

**CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – JUNE 5, 2012**

The Richardson City Plan Commission met June 5, 2012, at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: David Gantt, Chairman
Bill Hammond, Vice Chair
Gerald Bright, Commissioner
Janet DePuy, Commissioner
Marilyn Frederick, Commissioner
Barry Hand, Commissioner
Thomas Maxwell, Commissioner
Eron Linn, Alternate

MEMBERS ABSENT: Don Bouvier, Alternate

CITY STAFF PRESENT: Michael Spicer, Director of Development Services
Susan Smith, Asst. Direct of Dev. Svcs – Dev. & Engr.
Sam Chavez, Asst. Director of Dev. Svcs – Planning
Israel Roberts, Development Review Manager
Chris Shacklett, Planner
Kathy Welp, Executive Secretary

BRIEFING SESSION

The City Plan Commission met with staff to receive a briefing on agenda items and staff reports prior to the regular business meeting. No action was taken.

BUSINESS MEETING

Chairman Gantt stated Commissioner Maxwell would be recusing himself from Items 3 and 5 and asked Commissioner Linn to vote in his place. The order of items would be changed with Items 3 and 5 going after Item 2, at which time Commissioner Maxwell would leave the Council Chamber and return to vote on Items 4 and 6. (Items will be shown in their original order in the minutes.)

MINUTES

1. Approval of the minutes of the regular business meeting of May 15, 2012.

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

2. Approval of the minutes of the Council District Boundary Commission meeting of May 15, 2012.

Motion: Vice Chair Hammond made a motion to approve the minutes as presented; second by Commissioner Maxwell. Motion passed 7-0.

Commissioner Maxwell recused himself from Agenda Item 3 and left the Council Chambers.

CONSENT AGENDA

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. **Revised Site and Landscape Plan – Glenville Office Park 1 (companion to Item 5):** A three-story, 92,967 square foot office building and associated parking on three lots totaling 16.35-acres located at 2500, 2550, and 2600 Glenville Drive; northeast corner of Glenville Drive and Lookout Drive.

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

PUBLIC HEARINGS

4. **Replat for the Richardson Heights Addition, Fifth Installment, Lot 13A, Block 35, being a replat of the Richardson Heights Addition, Fifth Installment Lots 13-16, Block 35:** Consider and take necessary action on a request for approval of a replat of one lot totaling 0.85-acre located at 410 S. Weatherred Drive; southwest corner of Weatherred Drive and Downing Drive.

Mr. Roberts reported that the City of Richardson was the applicant and was requesting approval to replat the property for the development of a Public Park. He added that the replat met all the City's subdivision regulations.

Commissioner Linn asked what type of park it would be.

Mr. Roberts replied that it would be a small neighborhood park and the conceptual design had two playground areas, a small pavilion, and some open play area. However, he cautioned that the Parks Department was still in the early stages of the design process.

With no further questions for staff, Chairman Gantt opened the public hearing. There were no comments in favor or opposed and Mr. Gantt closed the public hearing.

Motion: Commissioner Bright made a motion to approve Item 4 as presented; second by Commissioner DePuy. Motion passed 7-0.

Commissioner Maxwell recused himself from Agenda Item 5 and left the council chambers.

5. **Replat Collins Technology Park:** Consider and take necessary action on a request for approval of a replat of Lot 10, and 4A, Block 1 located at the southwest corner of E. Collins Boulevard and International Parkway.

Ms. Smith reported that the purpose of the replat was to subdivide a 16.35-acre tract into three (3) lots to accommodate the development of a three (3) story, 92,967 square foot office building with associated parking.

There were no questions for staff and Chairman Gantt opened the public hearing.

No comments in favor or opposed were received and Chairman Gantt closed the public meeting.

Commissioner Hand stated that he thought the plan was a good project for the area.

Motion: Commissioner Hand made a motion to approve Item 5 as presented; second by Commissioner Bright. Motion passed 7-0.

