

GENERAL INFORMATION

Applicant:	The Luther Company, LLLP (owner and user)
Location:	1601 and 1701 American Boulevard West, 1600 West 81 st Street, and 8033 Knox Avenue South
Request:	Major Revisions to Preliminary and Final Development Plans for an approximately 59,000 square-foot auto dealership facility
Existing Land Use and Zoning:	Auto Dealership, zoned C-5(PD)
Surrounding Land Use and Zoning:	North and East – Auto dealerships; zoned C-4 and C-4(PD) South – Offices; zoned C-4(PD) West – Multiple-Family Residential; zoned RM-100(PD) and C-5(PD).
Comprehensive Plan Designation:	Regional Commercial

CHRONOLOGY

Planning Commission	09/19/2024	Recommended approval (Vote = 6-0).
City Council	09/30/2024	Review scheduled (Consent Agenda)

DEADLINE FOR AGENCY ACTION

Application Date:	08/14/2024
60 Days:	10/13/2024
120 Days:	12/12/2024
Applicable Deadline:	10/13/2024

STAFF CONTACT

Liz O'Day, Planner
Phone: (952) 563-8919
E-mail: eoday@BloomingtonMN.gov

PROPOSAL

The Luther Company, LLLP proposes to construct a 59,000 square-foot auto dealership to upgrade its existing Luther Kia motor vehicle sales facility located at 1601 and 1701 American Boulevard West, 1600 West 81st Street, and 8033 Knox Avenue South. The new dealership would be one story with a 6,000 square-foot mezzanine and include showroom, office, service and repair, and car wash spaces. The existing Luther property includes three separate buildings with surface parking. The existing auto dealership building would remain open while the new building is under construction. Currently, the site consists of four parcels. Luther intends to pursue a tax parcel combination application. A Preliminary and Final Plat application would not be required.

ANALYSIS

Land Use

The subject property is zoned C-5(PD) and guided as Regional Commercial in the Comprehensive Plan. Motor vehicle sales in the C-5 zoning district in existence prior to January 26, 2015 is a permitted use. The Regional Commercial guidance is the most appropriate designation for motor vehicle sales. Most motor vehicle sales facilities in Bloomington are guided as Regional Commercial, as motor vehicle sales are referenced in the planned land use designation description.

The Preliminary and Final Development Plans are required to construct the new facility. The applicant has also requested several deviations which can only be approved through the planned development process.

Lastly, motor vehicle sales have specific performance related standards as outlined in Section 21.302.01. In addition, the C-5 zoning district has prescriptive standards related to building enclosure, building transparency and parking placement as identified in Sections 21.301.02 and 21.301.03.

Code Compliance

Except for key building design and placement standards for the City's mixed-use zoning districts, as well as the minimum floor area ratio, the proposed development complies with a majority of the Code requirements. Table 1 provides a Code analysis of items that meet or exceed City Code. Table 2 identifies any deviations requested.

Table 1: City Code Analysis – Regulations in Compliance

Standard	Code Required	Provided
Site area (min.) (Sec. 21.301.01)	80,000 square feet	252,000 square feet
Minimum site width (Sec. 21.301.01)	250 feet	495 feet
Structure setbacks (min.) (Sec. 21.301.02)	Front – 10 feet (minimum) and 20 feet (maximum) Rear - 20 feet	Front - 20 feet (Knox Avenue) 20 feet (West 81 st Street) Rear – 113 feet
Parking setbacks (min.) (along street) (Sec. 21.301.06)	In C-5, the parking setback along a street may be reduced to a minimum of 5 feet if compliant screening has been provided	30 feet (Knox Avenue) 24 feet (W 81 st Street) 15 feet (American Blvd. W.) Compliant screening has been provided
Parking setback (rear and side yard) (Sec. 21.301.06)	5 feet	20 feet
Impervious surface coverage (max.) (Sec. 21.301.01)	95 percent	83 percent
Building size (min.) (Sec. 21.301.01)	20,000 square feet	53,412 59,030 square feet
Building height (max.) (Sec. 21.301.10)	No limit	30 feet
Parking spaces required (min.) (Sec. 21.301.06)	184 spaces	349 spaces
Parking islands (Sec. 21.301.06)	8-foot width with a deciduous tree	8-foot width with a deciduous tree
Parking stall size (min.) (Sec. 21.301.06)	9 feet by 18 feet	9 feet by 18 feet
Drive aisle width (Sec. 21.301.06)	24 feet	24 feet
Trash collection (Sec. 21.301.17)	300 square feet	900 square feet
Free-standing sign setbacks (min.) (Sec. 21.304.02)	15 feet	23 feet
Landscaping (min.) (Sec. 21.301.15)	101 Trees 252 Shrubs	101 Trees 346 Shrubs

