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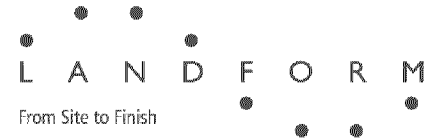
Final Site and Building Plan, Conditional Use Permit and Tax
Parcel Combination

L A N D F O R M

PL201800139 PL2018-139
7801 Lyndale / 515 W 78th Street / 511 W 78th Street
Bloomington Acura
Subaru
Landform

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April 18, 2018

City of Bloomington
1800 West Old Shakopee Road
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To City Staff,

We are responding to comments derived from the design review of the Luther Acura Dealership. Our responses follow your comments, which are in italics.

Planning Review - Pre-App Contact: Mike Centinario at mcentinario@BloomingtonMN.Gov, (952) 563-8921

- 1) *Introduction: Luther is proposing to convert an existing office/warehouse building to an Acura dealership. A small portion of the building at the southern end would be demolished. Three existing parcels are proposed to become one parcel through a tax parcel combination*

The conversion requires a Conditional Use Permit and Final Site and Building Plans. If no variances or development flexibility is requested/required, the Planning Commission has approval authority, subject to a three business day appeal period.

- 2) *Replace missing islands and landscaping as shown on the original plan.*

Three islands with landscaping north of the existing Acura/Subaru building have been replaced.

- 3) *The parallel stalls on the east side of the existing site are not permitted and in the required fire lane.*

The parallel parking stalls have removed from plan as shown on sheet C1.2: Demolition.

- 4) *The architectural tower feature is in the required setback. Any change in height or reduced setback from the existing structure would require a variance.*

The Acura architectural tower has been reduced in height to match the existing parapet height. No height change will occur within the required setback. See D2/A-201 and E2/A-201. (Response from Baker Associates, Inc.)

- 5) *New parking stalls, sidewalks, and paved entrance areas must maintain a minimum 20 foot setback.*

Parking and sidewalk along North property line revised to maintain setback.

- 6) *The portion of the south elevation that is not already exposed to the exterior may not be coated. Integral color masonry or some other Code-complying material must be used.*

The proposed south façade exterior material has been revised to ACM cladding. See D6/A-201. (Response from Baker Associates, Inc.)

- 7) *Provide floor plans for both buildings so staff is able to confirm parking analysis. Staff is presuming there will be some level of shared parking between the two dealerships. Customer, employee, and inventory parking areas must be delineated on the site plan.*

The parking analysis has been revised to incorporate previous plan approvals for the existing Acura/Subaru dealership. The locations of each type of parking has been indicated on sheet C2.1.

- 8) *Identify the number of bays that will be used for "minor" repair versus "major" repair. Minor vehicle repair requires 2 spaces instead of 3.*

Parking Calculations on sheet C2.1 updated to specify the number of "minor" and "major" repair bays.

- 9) *Landscaping on the Subaru site has been removed and must be replaced.*

Added new landscaping as identified in comments on L2.1 sheet.

- 10) *The drive lane between the existing and "new" parking stalls does not meet the minimum 24 foot requirement. These stalls may not be designated for customer or employee parking.*

Stall are in the same location as previously approved; therefore, they will be designated for the same use.

- 11) *Provide specification and warranty information for the ACM panels.*

ACM panel specifications and warranty information have been provided. See 'General Notes' on A-201 and attached 'ACM Product Information and Sample Warranty' documents. (Response from Baker Associates, Inc.)

- 12) *Existing and new rooftop mechanical units on the proposed Acura building must be screened from view. Bloomington, MN Case #PL2018-121.*

Existing and new rooftop mechanical units will be screened from view. See 'General Notes' on A-201. (Response from Baker Associates, Inc.)

- 13) *Show location of a bike rack and bike rack detail on the plan.*

Bike racks (2 spaces each) provided for Subaru and Acura buildings. See L2.1 sheet for locations and L7.1 sheet for detail.

- 14) *Parking lot and exterior security lighting must meet Section 21 .301 .07.*

Noted.

- 15) *A three foot high screen for a parking lot adjacent to Interstate 494. Proposed landscaping along the north side of the site likely meets the screening requirement. Please identify the proposed plantings.*

Screening consists of Taunton Yew (4' mature ht.) and Karl Foerster Feather Reed Grass (4' mature ht.) and a mixture of smaller shrubs and perennials and ornamental trees.

- 16) *An interior trash and recycling room must be provided.*

Interior trash and recycling room is provided. See A-101. (Response from Baker Associates, Inc.)

- 17) *As a nonconforming building, any expansion must be compliant with relevant City Code standards. The architectural wall elements on the north side of the building expands the building height. Any increase in height must meet City setback standards. Along the west elevation, this would entail a minimum 35 foot setback from the north property line.*

The north facade has been reduced in height to match the existing parapet height. No height change will occur within the required setback. See D2/A-201. (Response from Baker Associates, Inc.)

