



REVISED December 2, 2015

## STAFF REPORT

RE: Case 1726-Z/Access Catering

LOCATION: 4300 Beltway Drive

REQUEST: Approval of an ordinance rezoning the property from LR (Local Retail) to a PD (Planned Development)

APPLICANT: Access Catering & Events, represented by Mr. Scott Fernandes

## DISCUSSION:

Revised Comments: The applicant submitted revised plans on December 1<sup>st</sup>, which have addressed several of staff's comments in the original staff report. Additional comments have been added throughout the report based on the revised submittal.

Background: The property located at 4300 Beltway Drive is currently a one story office building of approximately 7,929 square feet. The site is bordered by other single story office buildings to the east and west and a hotel to the north. The southern property line is the border of Addison, with properties to the south being in Farmers Branch.

The site is currently zoned Local Retail. This allows for a variety of retail and office uses, including caterers, but with the restriction that it be offices only. Catering kitchen facilities are permitted elsewhere in Town in both of the Commercial districts as well as all three of the Industrial districts.

The site was developed in 1982 and is required to abide by the zoning requirements in place at that time. The current landscaping regulations were approved in 2008, meaning that this site, as it is today, is exempted from these regulations. However, the regulations state that they become applicable at such time a property is rezoned, including to a Planned Development district.

Proposed Use: Access Catering is proposing to purchase the office building, renovate some office space for itself and a sub-tenant, and convert part of the building into a commercial catering kitchen. Because catering kitchens are not allowed in Local Retail districts, they are requesting to rezone the property to a Planned Development primarily to adjust the list of allowed uses to include catering kitchens.

The applicant is also purchasing an adjacent property to the south which is in Farmers Branch. This property will be primarily utilized for parking.

Staff has no concerns with the proposed use.

Exterior Facades: The building is primarily of brick construction and the applicant is not proposing any major modifications to the exterior facades.

Parking: The parking requirements for this Planned Development would mirror the general requirements found in the Local Retail district. The uses being proposed would be parked at an office ratio requiring 1 space per 300 square feet. According to the Dallas Central Appraisal District, the square footage of the building as 7,929. Based on the size of the building, 27 parking spaces would be required. However, the applicant is indicating the building to be 7,634. According to their measurement, 26 spaces would be required. Additionally, the applicant is intending to have a number of delivery vehicles under 1 ton in size. The PD regulations would prohibit these vehicles from being parked in the spaces needed to comply with the required parking ratio. The applicant is indicating that there would be 7 delivery vehicles.

The majority of parking for this site would be provided on an adjacent property in Farmers Branch which is being purchased by the applicant in conjunction with this property. While the Town typically does not allow off-site parking to satisfy parking requirements, because these properties are under the same ownership, the PD regulations can address this by including a requirement that the properties be legally tied together through a parking agreement that would be recorded in the deed records.

Additional Comments: The revised plans resolve the previous discrepancy and list the building as being 7,929 square feet. This will require 27 parking spaces based on a ratio of 1 space per 300 square feet plus a requirement that 7 additional parking spaces be provided for delivery vehicles. A total of 34 parking spaces are required and 37 are provided between the two lots.

Fire Access: The plans have been reviewed by the Fire Marshal to ensure sufficient site access and building coverage. Current requirements call for a 24 foot wide fire lane. Given the site constraints, the fire lane will range between 24 feet and 17 feet wide. The narrowest portion of the fire lane would be between the west side of the building and the western property line,

where space is limited due to the placement of the building within the site. While not an optimal condition, the Fire Marshal believes this to be a workable width.

Landscaping: Staff has a number of concerns regarding the landscaping being proposed as part of the Planned Development. As indicated previously, the landscaping ordinance requires that properties be brought up to current standards when they are rezoned. Below is an explanation of the applicable landscape design standards and how this proposal fails to address them.

**Site Coverage** – 20% of the site must be landscaped. Currently, landscaping accounts for approximately 8.4% of the site coverage. The applicant is proposing to add additional landscaping and indicates that 12.71% of the site will be landscaped. This calculation includes the area being shown as a 5 foot sidewalk which should not be included in the calculation. Staff estimates that the actual site coverage to be approximately 11.3%.

Additional Comments: The revised plans show that the applicant is providing site coverage equal to 20.7%, which exceeds the requirement. This has been achieved partially through the removal of the proposed sidewalk from the previous set of plans.

**Street Landscape Buffer** – From the back of curb there must be a 20 foot wide landscape buffer and a 5 foot wide sidewalk, for a total of 25 feet. The site currently includes a 21 foot buffer with no sidewalk. The applicant's landscape plan shows a 5 foot wide sidewalk back of curb and a 16 foot landscape buffer, keeping the total at 21 feet.

Additional Comments: The revised plans continue show a 21 foot buffer along Beltway Drive. The applicant previously proposed to add a five foot wide sidewalk, which had them out of compliance with the 20 foot landscape buffer. With this set of plans, the buffer area is shown as entirely landscaping, bringing them into compliance with the landscape buffer requirements, but out of compliance with the sidewalk requirement.

**Perimeter Parking Lot Landscaping** – On lots larger than 10,000 square feet, a five foot wide perimeter landscaping strip is required. The applicant's landscape plan does not comply with this requirement, however they have made an attempt to comply where they can, in most locations. They are unable to comply fully due to the existing site layout with the fire lane requirement along the western edge of the property and the ingress and egress easement along the east side of the property.

**Interior Area Parking Lot Landscaping** – In addition to the screening and perimeter requirements, on a lot of this size, it is required that 5% of the parking area be landscaped with planting islands or other landscaping features. The applicant's plan does not provide a calculation of the interior landscaping area for staff to assess compliance.

Additional Comments: The revised plans now include the interior landscaping calculation and show it to be 14.7%. This exceeds the 5% requirement.

**REVISED RECOMMENDATION: APPROVAL**

When this case went forward to the Planning and Zoning Commission, the plans themselves showed inconsistencies between the sheets, inaccurate calculations, and incomplete information. Under normal circumstances, staff would require that these be addressed prior to the case going forward to the Commission. However, the applicant asked staff to allow the plans to go forward with these issues because of a legal timeline that the property is under.

More importantly than how the information was presented, staff was concerned about the lack of landscaping being proposed on the site. Based on these factors, staff recommended that the original plans be denied and the Planning and Zoning Commission voted to recommend denial for those reasons as well.

Since that time, staff has continued to work with the applicant to correct the plans and address the lack of landscaping being proposed. With the revised submittal, staff believes that the applicant has met all the landscaping requirements that can be met without a total redevelopment of the site, with the exception of the requirement that a sidewalk be provided.

While pedestrian connectivity is a goal of the Council and of staff, none of the adjacent properties have a sidewalk or are likely to redevelop in the near future when one could be added. The Town itself is also in the process of adding an eight foot sidewalk on the north side of Beltway Drive, so pedestrians along this corridor will have a much more desirable alternative across the street from this property that runs the entire length of Beltway Drive. Therefore, while not ideal, the lack of a sidewalk on this property will not adversely affect a pedestrian's ability to traverse the area.

Based on the revised plans, staff recommends approval.