Table 2: City Code Analysis – Regulations Requiring Amendments or Flexibility

Standard	Code Required	Provided	Revision or Flexibility?
Structure setbacks (min.) (Sec. 21.301.02)	Front – 10 feet (minimum) and 20 feet (maximum)	20-feet along Knox Avenue and W. 81st Street; 264 feet from American Blvd. W.	Flexibility has been requested – more discussion below
Building enclosure (Sec. 21.301.02(f)(3))	At least 50% of the linear primary façade frontage must be enclosed by buildings At least 30% of the linear secondary façade frontage must be enclosed by buildings	Knox Avenue (primary street) – 139 feet of 483 feet (29%) West 81 st Street (secondary street) – 197 feet of 494 feet (42%)	Flexibility has been requested for the primary street frontage – more discussion below
Floor area ratio (Sec. 21.302.01)	0.6 FAR minimum	0.23 FAR	Flexibility has been requested – more discussion below
Exterior materials (Sec. 19.63.08)	85% of each elevation comprised of primary materials and 15% of each elevation comprised of secondary materials	Integrally colored pre-cast concrete secondary material is beyond 15%	Flexibility has been requested – more discussion below

Site Design

The proposed building would be constructed in the southwest corner of the site. The areas surrounding the building would be surface parking. The Code requires a minimum of 10 feet and a maximum of 20 feet structure setback along a street. The building is 20 feet from the property lines along both West 81st Street and Knox Avenue South, thus meeting the requirement. The subject site abuts and is served by three public streets – American Boulevard West, West 81st Street, and Knox Avenue South. The building does not meet the maximum 20-foot setback along American Boulevard West. The applicant has requested flexibility. Staff supports the structure setback deviation along American Boulevard West given the site has frontage on three public streets. Meeting the maximum 20-foot setback along all street sides would be challenging, particularly for a motor vehicle sales facility use that relies upon vehicle circulation through the building.

The City Code has specific structure placement standards to promote the intended character and pedestrian orientation in mixed use districts. Buildings must generally be located near the street with parking to the side or rear. The Code requires specific street enclosures that foster a more urban character with clearly defined street edges enclosed by buildings. Along a primary street, at least 50% of the linear street frontage must be enclosed by buildings. The primary street is Knox Avenue. In the Penn-American District Plan, Knox Avenue is designated as the primary street. Along a secondary street, at least 30% of the linear frontage must be enclosed by buildings. The plans show the building at 29% of the linear frontage along Knox Avenue and 42% of the linear frontage along West 81st Street.

The applicant has requested a deviation for the street enclosure requirement along Knox Avenue. Staff believes the proposed street enclosure of 29% is inadequate. Knox Avenue is an important street identified in the Penn-American District Plan. The Orange Line Bus Rapid Transit (BRT) line runs along Knox Avenue and has two stops in the immediate area. To promote the pedestrian-oriented goals in the Penn-American District Plan and to frame the Knox Avenue streetscape, staff recommends increasing the building's street enclosure to match the southern façade of the apartment buildings across Knox Avenue. See Figure 1 below for a depiction of the staff recommendation. Staff recommends a condition of approval to match the street enclosure to the southern façade of the buildings across Knox Avenue.

