

Legislation Details (With Text)

File #: 2022-5121 **Name:**

Type: Public Hearing - Sworn **Status:** Presented

File created: 8/19/2022 **In control:** City Council - Regular Session

On agenda: 11/1/2022 **Final action:** 11/1/2022

Title: Public Hearing: Application #PL2022-216 - Preliminary Development Plan - Macadoodles, 1499 SW Market Street; KC Blitz, applicant.

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. PC Action Report, 2. Memo - Macadoodles, 3. Transportation Impact Analysis - revised, 4. Traffic Impact Study - revised, 5. Staff Report -- revised, 6. Transportation Impact Analysis, 7. Traffic Impact Study, 8. Preliminary Development Plan, 9. Modification Request for Parking Lot Setback, 10. Stormwater Memo with Exhibits, 11. Location Map, 12. Letter to Planning Commission and Council, from Bernell Rice, 13. Neighborhood Meeting Minutes, 14. Letter from Tom Sweeten, 15. Staff Presentation

Date	Ver.	Action By	Action	Result
11/1/2022	1	City Council - Regular Session	presented	
10/13/2022	1	Planning Commission	recommended for denial	Pass
9/20/2022	1	City Council - Regular Session	continued	Pass
9/8/2022	1	Planning Commission	continued	Pass
8/25/2022	1	Planning Commission	continued	Pass

Public Hearing: Application #PL2022-216 - Preliminary Development Plan - Macadoodles, 1499 SW Market Street; KC Blitz, applicant.

Issue/Request:

Macadoodles is a liquor store that is currently in the tenant finish process to operate in the southernmost 12,000 sq. ft. tenant space of the Southport Business Center retail center at the northwest corner of M-291 Hwy and SW Market St/SW 16th St. A liquor store is a use permitted by right in the CP-2 zoning district. Part of the Macadoodles business model is to offer drive-through service, which the applicant seeks to offer at the subject location. The existing retail center has no drive-through facility. Construction of a drive-through facility is considered a substantial change to the existing retail center and thus triggers the requirement for preliminary development plan approval. There is no expansion of the existing retail center building associated with this application.

A modification to the 20' minimum parking lot setback from the right-of-way is requested to accommodate the relocation of six (6) parking spaces displaced by the requested drive through facility.

Patrick Joyce, Applicant Representative
Josh Johnson, AICP, Assistant Director of Plan Services

With the conditions of approval below, the application meets the requirements of the UDO.

1. A modification shall be granted to the minimum 20' parking lot setback from right-of-way, to allow a 4'-4" parking lot setback along the site's M-291 Hwy frontage.
2. A minimum 24' pavement width (excluding curb and gutter) shall be provided for the two-way drive aisle located south of the proposed drive-through facility.
3. Development shall be in accordance with the preliminary development plan dated July 12, 2022, except as otherwise conditioned for approval.
4. 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) dated October 5, 2022. No permits shall be issued for the on-site drive-through-related improvements until written proof is provided to the City that the development agreement has been recorded in the Jackson County Records' Office. Additionally, no permits shall be issued for the on-site drive-through-related improvements until such time as the required off-site median improvement referenced in the TIA is substantially complete or a form of security as approved by the City Attorney for the purpose of providing for and securing the actual construction and installation of the required median is provided to the City.

Committee Recommendation: On a motion by Mr. Kitchens, seconded by Mr. Loveless, the Planning Commission unanimously voted on October 19, 2022, to recommend DENIAL of Continued Application #PL2022-216 - Preliminary Development Plan - Macadoodles, 1499 SW Market Street; KC Blitz, applicant.