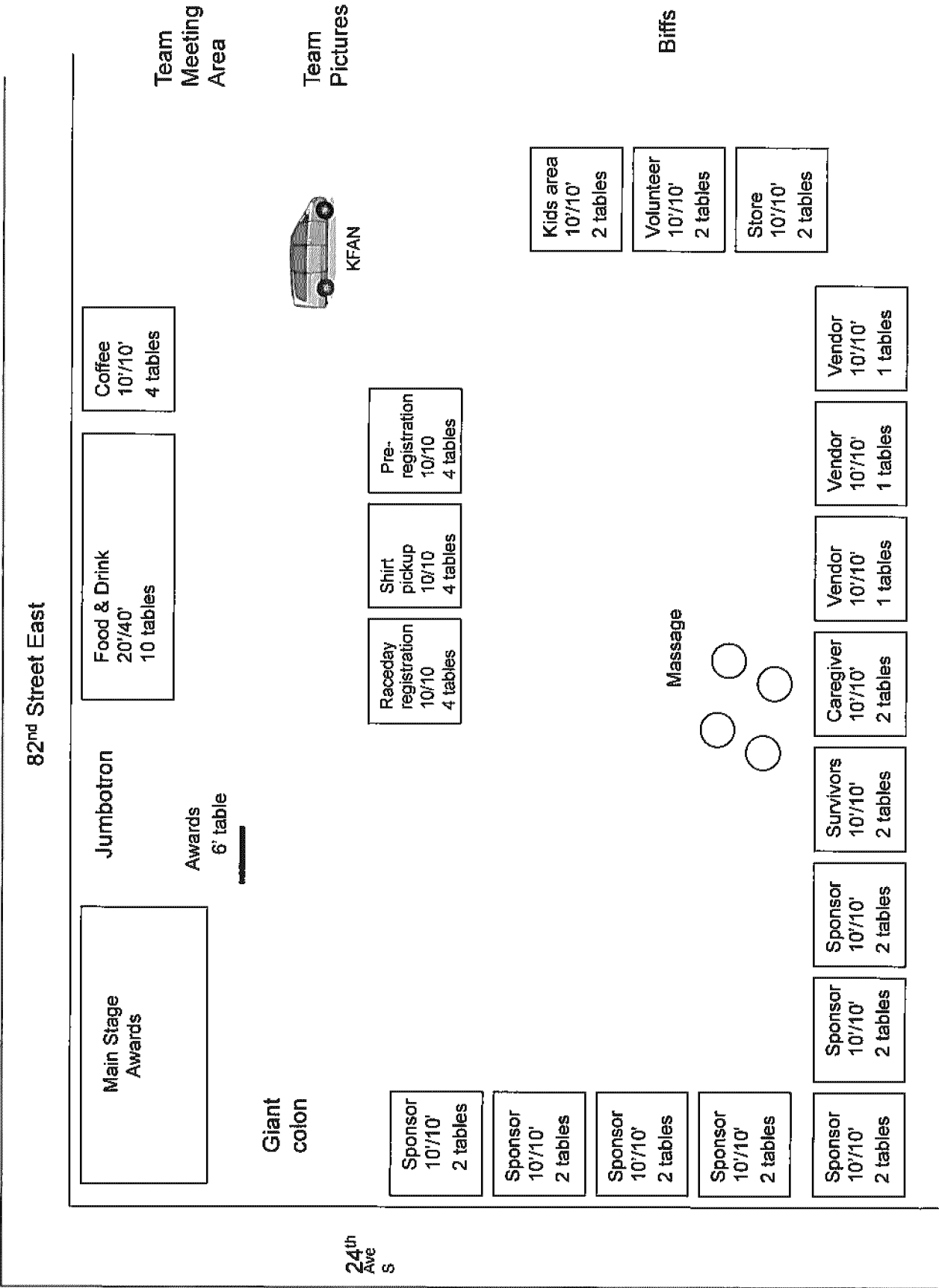
**1. Overflow Parking (January – December, 2015)**

The lot will be used for overflow parking, limited shuttle parking and related activities.



