

STAFF REPORT

Case No.: 19-SU-05

Request: Conduct a public hearing and consider the request for a Specific Use Permit and associated Detailed Site Plan with Special Exceptions for two drive-through restaurants, a surface parking lot exceeding 50 cars, and on-premise alcohol sales located on the eastern portion of the property, for an approximately 1.59-acre tract located at 2425 Valley View Lane; and take appropriate action.

Applicant: SBRP1 LLC

Planning & Zoning Commission Meeting: June 24, 2019

Background:

The subject 1.59-acre property is located on the northeast corner of Valley View Lane and I-35/Stemmons Freeway frontage road. This site received approval for a Specific Use Permit (SUP) for a drive-through restaurant on the western portion, a restaurant without a drive-through on the eastern portion, and parking lot exceeding 50 spaces on July 17, 2018. Since the approval, the drive-through restaurant and associated improvements located on the western portion of the property are currently under construction. This request is to amend the approved SUP to allow for a drive-through and on-premise alcohol sales for the restaurant on the eastern portion of the property. Additionally, the Detailed Site Plan is being amended in order to reflect the addition of a drive-through lane for the eastern restaurant and a second point of access from the frontage road.

The property is located within Planned Development District No. 86 (PD-86), also known as the Station Area Code, which requires approval of an SUP for any permitted use providing drive-through service, serving alcoholic beverages and surface parking for more than 50 vehicles.

Subject Property:

Site acreage: 1.59 acres

Location: 2425 Valley View Lane; northwest corner of Valley View Lane and Stemmons Freeway frontage road.

Proposed Development:

The applicant is proposing to generally maintain the same two-restaurant development as approved by the SUP in 2018 with some modification. The proposed SUP and detailed site plan amendment includes the following modifications:

- Access to Stemmons Freeway frontage road

- Drive-through services for the restaurant on the east side of the property, including the addition of drive-through lane and necessary improvements
- On-premise alcohol sales for the restaurant on the east side of the property
- Reconfiguration and reduction of 10 parking spaces

All other site improvements are proposed to remain as previously approved. This includes proposed subdivision of the property into two lots, corresponding to the proposed buildings.

- The western portion of the property, Lot 1, is currently under construction in accordance with the approved SUP and detailed site plan. However, if this SUP amendment is approved, the site improvements will be constructed in accordance with the amended detailed site plan. Lot 1 will be comprised of 0.9 acres and will contain a 2,138 square foot restaurant with drive-through service and 26 parking spaces. The building will be one story, 21 feet in height and an outdoor patio area (409 square feet).
- The eastern side of the property, Lot 2, will be comprised of 0.7 acres. This area is proposed to be modified as part of this request in order to accommodate a drive-through. The 2,430-square foot restaurant will remain a one-story building, 19.6 feet in height with an outside patio (468 square feet). The outdoor patio is proposed to be relocated to the south side of the building, where previously located on the east side. The parking (30 parking spaces) on this lot is proposed to be reconfigured to accommodate the drive-through service lane, with angled parking and a one-way drive aisle.

The two lots will maintain the shared access from Valley View Lane and, and a shared internal access drive aisle will connect to a proposed access from drive at Stemmons Freeway frontage road to ensure proper internal circulation for both restaurants. The previously approved SUP and associated detailed site plan did not provide access to the frontage road. Due to the addition of a drive-through service for the restaurant on the east side of the property, the additional access is necessary.

Also related to the proposed access to the frontage road, modifications are necessary for the existing landscape improvements within the right-of-way. The applicant is proposing to remove a small portion of the wall and two ornamental trees within the Stemmons Freeway right-of-way. Necessary repairs will be made to the wall and additional trees will be added on-site. All redevelopment improvements along the Valley View Lane street frontage will be maintained, including removal of all power poles and relocating electric lines underground, a 7-foot wide sidewalk with 6-foot street tree wells, and new light poles will be installed.

