

Item 2

GENERAL INFORMATION

Applicant: City of Bloomington
Request: City Code Amendment – B-4 Drive-Through Standards

REQUEST

The proposed ordinance has been prepared at the City Council’s request to:

- Allow drive-through restaurants as conditional uses in the B-4 Zoning District; and
- Enhance the drive-through standards in the B-4 Zoning District.

BACKGROUND

During the March 2, 2009 public hearing on whether or not to rezone several parcels to the B-4 Zoning District, the City Council asked staff to bring forward an ordinance for discussion that would amend the City Code to allow drive-through restaurants in the B-4 Zoning District as a conditional use. This amendment was subsequently discussed at the March Planning Commission study meeting and at the May City Council study meeting.

The proposed ordinance would allow drive-through restaurants as conditional uses in the B-4 Zoning District, where non-drive-through restaurants are already conditional uses. Drive-throughs of any type were originally proposed to be prohibited in the B-4 District given the intent of the district to be pedestrian oriented and to provide enhanced aesthetics and streetscape. Through the public hearings on adopting the B-4 Zoning District, the original concept was revised to allow lower impact, non-restaurant (typically bank or pharmacy) drive-through lanes subject to a limit of one lane per business in order to expand the range of businesses allowed under B-4. More intense restaurant drive-through lanes remained prohibited, however.

While the proposed ordinance is a step away from the original new urbanist intent of the district, it is a move that expands the range of uses allowed in the B-4 Zoning District, which property owners have testified is important to increasing redevelopment opportunities, especially during an economic downturn. Although the proposal results in a hybridized B-4 Zoning District, staff believes the district can still meet much of the original intent for improved aesthetics and improved pedestrian circulation provided the proposed enhanced drive-through standards are included.

In addition to the existing B-4 drive-through standards that prohibit a drive-through between a building and a public street and limit drive-throughs to one lane per business, the proposed ordinance would:

- prohibit drive-throughs between a building and a private street;
- require drive-throughs be located in a manner that discourages pedestrian crossing of stacking lanes; and
- require drive-throughs to be screened from public and private streets, sidewalks, adjacent outdoor dining spaces, parks and public open spaces.

Within land zoned B-4, there are currently two drive-through restaurants, namely McDonalds at France and Old Shakopee and Burger King at 90th and Penn. Both are legally nonconforming uses. If the proposed ordinance is adopted, these restaurants would become legally conforming uses with nonconforming site characteristics. Other drive-through restaurants could also be added on land zoned B-4 subject to the standards.

RECOMMENDATION

In Case 10000F-09, staff recommends approval of an ordinance to amend B-4 Zoning District drive-through standards and to make drive-through restaurants a conditional use in the B-4 Zoning District.