

**CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – MARCH 18, 2014**

The Richardson City Plan Commission met on March 18, 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
Marilyn Frederick, Commissioner
Janet DePuy, Commissioner
Eron Linn, Commissioner
Randy Roland, Commissioner
Stephen Springs, Alternate

MEMBERS ABSENT: Thomas Maxwell, Commissioner
Bill Ferrell, Alternate

CITY STAFF PRESENT: Michael Spicer, Director – Development Services
Sam Chavez, Assistant Director – Dev. Svcs – Planning
Dave Carter, Director – Dev. Svcs - Traffic & Transportation
Tina Firgens – Planning Projects Manager
Israel Roberts, Development Review Manager
Chris Mr. Shacklett, Senior Planner
Cindy Wilson, Administrative 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.

MINUTES

1. Approval of the minutes of the regular business meeting of February 18, 2014.

Motion: Commissioner Frederick made a motion to approve the minutes as presented; second by Vice Chairman Bright. Motion passed 7-0.

2. Approval of the minutes of the regular business meeting of March 4, 2014.

Motion: Commissioner DePuy made a motion to approve the minutes as presented; second by Commissioner Roland. Motion passed 7-0.

CONSENT ITEMS

All items listed under the Consent Agenda are considered to be routine by the City Plan Commission and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless desired, in which case any item(s) may be removed from the Consent Agenda for separate consideration.

3. **Dover Elementary School (continued from the March 4, 2014 CPC meeting):** A request for approval of site and landscape plans for Dover Elementary. The 8.79-acre site is located at 700 Dover Drive, the southwest corner of Dover Drive and Colfax Drive. Applicant; Jeff Groth, Corgan Associates, representing Richardson Independent School District. *Staff: Israel Roberts.*

Chairman Hand complemented Richardson ISD for incorporating suggestions made by staff to improve their application.

Motion: Commissioner Roland made a motion to approve the Consent Agenda as presented; second by Commissioner Linn. Motion approved 7-0.

Chairman Hand introduced Boy Scout Troop 570 and thanked them for being a part of the meeting as they worked toward their badges for Communication, Citizenship and Community.

PUBLIC HEARINGS

4. **ZF 14-04 – McDonalds:** Consider and take necessary action on a request to revoke Ordinance 3156-A, a Special Permit for a restaurant with drive-through service and approval of a new Special Permit for a restaurant with drive-through service with revised building elevations and a concept plan located at 105 S. Coit Road, the southeast corner of Coit Road and Belt Line Road. The property is currently zoned C-M Commercial. Applicant: Dave Larsen, representing Larsen & Associates Architects. *Staff: Chris Mr. Shacklett.*

Mr. Shacklett stated the applicant was requesting the repeal of an existing Special Permit for a drive-through restaurant that requires the building to be compatible with the surrounding shopping center and to replace it with a new Special Permit to allow remodeling of the building. He added that although the proposed site modifications were minor, they would not require an amendment to the concept plan, but staff had suggested the applicant provide an updated concept plan as part of the request to clearly depict all changes being made to the site.

Mr. Shacklett presented graphics of the existing building and the proposed elevations highlighting some of the differences noting the new elevation that would comply with the change in McDonald's branding concept.

Mr. Shacklett closed his presentation by noting that no correspondence had been received in favor or in opposition.

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

Mr. Dave Larson, 3311 Elm Street, Dallas, Texas, stated in addition to the exterior changes, the owner of the business would also be spending a lot of money improving the interior of the business.

Commissioner Frederick asked if any type of playground would be included in the interior remodel of the business.

Mr. Larson replied there would not be any type of play structures inside the building, but it could contain one or two interactive areas, which was the direction of the industry.

No other comments were received in favor or opposed and Chairman Hand closed the public hearing.

Commissioner DePuy said she thought the new concept was much improved versus the existing building and, with the removal of the playground; the site will be more attractive.

Motion: Vice Chair Bright made a motion to recommend approval of Item 4 as presented; second by Commissioner DePuy. Motion approved 7-0.

