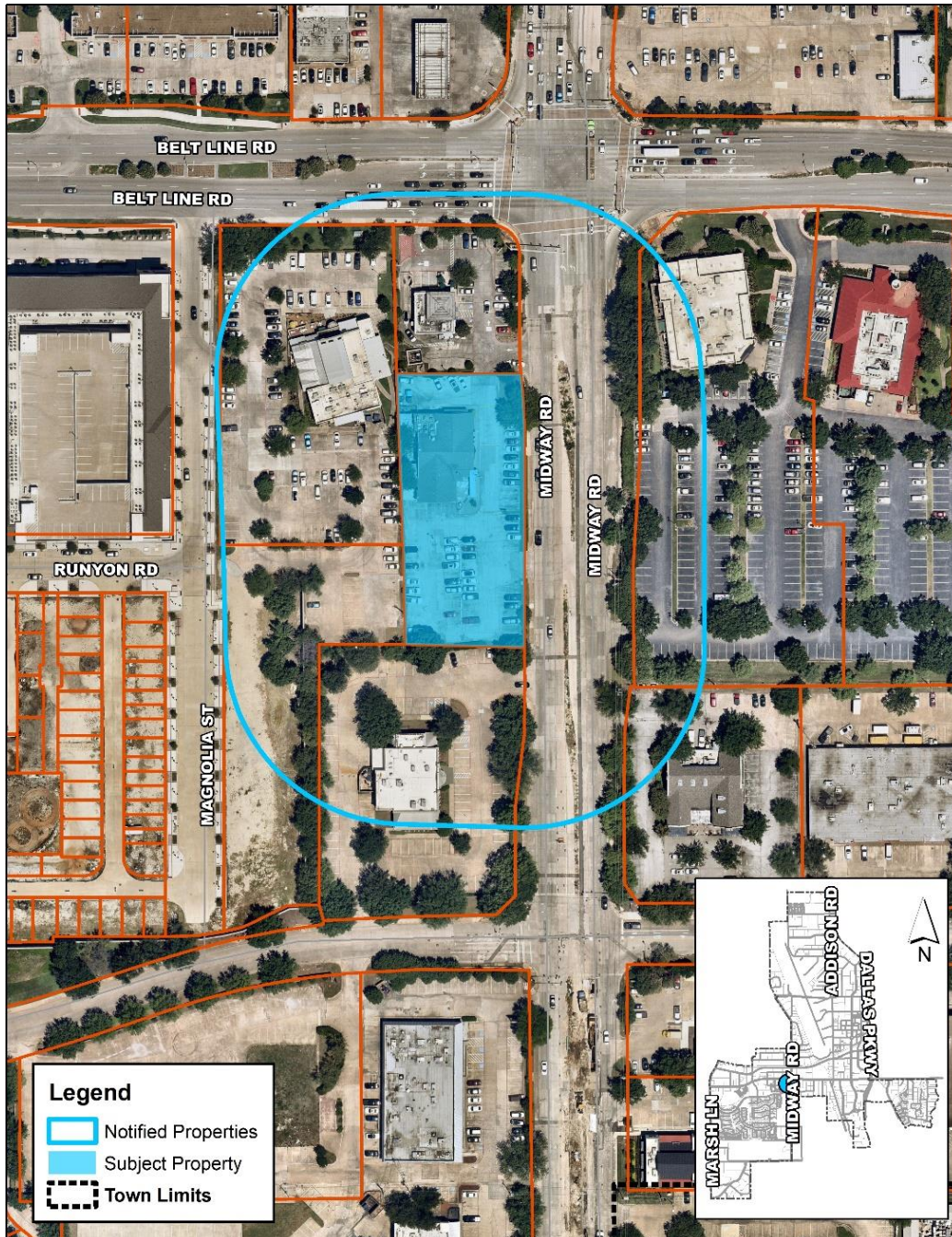


# 1863-Z

**PUBLIC HEARING** Case 1863-Z/14951 Midway Road (Nate's Seafood & Steakhouse).  
Hold a Public Hearing, Present, Discuss, and Consider Action on a Recommendation regarding an Ordinance Amending the Development Plans for Planned Development (PD) District Ordinance No. 446 for a 0.945 Acre property located at 14951 Midway Road, to account for Site Modifications resulting from the Acquisition of Right-of-Way for the Midway Road Reconstruction Project.

