

**CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – MARCH 4, 2014**

The Richardson City Plan Commission met on March 4, 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
Thomas Maxwell, Commissioner
Janet DePuy, Commissioner
Randy Roland, Commissioner
Bill Ferrell, Alternate
Stephen Springs, Alternate

MEMBERS ABSENT: Eron Linn, Commissioner

CITY STAFF PRESENT: Sam Chavez, Assistant Director – Dev. Svcs – Planning
Susan Smith, Assistant Director – Dev. Svcs – Dev & Eng.
Israel Roberts, Development Review Manager
Chris 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 28, 2014.

Action: Minutes were tabled to March 18, 2014 meeting.

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.

- 2. Dover Elementary School (Companion to item 6).** A request for approval for site and landscape plans for Dover Elementary. The 8.79-acre site is located at 700 Dover Drive, at the southwest corner of Dover Drive and Colfax Drive. Applicant; Jeff Groth, Corgan Associates, representing Richardson Independent School District. *Staff: Israel Roberts.*
- 3. Applebee's (Companion to item 7).** A request for approval of site and landscape plan for a 4,580 square foot restaurant. The 0.85-acre site is located at 125 N. Plano Road, on the west side of Plano Road, north of Belt Line Road. Applicant: Randy Helmberger, Helmberger Associates, representing LG Plano Belt Line, LLC. *Staff Israel Roberts.*

- 4. Multiple Restaurant Sites (Companion to item 7).** A request for approval of site and landscape plans for three (3) restaurant buildings totaling 18,522 square feet. The 4.13-acre site is located at 1301 E. Belt Line Road, on the north side of Belt Line Road, west of Plano Road. Applicant: Matt Moore, ClayMoore Engineering, representing LG Plano Belt Line, LLC. *Staff: Israel Roberts.*

Chairman Hand asked that Item 2 be removed for separate consideration.

Motion: Commissioner Roland made a motion to approve Consent Agenda Items 3 and 4 as presented; second by Commissioner Frederick. Motion approved 7-0.

SEPARATE CONSIDERATION – Item 2

Mr. Roberts advised the applicant was requesting approval of a site and landscape plan for Dover Elementary School. The proposed site plan reflected an 8,500 square foot expansions to the existing 53,000 square foot school, as well as an additional drop off lane and fire lane loop on the west side of the building. During review, staff provided representatives of the school district a revised site plan that would more closely conform with City design standards; including a revised parking lot for the school staff area at the northeast corner of the site. The revised site plan city staff suggested included a 10' wide landscape buffer along both Colfax and Dover Drive and allowed the removal of a problematic driveway at the hard corner. He added the school district had chosen to proceed without including any of the suggested options to solve the driveway conflict.

Mr. Roberts advised the landscape plan reflected the as-built conditions of the site other than the proposed improvements. He added the site was short on street trees along Colfax and Dover Drive as well as parking lot screening shrubs and landscape islands at the end of parking rows. Mr. Roberts stated that it did not appear that a representative from the school district was in attendance.

Commissioner Roland noted that he had studied the drop off loop and expansion on west side and asked if there were any plans to do anything in front of building.

Mr. Roberts responded that the 5' sidewalk along Dover was the only thing planned.

Commissioner Maxwell asked if all the doors at this school were unlocked thus making it possible to enter and leave through any exit.

Chairman Hand noted from his experience, following the bell ringing, the campus was locked down like all other schools. He added that one had to be badged and cleared through two (2) sets of doors to access any of the Richardson elementary schools.

Commissioner DePuy asked if the placement of trees was where staff recommended.

Mr. Roberts explained that the proposed plan represented the existing trees and additional trees, based on the length on the street frontage could be spread along the street frontages. Trees could be grouped, but were not required to be set number of feet on center.

Commissioner DePuy asked about the shortfall of trees for the site.

Mr. Roberts responded that the property was short fourteen (14) canopy trees and eighteen (18) ornamental trees along Colfax Drive; Dover Drive was short one (1) canopy tree and nine (9) ornamental trees.

Commissioner Hand stated he could see this crossing into traffic and landscape issues. He explained there had already been an approval that showed flexibility from the City with relief on a 900 foot masonry wall. Staff made a recommendation regarding parking and the school district chose not to observe the recommendation. If the school district could control the parking lot by coning it off in the mornings; that it amounted to an operations issue. Lastly, he expressed the idea that a response indicating there were no funds budgeted for compliance that it would not be looked at favorable from a private request and should that same response be accepted from a public entity.

Commissioner Hand asked staff if other cases brought before the Commission included forgiveness on landscaping.