5. **ZF 14-05 – Beck Creek Estates:** Consider and take necessary action on a request for a change in zoning from I-M(1) Industrial and I-M(2) Industrial to PD Planned Development for the development of a single-family community to be located on approximately 13.6 acres of land located on the west side of Telecom Parkway at the northern city limits.

Mr. Shacklett advised the applicant was requesting to rezone approximately 13.6 acres from Industrial to PD Planned Development for the development of a 17 lot single-family community. He added that as noted in the study session, staff had received comments in opposition from over 20 percent of the residents and property owners within the 200-foot notification zone and, if the item moved forward to City Council, the item would require a “super majority” or 6 out of 7 Council votes to approve the request.

Mr. Shacklett gave a brief history of the zoning on the property noting that in 1993 when the City’s Future Land Use Plan (the Plan) was updated, the property in question was changed on the Plan from Industrial to Residential; however, the current zoning remained Industrial. In addition, in 2000 as part of the City’s Comprehensive Plan update (Comp Plan), the connection of Telecom Parkway north into the City of Plano was removed from the Master Transportation Plan (MTP); however, if the property were to be developed now, the road would be extended (the existing 100-foot right-of-way is already in place to the City limit), but the commitment to not connect Telecom Parkway directly north into the City of Plano would be kept in place.

Mr. Shacklett presented a copy of the proposed site plan highlighting the areas in both the cities of Richardson and Plano the applicant was requesting to rezone for single-family lots. He noted that the most recent recommendation from the City of Plano City Plan Commission was to recommend denial of the request, but the applicant has appealed the decision to the Plano City Council.

Mr. Shacklett reviewed the development standards for the proposed development standards as compared to the City’s R-1500-M development regulations and the existing homes in the area (Hollowridge Court and Hillrose Drive):

	R-1500-M Residential District Development Regulations	ZF 14-05 Proposed Development Regulations	Homes located on Hollowridge Court and Hillrose Drive
Dwelling Unit Size	Minimum: 1,500 square feet	Minimum: 2,700 square feet	Minimum: 1,800 square feet per zoning; average developed home size is approx. 3,400 s.f.
Building Height	Minimum 40 feet / 2 stories	Maximum 40 feet / 2 stories	Maximum 40 feet / 2 stories
Area Regulations	Lot Area: Minimum 9,000 s.f. Lot Width: Minimum 72 feet Lot Depth: Minimum 125 feet Front Setback: 30 feet Side Setback: 7 feet/10 feet for lots greater than 80 feet in width Rear Setback: 25 feet / 3 feet for accessory buildings Max. Lot Coverage: 40%	Lot Area: Minimum 11,000 s.f. <i>Lot Width: Minimum 60 feet, but eastern lots match lot width adjacent to Hollowridge lots</i> Lot Depth: Minimum 175 feet <i>Front Setback: 25 feet</i> <i>Side Setback: 5 feet</i> Rear Setback: 50 feet / 30 feet for accessory structures Max. Lot Coverage: 40%	Lot Area: Average 10,000 s.f. per zoning; average developed lot size is approximately 10,900 square feet Lot Width: Minimum 72 feet Lot Depth: Minimum 125 feet Front Setback: 30 feet Side Setback: 7 feet/10 feet for lots greater than 80 feet in width Rear Setback: 25 feet / 3 feet for accessory buildings Max Lot Coverage: 40%

Mr. Shacklett also reviewed some of the requirements and parking for the proposed cul-de-sac and how those requirements would impact emergency service vehicles. In addition, homes developed on the lots would be required to have fire suppression sprinkler systems to help mitigate any impacts from the length of the street and cul-de-sac.

Commissioner DePuy asked why the rear setbacks were twice the size of a normal residential setback. She also wanted to know how the minimum size of the proposed homes compared to the homes directly south of the proposed development.

Mr. Shacklett replied the larger setback was requested by the applicant to lessen the impact of the rear of the homes on the properties to the south.

Regarding the minimum size of the homes, Mr. Shacklett pointed out that the zoning for the homes to the south required a minimum size of 1,800 square foot and an average 10,000 square foot lot, but the homes that were actually built have an average of 3,400 square feet on an average lot size of 10,900 square feet.

