CITY OF RICHARDSON CITY PLAN COMMISSION MINUTES – FEBRUARY 7, 2012

The Richardson City Plan Commission met February 7, 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 Thomas Maxwell, Commissioner

Don Bouvier, Alternate

MEMBERS ABSENT: Barry Hand, Commissioner

Eron Linn, Alternate

CITY STAFF PRESENT: Michael Spicer, Director of Dev. Svcs.

Sam Chavez, Asst. Director of Dev. Svcs. – Planning Susan Smith, Asst. Director of Dev. Svcs – Dev. & Eng.

Israel Roberts, Development Review Manager

Pete Smith, City Attorney

Kathy Welp, Executive Secretary

BRIEFING SESSION

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

MINUTES

1. Approval of the minutes of the regular business meeting of January 17, 2012.

Vice Chair Hammond asked to change the word "that" to "than" in the first sentence of the seventh paragraph on page 6.

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

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.

2. Site Plan, Landscape Plan, Building Elevations, and Lighting Plan for Breckinridge Park Animal Hospital and an office building (companion to Item 2): A request for

approval of a site plan, landscape plan, lighting plan, and building elevations for a development of a 6,775 square foot veterinary clinic and a 2,650 square foot office building. The 1.26-acre site is located on the south side of Renner Road, west of North Star Road.

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

PUBLIC HEARINGS

3. Replat Lots 3A and 4, Block A of the Breckinridge Commons Addition (companion to Item 2): Consider and take necessary action for a request for approval of a replat of Lot 3, Block A of the Breckinridge Commons Addition into two (2) legal lots of record for the development of a veterinary clinic and an office building on proposed Lot 4. The 4.82-acre site is located on the south side of Renner Road, west of North Star Road.

Mr. Roberts advised the replat would subdivide the existing lot into two (2) separate legal lots of record with development of a veterinary clinic and office building on Lot 4. He added that there were no development plans for Lot 3A.

Mr. Roberts noted that the proposed replat would dedicate the necessary easements to serve the development of Lot 4, and met all subdivision and zoning requirements.

Chairman Gantt called for questions for staff and with none, opened the public hearing.

There were no comments in favor or opposed and Chairman Gantt closed the public hearing.

Motion: Commissioner Bright made a motion to approve Item 3 as presented; second by Commissioner Maxwell. Motion passed 7-0.

4. **Zoning File 11-28:** Consider and take necessary action for a request by Gene Millar, Team Group, Ltd., to rezone a 12.4-acre lot from I-FP(2) Industrial and I-M(1) Industrial to PD Planned Development for the I-FP(2) and I-M(1) Industrial Districts with modified development standards to accommodate the expansion of the existing cold storage facility at 401 N. Grove Road, northwest corner of Grove Road and Apollo Road.

Mr. Chavez stated the applicant was requesting to rezone the 12.4-acre site for the expansion of the existing one story 145,000 square foot cold storage facility located at the northwest corner of Grove and Apollo Roads. He added that the existing facility has 59 parking spaces and 27 load docks located along the southern portion of the site.

Mr. Chavez reported the applicant was suggesting two possible scenarios for the expansion of the facility: the first expansion would take place, but only within the limits of the existing fire lane; and the second depended on the ability to acquire a 15-foot wide easement from the railroad to relocate an existing fire lane to allow additional expansion.

Mr. Chavez noted that the applicant would be providing 9 additional parking spaces and a new driveway opening along Grove Road; however, the driveway throat depth (the distance from back of curb to first turning movement) would only be twenty-one feet wide, which does not meet the City's twenty-eight foot driveway standard. He added that the twenty-one feet should be sufficient because the incoming tractor trailers will not be hampered by cross traffic.

Mr. Chavez explained that when the facility was originally built, the City zoning ordinance did not require any landscaping in addition to the 8-foot high screening wall along Apollo Road; however, the applicant was proposing to soften the look of the wall by changing the sidewalk to meander around planting beds that will contain ornamental trees, shrubs, and ground cover. Also, the existing drive, which is not utilized, would be removed to create a landscape pocket.

