

## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** April 26, 2021

**SUBJECT:** SUP 2020-09, Ordinance No. 3687, Public hearing and consideration of a request from Triangle Engineering for a special use permit for a drive through building less than 1,400 square feet in size in the 8600 block of Davis Boulevard, being 0.723 acres described as a portion of Lot 2, Block 1, Watermere on the Preserve.

**PRESENTER:** Clayton Comstock, Planning Director

### **SUMMARY:**

On behalf of Integrated FM 1938 Holdings LLC, Triangle Engineering is requesting a special use permit for a drive through building less than 1,400 square feet in size on 0.723 acres located in the 8600 block of Davis Boulevard.

### **GENERAL DESCRIPTION:**

The site is located on the west side of Davis Boulevard south of the intersection of Precinct Line Road. The property is a portion of a lot located in front of the Watermere on the Preserve independent senior-living apartment development. The applicant proposes to develop a site for a new quick service restaurant, [Dutch Bros Coffee](#).

A complete site plan package for the proposed building is attached. Planned improvements to the site include an 871-square-foot coffee shop with dual drive-through service. [Section 118-631](#) of the zoning ordinance requires special use permit approval for a drive-through building that is less than 1,400 square feet in floor area. In addition, the zoning ordinance includes specific standards for the design and layout of drive-through lanes, and the proposed project satisfies all design standards.

The parking lot contains 13 parking spaces and vehicle stacking area for 18 cars in the drive-through lanes. Driveway access is available from Davis Boulevard through a shared driveway with the Watermere development and the AutoZone store south of the site. A common access easement provides access across this lot and other pad sites fronting Davis Boulevard. A bicycle rack would also be provided on the site.

Landscaped areas cover 25% of the lot. These areas include a 15-foot wide landscape setback adjacent to Davis Boulevard, parking lot islands, landscaped areas adjacent to the drive-through lane, and a landscape buffer between the site and the Watermere development.

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 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 zoning district or approval as part of a planned development district.

### ***Screening wall***

Section 118-871 of the zoning ordinance requires the construction of a masonry screening wall between commercial and residential land uses. Since the adjacent Watermere project is considered a residential property, the Dutch Bros Coffee site would require a masonry screening wall to be constructed on the common property line.

The applicant is requesting a waiver of this requirement due to the elevation difference between the sites. The Dutch Bros Coffee site ranges from 13 to 15 feet higher in elevation than the Watermere site. In lieu of the screening wall, the developer proposes to install a solid landscape screen adjacent to the ornamental metal fence. The screen would include a hedgerow of 51 Dwarf Wax Myrtle shrubs and ten (10) East Palatka Holly bushes, both of which are evergreen species. The screening is shown on the landscape plan.

**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	PD (Planned Development)	Retail Commercial	Vacant property
WEST	PD (Planned Development)	High Density Residential	Independent senior living apartment (Watermere)
SOUTH	PD (Planned Development)	Retail Commercial	Retail uses
EAST	C-1 (Commercial)	Retail Commercial	Retail and service uses

**PLAT STATUS:** The property is platted as portion of Lot 2, Block 1, Watermere on the Preserve.



**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission conducted a public hearing and considered this item at the April 15, 2021, meeting and voted 6-0 to recommend approval.

**RECOMMENDATION:**

Approve Ordinance No. 3687.