Commissioner Linn asked what types of structures, under the current Industrial zoning, would the current landowner have the right to build. He also wanted to know if the PD was going to include a list of building materials.

Mr. Shacklett replied that in an Industrial District the owner has the right to build office buildings, warehouses, manufacturing and distribution facilities.

Regarding the building materials, Mr. Shacklett replied that when a Special Permit or PD for non-residential comes before the Commission, development regulations are usually attached to the PD; however, with residential developments, that is left silent so the developer would be required to conform with Article XII F – Standard Residential Construction Regulations, under the City’s Comprehensive Zoning Ordinance.

Commissioner Roland asked if parking lots could be constructed in the City that would serve whatever was developed in the City of Plano under the current Industrial zoning.

Mr. Shacklett said that was a possibility, but would require Oncor Electric approval.

Vice Chair Bright wanted to know how the 20 percent in opposition was calculated.

Mr. Shacklett replied the 20 percent is based on land area within the 200-foot notification area and not 20 percent of the owners within the 200-foot notification area.

Commissioner Frederick asked if under the current Industrial zoning could a facility be built with loading docks and, if so, would that open Telecom Parkway to trucks to the loading docks.

Mr. Shacklett replied that was correct and there would be setback and screening wall requirements that would have to be met. He added the City would be obligated to extend the roadway north to accommodate any vehicle traffic that was going to the industrial development.

Commissioner Springs asked if a self-storage facility would be allowed within an Industrial District, and wanted to know if some of the property in question was being maintained by the City.

Mr. Shacklett replied self-storage facilities are allowed in an Industrial District with a Special Permit, and the only areas the City maintains are the medians along Telecom Parkway and Woods Park.

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

Mr. Jim Douglas, Douglas Properties, 2309 Avenue K, Plano, Texas, stated when preparing the development plans, they had paid particular attention to the existing homes where the development backs up to and designed the new lots accordingly. He added that the proposed deed restrictions on the new homeowners would require homeowners to preserve the existing trees, and to install and maintain a certain level of landscaping keeping in mind water restrictions.

Mr. Douglas acknowledged that they own the properties in both the cities of Plano and Richardson, but they were proposing the Richardson property would stand on its own. In addition, if they were successful with the zoning request in the City of Plano, they will be donating land to Plano Independent School District for a new school and the roadway shown on the site plan going north was proposed primarily for the proposed school. However, as previously stated, if requested, the roadway going north could be removed from the plan.

Mr. Douglas concluded his presentation by stating that if the City of Plano disapproved the rezoning request, he would still like to go forward with the request in the City of Richardson.

Commissioner Roland asked why the nine lots in the middle of the block would be 60 feet wide as opposed to a typical 72 feet wide. He also wanted to know if the lots that back up to the City Park could have fencing material other than board-on-board.

Mr. Douglas replied that since the lots were so deep it would make up for the width, but if that was a sticking point for the Commission, adjustments could be made and one lot could be eliminated.

Regarding the fencing, Mr. Douglas said that where the lots back up to an open space, the deed restrictions would allow only a tubular fence.

Commissioner Roland asked if the applicant had any outreach with the homeowners in the area.

Mr. Douglas replied they had a meeting with a group of homeowners the previous weekend who were to report back to the larger group of homeowners. He added that during the discussions the homeowners stated they did not want Telecom Parkway to go any further north, but that would cause a problem for police and fire emergency vehicles and this fact was shared with the homeowners.

Vice Chair Bright asked if the applicant would be willing to put 16 standard sized lots on the property as opposed to the current request of 17 lots.

Mr. Douglas said that if the Commission felt that was an important item, he was open to working with their recommendations.

Commission DePuy asked if the small power plant for the Flextronic manufacturer in Plano would cause a problem in selling the home sites.

Mr. Douglas replied that he did not think there would be an issue, and compared to the sites being developed in the City of Plano, this tract of land had residential to both the south and the east, along with an existing middle school in the area to give it the residential feel that most home buyers would want. In addition, they are willing to build a masonry wall between residential and non-residential areas.

Commissioner Linn asked about the applicant's previous homebuilding experience. He also wanted to know the applicant's response to one of the letters of opposition that stated building new homes would be "speculative".