Mr. Roberts responded that about a month ago at Mohawk and Richland Elementary Schools there was consideration regarding street trees with the same sort of issues on both sites.

Commissioner Bright questioned staff if part of the recommendation for tree placement on Colfax included trees being placed down by the soft ball field.

Mr. Roberts responded that placement of additional trees would be at the discretion of the school district.

Commissioner Springs confirmed his agreement with the Chairman's comment regarding public and private response to the response from the school district and questioned if this was the time to make changes to the way items had been handled in the past.

Chairman Hand stated the prior two (2) schools were located on major arterials. This school was located on very tight scale residential streets.

Commissioner DePuy stated she could support dropping the number of trees by half. She added that she would have to defer to others on parking and traffic issues because she was unfamiliar with those and that a little more landscaping could be added.

Commissioner Bright voiced his agreement with Chairman Hand on the traffic issue and Commissioner Maxwell's point was well taken regarding self-regulation. He stated that perhaps the applicant was not present because this was a Consent Agenda Item. Commissioner Bright stated he would support the item.

Mr. Roberts state that the Commissioner Hand had the option of continuing the item for two (2) weeks. He added this would give an opportunity for clarification from the school district and would give them a second reminder that there was a meeting that someone needed to attend. He expressed that if the Commission thought it was appropriate to bring the request back in two (2) weeks, staff could work with that.

Commissioner Springs added that he also felts a conversation with the applicant would be helpful.

Commissioner Frederick stated her agreement with Commissioner DePuy. She continued that a number of trees could be added, even if only half the total number to enhance the structure inside the neighborhood. She added this might be a message to our school district that we believed in “greening” our schools.

Chairman Hand questioned staff regarding the history of how the school reached the point of missing landscaping items. He asked if the policy had changed since 1955.

Mr. Roberts explained that the policy had changed since 1955. He continued that we did not have a lot of site plans for schools; a number were not even platted. He pointed out that Mohawk elementary did not have a site plan or landscape plan and these were being established. He added that between requirements and code changes and it being a part of the school district, the past was catching up with them.

Ms. Smith added that prior to 1985 we did not apply any of our codes or regulations to public schools. The laws changed in about the mid-1980s, a new decision came out of the courts that indicated cities could require compliance with zoning and other regulations; provided it did not keep a school district from educating.

Motion: Chairman Hand made a motion to table Consent Agenda Item 2 to the next meeting; second by Commissioner DePuy. Motion approved 7-0.

ACTION ITEMS

- 5. Master Sign Plan – CityLine:** A request for approval of a master sign plan for CityLine. The nearly 35 acre site is located south of President George Bush Highway, between Plano Road and the DART Light Rail Line. Applicant: Michael Alost, KDC, and Carolyn Wilder, RSM Design, representing KDC Real Estate Development and Investment. *Staff: Susan M. Smith, AICP.*

Ms. Smith advised the applicant was requesting approval of a Master Sign Plan for the CityLine Development. She explained CityLine was made up of nearly 35 acres bounded by President George Bush Highway to the north, between the DART Rail Line and Plano Road. KDC began construction of the initial phase of the mixed-use urban development in March 2013 and completion was anticipated by May 2015.

There were currently three (3) towers totaling nearly 63,000 square feet of retail, 1.5 million square feet of office under construction that had been leased by State Farm and a parking structure. The initial phase included a 150-room hotel and 532 multi-family units with ground floor retail along State Street in addition to 46,000 square feet of medical office building and a 3.5 acre public park. The centrally located CityLine Plaza was the focal point for the development and would allow outdoor concerts and festivals. The subject property was zoned PD Planned Development which supported a pedestrian oriented mixed-use urban environment with convenient access to DART Light Rail. Under the signage standards of the Planned Development, there was a provision that allowed an applicant to establish a Master Sign Package for the development which would be reviewed by staff and approved by the Commission.

Michael Alost, KDC, 8115 Preston Road, Dallas, Texas 75225; the applicant, stated that Carolyn Wilder and Harry Mark, RSM Design; world class signage designers, were also in attendance. He continued that the Master Sign Plan had been worked on for a long time. He stated he would update the Commission on CityLine, talk about purposes and goals for the Master Sign Plan and introduce the importance of the Sign Plan Table. He added there were four (4) signage categories that Ms. Smith had covered in the work session and that he would include perspectives, elevation views and some location maps.

