

PL201900150

PL2019-150

# Narrative

Final Site and Building Plan and Conditional Use Permit Amendment  
(CUP)

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Luther Acura/Subaru

Bloomington, MN

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L A N D F O R M

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## Table of Contents

Introduction .....	2
Background .....	2
Final Site and Building Plan .....	3
Conditional Use Permit (CUP).....	4
Summary .....	5
Contact Information.....	5

## Introduction

On behalf of The Luther Company LLLP, Landform is pleased to submit this application for final site and building plan approval and a conditional use permit amendment to allow construction of a new Subaru Dealership building at 511 78<sup>th</sup> Street West. The site includes four parcels that are used by the existing Acura and Subaru Dealerships and Key Collision. Our redevelopment plan includes removal of the former Forklift and Key collision buildings, construction of a new building for the Subaru dealership, parking lot improvements and expansion, landscape improvements and stormwater improvements. We are excited about the improvements proposed for this site.

## Background

On May 24, 2018 Luther was granted approval of a Conditional Use Permit (CUP) to redevelop the former Forklift building into a new Acura dealership building so that the Acura and Subaru dealerships, which have shared a building for many years, can have separate buildings to support their growth. Since approval of the existing CUP it has become clear to Luther that adequately servicing the needs of these growing dealerships requires additional land for the dealerships to share and a new dealership building for the Subaru franchise.

Accordingly, Luther acquired the former Key Collision property and proposes to amend the existing CUP to allow removal of the former Forklift and Key Collision buildings and redevelopment of the Forklift and Key Collision properties with a new Subaru dealership building, parking lot, landscaping and stormwater improvements which comply with current code requirements. Upon approval of the new CUP, the four existing lots will be consolidated into a single lot, as allowed by City Code, and all setback and performance standards will be met. No variances will be required or requested.

The Subaru and Acura dealerships will remain in operation throughout this redevelopment process. It will therefore be necessary to develop the site in the following phases:

1. Removal of items from the Forklift building and demolition of the structure;
2. Construction of the new Subaru building;
3. Relocation of Subaru sales, repair and parts from the Key Collision building and existing Acura/Subaru building to the new Subaru building;
4. Potential relocation of Acura repair and maintenance from the existing Acura/Subaru building to the Key Collision building;
5. Remodeling of the existing Acura/Subaru building to update and enhance the building for use as an Acura dealership;
6. Potential relocation of Acura repair and maintenance to the newly remodeled Acura building; and
7. Removal of the Key Collision building and construction of approved parking and landscaping improvements in this area.

Phases 1 – 4 above are scheduled to be completed by December 31, 2020. The plans for the update and remodel of the existing Acura/Subaru building have not yet been determined. For this reason, Luther requests that the existing I-3 zoning remain in place until this final phase of the redevelopment is completed, at which time Luther will initiate a rezoning request from I-3 to C-1. This is the proposal Luther made to the City Council when staff proposed to rezone the site.

## Final Site and Building Plan

The proposed improvements to the site include construction of a new building for Subaru motor vehicle sales and parking improvements to accommodate the additional structure. The new building and parking improvements will comply 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 new building will have adequate indoor space for all Subaru repair and maintenance activities. The remodeled Acura building will also have adequate indoor space for all repair and maintenance activities. No such activities will take place outside of the buildings.
- *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 for both dealerships;
  - *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 either dealership.
- *Body and fender repair facilities must be set back at least 150 feet from any adjoining residential zoning district.*  
There are no adjoining residential sites.

*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.

### 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 the parking standards. The existing parking area and the Key Collision property will be resurfaced, and landscape islands will be added in conformance with City Code requirements. All parking will meet setback requirements. The Acura building was approved in 2009 with 151 required parking stalls and the new Subaru building will require 252 parking stalls, for a total of 403 parking stalls. The proposed site plan shows 488 standard parking stalls and 9 handicap parking stalls.

*Signs. See § 19.122 for applicable standards.*

The proposed sign plan includes new wall signs for the Subaru dealership building on the north and south facades, relocation or replacement of the existing Subaru freestanding sign to the northeast corner of the site and placement of a new Subaru freestanding sign in the southeast corner adjacent to American Boulevard. The total site signage does not exceed the 350 square feet of signage allowed for Class I Motor Vehicle Sales sites.

## Conditional Use Permit (CUP)

The original conditional use permit approved on May 24, 2018 allowed a class I motor vehicle sales facility on three lots. We are requesting approval of a conditional use permit amendment to allow the same class I motor vehicle sales with the inclusion of the Key Collision parcel to the south for parking improvements as allowed by Section 21.209(e) of the Zoning Ordinance. A CUP is subject to the standards of Section 21.501.04(e) of the Zoning Ordinance. Our plan shows compliance with the standards. Specifically:

1. *The proposed use is not in conflict with the comprehensive plan;*

The use will not change from the original approval and 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. Constructing Subaru 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 district plans for this area.

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

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 excessive burden on parks, schools, streets and other 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 expanding the existing uses on the site.

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

Construction of the new Subaru dealership building 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 Subaru dealership currently operates in the adjacent building, which it shares with the Acura 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 new expansion. In fact, the new building will allow Luther to significantly upgrade the site, which will improve the appearance of the neighborhood. The upgrades include removal of two older outdated structures, improved stormwater management, parking lot islands and landscaping, which will make the site more attractive.

## Summary

We respectfully request approval of the final site and building plan a conditional use permit amendment for the new Subaru building at 511 78<sup>th</sup> Street West.

## Contact Information

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