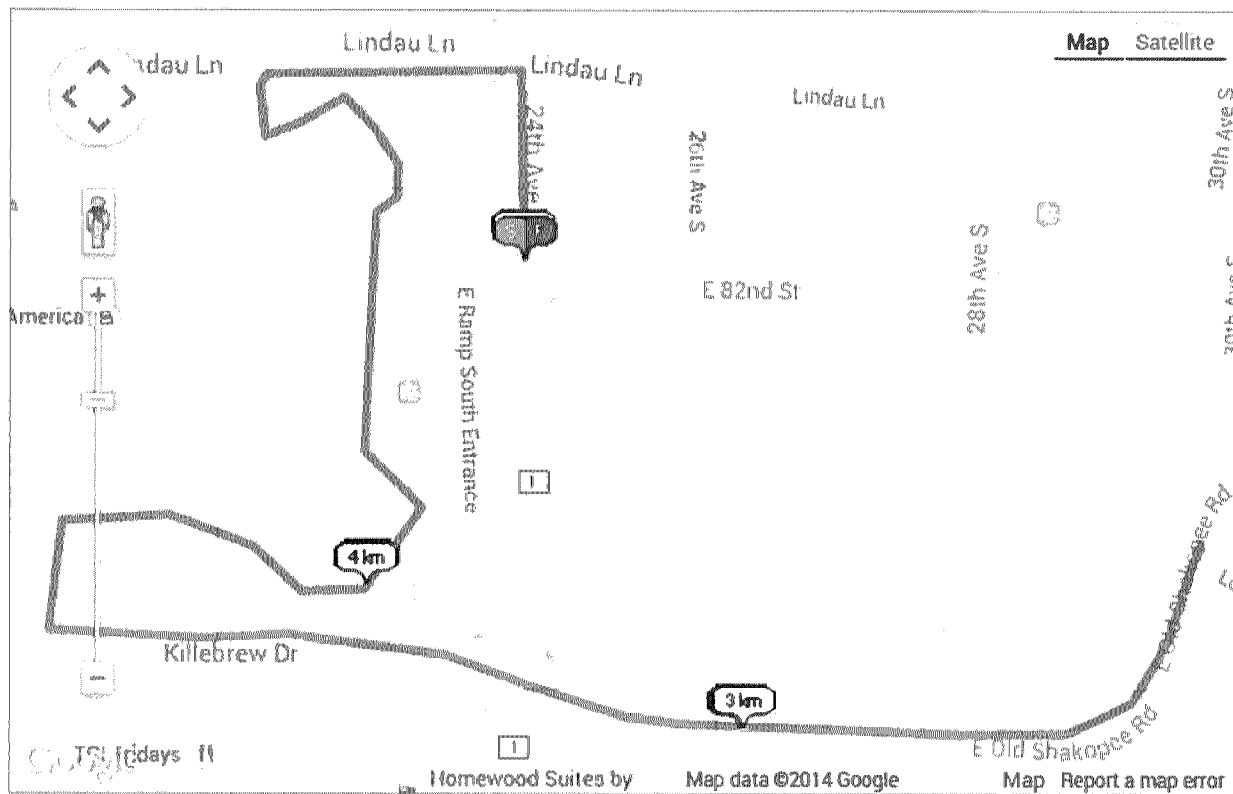
MALL OF AMERICA, EAST LOT

2015 Get Your Rear in Gear Race Day Layout

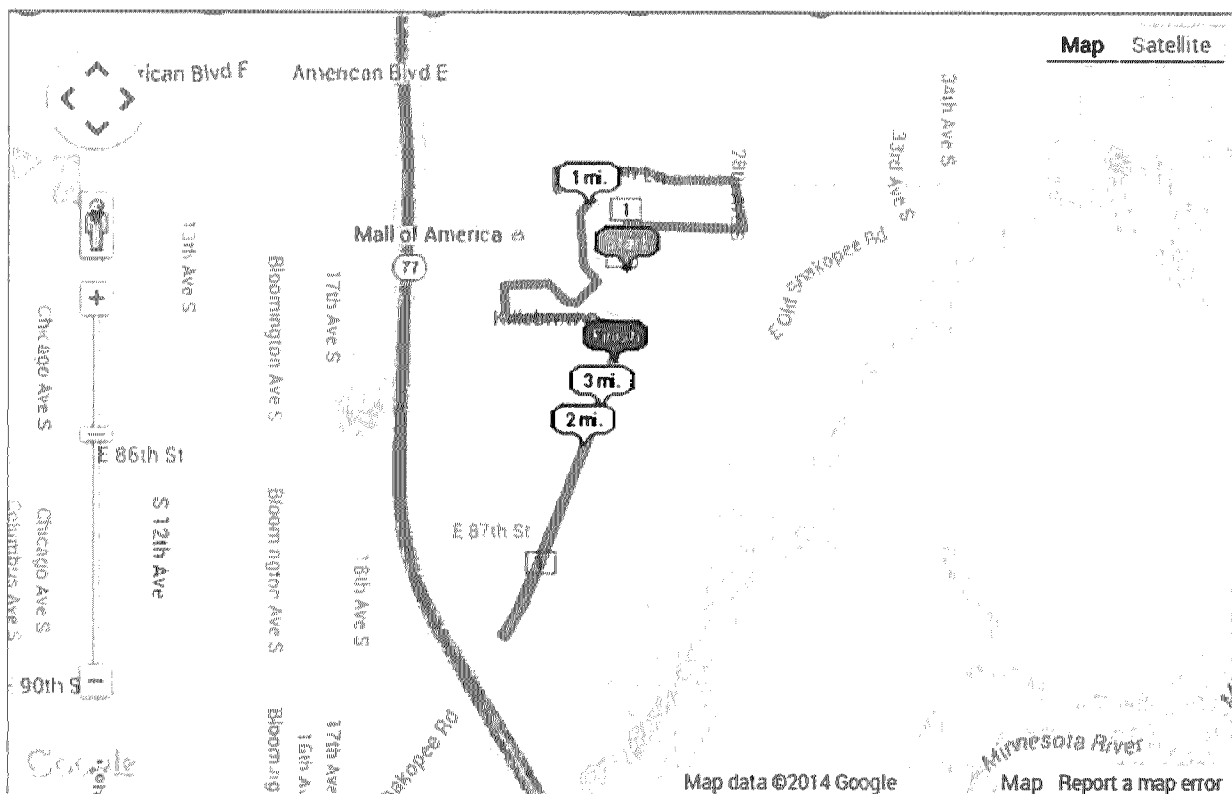


## Proposed Get Your Rear in Gear – Twin Cities 5K Routes

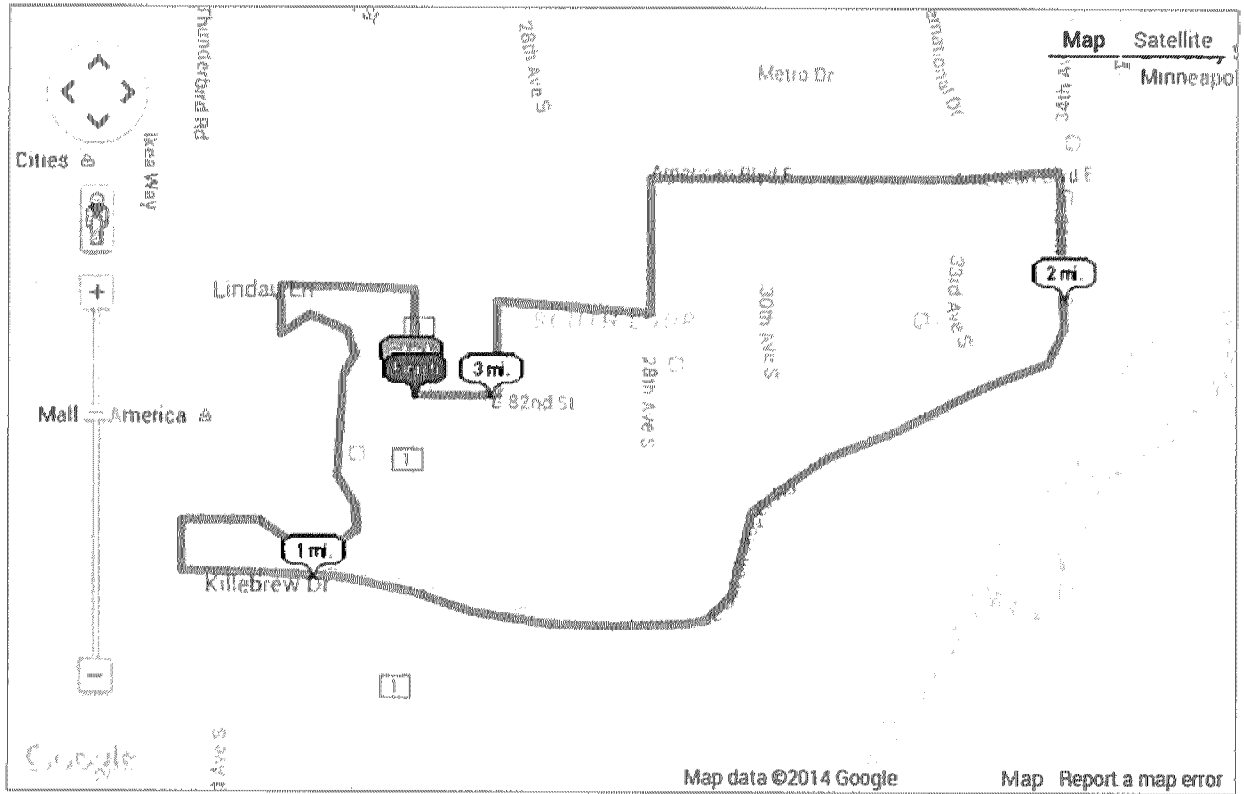
### Option 1 – preferred



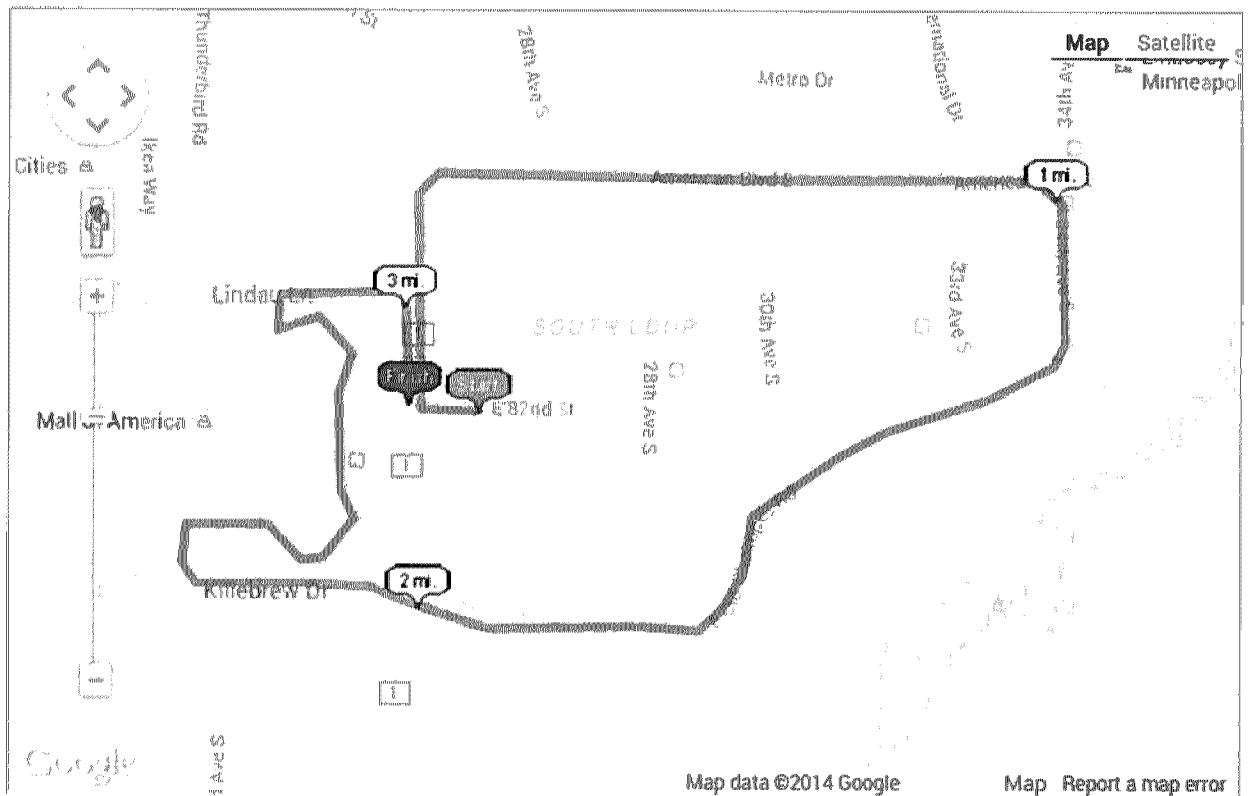
### Option 2

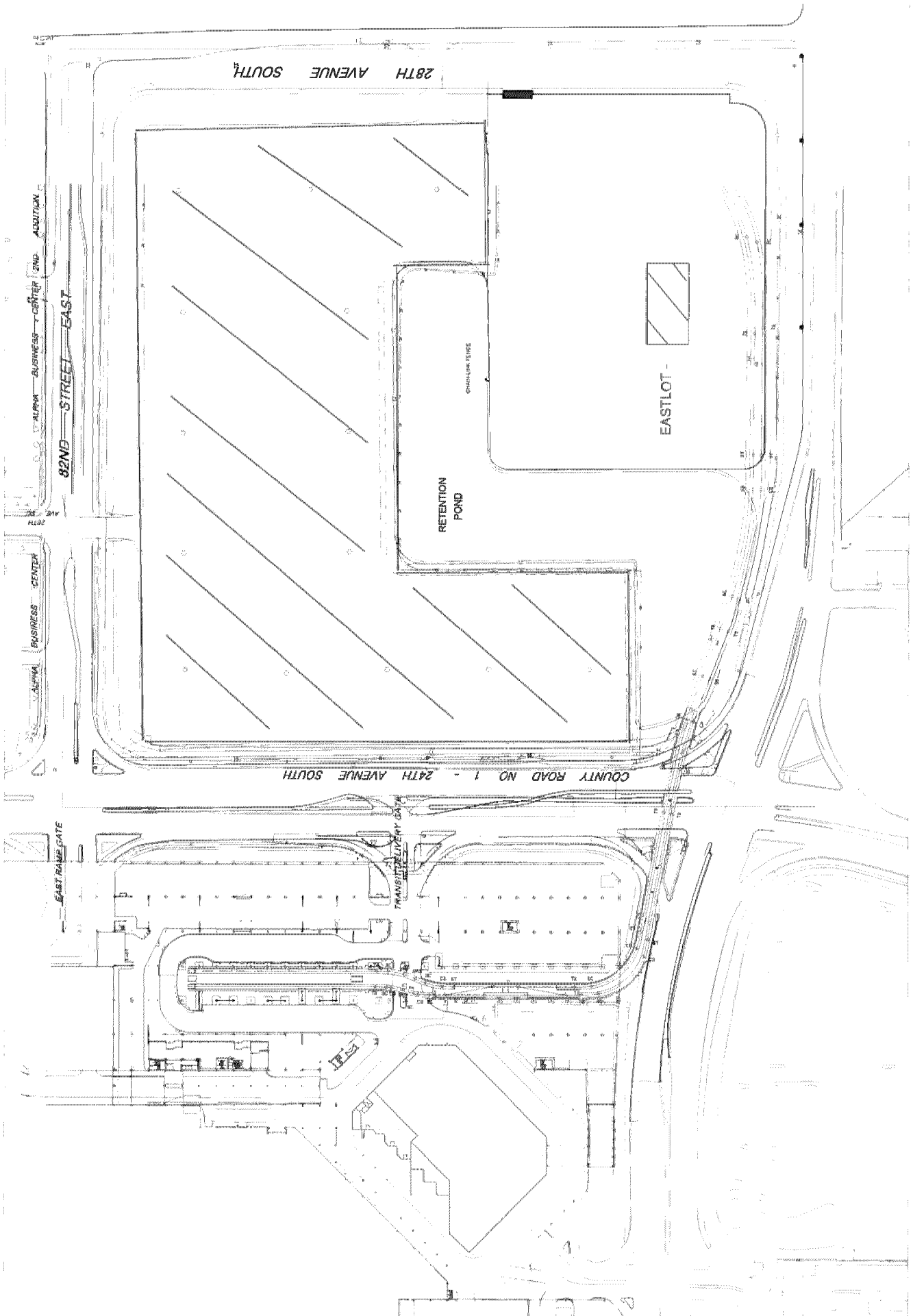
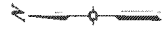


## Option 3



## Option 4





## GENERAL INFORMATION

Applicant:	MOAC Land Holdings, LLC, North Pad Development, LLC, South Pad Hotel, LLC, and Ikea Property, Inc.
Location:	8000 24 <sup>th</sup> Avenue (“MOA Phase II” ) and 8100 24 <sup>th</sup> Avenue (“Phase I”), 2101 Lindau Lane (“Phase IC”), 2100, 2110 and 2120 Killebrew Drive (“MOA Phase IB”), and 8000 IKEA Way (“IKEA” or “Phase IIB”)
Request:	Interim use permit for 2015 Special Event Series
Existing Land Use and Zoning:	Mall of America, Radisson Blu Hotel, and Surface Parking; zoned CX-2(AR-17)(PD) Mixed Use (Airport Runway)(Planned Development)
Surrounding Land Use and Zoning:	North – Hotels; zoned CS-1 South – Hotel, restaurant, offices; zoned CS-1(PD) East – Hotel, offices, surface parking lot, and vacant Airport Land; zoned I-1, CO-1, CO-2, and CS-1(AR-17) West – Cedar Avenue, (Highway 77)
Comprehensive Plan:	The Comprehensive Land Use Plan recommends High Intensity Mixed Use for the property.

## HISTORY

Planning Commission Action:	02/06/14 – Approved Interim Use Permit for 2014 Special Event Series. (Case 10924A-14)
City Council Action:	02/04/13 – Approved Interim Use Permit for 2013 Special Events for six events. (Case 6717C-12)
City Council Action:	02/28/12 – Approved Interim Use Permit for 2012 Special Events for thirteen events. (Case 6717A-12)
City Council Action:	01/24/11 – Approved Interim Use Permit for 2011 Special Events for ten events. (Case 6717A-11)

