

**CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – OCTOBER 6, 2009**

The Richardson City Plan Commission met October 6, 2009 at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: David Gantt, Chairman
Bill Hammond, Vice Chair
Gerald Bright, Commissioner
Janet DePuy, Commissioner
Barry Hand, Commissioner
Jim Henderson, Commissioner
Scott Jessen, Commissioner
Marilyn Frederick, Alternate

MEMBER ABSENT: Thomas Maxwell, Alternate

CITY STAFF PRESENT: Sam Chavez, Asst. Director of Dev. Svcs. - Planning
Chris Shacklett, Planner
Kathy Welp, Executive Secretary

STUDY SESSION

Prior to the regular business meeting, the Plan Commission met with staff in an open study session at 6:15 p.m. to receive a briefing on posted agenda items.

MINUTES

1. Approval of the minutes of the regular meeting of September 15, 2009.

Motion: Commissioner Frederick moved to approve the minutes of September 15, 2009; second by Vice Chair Hammond. Motion passed 7-0.

PUBLIC HEARINGS

2. Zoning File 09-09: A request by the City of Richardson to amend Article I (Definitions) and Article XXII-A (Special Permits) of the Comprehensive Zoning Ordinance to allow self-service warehouse (secondary use) in non-residential zoning districts by Special Permit.

Mr. Shacklett noted that two amendments were before the Commission: 1) to amend the Definition section; and 2) to amend the Special Permit section, both of which are contained within the Comprehensive Zoning Ordinance (CZO). He added that in the Special Permit section, the proposed amendment would allow self-service warehouses (secondary use) in non-residential districts excluding the Technical Office Districts.

Mr. Shacklett stated that the proposed definition of a self-service warehouse (secondary use) would be “a use within an enclosed building; subordinate in area to the principal building”. This definition separates the secondary use from the typical self-service warehouse definition, which is currently allowed only in Industrial Districts by Special Permit.

In addition, Mr. Shacklett pointed out that the proposed amendment will have some of the same language as the self-service warehouse definition including that it will be limited to temporary storage of items, no on-premises caretaker’s residence, prohibition of motor vehicle and equipment rental, no outside storage, and no business shall be conducted from the individual storage units.

Mr. Shacklett highlighted the special conditions for the proposed amendment to the Special Permit section – Article XXII-A, Section 2.

Commissioner Jessen asked if the term “subordinate in area to the principle building” meant less than one-half of the building, or is the intent that a whole building could be converted for this use. He indicated that it might be better worded as “shall not be more than one-half”.

Mr. Shacklett replied that the intent was that less than 50% of the floor area could be converted to a self-service warehouse.

Mr. Chavez explained the reason for the term “subordinate” was that in looking at buildings, the staff considered uses and the possibility of more than one type of use within a building. He stated that the staff was more concerned about the total square footage within a building as opposed to the uses within the building; therefore, the term subordinate was more in line with the intent of the definition as opposed to a numerical value.

Commissioner Bright asked how the definition applied to a building that was “L” shaped, and would that be considered one or two buildings.

Mr. Chavez replied that if there were four buildings on one lot, only one of those buildings could be modified for use as a self-service warehouse no matter the shape of the building.

With no further questions from the Commission, Chairman Gantt opened the public hearing.

Mr. Chavez, representing the City as the applicant, asked to modify item “b” of the special conditions by striking out “flammable and combustible”; the item would read: “The storage of any toxic, explosive, corrosive or hazardous material shall be prohibited”.

With no further comments in favor, Chairman Gantt called for comments in opposition.

Mr. Shamsul Arefin, 332 Maple Street, Richardson, Texas, who was attending with the Leadership Richardson class, asked how the prohibition of hazardous material would be enforced.

Chairman Gantt replied that the inspection of buildings is handled by the Building Inspection Department to ensure they are in compliance with the City's ordinances.

Mr. Chavez added that most rental agreements for self-service warehouses contain wording alerting potential customers to what they can and cannot store in their units.

Commissioner Hand explained that the Commission was trying to design and define the mechanism that would later be enforced by the City through the Building Inspection, Fire Marshal and Code Inspection departments.

Mr. Jack Winfield, Winfield Jewelry, 129 N. Plano Road, Richardson, Texas, asked if the proposal was simply a way to increase revenue and, if so, felt the property could be better utilized for a large box retail store. Mr. Winfield also stated that he felt the proposed change would be detrimental to the area.

Chairman Gantt thanked Mr. Winfield for his comments and pointed out that the proposed amendment would be by Special Permit only, not an allowed use by right, and must go before the Commission and City Council before the permit could be issued. In addition, the proposal was an attempt to add a potential use for retail centers that would help in hard economic times and did not permanently change the centers. If the economic conditions were to change, the Commission would have the option not to renew the permit after the five year period.

Chairman Gantt closed the public hearing and asked if there were any further comments from the Commission.

Commissioner Hand stated that at first his opinion of the proposal was not favorable; however, after discussions he determined that it was a creative way to temporarily bridge some of the deep retail space in the City through the downturn in the economy.

