



City of Blaine Anoka County, Minnesota

Blaine City Hall
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Legislation Details (With Text)

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Title: GRANTING A ONE-YEAR EXTENSION FOR THE CONDITIONAL USE PERMIT TO ALLOW FOR OUTDOOR DINING FOR 12 PEOPLE AT A NEW BUSINESS, KINGDOM BAKING, LOCATED AT 10130 SUNSET AVENUE NE. FRANCOIS ZONGO (KINGDOM BAKING). (CASE FILE NO. 15-0050/LSJ)
Sponsors: Bryan Schafer
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Date	Ver.	Action By	Action	Result
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DEVELOPMENT BUSINESS - *Bryan K. Schafer, Planning and Community Development Director*

GRANTING A ONE-YEAR EXTENSION FOR THE CONDITIONAL USE PERMIT TO ALLOW FOR OUTDOOR DINING FOR 12 PEOPLE AT A NEW BUSINESS, KINGDOM BAKING, LOCATED AT 10130 SUNSET AVENUE NE. FRANCOIS ZONGO (KINGDOM BAKING). (CASE FILE NO. 15-0050/LSJ)

Planning Commission (Public Hearing) 02/09/16
City Council (Conditional Use Permit) 03/03/16
City Council (Conditional Use Permit Extension) 02/16/17

The applicant has applied for a one year extension to the conditional use permit approval that was granted on March 3, 2016. He has run into financing issues and would like to extend his approval for another year. He is not proposing any changes from the original submission so the staff report from last year is attached for your review.

There is currently a vacant gas station on the northwest corner of Sunset Avenue and 101st Lane that has been unoccupied for many years. The site is currently nonconforming in terms of setbacks, landscaping and other zoning ordinance requirements related to site development. The applicant currently owns the site and is proposing to locate a new bakery/coffee shop at this location. He would renovate the building and rehabilitate the site to make them as conforming as possible to the Zoning Ordinance. In order to make it a conforming site, two

variances are required and are detailed below. In addition, he would like to have outdoor seating at the new bakery/coffee shop so a conditional use permit for outdoor dining is also included in this review.

The owner of Kingdom Bakery, Francois Zongo, currently has a bakery in Lino Lakes and he has purchased this site to add a second location. The bakery/coffee shop would be open on Monday-Friday from 6:00 a.m. to 5:30 p.m. and Saturday from 7:00 a.m. to 2:00 p.m. The business would be closed on Sundays. There would be 3 employees at this location.

One of the big changes on this site will be the renovation of the existing gas station building. The applicant has provided color images of the proposed new exterior finishes as well as the proposed floor plan. The building will make use of the existing stone on the building while adding vertical wood siding or metal panels and stucco to the building. The building will have a new roof line and a new metal roof. This will be a big improvement on the site.

The new bakery/coffee shop will have a drive-thru with the menu board being adjacent to the drive-thru window. The site plan indicates that there will be a curb located adjacent to the drive-thru lane on the north side of the site. Staff is recommending that this curb be removed as it will make it too difficult for cars to make the turn around the northeast corner of the building with a curb in this location.

The site meets parking requirements for this use. On the attached site plan you will see that staff has made some changes to the site plan that need to be addressed through the site plan approval process. The change involves removing the northeast parking stall on the north side of the site and moving the curb to the south to meet setback requirements and make it a safer entrance to the site at this location. This will reduce conflicts with those entering the site and those coming through the drive-through.

The landscaping, as proposed meets the Zoning Ordinance requirements for the number of trees on site, which are as follows:

Overstory:	6
Conifer:	3
Ornamental:	3

The applicant will be saving several large trees on site.

Because the applicant is using the 25-foot buffer yard flexibility requirements on the west side of the site, the buffer yard flexibility landscaping and fencing requirements apply to this site. The applicant is proposing to add hedges in between the existing overstory trees and the new conifer trees on this side of the site. To be closer to conforming with the buffer yard flexibility requirements it is recommended that the applicant install 4 new conifer trees (6-feet in height)

instead of the 4 hedges in this location.