## CHRONOLOGY

Planning Commission Action:	01/08/15 – At the request of the applicant, the Planning Commission continued the IUP request until the January 22, 2015 Planning Commission meeting.
Planning Commission Agenda:	01/22/15 – Public hearing scheduled.

## APPLICABLE REGULATIONS

Section 21.207.01 Mixed Use District, CX-2  
Section 19.38.01 Planned Development, PD  
Section 19.38.03 Airport Runway, AR-17  
Section 21.501.05(e)(1-6) Interim Use Permits  
Section 21.207.01(b)(2)(B) Interim Use- Entertainment  
Events and Special Event Series standards

## PROPOSAL

The applicant is requesting an Interim Use Permit (IUP) for a series of up to 31 special events on the Mall of America (MOA) Phase II Site (surface lot north of Lindau Lane), MOA Phase I site (existing MOA Site), and one special event on Phase IIB (IKEA) property. All sites are zoned Mixed Use, Planned Development Overlay District and Airport Runway Overlay District, CX-2(PD)(AR-17). The MOA Phase I property is primarily used for a mixed use retail center, hotels, and future office building. The Phase II property is primarily used as an overflow parking area for MOA Phase I. The Phase IIB site contains a retail store (IKEA) and associated parking.

The applicant is requesting the IUP for the period February 1, 2015 to December 31, 2015. The City Code allows for public or private special events, as an interim use, for promotional, charitable, or entertainment purposes. The event series permit allows for a number of individual public and private events during a specified period subject to the standards in City Code Section 21.207.01(b)(2)(B) to ensure adequate public safety, traffic control, noise control, and that environmental health requirements are addressed. An IUP is only required for sites in the CX-2 and CO-2 zoning districts.

