



Legislation Text

File #: 22-0573, Version: 1

ZV 2022-0012, Chipotle Mexican Grill, 8559 Pines Boulevard, variance request. (Dean)

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Stefano De Luca, agent for Chipotle Mexican Grill, is requesting Variance #ZV 2022-0012 for number of Drive Thru Inbound Vehicle Stacking spaces for the proposed Chipotle Mexican Grill at 8559 Pines Boulevard (previously Boston Market).

Requested variance is to allow four (4) Inbound Vehicle Spaces at the existing drive-thru instead of the required five (5) Inbound Vehicle Spaces. The existing building, and site layout, was approved in 1993 as Boston Chicken and was part of Site Plan #SP 93-53.

Chipotle Mexican Grill is looking to establish a new location at this site; site details (elevations, colors, signage, landscaping, etc.) of the proposed restaurant space are pending. The applicant has stated that they are not proposing any changes to the existing building footprint, existing drive-thru lane or existing lot layout. When this building was built the City did not have a code requirement for vehicle stacking at drive-thru windows.

The applicant has submitted a conceptual plan to provide context and to display the existing condition of the drive-thru lane. The applicant will need to submit a proposed plan, showing all proposed details, for Staff to determine approval process.

VARIANCE REQUEST DETAILS: **ZV 2022-0012)**

Table 155.611 Minimum Drive-Thru Stacking Spaces:
Beverage/Food - 5 Inbound Vehicle Spaces

VARIANCE DETERMINATION:

The Planning & Zoning Board shall not grant any non-single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of non-single-family residential variances, the Board shall follow Section 155.301(O) Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
 - b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
 - c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.