Adjacent Zoning Districts and Land Uses:

Direction	Zoning District	Land Use
Northwest	Planned Development District No. 86 (PD-86)	Vacant
Northeast	Planned Development District No. 86 (PD-86)	Office/Business Service use
South	Planned Development District No. 86 (PD-86)	Multi-tenant retail/commercial center; across Valley View Lane
East	Planned Development District No. 86 (PD-86)	Vacant
West	Planned Development District No. 86 (PD-86)	N/A; Stemmons Freeway frontage road

Access:

The proposed development will be accessible from the following streets:

- Valley View Lane – This driveway is currently under construction in conjunction with the drive-through restaurant on the western side of the property.
- Stemmons Freeway frontage road – This driveway access is currently in review by Texas Department of Transportation (TXDOT) and pending approval. Staff believes this access, in addition to the Valley View Lane driveway, is necessary in order to accommodate the additional drive-through restaurant and the traffic generated from this use. Therefore, staff is supportive of the development with the condition that the access to Stemmons Freeway is provided. Should TXDOT not approve the access to the frontage road, then the applicant will need to provide an alternate second point of access subject to review and approval by staff.

Parking:

Required Parking Ratio per PD-86	Total Minimum Parking Required	Total Parking Provided	Type of Parking Provided	Complies
• Non-Residential Uses: 1 space/1,000 SF	6	56	Surface	Yes

Site Landscaping:

% Required per PD-86	% Provided	Location Provided	Complies
15%	28%	Landscaping is proposed throughout the site with a combination of shade and ornamental trees distributed within the parking lot islands and surrounding the building. Trees proposed include Chinkapin Oak, Laceback Elm, and Crepe Myrtle trees.	Yes

Street Trees Required:

Street Name	Minimum Number Required	Number Provided	Tree Variety/Type	Complies
Valley View Lane	6	6	Live Oak Trees	Yes
Stemmons Freeway frontage road	0	0	Street trees are not required along Stemmons Freeway frontage road. The existing landscaping within the right-of-way will remain.	Yes

Required Screening:

PD-86 requires all drive-through areas must be screened by a 3-foot high street wall or with landscaping. Therefore, the applicant is proposing to screen all drive-through areas with landscaping.

The westernmost drive-through, located on Lot 1, will be screened by existing landscaping, including shade trees that line the western property line. The proposed drive-through located on Lot 2 will be screened by landscaping, including Oak Leaf Holly, Gulf Coast Muhly and Crepe Myrtle trees.

Buildings Elevations:

The Station Area Code/PD-86 requires that a minimum of each exterior facade be a minimum 75% masonry. The proposed building facades reflect the following masonry types and percentage provided.

Building Façade	Masonry Type Provided	Total % Provided	Complies
North	Brick	100%	Yes
South	Brick	100%	Yes
East	Brick	100%	Yes
West	Brick	100%	Yes

Signage

The applicant is not requesting any amendments to the previously approved signage. Therefore, the proposed signs will still include free-standing signs and wall signs on both buildings visible to Valley View Lane and Stemmons Freeway.

One free-standing pylon sign, maximum 30 feet in height and 128 square feet in sign area, is proposed to be along Stemmons Freeway frontage road south of the proposed driveway. Additionally, a monument sign with a maximum height of 10 feet and 100 square feet sign area is proposed along Valley View Lane, near the southwest corner of the subject site. Both buildings will contain wall signs on three sides; the wall signs will not exceed 2 feet in height.

Alcohol Sales

The Station Area Code/PD-86, requires that any permitted use serving alcoholic beverages receive approval of an SUP. Therefore, the applicant is requesting an SUP in order to sell alcoholic beverages for on-premise consumption at the proposed drive-through restaurant on the east side of the property.

Additionally, the Comprehensive Zoning Ordinance requires restaurants to meet special performance standards related to alcohol sales for on-premise consumption. This includes limiting alcohol sales by requiring the minimum sale of food and non-alcoholic beverages be at least 50% of the restaurant’s quarterly gross sales at the location, and requiring the applicant to provide an alcohol awareness program that outlines the restaurant’s operations as it relates to alcohol sales.