## LOCATION MAP





October 18, 2022

**STAFF REPORT**

RE: 1862-Z/18 Runyon Road and 1863-Z/14951 Midway Road (Nate's Seafood & Steakhouse)

LOCATION: 18 Runyon Road & 14951 Midway Road

REQUEST: To amend Planned Development Ordinance 446, to allow site modifications resulting from the acquisition of right-of-way for the Midway Road reconstruction project, and Ordinance No. 016-003, to allow modifications to the special conditions to allow offsite parking lot as a permitted use on a segment of the lot. (Application Date: 8/30/2022)

APPLICANT: Town of Addison

**DISCUSSION:**

Background: The subject properties are located at 14951 Midway Road and 18 Runyon Road, near the intersection of Midway Road and Beltway Drive. The 0.945-acre property at 14951 Midway Road is zoned Planned Development (PD), Ordinance 446, with a Special Use Permit (SUP), Ordinance No. 447, to allow a restaurant with the sale of alcohol for on-premises consumption. The site was originally developed as Pelican's Restaurant in 1979 and later converted to Nate's Seafood & Steakhouse in 1988.

The Town owned parcel at 18 Runyon Road is zoned Planned Development (PD), Ordinance No. 016-003. The parcel has an existing surface parking lot, a screening wall, and landscape area that previously served Sam's Club. The 1.24-acre parcel was dedicated to the town with the Addison Grove redevelopment in 2016.

In February 2020, City Council authorized the use of eminent domain for the acquisition of property and easements for the reconstruction of Midway Road from Spring Valley Road to Keller Springs Road (Resolution No. R20-021).

The property at 14951 Midway Road, which is currently occupied by Nate's Seafood & Steakhouse, was affected by the acquisition. Approximately 10 feet along the Midway Road frontage (3,021 square feet) of the property is to be acquired for right-of-way. As a component of the acquisition agreement, the town has proposed to convey a 0.55-acre portion of the 1.24-acre tract to Piedmont Midway Partners, the property owner of 14951 Midway Road, to provide

additional parking for Nate's. The remaining 0.69-acres of the 1.24-acre tract will be retained by the Town.

As a component of this proposed agreement, Town staff has initiated this rezoning request for 14951 Midway Road and a portion of the Town's property at 18 Runyon Road to allow off-site parking (restricted to use by 14951 Midway Road) as a permitted use. The requests will also include updated development plans for Nate's to account for modifications to the existing sidewalk along the east side of the building, site drive aisles, and parking spaces. In addition to the modifications along the Midway frontage, the restaurant will also bring the site further into compliance with ADA Accessibility Standards with the addition of two accessible spaces, resulting in a total of four on site.

Proposed Plan: With this request, Nate's proposes to shift the disturbed parking spaces along Midway Road to the west approximately 4.5 feet. This will be achieved by removing an existing 4.5-foot-wide sidewalk along the east building façade. The sidewalk will be replaced with asphalt to serve as a drive aisle. The proposed parking spaces will be located 1.5 feet from the new property line.

The site will also be brought into further compliance with ADA Accessibility Standards. The existing accessible spaces will be modified to ensure property access. Two additional spaces will be added immediately south of the building entrance, across the drive aisle. A minimum of four accessible spaces are required on site, which has been met.

