

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 Restaurant with Drive-Through at 1650 Robert St – Burger King**

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### **BACKGROUND INFORMATION:**

Cave Enterprises, on behalf of Burger King, has applied for a site plan and conditional use permit review for the construction of a fast food restaurant and a drive-through lane in a B3 – General Business Zoning District at 1650 Robert Street South.

The applicant is proposing to demolish the existing building and reconstruct a new Burger King of similar size and in a similar location on the lot with a drive-through with two menu/ordering lanes. 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 16<sup>th</sup>, 2021.

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

The commission discussed the following items:

- Site signage,
  - The Commission voiced their concerns around the site having appropriate signage to indicate the traffic flow of the site and where to properly enter the drive-through area. An added condition was made for the applicant to work with City Staff to ensure appropriate signage will be incorporated into the site to ensure safe and proper traffic flow throughout the site.
- Internal connections of the site to the surrounding properties,
  - The applicant and the commission thoroughly discussed items pertaining to the multiple access points into and out of the site and how this can better allow traffic flow in and around the property.
- Opportunities to improve pedestrian infrastructure,
  - The commission voiced concerns about the lack of pedestrian crosswalks from this site to the Walmart and Hobby Lobby sites.
  - The applicant stated that it would be difficult to provide ADA compliant crossings within certain areas of the site, additionally that while they may be able to incorporate safe crossing options within their site, additional discussions would need to be had with the adjacent property owners to explore options for pedestrians to safely travel between the multiple properties and parking lots.
- Preference for outdoor seating and/or patio area,
  - The commission voiced that they would like to see some outdoor seating and/or patio space on the site.
  - The applicant stated that while they would also like to offer this amenity, the site is not large enough to accommodate a full outdoor seating area as well as the double drive-through order lanes, landscaping, etc. However, they would be able to accommodate two outdoor tables with seating room for 8 to 9 people just in the front of the building on the west side.

Planning Commission voted 7-0 in favor of recommending approval of the site plan and conditional use permit, subject to the staff recommended conditions as well as the addition of condition number 10.

## **STAFF RECOMMENDATION:**

Staff recommends the City Council hold a public hearing and approve of the site plan application for the construction of a fast food restaurant with a drive-through lane at 1650 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 remove the five parking stalls located west of the front building line, requiring the addition of 4 stalls elsewhere on the site or a shared parking agreement for a minimum of 4 stalls within 150 feet of the subject property,
3. The site plan shall include at least 3 parking stalls on the northern side of the site for queueing vehicles to pull off to the side and park while waiting for orders to allow additional stacking room if/when it is needed,
4. The building elevations shall be revised so that the south elevation, listed as main entrance on the submitted plans, be comprised of at least 60% primary materials and no more than 40% secondary materials,
5. The lighting plan be revised so that the lighting levels do not exceed zero footcandles at all abutting property lines,
6. All necessary signage components shall be included in the building permit plan submittals and wall signage shall not occupy more than 10% of the building façade,
7. The applicant shall replace the Norway maple with a non-invasive species, incorporate native plantings as well as annuals and perennials that are pollinator friendly and not treated with neonicotinoids, and consider additional stormwater treatment measures and/or the reduction of impervious surface as detailed in the Environmental Committee memo dated March 10, 2021.
8. The applicant shall adhere to all items outlined in the WSB Engineering memo dated March 4, 2021,
9. The applicant shall adhere to the items outlined in the MnDot memo dated February 12, 2021, with the exception of condition recommending the closure of the Robert Street access,
10. The applicant shall work with City Staff to ensure appropriate signage will be incorporated into the site to ensure safe and proper traffic flow throughout the site

Staff recommends City Council vote to approve the conditional use permit application for the construction of a drive-through lane in a B3 – General Business district at 1650 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, and
2. The drive-through shall continue to comply with 153.156 D 1-5.

## **ATTACHMENTS:**

Application and Public Notice  
Planning Commission Memo  
Memos from Env. Comm. WSB Eng., and MnDot  
Submitted Plans  
Resolutions