The applicant has provided an alcohol awareness program which states that this location and personnel will meet and obtain the necessary permits for all local, state and federal agencies required for the sale of alcohol. Additionally, it states that the gross sales of food at this restaurant will be at least 90% of the total gross sales for each quarterly reporting period, and alcohol sales will be limited to on-site consumption. A copy of the alcohol awareness program is provided as an attachment to this report.

Special Exceptions:

The following special exceptions are being requested by the applicant. These special exceptions were previously approved with the approval of the Specific Use Permit and associated Detailed Site Plan in 2018. No additional special exceptions are being requested with this SUP amendment.

Special Exception #1 – Chapter III.B. Building Envelope Standards for Shopfront Colonnade Sites - Related to required setback

PD-86 requires buildings located along Valley View Lane to be constructed at the Required Building Line (RBL) for a distance equivalent to 85% of street frontage. The RBL along Valley View Lane is a maximum 5 feet setback measured from the property line. The purpose of the maximum setback/RBL is to have buildings define the street. Both proposed buildings will be setback minimum 45 feet from the property line along Valley View Lane.

Special Exception #2 – Chapter III.B. Building Envelope Standards for Shopfront Colonnade Sites – Related to required street wall

PD-86 requires a street wall 6 to 8 feet high along any RBL that is not occupied by buildings along Valley View Lane. The purpose of the street wall is to continue a defined building façade/edge along the street/RBL. No wall is proposed along Valley View Lane due to the distance of which the buildings are setback.

Special Exception #3 – Chapter III.B Building Envelope Standards for Shopfront Colonnade Sites – Related to parking lot screening

PD-86 requires a street wall minimum 3 feet high for the screening of the surface parking lot along the eastern side of the lot. The applicant is proposing a dense shrubbery line along the eastern property line to screen the surface parking lot.

Special Exception #4 – Chapter III.B. Building Envelope Standards for Shopfront Colonnade Sites – Related to finished floor elevation

PD-86 requires that the ground story finished floor elevation of the buildings to be a maximum 18 inches above the sidewalk. The purpose of this requirement is to keep the building finish floor at a comparable level to the adjacent sidewalk if the building were to be located at the RBL, thus allowing the building to be complementary with the public realm. Due to the buildings being proposed to have a wide setback from the sidewalk, this requirement is not germane to this site layout.

Special Exception #5 – Chapter V.C. Roofs and Parapets

PD-86 requires all buildings to have a pitched roof configuration. Both proposed buildings will have a flat roof configuration.

Special Exception #6 – Chapter V.E. Windows and Doors

PD-86 requires all window openings to have the horizontal dimension smaller than the vertical dimension, and that windows shall be a minimum of 30 inches away from the building corner. The purpose of this type of window design corresponds with traditional and/or classical architecture design. All proposed building elevations include long horizontal windows, such that the window height is narrower than the window width, and some of the windows encroach the minimum 30-inches from building corner requirement. The proposed window design is consistent with the proposed contemporary building design of clean and simple façade lines.

Special Exception #7 – Chapter III.F. Limited and Prohibited Uses – Related to driveway access

PD-86 does not allow the drive-through access from Valley View Lane. Due to the irregular configuration of the lot and one-way traffic on the frontage road, the main access into the property is proposed from Valley View Lane.

Special Exception #8 – Chapter V.F. Signage

PD-86 does not allow free-standing pole signs in the Station Area and does not allow monument signs along Valley View Lane. The applicant is proposing a free-standing pole sign on the northwest corner of the lot, oriented perpendicular to I-35 and a monument sign near the southwest corner of the site oriented perpendicular to Valley View Lane. The proposed signage is consistent with the signage standards for the I-35 corridor in Farmers Branch and indicative of this type of site design.

