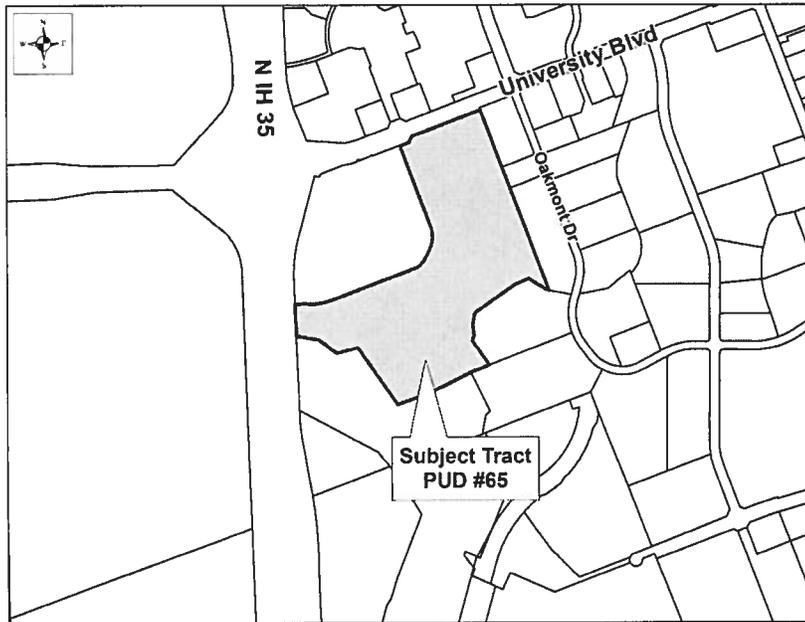


**Endeavor PUD 65 - Amend. No. 5
ZONING ZON1811-008**



CASE PLANNER: Clyde von Rosenberg

REQUEST: Approval of Amendment No. 5 to PUD No. 65

ZONING AT TIME OF APPLICATION: PUD No. 65

DESCRIPTION: 1.07 acres out of the Lot 2E, Block A, Replat of East Chandler Retail Center

CURRENT USE OF PROPERTY: restaurant - PUD No. 65

GENERAL PLAN LAND USE DESIGNATION: commercial

ADJACENT LAND USE:

North: (across University Blvd.) retail center - PUD No. 59

South: retail center - PUD No. 65

East: restaurant - PUD No. 65

West: (across access drive) retail - PUD No. 64

PROPOSED LAND USE: restaurant with a drive through

TOTAL ACREAGE: 1.07

Owner:
GVD Commercial Properties
David Case
1915-A E. Katella Ave.
Orange, CA 92867

Agent:
PM Design Group
Christopher Scales
1101 Central Expy., South, Ste. 220
Allen, TX 75013

**Endeavor PUD 65 – Amend. No. 5
ZONING ZON1811-008**

HISTORY: PUD (Planned Unit Development) No. 65, providing for commercial uses, was approved in 2005. It has since been amended four times – to establish a commercial private street in order to provide for alternative public access, to provide for an interpretation of the maximum height of monument signs, to provide for an interpretation of the building design standards, and to provide an allowance for additional restaurants with drive through service.

DATE OF REVIEW: December 19, 2018

LOCATION: East of N. IH 35 on the south side of University Blvd.

STAFF REVIEW AND ANALYSIS:

General Plan and Zoning: The property is designated for commercial uses in the General Plan and is zoned for commercial uses as PUD No. 65.

Additional Considerations: The PUD established a limit of one drive through restaurant. In 2010, an application was made to allow for a second drive through restaurant. At that time it was discovered that a second drive through restaurant was already in operation. The PUD was then amended to provide for a total of three drive through restaurants.

The proposal is to allow a fourth drive through restaurant. Instead of increasing the number allowed, this amendment would remove the limitation on the number of drive through restaurants. The original limitation was to prevent perimeter pad sites from dominating the design of the development. Since there are six pad sites, only three of which have frontage on the perimeter, it has since been determined that the limitation is not necessary.

Currently two of the six pad sites have drive through restaurants, with the third drive through located on the end of a retail building. The applicant proposes to construct a fourth drive through restaurant on a pad site to replace an existing restaurant building which does not have a drive through.

RECOMMENDED MOTION:

Staff recommends approval of the Amendment No. 5 to PUD No. 65 to remove the limitation providing for a maximum of three (3) eating establishments with drive-through service within the PUD.