6. **Zoning File 12-07:** Consider and take necessary action on a request by Fahim Khan, representing DIBA Petroleum, Inc., for a Special Permit for a motor vehicle service station with modified development standards. The 0.58-acre site is located at the northeast corner of Belt Line Road and Plano Road and is zoned LR-M(2).

Mr. Shacklett reported that the applicant was requesting a Special Permit for a motor vehicle service station located at the northeast corner of Belt Line and Plano Roads. He added that the property owner wanted to redevelop the existing Texaco gas station by demolishing the existing kiosk convenience store, adding a double-sided gas pump, and building a larger convenience store at the northeast corner of the property.

Mr. Shacklett noted that as part of the request, the applicant was proposing to remove a gas dispenser from the north side of the northern gas pump, and the south side of the southern gas pump, which would still leave a total of six (6) gas dispensers for the site. In addition, the applicant was proposing to build a new 2,975-square foot convenience store on the northeast portion of the property. The store would have typical retail sales with a portion dedicated to a restaurant with no seating that would provide sandwiches and fast food.

Mr. Shacklett reported that over the past several months, the staff had discussed concerns with the applicant and owner and suggested alternatives, but they had decided not to include the suggested changes in the proposed design. He added that staff's concerns regarding the proposed design included:

- Canopy Configuration and Gas Pump Location
- Driveway Spacing
- Drive Aisle Closure
- Internal Stacking at Gas Pumps
- Building Height
- Post Right Lane Construction

Commissioner Frederick asked if the north and south pumps had double-sided dispensers and if there was an opportunity to have the north pump remain double-sided and totally remove the southern pump.

Mr. Shacklett replied that the gas pumps are all double-sided. Staff recommended the removal of the dispensers on the two pumps to improve traffic flow and, with the addition of the new double-sided gas pump after the demolition of the kiosk, there would still be six gas dispensers.

Regarding removing the southern pump, Mr. Shacklett stated that was a possibility and similar to what the staff had suggested.

Commissioner Bright asked if there would be a vehicle stacking problem under the designs proposed by both the applicant and staff until the right turn lane is constructed.

Mr. Shacklett replied that under both designs there should not be a vehicle stacking problem.

Commissioner Hand asked if the existing structure conformed to the City's regulations, specifically the layout of the pavement for traffic flow.

Mr. Shacklett replied that from a setback standpoint the structure may conform, but there was still a problem with stacking because the site is smaller in size and there is not a full 24 feet available along the west and south side of the stacking areas.

Commissioner Hand asked if there was cornice fold on the north side elevation shown on the rendering, or was it a graphic error because the building plan seems to show the building was on the property line.

Mr. Chavez replied that it may be a question for the applicant and/or engineer to answer.

Vice Chair Hammond asked if an easement and drive could be located over the underground storage tanks as opposed to where the parking spaces are located so those spaces would not be eliminated.

Mr. Shacklett replied that the City's requires a 10-foot landscape island at the end of a row of parking, and even if the island was not added, the limited area would not allow a vehicle to safely enter from Belt Line Road and make the turn. The original design showed a driveway in that area, but a driveway at that location would cause the loss of three parking spaces.

Chairman Gantt asked if there would be enough space for a sidewalk at the southern edge of property after the right turn lane was constructed.

Mr. Chavez replied the new sidewalk would be placed at the back of the new curb and then there would be an 18 inch wide landscape buffer.

Commissioner DePuy acknowledged that there was no mutual access agreement between the subject property and the property to the east, but wanted to know if the business to the east had been notified that the pass through between the two sites was going to be eliminated.

Mr. Shacklett replied that the notice sent out did not specifically state the driving aisle would be closed, so unless the two property owners had spoken they may not be aware.

Commissioner Linn asked if there were any other buildings in the shopping center that had Spanish tile roofs similar to what was being proposed by the applicant.

Mr. Shacklett replied that he was not aware of any stores in the shopping center that had similar roofs. He added that the proposed design was not consistent with the new buildings in the shopping center (i.e., LA Fitness and other renovated buildings).

