



Information

MEMORANDUM

TO: Mayor and City Council

FROM: Gary D. Greer, City Manager

DATE: December 16, 2014

SUBJECT: Ordinance No. 3314 - Specific Use Permit for 13920 Josey, Suite 102

Existing Conditions:

The Pupuseria Palacios restaurant is located in the Josey Plaza shopping center on Josey Lane, south of Valwood Parkway. It is within the Planned Development 3 (PD-3) zoning district. The zoning allows for Local Retail land uses.

The site is bounded on the west by Josey Lane and a residential neighborhood (R-6 zoning district). To the north is Valwood Parkway and various commercial uses. To the east of the site is Farmers Branch Park. To the south of the site is predominantly residential land uses.

The subject site contains one existing masonry building. This one story building was constructed in 1984 and contains approximately 70,000 square feet. It is currently being used by multiple businesses for commercial and retail uses.

Proposal/Site Design:

A qualified restaurant requesting to sell alcohol with meals must first obtain a Specific Use Permit. The applicant proposes to use the small bar area shown on the floor plan (**See Floor Plan**), with most of the 2,000 square feet dedicated for a traditional sit down restaurant and kitchen area.

The restaurant contains approximately 56 seats. This restaurant is a traditional facility, with no drive-in capability or walkup windows. The restaurant is requesting permission to sell alcohol to its restaurant customers with their meals. No more than 40 percent of the general revenue of the restaurant can be generated from the sale of alcohol. No additional retail uses are proposed or anticipated within the building.

Approximately sixty-three (63) parking spaces serve the retail shopping center. There is adequate parking to serve the restaurant and its customers (**See Site Plan**).

Landscaping:

The applicant has no plans to install any landscaping.

Signs:

Signs for the restaurant consist of one sign located within the multi-tenant sign located along Josey Lane at the entrance to the center and one wall sign attached to the building above the restaurant entrance. Per the City's requirements the restaurant will not be allowed to advertise on any signage that they sell alcoholic beverages.

Operation:

The restaurant's proposed hours of operation are 10 AM to 10 PM, Monday through Thursday, 10 AM to 12 AM Friday and Saturday, and Noon to 10 PM on Sunday.

The restaurant includes a small bar/counter area. The applicant has submitted an Alcohol Awareness Program, which establishes a comprehensive alcohol policy for the restaurant. They agree to abide by the City's requirements for alcohol sales, as well as the Texas Alcoholic Beverage Commission.

Under Ordinance 2768 the following requirements must be met in order for a restaurant to serve alcoholic beverages:

- (a) the bar/holding area does not exceed 20% of a restaurant;
- (b) at least 60% of the total gross sales must be attributable to food and non-alcoholic beverage sales;
- (c) there are no exterior signs or signs visible from the restaurant's exterior advertising the sale of alcoholic beverages;
- (d) there is no drive-in curbside service; and
- (e) an alcohol awareness program is submitted with the application.

The applicant's proposed plan meets all of these requirements. The restaurant plans to start with the serving of beer and then move to the serving of mixed beverages, based on the response from their clientele.

Comprehensive Plan:

The 2012 Farmers Branch Central Area Plan identifies the recommended use of the subject property and surrounding area as Retail, which serves to facilitate uses compatible with housing areas to the east and to provide a transition from prevailing industrial, warehousing, and goods

distribution uses to office and retail-related functions. Therefore, the proposed qualified restaurant is consistent with the land use objectives outlined in the Central Area Plan.

Thoroughfare Plan:

Josey Lane is designated as a six (6) lane divided thoroughfare on the 2013 Thoroughfare Plan. No improvements to Josey Lane are planned or budgeted at this time.

