

**CITY OF RICHARDSON  
CITY PLAN COMMISSION MINUTES – OCTOBER 20, 2020**

The Richardson City Plan Commission met on October 20, 2020, at 7:00 p.m. at the Charles W. Eisemann Center for Performing Arts and Corporate Presentations – Bank of America Theater 2351 Performance Drive, Richardson, Texas

**MEMBERS PRESENT:** Randy Roland, Vice Chairman  
Ken Southard, Commissioner  
Gwen Walraven, Commissioner  
Joe Costantino, Commissioner  
Gary Beach, Commissioner  
Michael Keller, Commissioner

**MEMBERS ABSENT:** Ron Taylor, Chairman  
Stephen Springs, Commissioner

**CITY STAFF PRESENT:** Michael Spicer, Director – Development Services  
Sam Chavez, Assistant Director – Dev. Services – Planning  
Keith Krum, Senior Planner  
Chris Shacklett, Development Review Manager  
Amber Hogg, Administrative Secretary I

**BRIEFING SESSION**

Prior to the start of the regular business meeting, the City Plan Commission met with staff regarding staff reports, agenda items, and an Introduction to the Community Revitalization Awards Program. No action was taken.

**REGULAR BUSINESS MEETING**

**CONSENT AGENDA**

1. **Replat – Marshall Addition, Lot 1A, Block A:** Consider and act on a request for a replat of Lot 1, Block A to dedicate right-of-way and easements and abandon easements to accommodate the redevelopment of an existing car wash into a 2-story, 6,924-square foot office building. The 0.521-acre lot is located at 1250 W. Spring Valley Road, on the north side of Spring Valley Road, between Waterview Drive and Waterfall Way and zoned PD Planned Development for the West Spring Valley Corridor District. *Property Owner: Mafer Properties LLC. Staff: Chris Shacklett.*

**Motion:** Commissioner Southard made a motion to approve the consent agenda; second by Commissioner Walraven. Motion passed 6-0.

*Prior to the start of the public hearing items, Commission Costantino recused himself from any discussion and consideration of Zoning Files ZF 20-13 and ZF 20-14 due to a conflict of interest.*

## **PUBLIC HEARING**

- 2. Zoning File 20-13 – PD Planned Development – UTD Student Housing Village:** Consider and act on a request to rezone 10.03 acres located between Waterview Parkway and PGBT, east of Frankford Road from TO-M Technical Office and PD Planned Development for the TO-M Technical Office District to PD Planned Development for the A-950-M Apartment District with modified development standards to allow development of one, 5-story apartment building for a total of 242 units to accommodate approximately 800 beds. *Property Owner: Mehrdad Mazaheri, George Bush Highway Investments LLC. Staff: Sam Chavez.*

Sam Chavez presented on the case. He stated that the applicant is requesting to develop one, 5-story apartment building with 5-levels of parking and 242 units which would accommodate 800 beds with each bedroom to be leased separately. He stated that there would be two courtyards, a pool and an amenity center

Mr. Chavez stated that there is an exit only driveway onto Frankford Road and entry and exit points along President George Bush and Waterview Parkway via mutual access easements. He presented an exhibit showing that the parking garage entry is located on the eastside of the property, with minimal surface parking surrounding the property and on the far westside of the property. He stated that the are labeled “undeveloped” would remain as such until such time that development is proposed; however, a zoning amendment would be required at that time.

Mr. Chavez stated that the proposed building area is 368,000 square feet with a lot coverage of 21%. The total number of units is 242 for a proposed density of 21.4 units to the acre. He stated that 484 parking spaces are required, and the proposed parking meets the required with 584 parking spaces. The parking garage contains 329 of parking spaces, with 255 surface parking. As proposed the parking ratio per bedroom ratio will be 0.73 spaces per bed. He stated that in a previous student related housing zoning consideration a parking ratio had been approved at 1 space per bedroom.

Mr. Chavez presented proposed elevations for the proposed building with depicted a building height of 5-stories with a maximum height of 66 feet. He stated entry to the courtyard and leasing office are located on the western elevation.

Mr. Chavez presented a proposed building rendering of how the building structure would fit into the development. He stated that the surrounding office building structures had heights of 1 to 3 stories.

Mr. Chavez presented the list of proposed modifications to the development standards of the A-950-M Apartment District, which included: a decreased in unit size, increased building height, increased density, reduced side yard setback for the northeast portion of the building, parking allowance within the front yard area, elimination of the playground area and amenity points, and elimination of the required perimeter fencing requirement.

