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June 17, 2014

Glen Markegard  
Manager, Planning Division  
City of Bloomington  
1800 W. Old Shakopee Road  
Bloomington, MN 55431

Re: Mall of America - Sign Code Text Amendment Submittal  
Our File #27,172-72

Dear Glen:

As you are aware, this firm represents MOAC Mall Holdings LLC with regard to the proposed sign code text amendment to allow approval of a master sign plan for the Mall of America. The purpose of this letter is to provide the required narrative for the attached application to the City of Bloomington (the "City") sign code.

We have been receptive to many of staff's comments to date and the proposed text amendment language reflects our attitude towards creating an ordinance that serves both public and private needs. It is our intent that any proposed text amendment will permit a master sign plan that allows the Mall of America to expand the on-premises signage to permit the signage package that has been identified in development plans for Phase IC for the past two years. We have outlined agreement on a number of issues below to illustrate the significant progress we have made to date. We have also identified areas where we have not reached agreement.

#### Arts and Entertainment Graphic Signs

We have amended the proposed Phase IC drawings to clearly identify the arts and entertainment signs per staff's direction. The proposed draft text amendment and Phase IC sign package emphasizes the arts and entertainment signs as a public benefit. The high-visibility signage upon the approach to the Mall of America would ensure dedicated signage and would contribute to the customer experience while creating a visual connection to the community. The signs would display public art and information regarding events or exhibits that are on-premises. This dedicated signage would create a significant public benefit as a permanent feature of the master sign plan.

### Electronic and Digital Signs

In light of the concerns voiced by staff, we have eliminated the reference to electronic and digital signage as part of the proposed text amendment. This includes eliminating the proposed electronic changeable copy sign on the north elevation and eliminating references to allowing digital wall graphic signage. While we support the effort to allow electronic signage as part of a master sign plan for the Mall of America, we believe that discussion of this issue has slowed resolution of other issues necessary to ensure timely deployment of signage for Phase IC.

### On-Premises Advertising Graphic Signs

At staff's direction, we have revised our proposal to exclude the off-premises advertising signage. The purpose of the master sign plan would be to allow a comprehensive plan that includes the advertisement of products, services, brands, businesses, events, sponsors or activities that are on-premises, and the intention is not to create off-premises advertising.

### Tenant and Restaurant Signage

We have amended the proposed text amendment language to clarify that tenant signage that will only apply to retail and restaurant tenants. The proposed language also clarifies that in order to qualify for exterior signage any such tenant must have one of the following: a ground level exterior public entrance; a glazed exterior façade contiguous to the premises with views of the exterior; or a direct access to a skyway connecting the parking ramps with the Mall of America.

### Permit Requirements

At staff's direction, we have proposed language that eliminates the exemptions from permitting requirements. This approach will require permitting for all signs; however, we have been assured that staff will process such signage in an expedited manner to avoid undue delays.

### Approval Process

We have amended the proposed text amendment language per staff's comments to include specific procedures and findings for approval of a master sign plan. The proposed language would process the master sign plan as an amendment to the Final Development Plan; subject to City Code Section 21.501.03. We have also proposed additional findings that reflect staff's comments.

### Revenue Sharing

With respect to staff's continued focus on revenue sharing, we believe that this issue was resolved in October of last year when the subject was discussed by the City Council and staff's proposal was rejected. Revenue sharing is not appropriate where the focus of signage is promoting products, goods and services available on-premises. I would offer for example the fact that the City does not charge Holiday Station Stores for advertising milk and eggs available on-premises.

The proposed text amendment language would only allow on-premises signage, to educate and attract consumers to on-site products, services, events and activities. To create a revenue sharing

requirement would create an unfair tax that, to our knowledge, has not been applied to any other businesses or properties in the state.

In lieu of revenue sharing, the master sign plan will confer a public benefit through dedicated arts and entertainment signage that will allow for a varying mix of public art and public service messages. Further, Mall of America has a long history of activating public events and entertainment attractions that draw millions of visitors to the district and the City every year. This is a significant and unique public benefit that fills nearby hotels and restaurants in a way that no other venue in the state can claim.

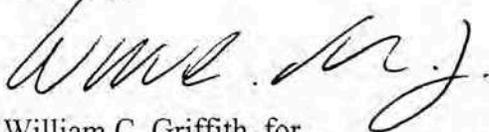
Our client is anxious to begin constructing and erecting the proposed signage. This signage has been shown as part of the Final Development Plans for Phase IC and has been discussed extensively. We have worked hard to fashion the proposed text amendment language to comply with staff's concerns.

Please find the following attached materials:

1. Completed application form;
2. Proposed sign ordinance amendment language;
3. Elevations and renderings of proposed signage plan;
4. Table of proposed signage; and
5. Ordinance amendment fee of \$1,660.

Please let me know if you have any questions. Thank you.

Sincerely,



William C. Griffith, for  
Larkin Hoffman Daly & Lindgren Ltd.

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Enclosures

cc: Rich Hoge  
Kathy Hayden  
Kurt Hagen