Mr. Douglas stated his company was active in the cities of Anna, Oak Point, Denton, Plano, Mesquite, Garland and Wylie.

Regarding the letter of opposition, Mr. Douglas said the tract in question was adjacent to current single family homes, and there was an open space between the propose new homes and the author's business, so he was not sure why the author was opposed and he disagreed with the author's assessment.

Mr. Shacklett suggested that if the Commission was concerned about the type of fencing adjacent to the City Park, the Commission could codify that in the motion.

Chairman Hand asked if the creek along the applicant's property flowed east or west; was the request more of a PD as opposed to a rezoning; and, if the item was approved would all other zoning be removed.

Mr. Douglas said the creek flows from west to east.

Mr. Shacklett replied the request was actually a rezoning of the property from Industrial to Residential and if the item was approved, the first sentence in the ordinance would read "*...shall be zoned PD Planned Development for the R-1500 Residential District subject to the following modified standards:*", which would also mean that no other zoning would be applicable for the property.

Commissioner Frederick said she felt a wider lot would be more appealing, and asked if the applicant had given any thought to putting a small neighborhood park in the planned open space area that is to be maintained by the homeowners association.

Mr. Douglas replied that as the development plans progress, more details such as park benches, a gazebo and possibly more landscaping to enhance what is already present. He added that all trimming of the landscape will be done by hand and any trails that are created will meander around the existing landscape.

Chairman Hand asked if the applicant was looking to sell lots or build homes.

Mr. Douglas replied that he only sold lots, some to individuals, others to home building companies. He added that the deed restrictions contain a provision for an architectural review committee so all construction plans will be reviewed to insure the construction will be compatible to the neighborhood.

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

Mr. R. J. Taylor, Conservation Director, Conomark Conservancy, a non-profit regional land trust in north Texas, 1314 W. McDermitt, Allen, Texas, encouraged the Commission to leave the property "as is" based on the existing native prairie that has a high ecological value not only to animals, but to water quality. He added that the proximity of the subdivision to Beck Creek should cause concern; especially the western 12 lots up against the flood plain and the impact on those homes would have water quality protection as opposed to having natural grassland that would protect the creek.

Mr. Taylor suggested the City should become the owner of the property and dedicate the area as a natural park land, which would eliminate community services costs and protect the natural habitat of the area. He suggested the land could either be donated by the current owner to the City, or the City could make use of Open Space bond money from Collin County that would match 50 percent of the money raised by the City.

Commissioner Frederick asked if the speaker had approached either the owner of the property or the City regarding donating or selling the land.

Mr. Taylor replied said he had not spoken with the City, but he had spoken with the attorney of the property owner earlier in the day; however, he understood that the matter before the Commission was a zoning case and his purpose in speaking was to offer other suggested uses for the property.

Ms. Linda Zimmerman, 1039 E. 15th Street, Plano, Texas, attorney, speaking on behalf of property owners, Tom and Lynne Kartsotis, 3620 Wood Pile Trail, Richardson, Texas, stated the Kartsotis' were strongly opposed to the development, in particular to the extension of Telecom Parkway. She added that when Mr. Kartsotis purchased the property in 1992, he had numerous conversations with the City mayor concerning the extension of Telecom Parkway and was assured that would not happen.

Ms. Zimmerman said her clients have spent significant money to preserve the natural beauty of the property including the creek and surrounding area. She added the property was very unique as it pertained to the wildlife and vegetation and felt it would be a shame to destroy the area.

Ms. Zimmerman closed her comments by pointing out that the City of Plano Plan Commission denied with prejudice the applicant's request within their city limits.

Commissioner Roland noted the applicant was willing to make the lots wider and asked the speaker what the objection was to putting house next to houses.

Ms. Zimmerman replied that the extension of Telecom Parkway, which will open up into the northern area.

Commissioner Roland pointed out that Telecom Parkway would not be extended through to North Star Road, but only to the development site.