A description of the 2015 events is provided in the attachments. The proposed events will have a limited duration, typically of less than one week, except the proposed “Little Box Sauna” event which would run from February 1, 2015 to March 8, 2015 (up to 36 days) on various sites within the South Loop District. The conditions of approval address the standards in the code, described below.

Similar interim use permits for special events have been granted annually for the MOA Phase I and II property since 2005. The applicant has complied with all required conditions in previous years.

## CODE COMPLIANCE

**Section 21.207.01(b)(1) Additional Interim Uses** allows for entertainment and recreation special events or special events series as follows:

*(D) Entertainment and Recreation Special Events or Special Events Series consisting of a series of individual events for promotional, charitable or entertainment purposes held outside of a permanent structure.*

**Section 21.207.01(b)(2) Interim Use Standards** lists standards that entertainment and recreation special events or special event series must comply with to receive an IUP. These include:

*(B) Entertainment and Recreation Special Events or Special Events Series must comply with the following criteria:*

- (i) Individual events in the series must not be longer than 45 days in duration. Events longer than 45 days may be allowed if specifically approved by the City Council;
- (ii) A schedule for the event or event series describing each event, including date(s) and duration must be submitted with an application for an Interim Use Permit;
- (iii) At least 20 days prior to event set up, a set of plans for each individual event must be submitted to the City. Required plans must include as applicable:
  - (I) An event site layout plan including adequate fire and emergency vehicle access, subject to approval by the Fire Marshal;
  - (II) A Parking, Pedestrian Circulation and Traffic Directional Plan subject to approval by the Bloomington Police Department and the City's Engineering Division that demonstrates adequate parking, safe pedestrian and traffic circulation is provided for the event;
  - (III) A Security Plan, subject to approval by the Bloomington Police Department that demonstrates adequate security is provided for the event;
  - (IV) A Waste Management and Recycling or Waste Reduction Plan; and
  - (V) A Sign Plan, subject to approval by the Planning Manager.
- (iv) Handicapped parking access, and accessible toilet facilities are provided consistent with the State Building Code;
- (v) The Fire Marshal and Manager of Building and Inspection shall review the installation of tents and temporary structures, and permits shall be obtained as necessary for each event;
- (vi) Food service is provided in accordance with the permits and requirements of the Environmental Health Division;
- (vii) Adequate measures will be taken to ensure that there will not be a violation of the City's noise ordinance;
- (viii) All alcoholic beverages licenses and permits are obtained and are provided in accordance with the City's Code and State law;
- (ix) Site restoration and surrounding site(s) cleanup must be completed within 36 hours of the conclusion of each event, unless a longer period is approved by the City Council;
- (x) If deemed necessary by the Planning Manager after review of plans, notice shall be provided to all property owners within 500 feet at least ten days prior to an event;
- (xi) Adequate insurance for the event has been provided, as determined necessary by the City's Risk Manager;
- (xii) Application and payment for all necessary State and local licenses for the event has been made prior to commencement of any event activities; and
- (xiii) Retail sales are specifically prohibited except that temporary transient merchant sales accessory and subordinate to individual events are permitted.

## ANALYSIS

The proposed special events are similar to those conducted on MOA property in previous years. Public promotional, charitable, and entertainment events, both large-scale and small-scale, have occurred without major issues. The MOAC and event promoters have worked cooperatively with City Divisions including Licensing, Fire Prevention, Bloomington Police, Building and Inspection, and Environmental Health in obtaining the proper permits, conducting events, and restoring the site to pre-event conditions in a timely manner.

Traffic must be managed as deemed necessary by the City Traffic Engineer to ensure there will be no significant impacts to adjacent traffic patterns due to any specific special event. Likewise, safe routes for pedestrian circulation and access to and from the event site must be provided. Specific plans addressing these elements will need to be submitted for review and approval prior to permits being issued for individual events.

Parking, pedestrian circulation, and traffic directional plans for each proposed special event must consider and account for altered traffic patterns related to South Loop District construction projects. Coordination with the City Engineering Division in developing these plans will be necessary to minimize impacts.

Additionally, some of the parking required for the existing MOA (Phase I) is provided on the Phase II property. A portion of the surface parking on Phase II property is being relocated, during construction of Phase IC, to the existing surface lot on the east side of 24<sup>th</sup> Avenue (generally known as the “East Lot”). Off-site parking and shuttling to one or more of the proposed special events may be needed. Demand for MOA Phase I guest parking during the proposed special events will also need to be considered in conjunction with the parking demand generated by any concurrent events held inside the MOA or on the Phase I site.

With construction of Phase IC underway, and completion of Lindau Lane project, the only street level crossing of Lindau Lane is at 24<sup>th</sup> Avenue. Proposed special event pedestrian circulation plans will need to consider and account for this.

The property owner (MOAC) must execute a Special Events Agreement that includes requirements for a site maintenance and restoration (clean up) bond and liability insurance coverage. Staff suggests street sweeping of both public and private streets before and after events. Similar agreements are required for individual large-scale events to minimize impacts on public property and/or public services such as utilities and public safety. Additionally, a condition is included that would allow the Director of Community Development to cancel an event or multiple events if they would conflict with construction activities for MOA Phase IC.

## FINDINGS

### Section 21.501.05(e)(1)(2)(3)(4)(5)(6)

(e) Findings. The following findings must be made prior to the approval of an interim use permit:

***(1) The proposed use will not delay permanent development of the site.***

The Special Event Series IUP is granted on a yearly basis so it can be coordinated with plans MOAC has for developing the site.

The MOA Phase II site is currently used as an overflow parking lot for MOA Phase I under a separate, 5-year IUP (Case #10675A-10) that will expire in August 2015. Since this site is earmarked for MOA expansion, the City has allowed this parking lot to be maintained on a minimal basis. This IUP requires the property owner (MOAC) to implement incremental upgrades that will bring the lot into code conformance to ensure public safety and improve aesthetics. As part of the IUP, a phased improvement plan, prepared by MOAC, was approved by the City in 2010. MOAC is working cooperatively with the City to upgrade the parking lot in accordance with the improvement plan, although the phasing schedule will need to be modified following the completion of Phase IC improvements. Use of the site for special

events will need to be coordinated with the need for MOA Phase I overflow parking and the schedule for phased parking lot improvements.

- (2)     *The proposed use will not adversely impact implementation of the Comprehensive Plan or adopted District Plan for the area.***

The annual special events series will not have any adverse impacts on implementation of the Comprehensive Plan or the South Loop District Plan. As noted in (1) above, the special events IUP is reviewed and issued on an annual basis to ensure coordination with development of future phases of Mall of America.

In addition, use of the site for special events may not interfere with construction activities on surrounding roads or property.

- (3)     *The proposed use will not be in conflict with any provisions of the City Code on an ongoing basis.***

The annual special events series will not conflict with provisions of the City Code.

- (4)     *The proposed use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.***

The code standards and conditions of approval ensure that none of the events will have adverse impacts on surrounding properties or the community. Information must be submitted prior to each event to demonstrate adequate measures are in place regarding public health, safety, and welfare.

- (5)     *The date or event that will terminate the use has been identified with certainty.***

The applicant is requesting the IUP extend through December 31, 2015.

- (6)     *The property on which the use is situated has no open enforcement orders and there are no nuisance characteristics associated with the property or its current use.***

There are no open enforcement orders or nuisance issues pending on the property.

## 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 January 27<sup>th</sup>.**

Staff recommends the following motion:

In Case 6717A-15, having been able to make the required findings, I move approval of an Interim Use Permit for the 2015 special event series located at 8000 and 8100 24<sup>th</sup> Avenue, 2101 Lindau Lane, 2100, 2110 and 2120 Killebrew Drive, and 8000 IKEA Way subject to the conditions listed in the staff report.

