



June 8, 2021

Walser Real Estate IV
ATTN: John Brennan
7700 France Avenue South, Suite #410 N
Edina, MN 55435

RE: Case # PL202100042 – Walser Toyota Redevelopment
4217 and 4401 American Boulevard West

Mr. Brennan:

At its regular meeting of June 7, 2021, the City Council approved the following applications (Case #PL202100042):

- 1) Comprehensive Plan Map Amendment to reguide 4217 American Boulevard West from Community Commercial to Regional Commercial;
- 2) Rezone a portion of 4217 American Boulevard West from CS-0.5(PD) to C-1(PD);
- 3) Preliminary and Final Development Plans for an approximately 122,000 square-foot, three-story auto dealership and office facility with a three-story parking structure with roof parking; and
- 4) Preliminary and Final Plat (Type II) to combine two lots into one lot.

The approval of the Preliminary and Final Development Plans is subject to the following conditions, many of which must be satisfied prior to the issuance of a Grading, Footing, Foundation or Building Permit. While the conditions list includes selected City Code requirements of particular interest, the development must comply with all applicable local, state and federal codes.

1. Prior to Permit A Site Development Agreement, including all conditions of approval and memorializing the project phasing and performance proposal, must be executed by the applicant and the City and must be properly recorded by the applicant with proof of recording provided to the Director of Community Development.
2. Prior to Permit A building permit for all required changes to accommodate the proposed use be obtained.
3. Prior to Permit Sewer Availability Charges (SAC) must be satisfied.
4. Prior to Permit Access, circulation and parking plans must be approved by the City Engineer.
5. Prior to Permit Sidewalk with a minimum width of eight feet must be installed along American Boulevard West in a location approved by the City Engineer at the developer's expense (Section 21.301.04(b)(1)).

6. Prior to Permit Bicycle parking spaces must be provided and located throughout the site as approved by the City Engineer.
7. Prior to Permit Grading, Drainage, Utility and Erosion Control plans must be approved by the City Engineer.
8. Prior to Permit Storm Water Management Plan must be provided that demonstrates compliance with the City's Comprehensive Surface Water Management Plan. A maintenance plan must be signed by the property owners and must be filed of record with Hennepin County.
9. Prior to Permit A Nine Mile Creek Watershed District permit must be obtained and a copy submitted to the Engineering Division.
10. Prior to Permit A National Pollutant Discharge Elimination System (NPDES) construction site permit and a Storm Water Pollution Prevention Plan (SWPPP) must be provided if greater than one acre is disturbed (State of MN and Federal regulation).
11. Prior to Permit An erosion control surety must be provided (16.08(b)).
12. Prior to Permit A Minnesota Pollution Control Agency (MPCA) Sanitary Sewer Extension or Modification Permit must be obtained or notification from the MPCA that this permit is not required must be submitted to the City (State of MN).
13. Prior to Permit A Minnesota Department of Health (MDH) watermain review and approval must be obtained or notification from MDH that this permit is not required must be submitted to the City (State of MN).
14. Prior to Permit Utility plan showing location of existing and proposed water main and fire hydrant locations must be approved by the Fire Marshal and Utilities Engineer (City Code Sec. 6.20, Minnesota State Fire Code Sec. 508).
15. Prior to Permit Tier 2 Transportation Demand Management plan must be submitted (Sec. 21.301.09(b)(2)).
16. Prior to Permit A parking signage and striping plan must be provided designating off-street parking spaces available for customer or employee parking, spaces for automobiles awaiting repair, and automobile inventory storage spaces.
17. Prior to Permit Surface parking lot must have parking islands consistent with design standards and requirements of Section 21.301.06(c)(2)(H) of the City Code.
18. Prior to Permit Landscape plan must be approved by the Planning Manager and landscape surety must be filed (Sec 19.52).
19. Prior to Permit Parking lot and site security lighting plans must be revised to satisfy the requirements of City Code Section 21.301.07.
20. Prior to Permit Exterior building materials must be approved by the Planning Manager (Sec. 19.63.08).
21. Prior to Permit The parking structure must be designed to block vehicle headlights at a minimum height consistent with the MN State Building Code on all floors and elevations except for the northern elevation and the northerly 20 feet of the eastern and western elevations as approved by the Planning Manager.
22. Prior to Permit All trash and recyclable materials must be stored inside the principal building (Sec. 21.301.17).
23. Prior to Permit The properties must be platted per Chapter 22 of the City Code and the approved final plat must be filed with Hennepin County prior to the issuance of any permits (22.03(a)(2)).