Mr. Vicente D'Ingianni, 3511 Hollowridge Court, Richardson, Texas, said the view from the rear of his home is private and beautiful, and the loss of privacy was one of the concerns for him and his neighbors. In addition, shortly after he purchased his home in 2000, the City tore up the small dead-end street that was east of his home, laid sod, planted trees and built the turnaround with the assurance that it would not be extended.

Mr. D'Ingianni concluded his comments by stating that any extension of Telecom Parkway would create a great deal of extra traffic no matter what was constructed on the property.

Mr. Eric Reid, 3112 Cedar Ridge, Richardson, Texas stated he was under the impression when he moved in the area that the property was already a conservation area and that was the reason he contact Mr. Taylor and the conservancy. He added that a tall grass prairie, similar to the area in question, sequesters more carbon dioxide and puts out more oxygen then some of the earth's rain forests.

Mr. Reid asked the Commission to take into consider there is currently a high speed natural gas line and a fuel line in the area and building homes in close proximity to these could be hazardous.

Mr. David Lee, 3507 Hollowridge Court, Richardson, Texas, stated that as a homeowner and realtor, he had concerns the applicant was only the developer and not the builder and there were no guarantees as to what would be built. He said he would like to have the property as a conservancy area.

Ms. Cynthia McDonald, 3501 Hollowridge Court, Richardson, Texas, said one of her concerns was the loss of the wall along the jogging trail, and the current erosion by the creek and how that would impact some of the prime lots for the proposed development.

Commissioner Frederick noted that Assistant Director of Parks, Roger Scott, was in the audience and asked if he could give additional information regarding the park, jogging trail and wall along the creek.

Chairman Hand said he would like to hear any rebuttal comments from the applicant prior to hearing from staff.

Mr. Douglas said they would be developing a quality product and had agreed to eliminate one lot to increase the width of the other lots so he was not sure what other steps he could take to accommodate the concerns of the homeowners to the south. He added that his proposal was a better solution than what the current zoning would allow.

Commissioner Roland asked the applicant to expound on the deed restrictions and the control over what could be built if the proposal was approved.

Mr. Douglas replied there would be architectural controls to review all of the construction plans to insure they meet not only the City standards, but that they will be compatible within the subdivision and to the adjoining neighborhood. In addition, the landscape requirements before and after move in would have to be reviewed, and any accessory building would have to be constructed of the same material as the house.

Commissioner Roland asked to confirm that once the homeowners association is turned over from the developer to the home owners, the deed restrictions would remain in place. He also asked if the developer would be setting aside land to remain in its natural state.

Mr. Douglas said that was correct and each home owner would be given copies of the deed restrictions when a home owner closes on the sale of their home.

Regarding the land to be set aside, Mr. Douglas said the southwest portion of the property would be open space and contain no development and the only item he would add would be a hike/bike trail similar to the existing trail.

With no further comments in favor or opposed, Chairman Hand closed the public hearing.

Mr. Scott said the Parks and Recreation Department was very interested in preserving open space area within the City and felt the opportunity to preserve natural open space would be a valuable asset to the community as expressed by the residents of the City. He added that the Parks and Recreation Department did not have the funds to purchase the property to set it aside for open space purposes, but they were interested in preserving the remnants of the black land prairie area within the City.

Commissioner DePuy asked if the property in question was environmentally important.

Mr. Scott replied that he had not had an opportunity to walk the parcel, but was familiar with the Woods Park and it is for the most part in a natural condition. He added there was no evidence that the property in question was ever cultivated, but again stressed that he had not walked the property.

Mr. Scott noted that when the Parks Department worked in natural area, they worked with black land prairie specialist to do on-site inventories and work management plans for the conservations of the areas.

Chairman Hand asked about the white rock area north of the current homes.

Mr. Scott replied it appeared to be native rock where the earth had worn away similar to an area in Breckinridge Park in the upland hardwood forest where the plant diversity and amount of fossils area extremely high in number. He added that the black land prairie specialist consider the area in Breckinridge Park as one of the most unique areas in the City.

Commissioner Linn asked if the area north of Woods Park was ever considered as future park land by the City. He also wanted to know the size of Woods Park.

Mr. Scott said the City did not look at it as an opportunity for acquisition because it was privately held land.