Lastly, while it is the intent of mixed-use districts to have buildings close to the street with parking in the rear or side, it may not be possible for sites with multiple street frontages. The City Council may exempt through the planned development process (see Sec. 21.301.02(f)(6)) all but one of the street frontages from complying with the mixed-use districts provided the City Council determines that:

- (A) The site cannot reasonably comply with the mixed-use districts structure and parking placement requirements for all street frontages;*
- (B) The proposed structure and parking configuration will meet the purpose and intent of the mixed use districts;*
- (C) The proposed structure and parking configuration will complement the character of existing or planned development in the area;*
- (D) The proposed structure and parking configuration will facilitate pedestrian and bicycle access;*
- (E) The proposed structure and parking configuration will place vehicle access points in optimal locations; and*
- (F) The proposed structure and parking configuration will be compatible with natural features, surrounding development, redevelopment plans, and traffic volumes.*

The applicant has addressed how the development meets the above criteria in their project narrative. The applicant has expressed difficulty in meeting the 50% street enclosure requirement for Knox Avenue South due to accommodating a sanitary sewer easement through the middle of the site. This further constrains potential building area. Additionally, the applicant intends to keep the existing auto-dealership building open while construction occurs. This limits any building located closer to

American Boulevard West. Staff believes it is possible to expand or reconfigure the proposed building to get closer to the minimum Code requirement. Staff recommends the condition to match the southern façade of the apartments across Knox Avenue to meet the intent and goals of the Penn-American District Plan. Increasing the street enclosure to this degree would not be detrimental to accommodating a sanitary sewer easement, nor conflict with the applicant's goal of maintaining operations in the existing building during construction. The recommended expansion also does not appear to conflict with the floor plan for the facility, as it could serve as a beneficial expansion of the showroom. More discussion can be found in the Planning Commission Action section below.

Figure 1: Recommended Staff Proposal for Street Enclosure Along Knox Ave S



Building Design and Floor Area Ratio (FAR)

The building primary materials are comprised of metal panels, glass, and brick. The metal panels must meet warranty and thickness standards. Pre-cast concrete is a secondary material and limited

to 15% of each elevation. The building elevations show the pre-cast concrete comprises 59% on the east elevation, 20% on the south and north elevations and 10% on the west elevation. The applicant is proposing to use pre-cast concrete as a primary exterior material. Pre-cast concrete can be a durable, integrally colored, attractive exterior material. However, it can also be drab and overly industrial in aesthetic. The applicant submitted product specifications and photos. The Luther Hyundai site received flexibility for the same product. Staff supports the request for deviation because: 1) it would be integrally colored and would not need painting, 2) the pre-cast areas would primarily service the side of the building, and 3) the City has supported several other commercial development projects that have utilized similar pre-cast exterior products.

To provide an active street level design that promotes pedestrian activity, comfort and public safety, the mixed-use district has prescriptive building design standards. The highest building transparency requirements are along the primary street, as identified by the Issuing Authority. The Code requires 50% transparent windows along the primary facades (side facing Knox Avenue) and 25% transparent windows on secondary facades. Highly reflective glass is prohibited. The elevation drawings show a table that addresses transparency. Spandrel glass typically has a tint or haze which would not meet the transparency requirements. The glazing must be completely transparent. Otherwise the building meets the transparency requirements.

The minimum floor area ratio (FAR) is 0.6 for pre-existing auto dealerships. The site plan shows the proposed floor area ratio is 0.23, which is far below the minimum. To meet the minimum 0.6 FAR, the site would require a 151,129 square foot building. The proposed building area is one-level and is 59,000 square feet. The existing FAR is 0.09. The proposed FAR is much greater than the existing condition. The floor area ratio for auto dealerships may be reduced at the discretion of City Council provided the City Council can make the following findings (see Sec. 21.302.01(k)):

- (1) The proposed modifications do not increase the proportion of land area devoted to passive uses (outdoor auto storage or display, parking, etc.) relative to the land area devoted to active uses (showroom, office, service, parts, indoor auto storage or display, etc.); and*
- (2) The proposed modifications will result in an increase in on site activity (additional jobs, additional customers); and*
- (3) The proposed modifications will substantially advance any applicable zoning ordinance provisions for building placement, parking placement, streetscape enhancement, building design, building height, landscaping, and other related factors; or*
- (4) The proposed modifications are required to accommodate a public infrastructure project.*

The applicant cites expanding the site, providing high paying jobs, and bringing the site into significant conformance with the Code provisions in comparison to the existing condition. The applicant states they have reached the maximum FAR that this site would allow. Also, the applicant states that the development helps to accommodate a future sanitary sewer pipe and sewer easement to expand overall capacity in the Penn-American District. The applicant's full detailed explanation of the findings can be found in the project narrative.

