

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7909-0190-00

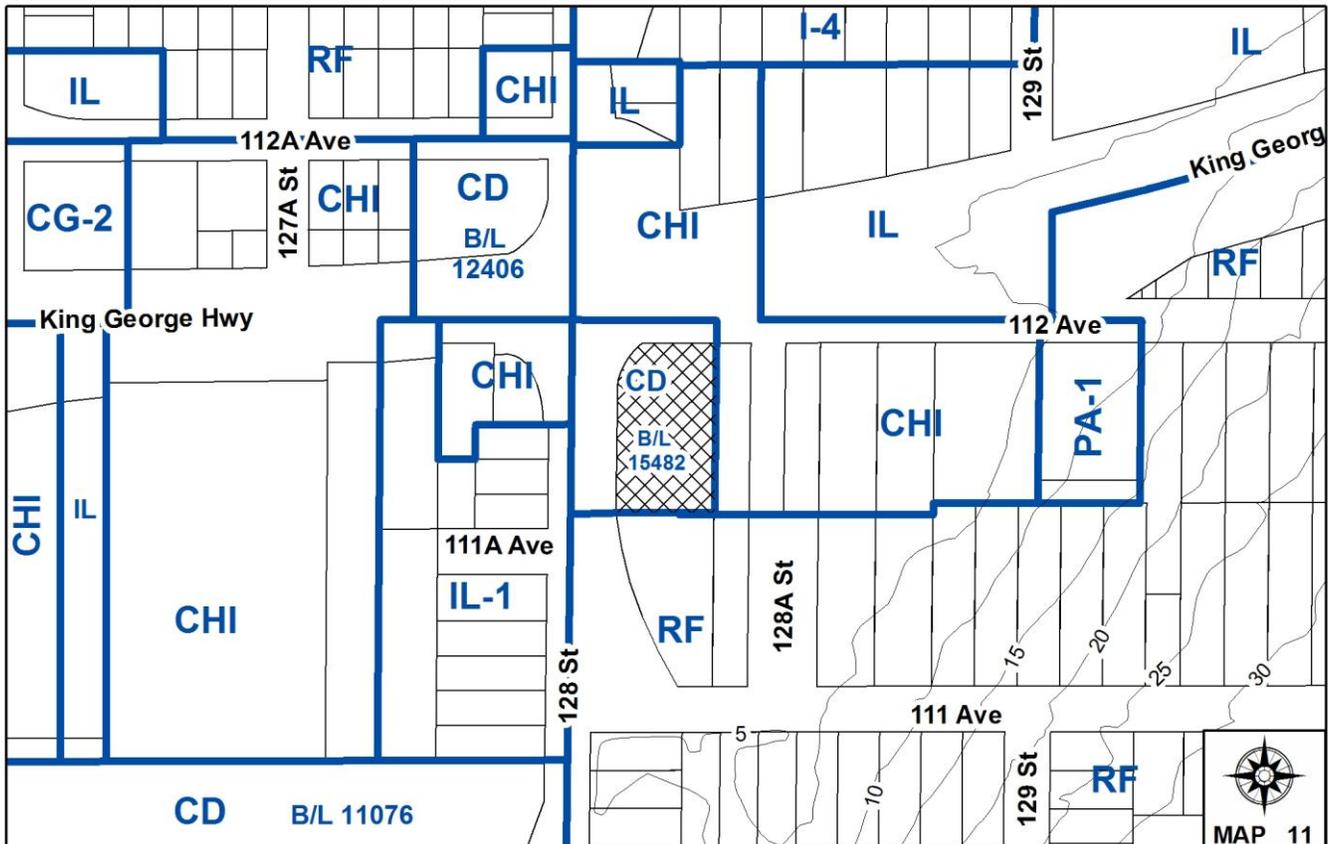
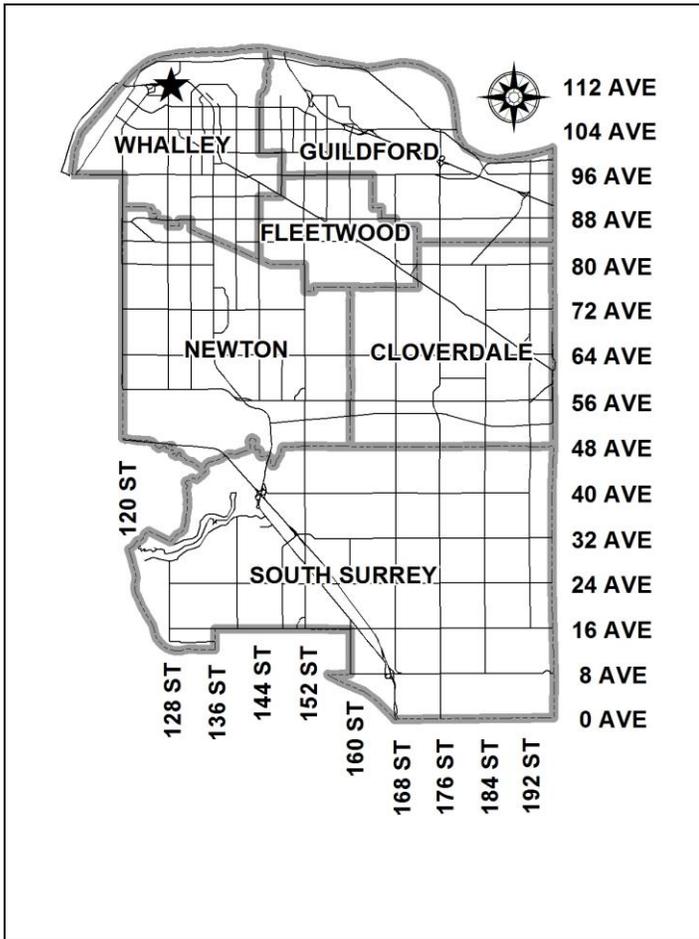
Planning Report Date: January 25, 2010

