

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, AICP, Planning Director

DATE: August 16, 2021

SUBJECT: **Consideration of Nine Alternative Standards Associated With a Proposed New Building for Boomer Jack's; Located at 2437 South Stemmons Freeway Legally Described as Vista Ridge Mall Addition, Lot 11R1, Block A; Zoned General Business (GB) District, as Requested by Daniel Stewart, Development Engineering Consultants, LLC, on Behalf of Bill Stubbs & Co, Inc, the Property Owner (Case No. 21-06-3-AltStd).**

BACKGROUND:

The applicant proposes to demolish the current building, previously occupied by Macaroni Grill and construct a new Boomer Jack's restaurant. The new building will be in approximately the same location but have a larger footprint than the current structure. This property is located within the IH-35E Overlay, Core Subdistrict. The Overlay District Board recommended unanimous approval (6-0) of alternative standards a) through i) and unanimously approved (6-0) alternative standard j) on July 20, 2021.

ANALYSIS:

The proposal to demolish the existing building and build a new structure is considered a new development per the IH-35E Overlay and will need to comply with all Core Subdistrict development standards. Per the framework plan for this area, the private drive coming in from IH-35E is considered a Primary Pedestrian Street. The ring-road currently looping the mall is not shown as a street in the framework plan at this location. The site also has frontage on IH-35E.

Site layout

The new building will be situated in the approximate location of the existing building today. A patio area is being added along IH-35E. The building is not being fully brought up to the Primary Pedestrian Street/Private Vehicular Route as there is an existing grade change, an entry feature to the mall, and existing mature trees. The parking lot is behind the building from the Primary Pedestrian Street. The parking lot is remaining almost unchanged. The service area is remaining on the southwest side of the building, adjacent to the mall ring-road. Sidewalks and an entry point are being added along and from the Primary Pedestrian Street.

Building Design

The proposed building design is over 80% brick. The applicant has worked to relocate the kitchen area within the building to provide windows and an entry point from the Primary Pedestrian Street. In addition, the parking lot facing façade has an entry and significant windows. A mural inset is

used to mimic the window pattern and adds visual interest where windows are not appropriate due to the kitchen location.

Landscaping

The applicant is proposing to reuse most of the parking lot pavement. They will provide the required street trees along IH-35E and the Primary Pedestrian Street/Private Vehicular Route along with the required number of parking lot trees. The existing trees and shrubs will be retained where present and augmented with additional plantings to meet the requirements. This allows the site to maintain mature landscaping. In addition, they will use shrubs and decorative landscaping along the building to soften its appearance.

Alternative Standards & Administrative Modifications

The applicant is requesting ten Alternative Standards in conjunction with the new construction. Nine of these alternative standards require City Council approval while one was approved the Overlay District Board. Staff has no objections to any of these Alternative Standards and Administrative Modifications.

Alternative Standards requiring City Council approval:

- a) to allow an increased build-to-zone of 0 to 70 feet in lieu of a 0 to 10 feet build-to-zone per Section 17.5-4(b)(1).

This allows the applicant to use the area of the site where the building is currently located. There are challenges in bringing the building closer to the Primary Pedestrian Street/Private Vehicular Route, the mall entrance road, due to topography, utilities and existing mature trees. All parking is located behind the building from the Primary Pedestrian Street and the applicant can be more creative by meandering the required six-foot sidewalk through the existing mature trees and preserve the existing plantings. These enhancements improve the pedestrian experience. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- b) to allow a 40-foot build-to maximum along IH-35E per Section 17.5-4 (b)

Ordinarily, staff can authorize an alternative standard to setbacks along IH-35E to allow one drive aisle with parking on each side. In this case, the increase setback is primarily requested due to the grade change near IH-35E. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- c) to allow a driveway without a deceleration lane along IH-35E.

The ultimate IH-35E plans call for three lanes on the frontage road in this location. Where three lanes are built, TxDOT does not require deceleration lanes. Any deceleration lane constructed would likely be removed by TxDOT. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- d) to allow street tree spacing up to 50 feet and in an irregular manner along the Primary Pedestrian Street in lieu of 30 feet on center as required per Section 17.5-4(d)(1).