Mr. Chavez stated that the proposed zoning district does not allow parking in the front yard area; however, the applicant is providing a 40-foot wide landscape buffer along George Bush in accordance with the Technical Office District which prohibits parking within the first 40-feet but allows parking beyond. The proposal would match what the adjacent sites are providing. He stated that the A-950-M Apartment District also requires recreation areas be provided and the applicant is asking to eliminate the playground area as it is intended for student housing. He also mentioned that the proposed zoning district requires perimeter fencing; however, the applicant is asking to eliminate the fencing as they consider the proposed development to be pedestrian friendly.

Mr. Chavez concluded with an analysis of the proposed property. He stated that the proposed development as residential does not conform with a future land use plan or the Comprehensive Plan as the area is designated for Regional Employment. He stated that it is also not compatible with the existing land uses surrounding the site which are developed as office and comply with Future Land Use Plan. He stated that the proposed parking ratio per bedroom is insufficient as the proposed development is in excess of  $\frac{3}{4}$  of a mile from the northern portion of the campus and the central part of campus is about 1 mile of walking distance.

Mr. Chavez presented a traffic analysis presented by the applicant which included the 3-acre property located to the south which is also proposed as an apartment development. He stated that based on staff's view of the Traffic Impact Analysis staff was able to conclude that the impact to the roadway network and intersections is highly dependent on the described travel mode share studied. The study included walk, ride or a shuttle and the pending development of the future Silver Line DART station as travel modes. He stated that the study assumes that any deviation from the assumed travel mode share would cause delays at intersection such as Frankford Road and Waterview Parkway.

Mr. Chavez stated that based on the report findings a condition is included that would require a private shuttle service to be provided for the development.

Mr. Chavez stated several letters of correspondence had been received and made himself available for questions.

Vice-Chairman Road asked if there were any questions of staff.

Vice Chairman Roland asked Mr. Chavez if the City had a zoning classification for student housing.

Mr. Chavez stated that the City does not. The proposed development would be classified apartments.

Vice Chairman Roland asked Mr. Chavez based on staff's experience with student housing, is the staff comfortable with the reduced parking per bedroom that the applicant is requesting.

Mr. Chavez stated that the ratio per bed would be appropriate if it was adjacent to the campus. He stated that in this case the property is just short or over  $\frac{3}{4}$  quarter of a mile from a portion of the campus and the central portion of the campus is approximately a mile from the site.

Vice Chairman Roland asked Mr. Chavez to clarify if the applicant is requesting to eliminate all recreational areas.

Mr. Chavez stated that only the playground would be eliminated, and the amenity points would still apply at the time of development plan review.

Commissioner Southard asked about the 20 percent lot coverage and would the undeveloped open space be over 30 percent once it's developed.

Mr. Chavez stated that its possible, but the applicants would have to come back to amend the zoning on the property.

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

### **Public Comments**

Rusty Glover, BGE Inc, 2595 Dallas Parkway, the applicant's representative made himself available for questions.

Commissioner Beach stated an interest in wanting to know more on why UTD was against the proposed development and what interaction he had with UTD.

Michael Augustine, AltaTerra Real Estate, 3434 Homestead Road, Park City, Utah, the developer stated that he was shocked by the objection from UTD. He stated that there had been limited communication with UTD. He stated that they had spoken with the Housing Department regarding public and published data discussing existing beds, masterplan, future beds, etc. He stated that the UTD Housing Department said that they had been 100% occupied. He stated that the conclusion is to provide approximately 3,270 bed future development over the next estimated 5 years which would not out pace future enrollment. He stated that they had worked with staff for over 2 months regarding reducing their Phase II plan by 50%. He addressed City's concerns and stated that Phase II was eliminated creating roughly 150 to 200 additional parking spaces and their proposed 0.73 spaces per bed in their opinion is adequate and comes in just short of what was approved with Northside's Phase 2 development. He addressed the traffic concern and stated that most student do not use their cars to get to campus and that most students walk, ride their bike, take a bus or rideshare. He stated that he believes the HOA's concern is that the interest of UTD, the applicant and the City should be aligned.

Commissioner Walraven asked if there was a protocol in place that would prevent a single individual from renting all 4 available rooms.

Mr. Augustine stated that there was not.

Vice Chairman Roland asked if they had managed a private shuttle service before.

Mr. Augustine stated that they had experience with private shuttle use. He stated that a representative from UTD provided feedback on the process with the local bus company. They did not commit to providing a bus stop at the property unless property was already established, or students requested a bus at the location.

Commissioner Southard stated that he was interested in the possibility of more dialogue between UTD and the applicant. That based on the written statement from UTD there seemed to be a communication misunderstanding between your team and UTD.

Commissioner Walraven asked had Mr. Augustine encountered a situation where the university was not in support of a development.

Mr. Augustine stated that they rarely received feedback from universities against a development as proposed.