In closing his presentation, Mr. Chavez summarized the items the Commission would be considering:

- Rezoning the property from the current designation to a Planned Development District under the Industrial District regulations
- Height of building applicant proposing a maximum height of 44 feet
- Reduction in the driveway throat depth from 28 feet to 21 feet
- Modifications along Apollo Road (change to sidewalk, addition of landscape material)

Vice Chair Hammond asked if the height of the proposed structure had been reviewed by the fire department.

Mr. Chavez replied that review by the fire department would take place when the applicant submitted their development plans and if those plans did not comply with the Fire Codes, they would not be allowed to build the structure.

Chairman Gantt asked what the current height of the building was and pointed out that the proposed addition would be over 500 feet away from the nearest residential area. He also wanted to confirm the scenario favored by the applicant was dependent upon purchasing the easement from the railroad.

Mr. Chavez replied that the height of the existing building was 25 feet and confirmed that if the applicant could not purchase the easement from the railroad, an expansion would take place, but not to the extent they would like.

Vice Chair Hammond asked if the building were a two story building would the 44-foot height be an issue and would it still be allowed.

Mr. Chavez replied that if the structure was a two story building, the maximum height would be 50 feet plus a foot of height for every two feet of setback, but most two story buildings have a 25-foot first floor and a 15-foot second floor for a total of 40 feet.

Commissioner DePuy asked if the expansion would add additional loading docks to the business. She also wanted to know if the requested additional height was for the evaporative units.

Mr. Chavez replied that the existing 27 loading docks were located on the south side of the building and the 13 new loading docks would be located along the east side of the expanded building. He added that the 19 feet in additional height for the new portion of the building would allow for a clear inside height of 36 feet.

Commissioner Maxwell asked if the new loading docks would be screened.

Mr. Chavez replied that the new docks would be screened by a landscape buffer along Grove Road.

Commissioner DePuy asked about the letter of concern from a nearby homeowner regarding excessive noise from some of the tractor trailer rigs and was the noise necessary.

Mr. Chavez said he did not know if or why the trucks were causing the noise, but noted that there were standards within City ordinances that addressed noise nuisance and the homeowners could contact the Police Department regarding the problem.

Commissioner Maxwell asked if there were other industrial buildings in the area that had loading docks facing the street similar to the proposed expansion. He also wanted to know if there was a required height for the living screen.

After looking at an aerial of the area, Mr. Chavez replied that it did not appear to be other buildings in the area with a similar set up, but the zoning ordinance does have provisions to allow that set up under specific conditions; the construction of a masonry wall along the property line facing the residential area.

Regarding the living screen, Mr. Chavez said there were no specific height requirements.

Commissioner Bright asked if the proposed docks would be located along the railroad right of way, which is on the opposite side of the property from the nearby residential area.

Mr. Chavez confirmed they would be located along the east side of the expansion and would not face the nearby residential area that is south of the property.

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

Mr. Gene Millar, Team Group, Ltd., 1001 W. Euless Boulevard, Euless, Texas, stated his company developed the proposed design and handled the retrofit of the building in 2006. He added that to make a project economically feasible in public refrigerated warehouses, products had to be stacked at least six pallets high and that was why they needed the 36-foot internal height.

Mr. Millar said that they had discussed the sprinkler system with the Fire Department and pointed out that their system works in a "zero degree" environment and was rated up to 45 feet in height.

Mr. Millar stated that one of the objectives of the expansion was to distribute some of the truck traffic from the Apollo Road side of the facility to the Grove Road because that area will have much larger loading docks.

Chairman Gantt asked if there was a plan to have an access way between the current facility and the proposed facility.

Mr. Millar replied there was access between the two buildings; one toward the back of the facility and one toward the front.