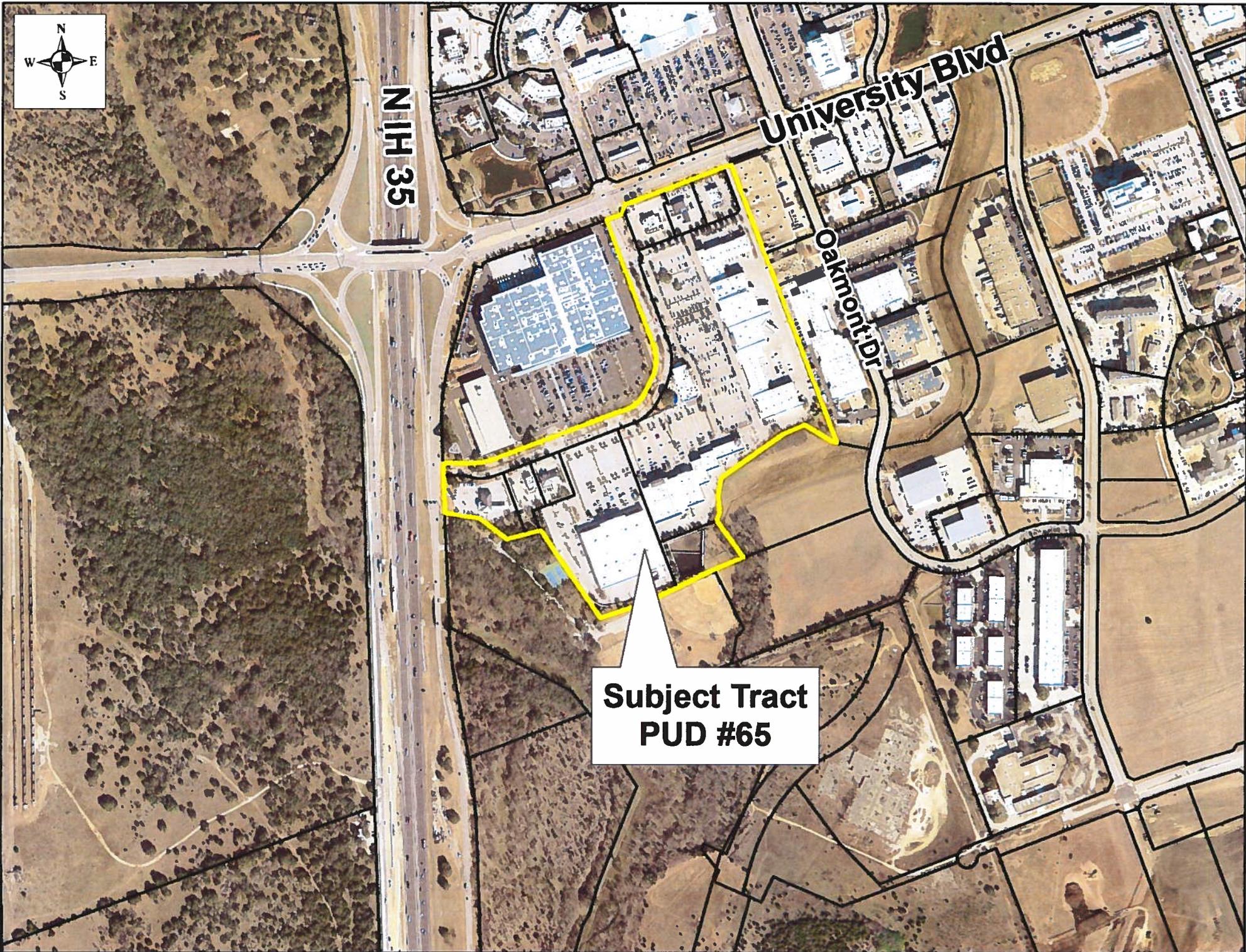


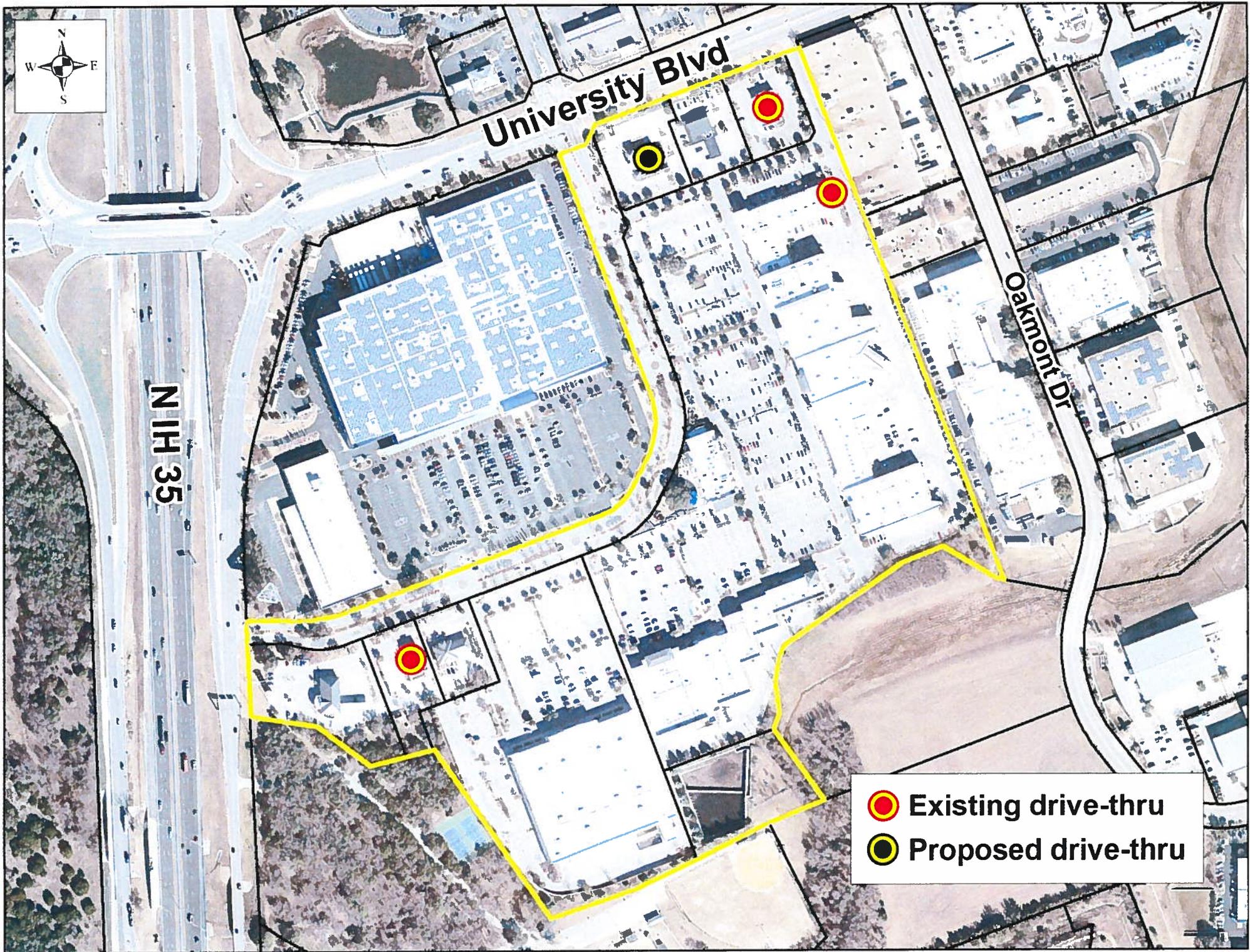
SH 35

University Blvd

Oakmont Dr

**Subject Tract
PUD #65**





University Blvd

I-35

Oakmont Dr

-  Existing drive-thru
-  Proposed drive-thru

I.

Section II.6 of the Development Plan of PUD No. 65, as approved in Ordinance No. Z-Z-10-05-13-10C1, is hereby deleted in its entirety, and replaced with a new Section II.6, which shall read as follows:

6. PERMITTED USES

6.1 All of the uses in the **C-1 (General Commercial)** zoning district, with the exception of those uses listed in Section 7 below, shall be permitted on the Property, ~~with the following conditions:~~

~~(a) A maximum of three (3) Eating Establishments with drive through service shall be allowed on the Property, provided that a non-vehicular "to go" window shall not be counted as a drive through use:~~

~~(i) One may be located on Lot 2G, Block A of the East Chandler Retail subdivision, a Replat of Lot 2 (0.95 acres), as generally depicted on Exhibit "B" such that the drive through queuing lane is not located within the street yard;~~

~~(ii) One may be located on Lot 2H, Block A of the East Chandler Retail subdivision, a Replat of Lot 2 (21.95 acres), on the rear of the Suite 1200 multiple tenant building, at the northeastern corner of the building; and~~

~~(iii) One may be located on Lot 2, Block A, University Oaks Shopping Center, Section 1 (0.93 acres).~~

6.2 The following uses shall be permitted by right, with the conditions stated:

(b) Private Park;

(c) Upper-Story Residential above ground floor retail uses, with a maximum of two (2) stories above the ground floor.