Access, Circulation, and Parking

The site would have access points from West 81st Street, Knox Avenue, and American Boulevard. The three driveways would provide full access. As redevelopment occurs on the north side of American Boulevard in the future, the proposed northern driveway may need to be evaluated for some restriction (half or $\frac{3}{4}$ access) as the corridor changes. There are existing public sidewalks along all surrounding streets. The Code requires an 8-foot-wide sidewalk along American Boulevard and Knox Avenue and a 6-foot-wide sidewalk along West 81st Street. The plans were sent to Metro Transit for comment as the site is in a heavily used transit corridor. There is a local Route 4 bus stop at Knox Avenue and West 81 Street. If the public sidewalk will be reconstructed with this project, Metro Transit recommends installing an ADA ramp at the bus stop. The pad would be 5 feet by 8 feet that connects the sidewalk to the curb. A sidewalk connection is proposed from the building entrance to the public sidewalk along Knox Avenue.

The applicant included a parking calculation exhibit with the application. Staff agrees with the calculation, with one small caveat. “Large Item Retail Sales” specifically excludes motor vehicle sales. The Code required parking analysis is provided below in Table 3.

Table 3: City Code Required Parking Analysis

Use	Code requirement	Unit or number	Required
Service area – major	3 stalls per major service bay	24 bays	72
Service area - minor	2 stalls per minor service bay	2 bays	4
General service area	1 space per 300 square feet	4,965 square feet	17
Car wash	1 space per 375 square feet	1,969 square feet	5
Office	1 space per 285 square feet	10,482 square feet	37
Retail	1 space per 180 square feet	8,312 square feet	46
Warehouse	1 space per 1,000 square feet	7,670 square feet	8
Parking Required			189
Parking Provided			349

There are 349 parking spaces proposed on-site, which exceeds the Code requirement by 160 spaces. Spaces not used for employees, customers, or vehicles awaiting service may be used for inventory parking. The overall parking supply is compliant.

Landscaping, Screening and Lighting

Typically, the Code requires a 20-foot landscape yard along a street. In the C-5 zoning district, the landscape yard may be reduced to a minimum of five feet provided compliant screening has been met. Due to a jog in the property line along American Boulevard, a portion of the landscape yard along American Boulevard would be reduced to 15 feet. The landscape plan is showing some vegetation in the landscape yard. American Boulevard transitions to the bridge overpass 35W on the east side of the Luther Kia site. With the existing retaining wall, grade change, and the proposed vegetation, the screening has been provided.

The applicant is showing theft protection blocks around the perimeter of the site to deter theft of vehicles off the lot. These theft protection blocks would be designed to look like concrete benches. The blocks must stay outside of the required easement areas. Luther Kia would be responsible for maintaining the benches, but they would be available for public seating. Furthermore, the applicant is proposing to add two pergolas in the northwest corner of the site. It is important to note that the structures must stay out of the 20-foot landscape yard and easement area.

The landscape plan shows a compliant quantity of trees and shrubs. The City's supplemental Landscape and Screening Policy requires 50% of the building façade along a street to have foundation plantings. The applicant is showing compliant foundation plantings. A three-foot high parking lot screen is required to shield headlights onto adjacent streets and properties. The applicant is showing a compliant screen along all sides of the parking lot adjacent to the street. Lastly, the Code requires a deciduous tree in each parking island. All parking islands show a tree. A landscape surety is required before a building permit may be issued.

A minimum of 2.0 foot-candles on the parking surface which may be reduced to 1.0 foot-candles on the outer 25-foot perimeter of the site. An initial (1.0 LLF) and maintained (0.81 LLF) lighting plan signed by an electrical engineer or licensed professional must be submitted prior to permit. Motor vehicle sales facilities typically exceed minimum lighting levels.

