

**CITY OF RICHARDSON  
CITY PLAN COMMISSION MINUTES – APRIL 15, 2014**

The Richardson City Plan Commission met on April 15, 2014, at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** Barry Hand, Chairman  
Gerald Bright, Vice Chair  
Janet DePuy, Commissioner  
Marilyn Frederick, Commissioner  
Thomas Maxwell, Commissioner  
Eron Linn, Commissioner  
Randy Roland, Commissioner  
Bill Ferrell, Alternate  
Stephen Springs, Alternate

**CITY STAFF PRESENT:** Michael Spicer, Director – Development Services  
Sam Chavez, Assistant Director – Dev. Svcs – Planning  
Israel Roberts, Development Review Manager  
Chris Shacklett, Senior Planner  
Kathy Welp, Executive Secretary

**BRIEFING SESSION**

Prior to the start of the regular business meeting, the City Plan Commission met with staff regarding staff reports, agenda items and a work session. No action was taken.

**CONSENT ITEMS**

1. **Plans & Elevations – Hampton Inn (companion to Item 5):** A request for approval of a site and landscape plan with building elevations for development of a 64,800 square foot limited service hotel. The 2.35-acre site is located at 2250 N. Glenville Road, on the east side of Glenville Road, north of Greenville Avenue.
2. **Plans – Buckingham Flats (companion to Item 6):** A request for approval of a site and landscape plan for the development of an 82-unit apartment complex. The 3.09-acre site is located at 951 Abrams Road, at the northeast corner of Abrams Road and Park Bend Drive.
3. **Plans – North Central Ford (companion to Item 7):** A request for approval of a site and landscape plan for the development of a 74,389 square foot showroom and service building, and an 8,117 square foot fleet office. The 10 acre site is located at 1819 N. Central Expressway, southwest corner of N. Central Expressway and Municipal Drive.
4. **Concept Plan – Brick Row Townhomes:** A request for approval of a concept plan for nineteen (19) townhomes with exceptions at Brick Row. The 3.95-acre site is located at 201-207 Emily Lane, west side of alley “B” between Jacob Drive and Karen Crossing.

**Motion:** Vice Chair Bright made a motion to approve the Consent Agenda as presented; second by Commissioner Frederick. Motion passed 7-0.

## **PUBLIC HEARINGS**

5. **Replat – Greenway Addition, Lots 8B and 10, Block 6 (companion to Item 1):** Consider and take necessary action on a request for approval of a replat of the Greenway Addition Lot 8A, Block 6 to create two (2) lots. The 6.40-acre site is located at 2210 and 2250 Glenville Road, at the northeast corner of Glenville Road and Greenville Drive.

Mr. Roberts stated the applicant was requesting a replat to dedicate easements for a limited service hotel and the replat complied with City regulations.

With no questions for staff, Chairman Hand opened the public hearing.

No comments or questions were received and Chairman Hand closed the public hearing.

**Motion:** Commissioner Roland moved to approve of Item 5 as presented; second by Commissioner DePuy. Motion approved 7-0.

6. **Replat – Buckingham Estates Addition, Lot 29B, Block B (companion to Item 2):** Consider and take necessary action on a request for approval of a replat of the Buckingham Estates Addition, Lots 29A, 30A and 32, Block B into one (1) lot. The 3.09-acre site is located at 951 Abrams Road, at the northeast corner of Abrams Road and Park Bend Drive.

Mr. Roberts stated the applicant was requesting a replat of the Buckingham Estates Addition for the proposed development an 82-unit, three and four story apartment complex at the southeast corner of Abrams and Buckingham Roads. The proposed replat abandons and dedicates the necessary easements for the development of the apartment complex and the replat complied with City regulations.

With no questions for staff, Chairman Hand opened the public hearing.

No comments or questions were received and Chairman Hand closed the public hearing.

**Motion:** Commissioner Maxwell moved to approve Item 6 as presented; second by Vice Chair Bright. Motion approved 7-0.

7. **Replat – Gateway Plaza Addition, Lot 1A, Block A (companion to Item 3):** Consider and take necessary action on a request for approval of a replat of the Gateway Plaza Addition, Lot 1, Block A to dedicate easements. The 10-acre site is located at 1819 N. Central Expressway, southwest corner of N. Central Expressway and Municipal Drive.

Mr. Roberts advised the applicant was requesting a replat of the Gateway Plaza Addition to abandon and dedicate easements for the expansion of the North Central Ford dealership. He added that the replat complied with City regulations.

With no questions for staff, Chairman Hand opened the public hearing.

No comments or questions were received and Chairman Hand closed the public hearing.

**Motion:** Commissioner DePuy moved to approve Item 7 as presented; second by Commissioner Linn. Motion approved 7-0.

8. **ZF 14-11 – CityLine East:** Consider and take necessary action on a request to convert the conventional zoning standards under PD Planned Development District to form-based standards under a PD Planned Development District to accommodate a mixed-use development on approximately 63 acres. The property is located on the south side of President George Bush Turnpike, east of Plano Road.

Mr. Shacklett reported the applicant was requesting to convert the conventional Planned Development (PD) regulations on the property located at the southeast corner of President George Bush Highway (PGBH) and Plano Road to a form based code similar to the code for the property on the west side of Plano Road. He added the property in question was bounded by PGBH on the north, Plano Road on the west, CityLine Drive on the south, and additional open space (not part of the request) on the east.

Mr. Shacklett gave a brief history on the property noting that in the original zoning request in 2012, the property was rezoned to a PD and the allowable development rights were divided into four (4) distinct sub-districts - E1 through E4, with E1 as the area where the most density and the highest floor-to-area ratio (FAR) would be located. In addition, a Traffic Impact Analysis (TIA) was conducted and approved limiting the development to 2.5 million square feet of non-residential development with anything above that requiring another TIA.

