

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** March 7, 2022

SUBJECT: ZC21-0011, Ordinance No. 3733, Public hearing and consideration of a request from BCC Engineering for a special use permit for a quick service restaurant at 5555 Rufe Snow Drive, being 5.4 acres described as Lot 1R, Block 4, Industrial Park Addition.

PRESENTER: Clayton Comstock, Planning Director

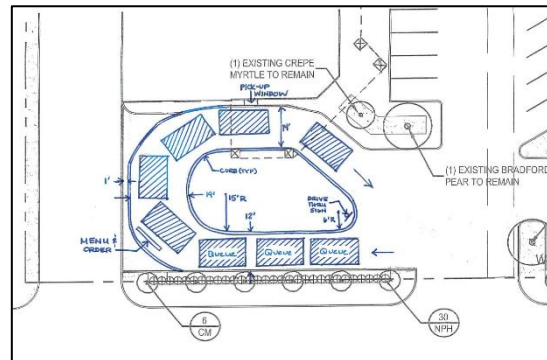
SUMMARY:

On behalf of Aberfeldy Properties Inc (owner) and Younger Partners (property manager), BCC Engineering is requesting a special use permit for a quick service restaurant on 5.4 acres located at 5555 Rufe Snow Drive.

GENERAL DESCRIPTION:

The property under consideration is located at the northwest corner of Rufe Snow Drive and Browning Drive. The site is developed as a multi-use shopping center constructed in 1983. The applicant proposes to renovate and remodel a portion of a former dry cleaner business space on the southwest endcap of the building for a new tenant, [PJ's Coffee](#).

A site plan for the proposed development is attached. Planned improvements to the site include the remodel and finish out of a 2,200-square-foot restaurant space; construction of a drive through lane with menu boards; and the installation of landscaping, a sidewalk, and building signage.



The parking and maneuvering areas adjacent to the space would be converted to the drive-through area. The area would be a self-contained loop that enters and exits from the existing parking lot. The area would be separated from the driving aisle on the west by a raised curbed median. The central island in the drive-through area would be landscaped. The pickup window would be located under the existing canopy on the south side of the building.

The proposed conditions of approval for this special use permit are attached. The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties. These conditions are based on the applicant's proposed development of the property and recommendations from the Development Review



Committee. These conditions may be modified throughout the public hearing process, but they are subject to final approval by City Council.

Land use

In 2015, the zoning ordinance was amended to create new land use types for restaurants. One of the land use types is “quick service restaurant,” commonly referred to as a fast food restaurant. This land use requires approval of a special use permit in the C-2 (Commercial) zoning district.

Drive-through standards and requirements

The zoning ordinance includes design standards for restaurants that provide drive-through service. The proposed construction complies with all drive-through standards except as noted below. The applicant is requesting approval of the following modified standards as part of the special use permit.

- Drive-through lanes and pickup windows are not permitted to be located between the building and a public street. The proposed site layout shows these features located between the building and Browning Drive. A drive-through lane and pickup window are already located in this area as they were constructed as part of a previous dry cleaner business that occupied the space.
- The entrance to a drive-through lane must be at least 50 feet from all public streets. As proposed, the entrance to the drive-through area is immediately adjacent to a driveway into the property.

Landscaping

A central landscaped island would be installed in the drive-through area. Pavement would be removed to establish the approximately 1,350-square-foot landscaped island. The landscaped area must be watered by an automatic underground irrigation system.

On April 12, 2021, the Landscape Review Board approved a landscape plan for the shopping center property. The plan was approved as part of a remodel of the shopping center to allow improvements to the site without conforming to landscaping and buffering standards. In general, the site provides 9.5% of the lot in a landscaped area, while the standards require a minimum of 15% of the lot area. The addition of the landscaped island will increase the landscape area to approximately 10% of the lot area.

Sidewalks

The Development Review Committee recommends that about 100 linear feet of four-foot sidewalk be constructed on the north side of Browning Drive adjacent to the drive-through area. The sidewalk would provide a direct pedestrian connection to the single-family and multifamily residences in the Iron Horse transit oriented development district. This recommendation is included in the attached SUP development standards.

Outdoor lighting

The Development Review Committee recommends that the existing lighting fixtures on the building be replaced with conforming fixtures that comply with Section 118-728 of the zoning ordinance. This revision is reflected in the attached SUP development standards.



LAND USE PLAN: This area is designated on the Land Use Plan as Retail Commercial. This designation provides sites for community and regional shopping centers, commercial establishments, and employment centers. These sites are typically located on highways and major thoroughfares at key intersections.

CURRENT ZONING: The property is zoned C-2 (Commercial). This district is intended to provide for the development of retail and general business uses primarily to serve the community and region. Uses include a wide variety of business activities and may involve limited outside storage, service, or display. The C-2 district should be located away from low and medium density residential development and should be used as a buffer between retail and industrial uses. The district is also appropriate along business corridors as indicated on the land use plan.

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	I-2 (Medium Industrial)	Retail Commercial	Self-storage facility
WEST	I-2 (Medium Industrial)	Urban Village	Offices
SOUTH	I-2 (Medium Industrial)	Retail Commercial	Self-storage facility and child care center
EAST	C-1 (Commercial)	Retail Commercial	Retail and restaurant uses

PLAT STATUS: The property is platted as Lot 1R, Block 4, Industrial Park Addition.

PUBLIC INPUT: Following posting of the public hearing signs on the subject property, the Planning & Zoning Department received written support of the request. Copies of the correspondence is included in the "Public Input" attachment.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the February 17, 2022, meeting and voted 6-0 to recommend approval, specifically with the sidewalk recommendation of the Development Review Committee.

RECOMMENDATION:

Approve Ordinance No. 3733.