



## Legislation Details (With Text)

**File #:** 19-040      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 1/7/2019      **In control:** City Council

**On agenda:** 1/15/2019      **Final action:** 1/15/2019

**Title:** Pass the ordinance approving a minor change to PUD and a Final PUD for Heritage Square to allow for Lazy Dog Restaurant on the subject property located at 436 S. Route 59 - PZC 18-1-096

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Exhibit A- Legal Description, 3. Exhibit B- Final Planned Unit Development, 4. Exhibit C- Standards, 5. Exhibit D- Landscape Plans, 6. Exhibit E- Building Elevations, 7. Exhibit F- Site Plan, 8. Application, 9. Disclosure of Beneficiaries, 10. Engineering Plans, 11. Location Map

Date	Ver.	Action By	Action	Result
1/15/2019	1	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Pass the ordinance approving a minor change to PUD and a Final PUD for Heritage Square to allow for Lazy Dog Restaurant on the subject property located at 436 S. Route 59 - PZC 18-1-096

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly

**BOARD/COMMISSION REVIEW:**

Submitted for City Council review.

**BACKGROUND:**

The property is within the Heritage Square Subdivision which is located at the northeast corner of Route 59 and Aurora Avenue, and is zoned B2 PUD. The property is approximately 16 acres and is currently occupied by a commercial shopping center. The Final Heritage Square PUD (Ordinance #91-205) approved approximately 213,452 square feet of general retail use on the site.

**DISCUSSION:**

***Minor Change to the PUD***

The petitioner, Brixmor Property Group, requests approval of a minor change to the Heritage Square PUD and a Final PUD to allow for the Lazy Dog restaurant on the subject property. The subject property is currently zoned B2 PUD (Community Shopping Center District). A 10,787 square foot restaurant building, 1,431 square feet of which will be outdoor dining, is proposed on the west side of the lot where a mattress store currently exists. The petitioner is proposing to demolish the current building in order to construct the Lazy Dog Restaurant. The proposed site plan complies with all applicable B2 district setback and bulk regulations, and the Code required 781 parking spaces (108

parking spaces for the restaurant use) are provided on site.

In conjunction with the request for a minor change, the petitioner requests approval of a Final PUD plat that will establish the new site plan for the Lazy Dog restaurant and will eliminate the maximum of 5,000 square feet for restaurant use required by the Heritage Square Final PUD plat (Ordinance #91-205). Staff is in support of this change noting that the minimum parking requirement for restaurant use (10 spaces per 1,000 square feet) as required by Municipal Code, will be required for any future restaurant use.

### ***Building Elevations***

The proposed building will be constructed primarily of stone with wood and stucco accent materials. The building design is unified through the use of four-sided architecture that creates visual interest along Route 59 and within the shopping center. In addition, architectural detailing that features elements such as ornamental stone, decorative lighting, and a tower feature is provided. Staff finds the proposed architectural design is consistent with the intention of the Citywide Building Design Guidelines.

### ***Preliminary Landscape Plan***

The proposed landscape plan includes perimeter landscaping, substantial foundation planting, and interior parking lot landscaping. Staff finds the landscape plan meets the requirements of the City's Landscaping and Screening Ordinance.

The petitioner states the proposed restaurant is complimentary to the other uses within the Heritage Square shopping center. The layout of the site is consistent with the Final Heritage Square PUD and the proposed development complies with all applicable zoning regulations. The petitioner's responses to the Standards for Amending a Planned Unit Development are included in the attachments. Staff is in general agreement with the petitioner's Findings and recommends adoption by the City Council.

### ***Key Takeaways***

- The petitioner requests a minor change to the PUD and a Final PUD for Heritage Square to allow for Lazy Dog Restaurant at 436 S. Route 59.
- Staff supports the proposed development as it is substantially consistent with the Heritage Square PUD, and finds the restaurant use is compatible with the existing shopping center.

### **FISCAL IMPACT:**

N/A