

Legislation Details (With Text)

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| File #: | 2020-3317 | Name: | |
| Type: | Public Hearing - Sworn | Status: | Agenda Ready |
| File created: | 2/7/2020 | In control: | City Council - Regular Session |
| On agenda: | 3/3/2020 | Final action: | |
| Title: | Public Hearing: Application #PL2019-413 - Preliminary Development Plan - Culver's, 1275 SE Oldham Pkwy; Engineering Solutions, LLC, applicant. | | |
| Sponsors: | Planning and Special Projects | | |
| Indexes: | | | |
| Code sections: | | | |
| Attachments: | 1. PC Minutes, 2. Staff Memo, 3. Staff Report, 4. Traffic Impact Analysis, 5. Traffic Study, 6. Storm Water Drainage Study, 7. Overall Site Plan, 8. Grading Plan, 9. Detention Basin Plan, 10. Utility Plan, 11. Landscape Plan, 12. Building Elevations, 13. Building Sections, 14. Photometric Plan, 15. Protest Petition, 16. Location Map, 17. Culvers Presentation - applicant, 18. Culvers Presentation - Staff | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------|-------------------------------------|--------|
| 2/13/2020 | 1 | Planning Commission | recommended for approval as amended | Pass |

Public Hearing: Application #PL2019-413 - Preliminary Development Plan - Culver's, 1275 SE Oldham Pkwy; Engineering Solutions, LLC, applicant.

Issue/Request:

The applicant seeks approval of a preliminary development plan for a 4,338 sq. ft. Culver's drive-through restaurant on a 1.73-acre site from a larger 3.44-acre parent tract. The proposed exterior building materials consist of EIFS, stone and accent metal features. The parent tract will be subdivided into two (2) commercial lots and one (1) common area tract. Approval is only sought for the Culver's site and the common area tract as part of this application. A building and parking lot is shown on the remaining 1-acre site identified as Lot 4 for illustrative purposes only; development of Lot 4 shall require preliminary development plan approval under separate application.

Josh Johnson, AICP, Assistant Director of Plan Services
Matt Schlicht, PE, Applicant

Recommendation: With the conditions of approval below, the application meets the requirements of the UDO and Design & Construction Manual.

1. A modification shall be granted to the high-impact landscape buffer/screen requirement, to allow a 6' tall opaque wood fence with masonry columns to be constructed on the south property line. **(Added by the Planning Commission.)**
2. Preliminary development plan approval shall only be for Lot 3 (Culver's site) and Tract A. Development of Lot 4 shall require preliminary development plan approval under separate application.
3. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the traffic-related improvements included in the Transportation Impact Analysis (TIA). No building permits shall be issued for any structure in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. All public improvements shall be substantially complete prior to any occupancy.

4. To comply with the requirements of the UDO, a 5' sidewalk shall be constructed along the development's SE Oldham Pkwy frontage.

Planning Commission Recommendation: On the motion of Mr. Funk, seconded by Mr. Loveless, the Planning Commission members voted unanimously by voice vote on February 13, 2020, to recommend **APPROVAL AS AMENDED** of Application PL2020-3317, Preliminary Development Plan: Culver's, 1275 SE Oldham Pkwy.; Engineering Solutions, LLC, applicant.