Commissioner Bright asked if there were any noise reduction requirements placed on the tractor trailers for certain times of the day.

Mr. Millar replied that this was the first they had heard of the noise problem and stated the drivers should not be sounding their horns and he would be speaking with the manager of the facility to take steps that work does not start until 7:00 a.m.

Vice Chair Hammond asked about maneuvering room for the large trucks.

Mr. Millar replied the new loading docks would be 20 feet deeper than the existing docks, which would allow faster and easier off-loading of the trucks.

No further comments were made in favor and Chairman Gantt called for comments in opposition.

Mr. Gene Champagne, 521 Royal Crest, Richardson, Texas, said he was opposed to the expansion because the existing 27 loadings docks already provided too much noise and pollution. He added the idling of the tractors trailers at all times of the night, in addition to the lights from the trucks shining in their home, was a nuisance.

Mr. Champagne stated that there was no screening on the neighborhood side of the facility; that some of the truckers were walking in their neighborhood at night; and the flood lights from the facility were shining into their homes. He suggested that a taller screening masonry wall should be installed.

Chairman Gantt asked if anyone had called the Police Department to complain about the problems.

Mr. Champagne replied that he had not called the Police and thought there might be another, diplomatic way to handle the problem. He also expressed concern about the tractor trailers parking along the streets in the area idling all night long even though the facility was not open.

No further comments were made in opposition and Chairman Gantt asked if the applicant wanted to offer a rebuttal to any of the comments.

Mr. Millar said the problem with the flood lights was an easy fix and they could be redirected so as not to affect the nearby homes. He added that the existing screening wall was engineered for its current height and to add an addition to the top might cause a structural problem with the wall.

Vice Chair Hammond said he thought there was a new law that did not allow tractor trailers to idle their engines, and Commissioner Frederick wanted to know if it was the refrigeration unit on the trucks that were left running.

Mr. Millar replied that the idling law was city specific and he did not know what the law was in Richardson. He added that most cities do not let the main engines on trucks idle, but on refrigerator trucks the refrigeration units will come on and off to maintain the correct temperature.

Commissioner DePuy asked what time the facility opened up and did the tractor trailers sometime show up early.

Mr. Millar replied that the facility opened at 7:00 a.m. and sometimes the truckers did show up early.

Chairman Gantt asked if there were any industry standards that should be followed by the truck drivers, and could those standards be enacted at the facility.

Mr. Millar replied that there were currently no industry standards, but the facility could enact a strict no parking on the streets and no early check-in policy.

Commissioner Bright asked if there would be planting beds along the Apollo Road side of the facility, and Chairman Gantt wanted to know if some of the plant material would be ornamental trees.

Mr. Chavez replied there would be 7 or 8 beds along the Apollo Road side of the facility and confirmed ornamental trees would be planted in the beds. He noted that the original plan was to plant shade trees on the north side of the wall, but there is an existing 10-foot sanitary

sewer easement that prevented the planting so ornamental trees will be planted on the south side of the wall instead, which would help soften the look of the masonry wall and provide a minimal amount of sound deadening.

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

Commissioner DePuy noted that the increased landscaping would make the facility a little more appealing, but was concerned about the noise level and suggested the facility could be a better neighbor to the surrounding subdivisions by monitoring some of the noise generated by the tractor trailers.

Chairman Gantt explained that one of the reasons for his question about access between the two sections of the facility was to assess if the proposed addition would alleviate some of the traffic from the loading docks on the south side of the facility. In addition, he suggested the applicant either implement or enforce their policies regarding noise abatement, and it would be a good idea if there was a phone number or email address so the local residents could stay in touch with management regarding any of their concerns.

Vice Chair Hammond agreed with Mr. Gantt and asked that the statement made by the applicant volunteering to redirect the flood lights to keep them from shining into the surrounding neighborhoods be added to the Commission's recommendation.