Stormwater Management

Stormwater must be managed to meet the City's and Watershed District's requirements for stormwater rate control (quantity), stormwater quality and volume.

The Stormwater Management plan calculations and narrative have been reviewed and appear to meet the requirements in the City of Bloomington Comprehensive Surface Water Management Plan. A maintenance plan has not yet been provided and will be required to be signed and filed at Hennepin County. Prior to permit issuance the applicant will be required to provide soils information to confirm that infiltration rates are possible as designed. The final stormwater management plan must also include flood stage storage calculations comparing the existing surface elevation to the proposed surface elevation. This site is located within the Nine Mile Creek Watershed District, so an additional permit will be required.

Utilities

The subject property is served by City sanitary sewer and water service. The City Engineer must approve utility plans prior to issuing grading or other building permits. Sanitary sewer to service to the site is proposed to be provided via Irving Avenue. Based on the applicants estimated peak hour wastewater flows, there is sufficient City sanitary sewer network capacity to handle the projected flows from the proposed development.

The City has sanitary sewer improvements identified to provide additional capacity to the Penn-American District. Prior to the vacation of any existing utility easements within the site needed to accommodate the proposed building, the applicant must work with Staff to ensure that a route exists for the future City sanitary sewer improvements.

A looped watermain is proposed via the watermain that runs within the Knox Avenue and Irving Avenue rights-of-way. A combined domestic/fire service connection to the building will be required. Finally, the proposed building must have adequate fire hydrant coverage

Traffic Analysis

No significant impacts to the adjacent traffic patterns due to this building addition have been identified. Traffic Engineering Staff will review the final locations of the proposed driveways to ensure that there are no conflicts or issues with abutting public roadways.

Transit and Transportation Demand Management (TDM)

This redevelopment will require a Tier 2 TDM plan per Section 21.301.09(b)(2) of the City Code, which allows the property owner to choose from a menu of TDM options. The owner has not yet submitted a Tier 2 TDM checklist.

Fire Prevention and Public Safety

The access and circulation design must meet or exceed the minimum standards for Fire Prevention and be maintained in accordance with the approved plan, including a surface to provide all-weather driving capabilities. Apparatus access roads must be asphalt or concrete and support a minimum of 80,000 pounds.

The applicant proposes adequate water supply with a hydrant within 50 feet of the fire department connection and within 150 feet of any exterior wall. Hydrants will be approved by the Utilities and Fire Prevention Divisions. A looped water supply feeding a single, combined water service into the building is required for the domestic and sprinkler system water demand.

The building must be addressed plainly and visible from the street or road using numbers contrasting with the background. The numbers must be a minimum of four inches, be Arabic numbers or alphabetic letters with a minimum stroke width of 0.5 inches. A Knox box will be required at the main entrances and other areas as designated by the Fire Prevention Division.

Emergency responder radio coverage throughout the complex and in all structures per the requirements of Appendix L in the 2015 Minnesota State Fire Code must be provided. Any changes made to the current plans, including building location, access roads, water supply, and addressing, must be reviewed by the Fire Marshal to ensure continued compliance with the Fire Code.

Status of Enforcement Orders

There are no open enforcement orders for the subject site at this time.

OUTREACH

Outreach/Notification

- Mailed Notice (10-day notice – 500-foot buffer)
- Newspaper Notice (10-day notice – 09/05/2024 Sun Current)
- Public Hearing Notice Online
- E-Subscribe Group Notification
- Inclusion on Development Map
- Signs on Site
- Planning Commission Public Hearing – September 19, 2024

PLANNING COMMISSION ACTION

The Planning Commission reviewed the application at its September 19th, 2024 meeting. The Planning Commission voted to approve the application (vote = 6-0) with two modifications to staff's recommended conditions.

The Planning Commission recommended to modify Condition #3 as follows:

3. Prior to Permit Prior to vacation of existing easements on the site, the location of new utility easement dedication must be mutually agreed upon to allow for future planned sanitary sewer capacity improvement projects.

