

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** January 9, 2017

SUBJECT: SUP 2016-05, Ordinance No. 3441, Public Hearing and consideration of a request from Icon Consulting Engineers, Inc., for a Special Use Permit for a Drive Through Building less than 1,400 square feet located at 6244 Rufe Snow Drive.

PRESENTER: Clayton Husband, Principal Planner

SUMMARY:

Icon Consulting Engineers is requesting a Special Use Permit (SUP) to allow the construction of a drive-through coffee shop at 6244 Rufe Snow Drive. The proposed building would replace the existing drive-through shop on the property. The size of the building is less than 1,400 square feet in floor area, which requires approval of an SUP. The proposed development also includes landscaping improvements in the area of the building. The property is generally located at southeast corner of Rufe Snow Drive and Mid-Cities Boulevard and south of the 99¢ Only Store.

GENERAL DESCRIPTION:

The site under consideration is an existing drive-through building located in a shopping center parking lot. The building is situated in front of a retail center anchored by 99¢ Only Store and Pancho's Mexican Buffet and has been used previously for coffee and shaved ice sales. The applicant proposes to demolish the existing building and construct a new drive-through coffee shop at the same location.

[Section 118-631](#) of the zoning ordinance requires SUP approval for a drive-through building that is less than 1,400 square feet in floor area. The proposed building is 483 square feet in floor area. As a frame of reference, the existing building is 266 square feet. The owner has applied for an SUP to allow a building of this size at this location.

A general site layout is shown below in Figure 1, and a complete site plan package for the proposed coffee shop is attached. Additional landscaping is proposed around the building and in a new parking lot island. Traffic access to the building is from the internal parking area of the shopping center. The drive-through lane closest to Rufe Snow Drive will be separated from the adjacent driving aisle with a curb to prevent the queue of vehicles from backing up into the drive approach. Similar to the existing business, the proposed operation provides two drive-through lanes with canopies over the pickup windows. Building materials include stone and glass with a metal roof and canopies.

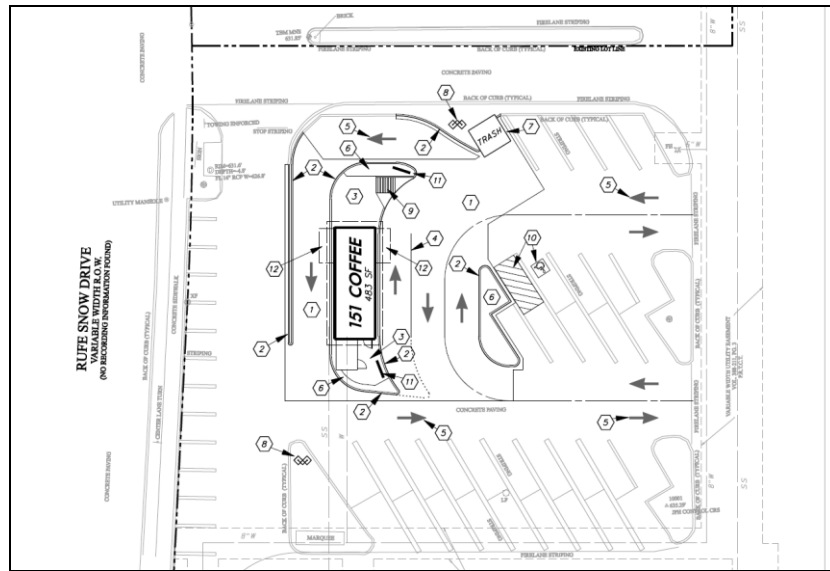


Figure 1. General site layout.

SUP CONDITIONS. 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. The following are the proposed conditions of approval for this SUP application.

1. *Permitted use.* A special use permit is authorized to permit a drive-through building of less than 1,400 square feet in floor area, as shown on the site plan in Exhibit “A”.
2. *Landscaping improvements.* Landscaping on the site must conform to the landscape plan, as shown in Exhibit “B”.
3. *Building improvements.* The following design criteria shall apply to the building.
 - a. The exterior appearance of the building must comply with the plans as shown in Exhibit “C”.
 - b. The screening for the refuse container must conform to the plan as shown in Exhibit “C”.
 - c. The height of the building must not exceed 20 feet.

COMPREHENSIVE PLAN: This area is designated on the Comprehensive Land Use Plan as “Retail.” This designation is intended to permit a variety of retail trade, personal and business services establishments, and offices.

CURRENT ZONING: The property is currently zoned C-1 Commercial. This district is intended to provide for development of retail service, and office uses principally serving community and regional needs. This C-1 district should be located on the periphery of



residential neighborhoods and be confined to intersections of major arterial streets. It is also appropriate for major retail corridors as shown on the comprehensive plan.

PROPOSED ZONING: The applicant is requesting a Special Use Permit to allow a drive-through building that is less than 1,400 square feet in floor area.

Any use permitted by right in the C-1 Commercial District would also be permitted in this building, since the SUP is for the building itself and not any particular use. These uses could include retail sales, food and beverage sales, beer and wine sales, office uses, florist, and wedding chapel, among others. With a 483 square foot building footprint, however, any occupancy or product inventory will be physically limited. Because the building's site plan and elevations are tied to the SUP, any alteration or addition would require additional approval by City Council.

DEVELOPMENT REVIEW COMMITTEE DISCUSSION: The Development Review Committee (DRC) discussed this case at length. Initial concerns included furthering the use of the kiosk in this center given the history of businesses at this location as well as the general lack of success of businesses located in kiosks. DRC members also expressed concern regarding the height and size of the new building and whether it would impede the visibility of the businesses in the retail center. These concerns were discussed with the applicant. The applicant wanted to move forward with the application and consideration by the Planning and Zoning Commission and City Council. In addition to modifications to the building height, the applicant complied with DRC's recommendation to separate the drive thru lanes with a curb and to provide improved landscaping. The DRC certified the case and staff is recommending approval of the SUP because there was consensus among the group that the new building as well as the upgraded landscaping represented an improvement to what exists in this space now as well as an overall improvement to the center. Other than the size of the building, the case complies with applicable zoning and building codes in addition to the additional conditions recommended should the SUP be adopted.

SURROUNDING ZONING | LAND USE:

North: C-1 Commercial | Retail
West: C-1 Commercial | Retail
South: C-1 Commercial | Retail
East: C-1 Commercial | Retail

PLAT STATUS: The property is currently platted as Lot 5R, Block 1, Northland Shopping Center Addition.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the December 15, 2016, meeting and voted 5-0 to recommend approval.

RECOMMENDATION: Approve Ordinance No. 3441.