

Commissioner Bauer suggested the hours not be restricted as this was a commercial business district.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Bauer, Schiller. Voting No: Van Scoy. Abstain: Commissioner Brauer. Absent: Commissioners Field and Perez.

6.02: Public Hearing: Request for Site Plan and Conditional Use Permit Approval for McDonald's Located on Lot 4 Block 1 CORE TWO; Case of McDonald's USA LLC

Public Hearing

Chairperson Levine called the public hearing to order at 7:16 p.m.

Presentation

Associate Planner/Environmental Coordinator Anderson presented the staff report. He explained the City received an application for Site Plan and Conditional Use Permit review for a proposed 4,600 square foot McDonald's restaurant located in the COR-2b subdistrict. The proposed building is a single tenant space located at the southeast corner of Sunwood Drive and Armstrong Boulevard NW, adjacent to the recently approved Super America site. The proposal includes a drive-thru and the applicant has requested to utilize and operate electronic speaker devices associated with the drive-thru twenty-four (24) hours per day. A conditional use permit is being processed along with the site plan to address the use of electronic speaker device outside the hours of 7:00 a.m. and 10:00 p.m. as permitted by City Code.

Associate Planner/Environmental Coordinator Anderson reviewed the site plan renderings in further detail and recommended the Commission adopt findings of fact favorable to the applicant and to approve the request for a Conditional Use Permit for the use and operation of electronic speaker devices associated with the drive-thru twenty-four (24) hours per day, contingent upon compliance with the Staff Review Letter dated December 28, 2012 and upon adoption of an Ordinance amendment related to the expanded use of electronic speaker devices. Staff requested the Commission also recommend approval of the proposed site plan, contingent upon compliance with the Staff Review Letter dated December 28, 2012.

Chairperson Levine requested staff to review how traffic would flow through this property. Senior Planner Gladhill reviewed the traffic flow in detail with the Commission.

Chairperson Levine asked how many lanes would be provided in the drive-thru. Associate Planner/Environmental Coordinator Anderson commented there would be two drive-thru lanes that would merge into one for food pickup.

Citizen Input

Brian Smith, McDonald's USA, 1650 West 82nd in Bloomington, thanked the Commission for consider his request this evening. He noted he was available to take questions or comments.

Eric Kellogg, Landform, 105 South Fifth Avenue in Minneapolis, noted he too was available to take questions or comments from the Commission.

Commissioner Van Scoy asked if McDonald's had provided any alternative placement plans to City staff. Mr. Kellogg stated many options were discussed for this site given the number of cars anticipated. He noted the provided plan best met the needs of the restaurant with a drive-thru. He explained it was extremely important to separate the pedestrian traffic from the drive-thru traffic for safety purposes.

Commissioner Bauer questioned why Staff had requested the building layout alternatives. Senior Planner Gladhill explained that this assured Staff had done their due diligence in reviewing the layout of this site, the flow of traffic and that the best plan was before the Commission for approval.

Chairperson Levine commented the proposed layout worked well, as has been demonstrated in other communities.

Commissioner Brauer inquired who was awarded the franchise for this McDonald's location. Mr. Smith stated this had not yet been determined.

Commissioner Brauer asked how much leeway McDonald's had to deviate from the standard site plan. Mr. Kellogg stated the submitted layout would differ from any in the metro area, given the proposed trellis and windows on the rear of the building. Mr. Smith explained that deviating from the site plan too greatly would require assistance from corporate. He noted that full circulation around the site was key.

Commissioner Brauer questioned how much McDonald's could deviate prior to involving corporate comment. Mr. Smith stated safety issues would arise if the building did not have full circulation.

Commissioner Brauer commented the proposed site plan deviated from the current zoning guidelines. He was pleased that McDonald's has been willing to work with the City thus far and questioned how much further McDonald's could go to meet the zoning code. Mr. Smith stated his main concern would be meeting McDonald's safety requirements.

Chairperson Levine supported the site plan as submitted.

Commissioner Bauer asked where the golden arches would be located. Mr. Kellogg indicated the building would have arches along with the proposed signage off of Highway 10.

Commissioner Bauer questioned where the garbage receptacles would be located. Mr. Smith noted these would be fully enclosed to the rear of the building.

Commissioner Bauer asked how many seats the restaurant would have. Mr. Carlisle commented the restaurant would have 90-100 seats and would have 51 parking stalls.

Motion by Commissioner Schiller, seconded by Commissioner Bauer, to close the public hearing.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Schiller, Bauer, Brauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

Chairperson Levine closed the public hearing closed at 7:47 p.m.

Commission Business

Commissioner Brauer requested an additional Finding of Fact be added stating that given McDonald's corporate policy on how sites are to be designed and for safety reasons, the proposed site plan was the only way to layout this site.

Chairperson Levine questioned why this was necessary.

Commissioner Brauer stated this would allow for deviation from the recommended zoning standards with regard to the site layout, addressing also the safety concerns of the proposed use on this site.

Associate Planner/Environmental Coordinator Anderson recommended this finding state the proposed site plan minimizes the potential pedestrian/motor-vehicle conflicts and safety concerns. The Commission agreed with this suggestion.

Commissioner Bauer asked how the Conditional Use Permit would proceed given the previous action taken by the Planning Commission. Senior Planner Gladhill suggested the reference to the Conditional Use Permit be omitted as the drive-thru would be a permitted use.

Motion by Commissioner Schiller, seconded by Commissioner Brauer, to recommend that City Council adopt findings of fact (with the addition noted above) favorable to the applicant and to approve the request for the use and operation of electronic speaker devices associated with the drive-thru twenty-four (24) hours per day, contingent upon compliance with the Staff Review Letter dated December 28, 2012 and upon adoption of an ordinance amendment related to the expanded use of electronic speaker devices.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Schiller, Brauer, Bauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

Motion by Commissioner Schiller, seconded by Commissioner Brauer, to recommend that City Council approve the proposed site plan, contingent upon compliance with the Staff Review Letter dated December 28, 2012.

Motion Carried. Voting Yes: Chairperson Levine, Commissioners Schiller, Brauer, Bauer, and Van Scoy. Voting No: None. Absent: Commissioners Field and Perez.

6.03: Discussion on Dissemination of City Council Minutes