

SUBJECT: Proposed text amendment for §1409-13. Drive-Through Facilities.

PURPOSE:

To obtain approval from the City Planning Commission (CPC) on a text amendment to §1409-13. Drive Through Facilities in the CN-M and CC-M zoning districts.

PROPOSED TEXT AMENDMENT:

§ 1409-13. Drive-Through Facilities Components

In CN-P and CC-P – No drive-through facilities components allowed.

In CN-M and CC-M – Drive-through facilities components must be located at-in the rear yard or on the building elevation facing the rear yard. ~~of the building.~~ Drive-through components on a corner lot require conditional use approval pursuant to Chapter 1445 Variance, Special Exception and Conditional Uses.

In CC-A and CG-A – No restriction on location.

JUSTIFICATION:

An interpretation has been made that drive-through facilities in the CN-M and CC-M zoning districts can be located at the rear 50% of a building. This means that a drive-through window or menu board can be located in the side yard of a building as long as it is back 50% or more from the front wall of the building. The intent of this section was to permit drive-through facilities in the CN-M and the CC-M districts only if they could be located in the rear yard of a building or on the rear wall or elevation of a building. The CN-M and the CC-M districts provide for a mix of pedestrian and auto-oriented development. Older, pedestrian-oriented buildings may be intermixed with newer auto-oriented uses. The amendment is proposed to ensure a complementary and compatible mix of these uses by requiring that the drive-through facilities are limited to the rear yard of buildings.

PUBLIC STAFF CONFERENCE:

The Planning Division staff held a public conference on this Zoning Text Amendment on Tuesday, August 14, 2007. Those in attendance were not opposed.

RECOMMENDATION:

The Department of Community Development and Planning staff recommends that the City Planning Commission approve the requested text amendment.

APPROVED:

Margaret A. Wuerstle, AICP, Chief Planner
Department of Community Development & Planning

7/12/07
Amendment Committee