Special Exceptions Summary

The majority of the special exceptions are imposed by the drive-through configuration and necessities of this irregular shaped lot located at the corner of a major thoroughfare and a regional highway. However, the applicant is proposing a site layout that is consistent with some of the objectives established by PD-86 for a vibrant and walkable town center including an enhanced streetscape along Valley View Lane and outdoor patios connected to the public realm along Valley View Lane.

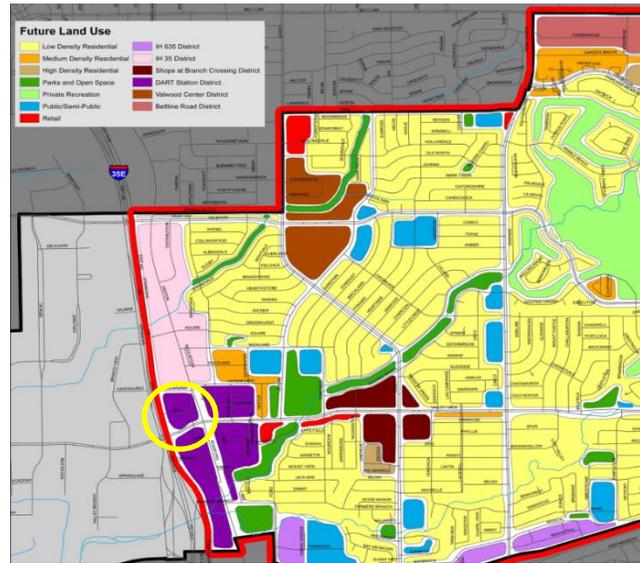
Due to the quality and scale of this development and considering the constraints of the lot configuration and placement – coupled with the fact that the site is on the north side of Valley View Lane away from the DART Station/Station Area core and adjacent to a regional highway – staff believes that these Special Exceptions will not take away from the vision proposed by PD-86. Additionally, the site layout is comparable to that which was approved for the restaurant park development at Bee Street, on the south side of Valley View Lane.

Staff is in support of all Special Exceptions.

Comprehensive Plan Recommendation:

The Central Area Plan designates the subject property as DART Station District as provided for on the Future Land Use Map. This land use designation recommends that this area serve as a more urban, pedestrian friendly environment. In contrast, areas within the IH-35 district will be more automobile accessible in order to capitalize on pass-through trips and provide quick and easy access along the interstate. A mixture of restaurants, retail, services and office space is recommended with the district.

The IH-35 District recommends that office will generally be the preferred land use, major intersections may be utilized for retail services, such as restaurants, banks or other similar services which serve employee at nearby office centers and residents alike.



The proposed development is consistent with the plan recommendation given the property is located at the intersection of a major thoroughfare with Stemmons Freeway/I-35 and the proposed uses will provide the needed services for residents and daytime population. Additionally, the applicant is providing a second point of ingress/egress to better serve the subject property and to mitigate potential increase in traffic due to the second requested drive-through use.

Public Response:

On June 14, 2019, eight zoning notification letters were mailed to the surrounding property owners, in addition to both Carrollton-Farmers Branch and Dallas school districts. A zoning notification sign was also placed on the site on the same day. As of June 21, 2019 no written correspondence has been received by the city.

Staff Recommendation:

Staff recommends approval of the Specific Use Permit and associated Detailed Site Plan with the condition that the access to the Stemmons Freeway frontage road is approved by TXDOT. Should the access not be approved by TXDOT, an alternate second point of access be provided subject to review and approval by staff.

Applicable Zoning and Development Case History:

Date Approved	Case Number	Description
07/17/2018 Ordinance No. 3510	18-SU-07	A Specific Use Permit was approved for a drive-through restaurant, a restaurant without a drive-through and parking lot for more than 50 vehicles. Considered by Planning and Zoning Commission on June 25, 2018. The Commission voted 7-1 to recommend approval of the Specific Use Permit and associated Detailed Site Plan including the Special Exceptions as presented in Ordinance No. 3510.