Chairman Gantt replied that the City had ordinances to deal with the light problems and suggested that someone from the City's Code Enforcement department visit the scene to make sure the facility is in compliance with the ordinance.

Commissioner Frederick asked about the safety issue of people walking through the neighborhood after dark and how the applicant could possibly enforce some type of restriction.

Chairman Gantt replied that if the individuals in the neighborhoods are from the facility, the applicant should come up with guidelines to restrict that kind of movement. He added that he did not think the subject of public safety was something within the purview of the Commission and if there was an issue the neighborhood should call the Police Department.

Commissioner Maxwell suggested that because the item being presented was a PD Planned Development, it gave the Commission the latitude to impose other restrictions or requirements. He also thought additional planting material such as trees could be added along the full length of the existing loading docks on Apollo Road and the proposed loading docks on Grove Roads to provide more visual screening.

Chairman Gantt replied that the screening along Grove Road was less of a concern to him because the facility to the east was a commercial building; however, he was open to the idea

of additional screening along Apollo Road to prevent lights from the trucks on southbound Grove Road from shining into the homes at Grove Road and Royal Crest.

Vice Chair Hammond wanted to know how the headlights from the trucks could protrude above the 8-foot wall and Chairman Gantt asked if the loading docks were slanted down.

Mr. Millar replied that the docks had a one percent down grade. He suggested that to increase the number of trees on Apollo Road they could move the trees from the southeast corner of the site around to Apollo Road to aide in the screening of the docks.

Commissioner Bright said he liked Mr. Maxwell's idea about adding more vegetation along Apollo Road, and Chairman Gantt asked staff if they thought there would be any problems with the 10-foot sewer easement or any other aspect of the design.

Mr. Chavez replied the easement was on the north side of the wall and the landscape beds would be located on the south side. He said that from his understanding of Mr. Maxwell's request, the individual beds on the south side of the wall would be combined to allow more plant material and the sidewalk could be relocated to create an elongated landscape bed, which would eliminate the proposed meandering sidewalk unless the applicant chose to expand it along the length of the property.

Commissioner DePuy said she thought the traffic at the Apollo Road loading docks would be reduced once the new loading docks were opened and stated she was in favor of leaving the landscaping as originally proposed. She suggested the issues of noise, lighting and people walking in the neighborhood could simply be addressed by the homeowners and business owner working together to solve those issues.

Commissioner Maxwell stated he did not think the truck traffic would diminish on the existing loading docks because the proposed expansion would increase the capacity of the facility, and was skeptical that anyone could plan on the existing loading docks being any less active than they were now.

Motion:

Commissioner Maxwell made a motion to recommend approval of Item 4 as presented with the condition that landscaping along Apollo Road be made into a contiguous bed for the full length of the existing loading dock, and contain additional plant material including trees; second by Commissioner Bright.

Vice Chair Hammond asked if Commissioner Maxwell would amend his motion to include a request to adjust the lighting downward on the building.

Chairman Gantt pointed out that code enforcement would cover any problems with the lights, and Commissioner Maxwell declined to amend his motion.

Commissioner DePuy asked if the additional landscaping requested in the motion would affect the existing landscaping around Apollo and Grove Roads.

Commissioner Maxwell said it would be in addition to the existing landscaping.

Commissioner Bouvier asked if the additional landscaping was even possible without reconfiguring the drain inlets along Apollo Road.

Mr. Chavez replied that it would put an undo burden on the City, but suggested that the area could be expanded, where possible, around the inlets

Commissioner Maxwell amended his motion to state "...recommend approval of Item 4 as presented with an additional condition that the landscaping along Apollo Road is made into a contiguous bed for the full length of the existing load dock, taking into consideration the existing site conditions, and contain additional plant material including trees". Commission Bright concurred with the amendment.

Motion passed 7-0.

ADJOURN

With no further business before the Commission, Chairman Gantt adjourned the regular business meeting at 8:20 p.m.

City Plan Commission