### *Recommended Conditions of Approval*

The Interim Use Permit for the 2015 special event series located at 8000 and 8100 24<sup>th</sup> Avenue, 2101 Lindau Lane, 2100, 2110 and 2120 Killebrew Drive, and 8000 IKEA Way (Case 6717A-15) is subject to the following conditions of approval:

- 1) A Special Event Series agreement must be executed by the applicant and the City by February 1, 2015. The agreement covers the proposed events on both the MOA Phase I and MOA Phase II sites from February 1, 2015 through December 31, 2015. The agreement incorporates all conditions of approval, a schedule of events, site cleanup, security deposit(s), and liability insurance coverage. No event may be conducted until this requirement is satisfied;
- 2) Individual event site set up and event operations plan(s) as deemed necessary pursuant to City Code Section 21.207.01(b)(2)(B), must be submitted at least 20 days prior to an individual event and approved by the Director of Community Development. Plans must include a parking and pedestrian circulation plan for review and approval;
- 3) All crowd queuing, loading and unloading, and site service must occur on the site of the event;
- 4) All events must be reviewed and approved by the City Engineering Division staff for impacts concerning traffic, parking, and parking overflow as a result of the event and parking displacement caused by the nearby construction project(s). The City Engineer may require the coordination of off-site parking and shuttling to an event;
- 5) If water service is needed for an event, the applicant must contact Bloomington Utilities Division, as a safe connection and water meter will be required;
- 6) To prevent debris and other pollution from entering the storm water system, washing of tents or equipment is prohibited;
- 7) Amplification plans, if applicable, must be submitted to Environmental Health Division staff for review and monitoring use during events, as appropriate. If deemed necessary to protect the public health, safety and general welfare, sound volumes shall be reduced to a level directed by Environmental Health personnel of the City;
- 8) Applicant must reimburse the City for staff costs incurred as a result of any event;
- 9) The applicant must reimburse the City for all costs, plus postage, if notice to property owners within 500 feet of events is deemed necessary due to recognized neighborhood impacts;
- 10) The conditions of approval for case #10675A-10 (IUP for overflow parking) remain in effect;
- 11) The applicant must obtain an Airport Zoning Permit for any structure(s) taller than 30 feet used for any event;

- 12) The Director of Community Development shall have the authority to cancel any event(s) deemed to create conflicts with construction activities, related to MOA Phase IC that have received permits to commence on the site; and
- 13) Following events, gathering areas, walking/running routes, and adjacent public streets must be swept.

And subject to the following code requirements:

- 1) Temporary advertising signs must comply with the requirements of City Code Section 19.127;
- 2) Permits for any tents or temporary structures must be obtained and installed and used according to requirement(s) approved by the Fire Marshal and Manager of Building and Inspection, pursuant to the 2007 State Fire Code, Chapter 24; and upon a determination made by the City Engineer or designee that any proposed tent will not interfere with parking needs or traffic flow, pursuant to City Code Section 19.63.06(b)(1);
- 3) Food service must be provided in accordance with the permit and requirements of the Environmental Health Division, pursuant to City Code Sections 14.443 through 14.459;
- 4) All alcoholic beverage service, if requested, must be provided in accordance with a City of Bloomington special event license, pursuant to City Code Section 13.57 and State law;
- 5) Fire lanes on the site must remain open and be posted as approved by the Fire Marshal, pursuant to the 2007 State Fire Code, Section 503.1;
- 6) Handicapped parking, access and accessible toilet facilities must be provided in accordance with plans approved by the Director of Community Development, pursuant to the State Building Code, Chapter 1341;
- 7) No on-site or off-site temporary residential use or camping is permitted, pursuant to City Code Sections 14.539 through 14.550.
- 8) Electrical and gas installations must be installed in accordance with the requirements and permits issued by the Building and Inspection Division and/or the Fire Marshal, pursuant to the 2011 NEC and 2006 IFGC;
- 9) Amplified music and operational noise is limited to decibel levels and hours of operation as outlined in City Code Sections 10.29.02 and 10.29.07;
- 10) Applicant must provide trash and recycling receptacles at all events to prevent littering to the extent possible, pursuant to City Code Sections 10.05 (refuse) and 10.45 (recycling); and
- 11) Searchlights are prohibited pursuant to City Code Section 21.301.07(e)).

# City Council Minutes - June 24, 1991

Following discussion, motion was made by Johnson, seconded by Spies to close the hearing and to impose a \$1,000 fine on Jordan's Liquor Store for selling intoxicating liquor to a person under the age of 21.

Spies said he feels this case is different from those heard earlier this evening. The liquor store owner indicated that they did not ask for proper identification. Mahon asked if a new license holder is given any kind of instruction as to what is required with regard to both the State law and City Code. The City Manager explained that the City's License Division does review both State law and City Code with the applicant. Houle said she has the same difficulty this evening as she has had a few months ago with determining how much the fine should be. It appears that they are somewhat inconsistent in trying to determine a history for the fines. Houle said her preference would be to be consistent with the fines. Schuler said he also feels it is important that they have some consistency. Perhaps a \$500 fine is enough, however, they should be consistent in setting these fines. Spies indicated that the reason he is not being consistent with setting this fine is because the co-owner admitted that they seldom ask for identification. Herbst said he agrees with Spies. It is the Council's role to listen to the facts and based on those facts, this is a different circumstance.

Following further discussion, vote was called on the motion to impose a \$1,000 fine with all members voting aye except Schuler who voted nay. The motion carried, 6-1.

Preliminary Development  
Plan  
Item 4.10  
Case 9628A-91

The City of Bloomington, 8201 24th Avenue, asked the Council to consider approving a preliminary development plan which reduces the setbacks from 24th Avenue and East Old Shakopee Road to 15 feet for the parking and 55 feet for other buildings. The purpose of the planned development is to (1) establish rights-of-way along 24th Avenue, and (2) to establish building setbacks from the rights-of-way. At its meeting of May 30, 1991, the Planning Commission recommended approval of a preliminary development plan which reduces the setbacks from 24th Avenue and East Old Shakopee Road to 15 feet for the parking and 55 feet for other buildings subject to the following condition:

- 1) a revised preliminary development plan in accordance with Section 19.38.01 of the Code be approved prior to the approval of a final development plan.

Following discussion, motion was made by Herbst, seconded by Mahon with all members present voting aye, to close the hearing and approve the preliminary development plan for the City of Bloomington, 8201 24th Avenue, based on compliance with the condition set forth by the Planning Commission. Motion carried, 7-0.

Ordinance to Rezone  
Property Located at  
8201-24th Avenue  
Item 4.10A  
0-91-43

The Council was asked to consider adoption of an ordinance rezoning property located at 8201-24th Avenue from CO-2, Commercial-Office Mixed Use to CO-2(PD), Commercial-Office Mixed Use Planned Development. The purpose for rezoning this site (the "Kelley" property) is to create a revised setback along 24th Avenue and East Old Shakopee Road that would be consistent with the curblane setbacks on the Mall site. At its meeting of May 30, 1991, the Planning Commission recommended rezoning 8201-24th Avenue from CO-2 to CO-2(PD).

Following discussion, motion was made by Herbst, seconded by Johnson with all members voting aye, to close the hearing and adopt an ordinance rezoning property located at 8201-24th Avenue from CO-2 to CO-2(PD). The motion carried, 7-0.

# City Council Minutes - June 24, 1991

Ordinance - Vacation of  
Easements and Right-of-Way  
at 8201-24th Avenue  
Item 4.10B  
0-91-44

The Council was asked to consider the vacation of various easements and right-of-way on the property at 8201-24th Avenue. The vacation is being proposed in conjunction with the replatting of the property under Item 4.1 of this agenda. Various utilities and street improvements exist in the easements and right-of-way. New easements and right-of-way are being dedicated on the plat to cover these improvements. On June 3, 1991, the Council postponed consideration of this ordinance to the meeting of June 17. At the June 17 meeting the Council continued this item to the June 24, 1991, meeting.

Following discussion, motion was made by Herbst, seconded by Houle with all members voting aye, to close the hearing and adopt an ordinance vacating part of Old Shakopee Road for drainage and utility purposes and sidewalk and bikeway purposes at 8201-24th Avenue. The motion carried, 7-0.