Michael Mazaheri, 670 West Campbell Road, the property owner spoke in favor of the request. He stated that there was increased traffic on the streets near the property and that there is rapid growth for enrollment to UTD. He stated that the development of additional housing on the property would drop the traffic significantly and aide in the reduction of accidents.

Vice Chairman Roland asked Mr. Mazaheri as the owner of the property how much consideration was put into the Land Use Plan and the overall desire of the City back in 2009 before he took interest in student housing.

Mr. Mazaheri stated that he did not own the land in 2009. He stated that when he acquired the land, that based on future data that the proposed property would be beneficial to the Green House Effect.

Brent Miller, 316 Sutton Place, developer of Northside, spoke in opposition of the case. He stated that there is an over-supply of student housing serving the UTD Dallas market. He stated that such over-supply is increasing within the existing projects down the pipeline. He stated that in addition to the 6,000 beds, 1,800 beds have been developed and another 675 beds are under construction. He stated that there is an 80% occupancy on three phases, with Phases 1 & 2 in the mid-80% occupancy range, Phase 3 at 62% percent and Phase 4 will be at 59% when delivered. He stated that the number of beds leased were low the prior year and Tier 1 universities are reporting occupancy between the low to mid 90s. He stated that its being anticipated that it will take a few years to get the additional beds occupied. He stated that enrollment is down by 5 percent and most Tier 1 universities have experienced modest enrollment rates. He also stated that UTD had a large international population that COVID had impacted.

Vice Chairman Roland asked Mr. Miller if the 800 additional beds to 675 beds included the 8,700 units the applicant quoted as UTD's goal.

Mr. Miller stated that the applicant had 6,000 now and a masterplan was presented with 3,200 beds to be added.

Thurston Witt, CBRE, 8080 Park Lane, Dallas, broker for the property, spoke in favor of the case.

With no further comments, Vice Chairman Roland closed the public hearing and asked the Commission if they had any additional questions for staff or would like to move for a motion.

Vice Chairman Roland stated that the Commission does not normally get involved with the economic consideration of a project and is more concerned with does it suit and is it consistent with the Land Use Plan. He understood the proposed project but wanted to get a better feel for the types of modified development standards and if they made sense. The reduced parking ratio we have experience with at Northside. Perimeter fencing would not make sense here and wished they had a connection with the university with walking trails/sidewalks but that was not proposed. He wanted a smooth transition if we would be deviating from the Land Use Plan.

Vice Chairman Roland stated that although he understands the plea of both parties he struggled with a definite decision.

Commissioner Walraven stated her concern with the lack of support from the university and the what if's in the traffic report related to traffic impact.

Commissioner Keller stated his concern with the lack of support from the university. He feels that it would be important that there is a good partnership with the developer considering this is the immediate neighbor to the proposed property. He expressed that he doesn't feel opposed to the proposed land use for the project. He questioned whether it's feasible to reduce the parking in a suburban environment as opposed to a true urban environment.

Commissioner Beach stated concerns with the proposed reduced number of parking spaces and the lack of relationship with the university and the neighborhood associations.

Commissioner Southard asked a procedural question regarding a continuation of the case.

Vice Chairman Roland stated that it was within the Commission's purview to do so. If the Commission were to hear that the university was contacted and had a better of understanding, but structurally did not like the development, we need to highlight those for the applicant to address.

Mr. Southard stated his concern with the lack of university support as part of the universities planning.

Mr. Beach stated he had concerns with the reduced parking and need more parking and the lack of perimeter fencing.

Commissioner Keller stated she wanted to get a better understanding from the university as to their position and with the reduced parking ratio per bed since we already have a model based on the Northside project.

Commissioner Walraven asked Mr. Chavez for clarification. She asked if the 0.8 space per bedroom was approved and justified over time once residents were in.

Mr. Chavez stated yes.

Commissioner Walraven stated that she would want to see justification before a parking reduction is made and the additional concerns with parking and traffic. The walking distance is not as convenient or compatible compared to the location of the Northside development.

Vice Chairman Roland asked the Mr. Mazaheri if a continuation would be considered.

Mr. Mazaheri stated that a continuation would be accepted.

**Motion:** Commissioner Southard made a motion to continue Zoning File 20-13 PD – Planned Development- UTD Housing Village to an indefinite date; second by Commissioner Beach. Motion Passed 5-0.

- 3. Zoning File 20-14 – PD Planned Development – Haven at Waterview:** Consider and act on a request to rezone 3.001 acres located east of Frankford Road, on the north side of Waterview Parkway from TO-M Technical Office to PD Planned Development for the A-950-M Apartment District with modified development standards to allow the development of a 16-story apartment building with 272 units to accommodate approximately 868 beds. *Property Owner: Mehrdad Mazaheri, George Bush Highway Investments LLC. Staff: Sam Chavez.*

Mr. Chavez stated that the site is a 3-acre site located east of Frankford Road, on the north side of Waterview Parkway and is zoned for the TO-M Technical Office District. The request is to rezone the property to PD Planned Development for the A-950-M Apartment District with modified development standards to allow the development of a 16-story apartment tower.

