

CASE #PL2019-54

RESOLUTION NO. 2019 - 71

A RESOLUTION APPROVING A CHANGE IN CONDITION IN CASE #PL2016-233 TO ALLOW THE SALE OF DAY-PASSES TO AN EXISTING WATER PARK LOCATED AT 1700 AMERICAN BOULEVARD EAST. BLOOMINGTON, MINNESOTA

WHEREAS, the City Council of the City of Bloomington is the official governing body of the City of Bloomington, Minnesota; and

WHEREAS, the Bloomington City Council is empowered under State Law and the Bloomington City Code to act upon certain types of conditional use permits; and

WHEREAS, an application for a Change in Condition from a Conditional Use Permit approved in Case #PL2016-233 was filed by GWR Minnesota Property Owner LLC (hereinafter the "Applicant") to allow the sale of day-use passes to an existing water park on the property located at 1700 American Boulevard East, and legally described in Hennepin County, Minnesota as follows:

Lot 1, Block 1, DECATHLON HOTEL ADDITION

WHEREAS, the City Council is empowered to approve a conditional use permit when the use is not in conflict with the Comprehensive Plan or an adopted district plan for the area, is not in conflict with the stated intent of the zoning district in which it is to be located, will not unreasonably harm the public health, safety and welfare, will not create a nuisance or unreasonable congestion injurious to nearby properties, does not interfere with the creation of a beneficial environment within its own boundaries and on adjoining properties, will not interfere with a reasonable economic benefit to the community, interrelationship provisions with contiguous and noncontiguous adjacent properties will not adversely affect pedestrian and vehicular movement, and will not adversely affect the buffering of service facilities and parking areas; and

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WHEREAS, the City Council approved a Conditional Use Permit (Resolution #2017-14) at a duly called public meeting on February 6, 2017, for renovations to an existing hotel with accessory water park subject to conditions; and

WHEREAS, the Applicant seeks to amend Condition #14 of Resolution #2017-14 to read as follows:

14. Use of the restaurant and other entertainment venues is limited only to guests of the hotel, meetings spaces, and water park. Use of the water park is limited to overnight guests of the hotel and holders of day-use water park passes, subject to the following conditions:

- a. Applicant will require all parked vehicles in its parking lot(s) to have a valid parking pass, and will patrol the parking lot(s) during peak business hours to ensure compliance with the parking pass requirement;
- b. Applicant will limit issuance of day-use and group-event (e.g. birthday parties) water park passes based on the expected number of parking spaces available for each day. If no parking passes are expected to be available for a given day, Applicant will not issue any day-use water park passes for that day. If a limited number of parking passes are expected to be available for a certain day, Applicant will sell day-use water park passes and corresponding parking passes but will stop sales once all parking passes have been issued.
- c. The amount of parking passes available to be issued to day-pass users will be determined by the following formula, as set forth in the Alliant Engineering Great Wolf Lodge Parking Study dated March 29, 2019:
$$\text{Available parking passes} = \text{Total parking supply} - (1.153 * \text{Number of occupied hotel rooms}).$$
- d. Total parking supply is Applicant's on-site parking and also includes leased parking at any time that (i) Applicant provides valet parking and (ii) a Memorandum of Lease or other similar instrument is recorded with respect to the leased parking. The total parking supply figure will be reduced if factors such as snow storage, equipment storage, or a decrease in leased parking reduce the total parking supply;
- e. In the event the property experiences congestion in the front entrance area that the Fire Department determines is blocking fire lanes or emergency vehicle access, Applicant will implement a valet parking program to the extent needed to alleviate such congestion;
- f. Applicant will install signage and wayfinding in its parking areas to alert visitors to the parking pass requirement and to direct visitors to available parking;

- g. Applicant will provide the following data for dates determined by the City on no greater than a quarterly basis when requested by City:
- i. The number of vehicles parked on-site and on leased premises;
 - ii. The number of hotel rooms occupied; and
 - iii. The number of water park or group-event passes issued.

WHEREAS, on May 23, 2019, the Planning Commission considered the proposal at a duly called public meeting. The applicant was provided the opportunity to present information to the Planning Commission. The Planning Commission considered all the comments received and the staff report, which are incorporated by reference into this resolution. The Planning Commission recommends approval; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON IN REGULAR MEETING ASSEMBLED:

- A. That the recommendation of the Planning Commission is adopted by the City Council;
- B. That all other conditions of approval from Case #PL2016-233 shall remain unchanged; and
- C. That additional documents in Case #PL2019-54 relating to the subject premises will be available for inspection pursuant to Minnesota Statutes Section 462.36, Subd. 1, through the Bloomington Planning Division Offices.

Passed and adopted this 3rd day of June, 2019.


Mayor

ATTEST:


Secretary to the Council