



MEMORANDUM

To: Mayor and City Council

From: Mindi Hurley, Director of Community Development

Date: November 13, 2018

Reference: Consider approval of an ordinance for PD-285R-C, to attach a Detail Site Plan for a 1,168 sq. ft. drive-through and walk up restaurant, with no indoor seating, on 1.21 acres of property located at 180 W. Sandy Lake, and authorizing the Mayor to Sign.

2030: **Business Prosperity**

Executive Summary:

This Detail Site Plan approval is to allow the construction of a 1,168 sq. ft. Andy's Frozen Custard with drive-through and walk up service, with no indoor seating.

Introduction:

The Detail Site Plan and Landscape Plan comply with requirements of the *Zoning Ordinance* in terms of use, coverage, setbacks, queuing for drive-through and the provision of landscaping. However, the prototype building design for this franchise does not meet the exterior construction regulations or the sign standards as prescribed in the *Zoning Ordinance*. Staff worked with the landowner and Andy's representatives over the past several months. This elevations and sign package represents a reasonable compromise allowing for the retention of the corporate branding while insuring compatibility with the abutting shopping center, and the community standards. The specific variances being recommended to be incorporated as PD conditions are listed below.

Analysis:

On October 9, 2018, the City Council unanimously approved PD-285R-C, Andy's Frozen Custard subject to the conditions as recommended by the Planning and Zoning Commission, and the applicable conditions have been incorporated into the ordinance.

On September 20, 2018, the Planning and Zoning Commission unanimously recommended Approval of PD-285R-C, Andy's Frozen Custard, with the following conditions:

1. PD Conditions:
 - a. Allowing for glass exceeding 50% of the front façade of the building.
 - b. Allowing for the refacing of the existing monument sign which does not meet the current setback requirements.
 - c. Allowing for a window sign.
 - d. Allowing for a fully shielded indirect fascia lighting, if grey/silver in color.

- e. Approval of a Landscape Plan which provides allows the deficiency in the perimeter landscaping on the east and north property lines to be compensated along the west property line.
2. Revise the three parking spaces north of the building to be western facing.
3. Modify the building elevations to include a cladding of the canopy poles with similar material and height of the Leuders stone on the building.
4. Submission of additional specifications on the attached and monument signs in terms of materials, lighting source, etc.
5. This property will need to be replatted to provide necessary easements.
6. Additional comments will be generated at the time of Detail Engineering review and Building permit review.

Legal Review:

The City Attorney reviewed this ordinance

Fiscal Impact:

None

Recommendation:

The Planning Department recommends approval.

Attachments:

1. Ordinance
2. Exhibit A – Legal Description
3. Exhibit B – Detail Site Plan
4. Exhibit C - Landscape Plan/Tree Survey
5. Exhibit D – Building Elevations and Signs