PROPOSAL:

- Amend CD By-law No. 15482
- Development Permit
- Development Variance Permit

in order to allow a drive-through restaurant on the subject site and to vary signage regulations.

LOCATION: 12808 King George Boulevard
OWNER: Alpenglow Development Ltd.
ZONING: CD (By-law No. 15482)
OCP DESIGNATION: Industrial
NCP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for amending CD By-law No. 15482.
- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed drive-through restaurant is not permitted under the current zoning, CD (By-law No. 15482).
- A Development Variance Permit is required for two (2) additional fascia signs and to allow three (3) fascia signs to be located above the roof line on the subject building.

RATIONALE OF RECOMMENDATION

- Complies with NCP Designation.
- The proposed signage is in keeping with the size and scale of the subject building.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend Comprehensive Development By-law No. 15482 and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7909-0190-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7909-0190-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to vary the Sign By-law by increasing the number of fascia signs on the subject building from three (3) to five (5); and
 - (b) to vary the Sign By-law to allow three (3) fascia signs to be located above the roof line of the subject building.
4. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Commercial building and gas station, previously approved under Development Permit No. 7902-0222-00, and currently under construction. The SkyTrain guideway traverses the site.

Adjacent Area:

| Direction | Existing Use | OCP/NCP Designation | Existing Zone |
|---------------------------------------|-------------------|---------------------|---------------|
| North (Across King George Boulevard): | Automobile sales. | Industrial | CHI |

| Direction | Existing Use | OCP/NCP Designation | Existing Zone |
|---------------------------|--|---------------------------------|---------------|
| East: | Automotive service uses. | Industrial / Highway Commercial | CHI |
| South: | Currently vacant, under Development Application No. 7907-0316-00 for two (2) commercial buildings (Third Reading). | Industrial / Highway Commercial | RF |
| West (Across 128 Street): | Currently vacant, under Development Application No. 7907-0215-00 for two (2) commercial buildings (Pre-Council). | Industrial / Highway Commercial | CHI, IL-1 |

DEVELOPMENT CONSIDERATIONS

Background

- The subject property is located at 12808 King George Boulevard and is approximately 3,142 m² (0.78 acre) in size. The site is zoned Comprehensive Development (CD By-law No. 15482), designated Industrial in the Official Community Plan (OCP) and Highway Commercial in the South Westminster Neighbourhood Concept Plan (NCP). The SkyTrain guideway traverses the site.
- Development Permit No. 7902-0222-00 was approved by Council on April 14, 2008 to allow a combined gasoline service station, convenience store, and a small office space for corporate training purposes on the subject site. The building and structures are currently under construction.
- There is an in-process Development Application (No. 7907-0316-00) on the abutting property to the south (11138 – 128 Street) to allow two (2) commercial buildings on the site. The application currently sits at Third Reading. A reciprocal access agreement will allow a connection between the two (2) properties, and a shared driveway access off 128 Street.

Current Proposal

- The owners of the subject property have applied to amend the CD By-law (No. 15482) and the Development Permit to allow a drive-through restaurant (A&W). A Development Variance Permit (DVP) is also requested to increase the number of fascia signs previously approved under Development Permit No. 7902-0222-00 from three (3) to five (5) signs and to install two (2) fascia signs above the roof line on the subject building (see By-law Variance section).
- The site plan has been revised to accommodate the queuing lanes for the proposed drive-through restaurant. However, the proposal will not affect the approved building and structures currently under construction on the subject site. The proposed drive-through restaurant will occupy a portion of the interior space that was previously approved for the convenience store and the office.

- Vehicle access to the subject property remains unchanged from the previously approved Development Permit No. 7902-0222-00. Access is limited to a right-in / right-out along King George Boulevard and a shared driveway access with the abutting property to the south along 128 Street. Transportation Engineering staff have no concerns with the site plan or vehicle access.
- The applicant proposes 11 parking stalls on the subject site under the current application. This is a reduction of two (2) spaces from the 13 parking stalls previously approved under Development Permit No. 7902-0222-00. However, based on the proposed use, the 11 parking stalls satisfy the parking requirements within the Zoning By-law.
- The applicant proposes a double drive-through lane with 12 queuing spaces, which satisfies the Zoning By-law. Transportation Engineering staff have no concerns and are satisfied that the drive-through lanes and the number of queuing spaces will adequately service the proposed use.