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

Mr. Fahim Khan, 811 S. Central Expressway, Suite 417, Richardson, Texas, and Mr. S.I. Abed, 503 Wade Court, Euless, Texas, explained that Exhibit "B", the proposed site plan, was the result of eight submittal meetings with City staff. Mr. Abed stated the difference between their proposal and staff's suggestions had to do with removing and reconstructing the canopy, which was not a viable idea because of all the electrical and other lines in place.

Mr. Abed noted they were able to meet the City's request for ease of traffic flow by removing the north side of the northern pump and the south side of the southern pump, and by trimming back the canopy to make sure there is enough distance from the road. In addition, they will be adding more landscaping area on the east side of the property to enhance the appearance.

In response to the question about a cornice fold, Mr. Khan said the elevations for the building contained a graphical error and the building would be inside the property line. He also stated that the reason for the clay tile on the roof of the tower was to make the property stand out from the other buildings in the area.

Commissioner Hand commented that what bothered him about some of the small parcels in the City was the variety of different designs as opposed to having a consistent look in a particular area. He suggested it might have been better for the applicant to maintain a harmonious design with the adjacent shopping center.

Chairman Gantt asked if the location of the vending machine shown in one of the pictures was going to be the location of the new gas pump. He also wanted to know if the new pump would be supporting the canopy and were the mechanical lines already in place.

Mr. Abed replied the new pump would not be part of the support system for the existing canopy, and the mechanical lines will be added during construction.

Commissioner Maxwell asked if the business would stay open during construction, and would the owner be willing to redesign the proposed building so it was more in conformance with the adjacent shopping center.

Mr. Khan replied that it would be up to the owner if they wanted to remain open, and Mr. Abed added that the proposed new building would be constructed on existing open space so it would not interfere with the operation of the business.

Regarding the elevations, Mr. Abed stated there were no distinctive characteristics in the adjacent shopping center, but they were willing to try and match the most prominent building - the LA Fitness center. He added that once the engineering and architectural approvals were made they would provide more details.

Commissioner Maxwell stated that the elevation presented was the one the Commission would be voting on and, if approved, the applicant would be required to build it as presented. He added that was a concern for him.

Commissioner Bright asked if removing the gas pump at the south end of the canopy would cause any problems. He also wanted to confirm that any changes to the canopy would be considered new development and there would be a problem with obtaining financing.

Mr. Khan replied there was no point removing the pump because the columns around the pump supported the canopy.

Regarding changes to the canopy and financing, Mr. Abed stated they had discussed that option with their bank and the bank was not willing to finance that change.

Commissioner Maxwell noted that the site plan did not indicate any type of air, water, or vacuum machine and asked if one would be installed.

Mr. Abed replied that there were no plans for that type of service.

Commissioner Linn stated he had concerns that the elevations did not fit with the adjacent shopping center and would like to see the design revised.

Chairman Gantt asked where on the proposed site plan would the gas delivery trucks park to fill the underground storage tanks.

Mr. Abed replied there were a couple of possible options for parking the tanker trucks that included the trucks pulling in from Belt Line Road facing north and parking in front of the store; pulling in from Belt Line Road facing north and parking next to the gas pumps; and pulling in from Belt Line Road and backing up over the landscaped area, which would put the tanker directly over the storage tanks. He added that they could place grasscrete pavers in the area to support the weight of the tanker.

Chairman Gantt pointed out that most gasoline tanker trucks have large hoses to pump the gas into the storage tanks so those hoses would be laid across and blocking the driving aisles. In addition, the location of the tanker would also block parking spaces and be parked in the fire lane.

Mr. Abed replied that they had discussed that with owner and the tanker usually makes the deliveries around midnight so there would not be that much activity on the site. He again suggested that parking the vehicle in the landscaped area would resolve any issues with blocking parking spaces or the fire lane.

Commissioner DePuy indicated that although the elevations presented were an improvement over what is currently on the site, she could not approve the plans as presented and felt they should more closely match the adjacent shopping center. In addition, she said she would like to see a restriction placed on any outside storage of merchandise or displays, and could live with the design of the gas pumps if the banks were not offering financing.

