

To: **Mayor and City Council**
Through: **Ryan Schroeder, City Manager**
Jim Hartshorn, Comm. Dev. Director
From: **Melissa Sonnek, City Planner**
Date: **March 22, 2021**

Site Plan and Conditional Use Permit Review for a Drive-Through at 1608 Robert St – Jimmy John’s

BACKGROUND INFORMATION:

Core States Group, on behalf of Spin the Planet, has submitted applications for a site plan and conditional use permit review for the construction of a drive-through lane in the B6 – Town Center Mixed-Use Zoning District at 1608 Robert St.

Please see the attached Planning Commission report for additional information related to the request.

SUBJECT SITE:



PLANNING COMMISSION REVIEW:

The Planning Commission reviewed the submitted plans during their regular meeting held on Tuesday, March 16th, 2021.

No one from the public came forward or called in to speak on the item.

The commission discussed the following items:

- Additional screening/landscaping between the drive-through and the Robert Street sidewalk
 - The applicant agreed to install an iron wrought fence, similar to existing fencing along Robert Street, between these two areas to create screening as well as limit the ability for pedestrians to walk through the drive-through area as this is a safety concern.
- Construction of additional sidewalk along the northern property line (south side of Wentworth Ave.) to continue from the existing sidewalk around the store to the east property line.
 - The applicant agreed to work with City Staff and Dakota County to implement this sidewalk if there is sufficient room.
- Shift the menu/ordering board east and south to be further away from the Robert St. sidewalk, so that noise created by the menu/ordering board is less disruptive for pedestrians traveling along the sidewalk.
- Concerns around the new drive-through access requiring the removal of trees on site.
 - The commission recommended adding a condition of approval that if any trees are removed during the construction of this project, that they be replaced in accordance with city code as well as a native species if possible, pollinator friendly and not treated with neonicotinoids.
- Concerns around the alignment of the drive-through exit area and the primary entrance/exit of the site,
 - The Planning Commission recommended as an added condition of approval that adequate signage be incorporated to properly inform drivers of the change in site and traffic flow.

Planning Commission voted 7-0 in favor of recommending approval of the site plan and conditional use permit, with the conditions recommended by City Staff as well as the added conditions of numbers 5 through 9 for the site plan approval.

STAFF RECOMMENDATION:

Staff recommends the City Council hold a public hearing and approve of the site plan application for the construction of a drive-through lane at 1608 Robert Street, subject to the submitted plans and the following conditions:

1. The approval of the site plan is contingent upon the approval of the corresponding conditional use permit application,
2. The site plan shall be revised to move the drive-through lane a minimum of six feet to the east so that it is not closer to the west property line than the building is,
3. All signage must comply with section 153 of the zoning ordinance,
4. The applicant shall adhere to all items outlined in the WSB Engineering Memo dated March 4, 2021,

5. If any trees are removed during the construction of this project, the applicant shall ensure that they be replaced in accordance with city code as well as of native species if possible, pollinator friendly and not treated with neonicotinoids,
6. The applicant shall incorporate additional screening between the existing Robert Street sidewalk and the proposed drive-through in the form of an iron wrought fence similar in design to existing fencing along Robert St.,
7. The applicant shall revise the site plan to shift the menu/order board further east and south on the site to decrease noise levels that reach the Robert St. sidewalk,
8. The applicant shall work with City Staff and Dakota County to construct a sidewalk along the north side of the property along Wentworth Avenue, and
9. Site plan shall include appropriate signage and markings to ensure optimal traffic flow and function between the drive-through exit point and the primary entrance/exit of the site.

Staff recommends City Council vote to approve the conditional use permit application for the construction of a drive-through lane in a B6 – Town Center Mixed-Use district at 1608 Robert Street, subject to the submitted plans and following conditions:

1. The approval of the conditional use permit is contingent upon the approval of the corresponding site plan application.

ATTACHMENTS:

Application and Public Notice
Planning Commission Memo
Memo from WSB Engineering
Submitted Plans
Resolutions