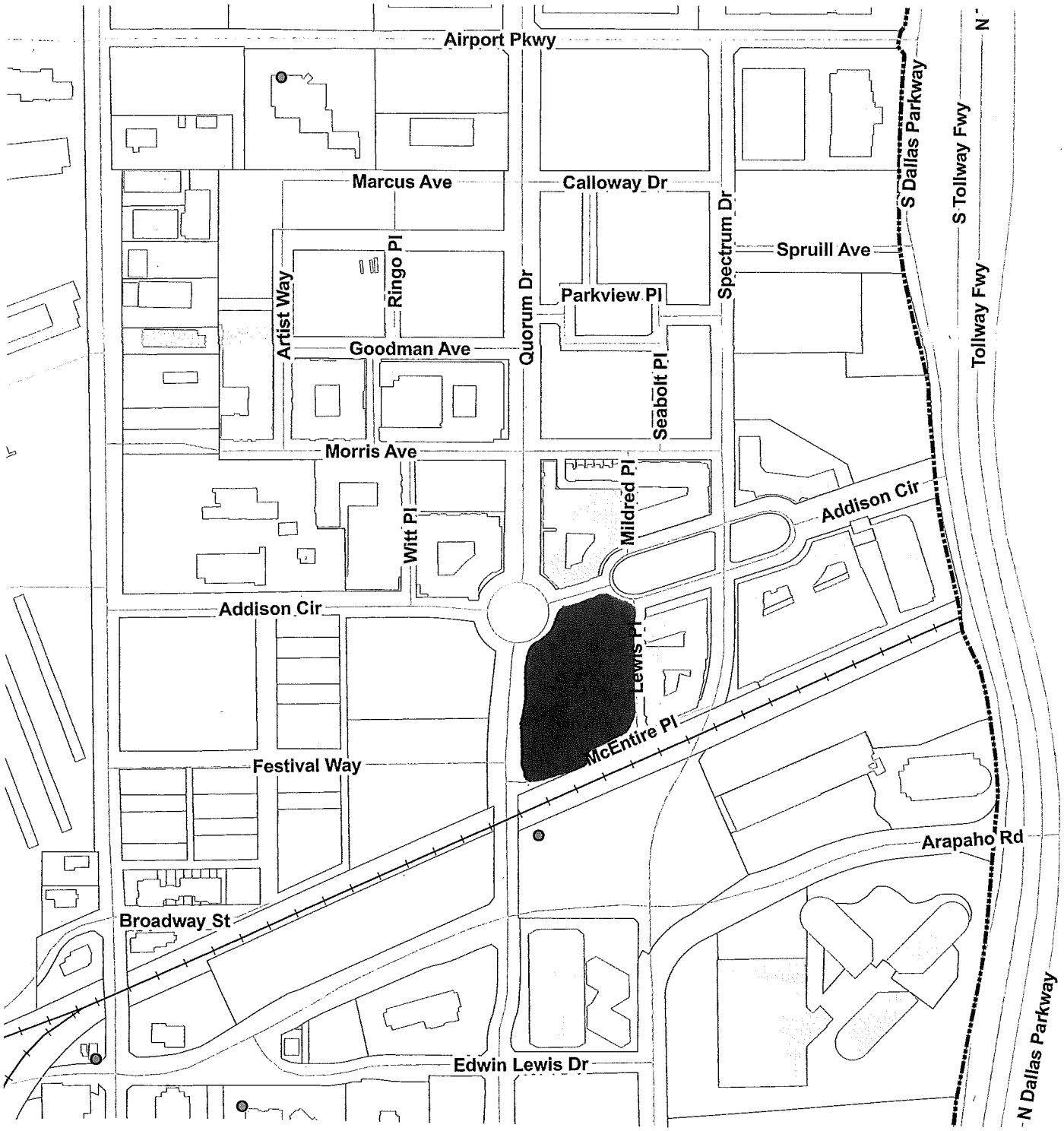
1687-SUP

PUBLIC HEARING Case 1687-SUP/Taco Borracho. Public hearing, discussion and consideration of approval of an ordinance changing the zoning on property located at 5004 Addison Circle, which property is currently zoned UC, Urban Center, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, on application from C&J Investments LLC represented by Charles M. Love



February 27, 2014

STAFF REPORT

RE:	Case 1687-SUP/Taco Borracho
LOCATION:	5004 Addison Circle
REQUEST:	Approval of a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only
APPLICANT:	C&J Investments, LLC, represented by Mr. Charles M. Love.

DISCUSSION:

Background. This lease space is on the first floor of the building owned by Post Prosperities that is located immediately east of Addison Circle Park. This space has housed a variety of restaurant uses starting with Royal Spice in 1999. The most recent concept was Kahlo's Mexican Restaurant which closed in 2013.