Regarding the size of Woods Park, Mr. Scott did not know the exact size, and said it did not have a lot of acreage, but it did reach down to Telecom Parkway and contained a playground, a small parking lot, a trail system that goes west almost to Shiloh Road.

Chairman Hand asked what types of trees were located on the property and is the wooded areas of the property considered black land prairie.

Mr. Scott replied there could be quite a few Red Cedars in the area, but there are quite a few native trees in Woods Park and the aerial photo does not distinguish any difference between the trees in the park and those on the land in question. He added that native trees would consist of Cedar Elm, Red Oaks, Pecan, as well as understory of Dogwood, Mexican Plum, and Red Buds.

Regarding the wooded area, Mr. Scott said it was probably an eco-tone system between the black land prairie and a hardwood forest, and when you have an overlapping of an eco-system there is usually a much richer and diverse blending as they come together.

Vice Chair Bright asked for the Park's boundaries and where the area of erosion was located.

Mr. Scott replied the park boundaries were Telecom Parkway on the east, Hillrose Drive on the north and Springbranch Drive to the south. He added the area of erosion was located along the portion of the creek west of Hillrose Drive.

Commissioner Springs asked if property owners in Plano affected the 20 percent rule.

Mr. Shacklett replied the property is taken into consideration for the calculations, but the number is only calculated from the properties in the City.

Mr. Shacklett further stated there are 25 properties in the City that were touched by the boundaries of the proposed development.

Chairman Hand said he appreciated the idea of creating a neighborhood, and did acknowledge the fact of the underground gas and fuel lines, but reminded the Commission that they were charged with analyzing land use within the City. He also noted that the suggestion to designate the property as open space or park land was not part of the current application and the Commission had to deal with the black and white issue of was it a good use of the land.

Commissioner Frederick said she was torn between the prospects of having the land remain in its natural state and the proposed development, but could not understand how any homeowner would consciously take the gamble of having a commercial manufacturing or church built next to their homes in-lieu-of residential homes.

Commissioner Roland reminded the Commission that the City had on two occasions, 1992 and 1993, designated the property in question as single-family. In addition, he reminded the Commission and the audience that the property was privately owned and the City did not have the funds to purchase the property, and the developer was willing to donate \$1.5 million in land to Plano Independent School District.

Commissioner DePuy said she had a concern about the impact on the black land prairie area, but felt the misconception about extending Telecom Parkway and the fact that it would be extended no matter what was built on the property, as well as the small amount of traffic that would be generated by 16 homes, did not dissuade her.

Vice Chair Bright asked staff if there were any concerns about building homes close to natural gas and fuel lines.

Mr. Shacklett replied there are several easements on the property and noted that most easements are wider than the delivery system in the easement to allow for adequate separation from structures.

Vice Chair Bright stated he was convinced the property in question was special, but the Commission could not control it beyond what was before the Commission in the application. He said he would support the application, but with the provision that the lots be standard width.

Commissioner Springs pointed out there was an easement just outside the City limit abutting the property in question, but on the zoning exhibit there is no indication if the pipeline easement is continued onto the property to be developed.

Mr. Shacklett replied the applicant has indicated the easement was abandoned, but reminded the Commission that a zoning case would not supersede an easement.

Commissioner Springs said he found it difficult to reconcile the passion expressed by some of the speakers in opposition when their homes were most likely built on some of the same type of property. He also suggested taking away the option of Street B and could support the item if it was removed.

Mr. Springs said he sympathized with the residents who wanted an open park area, but felt that homes were preferable to the current zoning.

Commissioner Linn said there were questions about whether the application was the best use of the land, and had concerns about comments made that the City had promised no further extension of Telecom Parkway, so he would not be in favor of the item as presented, but would be in favor of continuing the application until more research could be conducted.

Commissioner Springs cautioned the Commission and audience to be careful what they wished for because they might get it as it pertained to the fundamental issue of land use because there would not be any discourse on the development of the land under the current zoning; building could just start happening.

Vice Chair Bright asked if Street B would only be built if a school as allowed on the Plano side of the property.

Mr. Shacklett replied that the way it was written Street B would only be allowed if a school or single family neighborhood was constructed to provide access and continuity between single family residences and the school. He added it was also under the Commission's purview to remove Street B completely.