The applicant is requesting modifications to the development standards of the A-950-M Apartment District such as decreasing the minimum dwelling unit size, increasing the maximum building height, increasing the density and lot coverage, allowing parking in front yard area, decreasing the parking ratios, elimination of the playground area and amenity point requirements, and elimination of the required perimeter fencing.

Mr. Chavez stated the proposed building is a 16-story structure with 12 floors of residential above a 4-level parking garage with an amenity area located on the 5<sup>th</sup> floor. A total of 272 apartment units would be provided that would accommodate 800 beds which would be leased separately. The maximum density is 90.7 unit/acre with a lot coverage of 38%. A total of 524 parking spaces are provided for a parking ratio of 0.60 spaces/bedroom. In addition, the applicant is providing a 40-foot wide landscape buffer along Waterview Parkway to mimic the existing landscape buffer widths for the existing development along Waterview Parkway.

Mr. Chavez stated that the proposed development as residential does not conform with a future land use plan or the Comprehensive Plan as the area is designated for Regional Employment. He stated that it is also not compatible with the existing land uses surrounding the site which are developed as office and comply with Future Land Use Plan. He stated that the proposed parking ratio per bedroom is insufficient as the proposed development is in excess of  $\frac{3}{4}$  of a mile from the northern portion of the campus and the central part of campus is about 1 mile of walking distance.

He stated that the outcome of the Traffic Impact Analysis is contingent upon the development providing a shuttle for students and without the shuttle service staff foresees a traffic impact to the street network and the Frankford Road and Waterview Parkway intersection causing delays.

Mr. Chavez concluded his presentation and made himself available for questions.

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

### **Public Comments**

David Kulkarni, 3200 Southwest Freeway, Houston, Texas, the applicant, stated the request should be recommended for approval based on the impact of the future growth in student population which the development would help address. Mr. Kulkarni stated that the project would be a unique structure and a positive addition to the City of Richardson. He stated that the students would benefit from the transit stop and that they encouraged the use of mass transit. He stated that density was increased as a result of using the least amount of land to provide unique housing for students. He stated that the project would create a significant tax-base situation for the City of Richardson as the university does not pay property tax. He stated that they did not feel like approval from the university was needed because the development is self-financed.

Michael Mazaheri, 670 West Campbell Road, the property owner spoke in favor of the request.

Vice Chairman Roland asked Mr. Mazaheri would if he would be opposed to a continuation on this case.

Mr. Mazaheri stated that he would not be opposed.

Thurston Witt, CBRE, 8080 Park Lane, Dallas, Broker, spoke in favor of the request.

With no further comments, Vice Chairman Roland closed the public hearing and asked the Commission if they had any additional questions for staff or would like to move for a motion.

Vice Chairman Roland asked City staff to obtain a copy of the Master Plan of the university, student growth rate and feedback from a university representative to get a better understanding. He understood that the two subject requests were separate projects. He asked staff to clarify if the university paid property taxes.



Mr. Chavez stated that he believed that the university did not pay property tax.

Commissioner Southard asked about the time frame for construction.

Mr. Kulkarni stated that a date had not been set for the commencement of construction.

Commissioner Beach asked for clarification on the location of the nearest tallest structures because going from 2-stories to 16-stories appears to be a dramatic change.

Mr. Chavez stated that the tallest structure near the subject site is the State Farm building which is 23-stories in height.

Commissioner Keller stated he was concerned with the reduced parking ratios.

Commissioner Walraven echoed the same concern with parking and agreed that additional data with housing numbers would help with clarification. In addition, she was very concerned that these units were designed for students and that they could end up empty if there were no students to live in them.

Vice Chairman Roland asked Mr. Kulkarni if there would be balconies on the property.

Mr. Kulkarni stated that there are no balconies. Balconies are not provided for security of the students.

Mr. Mazaheri stated that he had additional data that he would forward to staff after the meeting tonight that was provided by the university. The report showed additional future growth directly across from the subject site.

Vice Chairman stated he was aware of the university's Master Plan.

**Motion:** Commissioner Walraven made a motion to continue Zoning File 20-14 PD – Planned Development- Haven at Water to an indefinite date; second by Commissioner Beach. Motion Passed 5-0.

### **Adjourn**

With no further business before the Commission, Vice Chairman Roland adjourned the regular business meeting at 8:56 p.m.

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Randy Roland, Vice Chairman