Fire Department Review - Pre-App Contact: Laura McCarthy at

lmccarthy@BloomingtonMN.gov, (952) 563-8965

- 1) *Maintain access drive lane with no barriers.*

Noted.

- 2) *Provide adequate turning radius to accommodate BFD Ladder 1*

Vehicle Maneuvering Exhibit provided using BFD Ladder showing adequate turning radius.

- 3) *Emergency responder radio coverage meeting the requirements of appendix L in the 2015 MSFC shall be provided throughout the property and within the structures.*

Noted.

- 4) *Hydrant coverage shall be provided within 50' of the FDC and within 150' of all portions of the structure.*

Hydrant added in front of building per City of Bloomington Standards.

- 5) *Ensure building life safety systems have been inspected within the last year and any deficiencies have been corrected.*

Noted. (Response from Baker Associates, Inc.)

- 6) *Change building address from 511 W 78th to a Lyndale Avenue or American Blvd address.*

Noted. (Response from Baker Associates, Inc.)

Construction/Infrastructure Review - Pre-App Contact: Jen Desrude at
jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) *See document markups.*

PW Admin Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov,
(952)
563-4862

- 1) *Include easements per Final Certificate Hennepin County Recorder Doc No A09924767.*

Plans updated to show existing easements.

- 2) *Consult with Xcel Energy for construction activity and plantings under power lines within easement.*

Proposed plantings have been selected to reach a maximum height of approximately 25' and do not pose a conflict with the power lines within the easement. Xcel will be contacted prior to construction.

- 3) *Need to change the building address of 511 West 78th Street to a Lyndale Avenue South address. Proposed Address will 7811 Lyndale Avenue South.*

Noted. (Response from Baker Associates, Inc.)

Utility Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

- 1) *See Document Markups*

- 2) *Utility as-builts must be provided prior to issuance of Certificate of Occupancy.*

Noted.

- 3) *Use updated city standard details for driveways, utilities, erosion control, etc. found on the website at www.bloomingtonmn.gov/info1nation-sheets-and-handouts-engineering-division.*

City standard details have been incorporated into the plans.

- 4) *Utility permits are required for connections to the public storm, sanitary, and water system. Contact Utilities (952-563-8777) for permit information. Bloomington, MN Case #PL2018-121*

Noted.

- 5) *Contact Met Council (651-602-1378) for Sewer Availability Charge (SAC) determination.*

Noted. A Sewer Availability Charge (SAC) determination will be submitted during the building permit phase. (Response from Baker Associates, Inc.)

- 6) *Suggest looping the water service for the 511 building to the 7801 water system to provide increased reliability of flow for the fire service, reduction of head loss, and redundancy.*

We do not feel it is necessary to loop service unless existing service is proven to not have sufficient flow. A fire flow test will be performed prior to the installation of the building sprinkler system.

- 7) *Install hydrants to provide fire protection for entire building. Each hydrant covers 150-foot radius. Bloomington Fire would like more coverage on the west side of the 511 Building.*

A hydrant has been added in front of building per City of Bloomington Standards.

- 8) *An inspection manhole is required on all commercial sewer services. Add one to the 511 building sewer service.*

Inspection manhole added on Sanitary Sewer service. See sheet C4.1 for details.

- 9) *Use standard short cone manholes without steps.*

Standard Sanitary Manhole detail added to sheet C7.2: Civil Construction Details.

- 10) *Install interior chimney seals on all sanitary sewer manholes.*

Interior chimney seals will be provided on the sanitary sewer manholes.

- 11) *The utility (water and sewer) plan shows a slightly different layout or location of the pipes than what the City has on file. There are even some pipes and services missing on the north end of the plans. Please verify locations to help the contractors working in those areas to avoid damage to the existing infrastructure.*

Utility lines added to plans per City of Bloomington GIS map.

Water Resources Review - Pre-App Contact: Steve Segar at ssegar@BloomingtonMN.gov, (952) 563-4533

- 1) *See Document Markups*

- 2) *Provide soil boring(s) at location of underground stormwater system. Does any contamination exist where infiltration is proposed?*

Soil Boring 4 provided in location of underground stormwater system.

- 3) *Provide stormwater management plan meeting the requirements of Bloomington Comprehensive Surface Water Management Plan. Under review.*

Noted.

- 4) *A maintenance agreement must be signed by the property owner and recorded at Hennepin County.*

Noted.

- 5) *A National Pollutant Discharge Elimination System (NPDES) construction site permit and Storm Water Pollution Prevention Plan (SWPPP) must be provided. SWPPP received.*

Noted.

- 6) *An erosion control bond is required.*

Noted.

