

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** March 8, 2021  
**SUBJECT:** SUP 2020-08, Ordinance No. 3681, Public hearing and consideration of a request from Henry Quigg for a special use permit for a quick service restaurant at 5600 Rufe Snow Drive, being 1.98 acres described as Lot 1, Block 35, Holiday West Addition.  
**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

On behalf of Rufe Snow Plaza II LTD, Henry Quigg is requesting a special use permit for a quick service restaurant on 1.98 acres located at 5600 Rufe Snow Drive.

### **GENERAL DESCRIPTION:**

The site is located at the northeast corner of Rufe Snow Drive and Buenos Aires Drive. The property is currently developed as a multi-use shopping center. The applicant proposes to renovate and remodel a portion of a former restaurant space on the southern endcap of the building for a new tenant, [Smoothie King](#).

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

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 Development Review Committee recommendations, and include the items described in detail below.

#### ***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-1 (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 planned development district.

- 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 Buenos Aires Drive. These features are already located in this area as they were constructed as part of a previous restaurant that occupied the space.
- The traffic flow in the drive-through lane is counter to normal traffic flow directions. In order to enhance safety in the area on the south side of the building, the drive aisle would be converted to a one-way eastbound traffic flow. The site plan indicates the overall width of the drive aisle would be reduced to 20 feet, providing a 10-foot wide drive-through lane and 10-foot wide bypass/travel lane. Pavement markings would be added to direct traffic flow.

### ***Landscaping***

In order to soften the appearance of the drive-through lane from the street, a landscaped area would be provided adjacent to Buenos Aires Drive. The proposed improvements are shown on the site plan exhibit and include the following elements:

1. Pavement would be removed to establish a landscape planting area and sidewalk adjacent to Buenos Aires Drive.
2. Shrubs would be installed in the planting area to create a buffer between the drive-through lane and the street. The shrubs include 17 Texas sage and 15 Chinese holly.
3. A four-foot wide sidewalk would be constructed between the shrub row and the property line. Since the sidewalk would be located on private property, a sidewalk easement would need to be dedicated to correspond to the location of the sidewalk.

### ***Refuse container***

The existing refuse container enclosures behind the building do not comply with the standards contained in Section 118-874 of the zoning ordinance. The Development Review Committee recommends that at least one enclosure be reconstructed to comply with these standards. Preferably, the reconstructed enclosure would be the one that the proposed tenant would use on a regular basis.

**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 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. The 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.



**SURROUNDING ZONING | LAND USE:**

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	C-1 (Commercial)	Retail Commercial	Vacant
WEST	C-1 (Commercial)	Retail Commercial	Retail and automotive service uses
SOUTH	C-1 (Commercial)	Retail Commercial	Quick service restaurant
EAST	R-7-MF (Multifamily)	High Density Residential	Apartment complex (Shadow Creek)

**PLAT STATUS:** The property is platted as Lot 1, Block 35, Holiday West Addition.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission will consider this item at the March 4, 2021, meeting. If the Commission issues a recommendation to City Council, staff will brief City Council of their recommendation at the March 8, 2021, meeting.

**RECOMMENDATION:**

Approve Ordinance No. 3681.