



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** April 24, 2017

SUBJECT: ZC 2017-02, Ordinance No. 3458, Public Hearing and consideration of a request from East Star Design for a zoning change from C-1 Commercial to RD-PD Redevelopment Planned Development on 1.03 acres located at 7407 Boulevard 26.

PRESENTER: Clayton Husband, Principal Planner

SUMMARY:

On behalf of Firebrand Properties LP, East Star Design is requesting a zoning change from C-1 Commercial to RD-PD Redevelopment Planned Development for a quick service restaurant on 1.03 acres located at 7407 Boulevard 26.

GENERAL DESCRIPTION:

The site under consideration is located at the northwest corner of Boulevard 26 and Daley Avenue. It was previously developed as a U-Haul truck and trailer rental center. The business has been closed since at least March 2012, and the building was demolished in 2016. The site is adjacent to a retail building and the Glenview Square apartment complex. The owner proposed to develop a new Burger King quick service restaurant with attached retail space on the property.

A complete site plan package for the proposed restaurant is attached. Planned improvements to the site include a 2,674-square-foot restaurant with a 1,739-square-foot attached retail shell space. Driveway access is proposed from Boulevard 26 and Daley Avenue, with 25 parking spaces provided on the site. The landscaped areas cover 36% of the lot and include a buffer yard and masonry screening wall along the common property line with the apartment complex. The business operation also provides drive-through service with stacking space for nine vehicles.

The application for rezoning to the RD-PD district provides an opportunity to address the use of the property and modifications to specific development standards for the site. These items are described in more detail below. All other site development standards have been satisfied.

Land use

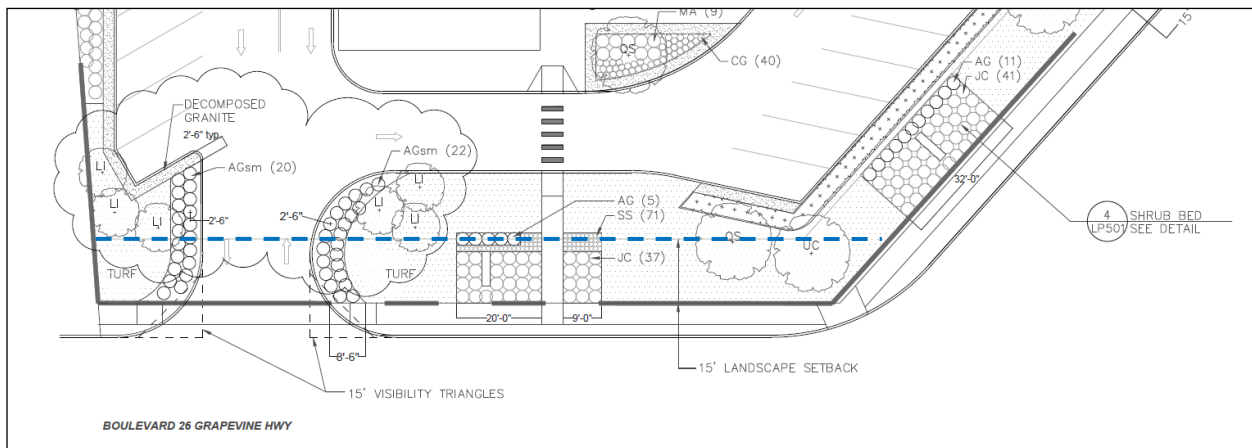
In 2015, the zoning ordinance was amended to create new land use types for restaurants. One of the new land use types is "quick service restaurant," commonly referred to as a fast food restaurant. This land use requires approval of a special use permit in the C-1 zoning district or approval as part of a planned development district.

Drive through standards

In conjunction with the zoning amendment described above, new design standards were adopted for restaurants that provide drive-through service. One standard requires that drive-through speakers and menu boards are to be located at least 50 feet from a residential property line. The proposed site layout shows a distance of 40 feet between the speaker and menu board and the property line of the apartment complex. The applicant is requesting that this standard be modified as part of the planned development zoning request. All other drive-through standards have been satisfied.

Boulevard 26 right-of-way

In anticipation of future roadway work on Boulevard 26, the layout of the site is designed to address the potential need for additional right-of-way dedication. A 31-foot wide landscape setback is proposed to lessen the effect of a future right-of-way dedication on the parking and building improvements. The proposed landscape plan is shown below. In order to reduce the effect on the landscape setback, the DRC recommends that the plan be revised to relocate as much of the landscaping as possible at least 15 feet from the property line.



COMPREHENSIVE PLAN: This area is designated on the Comprehensive Land Use Plan as “Retail.” This designation is intended to permit a variety of retail trade, personal and business services establishments, and offices.

CURRENT ZONING: The property is currently zoned C-1 Commercial. This district is intended to provide for the development of retail, service, and office uses principally serving community and regional needs. The district should be located on the periphery of residential neighborhoods and confined to the intersections of major arterial streets. It is also appropriate for major retail corridors as shown on the comprehensive plan.

PROPOSED ZONING: The proposed zoning is RD-PD Redevelopment Planned Development. The proposed change is intended to allow the development of the site as a quick service restaurant with drive-through service and establish site and building design standards for the property.



SURROUNDING ZONING | LAND USE:

- North:** R-7-MF Multifamily | Retail
- West:** C-1 Commercial | Retail
- South:** Retail development located in Richland Hills
- East:** C-2 Commercial | Retail

PLAT STATUS: The property is currently unplatted. Approval of a subdivision plat is required before building construction could begin on the property.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the April 6, 2017, meeting and voted 6-0 to recommend approval.

RECOMMENDATION:

Approve Ordinance No. 3458.