



Legislation Details (With Text)

File #:	20-102	Version:	1
Type:	New Business	Status:	Approved
File created:	2/6/2020	In control:	City Council
On agenda:	2/18/2020	Final action:	2/18/2020
Title:	PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Panera Bread, a proposed 3,500 square-foot restaurant with drive-thru, on an approximately 1.291-acre tract of land, located on the north side of Keller Parkway (F.M. 1709), approximately 150 feet northwest of Country Brook Drive, at 1241 Keller Parkway, being a portion of Tract 2E out of the Pamela Allen Survey, Abstract No. 28, and zoned Town Center (TC). Greenway-Keller, L.P., owner. Panera Bread, applicant/developer. (SUP-20-0002)		
Attachments:	1. 021820_Panera_ProposedOrdinance.pdf, 2. 021820_Panera_Maps.pdf, 3. 012320_Panera_Narrative&ConceptPlan.pdf, 4. 021820_Panera_ElevationRenderings.pdf, 5. 021820_Panera_PaneraLetter.pdf, 6. Item H-1 Panera Presentation		

Date	Ver.	Action By	Action	Result
2/18/2020	1	City Council	close the public hearing	
2/18/2020	1	City Council	approve as amended	

To: Mark Hafner, City Manager

From: Julie Smith, Community Development Director

Subject:

PUBLIC HEARING: Consider an ordinance approving a Specific Use Permit (SUP) for Panera Bread, a proposed 3,500 square-foot restaurant with drive-thru, on an approximately 1.291-acre tract of land, located on the north side of Keller Parkway (F.M. 1709), approximately 150 feet northwest of Country Brook Drive, at 1241 Keller Parkway, being a portion of Tract 2E out of the Pamela Allen Survey, Abstract No. 28, and zoned Town Center (TC). Greenway-Keller, L.P., owner. Panera Bread, applicant/developer. (SUP-20-0002)

Background:

The Applicant is proposing to construct a 3,500 square-foot drive-thru restaurant with an exterior patio consisting of approximately 450 square-feet. The exterior patio will be uncovered and consist of approximately 30 seats.

Site Design:

The proposed restaurant will have a total of 50 parking spaces with 3 handicap spaces. The Applicant is proposing to meet all Town Center guidelines, but for the size of the building and the drive-thru.

The Concept Plan depicts how the lot may be developed if the SUP request is approved.

Elevations:

The Applicant proposes to construct the entire 3,500 square-foot building with brick veneer which meets Town Center (TC) guidelines.

Proposed Hours of Operation:

Monday - Friday: 6:30 AM - 9:00 PM

Saturday & Sunday: 7:00 AM - 9:00 PM

Trip Generation:

Per the UDC, a trip generation form was provided by the Applicant. The form indicates a total of 202 trips per 24 hours so does not warrant a Traffic Impact Analysis.

Summary:

Section 8.02 (F)(2) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

Citizen Input:

On January 10, 2020, the Applicant mailed out letters to the surrounding property owners within 300-feet.

On January 17, 2020, the City mailed out 25 letters of Notifications for this Public Hearing to all property owners within three-hundred feet (300') of the subject site. A public hearing notice sign was posted on the site.

On January 28, 2020, during the public hearing at the Planning and Zoning meeting no one came forward to speak.

As of February 12, 2020, Staff has not received any letters written in either support or in opposition from the public.

SUP Requests:

1. An SUP to allow the structure to be less than the required 6,000 square-foot requirement set in Town Center (TC) zoning district.
2. An SUP to allow the structure to have a drive-thru in the Town Center (TC) zoning district.

Planning and Zoning Recommendation:

On January 28, 2020, the Planning and Zoning Commission made a unanimous recommendation to approve the two SUPs with the following modifications:

1. To realign the drive-thru further north so the parking will not be bisected with drive-thru traffic;
and
2. Relocate the walkway to a centralized location for pedestrian traffic.

Alternatives:

The City Council has the following options when considering a Specific Use Permit:

- Approve as submitted.
- Approve with modified or additional condition(s).
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.