Mr. Shacklett reviewed the character zones (TOD Core and TOD Mixed-use), building and garage heights, landscape and open space requirements, minor modifications, and street types - six (6) in all.

Mr. Shacklett closed his presentation by emphasizing the development rights would be similar to the property on the west side of Plano Road (State Farm campus), and noted the code would allow, upon approval, minor parking reduction, if justified; however, certain requirements could not be changed such as increasing height, add additional uses, and building relation to the street. He added that no correspondence, either in favor or opposed had been received.

Commissioner Frederick asked about the dotted gray line on the regulating plan.

Mr. Shacklett replied the line indicated a non-mandatory street that could allow for variations in street location, but if the developer decided not to build the street it would not have a major impact on the development.

Commissioner Roland asked to confirm that the Commission was not being asked to approve buildings that were closer to the existing residential or increase multi-family. He also wanted to know if the property in question would be similar in density and height to the property west of Plano Road being developed for State Farm.

Mr. Shacklett replied there would be no increase to the existing multi-family and the taller buildings would not be moved closer to the existing residential, and confirmed the height and density would be similar to the State Farm property.

Commissioner Linn expressed concern with the form based code application because it did not indicate where the buildings would be located. He also cited changes that had taken place in the development to the west, including moving one of the towers that affected the DART Light Rail station, and wanted to make sure the proposed development was similar in design and building location to that of the State Farm campus.

Mr. Shacklett replied the regulating plan indicated the character zones proposed for the property and the fifty pages of text in the code defined where the open spaces would be located, how buildings would be designed and located in relation to the street.

Regarding changes that took place on the property to the west, Mr. Shacklett said in 2010-2011 the property was rezoned from traditional standards to form based code and at that time it had a regulating plan with a specific layout of where the street would be located. However, in 2012, zoning for the northern 38.5 acres was amended and a new regulating plan was provided showing the layout of the streets and what is currently being developed.

Commissioner Linn asked if the applicant would be required, moving forward, to provide any renderings or elevations for the proposed buildings. He was also concerned that skyways were part of the State Farm development and was the addition of the skyways considered a minor modification.

Mr. Shacklett replied that Section 8 of the proposed code laid out the building design standards allowing the developer more flexibility to make minor changes as long as those changes stayed true to the regulating plan and building design standards of the code. Anything outside of the regulating plan or design standards would have to come back before the Commission for approval.

Regarding the skyway, Mr. Shacklett stated it was not in the code, but was not contrary to the code and was approved by staff as part of site plan approval.

Commissioner DePuy asked for clarification on what the Optional Campus Frontage would look like, particularly the screening of the parking area.

Mr. Shacklett replied the code states the screening could consist of vegetation, vertical structural elements, or double rows of canopy trees. Also, on page 12 of the PD code, Exhibit B, there is a definition of “Optional Transitional Campus Frontage” and five illustrative images suggesting different ways to screen the parking area.

Commissioner Maxwell asked what the difference was between Frontage Type A and B and where was the definition located in the code.

Mr. Shacklett replied that in Sections 5 and 9 there are the definitions of street types and cross sections, which are very descriptive of the location for the travel lanes, parking, pedestrians, street trees, etc. (i.e., street types 1 – 4 would be more compatible with a Type A - a more pedestrian oriented frontage). Also, in the staff report on pages 7 and 8, there are descriptions of how cross sections and street types interact.

Mr. Chavez added that if the developer wanted to front a parking garage on a street that would alert staff that the street would require a Type B Street frontage and the standards for that type street would apply.

Commissioner Maxwell asked if something was allowed by minor modification in the code, would that be a rubber stamp by the City, or is there some type of oversight on the process.

Mr. Shacklett stated when the developer goes through the development plan submittal process, there will be items on the plans that meet the code, but if a minor modification is requested and was within one of the set standards, then staff could approve the modification. However, if the request did not meet the standard as described in the code, then the plans would be sent back to the developer to be changed or they could submit documentation justifying their request. If staff still denies the developer’s request, the developer has the option to appeal the decision to the City Council.

Commissioner Maxwell stated the proposed code seemed to have more allowable minor modifications than the PD on the west side of Plano Road. He added that there seemed to be a more liberal use of minor modifications in the proposed code and thought the applicant might be able to provide some insight.

Mr. Shacklett acknowledged there were a few more modifications in the proposed code; however, the list would only act as a guideline for quantifiable minor modifications. The main test of whether a request was truly a minor modification was found on page 6, Section 3.8.1 through 3.8.6.

Mr. Chavez added that whenever there is a request for a minor modification, the request is reviewed by a staff committee.

Commissioner Roland asked if the 2.5 million square feet mentioned in the TIA included the proposed buildings on the east side of Plano Road.

Mr. Shacklett replied the square footage limitation in the TIA pertained to the entire 147 acres on the east side of Plano Road and anything above that limit would require another TIA and approval from the Commission.

Chairman Hand asked how much of the square footage limitation was dedicated to the future development for the Raytheon Company.

Mr. Shacklett said he was not sure how much square footage would be used by Raytheon.

Commissioner Springs asked for clarification regarding “per City standards” as it related to parking ratios listed on the chart comparing existing entitlements versus the proposed entitlements.

Mr. Shacklett replied the City has different parking standards for different uses (office, retail, restaurant, etc.) and those ratios would apply in the proposed development. In addition, Mr. Chavez noted the standards were the same as those used on the west side of Plano Road.

Commissioner Springs noted the use of the terms “attics” and “mezzanines” on page 8 of the Code and since those terms have very specific terms in the building code, he suggested that it be made clear the definitions did not usurp the building code.

With no further questions for staff, Chairman Hand opened the public hearing.

