

6.2 Staff Report (For Possible Action): Case No. LDC17-00070 (CVS - 1250 W. 7th St.) - A request has been made for a special use permit to: 1) construct a ±9,516 square foot drug store with a drive-thru pharmacy and a temporary pharmacy trailer within 300 feet of a residentially zoned property; and 2) allow hours of operation between 11:00 p.m. and 6:00 a.m. The ±2.79 acre site is located on the southeast corner of Elgin Avenue and West 7th Street within the Community Commercial (CC) zone. The site has a Master Plan land use designation of Urban Residential/Commercial. jdb [Ward 5] 7:17 PM

John Krmptotic, KLS Design Group, presented the special use permit request. The PowerPoint presentation and a copy of the requested condition changes are on file.

Jeff Borchardt, Associate Planner, presented the staff report. Condition No. 14 ensures that there are no wall signs facing residents. Staff does not believe the proposed free standing sign is consistent with the surrounding area and would like to see monument style signs that are more architecturally compatible for the area. Staff is okay with the proposed modification of Condition No. 8 with the addition of "Non-residential" language. The NAB was supportive of the project.

Chair Gower and Commissioner Marshall had no disclosures. The remaining commissioners present disclosed that they visited or are familiar with the site.

At this time Chair Gower opened public comment for this item. Hearing and seeing no public comment requests, Chair Gower closed public comment.

Mr. Borchardt explained for Commissioner Weiske that they are considering how signage is viewed from a project totality. Finding g does have you look at whether or not signage is compatible with a specific development.

Greg Salter, Deputy City Attorney, further explained that finding g is relevant in determining whether the project signage is in character with the project architecture.

Claudia Hanson, Planning Manager, recommended focusing discussion and findings towards what is triggering a special use permit.

Mr. Borchardt discussed what signage would be allowed on this site if there was no special use permit. He confirmed for Commissioner Weiske that the applicant is requesting the maximum allowed height but not square footage for a sign.

Commissioner Weiske suggested the proposed sign be approved for five feet less in height, similar to the newer signs in the area.

Mr. Borchardt confirmed that code does not trigger a loading zone requirement for this project.

Beverly Metevia, Armstrong Development, explained that CVS plans to be open using their current hours. They are asking for the flexibility to be open 24 hours should customer demand require additional hours in the future.

Ms. Metevia confirmed that the temporary trailer would be used for pharmaceuticals only.

Ms. Hanson explained that the discussion should be focused on the two special use permits before the Planning Commission and the associated findings.

Commissioner Marshall stated support for the staff conditions regarding the sign.

Commissioner Weiske stated he can make the findings for 24 hour use and for the drive-thru pharmacy at the temporary location. He also stated that he would like to condition the sign to be a monument sign.

Ms. Hanson explained that there are existing policies in the current Master Plan that do support the smaller scale of the sign.

Commissioner Marshall suggested amending Condition No. 8 with more clarifying language changing "moved upon completion" to "removed upon completion".

There was discussion regarding the proposed change to Condition No. 16. Ms. Hanson stated that staff can come up with appropriate wording that considers it as one project site to allow for a multi-tenant sign.

It was moved by Commissioner Marshall, seconded by Commissioner Weiske, in the case of LDC17-00070 (CVS - 1250 W. 7th Street) based upon compliance with the applicable findings, to approve the special use permit, subject to conditions, with the following amendments: Condition No. 8 second sentence shall read "The pharmacy trailer shall be removed from the site upon completion of the new pharmacy building and within two weeks of issuing the certificate of occupancy of the new building"; Condition No. 14 to add occupancy of a non-residential building.

There was discussion regarding Condition No. 16. Ms. Hanson suggested removing Condition No. 16 because they cannot have an off-premise sign on the site anyway.

Commissioner Marshall modified his motion to include the deletion of Condition No. 16. Commissioner Weiske seconded. The motion carried unanimously with seven (7) commissioners present.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Marshall, Commissioner
SECONDER:	Kevin Weiske, Commissioner
AYES:	Weiske, Johnson, Hawkins, Olivas, Griffith-Douglass, Gower, Marshall