# CITY OF RICHARDSON CITY PLAN COMMISSION MINUTES - APRIL 17, 2013

The Richardson City Plan Commission met on April 17, 2013, at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

**MEMBERS PRESENT:** David Gantt, Chairman

> Gerald Bright, Commissioner Janet DePuy, Commissioner Marilyn Frederick, Commissioner

Randy Roland, Alternate

**MEMBER ABSENT:** Barry Hand, Vice Chair

Eron Linn. Commissioner

Thomas Maxwell, Commissioner

Don Bouvier, Alternate

**CITY STAFF PRESENT:** Michael Spicer, Director – Development Services

Susan Smith, Assistant Director - Dev. Svcs - Dev. & Eng.

Israel Roberts, Development Review Manager Mohamed Bireima, Planning Technician Cindy Wilson, Administrative Secretary

## **BRIEFING SESSION**

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

#### **MINUTES**

1. Approval of the minutes of the regular business meeting of March 19, 2013.

Commissioner Bright made a motion to approve the minutes as presented; second

by Commissioner DePuy. Motion passed 5-0.

## **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.

## **PUBLIC HEARINGS**

2. Zoning File 13-07: Consider and take necessary action on a request for a Special Permit for a restaurant with drive through service to be located at 3601 N. Jupiter Road, southwest corner of President George Bush Highway and Jupiter Road. The property is currently zoned LR-M(2) Local Retail. Applicant: Roger Dalton, representing Notlad Ventures, Inc. Staff: Mohamed Bireima.

Mr. Bireima stated the applicant was requesting a Special Permit for a restaurant with a drive-through service in a multi-tenant building that is zoned Local Retail with a Special Permit for a motor vehicle service station. He added that the subject site is located at the southwest corner of President George Bush Turnpike (PGBT) and Jupiter Road.

Mr. Bireima pointed out that the site had previously received approval for fuel pumps in conjunction with a 7-Eleven convenience store and, as part of the renovations to accommodate the convenience store, the Subway restaurant located on the northern end of the building would like to relocate to the southern end of the building to take advantage of the drive-through aisle used by a former dry cleaning tenant.

Mr. Bireima said that Subway would be removing the sliding glass door on the space formerly occupied by the dry cleaner and replacing it with brick. In addition, a menu board, and drive-through window will be installed, and modification made to the curb to accommodate the drive-through.

Mr. Bireima concluded his comments noting that two letters in opposition had been received: one from the children's learning center in the area, and the other from the property owner of The Shire.

Chairman Gantt asked if Exhibit B mentioned in the staff report was the same as the site plan.

Mr. Bireima replied that the Exhibit would be sheet C1.0 in the packet.

Commissioner Frederick asked if the proposed modification to the drive-through lane would include the removal of the curb leaving a flat perimeter marker.

Mr. Bireima confirmed that was correct.

Commissioner Bright asked for a description of the buffer between the drive-through and the playground area. He also wanted to know if those in opposition were concerned about safety or aesthetics.

Mr. Bireima replied that there is an existing landscape buffer that has a continuous edge of evergreen shrub, approximately six trees, and a wrought iron fence with masonry columns.

Regarding those in opposition, Mr. Bireima said the concerns were for noise and the fact they felt the proposed used was not conducive to the operation of the daycare.

Commissioner DePuy asked if once the 7-Eleven is completed and the Subway changes locations to the southern end of the building, would the retail center be fully occupied.

Mr. Bireima replied that the space vacated by Subway on the northern end of the building will be empty.

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

Roger Dalton, 4902 Dublin Creek Lane, Parker, Texas, owner of the Subway, stated his business currently occupies approximately 2,400 square feet and had been in the retail center for approximately 10 years. He added that there will be two vacant spaces in the center; one, between the proposed location of the Subway and 7-Eleven; and, two, the old location of the Subway on the northern end of the center.

Mr. Dalton advised that Subways with drive-through are averaging thirty percent of their business in the drive-through (approximately 65 vehicles per day) with the majority of the traffic during lunch and dinner hours. He added that as a comparison, a typical McDonald's has forty-five percent of their business going through the drive-through.

Mr. Dalton closed his comments noting that the children's day care is approximately the same distance from Jupiter Road (41 feet) as it will be from the proposed Subway location and felt his business would generate less noise then that of Jupiter Road. In addition, during the relocation of the Subway and the addition of the 7-Eleven, any concerns about the landscape buffer (dead and/or dying shrubs) between the retail center and the children's daycare will be addressed and corrected.

Chairman Gantt asked to confirm if Subway was open for breakfast, and what was the timeframe for the typical dinner hour crowd. He also wanted to know if there had been comments or concerns when the dry cleaner was making use of the drive-through.

Mr. Dalton replied that Subway was open for breakfast and their typical dinner hour traffic was between 5:30 p.m. to 7:30 p.m. He added that the lunch hour traffic is usually between 10:30 a.m. to 1:30 p.m.

Regarding concerns about the dry cleaner's use of the drive-through, Mr. Dalton replied that his business was in the center as long as the cleaners and he was not aware of any problems.

Commissioner Bright asked what time the Subway would open for breakfast, and what time did the store close.

Mr. Dalton replied the store opens at 6:30 a.m. for breakfast and closes at 10:00 p.m. during the week and 11:00 p.m. on the weekends.

Commissioner DePuy asked to confirm that twenty-five percent of the business would come through the drive-through.

Mr. Dalton replied that his goal was to have twenty-five percent of the business come through the drive-through.

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

Mr. Danny Tervooren, 1713 Winding Hollow Lane, McKinney, Texas, stated he was representing the adjacent landowner at 3650 Shire Boulevard, and on behalf of Children's Choice Daycare.