Public Response:

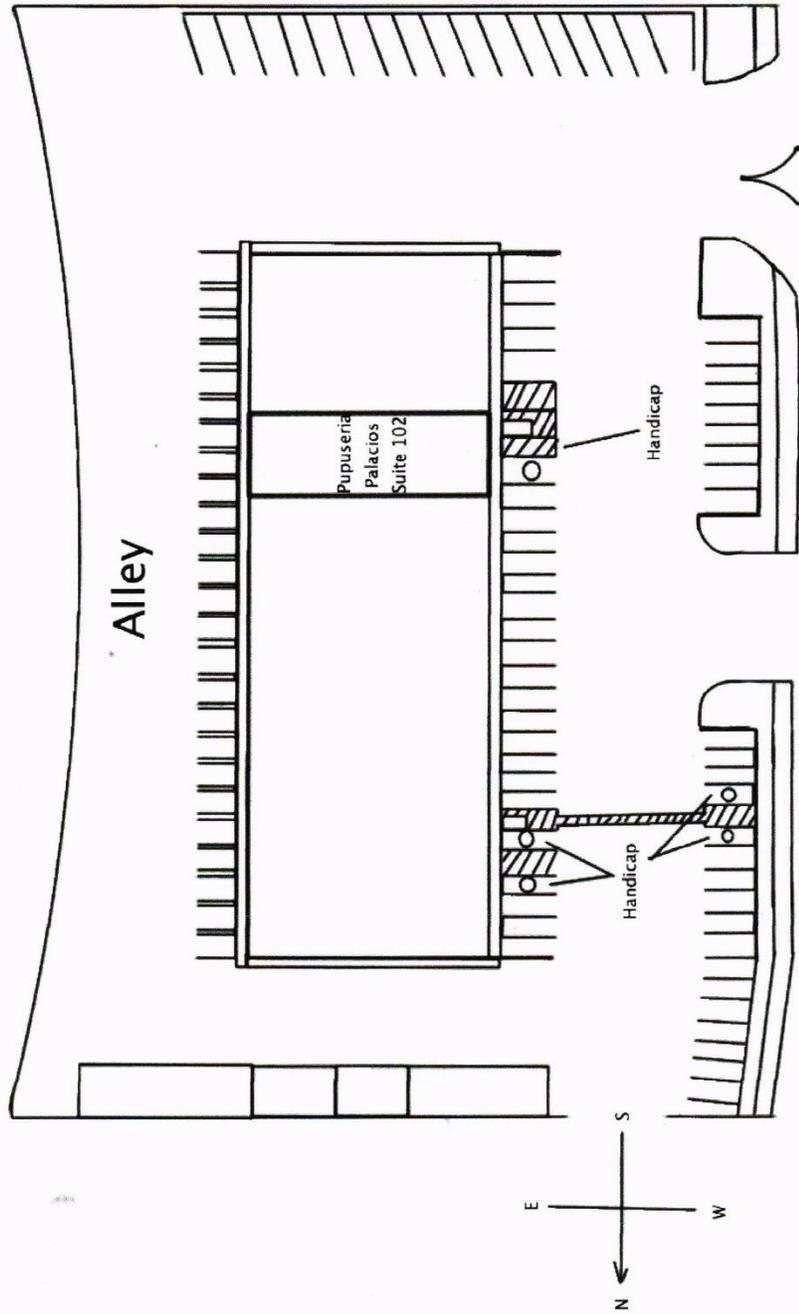
Twenty-one (21) public notification letters were mailed on November 11, 2014. A zoning notification sign was also posted on the site. As of December 8, no letters in opposition to the requested Specific Use Permit have been received.

Possible Council Action:

1. I move to adopt Ordinance No. 3314 approving a Specific Use Permit allowing the on-premise sale and consumption of alcoholic beverages in a qualified restaurant located within Planned Development Number 3 (PD-3) zoning district, more commonly known as 13920 Josey Lane, Suite 102.
2. I move to adopt Ordinance No. 3314 approving a Specific Use Permit allowing the on-premise sale and consumption of alcoholic beverages in a qualified restaurant located within Planned Development Number 3 (PD-3) zoning district, more commonly known as 13920 Josey Lane, Suite 102, with modifications.
3. I move to continue discussion of this case at the next meeting.

On November 24, 2014 the Planning & Zoning Commission voted unanimously to recommend approval of the Specific Use Permit as described in Ordinance No. 3314.

SITE PLAN



13920 Josey Ln. Suite 102 Farmers Branch, TX. 75234

FLOOR PLAN