Another component of the buffer yard flexibility requirements is the installation of fencing. There is currently a board on board fence along the west side of the site where the buffer yard is located. However, this fence is in disrepair and needs to be replaced. Therefore, it is recommended that the owner install a 6-foot high maintenance free vinyl fence in this area to meet the zoning ordinance requirements.

Another issue on the site is the existing sign. This sign is missing a base and is in disrepair. A condition has been added that the sign be brought into conformance with the sign ordinance, which will mean adding a monument style base and making sure the size of the sign is 140 square feet or less and 14 feet in height or less. A sign permit is required for this work and for any wall signage.

This property actually consists of two separate lots. It is unclear how development occurred over a property line in this situation, but since the lot is being redeveloped, the two lots must be combined at Anoka County prior to issuance of site plan approval and building permits.

The applicant must make an application for site plan approval and building permits prior to any work being performed on site. In addition, a Site Improvement Performance Agreement and a financial guarantee must be submitted to ensure the work gets performed and completed on site.

Any lighting on site must meet ordinance requirements. This would apply to existing and new light standards. The applicant will need to submit information on the type of fixtures to be used on the building and in the parking areas to make sure all fixtures are downlit and shielded.

As stated previously, the applicant would like to have outdoor seating on site for 12 people (6 tables) on the south side of the building near the south entrance to the building. Since the site is being redeveloped all Zoning Ordinance requirements will be addressed, so the conditions attached to the outdoor dining conditional use permit are the typical conditions for such permits as well as some minor site development requirements listed in this report. There will be no alcohol served at this location so fencing is not required around the outdoor dining area.

By motion, approve the Resolution.

Attachments

See report for Variance Extension

WHEREAS, an application has been filed by Francois Zongo (Kingdom Baking) as Conditional Use Permit Case File No. 15-0050; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on

February 9, 2016; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on March 3, 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 30.10 of the Zoning Ordinance to allow for outdoor dining for 12 people at a new business, Kingdom Baking, located at 10130 Sunset Avenue NE based on the following conditions:

1. The applicant must make an application for site plan approval and building permits prior to any work being performed on site. In addition, a Site Improvement Performance Agreement and a financial guarantee must be submitted to ensure the work gets performed and completed on site.
2. The two lots that this development is constructed upon must be combined at Anoka County prior to issuance of site plan approval and building permits.
3. A permit must be obtained from Anoka County for any work performed in the right-of-way for Sunset Avenue as this is a County Road.
4. Staff is recommending that the curb adjacent to the drive-thru be removed as it will make it too difficult for cars to make the turn around the northeast corner of the building with a curb in this location.
5. The applicant must remove the northeast parking stall on the north side of the site and move the curb to the south to meet setback requirements and make it a safer entrance to the site at this location.
6. The site must meet standard landscaping requirements for this site, including the buffer yard flexibility requirements.
7. To be closer to conforming with the buffer yard flexibility requirements it is recommended that the applicant install 4 new conifer trees (6-feet in height) instead of the 4 hedges along the western property line.
8. The owner must remove the existing fence on the western property line and install a 6-foot high maintenance free vinyl fence in this area to meet the zoning ordinance requirements.
9. The existing sign must be brought into conformance with the sign ordinance, which will mean adding a monument style base and making sure the size of the sign is 140 square feet or less and 14 feet in height or less. A sign permit is required for this work, for any wall signage and for any temporary signage.
10. Any lighting on site must meet ordinance requirements. This would apply to existing and new light standards. The applicant will need to submit information on the type of fixtures to be used on the building and in the parking areas to make sure all fixtures are downlit and shielded.

11. A new SAC (Sewer Access Charge) determination will need to be made by Metro Council based on the reuse of the building as well as the outdoor dining. The applicant must contact the Metropolitan Council to determine the amount of SAC required for this use. This will need to be determined before any building permits are issued for the building renovation.
12. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level
13. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
14. The outdoor dining area limited to the patio area identified on the attached site plan, and there can be no more than 12 seats in the outdoor dining area.
15. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
16. Provide manufacturing specifications, requirements and proper clearance to combustibles for any propane heater use in association with the outdoor patio.

PASSED by the City Council of the City of Blaine this 16th day of February, 2017.