Preliminary and Final  
Plat Approval of: Mall of  
America 4th Addition  
Item 4.10C  
Case No. 9628B-91  
R-91-104

The Council was requested to consider the preliminary and final plat of Mall of America 4th Addition, located at 8201-24th Avenue. The plat is being proposed to dedicate and adjust the rights-of-way adjacent to the property. An additional 10 feet of right-of-way is being dedicated along 24th Avenue. Five feet of right-of-way along Old Shakopee Road is being vacated to add to the site. That vacation is being considered under Item 4.2 of this agenda. The street and curb and gutter will be entirely within the right-of-way with this platting. The proposed plat was reviewed by the Administrative Subdivision Review Committee on May 21, 1991, and was recommended for approval with the following conditions:

- 1) interior sidewalk, grading, drainage and utility easements be brought to a consistent 15-foot dimension along all street frontages;
- 2) no park dedication required.

The easements being dedicated under Item 1 are consistent over the 15 feet adjacent to all rights-of-way. Item 2, no park dedication is recommended. Since this is a City plat, no Subdivision Agreement or deposit was submitted. At its meeting of June 3, 1991, the City Council postponed the preliminary and final plat to the June 17 meeting and on June 17, the Council continued this item to the June 24 meeting.

Following discussion, motion was made by Mahon, seconded by Peterson with all members voting aye, to close the hearing, approve the preliminary and final plat of Mall America 4th Addition and to adopt a resolution granting final approval. The motion carried, 7-0.

Bill Griffith, Attorney representing Mall of America Company, indicated that they support the plat, however, he wanted to explain that they have discussed with City staff their client's interest in full access to 24th Avenue. Mr. Griffith wanted to make it clear that these approvals do not preclude this in future discussions.

Temporary Conditional  
Use Permit for Indoor  
Used Car Sales  
Item 5.1  
Case 4301A-91

Prairie Auto Sales, Ltd., 500 West 79th Street, asked the Council to consider approval of a temporary conditional use permit for indoor used car sales. The applicant proposes to retail used cars from 4,100 square feet of leased space in the approximately 33,000 square-foot building. Principals in the applicant firm are also principals in two other firms occupying space in the same building; a division of Key Cadillac which occupies about 18,200 square feet and Guardsman Leasing which occupies about 2,000 square feet. The applicant would retail used vehicles obtained primarily from Guardsman only from an indoor display area that can accommodate 15 to 18 vehicles. Two employees would be involved in the

AN ORDINANCE TO REZONE CERTAIN PROPERTIES AT 8201 - 24TH  
AVENUE AND 8200 - 28TH AVENUE FROM CO-2, COMMERCIAL-  
OFFICE/MIXED USE DISTRICT, TO CO-2(PD), COMMERCIAL-  
OFFICE/MIXED USE DISTRICT (PLANNED DEVELOPMENT)

The City Council of the City of Bloomington ordains:

Section 1. That Chapter 19 of the City Code is hereby  
amended to read as follows:

\*\*\*

CHAPTER 19

ZONING

\*\*\*

ARTICLE VII. DESCRIPTION OF DISTRICTS

\*\*\*

SEC. 19.76. COMMERCIAL OFFICE DISTRICTS.

\*\*\*

(2) Commercial Office/Mixed Use (CO-2) Districts -  
(A) [Commencing at the intersection of the cen-  
terline of East 82nd Street and 24th Avenue; thence East along  
the centerline of East 82nd Street to the centerline of 28th  
Avenue; thence South along the centerline of 28th Avenue to the  
centerline of East Old Shakopee Road; thence West along the  
centerline of East Old Shakopee Road to the centerline of 24th  
Avenue; thence North along the centerline of 24th Avenue to the  
point of beginning.] RESERVED.

\*\*\*

SEC. 19.73. PLANNED DEVELOPMENT DISTRICTS.

\*\*\*

(G) Commercial Office Planned Development Districts -

\*\*\*

(2) Commercial Office CO-2(PD):

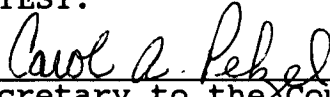
(a) Commencing at the intersection of the centerlines of East Old Shakopee Road and 28th Avenue; thence North along the centerline of 28th Avenue to the centerline of East 82nd Street; thence West along the centerline of East 82nd Street to the centerline of 24th Avenue; thence South along the centerline of 24th Avenue to the centerline of East Old Shakopee Road; thence East along the centerline of East Old Shakopee Road to the point of beginning.

\*\*\*


Passed and adopted this 24th day of June, 1991.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Secretary to the Council

APPROVED:

  
\_\_\_\_\_  
City Attorney

PL201600093 PL2016-93  
**REQUEST FOR COUNCIL ACTION**

AGENDA SECTION: NO. <b>DEVELOPMENT BUSINESS</b>	ORIGINATING DEPARTMENT: <b>COMMUNITY DEVELOPMENT PLANNING DIVISION</b> By: RG	DATE  Approved For Agenda By:
ITEM: NO. Rezone CO-2 to CO-2(PD) and Preliminary Development Plan		

Item 5

Case 9628A-91

**GENERAL INFORMATION**

**Applicant:** City of Bloomington

**Location:** 8201 24th Avenue

**Request:** Rezone from Commercial-Office/Mixed Use CO-2 to Commercial-Office/Mixed Use (Planned Development) CO-2(PD) and preliminary development plan

**Existing Land Use and Zoning:** Vacant, zoned CO-2 (used for temporary parking and earth stockpiling during construction of the Mall of America)

**Surrounding Land Use and Zoning:**  
North -- Office and Office Warehouse, Zoned CO-1  
East -- Office, Research Manufacturing and approved remote airport terminal and parking facility, zoned CO-1(PD)  
South -- Public, zoned R-1, and Multiple-family residential and agricultural, zoned RO-50  
West -- Mall of America, zoned CX-2(PD)

**Comprehensive Plan:** The Airport South District Plan (as amended) recommends High Intensity Mixed Use Development for this property

**PROPOSAL**

The City of Bloomington has advertised a public hearing to consider the rezoning of this 31.6 acre parcel from CO-2 to CO-2(PD), and approval of a preliminary development plan. The purpose of the planned development is to (1) establish rights-of-way along 24th Avenue, and (2) to establish building setbacks from the rights-of-way.

COUNCIL ACTION: Motion by \_\_\_\_\_ Second by \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Rezone CO-2 to CO-2(PD) and Preliminary Development Plan

**APPLICABLE REGULATIONS**

Section 19.38.01 Planned Development (PD)  
District

Section 19.40.08.01 Commercial-Office/Mixed  
Use District

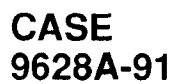
**REQUIRED FINDINGS**

Sec. 19.38.01(e)(5)(A) through (H)

**CHRONOLOGY**

Planning Commission Agenda:

May 30, 1991--Public Hearing Scheduled



## Item 5

**GENERAL INFORMATION**

Applicant: City of Bloomington

Location: 8201 24th Avenue

Request: Rezone From CO-2 to CO-2 (PD)  
and Preliminary Development Plan

**PROPOSAL**

The City of Bloomington is proposing to replat the Mall of America expansion site. The Engineering Division requests that the new street right-of-way lines along 24th Avenue and East Old Shakopee Road be established five feet from the proposed curb line, rather than on the curb line as was done for the main Mall sites.

**ANALYSIS**

The purpose of this Planned Development is only to establish a revised setback along 24th Avenue and East Old Shakopee Road. Reducing the parking structure setback to 15 feet and building setback to 55 feet will result in the same setbacks from the curb line as the main Mall site has.

**RECOMMENDATION**

In Case 9628A-91 Staff recommends rezoning 8200 and 8201 24th Avenue South from CO-2 to CO-2 (PD) and approval of a preliminary development plan which reduces the setbacks from 24th Avenue and East Old Shakopee Road to 15 feet for the parking and 55 feet for other buildings subject to the following condition:

- 1) a revised preliminary development plan in accordance with Section 19.38.01 of the Code be approved prior to the approval of a final development plan.

