



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Text

File #: RES 19-106, Version: 2

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

GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR AN OUTDOOR PATIO/DINING SPACE ADJACENT TO A NEW PIZZA RESTAURANT IN A B-2 (COMMUNITY COMMERCIAL) ZONING DISTRICT LOCATED AT 8683 CENTRAL AVENUE NE. FRESH PICKED PIZZA. (CASE FILE NO. 19-0028/LSJ)

Planning Commission (Public Hearing)	06/11/19
City Council (Conditional Use Permit)	07/08/19
Action Deadline	07/22/19

The Planning Commission voted unanimously to approve the conditional use permit. The adjacent neighbor to the east had questions at the public hearing about the fence, traffic and general lay out of the site.

The owner of Fresh Picked Pizza, which is currently located in the Shoreview Village Mall, has purchased the old nursery site on the southeast corner of Highway 65 and 87th Avenue for the purpose of opening a second pizza restaurant with a drive thru. The narrative that has been provided explains the concept of the restaurant and its offerings. The restaurant will be open from 6 a.m. to 9 p.m. daily. While the restaurant itself is a permitted use under the B-2 zoning, the applicant is also proposing to have outdoor dining, which requires a conditional use permit.

All of the existing buildings on this site will be removed and the site will be completely redeveloped, which will be a great improvement for this site. The site currently includes two separate parcels. A requirement of obtaining a building permit will be to combine the two parcels at Anoka County. Evidence of this combination must be presented prior to issuance of a building permit.

The proposed building for Fresh Picked Pizza (and a tenant space) will be 5,000 square feet with the drive thru running along the north and west sides of the site adjacent to Highway 65. All setbacks are being met on site.

The proposed outdoor seating area consists of seating for 50 people. This area is located on the east side of the building. This area will be subject to SAC (Sewer Access Charge) fees and the

applicant is directed to speak with the Chief Building Official on the process to determine the amount of the total SAC fee.

The owner of the restaurant initially indicated he would not be serving alcohol so no fencing information was submitted with his application. At the Planning Commission meeting he indicated he may want to provide beer and wine for his customers. He was told to submit a fencing detail as fencing is required for outdoor dining when beer and wine are served. Since the meeting, he has been directed to work with the City Clerk's office on the liquor license and he has provided pictures of what his proposed fencing of the outdoor dining area will look like. Staff believes this type of fencing is acceptable in this location and during the site plan approval process, staff will continue to make sure all fence details are in line with this type of fencing.

There are 50 parking stalls required on this site and 50 stalls are provided. The building is a total of 5,000 square feet, but only 3,200 square feet will be used for the restaurant. There is also a 1,800 square foot tenant space included on the floor plan, with the tenant unknown at this time.

With regard to landscaping, the site will be subject to the Highway 65 Overlay District requirements. The landscaping requirements for the site are as follows:

Overstory Trees: 9 (2 ½ inch caliper)

Ornamental Trees: 9 (2 inch caliper)

Conifer Trees: 9 (6 feet in height)

According to the Highway 65 Overlay District requirements, at least 25% of the trees on site must be oversized. Overstory trees must be oversized to 3 inch caliper and conifer trees must be 8 feet in height. No oversizing is recommended for the ornamental trees.

In addition to the trees, a fence is required on the east side of the site. The applicant is proposing to construct a wood fence, but a condition of approval is that the fence be a maintenance free vinyl fence to minimize deterioration. The fence must also be 6 feet in height.

The building exterior includes EIFS, stone, glass and metal, and the building meets the Highway 65 Overlay District standards for building materials, which is required for this site.

Site plan approval is required prior to issuance of a building permit. This process will include the submittal of a Site Improvement Performance Agreement and a financial guarantee to cover the cost of the exterior improvements on site.

All signage is issued under a separate permit. The site is allowed wall signage on two sides of the building and a monument sign. There shall be no signage on the east side of the site

adjacent to the residential district.

All lighting must be downlit and shielded to prevent glare or spill. All pole mounted lighting is limited to 20 feet in height. There shall be no wall mounted lighting or pole mounted lighting on the east side of the site adjacent to the residential area.

The applicant will be required to submit a grading and utility plan for approval with the site plan approval process. This development may also require a permit from the Coon Creek Watershed District.

By motion, approve the Resolution.

Attachments

Zoning and Location Map

Narrative

Site Plan

Floor Plan

Building Elevations

Landscape Plan

Fence Detail

WHEREAS, an application has been filed by Fresh Picked Pizza as Conditional Use Permit Case File No. 19-0028; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on June 11, 2019; and

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

WHEREAS, the Blaine City Council has reviewed said case on July 8, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 30.14(m) of the Zoning Ordinance to allow for an outdoor patio/dining space adjacent to a new pizza restaurant in a B-2 (Community Commercial) zoning district based on the following conditions:

1. The proposed outdoor seating area shall be limited to a total of 50 seats. The outdoor dining area will be subject to a SAC review and payment.
2. A requirement of obtaining a building permit will be to combine the two land parcels at Anoka County. Evidence of this combination must be presented prior to issuance of a

building permit.

3. A demolition permit must be obtained prior to demolishing the existing building.
4. Site plan approval is required prior to issuance of a building permit. This process will include the submittal of a Site Improvement Performance Agreement and a financial guarantee to cover the cost of the exterior improvements on site.
5. All signage is issued under a separate permit. The site is allowed wall signage on two sides of the building and a monument sign. There shall be no signage on the east side of the site adjacent to the residential district.
6. All lighting must be downlit and shielded to prevent glare or spill. All pole mounted lighting is limited to 20 feet in height. There shall be no wall mounted lighting or pole mounted lighting on the east side of the site adjacent to the residential area.
7. Temporary signage regulated under Zoning Ordinance Section 34.13.
8. No overnight storage of delivery vehicles unless approval is received from the Zoning Administrator.
9. Plans for amplified music or a public address system for the outdoor dining area to be reviewed by the city prior to installation. Noise level of the music in the outdoor dining area to not exceed normal conversation level.
10. No outdoor advertising on building or patio area without obtaining a permit, including any signage on table umbrellas.
11. The ability to operate outdoor dining is reliant upon the applicant's ability to adequately control litter and refuse as associated with the facility.
12. The ability to operate outdoor dining is reliant upon the applicant's ability to manage the patio area in a manner that minimizes potential impacts to the residential properties to the east. This includes noise, lights, hours of use, large gatherings, etc.
13. The applicant to provide manufacturing specifications and requirements for propane heater use and clearance to combustibles if they are to be used on site.
14. Applicant must obtain a permit for any fencing around the outdoor dining area. Any fencing around the patio must be consistent with the pictures of fencing submitted to staff after the Planning Commission meeting and presented to the City Council for their approval.
15. The following landscaping is required for the site:

Overstory Trees: 9 (2 ½ inch caliper)

Ornamental Trees: 9 (2 inch caliper)

Conifer Trees: 9 (6 feet in height)

According to the Highway 65 Overlay District requirements, at least 25% of the trees on site must be oversized. Overstory trees must be oversized to 3 inch caliper and conifer trees must be 8 feet in height. No oversizing is recommended for the ornamental trees.

16. A fence is required on the east side of the site. The applicant is proposing to construct a wood fence, but a condition of approval is that the fence be a maintenance free vinyl

fence to minimize deterioration. The fence must also be 6 feet in height.

17. A permit from the Coon Creek Watershed District will be needed prior to site plan approval from the city.

18. The applicant to work with the City Clerk's office to obtain a liquor license if it is so desired.

PASSED by the City Council of the City of Blaine this 8th day of July, 2019.