



Narrative

Rezoning, Preliminary
Development Plan and Final
Development Plan

Prepared for:
The Luther Company, LLLP

January 11, 2023

SUBMITTED TO
City of Bloomington
1800 West Old Shakopee Rd
Bloomington, MN, 55431



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CONTENTS

Introduction 1

Rezoning..... 1

Preliminary & Final Development Plan..... 2

Summary..... 4

Contact Information..... 4

Introduction

On behalf of The Luther Company, LLLP (Luther), Landform is pleased to submit this application for rezoning and preliminary development plan approval to allow for the expansion of the existing Luther Bloomington Hyundai Dealership at 4801 American Blvd W (PID 06-027-24-24-0004). Luther intends to enlarge the Bloomington Hyundai site with an expanded showroom, service area and connected trash enclosure. The service area expansion would serve both the dealership and the connected existing Luther Collision & Glass Auto Body Shop. Additionally, the parking area will be restriped, the drive aisle on the North side of the building will be shifted to accommodate the expanded building and additional stormwater management facilities will be constructed. Luther is also requesting a rezoning of this parcel to C-1 to better align with the applicable zoning standards.

Rezoning

The subject parcel in this application is guided Regional Commercial in the Comprehensive Plan. The parcel is currently zoned CS-0.5 (PD) – Commercial Service. Motor vehicle dealerships are permitted as conditional use when part of a planned development in the CS-0.5 District. Motor vehicle repair in the CS-0.5 District is allowed as a provisional use accessory to Class I motor vehicle sales. Luther is requesting that the parcel be rezoned to C-1 (PD) – Freeway Office and Service which allows motor vehicle dealerships as a permitted use and motor vehicle repair as an accessory use. The two adjacent parcels west of the subject parcel are guided Regional Commercial, zoned C-1 and used for the sale of motor vehicles. Staff has noted that the CS-0.5 district is being phased out and the C-1 district would be consistent with the Regional Commercial land use designation.

Rezoning the site to the C-1 zoning district would allow the expansion of the dealership to meet setback standards while better aligning with the intended use of the zoning district and would also remove the requirement for a Conditional Use Permit.

Although there are no explicit findings in conjunction with a rezoning, appropriate considerations include:

1. *The proposed development is consistent with the Comprehensive Plan.*

The parcel is guided Regional Commercial, which is intended for retail and service uses that require easy access from the freeway system. The sale of motor vehicles is specifically referenced as a use within areas guided Regional Commercial.

2. *How the proposed district differs from the existing district.*

Motor vehicle sales are allowed in the CS-0.5 district as a conditional use when part of a planned development (PD). Both districts are intended for and allow uses that benefit from close proximity to the freeway system. The two districts have slightly different setback requirements:

	CS-0.5 (current)	C-1 (proposed)
Minimum setback (front)	60 feet	35 feet
Minimum setback (side)	20 feet plus 0.25 feet for each one foot of structure height in excess of 60 feet	20 feet; 30 feet for buildings over 4 stories in height

	CS-0.5 (current)	C-1 (proposed)
Minimum setback (rear)	Same as side setback, but in no instance less than 30 feet	30 feet; 40 feet for buildings over 4 stories in height

The proposed rezoning would allow the property to expand as proposed and meet the setback requirements in the C-1 district.

3. *There is a public benefit from the change.*

Rezoning a property with Class I motor vehicle sales use to the C-1 zoning district is in greater conformance to the intended vision and application of the Zoning Code. The C-1 zoning district was intended to be utilized for Class I motor vehicle sales uses, so it remains a more appropriate base zoning for the subject property. Rezoning the property from the CS-0.5 zoning district to the C-1 district also removes the need for a Conditional Use Permit for the subject property.

Preliminary & Final Development Plan

Article V of Chapter 21 of the Zoning Ordinance outlines the review guidelines for the approval of preliminary and final development plans. Our plans are consistent with the guidelines as follows:

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

The subject property is guided Regional Commercial. The expansion of a Class I and II motor vehicle sales facility as proposed is not in conflict with the Comprehensive Plan.

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

The subject property is not located in an area with an adopted 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;*

Luther is requesting a deviation from the City Code pertaining to exterior materials. The C-1 district allows for architectural concrete as an exterior wall finish (excluding tilt-up panel construction unless faced with code compliant material). The Code defines architectural concrete as “any cast-in-place concrete or pre-cast concrete where the exposed exterior concrete surface has been shaped, ground, scored, split or otherwise altered to produce a specific aesthetic texture or shadow and in which any color is integral to the concrete.” The proposed expansion would use pre-cast concrete that is integrally colored in order to conform with the allowed materials as close as possible while matching the color and finish of the existing building.

Within the Planned Development Overlay District, City Council may grant flexibility on development standards through the approval of preliminary and final development plans. Luther is requesting approval of this deviation from development standards.

The expansion of the service area includes the addition of a new Luther Collision center. In the C-1 District, motor vehicle repair is allowed as an accessory use to motor vehicle sales. The project will comply with the standards for motor vehicle repair listed in Section 21.302.01 of the City Code, Specifically:

- *All vehicle repair and maintenance must take place within a completely enclosed building. All vehicle repair and maintenance will take place within the service area.*
- *All vehicles waiting for repair must:*
 - *Be parked or stored in the area designated for vehicles waiting for repair on the approved site plan;*
 - *Be parked or stored at least 100 feet from an adjoining residentially used site;*
 - *Be fully screened from any adjoining residentially used site; and*
 - *In the case of vehicles waiting for auto body work, be fully screened from all public streets and adjoining sites.*

Vehicles waiting for repair will be stored either within the service bays or in the designated parking areas shown on the site plan.

- *Body and fender repair facilities must be set back at least 150 feet from any adjoining residential zoning district.*

The subject parcel is not within 150 feet of a residential zone. The service area is on the south side of the site and will not be visible from public streets.

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.*

The proposed expansion will be completed in one phase.

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; and*

The subject property is served by American Boulevard West, an arterial roadway with adequate capacity for any additional traffic generated by the proposed development. There is adequate capacity in the City's water system to serve the proposed expansion. The proposed development will not create an excessive burden on public streets, utilities or other facilities.

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

This is an expansion of an existing motor vehicle dealership to include three building additions: an expanded showroom, increased service areas and an additional trash enclosure. The expansion of the existing use will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare. The existing dealership car wash was in compliance with noise standards and will continue to be after the building expansion. Parking lot lighting will comply with all city standards. Stormwater management will be provided in compliance with City and watershed requirements.

Summary

We respectfully request approval of the Rezoning and Preliminary Development Plan to allow the expansions of the existing Luther Bloomington Hyundai at 4801 American Blvd W. It is our understanding the request will be scheduled for the following meetings:

- Post Application DRC: January 24th
- Planning Commission: February 16th
- City Council: March 20th

Contact Information

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Any additional questions regarding this application can be directed to Steven Sabraski, PE at SSabraski@landform.net or 612-638-0243.