The Planning Commission recommended to remove staff proposed Condition #7, which would have required plan modifications for greater street enclosure along Knox Avenue. The condition as originally recommended by staff read:

7. Prior to Permit The building's street enclosure along Knox Avenue must be expanded to match the southern building extent at 1801 American Boulevard West.

FINDINGS

Required Preliminary Development Plan Findings - Section 21.501.02(d)(1-6):

Required Finding	Finding Outcome/Discussion
(1) The proposed development is not in conflict with the Comprehensive Plan.	Finding Made – The motor vehicle sales facility is consistent with the Comprehensive Plan's Regional Commercial land use designation. The Regional Commercial designation explicitly permits motor vehicle sales facilities.

Required Finding	Finding Outcome/Discussion
(2) The proposed development is not in conflict with any adopted district plan for the area.	Finding Made – The proposed development is located in the area subject to the Penn-American District Plan. The Penn-American District Plan (“Plan”) envisions the district becoming “a vibrant, attractive, mixed-use, high-density activity center that serves as an amenity for the surrounding neighborhoods and the city as a whole.” The Plan envisions new services and employment opportunities, improved conditions for pedestrians and bicycles, a mix of land uses at high densities and new walkable streets. The proposed redevelopment is more in compliance with the Plan than the existing condition. Staff recommends that additional building area be provided along Knox Avenue South to increase the enclosure in line with the guidance of the District Plan. Landscaping would be added, pedestrian elements would be added along the adjacent streets and the demolition of old, dilapidated buildings would be consolidated into one building that is designed for street-level design. Also, the redevelopment will allow the construction of a sanitary sewer easement that will greatly impact and improve utility capacity within the Penn-American District as a whole. Subject to compliance with the staff recommended condition pertaining to street enclosure, the proposed development is not in conflict with the Penn-American District Plan.
(3) The proposed development is not in conflict with state law and all deviations from city code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval.	Finding Made – The proposed deviations would facilitate a development that is consistent and compatible with motor vehicle sales facilities in the City. The proposed redevelopment is a significant upgrade to the existing condition and proposed in such a way as to not compromise future sanitary sewer upgrades that are vital to the Penn American District. The building’s height, density, massing, and design would not have an adverse impact on the surrounding neighborhood. The proposed redevelopment would be more in compliance with City Code standards than the existing condition.
(4) Each phase of the proposed development is of sufficient size, composition and arrangement that its construction, marketing and operation is feasible as a complete unit without dependence upon any subsequent unit.	Finding Made – the planned development is proposed to be completed in one phase and is not dependent upon a subsequent unit.
(5) The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	Finding Made – The proposed redevelopment is not of a size of scale to create an excessive burden on parks, schools, streets and other public facilities and utilities. The proposed driveway locations and designs must be approved by the Engineering Division. The applicant intends to provide a sanitary sewer easement that would increase utility capacity in the overall Penn-American District.

Required Finding	Finding Outcome/Discussion
(6) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made – The proposed development involved reconstructing an existing motor vehicle sales facility in a manner that is more consistent with the Penn American District. The redevelopment is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The building design and site circulation is consistent with other upgraded motor vehicle sales facilities in Bloomington.

Required Final Development Plan Findings - Section 21.501.03(e)(1-7):

Required Finding	Finding Outcome/Discussion
(1) The proposed development is not in conflict with the Comprehensive Plan.	Finding Made - The motor vehicle sales facility is consistent with the Comprehensive Plan's Regional Commercial land use designation. The Regional Commercial designation explicitly permits motor vehicle sales facilities.
(2) The proposed development is not in conflict with any adopted district plan for the area.	Finding Made - The proposed development is located in the area subject to the Penn-American District Plan. The Penn-American District Plan ("Plan") envisions the district becoming "a vibrant, attractive, mixed-use, high-density activity center that serves as an amenity for the surrounding neighborhoods and the city as a whole." The Plan envisions new services and employment opportunities, improved conditions for pedestrians and bicycles, a mix of land uses at high densities and new walkable streets. The proposed redevelopment is more in compliance with the Plan than the existing condition. Staff recommends that additional building area be provided along Knox Avenue South to increase the enclosure in line with the guidance of the District Plan. Landscaping would be added, pedestrian elements would be added along the adjacent streets and the demolition of old, dilapidated buildings would be consolidated into one building that is designed for street-level design. Also, the redevelopment will allow the construction of a sanitary sewer easement that will greatly impact and improve utility capacity within the Penn-American District as a whole. Subject to compliance with the staff recommended condition pertaining to street enclosure, the proposed development is not in conflict with the Penn-American District Plan.
(3) The proposed development is not in conflict with the approved preliminary development plan for the site.	Finding Made – The proposed redevelopment is proposed to be constructed in one phase. The preliminary and final development plans are the same.