Mr. Michael Alost, representing KDC, 20 Ashton Court, Dallas, Texas, stated the success of the development on the west side of Plano Road was driving the growth for the property to the east, and their goal was to develop a balance of uses with live, work and play intermixed with public amenities.

Mr. Alost pointed out that the form based code used on the west side of Plano Road benefited the development by allowing it the speed to meet the market demands, but wanted to assure the Commission that the code had very specific requirements from the spacing of sidewalks, amount of treatment for the buildings, spacing of trees, etc., by unifying control over the whole development and allowing the creation of character zones similar to other areas in the Metroplex.

Mr. Alost said the goal of the development on the east side of Plano Road was to take what was done on the west side and carry it over to the east side to create an east/west connection so there will be continuity between the two developments. He noted that the form based code controls would maintain the quality and character of the west allowing the graduation of scale from high density on the northern edge and transitioning down to the surrounding neighborhoods to the south.

Mr. Alost concluded his presentation by stating that form based codes are a powerful economic development tool that helps get the product to market quickly, shapes the form of the buildings and streets, sets the requirements for the public amenities, and ties the two developments together.

Chairman Hand said there had been concern about the amount of covered parking at the State Farm development and wanted to know what the parking rate was for the current development, and how many people are anticipated to live on property and take the DART Light Rail.

Mr. Alost replied the parking ratio was 4.5:1,000 for the buildings, plus first floor parking that will support the retail. In addition, ridership statistics had been received from DART, but the parking ratios would be based on the City's requirements of a certain number of spaces needed per square foot based on the type of business.

Chairman Hand asked about the land on the northern edge of the property closest to PGBH and if that would be parking or another building.

Mr. Alost replied they anticipated the property would be another building site.

Commissioner Maxwell expressed concern that the proposed form based code allowed more minor modifications, especially on the street cross sections, than the code for the property to the west.

Mr. Alost said their plan was to maintain the same palate of roadways and streets as on the west side of Plano Road, as indicated in the plan, but at the same time allow flexibility in the plan. He gave an example of a minor modification on CityLine West where the form based code required the street trees to be in the sidewalk, but that requirement created a very narrow path for the pedestrian traffic so work was done with staff to move the trees to "bump outs" within the parking zone.

Commissioner Maxwell asked if the cross section of any of the streets shown on the regulating plan, either mandatory or non-mandatory, could be modified through minor modification.

Mr. Alost replied a minor modification could be granted, but only after the staff committee reviewed the request and the applicant's justification for the change. He added that Type A streets were already committed and could not be changed.

Mr. Shacklett stated that although the regulating plan calls out each of the street sections, if justification was made the cross sections could be adjusted if the modification met the specific criteria.

Commissioner Linn asked if the applicant thought the area of land north of State Street would be large enough to handle another building and parking. He also expressed concern about the height of any parking structure and the fact that it was not called out on the regulating plan. Linn asked the applicant if the structure would be the same height as those on the west side of Plano Road.

Mr. Alost replied that the parcel in question would be large enough to handle an office project with structured parking in addition to the parking for State Farm Phase 2, Tower 4.

Regarding the height of the parking structures, Mr. Alost said the height would be similar to the west.

Commissioner Linn asked if the applicant would be agreeable to limiting the height of any new parking structure to same height as those on the west side of Plano Road.

Mr. Alost said they would not be disagreeable to any suggestions that were reasonable, but wanted to maintain flexibility until the development was further along.

Commissioner Linn noted the skywalks between the buildings on the west and asked if a skyway was planned to span Plano Road. He also expressed concern that the existing skyways were counterintuitive by taking pedestrian traffic off the street while trying to encourage commercial retail at street level.

Mr. Alost acknowledged there were skyways between some of the buildings under construction on the west, but they were not open to the public and would only be used by State Farm employees to allow ease of movement between their buildings. In addition, he said there may be functional reasons to have a skyway across Plano Road, but that was not a certainty at the present time.

No further questions or comments were received and Chairman Hand closed the public hearing.

**Motion:** Commissioner Roland moved to recommend approval of Zoning File 14-11 as presented; second by Commissioner Maxwell. Motion approved 6-1 with Commissioner Linn opposed.

9. **ZF 14-03 - Restaurant Park:** Consider and take necessary action on a request for a change in zoning from PD Planned Development (West Spring Valley Corridor PD) to PD Planned Development to accommodate the development of multiple restaurant pad sites on approximately 5.1 acres. The property is located at the southwest corner of US 75 and James Drive.

Mr. Chavez advised that in 2010 the City initiated the West Spring Valley Corridor Reinvestment Study (Study) that encompassed approximately 200 acres of land north of West Spring Valley to James Drive, between Coit Road and US 75. The Study resulted in the adoption of the West Spring Valley Corridor PD (WSVDPD) and the identification of several catalyst sites that could “kick start” redevelopment in the area with the property in question being one of those sites.

Mr. Chavez stated a vision had been proposed for the site that included a mixed-use environment, which would include ground floor retail, office, residential above, and possibly a hotel that would be oriented towards US 75. He reminded the Commission the PD did not require any of the stated uses, but the uses were a vision of what might develop on the site.

Mr. Chavez pointed out that after the rezoning of the Study in 2011, the design standards (similar to form based code) were based on specific location and the property in question allowed retail, commercial, residential, institutional office, and other accessory uses. In addition, the design standards allowed for administrative approval of development plans as long as the plans conformed to the PD for the sub-district.

Regarding the current application for rezoning, Mr. Chavez stated the applicant was proposing to develop four free standing buildings with a total of 20,500 square feet on the 5.1 acre lot with 360 parking spaces. He noted the applicant’s request had three parts: 1) Concept Plan, Exhibit B; 2) Development Standards, Exhibit B1; 3) Sign Standards and reviewed aspects of the standards including:

- allowable uses (restaurants already allowed under current PD)
- building regulations (height and masonry standards)
- landscape
- parking regulations
- streetscape
- buffer zones
- screening
- lighting
- signs (proposed signs exceed height and area requirements of current PD)

Mr. Chavez concluded his presentation noting that prior to the meeting 20 letters had been received in opposition and 76 in favor.

