



INFORMATION MEMORANDUM

TO: Mayor and City Council

FROM: Charles Cox
City Manager

DATE: August 11, 2016

SUBJECT: Proposed Ordinance No. 3386 to approve a Specific Use Permit for Alcohol Sales within a Qualified Restaurant at 11482 Luna Road, Suite 150

Existing Conditions:

J's Deli restaurant is located in one of the two properties that form the outparcel of the Westwood Business Park which is located east of Luna Road and north of Royal Lane. It is located within the Planned Development No. 22 (PD-22) zoning district. The zoning district allows for a variety of commercial and light industrial land uses. The site is bounded on the south and east by the Westwood Business Park. To the north is the Crown Plaza office building. To the west of the site is the Waters Edge Phase 2 multifamily development. The restaurant is requesting permission to sell alcohol (beer and wine) to its restaurant customers with their meals.

The subject site contains two existing one-story masonry buildings. J's Deli is located in the southern building, closest to Luna Road. (See Aerial Map). Both of the buildings were constructed in 1981 and contain about 11,000 square feet. The building J's Deli is currently located in, is divided into four suites. J's Deli is located in one of the southern suites. The additional suites are currently vacant, but allow a variety of commercial and office uses.

Proposal/Site Design:

The suite occupied by J's Deli is approximately 2,246 square feet (see Floor Plan). The restaurant contains 40 seats and has operated at this existing location since 2006. This restaurant is a deli/counter style restaurant with a serving line. The customer orders at the counter and then

selects a table. Beer and wine would be an option at the counter when the customer orders. Therefore, there is no bar area in this restaurant. There is also no drive-in capability or walkup windows.

The applicant also is proposing to add an outdoor patio dining area, along the southern end of the building (see Site Plan). The proposed outdoor area would be approximately 649 square feet with a concrete floor, wooden deck and a sloped metal roof. This dining area would allow for 20 additional seats, expanding the entire restaurant area to approximately 2,895 square feet and allow for a total of 60 seats.

Parking:

Approximately 108 parking spaces serve the two existing buildings located on the site. The city parking requirements dictates the restaurant utilize 20 of those parking spaces. There is adequate parking on the site to serve the restaurant and its customers (see Site Plan).

Landscaping:

The applicant plans to install additional landscaping along the perimeter of the proposed patio. The landscaping is a combination of shrubs and trees including; Purple Diamond Loropetalum, Gray Leaf Cotoneaster and Holly Savannah. (See Planting Plan.)

Signs:

Signs for the restaurant consist of one existing sign on the door of the entrance to the restaurant and one proposed wall sign approximately 33 square feet (see Proposed Signage). 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 hours of operation are Monday through Friday 7:00 am to 10:00 pm, Saturday from 8:00 am to 10:00 pm and Sunday from 8:00 am to 9:00 pm.

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. (See Alcohol Awareness Plan).

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 curb service; and
- (e) an alcohol awareness program is submitted with the application.

The applicant has met all of these above requirements.

Comprehensive Plan:

The West Side Plan identified the recommended use of the subject property and surrounding area as Light Industrial and Office. The Plan states the restaurant is located within the Industrial Districts regional centers which is desirable for retail and restaurant business. Also given the concentration of multi-family developments in this area, restaurant use is desirable.

Public Response:

Four public notification letters were mailed on July 14, 2016. Two zoning notification signs were also posted on the site that same day. A public notice ad was published in Dallas Morning News on July 28. As of August 12, no letters of opposition to this Specific Use Permit request have been received by the City.

Possible Council Action:

1. I move to adopt Ordinance No. 3386.
2. I move to adopt Ordinance No. 3386 with the following modification(s)...
3. I move to table the item or take no action.