ORDINANCE NO. 89- 4

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT 8201 24TH  
AVENUE FROM COMMERCIAL OFFICE (CO-1) TO COMMERCIAL  
OFFICE/MIXED USE (CO-2), THEREBY AMENDING CHAPTER 19 OF THE  
CITY CODE

The City Council of the City of Bloomington ordains:

Section 1. That Chapter 19 of the City Code is hereby amended to read as follows:

CHAPTER 19

ZONING

\* \* \*

ARTICLE III. DISTRICT USES

SEC. 19.24. DISTRICTS

- (a) For the purposes of this code, the City is hereby organized into the following districts:

\* \* \*

- |          |  |
|----------|--|
| (11)     | Commercial Office CO-1 District                  |
| (12)     | <u>Commercial Office/Mixed Use CO-2 District</u> |
| ([12]13) | Residential Office RO-50 District                |
| ([13]14) | Conservation SC District                         |
| ([14]15) | Bluff Protection BP-1 Overlay District           |
| ([15]16) | Bluff Development BP-2 Overlay District          |

\* \* \*

ARTICLE VII. DESCRIPTION OF DISTRICTS

\* \* \*

SEC. 19.76. COMMERCIAL OFFICE DISTRICTS.

- (1) Commercial Office CO-1 Districts -

\* \* \*

- (C) Commencing at the intersection of the centerlines of East 80th Street and 34th Avenue; thence South along the centerline of 34th Avenue to its intersection with the centerline of East Old Shakopee Road; thence Southwesterly and Westerly along the centerline of East Old Shakopee Road to its intersection with the centerline

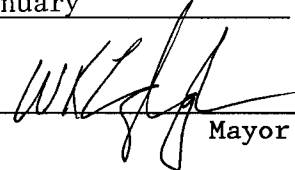
of [24th Avenue] 28th Avenue; thence North along the centerline of 28th Avenue to the centerline of East 82nd Street; thence West along the centerline of East 82nd Street to the centerline of 24th Avenue; thence North along the centerline of 24th Avenue to a point 856.94 feet North of the centerline of East 82nd Street; thence South 89°20'11" East a distance of 459.46 feet; thence South 0°39'49" West a distance of 321.88 feet; thence South 89°20'11" East a distance of 40 feet; thence South 0°39'49" West to the centerline of East 81st Street; thence East along the centerline of East 81st Street to its intersection with the centerline of 28th Avenue; thence North along the centerline of 28th Avenue to its intersection with the centerline of East 80th Street; thence East along the centerline of East 80th Street to the point of beginning.

(2) Commercial Office/Mixed Use (CO-2) Districts -

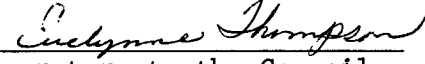
(A) Commencing at the intersection of the centerlines of East 82nd Street and 24th Avenue; thence East along the centerline of East 82nd Street to the centerline of 28th Avenue; thence South along the centerline of 28th Avenue to the centerline of East Old Shakopee Road; thence West along the centerline of East Old Shakopee Road to the centerline of 24th Avenue; thence North along the centerline of 24th Avenue to the point of beginning.

\* \* \*


Passed and adopted this 23rd day of January, 1989

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Secretary to the Council

APPROVED

  
\_\_\_\_\_  
City Attorney

0 15/89

PL201600093 PL2016-93  
**Minnesota Suburban Newspapers**  
**AFFIDAVIT OF PUBLICATION**

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

L.J. Canning, being duly sworn on an oath says that he/she is  
the publisher or authorized agent and employee of the publisher of the newspaper known as  
Bloomington Sun-Current, and has full knowledge of the facts which are  
stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper,  
as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Ordinance No. 89-4

which is attached was cut from the columns of said newspaper, and was printed and published once each week,  
for one successive weeks; it was first published on Wednesday, the 1 day  
of February, 1989, and was thereafter printed and published on every \_\_\_\_\_ to  
and including \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_; and printed below is  
a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size  
and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: L.J. Canning

TITLE: Publisher

Acknowledged before me on this

16 day of February, 1989.

Notary Public ARVID M. HEDBLUM

NOTARY PUBLIC - MINNESOTA  
HENNEPIN COUNTY  
My commission expires 7-2-92

**RATE INFORMATION**

(1) Lowest classified rate paid by commercial users for comparable space	\$ 1.10 per line
(2) Maximum rate allowed by law for the above matter	\$ 59.8* per line
(3) Rate actually charged for the above matter	\$ 53.7* per line

City of Bloomington

(Official Publication)  
ORDINANCE NO. 89-4  
AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT  
8201 24TH AVENUE FROM COMMERCIAL OFFICE (CO-1)  
TO COMMERCIAL OFFICE/MIXED USE (CO-2), THEREBY AMENDING  
CHAPTER 19 OF THE CITY CODE

The City Council of the City of Bloomington ordains:  
Section 1. That Chapter 19 of the City Code is hereby amended to read as follows:  
CHAPTER 19  
ZONING

ARTICLE III. DISTRICT USES

SEC. 19.24. DISTRICT

- (a) For the purposes of this code, the City is hereby organized into the following districts:
- (11) Commercial Office CO-1 District
  - (12) Commercial Office/Mixed Use CO-2 District
  - (12)(13) Residential Office RO-50 District
  - (13)(14) Conservation SC District
  - (14)(15) Bluff Protection BP-1 Overlay District
  - (15)(16) Bluff Protection BP-2 Overlay District

ARTICLE VII. DESCRIPTION OF DISTRICTS

SEC. 19.76. COMMERCIAL OFFICE DISTRICTS.

- (1) Commercial Office CO-1 Districts -

(C) Commencing at the intersection of the centerlines of East 80th Street and 34th Avenue; thence South along the centerline of 34th Avenue to its intersection with the Centerline of East Old Shakopee Road; thence Southwesterly and Westerly along the centerline of East Old Shakopee Road to its intersection with the centerline of [24th Avenue] 28th Avenue; thence North along the centerline of 28th Avenue to the centerline of East 82nd Street; thence West along the centerline of East 82nd Street to the centerline of 24th Avenue; thence North along the centerline of 24th Avenue to a point 856.94 feet North of the centerline of East 82nd Street; thence South 89°20'11" East a distance of 459.46 feet; thence South 0°39'49" West a distance of 33.88 feet; thence South 89°20'11" East a distance of 40 feet; thence South 0°39'49" West to the centerline of East 81st Street; thence East along the centerline of East 81st Street to its intersection with the centerline of 28th Avenue; thence North along the centerline of 28th Avenue to its intersection with the centerline of East 80th Street; thence East along the centerline of East 80th Street to the point of beginning.

(2) Commercial Office/Mixed Use (CO-2) Districts -  
(A) Commencing at the intersection of the centerlines of East 82nd Street and 24th Avenue; thence East along the centerline of East 82nd Street to the centerline of 28th Avenue; thence South along the centerline of 28th Avenue to the centerline of East Old Shakopee Road; thence West along the centerline of East Old Shakopee Road to the centerline of 24th Avenue; thence North along the centerline of 24th Avenue to the point of beginning.

Passed and adopted this 23rd day of January, 1989.

W. K. LAUGHINGHOUSE  
Mayor

Attest:  
EVELYNNE THOMPSON  
Secretary to the Council  
PROVED.  
DAVID R. ORNSTEIN  
City Attorney

The City of Bloomington does not discriminate  
on the basis of race, color, national origin,  
age or disability.  
(Feb. 1, 1989)-BLM

PL 2016-00093 PL 2016-93  
**REQUEST FOR COUNCIL ACTION**

<b>AGENDA SECTION:</b> <b>D. DEVELOPMENT BUSINESS</b>	<b>ORIGINATING DEPARTMENT:</b> <b>COMMUNITY DEVELOPMENT</b> <b>PLANNING DIVISION</b>	<b>DATE</b> Dec 22 1988
<b>ITEM:</b> REZONE MALL OF AMERICA 2nd ADDN <b>NO.</b> FROM DO-1 TO CO-2	<b>By:</b> RG SF	<b>Approved For Agenda</b> <b>By:</b>