Commissioner Frederick asked about the size of the “EAT” sign, and whether or not the Ponchos, Taco Republic and Texas Title were included in the application.

Mr. Chavez replied the Taco Republic property was included, but the other two were not.

Commissioner Linn asked if the City had made any overtures to the owner of the two properties not included in the application.

Mr. Chavez said that as far as he was aware, the City had not approached the owner of those properties, but suggested the applicant may have further information.

Vice Chair Bright asked if there had been a demand for the property in question after the demolition of the old Continental Inn.

Mr. Chavez replied the current application was the first development application received in the WSVPD with the majority of the other applications dealing with maintenance type issues (painting, repairs, update landscaping, etc.).

Commissioner Roland asked to compare the “EAT” sign to other signs in the area. He also wanted to know if there was a timeframe associated with the completion of the development in the WSVPD

Mr. Chavez replied the Alamo Drafthouse sign was 50 feet tall, which would compare in size to the proposed sign.

Regarding a timeframe, Mr. Chavez stated the purpose of the WSVPD was to establish a set of standards that would promote redevelopment in the area; however, from a typical planning standpoint redevelopment can take decades to complete.

Commissioner Ferrell noticed the streetscape standards match the WSVPD, but wanted to know why the height and signage standards did not.

Mr. Chavez replied stating the existing WSVPD required two story structures and had established “build to” zones, whereas, the proposed development only had one story structures and no “build to” zones.

Chairman Hand asked why the applicant was proposing a new planned development as opposed to a major modification to the WSVPD. He asked to confirm that if the request was approved, would the existing planned development be split into two pieces.

Mr. Chavez said that when he began to review the application, it made more sense to look at the application as a new planned development as opposed to going through the extensive WSVPD and highlight every element that was not in compliance.

Regarding the separation of the existing planned development into two pieces, Mr. Chavez replied the property on the north side of James Drive and the property where the Ponchos and Texas Title are located would remain in the WSVPD, but the proposed development would not.

Commissioner Hand asked why the proposed sign did not comply with the WSVPD.

Mr. Chavez stated the proposed sign did not meet the height or allowable sign area of the WSVPD, and staff originally suggested a reduction in height for the proposed sign from 50 feet to 35 feet, however, the applicant preferred to keep the 50-foot sign as a means of attracting more business especially from US 75.

With no further questions for the staff, Chairman Hand opened the public hearing.

Mr. Kirk Hermansen, Hermansen Land Development, 5944 Luther Lane, Dallas, Texas, acknowledged that the proposed project did not meet the vision for the WSVPD, but asked the Commission to listen to his proposal and why he thought the project would stand on its own merit and could be a catalyst to start redevelopment in the area.

Mr. Hermansen gave a brief history of the site and the proposed development stating the City had been overlooked for casual dining and felt the project was an anomaly to the rest of the WSVPD by not being located along West Spring Valley Road, mid-block on US 75, and bordered by primary streets which did not make the site a likely area for vertical, mixed-use development.

Mr. Hermansen presented a rendering of the proposed development noting the uniformity throughout the architectural features but at the same time allowing for the individual identity of the four proposed restaurant sites. In addition, it was learned during feedback from the neighborhood associations that they would like to see multi-tenant buildings and he was open to that suggestion if the Commission so desired.

Mr. Hermansen reminded the Commission that the WSVPD was similar to a form based code in that it allowed restaurant use, but mixed-use development was not required. He acknowledged that a drive-through would not be allowed and they would be required to have uniform signage, which at the proposed height would be necessary to capture the attention of the traffic on US 75.

Commissioner Frederick asked if one of the proposed multi-tenant buildings could be a Star Bucks without a drive through.

Mr. Hermansen replied they would like to have a Starbucks but it just not available at this time for this site.

Commissioner Roland asked if there would be a chance to move the utilities underground.

Mr. Hermansen said he would like to see that happen but it would depend on the utility company and they were not likely to put those underground.

Commissioner DePuy asked if there would be pedestrian access from Floyd Road into the restaurant park.

Mr. Hermansen replied that in addition to sidewalks around the entire perimeter, there would be a meeting area at the corner of Floyd and James Roads with enhanced streetscape, plantings and park benches.

Commissioner Roland asked what type of outreach the applicant had conducted with the surrounding neighborhood associations.

Mr. Hermansen said he met with the presidents and their delegates from some of the surrounding neighborhood associations and some of the changes that came out of that meeting were an increase in architecture requirements to promote more uniformity, and increase to some landscape requirements, and a change to the sign requirements.

Commissioner Roland noted that most restaurants have their own “look” and asked the applicant to define what was meant by uniformity in architecture.

Mr. Hermansen replied that what he heard at the meeting with the neighborhood association was the proposed restaurant park was not appropriate for their neighborhood, but he took that to mean the architecture needed to be enhanced and better illustrated in a rendering.

Commissioner Linn asked if contact had been made with the property owners of the Ponchos and Texas Title.

Mr. Hermansen said one of the reasons it took him three years to bring the proposed development to the City was the time spent working with the corporate office of Texas Title. In addition, another piece of property was offered to Texas Title, and it looked like that deal would go through, but Texas Title changed their mind. He added the owner of Ponchos was willing to sell, but without the Texas Title location it did not make sense to go through with the deal.

The other piece of property, the veterinary clinic, was under contract with a first right of refusal and again another location was offered, but the owner invoked the first right of refusal and the deal did not go through.

Vice Chair Bright asked staff if they concurred with the applicant’s opinion that the property was not suitable for a vertical, mixed-use development.