Mr. Alost introduced a Conceptual Master Sign Plan of the entire CityLine campus. He noted that the property on the west side of Plano Road was the part of the site currently under development and applied to the Master Sign Plan. Their future plan was to move to the east and they wanted to carry this concept in that direction as they work in the future. He added that State Farm was the anchor with 1.5 million square feet and structured parking, and that it included an estimated 90,000 square feet of retail on the bottom level and an entertainment venue on the back side of a hotel. Mr. Alost added there was a great deal of multi-family development underway and there were also areas in early stages of development that had not been launched.

Mr. Alost advised that Building III would be completed for occupancy in November of this year. Building I would be finished in January of 2015 and the final building would be completed along with the grand opening of everything in May or June of 2015, and that the hotel and multi-family units would be available and retail will be operational at that time. The plaza area would include public spaces, lawns, a central fountain, seating and shade. The retail plan would be made up of restaurant based entities and some service oriented businesses.

Mr. Alost provided a video flyover of the project for the Commission to impress upon them the scale of the project as the elevations are reviewed. He added that place making was essential to the core of the development, and that the signage went beyond just way finding, but created a special character. The developer would use it to enhance the tenant's ability to be successful and create street vibrancy. He added that the Master Sign Plan would also be used to control projects and to create an appropriate balance between complexity and continuity.

Mr. Alost suggested breaking the plan into two (2) pieces, (1) Sight Signage - way finding and identity which was stable, provided continuity and was the back bone of the signage plan; and (2) Tenant Signage –which was comprised of complexity and vibrancy.

Mr. Alost explained the sign plan components included; (1). Applicant’s Statement that spoke to the applicant’s aspirations, design goals and the strong qualifications of the team; (2) Four (4) signage types identified as site signage and building signage that are the bedrock of the signage system creating consistency and a solid base. The major tenant signage and the retail signage provided variability and complexity. The Sign Table and the Appendix contains fonts, materials and colors that apply to the site and building signage. Tenant signage would have more flexibility in terms of color choices.

The Sign Plan Table, with its governing matrix was made up of the types of signs; some of which the team invented for this project to fit with the architecture. He added it also set size limits, lighting restrictions that prevent things like running lights, glitter sign faces or flashing signs and it addresses what is allowable. The Sign Plan Table provides a description of each type sign in terms of how it would be used and its location. Mr. Alost noted the plan provides a great deal of control over the signage systems that would be applied to the project.

Mr. Alost stated the design concept for the consistent piece of way-finding had a lot of architectural character similar to the State Farm buildings and scaled to the landscape and the campus. It had a masonry base, anchored metal façade, some acrylic and great figure ground legibility, using a number of earth tones with a few colored highlights. At this time, the logo was a place holder that was still being designed to fit appropriately.

Mr. Alost introduced the Site Identity Totem as the entry piece. Each sign type was accompanied by two (2) illustrations. Mr. Alost explained that one addressed the scale and size that was allowed in the Sign Plan Table which was typically twenty (20) percent larger than the actual sign designed by the team. This was done to give flexibility to those in the future who would have to abide by the Master Sign Plan. Each case also showed a map indicating the locations where signs would be positioned on the site.

Mr. Alost stated there were a number of Vehicular Directional Signs, but the size of the site and location of the signs kept the campus from appearing too busy. Specific locations had been designated for each of those to direct people to the parking garages and buildings. The garage identification signs, included building numbering and color coding to direct visitors to the eight (8) or nine (9) entrances to garage parking structures which provided parking for 7,000 vehicles.

Mr. Alost discussed the Pedestrian Way Finding signs, which were somewhat taller in scale to accommodate the different eye level of walking down the street and looking ahead. Both sides of this monument shaped sign were used to identify some key tenants on one side and give directions on the other with a campus map and directory giving a sense of direction.

Mr. Alost explained that the Major Sign Plan was very detailed and covered many sign uses. The building signage was actually the street address. The design team identified these numbers as sculptural elements located on doors and landscaping.

Mr. Alost described for the Commission of some of the top examples of signs. Three different tenant identity signs were proposed for the top of each of the three State Farm Buildings which were the highest buildings in hierarchy on the site and were readable from a distance of one-half mile. The garage towers at the corners of the garage provided a place to identify the CityLine name and logo as well as major tenants. The design team has moved away from billboards or pole signs, creating some signage types not covered by the current City sign ordinance that great architectural elements, illuminated by night without being obtrusive or confrontational.

Mr. Alost explained there were other major tenant signage types that were positioned in different ways, depending on use. The Hotel had some special needs and the hotel owner had gotten authorization for a flag. There will be an element at the top of the building and on the ground similar to the building identification that goes in front of the entry. The hotel also had the logo that goes on the glass.