Commissioner Roland noted there is a street in another city where a school is cut off from the neighborhood and at the first of every school year the police department writes parking tickets for parents who park their cars on one side of the bridge and walk their children to the school.

Motion: Commissioner Roland made a motion to recommend approval of ZF 14-05 with the span of Lots 7 – 15 at 72 feet in width each, and lots adjacent to the park would require tubular fencing; second by Vice Chair Bright. Motion approved 5-2 with Commissioners Linn and Springs opposed.

6. **ZF 14-08 – Comprehensive Zoning Ordinance Amendment:** Consider and take necessary action on a City-initiated amendment to the Comprehensive Zoning Ordinance (Appendix A), by amending Article XXII-A, Section 2, Special Permits, to allow motor vehicle storage lots upon approval of a Special Permit in non-residential zoning districts.

Mr. Shacklett advised the Commission that motor vehicle storage lots are allowed in C-M Commercial Districts by Special Permit only and are not allowed by right or by Special Permit in any other district. Mr. Shacklett shared the definition of a "motor vehicle storage lot" as defined in Article I, Section 2, Definitions, of the Comprehensive Zoning Ordinance.

Mr. Shacklett stated prior to July 2008, the use was allowed by right in C-M Commercial Districts. However, in July 2008, the CZO was amended to require a Special Permit in C-M Commercial Districts. Mr. Shacklett added prior to the change, it appears the use had been allowed by Special Permit or by special conditions in Industrial zoning districts (there are currently two (2) motor vehicle storage lots located in Industrial Zoning Districts).

Mr. Shacklett explained new motor vehicle sales, their associated service centers and vehicle storage lots are allowed by right in C-M Commercial Districts if located on the same lot. Mr. Shacklett added motor vehicle storage lots; if located on a separate lot from its dealership, are allowed in the C-M Commercial District by Special Permit to allow adjacency to the dealerships for which they service; however, C-M Commercial Districts are typically located along US-75 and at major intersections which are highly visible and therefore may not always be the most appropriate location for a motor vehicle storage lot.

Mr. Shacklett stated, as proposed, allowing the use within Industrial Districts by Special Permit would allow vehicle storage lots to be placed in less visible locations while still being located within close proximity to the dealerships they serve. Mr. Shacklett added by amending the CZO to allow the use by Special Permit in an Industrial Zoning District, the Commission and City Council have the ability to consider each request based on the appropriateness of the land use at a given location. Mr. Shacklett continued that in addition, the proposed amendment will not prohibit an applicant's ability to request a Special Permit for a motor vehicle storage lot in a C-M Commercial District.

Mr. Shacklett introduced the proposed text amendments: Amending Article XXII-A, *Special Permits*, Section 2(b), *Use Regulations, of the Comprehensive Zoning Ordinance*, to require a Special Permit for "motor vehicle storage lots" in the C-M Commercial District and Industrial districts, including I-M(1) Industrial, I-M(2) Industrial, IP-M(1) Industrial Park, I-FP(1) Industrial, and I-FP(2) Industrial). Such use would be prohibited in all other zoning districts.

Mr. Shacklett emphasized that as proposed, the text amendment affords the CPC and City Council the opportunity to consider all factors deemed appropriate in deciding whether to approve or deny the Special Permit request for a motor vehicle storage lot at a given location on a case-by-case basis within the above listed districts.

Mr. Shacklett added that although CZO text amendments do not require mailed notices, a notice of public hearing for the City Plan Commission was published in the Dallas Morning News on March 7, 2014.

Commissioner Springs asked Mr. Shacklett about screening as it relates to residential property.

Mr. Shacklett explained that screening would be required any time a motor vehicle storage lot abuts a residential development. Mr. Shacklett continued saying that a good example of a screened motor vehicle storage lot can be seen at the Arapaho DART Station at Arapaho and Grove.

Chairman Hand and Commissioners Roland expressed their questions regarding storage lots for boats and recreational vehicles cropping up in numerous places.

Mr. Shacklett responded that this would not happen.

Vice Chairman Bright asked for the definition of a motor vehicle.

