

MEMORANDUM

TO: City Planning Commission, Committee of the Whole
FROM: [Kimberly Holien](#), Principal Planner, (612) 673-2402
DATE: March 23, 2017
SUBJECT: Text amendment- Drive-through facilities

An ordinance was introduced to the City Council on January 29, 2016, to amend regulations for drive-through facilities. The following zoning code chapters were introduced:

Chapter 520 relating to Introductory Provisions
Chapter 521 relating to Zoning Districts and Maps Generally
Chapter 530 relating to Site Plan Review
Chapter 531 relating to Nonconforming Uses and Structures
Chapter 541 relating to Off-Street Parking
Chapter 543 relating to On-Premise Signs
Chapter 548 relating to Commercial Districts
Chapter 549 relating to Downtown Districts
Chapter 550 relating to Industrial Districts
Chapter 551 relating to Overlay Districts

The proposed ordinance relating to drive-through regulations was introduced at the same time as the ordinance to amend and expand the boundaries of the Pedestrian Oriented Overlay district along Hennepin Avenue, Lake Street, Lyndale Avenue and Lagoon Avenue. Nothing specific relating to drive-throughs was adopted as part of that amendment. However, drive-through facilities are prohibited in the Pedestrian Oriented Overlay district. At the time of introduction, staff met with the Council sponsors to discuss potential options for strengthening drive-through regulations. A decision was made to allow the Pedestrian Oriented Overlay district to proceed first. The PO amendment is now adopted and the need to address drive-through facilities remains.

A text amendment that specifically addresses drive-through regulations is timely given the number of proposals for new drive-through facilities that have been considered by the City Planning Commission in the last two years and the undesirable impacts these uses have. Said impacts include noise, extended idling, proliferation of curb cuts, conflicts with pedestrians and traffic generation. Recent projects that have included new drive-through facilities are as follows:

- 333 E Hennepin Avenue- US Bank (September 2015)
- 1505 W Lake Street- Wells Fargo (November 2015)
- 2650 Hennepin Avenue- Walgreens (March 2016)
- 3200 W Lake Street- Drugstore (June 2016)

- 608 Central Avenue NE- White Castle (August 2016)
- 4700 Cedar Avenue- Starbucks (February 2017)

Of the projects noted above, only the Walgreens drive-through at 2650 Hennepin Avenue has become non-conforming due to the extension of the Pedestrian Oriented Overlay district. The drive-through at 1505 W Lake Street was non-conforming at the time it came before the Planning Commission but was able to be modified because it was coming closer into compliance with the zoning code.

Drive-through facilities are currently permitted in the following zoning districts:

C2, Neighborhood Corridor Commercial district
C3S, Community Shopping Center district
C4, General Commercial district
B4C, Downtown Commercial district
I1, Light Industrial district
I2, Medium Industrial district

Where the PO, Pedestrian Oriented Overlay district or WB, West Broadway Overlay district are present, drive-through facilities are not allowed. In terms of design standards, the only performance standards currently in the zoning code that are specific to drive-through facilities relate to stacking spaces and minimum lot area. There are also specific provisions within the West Broadway Overlay district that allow for drive-throughs where accessory to financial institutions and drug stores, provided the building is at least two stories and the drive-through is not visible from West Broadway. Additionally, fast food restaurants in new buildings are only permitted where the property is part of an area of at least six 660 feet of continuous industrial, C2, C3S or C4 zoning fronting along the same side of the street as the fast food restaurant, without interruption by a residence, office residence, C1, C3A or Pedestrian Oriented Overlay District.

At this point in the process, staff is seeking feedback from the City Planning Commission on potential options for strengthening drive-through regulations. The feedback from the Commission will then be used to draft code text that will come back before the Commission at Committee of the Whole for discussion. It is worth noting that this issue is also being discussed as part of the update to the comprehensive plan, which may result in additional land use features that could potentially direct drive-throughs to more specific, more limited land use features. The four options for amending regulations that have been discussed thus far are as follows:

1. Ban all new drive-through facilities citywide
2. Further restrict the zoning districts in which drive-through facilities are allowed
3. Allow drive-through facilities only if they are on the ground floor of a larger mixed-use development with a minimum development intensity and/or floor area ratio
4. Develop more restrictive design standards for drive-through facilities where they are currently allowed, including limits on the number or total width of curb cuts, screening requirements and the like (this may also be combined with #2 above)

Staff is currently researching a variety of sources to help inform any proposed ordinance language, including but not limited to zoning regulations and best practices from peer cities and an analysis of previously approved applications. Draft language will be brought back before the City Planning Commission Committee of the Whole for discussion prior to scheduling a public hearing on this amendment.