Mr. Alost reported there were a couple of other major tenant signage types; (1.) a parapet sign for the low or mid-rise buildings that were limited by area and square footage dimensionally for heights and the scale of the buildings; (2.) a monument sign type which was more conventional and there was only one of this type;(3.) a major tenant identity sign that can be placed on the face of a building, not just the parapet. This was addressed to satisfy the entertainment venue; (4.) the retail sign had the highest amount of variability because of the need to convey their identity, brand and their message to customers. The design allows retail establishments the opportunity to draw customers, create street energy and at the same time to control the scale; (5.) a blade sign located near the tenant's entry door, more a foot traffic identifier; (6.) tenant window graphics are being limited to certain materials and heights of glass as well as canopy types that are typically horizontally and within a 12' – 16' zone with an extension of no more than 10 feet. The tenant also had the wall sign up on the upper parapet and the opportunity for a blade sign and window graphics; however, there were a number of controls in place for all signage aspects.

Mr. Alost stated the two (2) most important benefits of this Master Sign Plan were to maintain environmental integrity by creating a sense of vibrancy and life at CityLine in the City of Richardson and over time the importance of the planning table established windows of opportunity and parameters for the future. The last benefit was for the protection of the quality of the investment being made by all.

Carolyn Wilder, RSM Design, 824 Exposition Avenue, Dallas, Texas, 75226 and Harry Mark, RSM Design, 824 Exposition Avenue, Dallas, Texas, 75226 came forward to respond to questions.

Commissioner Maxwell thanked the applicants and requested clarification on the Major Tenant Signage. He continued citing the State Farm example and the statement projecting sign logo limited one per building. He added it seemed there were 3 signs shown.

Mr. Alost responded that there were three (3) State Farm buildings and each building had one (1) sign.

Commissioner Maxwell asked where the Major Tenant Identity sign (vertical sign) was allowed.

Ms. Wilder explained the difference there was that one of the parapet identity sign was attached to the upper portion of a building and a tenant sign could actually be attached to any part of the building; lower, on a canopy, or on the building face, but not necessarily at the parapet level.

Ms. Wilder clarified for Commissioner Maxwell that each building could have four (4) signs of this type because there were four (4) major facades.

Commissioner Maxwell stated that the theater was at one end and the other end indicates "Hotel Bar and asked if that was also a major tenant identity sign.

Ms. Wilder responded that was the same type sign. The theater tenant identity sign was actually for the entertainment venue in the back, behind the hotel. The "Hotel Bar" sign was just a generic placement or a place holder for a bar that might be associated with the hotel, and the same type of sign as the "Theater" sign, only for the hotel.

Commissioner DePuy stated her approval of the vertical signs and asked how a major tenant was identified.

Mr. Alost responded that there were provisions for the hotel and other anchors. Significant tenants would be determined on a case by case basis. He added that no size limits had been set, but major tenants were most likely going to be restaurants.

Ms. Wilder clarified Commissioner Roland's question regarding a picture of the hotel signage by explaining that the elevation was a combination of signs that identified or categorized different sign types specifically for the hotel. The sign at the top was the hotel parapet sign; the one below was the hotel monument sign; and the lower signs addressed the name of the bar, the hotel and the same for the theater signs. The three (3) different categories of signage reflected are the hotel parapet sign, the hotel monument sign and the hotel identity sign.

Commissioner Roland asked what method of control or enforcement would be used for lower retail signage.

Ms. Wilder stated this situation would be controlled internally with the Tenant Criteria Manual that is more restrictive than the guidelines presented here and provided direction for exactly what was acceptable.

Commissioner Springs asked if a signage type was not mentioned in the guidelines, did that indicate it was not allowed for the site.

Mr. Alost replied yes, that was correct.

Ms. Smith added that if a sign was requested that was not addressed in the Master Sign Plan the applicant had to request a modification to the plan. Other signs that met the City requirements of Chapter 18 were not permissible with the development.

Commissioner Frederick asked for clarification regarding multi-family criteria and whether "Now Leasing" type signage would be allowed.

Ms. Wilder directed the Commission to the page in the Master Sign Plan where that type of signage was addressed, which included parapet signs and monument signs directed toward multi-family.

Mr. Alost responded that it would be allowed if it were on a sandwich board sign.

Commissioner Frederick stated that those in real estate understood the importance of good signage and that there was great value in pylon signage compared to horizontal signs.

Chairman Hand stated agreement with the material presented and with the professionalism of staff. His goals were to process the information as quickly as possible to determine whether the plan could be defended to the community. Chairman Hand asked if the professional renderings that appeared throughout the plan were to be included with the Master Sign Plan.

