

## **PLANNING AND ZONING COMMISSION DRAFT MINUTES OF JANUARY 5, 2015**

PUBLIC HEARING AGENDA Item #8- SU150102/S150102 - Specific Use Permit/Site Plan - 2620 W. Interstate 20 (City Council District 4). Senior Planner Denice Thomas presented the case report and a Power Point presentation for the approval of a specific use permit and site plan to construct and operate a restaurant with drive-through and speculative retail space. The 0.89-acre property, zoned Planned Development 32 (PD-3) District for general retail uses, is located at 2620 W. IH-20 and is within the IH-20 Overlay District. The agent is Jessica Kilgore, AME Engineering, the applicant is Steve Turnbow, PMC Chase LP, and the owner is Steve Turnbow, TPS Family LP.

Mrs. Thomas stated the 0.89-acre property is undeveloped. Two access points are provided; both to internal drive aisles in the development with access to the IH-20 Frontage Road. The site will be developed with a 5,923-square-foot building with a 2,864-square-foot speculative retail space and a 3,059-square-foot restaurant with drive-through use and associated parking. There are two uses associated with this site plan approval request; the restaurant with drive-through use and the speculative retail use. The site plan is required to show adequate parking for each use. Article 10 indicates the parking requirement for restaurants is one space per 100 square feet of designated dining and waiting area, including outdoor dining areas, and one space per 275 square feet for retail uses. The site plan indicates the area devoted to dining in the restaurant space is 2,000 square feet and 2,696 square feet devoted to retail uses. The table below provides an analysis of the parking provided. The Specific Use Permit ordinance will indicate that uses wishing to locate in the speculative space will be limited to uses that can be accommodated by 15 parking spaces. Uses requiring parking in excess of 15 parking spaces or requiring an SUP will be required to go back through the application process.

Mrs. Thomas noted the subject site is within the I-20 Overlay District and is subject to the provisions contained in Appendix F. Appendix F requires a 30-foot-wide landscape buffer adjacent to rights-of-way. The applicant is providing a 25-foot-wide landscape buffer in an attempt to be consistent with the buffer provided by the Dairy Queen site to the west. The site plan does not comply with all of the minimum landscape requirements set forth in the UDC. Six street trees are required; five have been provided. Three parking lot trees are required; two have been provided. Staff has included a condition of approval which requires the landscape plan to meet all applicable requirements of the UDC to address this requirement.

Mrs. Thomas stated the subject site is within an overlay corridor district. Appendix F of the UDC prohibits individual pole signs in the overlay districts. The applicant is requesting an exception to allow a pole sign. The applicant has submitted two pole sign options for review. The first pole sign option is approximately 40 feet tall with stone and precast concrete with a 10-foot by 15-foot can sign mounted on the top which was reviewed by the Development Review Committee.

The second pole sign option is approximately 40 feet tall with a red metal pole and a 14-foot 5-inch by 20-foot 9-inch can sign mounted on top was not reviewed by the Development Review Committee. Pole signs along limited access roadways outside of the overlay corridor districts are permissible provided they do not exceed the requirements contained in Article 9 of the UDC. Below is an analysis of the proposed pole sign options compliance with Article 9.

Mrs. Thomas stated staff is not supportive of pole signs in the corridor overlay district. However, if an exception is granted, Staff recommends the sign meets the minimum requirements for pole signs outside of the overlay corridor districts along limited access and because the sign is within an overlay recommends masonry materials be added consistent with those shown in Option 1 of this proposal. The City Council has directed staff to prepare a discussion item on the City Council Development Committee agenda that addresses the potential for pole signs in the overlay and the design standards.

Mrs. Thomas stated the DRC recommends approval of the request for a Specific Use Permit to allow construction and operation of a restaurant with drive through window, subject to the following conditions:

1. The site plan shall be consistent with all regulations in the UDC as amended, with the exception of the location indicated for the pole sign.
2. The landscape plan shall comply with all applicable landscape requirements contained in the UDC, as amended.
3. Signage shall comply with the provisions set forth in the UDC, as amended; except for exceptions specifically granted by the City Council.
4. Operations must be in compliance with the TDSHS – Texas Food Establishment Rules and local ordinances regarding foot service.

Commissioner Moser asked if the proposed sign overhangs into the fire lane towards the building.

Mrs. Thomas replied yes, but the sign could be adjusted to make sure it does not encroach into the fire lane.

Commissioner Spare asked if there are other pole signs in the area that encroach into the fire lane.

Mrs. Thomas stated she would need to look at the building permits, but more than likely no the Fire Department would not approve any encroachments into the fire lane.

Commissioner Arredondo asked how the other existing pole signs in the area differ in size and locations.

Mrs. Thomas replied the proposed sign would be more comparable to the Dairy Queen sign which was approved recently the remainder of the existing signs were approved under a different ordinance.

Chairman Garrett noted there were no questions for staff, opened the public hearing, and asked for speakers.

Steve Turnbow with PMC Chase LP, 2800 Parks Drive, Arlington, TX was present representing the case and to respond to questions from the Commission. Mr. Turnbow stated he would be constructing the building, and would like to commend staff or their good work and great people to work with.

Chairman Garrett asked if he would be willing to relocate the pole sign.

Mr. Turnbow replied yes.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and recommend approval of case SU150102/S150102 per the DRC and staff's recommendations being consistent with Option 1 of this proposal, provide a 25-foot-wide landscape buffer, and the pole sign not overhang/encroach into the fire lane. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

Ayes: Arredondo, Garrett, Gray, Johnson, Philipp, Moser, Motley, Spare, and Womack

Nays: None

Approved: 9-0

Motion: **carried.**