



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** January 14, 2019
SUBJECT: SUP 2018-11, Ordinance No. 3560, Public hearing and consideration of a request from Sallie McIntyre for a special use permit for microbrewery at 8401 Boulevard 26, being 4.956 acres described as Lot 1R1, Block 1, Walker Branch Addition.
PRESENTER: Clayton Husband, Principal Planner

SUMMARY:

Sallie McIntyre is requesting a special use permit (SUP) for a microbrewery in the Harwood Plaza shopping center located at 8401 Boulevard 26.

GENERAL DESCRIPTION:

The property is located at the west corner of Boulevard 26 and Emerald Hills Way, just north of Harwood Road. The site is 4.956 acres in size and is developed as a retail shopping center with two buildings and one quick service restaurant.

The microbrewery, Brutal Beerworks, is proposed in a 3,287-square-foot lease space in the building located on the west side of the shopping center. The space is the former location of From Across the Pond restaurant. A letter from the applicant is attached, which describes the proposed business operations and activities.

According to The Brewers Association, a not-for-profit trade association for small and independent craft brewers, in 2017 there were 251 craft breweries in Texas, which ranks 9th in the United States. Statewide, over 1.1 billion barrels of craft beer were produced in 2017, with an economic impact of \$4.54 billion, ranking third in the nation.

The Texas Alcoholic Beverage Code provides for a specific license for a “brewpub” (BP). The code allows this license to be added on to another retailer permit, such as a wine and beer retailer’s permit (BG). The Texas Alcoholic Beverage Commission (TABC) views an application for a BG and BP permit as a retail establishment that can microbrew beer, sell wine and beer on-site to customers, and sell their product to go as well as to other TABC retail permittees. A brewpub license allows a microbrewery to brew up to 10,000 barrels a year (310,000 gallons).

In the Tarrant County area, there are several breweries that include taprooms where beer is sold for on premises consumption. There are seven breweries in the downtown Fort Worth vicinity, two in downtown Arlington, and others in Bedford, Keller, and Mansfield. Brutal Beerworks would be the first microbrewery in North Richland Hills.



A site plan and plans for the lease area are attached. The lease covers 3,278 square feet in area. The floor plan indicates the operational areas for the brewing and fermentation processes, and shows the seating areas set aside for visitors and customers. The exhibits also include general renderings of the building interior.

Special Use Permit

The zoning ordinance provides that special use permits may establish reasonable conditions of approval on the operation and location of the use to reduce its effect on adjacent or surrounding properties.

The following are the proposed conditions of approval for this SUP application. These conditions are based on the applicant's proposed construction, and as recommended by the Planning and Zoning Commission. Exhibit "B" of the attached ordinance also lists these conditions.

1. *Permitted use.* A special use permit is authorized for a microbrewery and brewpub as defined by the Texas Alcoholic Beverage Commission on the property.
2. *Site development standards.* Development of property must comply with the development standards of the C-1 Commercial zoning district and the standards described below.
 - a. The area is limited to 3,300 square feet located as shown on the site plan attached as Exhibit "C."
 - b. The awnings at the lease space must be replaced with a solid black or red color to match the existing awnings associated with other spaces in the shopping center.
3. *Expiration.* The Special Use Permit shall expire three (3) years from the effective date of this ordinance. If the microbrewery is still in operation at the time of expiration, the business shall be considered a legal non-conforming use and may continue operation subject to the standards described in Section 118-153 of the Zoning Ordinance.

FUTURE SITE ENHANCEMENTS: The Development Review Committee provided the following list of suggested site enhancements to the property owner during the review of this application. These enhancements would help bring the property closer to compliance with current development standards, but are not proposed by the applicant or property owner at this time. These same enhancements were suggested with the 2015 Special Use Permit for a laundromat but were not completed.

1. *Lighting.* Replace the convex lenses in all parking lot light fixtures with flat or concave lenses. Convex lenses reflect the light source out and cause glare past the limits of the property.
2. *Screening walls.* A six-foot tall masonry screening wall is the standard requirement between commercial and residential properties. The assisted living center to the west of the site is considered a residential property.

3. *Landscaping along Boulevard 26.* Based on 308.63 feet of street frontage along Boulevard 26, a minimum of 7 trees and 62 shrubs are required within a 15-foot landscape setback adjacent to the roadway. The site plan scales the fire lane parallel to Boulevard 26 in front of the State Farm office at 31 feet. If this is accurate, seven feet of pavement can be removed along the parking stalls facing Boulevard 26 and the parking lot can be restriped, allowing for an improved landscape area along Boulevard 26.
4. *Landscaping and sidewalk along Emerald Hills Way.* Based on 516.92 feet of street frontage along Emerald Hills Way, a minimum of 11 trees and 104 shrubs are required within a 15-foot landscape setback. It is possible for some pavement to be removed to bring the site closer to compliance with this requirement as well as the overall requirement for 15% total lot area in landscaping. This also provides for the required 4-foot sidewalk.
5. *Landscaping at storefronts.* Consult a landscape architect for recommendations on the types of ornamental grasses, shrubs, and/or trees for the irrigated landscape planters at many of the storefronts.

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 service establishments, and offices.

CURRENT ZONING: The property is currently zoned C-1 Commercial. The C-1 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 be confined to intersections of major arterial streets. It is also appropriate for major retail corridors as shown on the comprehensive plan. In 2015, the Laundry World business also received approval of a special use permit for a laundromat (Ordinance No. 3370, Case SUP 2015-04).

SURROUNDING ZONING | LAND USE:

DIRECTION	ZONING	LAND USE PLAN	EXISTING LAND USE
NORTH	PD Planned Development (PD-24)	High Density Residential	Apartment complex
WEST	PD Planned Development (PD-27 and PD 84)	High Density Residential Commercial	Assisted living center Car wash
SOUTH	C-1 Commercial	Retail	Restaurant
EAST	PD Planned Development (PD-24) U School, Church, Institutional	High Density Residential Public / Semi-public	Apartment complex Tarrant County College campus

PLAT STATUS: The property is currently platted as Lot 1R1, Block 1, Walker Branch Addition.



PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the December 20, 2018, meeting and voted 4-0 to recommend approval.

RECOMMENDATION:

Approve Ordinance No. 3560.