Required Finding	Finding Outcome/Discussion
(4) The proposed development is not in conflict with state law and all deviations from city code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval.	Finding Made - The proposed deviations would facilitate a development that is consistent and compatible with motor vehicle sales facilities in the City. The proposed redevelopment is a significant upgrade to the existing condition. The building's height, density, massing and design would not have an adverse impact on the surrounding neighborhood. The proposed redevelopment would be more in compliance with City Code standards than the existing condition.
(5) The proposed development is of sufficient size, composition and arrangement that its construction, marketing and operation is feasible as a complete unit without dependence upon any subsequent unit.	Finding Made – The planned development is proposed to be completed in one phase and is not dependent upon a subsequent unit.
(6) The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development.	Finding Made - The proposed redevelopment is not of a size of scale to create an excessive burden on parks, schools, streets and other public facilities and utilities. The applicant intends to provide a sanitary sewer easement that would increase utility capacity in the overall Penn-American District.
(7) The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.	Finding Made - The proposed development is an existing motor vehicle sales facility. The redevelopment is not anticipated to be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The development. The building design and site circulation is consistent with motor vehicle sales facilities in the City of Bloomington.

Required Findings for Floor Area Ratio Reduction, City Code Section 21.302.01(k) – Reduction in Floor Area Ratio for an existing motor vehicle sales facility in the C-5 Zoning District

(k) Minimum floor area ratio for existing motor vehicles sales uses in the C-4 and C-5 Districts. The minimum floor area ratio for existing motor vehicles sales uses and sites shall be 0.6. The floor area ratio for existing motor vehicle sales uses and sites may be reduced at the discretion of the City Council provided the City Council makes the following findings:

Required Finding	Finding Outcome/Discussion
1) The proposed modifications do not increase the proportion of land area devoted to passive uses (outdoor auto storage or display, parking, etc.) relative to the land area devoted to active uses (showroom, office,	Finding Made - The proposed redevelopment increases the site area devoted to active uses by increasing the overall building square footage.

Required Finding	Finding Outcome/Discussion
service, parts, indoor auto storage or display, etc.); and	
2) The proposed modifications will result in an increase in on site activity (additional jobs, additional customers); and	Finding Made – The proposed redevelopment will increase overall building area and is expected to provide high paying jobs through the auto dealership’s expanded operations. The redevelopment will create a more attractive site, with a refreshed building and other improvements that will bring additional customers to the site.
3) The proposed modifications will substantially advance any applicable zoning ordinance provisions for building placement, parking placement, streetscape enhancement, building design, building height, landscaping, and other related factors; OR	Finding Made – The proposed redevelopment substantially advances compliance to City Code provisions than the existing condition. The proposed floor area ratio would be an increase from the existing floor area ratio. The site would include significant landscaping and streetscape enhancements. The proposed building materials promote pedestrian activity, comfort and public safety.
4) The proposed modifications are required to accommodate a public infrastructure project.	Finding Made – There is no public infrastructure associated with this project. However, a sanitary sewer pipe and easement would be accommodated that would expand capacity to the Penn-American District.

RECOMMENDATION

Planning Commission and staff recommends approval through the following motion:

Motion by _____, seconded by _____, I move to approve major revisions to Preliminary and Final Development Plans for an approximately 59,030 square foot auto dealership facility, subject to the conditions and Code requirements attached to the staff report.