Mr. Chavez replied that staff would have to sit down and layout a development with a mixed-use component, much of which would be contingent upon building setbacks, parking and building heights, and until that was done, he could not offer an opinion.

Chairman Hand asked the applicant what type of stimulus the proposed development would provide. He also wanted to know if restaurants would ordinarily be developed mid-block as opposed to the end of the block.

Mr. Hermansen said he hoped it would show that someone could come to Richardson in the redevelopment zone and work with the City and land owners to make something happen. He added that the effect on the neighboring business would be very positive as well as bringing a multi-family developer along West Spring Valley Road.

Regarding developing restaurants mid-block, Mr. Hermansen stated that restaurants that are free standing, casual dining, and national chains want sites with high traffic or dense neighborhood populations, both of which this site has.

Chairman Hand asked why the applicant thought multi-family would not work on the site.

Mr. Hermansen replied that multi-family alone could work on the site, but not if it was integrated with office, retail, restaurants and parking structures.

Chairman Hand pointed out that development in Richardson had increased greatly over past years and he did not share the belief that some other type of development was possible on the site.

Mr. Hermansen said development in the area should get stronger over the next few years and felt a restaurant park would be a catalyst for new development in the area; however, he still did not think the site in question was suitable for a high-rise, mixed-use development.

Commissioner Frederick stated that she did not see an overall theme presented in the rendering from the applicant and asked him to clarify his vision.

Mr. Hermansen replied that in a multi-tenant building it was easier to have a theme, but in the stand alone pads there will be a palate of colors, building material and signs types that will create a unified theme yet still provide some distinction among the restaurants.

Commissioner Frederick asked if a multi-tenant building was possible and Mr. Hermansen said one or two multi-tenant buildings were possible.

Chairman Hand recessed the meeting for a short break and when he called the meeting back to order at 9:45 p.m. he called for other comments in favor.

The following individuals spoke in favor of the proposed development citing increased employment, stand-alone restaurants (not drive-through); could strengthen redevelopment in other parts of the City; and the potential to jump start West Spring Valley revitalization.

- Mr. John Simpson, 421 Scottsdale Drive, Richardson, Texas 75080
- Mr. Ed Hassler, 912 Chadwick, Richardson, Texas 75080
- Mr. Tommy Mann, attorney for Richardson Veterinary Clinic, 733 S. Floyd Richardson, Texas 75080 (not opposed, but concerned about impact on his client's property)
- Mr. Joe Berry, 807 Dumont Drive, Richardson, Texas 75080
- Ms. Shelly Taylor, 1205 Northlake Drive, Richardson, Texas 75080
- Mr. Daniel Eng, 749 Sunkist Lane, Plano, Texas 75025
- Mr. Kelly Norwood, 104 N. Dorothy, Richardson, Texas 75081

The following individuals spoke in opposition to the proposed development stating the project did not conform to, and was disruptive to, the current WSVPD; the quality of project was insufficient to justify a change in zoning; plan did not include adjacent blighted properties; has the potential to negatively impact citizen participation in future redevelopment studies and plans; increased traffic affecting adjacent neighborhood and school; concerns about economic sustainability, property values and possible future blight; and concerns that this was the first project to come along and urged patience in waiting for a better plan.

- Mr. Richard Dotson, 733 Nottingham Drive, Richardson, Texas 75080
- Mr. Jason Lemons, 1119 Wildwood Lane, Richardson, Texas 75080
- Mr. Alan Wallace, 725 Devonshire Drive, Richardson, Texas 75080
- Mr. Tom Norman, 714 Laguna Drive, Richardson, Texas 75080
- Mr. Paul Johnson, 708 Hyde Park Drive, Richardson, Texas 75080
- Mr. David Knepper, 101 Shadywood Lane, Richardson, Texas 75080
- Ms. Amy Holzle, 712 Nottingham Drive, Richardson, Texas 75080
- Mr. Luke Sammons, 800 Downing Drive, Richardson, Texas 75080
- Ms. Kay McManus, 720 Nottingham Drive, Richardson, Texas 75080
- Mr. Andrew Laska, 502 Hyde Park Drive, Richardson, Texas 75080
- Mr. Marcos Fernandez, 616 Devonshire Drive, Richardson, Texas 75080
- Mr. Mike Foulk, 632 Downing Drive, Richardson, Texas 75080
- Ms. Sandy Hanne, 637 W. Belt Line Road, Richardson, Texas 75080
- Mr. Kenneth Kirklin, 751 James Drive, Richardson, Texas 75080
- Ms. Pat Meyer, 308 Hyde Park Drive, Richardson, Texas 75080
- Mr. Sheldon Anderson, 254 Country Court, Argyle, Texas 76226 (property owner)
- Ms. April Swales, 759 James Drive, Richardson, Texas 75080
- Mr. Greg Brown, 755 James Drive, Richardson, Texas 75080

In addition to those who spoke, staff received thirty-three (33) appearance cards in opposition.

Chairman Hand asked Mr. Hermansen if he wanted to rebut any comments made in opposition.

Mr. Hermansen acknowledged the emotions behind some of the comments and noted there had been attempts to purchase the three pieces of property not included in the request, but unfortunately the deals could not come to fruition.

Regarding some of the other concerns presented, Mr. Hermansen gave the following comments:

- Possible impact on property values - the investment of \$10 million would raise the property values in the surrounding areas.
- Traffic – even with the current mixed-use zoning, traffic will be a concern and should be addressed.
- Quality of tenants – drive-through restaurants will not be allowed.
- Sustainability – whether mixed-use, retail, or commercial there is always a risk.
- First Development Plan – just because the proposal was the first did not mean it was not good for the area.

With no further comments or questions, Chairman Hand closed the public hearing.

