



ITEM SUMMARY

MEETING DATE: October 2, 2023

FROM: Denise Malone, AICP, Development and Neighborhood Services Director

SUBJECT: **Resolution 2023-16, SE-21-03**

River Bridge Center Drive-in/Fast-Food Restaurant Special Exception

BACKGROUND

A request from Andrew Savage, PE of Bohler Engineering, agent for REAL SUB, LLC for Special Exception (SE) approval for a drive-in/fast food restaurant use in the Commercial Intensive Zoning District (CI). CI allows a drive-in/fast food restaurant as a use subject to special exception approval. A proposed site plan petition is being processed concurrently to construct a 4,680 square foot fast-food restaurant (Chick Fil-A) with a drive-through facility in the River Bridge Shopping Center. The proposed restaurant will have access only through the River Bridge Shopping Center.

ANALYSIS

The approximately 27.48-acre site was voluntarily annexed into the City on October 8, 1973. On January 20, 1986, the City Council granted site plan approval to petition SP-85-12, River Bridge Centre. The majority of the site was then developed with a shopping center including a movie theater, a grocery store, a drug store and professional office space. Since that time, there have been 12 site plan approvals and 24 modifications related to River Bridge Centre. The uses have remained the same within that time with the exception of the movie theater converting into a gym in accordance with SP-85-12(X).

The Development Review Committee reviewed this proposal and recommended approval, followed by the Planning and Zoning Board of Appeals which recommended approval by a 5-0 vote at their meeting on May 11, 2023. At the June 5, 2023 City Council meeting, the Special Exception was postponed to a later date to be concurrent with the site plan application request. The City Council continued Special Exception SE-21-03 through Resolution 2023-16 to the September 5, 2023 City Council Meeting to afford more time for crafting additional proposed conditions of approval relating to the drive-thru. The City Council continued Special Exception SE-21-03 through Resolution 2023-16 to the September 18, 2023 City Council Meeting. The City Council continued Special Exception SE-21-03 through Resolution 2023-16 to the October 2, 2023 City Council Meeting to provide additional time to finalize proposed conditions of approval.

The proposal has satisfied the Special Exception criteria and findings of fact as indicated in the staff report with six (6) conditions of approval. Specifically, the proposed use will not create a nuisance factor detrimental to the adjacent and nearby properties since it will provide

enhanced landscaping, it is compatible with the existing character of this commercial area, the use has been reviewed by staff for automobile, pedestrian, and fire safety, and the proposed use meets all applicable Code requirements and maintains safe and efficient traffic at this site, as reviewed by the City's Traffic Consultant.

FINANCIAL INFORMATION

N/A

LEGAL

Resolution 2023-16 was prepared in accordance with all applicable State statutes and City Code requirements.

STAFF RECOMMENDATION

<i>Approval</i> of SE-21-03 with conditions through the adoption of Resolution 2023-16.
