



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mindi Hurley, Director of Community Development

**Date:** August 8, 2023

**Reference:** Consider approval of an Ordinance for PD-295R5-HC, Tim Hortons, a zoning change request from PD-295-HC, to approve a Detail Site Plan for a Tim Hortons restaurant and double drive-thru on 0.76 acres of property located on the south side of SH 121 between Freeport Parkway and Northwestern Drive; and authorizing the Mayor to sign.

**2040:** **Create Business and Innovation Nodes**

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### **Introduction:**

The purpose of this agenda item is for Council to consider approval of an Ordinance for a zoning change (PD-295R5-HC) for Tim Hortons Restaurant, and authorize the Mayor to sign.

### **Background:**

On June 15, 2023, the Planning and Zoning Commission unanimously recommended approval of this zone change request to approve a Tim Hortons coffee and bakery restaurant. On July 11, City Council unanimously approved this request with the following conditions that have been added to the ordinance:

1. There may be additional comments during the Detail Engineering review.
2. A plat will be required showing the revised fire lanes and easements.
3. PD Conditions:
  - a. To allow for the attached building signage of 50 -sf as shown on the elevations.
  - b. All other signage shall comply with City regulations.
  - c. Plans for the focal point/linear park shall require staff approval.
  - d. Parking shall be allowed in the front yard as shown.
  - e. The brick on the trash enclosure shall match the brick on the building and have a pedestrian opening.
  - f. Future sidewalk to be constructed by property owner when deemed necessary by the City Engineer.

**Benefit to the Community:**

This will add another restaurant option for residents.

**Legal Review:**

Yes

**Fiscal Impact:**

This will generate additional sales tax revenue.

**Recommendation:**

The Community Development Department recommends approval of the ordinance and authorizing the Mayor to sign.

**Attachments:**

1. Ordinance
2. Exhibit A – Legal Description
3. Exhibit B - Detail Site Plan
4. Exhibit C - Landscape Plan
5. Exhibit D - Building Elevations
6. Exhibit E - Signage