Vice Chair Bright said he liked the restaurants and was not opposed to the signage, but felt the plan did not fit the vision for West Spring Valley and it was too early to abandon the WSVPD.

Commissioner Frederick stated she was in agreement with Mr. Bright and was disappointed with what she saw as the City's participation in the plan. She added that she liked the applicant's vision, but felt the area in question was not the right location.

Commissioner Maxwell said he also agreed with Mr. Bright and Ms. Frederick and felt the proposed plan was not the best use of the site. He also thought it was too soon to abandon the WSVPD and all the work that went into that project.

Commissioner Roland asked if the City had invested a large amount of capital in the property and, if the request was not approved, would the capital be tied up for a long period of time before another development was proposed.

Mr. Chavez replied he did not have the information on how much money was spent, but the City did purchase the property and money had been spent on the demolition of the old hotel.

Commissioner Linn stated he would be voting against the proposal because he was concerned about citizen perception if the WSVPD was abandoned after the many hours of community involvement that was involved during the development of the PD.

Chairman Hand said that regardless of what happened during the meeting, he hoped the applicant would stay engaged in the property and thanked him for his willingness to step out even during less than favorable economic times. Hand also complimented the audience for participating in the discussion and having an upbeat attitude about future development for the area.

Commissioner DePuy wanted to remind the audience that the Commission was charged with deciding the best land uses for project within the City as a whole and the fact that no matter what was developed on the property, traffic would increase in the area. She added that the City would have to be flexible to find the right project for the area, which may or may not include the original vision. DePuy suggested the applicant, citizens and the City should work together to develop a sustainable development plan more in line with the WSVPD.

**Motion:** Commissioner Maxwell moved to recommend denial of Zoning File 14-03 as presented; second by Vice Chair Bright. Motion approved 7-0.

10. **ZF 14-07 – Eastside Phase 2:** Consider and take necessary action on a request for a change in zoning from IP-M(1) Industrial Park and LR-M(1) Local Retail to PD Planned Development for the development of a mixed-use project to include multi-family, office, hotel and retail uses on approximately 13.3 acres. The property is located at the west side of Greenville Avenue, south of Campbell Road.

Mr. Chavez stated the applicant was requesting to rezone the property from Industrial and Local Retail to a planned development for the development of a mixed-use project. He added the site was located on the west side of Greenville Avenue, south of Campbell Road, and developed with one-story garden style office buildings.

Mr. Chavez pointed out that in 2005 when the original plans for Eastside were presented, a conceptual master plan was submitted that included the subject site and showed the interconnectivity between Eastside (Phase 1) and the subject area (Phase 2). The conceptual master plan also indicated additional office and mixed-use development with connectivity through aligned drives, a meandering sidewalk along Greenville Avenue, and trail connections to the Central Trail System.

Regarding the proposed Planned Development (PD), Mr. Chavez indicated it would include regulations for setbacks, building heights, allowable uses, design and construction standards, landscaping, parking regulations, and special standards for the multi-family component. He added that the multi-family units would range in size from 525 square feet to 850 square feet and each of the two apartment communities would have to earn/reach the amenity point goal of 70 points.

Mr. Chavez noted that the proposed PD requested the allowance of a flag lot at the southern-most portion of the property, a waiver from the required perimeter fence in the multi-family development, as well as a minor modification provision.

Mr. Chavez stated the third and final element of the PD was a set of architectural images (similar to Phase 1); however, based on the PD, the Commission and City Council would review the development plans.

Commissioner Springs noted a “laundry pick-up station” indicated on the plan and asked for clarification.

Mr. Chavez replied the PD did not allow dry cleaners, but a laundry pick up station for an off-site cleaner would be allowed.

With no further questions for staff, Chairman Hand opened the public hearing.

Mr. Bill Dahlstrom, Jackson Walker, L.L.P., 901 Main Street, Dallas, Texas, representing / Tod Fobare, AGF Greenville II, Ltd. and AGF Bowen Branch II, Ltd., stated the proposed PD was basically an extension of Phase 1 and the same planned development standards were used. He added that a Traffic Impact Analysis (TIA) was provided and no major problems were identified.

Mr. Jim Dolby, Hunt Development Group, 201 3<sup>rd</sup> Street, Albuquerque, New Mexico, said that Phase 2 was basically an extension of Phase 1 and presented graphics highlighting the connectivity between the two as well as the Central Trail System. He added that Greenville Avenue was an area they wanted to embrace and that was the motivation for the requested native plantings, wild flowers and street trees and exits from the ground floor residential units on the south side.

Mr. Dolby concluded his presentation by highlighting the proposed park on the vacated portion of Alma Drive that would be open/green space for residents.

Commissioner Roland asked if all the buildings would be torn down at one time or in phases.

Mr. Dolby replied the project would be constructed in phases with the buildings on the south side demolished first.

Commissioner Linn said he was impressed with the proposed development and the fact they were taking the success of Phase 1 and shifting that into Phase 2. He also appreciated the planned park and wanted to know what would happen to the trees currently on the site.

Mr. Dolby replied that it will be difficult to retain the current trees because they have buckled the sidewalks, but the proposed landscape plans did include many street trees along Greenville Avenue and between the two phases and the Central Trail connection.

Commissioner Ferrell asked where the ground floor retail would be located.

Mr. Dolby replied the ground floor retail would only be in the office building and not in the residential buildings.

Commissioner DePuy asked for clarification on the maximum number of units as listed on page 6, Section 9 of the PD.

Mr. Chavez replied that 558 was the maximum number of multi-family units allowed and the 300 number defined the size of an apartment community for the purposes of assigning required amenity points.

Commissioner Ferrell asked why only 50% masonry was being required as opposed to other developments in the City where a higher percentage was required.

