

Planning Commission Item

June 6, 2023



Item	Consider a request for a Subdivision, Site Plan Review with variances, and a Conditional Use Permit for a drive-through restaurant located at 800 W. 78th Street.	
File No.		Item No: B.2
Agenda Section	<u>PUBLIC HEARINGS</u>	
Prepared By	Bob Generous, Senior Planner	
Applicant	Café Zupas 460 W Universal Circle Sandy, UT 84070	West Village Station, LLC 11501 Northlake Drive Cincinnati, OH 45249
Present Zoning	Central Business District (CBD)	
Land Use	Commercial	
Acerage	13.22	
Density	F.A.R. 0.11	
Applicable Regulations	Chapter 20, Article II, Division 6, Site Plan Review Chapter 20, Article IV, Conditional Use Permits Chapter 20, Article XVIII, Central Business District, CBD Chapter 20, Article XXIII, Division 7, Design Standards for Commercial, Industrial and Office-Institutional Developments Chapter 20, Article XXVI, Signs	

SUGGESTED ACTION

"The Chanhassen Planning Commission recommends approval of the subdivision, site plan, variance, and conditional use permit for Café Zupas subject to the conditions of approval in the staff report and adopts the Findings of Fact and Recommendation."

SUMMARY

The developer is requesting subdivision approval to create a lot for an additional building site on the property. They are also requesting site plan approval for a 3,050 square-foot building with a conditional use permit for a drive-through in conjunction with their restaurant and a variance to permit a second sign containing the display message in addition to the building signage.

BACKGROUND

In November 1986, this property was approved as part of a mixed use subdivision (West Village Heights 2nd Addition including five commercial lots, one multi-family lot, and the realigned right-of-way for West 78th Street. The property was rezoned from R-1a, Agricultural Residence District, to C-3, Service Commercial District.

In 1987, the lot was rezoned to BG, General Business District, as part of the revision of the Zoning Ordinance. The western portion of Block 1 was rough graded in anticipation of a PDQ center. The center and commercial uses were not built. The multi-family properties to the north were developed as Oak Ponds townhouses (PUD #92-3) and Centennial Hills (SPR #92-8). The West 78th Street alignment was modified and a revised road section employed concurrent with the approval of Target.

On November 8, 1993, the City approved Interim Use Permit #93-2 permitting the rough grading of the site for the commercial development of the property.

On December 13, 1993, the City approved Site Plan #93-7 for West Village Center and Conditional Use Permit #93-1 to permit the grouping of two buildings on one lot.

On February 8, 2010, the City approved ordinance No. 493 rezoning Lot 4, Block 1, West Village Heights 2nd Addition from General Business District, BG, to Central Business District, CBD.

DISCUSSION

The applicant is requesting subdivision approval to create two lots. The existing buildings on the site will be on Lot 1 with 542,995 square feet of area (12.46 acres). The new building site, Lot 2, will be 32,982 square feet (0.76 acres). Access and cross parking agreements will be required to be recorded with the plat. Both parcels exceed the minimum requirements for the zoning district.

The developer is requesting site plan approval for a 3,050 square-foot building with a conditional use permit for a drive-through in conjunction with their restaurant and a variance to permit a second sign containing the display message in addition to the building business signage. The proposed development

meets the requirements of the site plan review subject to revisions to the plan outlined in the staff report. The drive-through meets standards established for drive-through in City Code.

The applicant is requesting a variance to permit the installation of a display message on the wall of the building. City code classifies this as a sign and only permits one sign per building elevation. Staff believes that this sign provides a motivational rather than a commercial message that should be permitted.

RECOMMENDATION

Staff recommends that the Planning Commission recommends approval of Planning Case #2023-08, plans prepared by Westwood Professional Services, Inc. dated May 2, 2023, for the Subdivision creating two lots, the site plan for a 3,050 square-foot restaurant with a conditional use permit for a drive-through and variance to permit the display message in addition to the business sign subject the conditions in the staff report, and adoption of the findings of fact and recommendation.

ATTACHMENTS

[Staff Report Cafe Zupas](#)

[Findings of Fact Cafe Zupas](#)

[Development Review Application](#)

[Project Narrative](#)

[Preliminary Plat](#)

[Final Plat](#)

[Preliminary Site Plan](#)

[Traffic Impact](#)

[Café Zupas Queueing Study](#)

[Letter From Resident](#)

[Affidavit of Mailing](#)