With the increased setback and existing mature trees, the applicant is proposing to add trees to get to the correct number that is required; however, the trees are not in a neat row along the street as they are existing. The distance between some trees is therefore greater. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- e) to allow trees to be located in existing landscape areas within the parking lot in lieu of requiring ten-foot-wide landscape islands every eight parking spaces.

The applicant is proposing to reuse the existing parking lot landscape islands. They do not meet the spacing or width requirements in the IH-35E Overlay. They do not wish to add new islands or widen existing islands as it would cause a reduction in parking. They have a similar restaurant in Plano next to a redeveloping mall where they no longer have sufficient parking for their restaurant. They are providing the required number of shade trees within the existing parking lot landscape islands. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- f) to allow three pedestrian scale lights to be added as shown in-lieu of lights every 40-feet on center as required per Section 17.5-4(e)(8).

The location of the lights will allow any pedestrians coming from the west to access the building along a well-lit path. Highway lighting and the building will provide adequate light along IH-35E and the east side of the site. Since pedestrian traffic is anticipated to be more internal and to the west in the long term, staff has no objection to this request. The Overlay District Board recommended approval of this request.

- g) to allow a reduction in pedestrian amenities from four trash receptacles to one, from two bike racks to one, and from 15 benches to one per Section 17.5-4(e)(9).

The applicant is proposing to reduce the pedestrian amenities required. This is based on being located on the edge of the Primary Pedestrian Street/Private Vehicular Route. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- h) to allow a reduction to 25 percent windows on ground floor facades on primary Pedestrian Streets and adjacent to sidewalks in lieu of the minim 60 percent required per Section 17.5-4(c) and add additional plantings and wall treatments.

The applicant has placed the windows to be visually prominent. In areas where kitchen and storage prevent windows, they are using plantings and wall treatments such as murals to break up the building façade, create the rhythm of windows and add visual interest to the building. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

- i) to allow a reduction in awnings along the Primary Pedestrian Street by providing 30 percent in lieu 75 percent required per Section 17.5-4(c).

The awning reduction aligns with the windows on the Primary Pedestrian Street/Private Vehicular Route. As the building is setback farther from the Primary Pedestrian Street/Private Vehicular Route, additional awnings would not benefit pedestrians by providing shade. Staff has no objection to this request. The Overlay District Board recommended approval of this request.

Alternative Standard approved by the Overlay District Board:

- j) to allow one existing four-foot sidewalk in lieu of a six-foot sidewalk as required per Section 17.5-4(b)(6).

Where new sidewalks built along the Primary Pedestrian Street/Private Vehicular Route are required to be a minimum of 6 feet in width. The existing four-foot sidewalk along IH-35E will need to be widen in portions to meet ADA standards but the majority of its length may be left at four feet in width. Staff has no objection to this request. The Overlay District Board approved this request.

Administrative Modifications:

Pending the approval of the requested Alternative Standards, staff has approved the following Administrative Modifications:

- k) to allow a nine-foot landscape buffer in lieu of a ten-foot landscape buffer as required per Section 17.5-4(d)(1).

This is an existing condition and within the allowed ten percent reduction. Staff can approve this request should the Alternative Standards be approved.

- l) to allow the existing large masonry planter to be reused for landscaping as a pedestrian amenity per Section 17.5-4(e)(9)

The code permits an Administrative Modification to allow other types of pedestrian amenities as one of the ‘optional’ amenities. The reuse of the existing large planter and augmented landscaping would be in addition to the proposed bench, trash can, lights and bike racks. Staff can approve this request should the Alternative Standards be approved.

- m) to allow a reduction to 78 percent stone and brick on the north, parking-lot facing elevation in lieu of the required 80 percent per Section 17.5-4

The applicant is very close to eighty percent masonry on the front façade; however, concrete block does not count toward the brick or stone requirement. The façade has

created a clear entrance, rhythm, and interest. Staff can approve this request should the Alternative Standards be approved.

RECOMMENDATION:

It is City staff's recommendation that the City Council approve the nine Alternative Standards as set forth in the caption above.