With no further comments, Chairman Gantt called for a motion.

Motion: Commissioner Bright moved to recommend approval of Agenda Item 2 with a change in the wording for Article XXII-A, Section 2, item (b) to remove the words "flammable and combustible"; second by Commissioner DePuy. Motion passed 7-0.

- 3. Zoning File 09-10:** A request by Karl Crawley, representing Gemini Richardson Square, L.P., for a Special Permit for a self-service warehouse (secondary use) at 1407 E. Belt Line Road; northeast corner of Belt Line Road and Plano Road. This request is subject to the approval of the CZO amendment requested in Zoning File 09-09.

Mr. Shacklett stated that the applicant was requesting a Special Permit for a self-service warehouse at the northeast corner of Belt Line and Plano Roads. The proposed site was originally constructed in 1975, and in 2007 the site was renovated adding a 45,000 square foot building for LA Fitness and a retail building along the eastern property line. The northern retail building is from the original construction in 1975 with only a slight change to the façade. At a depth of 140 feet, this building is twice as deep as the eastern retail building, which previously accommodated retailers such as Tom Thumb Grocery or Hancock Fabrics; however, in the current economic climate, there does not seem to be a need for such a large space.

Mr. Shacklett pointed out that the applicant was proposing to take half of the 140-foot deep space and convert it into a self-service warehouse using a modular system. In addition, he outlined some of the changes to the exterior of the building noting there would be a ramp added for ease of access and controlled entrance and exits along the northern side of the building.

Mr. Shacklett noted staff had received one letter of support from the owner of adjacent apartment complex asking that the proposed hours of operation change from 7:00 a.m. to 9:00 p.m., to 8:00 a.m. to 8:00 p.m.

Commissioner Bright asked about the space available for parking and unloading. Mr. Shacklett replied there would be a 50-55-foot long truck and/or trailer loading and unloading space adjacent to the loading ramp.

Commissioner Henderson wanted to know about the service corridor, the placement, and maximum size and number of storage units.

Mr. Shacklett replied that the maximum number of units allowed as shown on the concept layout is 178, and the maximum size of a unit would be 500 square feet. He added the service corridor is 5-1/2 feet wide.

Commissioner Jessen asked if doors would be allowed between the individual units, or is access limited to the doors off the internal hallways.

Mr. Shacklett replied that in item "f" of the special conditions in Zoning File 09-09, "Individual storage units shall be directly accessed from internal hallways."

Commissioner Henderson asked if one of the other retail businesses in the building were to go out of business, could the self-storage warehouse expand into that area and not exceed the definitions described in Zoning File 09-09.

Mr. Shacklett said they could, but would first have to ask for an amendment to the Special Permit.

Chairman Gantt opened the public hearing.

Mr. Karl Crawley, 900 Jackson Street, Suite 640, Dallas, Texas, 75202, representing Gemini Richardson Square LP, provided a brief history of the plan to develop the self-service storage idea for the property and introduced the other members of the Gemini development team.

Mr. Dante Massaro, 16740 Birkdale Commons Parkway, Huntersville, NC, 28078, representing Gemini Real Estate Advisors, stated that the center was purchased in 2006 with the intention of developing a space for LA Fitness, demolishing and reconstructing an adjoining building, and possibly getting a big box tenant for the remaining building.

Mr. Massaro noted that Gemini also owns the Goodyear and Chase buildings; however, they were in the process of selling the Goodyear building to the current tenant. He added that 10 million dollars has been spent in redeveloping the center, and they have spoken to a number of big box tenants in attempts to fill the empty retail space, but due to the current economic situation they had to seek other avenues.

Commissioner Frederick thanked Mr. Massaro and his group for the redevelopment of the center and investing in the City of Richardson.

Commissioner DePuy commended Mr. Massaro on the Community Revitalization Award received in 2008 and asked how long it would take to lease the self-storage units.

Mr. Massaro replied that although this was one of their first ventures into self-service storage units, they had extensive experience in leasing all types of retail including hotels, a new self-storage facility in North Carolina and 4 million square feet of retail space in 11 states. He noted they currently have on-site management for the retail center and these individuals will be available to potential customers for the self-service storage units.

Commissioner Hand acknowledged that commercial leasing was going through a difficult time, but wanted to know what was the long-term goal or plan for the retail center; would there always be self-storage units or a return to retail based businesses.

Mr. Massaro replied that when the center was redeveloped in 2006, they thought they knew what the goal was; however, they over-estimated the ability to get the big box tenant in the 26,000 square foot portion. The portion of the center facing N. Plano Road was too valuable for anything but retail, and five years from now self-storage may not make sense and the market for retailers could return. If the market does not rebound, the storage units could be a good long-term use.

Vice Chair Hammond asked if there would be a problem with using both motion detection and video surveillance as part of the security system.

Mr. Massaro noted that the only problem might be a cost issue, but suggested Mr. LaMack might be better able to answer the question.