Mr. Abed replied that they were not proposing any outside storage at this time, and reiterated that the banks they had contacted were not offering financing on motels or gas stations because of the economy.

Mr. Khan added that the banks were only offering financing for the building and would not offer financing for any changes in the canopy.

Commissioner DePuy replied that even with the financing and site constraints, changes to the site could be made more palatable to the surrounding neighborhood. She urged the applicant to continue to work with staff and listen closely to their suggestions.

Commissioner Linn asked to confirm that the applicant had financing for a new building but could not get financing for a new canopy.

Mr. Khan replied that the bank will finance a certain amount of money; enough for the new convenience store, but not enough for the canopy.

Commissioner Frederick asked that if the applicant was going to bring back different elevations, they should also address the concerns of Commission over the parking for the tanker and the landscaping/stone work in that area. She added that having an area for the tanker to park where it would be out of the fire lane and not blocking parking or traffic was important.

Vice Chair Hammond concurred with comments from Commissioners DePuy, Frederick and Linn, and was apprehensive over the number of exceptions requested by the applicant. He stated the positioning of pumps, the right turn lane on Belt Line Road and how it affected the landscaping, and the elevations not matching any of the buildings in the adjacent shopping center caused concern for him.

Mr. Hammond stated that the property was in a prime location with high traffic volumes and if the project was done correctly it would be very good for the applicant's business.

Commissioner Bright concurred with Mr. Hammond's comments regarding the elevations and the amount of exceptions being requested. He asked that the applicant come back before the Commission with new elevations and more information on the tanker's location.

Commissioner DePuy asked if the sale of goods in the convenience store brought in more income than sales from gasoline, and, if so, could the number of gas pumps be reduced to four pumps.

Mr. Khan replied the number of pumps was not the issue because the columns supporting the canopy would have to remain whether a gas pump was between the columns or not.

Mr. Abed added that with the addition of the double-sided gas pump in place of the kiosk, and with the removal of the north and south dispensers, the number of dispensers would remain the same.

Commissioner Hand stated the Commission appreciated the effort to try and improve the site, and acknowledged that site was small, but the redesign needed to be better managed. He also thought the traffic flow between the subject site and the property to the east should be protected, but generally did not think the proposal was the best solution.

In closing his comments, Commissioner Hand pointed out that in the recent past there had been problems getting certain types of financing for projects because of the economy, but that has changed and suggested the applicant be patient and go back and look for other solutions including adding more property if possible.

No other comments were made in favor or opposed and Chairman Gantt closed the public hearing.

Motion: Vice Chair Hammond made a motion to recommend denial of Item 6 without prejudice; second by Commissioner Hand.

Commissioner Maxwell asked if a continuation of the item might be a better option.

Mr. Shacklett advised that if there was a recommendation to continue, the applicant could work through issues and present new plans at a later date. He added that if a denial was recommended, the applicant had the right to appeal to the City Council who could over turn the Commission's recommendation with a 6-1 vote. However, if the applicant did not appeal, or the City Council denied the zoning request, the applicant could come back with a new application and go through the process again.

Vice Chair Hammond asked to amend his motion and ask for a continuance; however, Chairman Gantt called for a vote on the existing motion before another could be considered.

Motion failed 0-7.

Motion: Vice Chair Hammond made a motion to continue Item 6; second by Commissioner Hand.

Chairman Gantt asked if the length of time for the applicant to come back before the Commission could be open-ended.

Mr. Chavez replied that it could be and Mr. Hammond stated that was his intent.

Motion passed 7-0.

Prior to adjourning the meeting, Chairman Gantt noted that Vice Chair Hammond would be leaving the Commission and wanted to thank him for his many years of service to the City.

Mr. Hammond thanked the Commissioners and staff for their support and well wishes.

ADJOURN

With no further business before the Commission, Chairman Gantt adjourned the regular business meeting at 8:27 p.m.

David Gantt, Chairman
City Plan Commission