To allow Nate's to utilize the adjacent parking area, this request will allow a surface parking lot for off-site parking (restricted to use by 14951 Midway Road) as a permitted use. A portion of the land to be conveyed to Nate's is paved area that is already striped and utilized for parking. At this time, there are no substantial changes to these existing conditions planned. The proposed minor modifications include restriping this parking area and the creation of a vehicle connection between this property and the Nate's property, to provide access to Nate's customers. Removable bollards or emergency access compliant gates or chains will be installed along the northern property line of the conveyed land to restrict cut-through access from Belt Line Road to Midway Road, through the Snuffer's/La Ventana property, and the Addison Grove neighborhood.

Parking: Planned Development, Ordinance No. 446, provides a parking ratio of 1 space for each 100 square feet of floor area for restaurants. When applied to Nate's, this ratio would require 49 spaces on site. As proposed, Nate's would provide 65 spaces on site. The proposed 23 off-site parking spaces would result in a total of 88 parking spaces (65 on-site & 23 off-site) to serve Nate's.

Off-site parking and surface parking as a primary use are not permitted within PD Ordinance No. 016-003. This request would allow the existing parking area to be utilized as off-site parking for Nate's Seafood & Steakhouse as the primary land use.

Exterior Facades: No modifications are proposed to the existing façades on the subject properties.

Landscaping and Open Space: With this request, no additional impervious surface is proposed on the Nate's property. At the access drive from Midway Road, landscaped islands are proposed to be added. Excluding the modifications due to the right-of-way dedication, the site will generally be in compliance with the approved site conditions from SUP Ordinance No. 447.

To allow for access from the existing Nate's parking lot to the conveyed land for offsite parking, a portion of an existing landscape island will be removed and replaced with an asphalt drive. This would remove approximately 130 square feet of pervious area from the conveyed land. No additional impervious surface or landscape improvements are proposed.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

Nate's Seafood & Steakhouse is a beloved, long-standing Addison restaurant that has demonstrated a need for additional parking to serve their customers. The requests will allow for minor site modifications that will ultimately improve the functionality of the existing parking lot, while allowing necessary alterations due to the right-of-way dedication for the reconstruction of Midway Road.

Staff recommends approval of these requests, subject to the following conditions that would apply to 1862-Z:

- No vehicular connections may be permitted to Belt Line Road, Runyon Road, or Beltway Drive from the proposed offsite parking lot.
- The proposed offsite parking use shall only be used to support parking generated by uses occupying 14951 Midway Road.
- Future expansion of the off-site parking lot will require approval of Development Plans that must comply with all applicable Town codes and ordinances. Any expanded parking area must be screened from public view from Runyon Road and Beltway Drive through application of the following conditions noted on the proposed amended Development Plan for 18 Runyon Road:
  - If the parking area on the proposed lot 18X-2, Block F were to expand in the future, the property owner (not the Town) would be responsible for:
    - Establishing a landscape planting strip (min. 3' width) at the common boundary with Runyon Rd / Magnolia St, where a similarly situated planting area does not already exist. This planting strip would be maintained by the Town of Addison.
    - Immediately adjacent to this planting strip and at the common boundary of the proposed Lots 18X-1 and 18X-2, Block F, the property owner (not the Town) would be responsible for installation and permanent maintenance of an 8' tall masonry screening wall that is compatible in character with the homes on the adjacent block face in the Addison Grove neighborhood.



Case 1863-Z/14951 Midway Road (Nate's Seafood & Steakhouse)

October 18, 2022

COMMISSION FINDINGS:

The Addison Planning and Zoning Commission, meeting in regular session on October 18, 2022, voted to recommend approval of an ordinance adopting an amended development plan for Nate's Seafood & Steakhouse, including a Site Plan for an existing restaurant, to account for site modifications resulting from the acquisition of right-of-way for the Midway Road reconstruction project, through Planned Development (PD), Ordinance No. 446, situated on approximately 0.945 acres, located at 14951 Midway Road.

Voting Aye: Branson, Catalani, Craig, Fansler, Souers, DeFrancisco

Voting Nay: none

Absent: Meleky

SPEAKERS AT THE PUBLIC HEARING:

For: none

On: none

Against: none