Legislation Details (With Text)

File #:	2019-0031		
Type:	Ordinance	**Status:**	Approved
File created:	1/4/2019	**In control:**	City Council
On agenda:	1/24/2019	**Final action:**	1/24/2019
Title:	Consider public testimony regarding, and an ordinance approving Amendment No. 5 to the PUD (Planned Unit Development) No. 65 zoning district for 42.50 acres located East of N. IH 35 on the south side of University Blvd. (First Reading)*		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Ordinance, 2. Map of Drive Thrus, 3. Aerial Photo, 4. Vicinity Map with surrounding zoning		

Date	Ver.	Action By	Action	Result
1/24/2019	1	City Council	approve	Pass
1/24/2019	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance approving Amendment No. 5 to the PUD (Planned Unit Development) No. 65 zoning district for 42.50 acres located East of N. IH 35 on the south side of University Blvd. (First Reading)*

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 to provide for alternative public access; to provide for a revised maximum height of monument signs; to provide for revised building design standards; and to provide an allowance for additional restaurants with drive through service. The PUD initially established a limit of one drive through restaurant, because sit-down restaurants were more desirable due to the community's lack of these restaurants in 2005. Then the PUD was amended in 2010 to provide for a total of three drive through restaurants. The current proposal is to allow a fourth drive through restaurant. Instead of again increasing the number allowed, this amendment would remove the limitation on the number of drive through restaurants. The site for the fourth drive through restaurant is the former TGI Friday's, which has been unoccupied for approximately a year and a half. Raising Cane’s proposes to build a new building on the site. The City has experienced significant growth in sit-down restaurants since 2005. As such, staff does not believe the drive-through restriction should remain within this PUD. As a result, this PUD will be treated the same as the other largest, regional shopping centers in the City as it relates to drive-through restaurants.

The Planning and Zoning Commission held a public hearing at their meeting on December 19, 2018 and voted 9-0 to recommend approval of the amendment. There were no speakers at the public hearing.