Taco Borracho comes out of Dallas, with one other location located at 300 N. Akard Street in downtown. As the name suggests, it is a casual Mexican restaurant centered on tacos that is also proposing to serve alcohol. This operator is planning to expand the patio and to install a new awning, which trigger the need for a new SUP.

The existing patio is tucked under the upper floors of the building. This proposal would extend the patio approximately 5 feet 6 inches out from the edge of the building. The main complicating factor is that the property line runs along the edge of the building, so the new patio would encroach into Town owned right of way, which currently serves as a sidewalk. Staff met on site with Post Properties and Mr. Love to discuss his plans. Staff feels that allowing the expanded patio will increase the visibility of the site and create a more active environment, which has always been one of the goals for Addison Circle. The City Attorney is developing an agreement to allow the patio to encroach into the right of way, provided that if the Town needs to access anything in the right of way to make repairs, then we would have access and that any damage to restaurant property caused by the Town would be corrected at the owner's expense. In our meeting, Mr. Love and Post Properties indicated that they were amenable to this.

Proposed Plan. The existing floor plan features a total space of 3,829 square feet. The proposed patio extension would add about 290 square feet for a new total of 4,119 square feet. The plan indicates that seating for 160 will be provided.

Exterior Facades. The new restaurant will not be making any changes to the existing brick facade. The current canvas awnings would be replaced to provide sufficient coverage for the extended patio.

Parking. Addison Circle is zoned as an Urban Center District, which requires a parking ratio of 1 space per 70 square feet for restaurants. They are currently required to have 55 spaces. The extended patio will require an additional 5 spaces for a new total of 60 spaces. Parking for this restaurant is provided in the public parking spaces in the garage owned by Post Properties.

Landscaping. The landscaping around this site is in compliance with the ordinance.

Food Service Code. The kitchen installation must meet all requirements of the Food Service Code. The Environmental Services Official has noted that the plans indicate a full-sized and good quality kitchen.

Fire and Building Code. Based on the occupancy, the building will have to be provided with fire sprinklers. This is a code requirement and does not need to be included as a condition.

Mechanical Equipment. The applicant should be aware that if any new mechanical equipment is added to the roof of the restaurant, it must be screened from all adjacent properties. The screening mechanism shall be architecturally compatible, and the Building Official shall make the determination of “architecturally compatible”.

Signs. The applicant should be aware that all signs must be permitted under the requirements of the Addison Sign Ordinance and cannot be approved through this process. The applicant should also be aware that the Town has a policy against the use of any terms, such as “bar” or “tavern”, or any graphic depictions that denote alcoholic beverages, in exterior signs.

RECOMMENDATION:

The Town is pleased to have Taco Borracho come to Addison, and staff recommends approval of the request for a Special Use Permit for a restaurant, and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption, subject to the following conditions:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs.

- This SUP does not constitute the Town's consent, nor a grant of any right, to the extension of the patio into the right-of-way of the Town, and that the extension of the patio into the Town's right-of-way may not occur unless and until the applicant (tenant) and the owner of the property has obtained from the Town the Town's written consent to the extension.

Respectfully submitted,

Charles Goff
Assistant to the City Manager

Land Use Analysis

Attributes of Success Matrix

Taco Borracho Restaurant, 5004 Addison Circle **1687-SUP**

Attribute	Comment	Score
Competitive	This proposed restaurant is a good operator, but previous restaurant uses have struggled in this location.	
Safe	The project will be safe.	
Functional	The space is functional as a restaurant , however the space has limited visibility from Quorum and has no parking immediately adjacent to the space.	
Visually Appealing	The restaurant will be visually appealing and consistent with the neighborhood.	
Supported with Amenities	The site is in a very amenity-rich area.	
Environmentally Responsible	The space is part of one of the premier new urbanist neighborhoods in the county.	
Walkable	The site is extremely walkable.	
Overall Assessment	**This is a good-quality restaurant in a less than optimal location. The Town is hopeful that the expanded patio will help them be successful long term.**	

Case 1687-SUP/Taco Borracho
February 28, 2014

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on February 27, 2014, voted to recommend approval of the request for approval of an ordinance changing the zoning on property located 5004 Addison Circle, which property is currently zoned UC, Urban Center, by approving for that property a Special Use Permit for a restaurant and a Special Use Permit for the sale of alcoholic beverages for on-premises consumption only, subject to the following condition:

- The applicant shall not use any terms or graphic depictions that relate to alcoholic beverages in any exterior signs, except for the term “borracho” and only when used as part of the business’ name, “Taco Borracho

- This SUP does not constitute the Town’s consent, nor a grant of any right, to the extension of the patio into the right-of-way of the Town, and that the extension of the patio into the Town’s right-of-way may not occur unless and until the applicant (tenant) and the owner of the property has obtained from the Town the Town’s written consent to the extension.

Voting Aye: Doherty, Groce, Hewitt, Hughes, Oliver, Stockard, Wheeler
Voting Nay: none
Absent: none