Mr. Chris LaMack, 16740 Birkdale Commons Parkway, Huntersville, NC, 28078, stated that as owners of the center, they came to the decision to propose self-service storage after looking at many other possibilities, and thanked the Commission and staff for the flexibility. They created a good way to handle all the concerns of management and security, yet keep the retail frontage on the south side of the building while locating the self-service storage facility on the back of the center facing the north wall.

Mr. LaMack noted that the issues regarding fire separation and sprinklers were clearly spelled out in the state building codes, which the City will review when the drawings are presented. Regarding the interior, a modular system with metal walls would be installed to allow flexibility in providing the desired sized space for customers, and have the ability to convert back to retail in the future. In addition, for security purposes wire mesh would be added to the top of the modules to prevent someone crawling over into the next unit and allow the sprinkler system to be effective.

Vice Chair Hammond stated that there was an exit only on one side of the building and asked if video cameras would be a way to record possible unwanted entry, and if once the units were leased, would there be someone on-site monitoring the units.

Mr. LaMack replied that video cameras would be used at the facility and an alarm system could be installed on the exit door. Regarding the monitoring of the units, there will be a lease signed by every tenant that sets guidelines on what can and cannot be stored, as well as inspection of the units as they are cleared out.

Commissioner DePuy asked once the space is converted to storage units and is leased, will that increase the possibility of getting a tenant in the southern portion of the building.

Mr. LaMack responded that although commercial leasing has been slow, the smaller properties seem to be where there is the most activity.

Commissioner Bright asked how access to the east side door would be controlled.

Mr. LaMack stated it would be an exit only door with no outside handle so it could open only from inside the building.

Commissioner Henderson noted that at first he did not have a very favorable position on the storage warehouse; however, he changed his mind after hearing that the units are modular and could be easily taken down and would support the item.

Mr. Jack Winfield, Winfield Jewelry, 129 N. Plano Road, Richardson, Texas, reported that after listening to the explanation of the proposed self-service storage warehouse he no longer had any objections, which had been stated in the public hearing portion of Zoning File 09-09.

Mr. Pat Maher, 1802 Tulane Drive, Richardson, Texas, 75081, stated that he was neither in favor nor against the item, but wanted to confirm the placement of the sign on the east side of building; would a monument sign be added; and were the existing tenants in favor of the proposed change.

Mr. Crawley replied that there was an existing monument sign on Plano Road and no changes will be made to that sign. The sign on the east side of the building will direct potential customers to the back of the building and the existing tenants are in favor of the proposal.

Chairman Gantt noted that a letter had been received from the apartment property stating the owner was in favor of the proposal, but asked for a change in the operating hours from 7:00 a.m. to 9:00 p.m. to 8:00 a.m. to 8:00 p.m.

Mr. Crawley did not object to that change, but would prefer to have the 7:00 a.m. to 9:00 p.m. time hours of operation.

Chairman Gantt and Vice Chair Hammond were in favor of the proposed operating hours of 7:00 a.m. to 9:00 p.m.

Commissioner Henderson asked how the property would be advertised, and if one of the front retail businesses were to be occupied as an office for the storage warehouse, would that change the 50% rule.

Mr. LaMack replied that advertising would be done via the internet and newspaper and he did not think they would occupy one of the retail spaces.

Mr. Chavez advised that if a space was used as an office for the warehouse operation as opposed to a separate retail business, then it would come under the 50% rule and the applicant would have to request an amendment to the Special Permit.

Commissioner Jessen expressed appreciation for the applicant's efforts in improving the area and felt the Commission should support the proposal.

Commissioner Frederick asked staff if one of the retail businesses in the building rented space in the storage warehouse, would that be considered operating a business out of the storage warehouse.

Mr. Chavez replied no, the storage warehouse is primarily used for off-site storage of merchandise and documents.

Chairman Gantt advised the applicant to change the building elevations to reflect the correct sign location on the north side of the building prior to submittal to the City Council.

Motion: Commissioner Hand moved to recommend approval of Agenda Item 3 as presented with a change to the location of the sign on the north elevation; second by Commissioner Henderson. Motion passed 7-0.

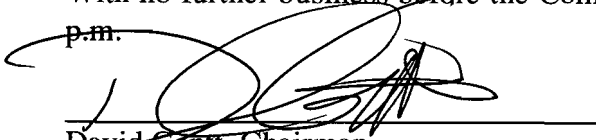
STAFF REPORTS

4. **Future Agenda Items:** Staff identification of future zoning cases, plats, development plans and work session briefing items.

Mr. Chavez noted that the proposal for the previously approved Carl's Jr. restaurant would go before the City Council on October 12th, and the Clear Wireless and QuikTrip items will be postponed to the November 3rd City Plan Commission meeting.

Before closing the meeting, Chairman Gantt recognized the Leadership Richardson Class of 25 and thanked them for attending the meeting.

With no further business before the Commission, Chairman Gantt adjourned the meeting at 8:38 p.m.



David Gantt, Chairman
City Plan Commission