Item 8

Case 9628A-88

**GENERAL INFORMATION**

Applicant:	Bloomington Port Authority
Location:	8100 24th Avenue
Request:	Rezoning of Mall of America 2nd Addition from CO-1 to CO-2
Existing Land Use and Zoning:	Vacant, undeveloped; Zoned CO-1
Surrounding Land Use and Zoning:	West--Vacant, Undeveloped; Zoned CX-2 (PD) North--Office and office/warehouse; Zoned CO-1 East--Vacant, undeveloped; Zoned CO-1 West--Multiple-Family Residential and agricultural; Zoned R)-50
Comprehensive Plan:	The 1980 Comprehensive Land Use Plan recommends Mixed Use land use for the property

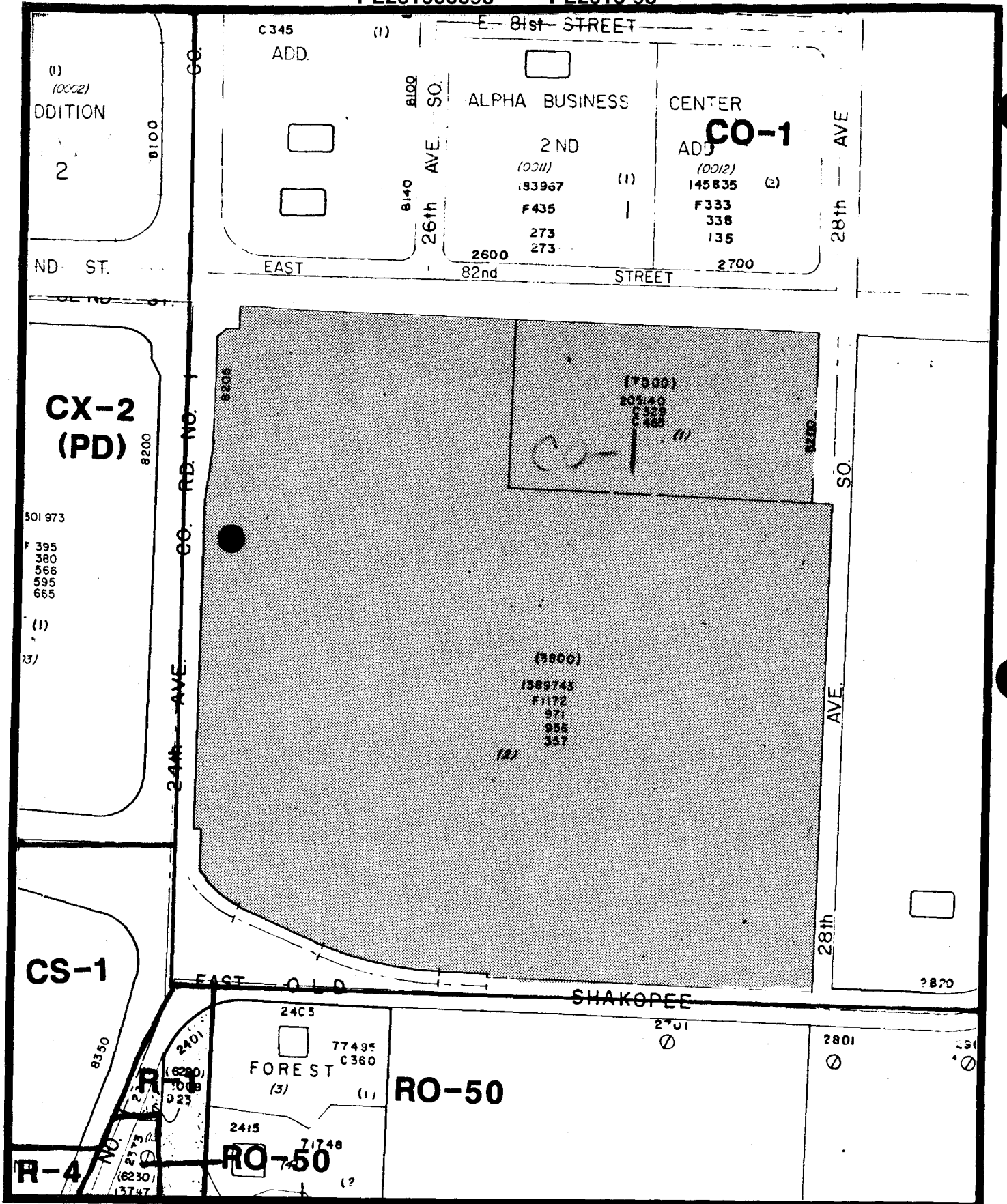
**PROPOSAL**

The rezoning of the property to the CO-2 Zoning classification would allow for the orderly transmission of mixed use development from the Mall of America development on the west to areas zoned CO-1 and RO-50.

**CHRONOLOGY**

Planning Commission Agenda: December 22, 1988--public hearing scheduled

**COUNCIL ACTION:** Motion by \_\_\_\_\_ Second by \_\_\_\_\_ to \_\_\_\_\_



SCALE: One inch equals 200 feet

0 200 400



PL201600093

PL2016-93

Item 8

## GENERAL INFORMATION

Applicant: Port Authority of the City of Bloomington

Location: 8201 24th Avenue South

Request: Rezone from CO-1 to CO-2

## PROPOSAL

The applicant is requesting rezoning of the expansion site for the Mall of America from CO-1 to CO-2.

## ANALYSIS

The Mall of America Environmental Impact Statement (EIS) calls for expansion of the Mall of America project beyond its first phase site. It is likely the subject site will accommodate up to 1,400,000 square feet of retail, 700,000 square feet of amusement space, 700,000 square feet of office, 1200 dwelling units, up to 1500 hotel rooms, 100,000 square feet of public space and approximately 9000 parking spaces.

The existing CO-1 zoning would not permit the type of retail development evaluated in the Mall of America EIS, nor would it permit the intensity of development projected for the site by the EIS. A summary of the factors which affect land use intensity are summarized in Table A.

The balance of development from the Mall of America primary site may total up to 3,900,000 square feet of non-residential use and 1200 dwelling units. As Table A illustrates, only under the maximum residential density provision of the CO-1 district, does the CO-1 district permit the density of development anticipated by the Mall of America EIS. In contrast the CO-2 district does accommodate nearly 4.2 million square feet of non-residential development with the PD bonus and would allow up to 2000 dwelling units without any bonus provisions.

It has clearly been the City's intent to encourage additional development in the Airport South area beyond the Mall of America primary site. The existing CO-1 zoning of the Mall of America expansion site does not provide for the type and intensity of development which the City evaluated in the Mall of America EIS. The CO-2 district will allow expansion of the Mall of America project in conformance with the Mall of America EIS.

It should be noted that this rezoning is not a final pre-development action. Before any development would occur the Planning Commission and City Council are required to approve a PD rezoning and final development plans for each phase of development.

PL201600093

PL2016-93

TABLE A: COMPARISON OF CO-1 &amp; CO-2 TO MALL OF AMERICA EIS POTENTIAL

	MA-EIS POTENTIAL	CO-1 LIMITATION	CO-2 LIMITATION
LAND AREA BASIS FOR CALCULATING DENSITY & INTENSITY (SQUARE FEET)	NA	1,376,914	1,742,400
MAXIMUM NON-RESIDENTIAL INTENSITY WITH ALL BONUSES (SQUARE FEET)		2,478,445	6,272,640
MAXIMUM NON-RESIDENTIAL INTENSITY WITH TRANSIT BONUS (SQUARE FEET)		2,065,371	5,227,200
MAXIMUM NON-RESIDENTIAL INTENSITY WITH PD BONUS (SQUARE FEET)		1,652,297	4,181,760
MAXIMUM NON-RESIDENTIAL INTENSITY WITHOUT BONUS (SQUARE FEET)		1,376,914	3,484,800
MALL OF AMERICA EIS POTENTIAL NON-RESIDENTIAL FLOOR AREA (SQUARE FEET)	3,900,000		
RESIDENTIAL FLOOR AREA LIMIT (SQUARE FEET)		1,239,223 HIGH 688,457 LOW	
RESIDENTIAL DENSITY LIMIT (# OF DWELLINGS)		HIGH 2,880 LOW 2,000	
MALL OF AMERICA EIS POTENTIAL RESIDENTIAL (# OF DWELLING UNITS)	1,200		

## RECOMMENDATION

In Case 9628A-88, Staff recommends rezoning of 8201 24th Avenue South from CO-1 to CO-2.