



# Council Communication

Office of the City Manager

Date February 11, 2008

Agenda Item No. 44  
Roll Call No. ~~08-~~  
Communication No. ~~08-073~~  
Submitted by: Larry Hulse, Community  
Development Director

## AGENDA HEADING:

Second reading on request from Foods Inc. (Dahl's) to rezone 3425 Ingersoll Avenue from "NPC" (Neighborhood Pedestrian Commercial) and "R1-60" (One-Family Low-Density Residential) to "PUD" (Planned Unit Development) and public hearing regarding proposed Conceptual Plan amendments.

## SYNOPSIS:

Staff recommends approval of the revised PUD Conceptual Plan subject to the following conditions:

1. Dahl's is responsible for providing "Ingersoll Streetscape" improvements along Ingersoll Avenue and is responsible for maintaining the streetscape improvements on the adjoining rights-of-way until the first fiscal year commencing after a SSMID is created to fund that maintenance.
2. Dahl's shall continue to work with the North of Grand Neighborhood Association and City Staff regarding the landscape, streetscape and lighting design along 35<sup>th</sup> Street, Woodland Avenue and 34<sup>th</sup> Street. The North of Grand Neighborhood Association will be consulted prior to approval of the Final Development Plan by the Community Development Director.
3. Dahl's shall maintain environmental and energy conservation measures in substantial compliance with the February 6, 2008 memorandum, "Ingersoll Ave. Dahl's Foods Environmental and Energy Conservation Measures."
4. All existing and proposed public easements shall be identified on the PUD Concept Plan.
5. A storm water management summary statement shall be provided on the PUD Concept Plan.
6. The final bus stop location shall be coordinated with DART and the City Traffic Engineer prior to approval of the Final Development Plan.
7. Building materials shall predominantly consist of brick masonry, which may include "thin-brick" pre-cast concrete.
8. A public access easement must be provided for the portions of the sidewalk along Woodland Avenue that are located on private property.
9. Dahl's shall be responsible for improvements made to the 34<sup>th</sup> Street pavement as necessary to handle truck traffic and allow on street parking as determined at the PUD Final Development Plan stage. Upon final determination of the necessary improvements and costs, the City may consider the value of sanitary sewer and storm sewer easements in lieu of a portion of Dahl's obligation for costs to improve 34<sup>th</sup> Street.
10. The following PUD "Development Standards" notes shall be placed on the plan.

### "PUD DEVELOPMENT STANDARDS"

- a) Use of the property is limited to those uses allowed in the "C-1" Neighborhood Retail Commercial District including a maximum 67,854 square foot grocery store; 2,000 square foot retail space; and a 3,600 square foot convenience store with a maximum of 5 gas pumps (10 fueling stations).
- b) The installation of decorative fencing and/or a masonry wall is required along Ingersoll Avenue and the portion of 35<sup>th</sup> Street frontage that is adjoined by the parking lot. Landscaping materials used in these areas shall provide a vertical edge along the streets.
- c) The installation and maintenance of a masonry wall and landscaping to buffer all loading dock areas from adjoining properties and public right-of-ways is required.
- d) The use of chain link fencing is prohibited.
- e) The use of overhead utility service lines to any building is prohibited.
- f) Parking lot lighting is to be down-directional with a sharp cut-off with a pole height of not to exceed 20' in the parking lot and 15' along pedestrian paths. Fixtures are to be similar in style or complimentary to a black KIM Archetype light fixture.
- g) Site lighting levels to shall be no greater than 1-foot candle at all points along all property lines.
- h) Bike racks are to be installed near the entrance of all buildings.

- i) The use of spandrel glass or other highly reflective glass on any building with direct access from Ingersoll Avenue or along Woodland Avenue is prohibited.
- j) Customer entrance doors on the c-store / retail building shall be provided along the Ingersoll Avenue frontage. All customer entrance doors shall be open during regular business hours.
- k) All overhead and service doors will be of a color that matches the primary color of the building.
- l) Any long-term outdoor cart storage areas must be located adjoining the building and screened with a masonry wall that is integrated with the building.
- m) Deliveries shall be limited to between the hours of 6 AM and 10 PM daily.
- n) Temporary and seasonal outdoor sales are prohibited on any parking or drive aisle areas. Temporary or seasonal sales are only permitted in areas abutting the south façade of the grocery store building or on the plaza immediately south of the grocery store building provided a minimum 6' wide pedestrian access is maintained.
- o) Fuel pump canopy signage is prohibited.
- p) The fuel pump canopy support columns shall be enclosed with a masonry product that generally matches the convenience store.
- q) The minimum clearance height under the canopy shall be no less than 13 feet – 9 inches and the maximum canopy height shall not exceed 17 feet.
- r) All gas canopy lighting (including lenses) must be recessed within the canopy ceiling and the side fascia shall extend 12-inches below the canopy ceiling, except for directional spotlights pointed at the fuel pumps.

**FISCAL IMPACT: NONE**

**ADDITIONAL INFORMATION:**

The PUD Conceptual Plan has been revised as follows:

- the grocery store size was reduced by 2,031 square feet from 69,885 s.f. to 67,854 s.f.
- the number of gas pumps was reduced from 6 (fueling for 12 vehicles) to 5 (fueling for 10 vehicles).
- the landscaped sidewalk connection from Ingersoll Avenue to the store was added.
- the building setback along Woodland was increased. 31.2% of the rear wall is setback 21 feet to 24 feet; 46.7% of the rear wall is setback 28' feet; 18.2% of the rear wall is setback 42 feet; and 3.9% of the rear wall is setback 65' from Woodland Avenue.
- a pedestrian connection was added from 34<sup>th</sup> Street to the store.
- the truck entrance on 34<sup>th</sup> Street was moved southerly.
- the screen wall for the truck dock was extended southerly.
- Per the letter dated February 6, 2008 (attached to roll call), Dahl's has committed to maintaining numerous Environmental and Energy Conservation measures.

Staff met with the North of Grand Neighborhood Association and Dahl's representatives on Monday, February 4, 2008, to discuss the proposed amendments. Staff believes that the revisions reflect a good faith effort on the part of the Dahl's and the Neighborhood Association to reach an amicable solution.

**PREVIOUS COUNCIL ACTION(S):**

Date: January 28, 2008

Roll Call Numbers: 08-151 and 08-152.

Action: Close the public hearing on the proposed rezoning, approve first reading of the ordinance rezoning the property to PUD; continue the public hearing on the proposed Conceptual Plan until

February 11, 2008; and, direct the City staff to work with the applicant and the neighborhood to amend the proposed Conceptual Plan to incorporate the changes discussed by the City Council. Motion Carried 7-0.

Date: January 7, 2008.

Roll Call Number: 08-036.

Action: [On](#) request from Foods Inc. (Dahl's) to rezone 3425 Ingersoll Avenue from "NPC" (Neighborhood Pedestrian Commercial) and "R1-60" (One-Family Low-Density Residential) to "PUD" (Planned Unit Development), (1-28-08). Moved by Vlassis to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):** Plan and Zoning Commission

Date: December 20, 2007.

Roll Call Number: N/A.

Action: Recommended approval of the request for PUD zoning by a vote of 9-1-1. Recommended approval of the Dahl's PUD Concept Plan, with conditions, by a vote of 7-3-1.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**