Mr. Chavez replied the PD mimics what was in Phase 1 and, based on the success of the Phase 1, the same development standards were carried through to Phase 2.

Commissioner DePuy asked how many multi-family units were in Phase 1.

Mr. Chavez replied there were 435 multi-family units in Phase 1.

Chairman Hand asked who currently owns Eastside Phase 1. He also wanted to know if the office buildings were part of a planned development.

Mr. Todd Fobare, owner of Fobare Commercial Real Estate, 5825 Park Lane, Dallas, Texas, stated he was the original developer of Phase 1 and maintains ownership of the office building and all the retail with Post Properties owning the multi-family.

Regarding the office buildings, Mr. Chavez replied they were already there and the planned development for Phase 1 wrapped around those buildings.

Chairman Hand complimented Mr. Fobare for continuing development in the area with the proposed Phase 2, but suggested more critical mass might be needed in the PD, which would benefit much of the retail in the area.

Commissioner Frederick concurred with Mr. Hand and said she was impressed with taking the existing building and developing the property around it.

Commissioner Linn suggested some interplay between the Central Trail System and future retail could be beneficial for the development, similar to the Katy Trail in Dallas.

With no further questions or comments, Chairman Hand closed the public hearing.

**Motion:** Commissioner Roland moved to recommend approval of Zoning File 14-07 as presented; second by Commissioner Frederick. Motion approved 7-0.

11. **ZF 14-10 – Northside at UTD:** Consider and take necessary action on a request for a change in zoning from TO-M Technical Office to PD Planned Development for the development of a university-oriented mixed-use development on approximately 13.2 acres. The property is located on the north side of Synergy Park Boulevard between Rutford Avenue and Floyd Road.

Mr. Spicer advised that the property in question was owned by the University of Texas at Dallas (UTD) and, in the 2009 Master Plan prepared by UTD, the City, and DART; the property was designated as a transit village.

Mr. Spicer noted that if the item was approved, the concept plan, development regulations and street sections would become part of the ordinance; however, the conceptual elevations would not be part of the ordinance but would come back before the Commission for approval during the development plan process.

Mr. Spicer pointed out that the signature feature of the development was the “central spine” which would be a four-lane divided roadway flanked by 15-foot sidewalks, street trees, a 32-foot wide median with street furniture, and has the potential to serve as a public plaza. He added that the concept plan allowed up to 400 residential units and there would be ground floor retail fronting on Synergy Park Boulevard.

Commissioner Roland asked if the number of multi-family units in the City would be increased by the proposed development or were they not counted because they would be located on UTD property.

Mr. Spicer replied that the North Central Texas Council of Governments (COG), which keeps track of the number of single and multi-family units in north Texas cities, takes into consideration all multi-family units when developing their statistics.

Commissioner Maxwell asked if the color elevations would be part of PD.

Mr. Spicer replied that the color elevations were provided to demonstrate what the buildings could look like in compliance with the standards in the PD and were not part of the ordinance.

Commissioner DePuy noted the development was on UTD property and asked if the item was before the Commission because it was a joint effort between UTD, the City and DART.

Mr. Spicer stated the joint collaboration related to the Master Plan study was focused on developing a transit oriented development (TOD) in and around the future Cotton Belt rail site and the proposed development would be Phase 1 of the larger Master Plan.

Chairman Hand asked if the Master Plan had been adopted by UTD and did it contain future plans for an event center and hotel. He also wanted to know if the proposed development before the Commission codified the Master Plan.

Mr. Spicer replied the Master Plan did include a potential event center, and the proposed development was only Phase 1 of a public/private partnership with the possibility of a Phase 2 further down the road. He reminded the Commission it was only acting on the proposed 13.2 acres, but the staff wanted to give a context of the whole Master Plan if developed.

With no other questions for staff, Chairman Hand opened the public hearing.

Mr. Allen Zreet, Jacobs Engineering, 1999 Bryan Street, Dallas, Texas, stated the Master Plan was part of a vision connecting UTD to DART by means of the central spine from the pedestrian mall through the proposed development and up to a possible future DART station on the Cotton Belt rail line.

Mr. Zreet noted the Master Plan was part of an overall plan to connect UTD to the north via Waterview Parkway and have a new entrance to the campus from President George Bush Turnpike (PGBT). In addition, the future event center would be parked and accessed from the north so all parking for the higher density elements would be north of the tracks therefore taking advantage of the access from the PGBT.

Mr. Zreet gave a brief description of the proposed residential units, both multi-family and townhomes, and the ground floor retail that would front on Synergy Parkway. He added that another key feature would be the roadway that extends to the north, either over or under the railroad tracks, which would provide a new northern entrance to the property that ties into the east/west roadways in the Master Plan.

Mr. Zreet emphasized that any connection to Floyd Road had been avoided, and the Traffic Impact Analysis (TIA) showed very minimal impact relative to overall traffic increase from the project on that road. He added that the concept behind the design of the roadways was not only to connect UTD to the north, but also to connect it to the community.

Dr. Calvin Jamison, Vice President-Administration, UTD, 800 Campbell Road, Richardson, Texas, said that since 2007, the university has added over 2 million square feet to the campus to accommodate the increase in student population from 14,500 to 22,000. He added that they were advocates of strong relationships with the adjacent neighborhood and in an effort to move traffic off Floyd Road a loop road was under construction and alternative entrances had been developed along Campbell Road and Waterview and Synergy Parkways.

Commissioner DePuy asked where the name of the development, "Comet Town", came from.

Dr. Jamison replied that it was an effort to create a college town type of environment.

Commissioner Frederick asked about the impact of the traffic from the new development along Floyd Road on the adjacent neighborhood and if there were plans to widen that roadway.

Dr. Jamison replied that the traffic flow was designed to come from the north for ease of access into the campus and traffic from the south could only access the campus during certain times of the day. He added that the loop road that was under construction would help to bring the traffic in from the north, south and the west helping to alleviate concerns over an increase in traffic from the project.

