

## **I. PETITION DESCRIPTION**

**Petition Number:** 17-066 (ZTA 2017-041)

**Project Name:** Drive Thru Zoning Text Amendment (ZTA)

**Request:** To amend Section 6.5.19.I.4.c of Wellington's Land Development Regulations providing alternative design standards for drive-thru windows and lanes when facing a right-of-way and eliminating the restriction of allowing a single drive-thru facility per business.

## **II. BACKGROUND**

On April 13, 2004, Council approved Ordinance 2004-10 also known as the "Big Box Ordinance". The Big Box Ordinance provides additional design standards and guidelines for commercial and industrial properties 15,000 square feet or larger to supplement existing development standards with specific additional regulations that apply to the design and prohibits free-standing retail buildings larger than 75,000 square feet. The goal is to create and maintain a positive ambiance and strong community image and identity by providing for architectural and site design treatments which will enhance the visual appearance of commercial and industrial development in Wellington, while still providing for design flexibility in accordance with the goals, policies and objectives of the Village of Wellington Comprehensive Plan and the purpose and intent of the Code. Design standards include lighting, service function areas, fencing, drive-thru windows, pedestrian walkways, building design, roof treatment, etc.

## **III. STAFF ANALYSIS**

The Big Box Ordinance provides design standards for all commercial centers constructed after the approval of the Ordinance. For existing projects, the regulations would apply only if the cost of the renovation exceeds 50% of the value or 20% of the square footage of the existing structure.

Drive-thru services are more prevalent today due to the convenience of the additional service it provides to its patrons. Drive-thru facilities are not only associated with fast food restaurants and banks, but pharmacies, drycleaners and numerous other types of businesses are taking advantage of the new age amenity. Modern day drive-thru concepts are also becoming more creative and technologically savvy. New concepts focus on maintaining speed and service while managing multiple orders simultaneously.

The standards provided in Section 6.5.19.I.4.c prohibit drive-thru windows from facing a right-of-way and only allow one (1) drive-thru lane. Within Wellington Country Plaza located on the southwest corner of Wellington Trace and Forest Hill Boulevard, staff recently approved two (2) businesses with drive-thru windows that will be facing Forest Hill Boulevard, Starbucks and First Bank. Wellington Country Plaza was constructed prior to the adoption of the Big Box Ordinance, and based on Section 6.5.19.I.2.a, the additions/renovations did not meet the minimum thresholds to apply the Big Box requirements to the drive-thru windows.

Although the Big Box Ordinance did not apply to these additions/renovations, staff required the landscaping adjacent to the Starbucks menu boards and the drive-thru window to be enhanced to block the visibility to vehicular traffic along Forest Hill Boulevard. A condition of approval of the Site Plan Amendment required that the hedge adjacent to the drive-thru be maintained at a minimum of six (6) feet in height. The window is approximately 70 feet from the right of way. A 10 foot landscape buffer exists adjacent to the right-of-way, however, half of the buffer consists of parking spaces and the other half includes low hedges and ornamental trees providing not much visible screening. As shown in Exhibit A – Wellington Country Plaza Starbucks Drive-Thru, the additional landscaping reduces the visibility of the drive-thru and enhancing the landscape buffer that was lacking. The landscaping was planted within the past year. Once the plants mature, the drive-thru and menu board will be completely screened from view.

In addition, many of the new commercial centers are constructed in phases starting with the main-in line buildings and the outparcels/stand-alone buildings being constructed in future phases. When each commercial center is first planned, the site plan must show all phases of construction which includes all future buildings, parking, vehicular and pedestrian circulation, etc. In most cases, drive-thrus are requested in a later part of development and retrofitting of the existing developed portion of the center is not desirable as it interrupts circulation and parking for existing tenants. Allowing alternative designs to mitigate potential impacts for drive-thru windows and lanes facing a right-of-way provides flexibility to support a business amenity that is in high demand while reducing the impact to the existing tenants and patrons.

The revised language will allow the Planning and Zoning Director or his/her designee to allow for alternative design standards if something more than a traditional single lane drive-thru concept is proposed without making more modifications to the code. The only objective of the current Code requirement is to limit the visual impact of these types of facilities, which can be adequately accommodated with landscape screening and berms without compromising the safety and convenience of the on-site circulation system of the overall project. All drive-thru facilities will still need to meet queuing and circulation requirements.

The proposed zoning text amendment is consistent with Policy 1.2.4 of the Land Use Element of Wellington's Comprehensive Plan. This policy requires Wellington to adopt regulations to ensure the maintenance of the aesthetics of the community is maintained. Allowing flexibility for the design standards for drive-thru windows will enhance the esthetics of the commercial plaza as the addition of the drive-thru usually comes with redevelopment of a shopping center and in most cases will required extensive landscape improvements.

Starbucks was an example of how staff can mitigate the potential impact a drive-thru has when facing a right of way through alternative design standards. The code as it exists today, does not allow for alternative design flexibility thus not meeting the intent of the Big Box Ordinance. Wellington Country Plaza has less than the minimum landscape buffer required by code. Newer commercial plazas are required to have a landscape buffer of 20 to 25 feet in width with trees planted every 20 feet to provide a lush buffer between the commercial plaza and the right-of-way. Allowing staff the flexibility to provide alternative designs for businesses when they are requesting drive-thru windows and lanes facing a right-of-way and eliminating the restriction of (1) drive-thru facility per business will enhance the esthetics of the commercial center while providing little to no impact to the passing vehicular traffic and will meet the intent and the purpose of the Big Box Ordinance.

## **VI. PLANNING ZONING AND ADJUSTMENT BOARD (PZAB)**

Newspaper: May 30, 2017  
Meeting Date: June 14, 2017

At the June 14, 2017 PZAB meeting, the Board recommended approval of the Zoning Text Amendment with a 5-0 vote.

## **VII. VILLAGE COUNCIL**

### First Reading

Newspaper: May 30, 2017  
Meeting Date: July 11, 2017  
Postponed: August 8, 2017

### Second Reading

Newspaper: May 30, 2017  
Meeting Date: August 22, 2017

At the August 8, 2017 Village Council meeting, the Council approved the Zoning Text Amendment on first reading with a 5-0 vote.

## **VIII. STAFF RECOMMENDATION**

Staff recommends approval of the Ordinance 2017-09 Zoning Text Amendment to amend Section 6.5.19.1.4.c of Wellington's Land Development Regulations providing alternative design standards for drive-thru windows when facing a right-of-way as shown below:

~~c. Drive-through window standards. If a drive-through window(s) and/or lane(s) shall be designed to adhere to the following standards:~~ are placed facing a public right-of-way, alternative design modifications shall be provided to the property to mitigate the visual impact of the drive-thru. Modifications may include one or more of the following: additional landscaping, landscape berms three (3) feet or higher, fencing and/or any other alternative design approved by the Planning and Zoning Director or his/her designee.

- i. ~~Drive-through windows shall not be placed between the building and a public road right-of-way.~~
- ii. ~~Only a single drive through facility is permitted, however financial institutions may have more than one (1) service in a single drive thru in accordance with Section 6.4D.38 of this Code.~~

### **Exhibit A**

#### **Wellington Country Plaza Starbucks Drive-Thru**



**Northbound Forest Hill Boulevard Looking West**



**Northbound Forest Hill Boulevard Looking Northwest**



**View within Drive-Thru Lane Looking North**



**Median Landscaping within Drive-Thru Looking North**



**Median Landscaping within Drive-Thru Looking South**