24. Prior to Permit A common parking agreement must be provided dedicating a minimum of 19 parking stalls to 4201 and 4209 American Boulevard West as approved by the City Engineer, and proof of filing must be provided to the Manager of Building and Inspection.
25. Prior to Permit A revised private common access agreement or easement for the eastern driveway shared with to 4201 and 4209 American Boulevard West be filed with Hennepin County and proof of filing provided to the Engineering Division.
26. Prior to Permit The applicant shall provide letters of commitment from Walser, Toyota Motor North America, Inc., and Bank of America, N.A. (or another major financial institution) to demonstrate its intent and financing commitments necessary to construct the Parking Structure and Office Structure.
27. Prior to C/O Building must be provided with an automatic fire sprinkler system as approved by the Fire Marshal (MN Bldg. Code Sec. 903, MN Rules Chapter 1306; MN State Fire Code Sec. 903).
28. Prior to C/O Buildings shall meet the requirements of the Minnesota State Fire Code Appendix L (Emergency Responder Radio Coverage) adopted through City Ordinance to have approved radio coverage for emergency responders based upon the existing coverage levels of the public safety communication systems.
29. Prior to C/O Fire lanes must be posted as approved by the Fire Marshal (MN State Fire Code Sec. 503.3).
30. Prior to C/O Prior to occupancy, life safety requirements must be reviewed and approved by the Fire Marshal.
31. Prior to C/O The developer must submit electronic utility as-builts to the Public Works Department prior to the issuance of the Certificate of Occupancy.
32. Prior to C/O All rooftop equipment must be fully screened (Sec. 21.301.18).
33. Ongoing The interim use for up to two years of Lot 1, Block 1, France 494 4th Addition, as it may be replatted, for motor vehicle sales, including accessory parking and storage whether on the surface or in a structured facility along with the City's issuance of a certificate of occupancy ("CO") for Phase I ("Parking Structure") shall be contingent on 1) issuance of a full building permit for a dealership/office building consistent with plans approved in Case File #PL2021-42 and 2) receipt of proof of a deposit on major structural elements for the dealership/office building. Permanent use of Lot 1, Block 1, France 494 4th Addition, as it may be replatted, for motor vehicle sales, including accessory parking and storage, is allowed only after issuance of a certificate of occupancy ("CO") for a dealership/office building consistent with plans approved in Case File #PL2021-42. The Community Development Director may, at her reasonable discretion, extend the interim use period beyond two years in the event of unforeseen circumstances provided substantial progress is being made on the construction of the dealership/office building.
34. Ongoing The motor vehicle sales and repair facility and associated car wash must comply with the noise source requirements of Section 10.29.02 of the City Code.

- 35. Ongoing Development must comply with the Minnesota State Accessibility Code.
- 36. Ongoing Alterations to utilities must be at the developer's expense.
- 37. Ongoing Three foot high parking lot screening must be provided along American Boulevard West as approved by the Planning Manager (Sec. 19.52).
- 38. Ongoing All construction related pick-up, drop-off, loading, unloading, parking, staging and stockpiling must occur on site and off public streets.
- 39. Ongoing A Uniform Sign Design (USD) must be approved prior to the issuance of sign permits. All signs must be in compliance with the requirements of Chapter 19, Article X of the City Code and the approved USD.

The approval of the Preliminary and Final Plat of PA WALSER 2ND ADDITION is subject to the following conditions:

- 40. Prior to Recording A title opinion or title commitment that accurately reflects the state of title of the property being platted, dated within 6 months of requesting City signatures, must be provided.
- 41. Prior to Recording A consent to plat form from any mortgage company with property interest must be provided.
- 42. Prior to Recording Public drainage and utility easements must be provided as approved by the City Engineer.
- 43. Prior to Recording Public sidewalk and bikeway easements must be provided along all street frontages as approved by the City Engineer.
- 44. Prior to Recording Park dedication must be satisfied.

Should you have any questions regarding this action, please contact Nick Johnson, Planner, at (952) 563-8925 or nmjohnson@BloomingtonMN.gov.

Sincerely,



Glen Markegard, AICP
Planning Manager

C: Don Schilling, Walser Automotive Group
David Phillips, Phillips Architects & Contractors, Ltd.