CD By-law Amendment (Appendix V)

- The applicant proposes to amend the existing CD Zone (By-law No. 15482) by deleting 'office use, limited to 64 square metres (690 sq.ft.)' and adding 'eating establishments including drive-through restaurants' as a permitted accessory use. The amendment will also state that any eating establishments on the subject site are not to be licensed by the Liquor Control and Licensing Act. All other aspects of the existing CD By-law (No. 15482) will remain unchanged.

PRE-NOTIFICATION

A pre-notification letter was sent out on December 21, 2009, and staff received one (1) telephone call from a property owner in the area. The caller did not express any concerns regarding the proposal, but instead, hoped that the development would help to improve upon the existing infrastructure and services in the area.

(There are three (3) in-process development applications (No. 7907-0316-00, currently at Third Reading; No. 7907-0215-00, currently Pre-Council; and the subject application) in the immediate area, which propose commercial uses consistent with the South Westminster NCP. These developments will continue to improve upon the existing infrastructure and services in the area.)

DESIGN PROPOSAL AND REVIEW

- The colour scheme of the subject building will change as a result of the proposed drive-through restaurant. The previously approved white and beige building with red and grey accents will now largely consist of several shades of grey. The proposed garbage enclosure (concrete block with stucco finish and treated timber gates) will be painted to match the subject building.
- A menu board, speaker post and directional sign are proposed on the subject site. The applicant also proposes a vehicle height restriction bar at the entrance to the drive-through lanes. No signage (logos or advertising) will be installed on these proposed structures.

- The previously-approved landscaping plan has been slightly revised due to the proposed drive-through restaurant. Landscaping near the southern property line has been reduced; however, some landscaping has been added where possible including the area adjacent to the garbage enclosure.
- The previously approved Development Permit No. 7902-0222-00 allows three (3) fascia signs on the subject building. All three (3) signs are approved to be installed on the north building elevation facing King George Boulevard.
- The applicant currently proposes to change the style and location of two (2) of the three (3) fascia signs. The 'On The Run' convenience store sign will remain unchanged; however, the other two (2) fascia signs will be relocated and replaced with an 'A&W' sign and A&W's 'Burger Family' logo sign.
- The A&W sign is internally illuminated and is approximately 1.39 metres (4.6 ft) in height and 3.0 metres (10 ft) in length. The 'Burger Family' logo is not illuminated and is only 0.9 metre (2.9 ft) high and 1.2 metres (4.0 ft) in length.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary Part 6 Section 31(2)(a) of the Sign By-law, 1999, No. 13656 to increase the number of fascia signs on the subject building from three (3) fascia signs to five (5) fascia signs.

Applicant's Reason:

- To provide adequate signage for the proposed drive-through restaurant.

Staff Comments:

- The previously approved Development Permit No. 7902-0222-00 only allows three (3) fascia signs on the subject building. All three (3) signs are approved to be installed on the north building elevation facing King George Boulevard.
- Two (2) additional fascia signs are proposed, one on the west building elevation facing 128 Street and one on the south building elevation. The proposed fascia sign on the west building elevation will be an illuminated 'A&W' sign with height and length dimensions of 1.0 metre (3.3 ft) and 2.1 metres (7.0 ft), respectively. The second fascia sign will be a menu board sign and is approximately 2.8 metres (9.2 ft.) by 1.6 metres (5.4 ft.) in size. The proposed menu board sign is illuminated, but is not electronic, as text changes must be done manually.
- Planning staff have worked closely with the applicant to ensure the size and number of fascia signs is appropriate, given the design and scale of the proposed building. Therefore, the variance can be supported.

(b) Requested Variance:

- To vary Part 6 Section 31(2)(f) of the Sign By-law, 1999, No. 13656 to allow three (3) fascia signs to be located above the roof line of the subject building.

Applicant's Reason:

- To provide adequate and appropriate signage for the proposed development.

Staff Comments:

- The Sign By-law states that the roof line, in the case of the subject building which has a pitched roof, shall be at the level of the eaves. Therefore, a variance is required for three (3) of the fascia signs.
- The two (2) proposed A&W signs (proposed on the north and west building elevations) are located above the roofline. However, given the design of the building, the location of the two (2) proposed fascia signs are appropriate.
- The 'On The Run' fascia sign located on the north building elevation was previously approved under Development Permit No. 7902-0222-00. However, a Development Variance Permit was not included in the previous application. Therefore, the 'On The Run' sign is included in the current variance to ensure all the proposed fascia signs are in compliance.
- The proposed signs will not appear to be above the roofline, due to the pitched roof design, therefore staff support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

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| Appendix I. | Lot Owners and Action Summary |
| Appendix II. | Site Plan, Building Elevations Landscape Plans and Perspective |
| Appendix III. | Engineering Summary |
| Appendix IV. | Development Variance Permit No. 7909-0190-00 |
| Appendix V. | Proposed CD By-law Amendment |

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Planning and Development

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