

PLANNING AND ZONING COMMISSION DRAFT MINUTES MARCH 7, 2016

PUBLIC HEARING AGENDA Item #8 -SU160301/S160303 - Specific Use Permit/Site Plan - El Pollo Loco (City Council District 1). Senior Planner Denice Thomas presented the case report and gave a Power Point presentation for approval of a specific use permit and site plan to construct and operate a restaurant with drive-through. The 1.09-acre property, zoned General Retail-1 (GR-1) District, is located at 2125 N. State Highway 360 (SH 360), is within the State Highway 360 (SH 360) Corridor Overlay District. The agent is Matt Moore, Claymoore Engineering Inc., the applicant is John Murphy, Chicken Time Real Estate, and the owner is Martin Schelling, Conifer Real Estate.

Mrs. Thomas stated the 1.09-acre property is undeveloped. One access point has been provided to the S.H. 360 Frontage Road and access to Green Oaks Boulevard will be provided by a mutual access easement through the property to the west. The subject site will be developed with a 3,000-square-foot restaurant with associated parking. The table below provides details regarding parking and loading for the 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. The site plan indicates the area devoted to dining and waiting is 1,358 square feet. The restaurant will be open from 10:00 a.m. to 10:00 p.m. daily.

Mrs. Thomas stated the subject site is within the S.H. 360 Overlay District and is subject to Appendix F of the UDC, as well. The elevations as proposed are inconsistent with the UDC requirements. The UDC requires façades to be 100% masonry, excluding doors and windows. However, Appendix F does allow 20% of the façade to be a non-masonry material. The applicant is proposing brick, ceramic tile, and stucco. The proposal does not meet the requirements of Appendix F. The overall masonry percentage is 24%, with façades ranging from 47% to 1%. An appeal has been requested to permit construction as depicted on the elevation plan. The site plan does comply with all of the minimum landscape requirements set forth in the UDC. The applicant is requesting approval to construct an El Pollo Loco restaurant constructed primarily of stucco. To do so, exceptions to masonry composition must be granted. Staff does not support approval of the requested exception.

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.
2. Signage shall not be approved as part of this application. Signage shall comply with the provisions set forth in the UDC, as amended, and be reviewed and approved by building permit.
3. All operations shall conform to the site plan and operational plan as approved by City Council under case number SU160301/S160303.
4. Operations must be in compliance with the TDSHS – Texas Food Establishment Rules and local ordinances regarding food service.

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

Matt Moore with Claymoore Engineering, 1903 Central Drive, #406, Bedford, TX was present representing the case and to respond to questions from the Commission. Mr. Claymoore stated the company has adopted a new corporate design look for their buildings.

Commissioner Moser asked how many of these restaurants to do they operate.

Mr. Moore replied there are about 400 restaurants in California, but only two with the new look.

Commissioner Spare asked if the new prototype is more the materials being used or the color scheme.

Duane Meyers stated this is the rendering provided by Corporate, they are currently building in Bedford and Allen, the pallet look is what they are going for inside and outside of the building, he would need to speak with Corporate to change the building materials.

There being no further discussion on the case, Commissioner Moser moved to close the public hearing and approved case SU160301/S160303 as presented and recommended by staff. The action and vote being recorded as follows:

Motion: Moser

Second: Spare

Ayes: Garrett, Johnson, Lopez, Moser, Motley, Dr. Perez, Philipp, Spare, and Womack

Nays: None

Approved: **9-0**

Motion: **carried**