- 7) *Show erosion control BMP locations on the plan.*

Erosion and Sediment Control BMP's shown on sheet C3.2: Grading, Drainage, Paving and Erosion Control – Enlarged.

- 8) *List erosion control maintenance notes on the plan.*

Erosion Prevention and Sediment Control Notes provided on sheet C3.2: Grading, Drainage, Paving and Erosion Control – Enlarged.

- 9) *Submit a copy of Nine Mile Creek Watershed District permit and comments prior to issuance of City of Bloomington permits (www.ninemilecreek.org)*

Noted.

- 10) *Provide pretreatment prior to UG infiltration system. Provide detail of ADS system.*

Detail of infiltration system will be provided with permit application.

- 11) *Provide Environmental review, MPCA lists two tank remediation sites nearby, one at 515 W78th (Forklifts of MN). Was a Phase 1 ESA done at time of sale?*

A Phase II was performed for 511 and 515 W 78th St. and is included with our application materials.

- 12) *What is this line?*

The line was an access restriction to 494/Lyndale. This line has been removed from plans.

- 13) *Provide detail of UG CMP detention system.*

Detail of detention system will be provided with permit application.

- 14) *How will slotted drain be protected from sediment during construction?*

Compost/Bio Log added to Sheet C3.2 to protect slotted drain during construction.

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15) Change casting for non-curb locations.

Casting types called out on Sheet C4.1: Utilities. Detail C7.1/6 revised to reference sheet C4.1 for casting type.

Traffic Review - Pre-App Contact: Jen Desrude at jdesrude@BloomingtonMN.gov, (952) 563-4862

1) Provide a bike rack at each building, minimum 2 spaces each - for employee bike parking. Show location of a bike rack and bike rack detail on the plan.

Bike racks (2 spaces each) provided for Subaru and Acura buildings. See L2.1 sheet for locations and L7.1 sheet for detail.

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Introduction

On behalf of The Luther Company, LLLP, Landform is pleased to submit this application for final site and building plan, conditional use permit and tax parcel combination approval to allow the Acura dealership to relocate from the building at 7801 Lyndale Avenue South to the existing building at 511 78th Street West, which will be remodeled to support the Acura dealership. The tax parcel combination will combine the three Luther properties (PID 0302724220031, 0302724220028 and 0302724220029) into one tax parcel. All three parcels are zoned I-3.

We are excited about the improvements proposed for this site.

Conditional Use Permit

We are requesting City approval of a conditional use permit for motor vehicle sales on the new tax parcel as allowed in Section 19.33 of the Zoning Ordinance. The request complies with the applicable standards in Section 21.302.01 (Motor Vehicle Sales). Specifically:

- *Noise.*
 - *Outdoor loudspeakers or public address systems are prohibited.*
No outdoor speakers or public address systems are proposed.
 - *Car horns and panic alarms must not be used to locate vehicles and must meet the standards of §10.29.02.*
Company policy does not allow the use of horns or alarms to locate vehicles.

- *Repair and service.*
 - *All vehicle repair and maintenance must take place within a completely enclosed building.*
The remodeled building will have adequate indoor space for all repair and maintenance activities. No such activities will take place outside of the building.
 - *All vehicles waiting for repair must:*
 - *Be parked or stored in the area designated for vehicles waiting for repair on the approved site plan;*
The site plan designates adequate parking for service vehicles;
 - *Be parked or stored at least 100 feet from an adjoining residentially used site;*
There are no adjoining residential sites.
 - *Be fully screened from any adjoining residentially used site; and*
There are no adjoining residential sites.
 - *In the case of vehicles waiting for auto body work, be fully screened from all public streets and adjoining sites.*
No auto body work will be done at the Acura dealership.

- *Body and fender repair facilities must be set back at least 150 feet from any adjoining residential zoning district.*
No auto body or fender repair work will be done at the Acura dealership.
- *Vehicle test-driving. Vehicle test-driving for any purpose is prohibited on local residential streets or alleys.*
Acura and Subaru test driving has never been allowed, or necessary, on residential streets.
- *Off-site inventory storage. The storage of vehicles off-site must be approved by the issuing authority and must comply with the use and screening standards of the respective zoning district.*
Off-site storage will occur at the Wentworth facility approved by the City Council in 2015.

The applicant will comply with these standards.

