

## Memorandum

To: Planning Commission Members  
From: The Development Department  
CC: Honorable Members of City Council, Clerk of Council, City Departments  
Date: July 3, 2014  
Re: Staff Report for Wendy's Restaurant – Special Use Permit (Drive-thru)

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### Item #3 – Wendy's Restaurant – Special Use Permit (Drive-thru)

(PID# 201407020031)

Application: Special Use Permit  
Location: 1920 Stringtown Road  
Applicant: George Schweitzer, Geo-Graphics, Inc.  
Zoning: C-2  
Use: Restaurant

#### Relevant Code Section(s):

- 1135.09 (b) (12) Special Use Permits

#### Project Summary:

The applicant is requesting approval of a special use permit to install a single-window drive-thru for the redeveloped Wendy's Restaurant at 1920 Stringtown Road. The drive-thru window will be located on the west side of the structure, with the drive-thru lane wrapping around the building. The drive-thru lane will have the ability to stack 15 cars without inhibiting a proposed crosswalk from the parking area along the east property line. A 22' bypass lane is proposed for customers to leave the drive-thru prior to completing their order or for access around the site. The drive-thru would operate from 10am to 1am.

#### Code Analysis:

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

**Standard is Met:** The proposed drive-thru is consistent with other vehicular-oriented businesses in the area including the Turkey Hill and Speedway gas stations to the east and south, and the Raising Cane's restaurant with drive-thru to the west.

2. *The proposed use shall not adversely affect the use of adjacent property;*

**Standard is Met:** The proposed drive-thru will not affect the use of adjacent property. The drive-thru lane will be located entirely on Wendy's property, with the ability to hold 15 cars for stacking.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

**Standard is Met:** The proposed drive-thru will not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. The site has been designed for safe traffic circulation and drive-thru stacking. The property is approximately 900 feet from the nearest residential district.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

**Standard is Met:** The proposed facility will be adequately served by police, fire, stormwater, water, sanitary sewer and other services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

**Standard is Met:** The proposed drive-thru will not impose traffic upon the right-of-way different from other permitted uses in the district. Traffic will flow one-way around the site, with the potential for future access from the rear of the property to Gantz Road to filter some traffic from exiting on Stringtown Road. The submitted site plan shows room for at least 15 cars to stack in the drive-thru without interfering with pedestrian crosswalks or the entrance to the site.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

**Standard is Met:** The site is located in the C-2 district, in which drive-thru windows are permitted with a Special Use Permit.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

**Standard is Met:** The applicant properly submitted a completed application.

Recommendation(s):

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit as submitted.