

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Richard E. Luedke, Planning Director

DATE: October 1, 2018

SUBJECT: PUBLIC HEARING: Consideration of an Ordinance Granting a Special Use Permit with One Associated Variance Regarding Signage for a Gasoline Service Station; on Approximately 2.026 Acres, Situated in the P. Harmonson Survey, Abstract Number 604, Located on the Northeast Corner of State Highway 121 Business and West Vista Ridge Mall Drive; as Requested by Andrew Malzer, RaceTrac Petroleum, Inc., on Behalf of Hawkeye Realty Schreiber, LP, the Property Owner. (Case No. SUP-2018-09-13)

BACKGROUND

RaceTrac is seeking to build a new gas station on undeveloped land located at the northeast corner of Business 121 and W. Vista Ridge Mall Drive. All new gas stations require the approval of a Special Use Permit (SUP). The Planning and Zoning Commission recommended unanimous denial (5-0) of the SUP request at their meeting on September 4, 2018. Staff has received one letter in support of this request. Based on the P&Z denial, a super-majority vote (4 of 5) is required for City Council to approve this request.

ANALYSIS

The proposed gas station is located at a major gateway into the City of Lewisville from DFW Airport and neighboring communities to the southwest. This property has a high degree of visibility due to its location on a hillside at the first traffic signal entering into Lewisville.

The Lewisville 2025 Plan, adopted in July 2014, identifies this area as an employment center. The type of development desired for this area would be similar to the nearby Majestic Airport Center or other office/industrial uses within close proximity to the site. While the property is too small for a large-scale facility, it would be appropriate for a smaller supporting office or office/warehouse use. An example of the type of development envisioned at this site would be the Genusys Office Building on SH 121 containing 30,000 square feet on three floors within a 2.1-acre lot.

In 2013, the City of Lewisville adopted SUP regulations for a variety of uses including auto-related uses after identifying negative impacts associated with many auto-related uses throughout the city. A RaceTrac gas station was granted a Special Use Permit by City Council in 2017 less than one mile from this location with four additional gas stations located within 1 mile.

The Southwest Lewisville Small Area Plan also emphasizes this area as an employment center and points out that auto-related uses are incompatible with the desired identity of this area. The Plan also recognizes the importance of this intersection as a gateway into Lewisville. RaceTrac submitted this SUP application while the plan was under review but before it was adopted on July 2, 2018. City staff discussed the direction of the Small Area Plan with the applicant prior to their official submittal.

Site

The proposed gas station will feature a convenience store behind sixteen gas pumps. A covered outdoor seating area is located near the southwest portion of the convenience store. Staff recommended situating the building closer to the street and placing the gas pumps behind the building to deemphasize the pumps and improve aesthetics; however, staff also noted this would not change staff's recommendation of denial. The applicant did not want to change their layout of the site and has continued with their original design, with the convenience store behind the gas pumps.

Building

The proposed building is located on State Highway 121 Business which is a Brick Veneer Gateway. Brick veneer gateways requires a minimum of 80 percent brick or stone on the exterior of the building. The applicant is meeting this 80 percent brick requirement. EIFS and stone building materials make up the remaining 20 percent.

Landscaping

The applicant is meeting minimum landscaping standards for this site. A landscaped focal point is proposed near the proposed sign and additional shrubs are proposed for this site. A 15-foot landscape buffer is provided on the southern portion of the site along West Vista Ridge Mall Drive, which exceeds the 10-foot minimum. Previously approved SUP applications for auto-related uses have traditionally provided a significant amount of trees above minimum standards to improve the aesthetics of the site. No additional trees are provided as a part of this SUP proposal; although, the provided trees are a larger caliper than is required.

Signage

City Staff recommended that the applicant provide a six-foot-tall, low-profile monument sign, which has been set as a precedent for businesses seeking SUP approval. Instead, RaceTrac is proposing to build a nine-foot-tall sign, located on the western portion of the property and would require the approval of a variance. RaceTrac was permitted a nine-foot-tall sign at their location approved in 2017.

Variance

One variance is requested in conjunction with the SUP:

- a) To allow a Low profile/monument sign greater than 6 feet in height

Section 11-10(j) of the General Development Ordinance (Low/Profile Monument Signs) Low Profile Monuments signs are allowed to be placed in all commercial zones, MF1, MF2, MF3 and subdivision identity signs. The Low/Profile Monuments Sign can be placed no closer than three (3) feet to the property line measured from the signs leading edge and

may not exceed six (6) feet in height. The owner has proposed an increase in height of the sign to nine (9) feet which is three (3) taller than what is allowed by sign code. The applicants for all previously approved SUPs have incorporated six-foot tall monument signs into their site designs to improve site aesthetics with the exception of a nine-foot tall monument sign requested by RaceTrac for the location at the southeast corner of West Round Grove Road and Edmonds Lane. Staff support for that variance request was due to a compromise negotiated with RaceTrac related to vested rights since a final plat and engineering site plan were approved for the site before the SUP process was adopted by the City in April of 2013. Staff cannot support this request since it would be inconsistent with all other previously approved SUPs.

Summary

While the proposed gas station meets all of Lewisville's development regulations and exceeds the landscape requirements, it does not meet the criteria for approval listed in Sec. 17-29.5(c) of the Zoning Ordinance, which states that the SUP must be compatible with the any adopted comprehensive plans or small area plans. The project does not comply with the Lewisville 2025 Plan and would be contrary to the established vision for this important gateway into Lewisville. City staff cannot support this project.

RECOMMENDATION

It is City staff's recommendation that the City Council deny the ordinance and requested variance as set forth in the caption above.