



Village Planning Committee Meeting Summary

PHO-4-25--Z-29-94-6(8)

Date of VPC Meeting	May 6, 2025
Date of Planning Hearing Officer Hearing	May 21, 2025
Request	Request to modify stipulation number 1 regarding general conformance to the site plan date stamped January 11, 1994 and elevations and exhibits dated January 12, 1994
Location	Approximately 970 feet south of the southeast corner of 44th Street and Thomas Road
VPC Recommendation	Approval
VPC Vote	15-0

VPC DISCUSSION:

Committee Members Beckerleg Thraen and Guevar joined the meeting during this item, bringing quorum to 15 members.

No members of the public registered to speak on this item.

STAFF BACKGROUND PRESENTATION

Anthony Grande, staff, provided a presentation summarizing the PHO request, including a description of the subject site, the zoning history, the proposed site plan, and the requested stipulation modification.

APPLICANT PRESENTATION

Michael Scarbrough, representing the applicant with LTH Development Group, LLC, provided a presentation describing the proposal, including the site plan, elevations, and the business proposed to locate at the site, and reviewing the existing stipulations and proposed modification.

QUESTIONS FROM COMMITTEE

Committee Member Augusta asked about the notification requirements for the PHO request. **Mr. Scarbrough** replied with a summary of the notification requirements, including letters to property owners within 300 feet of the site and registered

neighborhood organizations. **Chair Fischbach** added additional detail about PHO hearing process, noting that it is heard at the VPC at the discretion of the Chair.

Committee Member Siegel asked about traffic flow and directional signage, noting a concern about the line of cars backing up into the drive aisle. **Mr. Scarbrough** stated there will be signage and multiple access points to the business, noting that the two-lane drive-through will hold 24 cars in the queue and the business model is drink-only, leading to faster service.

Committee Member Guevar asked if there would be a walk-up window. **Mr. Scarbrough** replied that there would be, but it's expected to be a small component of the business. **Mr. Guevar** asked about the pedestrian path from the parking area to the window. **Mr. Scarbrough** indicated the path on the site plan.

Committee Member Whitesell asked if a shared parking model was being used and if the use permit had a one-year review. **Mr. Scarbrough** stated the proposal would not be using shared parking, and that each use has sufficient parking on its own, further noting that the use permit did not have a one-year review. **Mr. Whitesell** noted that use permits can also be revoked if there are issues in the future.

Committee Member McClelland stated that some drive-throughs have issues because they are accessed directly from a street, which causes traffic backups and accidents, but this proposal is designed with access only from the interior of the site.

Committee Member Todd asked if Pad 6 would have enough parking on its own after this proposal is built and if they would need to modify their parking lot to avoid dead end drive aisles. **Mr. Scarbrough** stated that it will because it's on a separate parcel and the parcel meets the parking requirements on its own and that they will need to modify the parking lot.

Committee Member Todd asked about a door that appears on the second floor of the elevation. **Mr. Scarbrough** stated it is simply for a mechanical area.

Committee Member Guevar asked about pedestrian access to 44th Street. **Mr. Scarbrough** replied that a pathway is shown on a portion of the site plan, but the access is something the applicant team will need to explore with the City during site plan review.

PUBLIC COMMENTS

None.

MOTION:

Committee Member Whitesell made a motion to recommend approval of PHO-4-25--Z-29-94-6(8). **Committee Member Sharaby** seconded the motion.

VOTE:

15-0; motion to recommend approval of PHO-4-25--Z-29-94-6(8) passed; Committee Members Augusta, Beckerleg Thraen, Garcia, Guevar, Langmade, McClelland, Noel, Schmieder, Sharaby, Siegel, Swart, Todd, Whitesell, Paceley, and Fischbach in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

Staff has no comments.