Chairman Hand asked if the development was a public/private partnership.

Dr. Jamison said the land was leased to the developers, Balfor Beatty Campus Solutions and Wynne Jackson, and they will be developing the project.

Commissioner Maxwell was concerned the central spine on the proposed plan was significantly narrower than on the concept plan and he wanted to know if the applicants were confident the area would accommodate the pedestrian oriented events.

Dr. Jamison said the direction given to the developer was to make the spine wide enough to accommodate the pedestrian events as well as being an avenue to the DART station on the northern edge of the campus.

Mr. Zreet added the area had been carefully reviewed and there would be 122 feet from building face to building face, which should be sufficient and was similar to the pedestrian area at the City's Wildflower festival.

Commissioner Springs asked what was envisioned for Building 5.

Dr. Jamison replied that because Rutford Avenue could not be aligned, the area was being developed as a potential building pad.

Commissioner Linn complimented the applicant on their design and screening of the parking structures. He also wanted to know if the project would be exclusively used as student housing.

Dr. Jamison said the project would not be exclusively for the use of the students and the goal was to develop a different type of product than what was typically found in student housing with more one and two bedroom units.

Regarding the parking structures, Dr. Jamison stated their intent was to blend the structures into the rest of the campus. Mr. Zreet added that according to the proposed PD that some form of screening panels would be used to break up the façade of the parking garages.

Mr. Bob Schaeffer, President of the Cottonwood Creek Civic Association (CCCA), 1129 Brandy Station, Richardson, Texas, read comments into the record stating the CCCA recognized and supported a vibrant university, but pointed out the unique traffic sensitive issues in their subdivision with cul-de-sacs and alleys that only exit onto Floyd Road. He asked for a TIA to be conducted and revised mitigations from that analysis be added to the zoning request.

No other comments were received in favor and Chairman Hand called for comments in opposition.

Mr. Mike Flynn, 1138 Brandy Station, Richardson, Texas, stated that the traffic along Floyd Road was a mess and pointed out that hardly any of the vehicles were going the posted 30 miles per hour. He added that during a discussion with Dr. Jamison in October 2013, a request was made to have construction traffic use Waterview Parkway as opposed to Floyd Road, however, the cement trucks and 18 wheel gravel haulers are still using Floyd Road which only adds to the traffic concerns.

Mr. Flynn said he was promised by previous university administrators that only faculty and visitors would be using the Lookout and Floyd Road entrance and a berm and hedge would be added along the east side of the parking lot; student traffic continue to use the entrance and they are still waiting for the hedge. He added that the university was good at making promises but not keeping them and asked the Commission to vote against the request.

No other comments were received in opposition and Chairman Hand asked if the applicant had any rebuttal comments.

Dr. Jamison said as a point of clarification, the traffic issues along Floyd Road are monitored by the campus police as evidenced by the number of citations written. He added the university has added more traffic advisory signs, had purchased and set out signs advising traffic to use the Campbell Road and Waterview Parkway entrances.

Regarding the construction traffic, Dr. Jamison acknowledged there were construction vehicles that had used Floyd Road, but the majority of the construction in the area has been completed and the only project left was the north mall and the material for that project was being taken through the north entrance.

With no further questions or comments, Chairman Hand closed the public hearing.

Chairman Hand said the comments, both for and against, had merit and asked staff how much jurisdiction the City had regarding any of the concerns. He also wanted to know if the TIA was available to the Commission.

Mr. Spicer replied that by virtue of the application being filed, the City had full discretionary consideration of the request.

Regarding the TIA, Mr. Spicer said there was a TIA conducted in conjunction with the current zoning application which focused on the street sections most closely impacted by future growth. The TIA mainly addressed the traffic impacts at the intersections along Synergy Park Boulevard where the bulk of the traffic would end up relative to the proposed project, including the intersection of Floyd Road where an additional delay of 15.4 seconds in the morning peak traffic and 7.9 seconds in the afternoon peak traffic.

Commissioner Linn asked for clarification on the position of the CCCA. He noted that the TIA only addressed traffic impact at the intersection of Synergy Boulevard and Floyd Road and wanted to know if there was any additional information for traffic south of that location.

Chairman Hand replied they were in support of the proposed project but they had concerns about the traffic.

Mr. Spicer said the TIA model took into consideration the traffic on Floyd Road from Campbell Road to Synergy Parkway, but what he meant to suggest in terms of actual measurable impact occurred only at the intersection of Synergy Parkway and Floyd Road.

Commissioner DePuy asked if the loop road under construction would help alleviate some of the traffic concerns.

Mr. Spicer said that was correct and the traffic model used in the TIA took that information into consideration.

Dr. Jamison added that the first part of the loop road coming off Waterview Parkway was finished and they anticipated the remainder would be completed by the City in phases with the first phase finished this summer and the last phase next summer. He added that to be realistic, the university was a growing campus and they were trying to keep the majority of the traffic to the west and the north, but there will be a level of traffic surrounding the university.

Chairman Hand acknowledged the growth of the university and suggested the school work in a collaborative effort with the surrounding neighborhoods.

Commissioner Ferrell stated the intersection was not perfect, but his experience over the years was that the traffic had been reduced through the efforts of the university and their police department. He felt the zoning case should be approved and urged the university and the surrounding neighborhoods to continue to work on mitigating the traffic concerns.

**Motion:** Commissioner DePuy moved to recommend approval of Zoning File 14-10 as presented; second by Commissioner Roland. Motion approved 7-0.

### **ADJOURN**

With no further business before the Commission, Chairman Hand adjourned the regular business meeting at 1:01 a.m. April 16, 2014.

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Gerald Bright, Vice Chair  
City Plan Commission