Mr. Tervooren expressed concern about vehicles possibly blocking the fire lane and trash receptacles if the number of vehicles using the drive-through reached 12 or 13, which he felt was a possibility because of the typical order process involved in Subway's build your own sandwich. He also had a concern with noise issues involved with a drive-through and vehicles going around the back of the building.

Chairman Gantt asked if the hours of operation and times the children were on the playground was known, and were there any noise problems or other concerns with the drive-through when the dry cleaners was the tenant.

Mr. Tervooren replied the smaller children were usually outside around 9:30 to 10:30 a.m. and the last hour of use for the playground was around 4:00 to 5:00 p.m.

Regarding any concerns with the dry cleaners and the drive-through, Mr. Tervooren replied that he did not know of any problems or concerns with the dry cleaners and felt it was a different set up than would be present with a fast food tenant.

Commissioner Bright asked if there were any concerns for the safety of the children at the day care if the drive-through was changed to accommodate Subway.

Mr. Tervooren replied his concerns had more to do with noise pollution with people ordering food at the drive-through as opposed to traffic safety.

Commissioner DePuy asked if the children would be out on the playground during the lunch hour and did the noise from Jupiter Road cause any concerns.

Mr. Tervooren replied that the children have their lunch inside time between 10:30 a.m. to 1:00 p.m., and, regarding the traffic, the majority of the traffic in the evening is on the northbound side of Jupiter Road which is further away from the day care.

No further comments were made in opposition and Chairman Gantt asked the applicant if he had any rebuttal comments.

Mr. Dalton stated that in his experience, having 12 vehicles stacked in a drive-through was remote, and if the Subway was unable to process the customers quickly in the drive-through, there would be no line because customers would not want to wait that long.

Mr. Dalton indicated that he had researched other fast food drive-through areas standing approximately 30 feet away and noted that unlike the earlier versions of the drive-through

squawk boxes, the current versions were barely audible. He added that the drive-through for his Subway would be using similar technology.

Commissioner Bright stated the normal Subway experience in the store entails standing in front of the food case and choosing the items for your sandwich. He asked how that process could be streamlined to work in a drive-through.

Mr. Dalton replied that in a drive-through when the customer is still speaking, the employees have already begun to make their sandwich as opposed to the older process of waiting for the customer to complete their order before building the sandwich. He added that while researching the use of a drive-through for Subway stores, the average time from order to receiving the sandwich was 90 seconds using the newer process.

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

Commissioner DePuy asked if there would be an issue of customer vehicles blocking the trash receptacles.

Mr. Bireima replied that there have been no problems reported, and Ms. Smith added that the City's Solid Waste Department typically gets a feel for their routes and the heavy traffic times so they can adjust their pick up times.

Commissioner Bright asked where the dumpster was located and would there be sufficient space for trash truck.

Mr. Bireima replied the dumpsters were located on the southwest corner of the site and in addition to a passing lane there is sufficient space for the trucks to maneuver.

Chairman Gantt said he appreciated the comments in opposition concerning the safety of the children at the daycare, and noted there was quite a bit of vegetation between the daycare and the site in question that would help buffer the playground. He added that he did not anticipate any safety issues and thought there would be more noise from Jupiter Road and PGBT as opposed to the drive-through.

Commissioners DePuy and Frederick concurred and thought that Subway had proved to be a good tenant. In addition, Ms. Frederick felt if there were any problems or concerns, the applicant would address them.

**Motion:** Commissioner Roland made a motion to recommend approval of Zoning File 13-07 as presented; second by Commissioner Frederick. Motion passed 5-0.

3. **Zoning File 13-08:** Consider and take necessary action on a request for a Special Permit for a limited service suite hotel to be located on the east side of Glenville Drive, north Greenville

Avenue. The property is currently zoned I-M(1) Industrial. Applicant: Nick Patel, representing Richardson Lodging. *Staff: Israel Roberts*.

Mr. Roberts advised that the applicant was requesting a Special Permit for a limited service suite hotel on a 2.3-acre site on the northeast corner of Glenville Drive and Greenville Avenue. He added that the proposed building would be four-stories, 64 feet high, with 64,000 square feet and approximately 100 rooms.

Mr. Roberts stated the masonry on the proposed hotel would meet zoning minimum criteria regarding the amount of masonry.

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

Mr. Nick Patel, representing Richardson Lodging, 1212 Corporate Drive, Irving, Texas, stated he was excited about meeting the needs of the community by bringing a Hampton Inn and Suites to the city.

Commissioner Roland asked if the renderings truly reflected what the hotel would look like when finished.

Mr. Patel replied the renderings were an accurate depiction of what the building will look like when completed and pointed out the details of the brick color and cast stone that will be similar to the stone work on the new Noah's meeting center.

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

Commissioner DePuy asked where the shared driveway would be located.

Mr. Roberts replied that it would be along the southern portion of the property.

Chairman Gantt asked if the Noah's meeting center also had connection onto Greenville on the eastside, and wanted to confirm that the hotel would only have a single entrance.

Mr. Roberts replied that the Noah's meeting center has access to the existing private drive used by the Verizon facility, and the hotel would have only one entrance and exit.

Chairman Gantt said he thought the hotel would be a good addition to the area, would complement the adjacent meeting center and would be beneficial to the City especially during the Wildflower festival.

**Motion:** Commissioner DePuy made a motion to recommend approval of Zoning File 13-08 as presented; second by Commissioner Bright. Motion approved 5-0.

## **ADJOURN**

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With no further business before the Commission, Chairman Gantt adjourned the regular business meeting at 7:58 p.m.

David Gantt, Chairman City Plan Commission