Mr. Shacklett responded that a recreational vehicle is a motor vehicle.

Commissioner Linn asked how other cities treated this situation.

Mr. Shacklett explained that a survey was not completed; however, if the use was not allowed by right, then it was handled through the zoning process.

Commissioner Springs questioned the possibility of an overlay district to restrict the area for this use to within ½ mile of US 75.

Mr. Shacklett noted that this could exclude some property for future use. He added that the Special Permit process can handle the requests.

Mr. Chavez stated that a Special Permit process is more flexible and provides for looking at requests on a case by case basis.

With no other comments, Chairman Hand closed the public hearing.

Commissioner DePuy explained that a Special Permit process gives staff the ability to look at each situation as well as providing flexibility and control.

Chairman Hand echoed Commissioner DePuy's comments and added this would allow flexibility.

Vice Chairman Bright noted his displeasure that most of the industrial property is located on the east side of the City. He also asked staff for the definition of motor vehicle.

Mr. Shacklett provided the definition from the code:

Motor vehicle means any vehicle propelled by mechanical power, such as a car, van, pickup or truck, recreational vehicle, motorcycle or boat. For purposes of the zoning ordinance, this definition shall include campers and recreational trailers that are not self-propelled but shall exclude construction equipment, forklifts and farm implements.

Motion: Commissioner DePuy made a motion to approve ZF 14-08 as presented; second by Commissioner Frederick. Motion approved 6-1 with Vice Chair Bright opposed.

7. **MTP 14-01 – Master Transportation Plan Amendment:** Consider and take necessary action on City-initiated amendments to the Master Transportation Plan and the Comprehensive Plan to: 1) In the area of the future UTD Rail Station on the Cotton Belt Rail Corridor, to add an extension of Rutford Avenue as a north/south collector street between Synergy Park Boulevard and Waterview Parkway, and 2) In the area of the Bush Turnpike Rail Station on the DART Light Rail Corridor, adjust the alignment of Infocom Drive between the DART rail corridor and Wyndham Drive, change the name of Infocom Drive on the Plan to CityLine Drive, and remove minor collector streets between the State Highway 190 Access Road and CityLine Drive. *Staff: Dave Carter.*

Mr. Carter advised the Commission that the proposed amendments to the Master Transportation Plan involved two areas, the area around the proposed UTD station on the Cotton Belt Rail Line and the Bush Turnpike station area.

In 2009, the City and UTD worked on a Concept Area Master Plan which would include a future rail station on the Cotton Belt Rail Line. The Plan looked at UTD owned property north of its current main campus which could initially include mixed use, student housing and multi-family, and that with ultimate development when the rail station was constructed, the possibility an event center and hotel on the south side of the Cotton Belt and office on the north side of the Cotton Belt. The Plan recognized that a connection was needed from the UTD's main campus through the future Rail Station to Waterview Parkway. The proposed extension and alignment is shown on Exhibit A of the Commission's packet.

In the proposed Bush Turnpike Station area, the approved Regulating Plans for the Caruth and Bush Central Station PDs codified all the roadway segments. The latest amendment to the Bush Central Station amended the Regulating Plan to relocate Infocom as to not align with the proposed office buildings. The realignment proceeded south along Routh Creek Parkway and east towards Plano Road. East of Plano Road, Galaytn Park North, approved in 2012, realigned what was then Infocom further to the south to connect to the realignment of CityLine on the west side of Plano Road.

In summary, the process being undertaken with this proposal is really to adjust the current Master Transportation Plan around Bush Turnpike Station to accommodate what was currently under construction and approved through previous zoning applications around the Bush Turnpike Station area and the extension of Rutford Avenue for potential development.

Chariman Hand stated he had no issues or concerns with the proposed amendments.

With no public comments received, Chairman Hand closed the public hearing.

Motion: Commissioner Roland made a motion to recommend approval of MTP 14-01 as presented; second by Commissioner Springs. Motion passed 7-0.

ADJOURN

With no further business before the Commission, Chairman Hand adjourned the regular business meeting at 9:20 p.m.

Barry Hand, Chairman
City Plan Commission