



# City of Blaine Anoka County, Minnesota

Blaine City Hall  
10801 Town Sq Dr NE  
Blaine MN 55449

## Legislation Text

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File #: RES 15-007, Version: 2

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**DEVELOPMENT BUSINESS-** *Bryan K. Schafer, Planning and Community Development Director*

### **GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR OUTDOOR DINING AND A ZERO LOT LINE FOR SHARED ACCESS AND PARKING FOR A LOT OF NORTHTOWN. CHICK-FIL-A. (CASE FILE NO. 14-0062/SLK)**

Planning Commission (Public Hearing)	12/09/14
<b>City Council (Conditional Use Permit/Variance)</b>	<b>01/08/15</b>
Action Deadline (Extended by City)	02/15/15

#### Planning Commission

The Planning Commission voted unanimously to approve the conditional use permit and variance. There were no comments at the public hearing.

Chick-fil-A is proposing to construct a 4,668 square foot building on a lot adjacent to Northtown Mall. The building is proposed to be located on an existing and rarely used parking area just to the west of an existing multi-tenant building.

The B-3 Zoning District adjacent to Northtown Mall is exempt from the Highway 65 Overlay District requirements, which means that the building standards in the Overlay district do not directly apply to the proposed retail buildings. However, the City Council has directed staff to encourage applicants when adjacent to major roadways to meet the Overlay district standards as far as building construction and landscaping is concerned, and to apply the standards through the conditional use permit process.

The elevations that have been provided generally meet the Highway 65 Overlay District standards with the use of brick and glass on all sides of the building. Staff believes the applicant has made this an attractive building. A condition has been added that states the building must be constructed consistent with submitted materials made part of this conditional use permit application.

Landscaping for this site is recommended to meet the requirements set forth in the Overlay District Section of the Zoning Ordinance. The landscape plan that has been attached meets the intent of the Ordinance.

The applicant is also proposing a parking area that would require a front yard parking setback variance. The applicant is requesting a 26-foot variance to the 30-foot front yard parking setback along County Road 10. The variance would allow the applicant to provide adequate parking for the proposed building. Staff recommends approval of the variance based on matching existing conditions on adjacent sites and still providing adequate landscaping on site to meet the requirements of the Zoning Ordinance. The variances requested are not furthering the nonconformity of the parking areas as the parking areas affected by the variance currently exists on site.

The proposal requires a conditional use permit for shared access and parking. The applicant will have a shared access drive with zero lot lines on the south and east sides of the lot. The south side of the lot will provide a 10 foot landscape/green area between the Northtown drive and the drive-thru lane.

The site plan identifies 56 parking stalls, which is adequate for the type of use proposed.

The proposed outdoor dining area would be located on the west side of the building. It would consist of six tables and 20 seats, as shown on the attached drawing.

The outdoor dining area will be subject to SAC (Sewer Access Charges). The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use. All other requirements listed in the attached conditions are the standard conditions that the City applies to other outdoor dining conditional use permits.

No park dedication is required for this plat as all fees have been paid by the property owner in previous years.

### **Attachments**

Zoning and Location Map

Site Plan

Grading Plan

Landscape Plan

Floor Plan

Elevations

By motion, approve the Resolution.

**WHEREAS**, an application has been filed by Chick-fil-A as Conditional Use Permit Case File No. 14-0062; and

**WHEREAS**, a public hearing has been held by the Blaine Planning Commission on December 9, 2014; and

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

**WHEREAS**, the Blaine City Council has reviewed said case on January 8, 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 30.24(r)(w) of the Zoning Ordinance to allow for a zero lot line for shared access and parking for a lot of Northtown based on the following conditions:

1. No outside display or storage of products is allowed at any time on site.
2. Site, buildings, and landscaping to be constructed consistent with submitted materials made part of this Conditional Use Permit application. However, the site plan will be subject to further site plan review related to landscaping and all site improvements. The applicant will need to submit a landscape plan that meets the requirements set forth in the Zoning Ordinance including the Highway 65 Overlay District related to quantity and size of trees.
3. Site plan and grading approval required prior to site work and building permits.
4. Temporary signage regulated under Zoning Ordinance Section 34.13.
5. Permanent signage requires a separate permit approval process.
6. All lighting on site must meet requirements established by Section 33.02 of the Zoning Ordinance.
7. The building must be designed and maintained in accordance with the MN Uniform Fire Code.
8. All landscaping quantities be increased by 1.5 times the general landscaping requirement, and include over sizing for at least 25% of the overstory, coniferous, and ornamental trees.
9. The outdoor dining area will be subject to a SAC review and payment. The applicant must work with the City's Chief Building Official and Met Council to determine the amount required for this use.
10. No outdoor advertising on the building or outdoor dining area without obtaining a permit.
11. The outdoor dining area will be limited to the above described area, and there can be no more than 6 tables and 20 seats in the outdoor dining area.
12. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
13. No amplified outdoor music system is allowed.

14. Applicant is required to obtain a Coon Creek Watershed District Permit prior to any site work.

**PASSED** by the City Council of the City of Blaine this 8<sup>th</sup> day of January 2015.