- *Vehicle storage and display.*
 - *Vehicles must be stored and displayed in approved vehicle storage areas. Vehicle storage and display in drive aisles, the public right-of-way, loading/unloading areas, customer parking areas or landscaped areas is prohibited.*
The applicant will comply with these requirements.
 - *Outdoor vehicle display and storage must be completely screened from all abutting residentially used sites with approved screening.*
The site is not adjacent to residential property. The plans show landscaping that meets all city standards.
- *Vehicle loading and unloading. The loading or unloading of vehicles must take place in an approved location on site. Loading or unloading in the public right-of-way is prohibited. If the vehicle loading or unloading site is within 300 feet of residentially zoned and used property, loading and unloading must not take place between the hours of 8:00 p.m. and 7:00 a.m.*
Vehicle loading and unloading will continue to occur at the Wentworth facility. No loading or unloading will occur at the dealership.
- *Parking. See § 21.301.06 for applicable standards.*
The site plan complies in all respects with these standards. The existing parking lot will be resurfaced and landscape islands in conformance with City Code requirements will be added. All parking will meet setback requirements. The plans show 177 stalls, 18 more than the 159 stalls required.
- *Signs. See § 19.122 for applicable standards.*
The sign plan complies with all requirements.

Conditional Use Permit Standards

1. *The proposed use is not in conflict with the Comprehensive Plan.*

The use is not in conflict with the Comprehensive Plan, which guides this property for industrial uses (including motor vehicle sales). The project is consistent with the Comprehensive Plan value that states, "We support the efforts of our business community, ensuring the availability of quality jobs, goods and services." Bloomington Acura Subaru is a long-time business in Bloomington and is excited to continue to invest in the community. Relocating Acura to its own facility with more service bays will enable the dealership to add high-paying technician jobs.

2. *The proposed use is not in conflict with any adopted district plan for the area;*

There are no adopted district plans for this area.

3. *The proposed use is not in conflict with city code provisions;*

Locating the Acura dealership in the existing (formerly forklift) building, with no expansion of the building is allowed with a conditional use permit. The site plan complies in all respects with all City Code requirements, including all parking, landscaping, lighting and building requirements.

4. *The proposed use 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; and*

The proposed use will not create an excessive burden on parks, schools, streets and other public facilities and utilities as we are simply relocating the existing Acura dealership from the adjacent building into this existing building.

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

Relocating the Acura dealership from one building to another on the same site will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. Motor vehicle sales are an allowed use in the zoning district with a conditional use permit. The Acura dealership currently operates in the adjacent building, which it shares with the Subaru dealership. There is no evidence of any harm from this business in its current location, and there is no reason to expect negative impacts from the relocation. In fact, the relocation will allow Luther to significantly upgrade the building and the site, which will improve the appearance of the neighborhood. The upgrades include improved stormwater

management, parking lot islands and landscaping, which will make the site more attractive and better environmentally.

Final Site and Building Plan

The project site currently includes two existing automobile dealerships in a single building and an adjacent underutilized building. The project will move the Acura dealership to the existing underutilized building on the east, significantly remodel and improve that building, without expanding it, and upgrade parking areas throughout the site. Three existing parcels will be combined into one lot to allow shared access between the dealership buildings and improved parking efficiency and landscaping. The total investment in the remodeled building and reconfigured site will be several million dollars. The remodeled building and landscaped site will significantly improve the appearance of the property and stormwater management on the site, and the property will generate significantly increased taxes.

The site plan complies with all ordinance requirements, including the requirements in Section 21.501.01 of the City Code. The plan includes removal of a portion of the south end of the existing building, but no additions or expansion of the existing building. The remodeled building will be an attractive addition to the community.

A sign plan is also included with our submittal, including a complete wall sign package. The plans show the freestanding signs locations an Acura sign up to 20 feet tall and a Subaru sign up to 30 feet tall. The wall signage at 7801 Lyndale Avenue South will be modified to reflect only the Subaru dealership and new wall signage will be installed on the building at 511 78th Street West for Acura. This sign package is consistent with ordinance standards.

Tax Parcel Combination

In order to maximize parking and landscaping efficiencies, the three existing lots (PID 0302724220031, 0302724220028 and 0302724220029) will be combined into one zoning lot, as allowed by Section 19.04.01 of the City Code, pursuant to the tax parcel combination procedure set forth in Section 22.11.1 of the Subdivision Ordinance. Luther acknowledges that the proposed lot combination is for tax purposes only and that the legal property boundaries will remain as is unless modified through other means. Luther also understands that the city will not approve a future tax parcel split unless the split tax parcels each meet all applicable requirements of the city code for individual parcels (including but not limited to) lot size, lot width, building setbacks, impervious surface coverage, street adjacency and the like.

Summary

We respectfully request approval of a Final Site and Building Plan and Conditional Use Permit to allow the site to be reconfigured and the existing (formerly forklift) building to be remodeled for occupancy by the Acura dealership for motor vehicles sales and service, based on the finding that the proposal complies with all ordinance requirements. Additionally, we request administrative approval of the tax parcel combination.

We request that the Final Site and Building Plan and Conditional Use Permit be scheduled for DRC, Planning Commission and Council review at the next available meetings.

Contact Information

This document was prepared by:

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Any additional questions regarding this application can be directed to Kendra Lindahl at klindahl@landform.net or 612.638.0225.