

# Narrative

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



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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 78<sup>th</sup> 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 78<sup>th</sup> 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

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