Mr. Alost responded that the photo-real renderings are a part of the applicant's statement and they convey character, with no plans to comply with those renderings.

Chairman Hand asked if the canopies pictured were part of the criteria.

Mr. Alost replied that the canopies complied with the form based code already in place and were further governed by the tenant criteria that would be established in the lease to the tenant.

Chairman Hand stated that he did not see any provisions for LED marquis signs.

Mr. Alost added that LED lighting was not allowed.

Chairman Hand stated his surprise that the parking signage appeared small.

Mr. Mark responded that a large part of the public would be coming into the parking garages from State Street and the plaza. The team felt that the proposed way-finding tools there were sufficient to guide a visitor to the parking areas. There were specific messages on all the vehicular directional signage to guide the public to State Street and from State Street into the public parking garage.

Ms. Smith added that there was a provision for a marquis sign that was detailed in the Master Sign Plan in response to Chairman Hand's question regarding allowance of a marquis sign.

Mr. Alost addressed concerns regarding any signage oversights occurring on corners by stating that when staff approved a site plan, signage criteria will be reviewed in detail to avoid this.

Commissioner Ferrell asked if the design team envisioned banners always being displayed on designated pole banners or if their use would be intermittent.

Mr. Alost explained that he did not see something hanging there constantly, but there would be a property manager and that would be more of an operational question.

Ms. Smith added that because banners were being placed on light poles, which were actually in City rights-of-way, the City would have to approve any banners and the timetable for their duration.

With no other comments or questions, Chairman Hand called for a motion.

Motion: Commissioner DePuy made a motion to approve the request as presented; second by Commissioner Maxwell. Motion approved 7-0.

PUBLIC HEARINGS

- 6. Replat – Richardson Heights Addition, Lot 19, Block 77 (Companion to item 2):** Consider and take necessary action on a request for a replat of Block 77 of the Richardson Heights Addition to dedicate easements for the expansion of Dover Elementary School. The 8.79-acre site is located at 700 Dover Drive, at the southwest corner of Dover Drive and Colfax Drive. Applicant; Jeff Groth, Corgan Associates, representing Richardson Independent School District. *Staff: Israel Roberts.*

Mr. Roberts advised the purpose of the replat was to dedicate easements to accommodate the proposed expansion of Dover Elementary School. The replat dedicated a 15' utility easement for the extension of a water line loop on the west side of the school, and that the replat complied with City subdivision regulations.

With no one present to speak in favor or opposition to the request, Chairman Hand closed the public hearing.

Mr. Roberts clarified that although this was a companion to Consent Item #2 that was tabled; this item was for the conveyance of utilities only and the Commission could act on it.

Motion: Commissioner Frederick made a motion to approve the request as presented; second by Commissioner Springs. Motion approved 7-0.

7. **Replat – Skaggs-Albertsons Addition, Lots 1A and 7, Block A (Companion to items 3 and 4):** Consider and take necessary action on a request for a replat of Lot 1A, Block A of the Skaggs-Albertsons Addition into two (2) lots. The 4.98-acre site is located at 125 N. Plano Road (Lot 7) and 1301 E. Belt Line Road (Lot 1A), on the north side of Belt Line Road, west of Plano Road. Applicant: Randy Helmberger, Helmberger Associates, representing LG Plano Belt Line, LLC. *Staff Israel Roberts.*

Mr. Roberts advised the purpose of the replat was to create two (2) lots and to dedicate the necessary easements to accommodate the development of a 4,580 square foot restaurant on proposed Lot 7 and three (3) additional restaurant buildings totaling 18,522 square feet on proposed Lot 1A, and that the replat complied with City subdivision regulations.

Chairman Hand opened the public hearing.

Randy Helmberger, Helmberger Associates, Inc., representing LG Plano Belt Line, LLC, 1525 Bozman Road, Wylie, Texas 75098 stated Lot 7 was being created for a new Appleby's restaurant and that the existing Appleby's restaurant on Belt Line Road would be closed.

With no one present to speak in favor of the request, Chairman Hand asked for anyone who would like to speak in opposition.

Jack Winfield, Winfield's Jewelry, 129 N. Plano Road, Richardson, Texas 75081 stated he only learned about this today; and he did not get notice from the City regarding the case. Winfield added he was uncertain if the existing driveway entrance was being moved slightly moved over and expressed that this would deny access that has been there many years and the parking shown would block access to his store's parking, in front of the building.

Ms. Smith responded added during development of the site plan it was ensured that access was maintained to the Mr. Winfield's property.

Mr. Winfield stated he had concerns regarding access and also the planting of trees in front of his pole sign in front of the building. He expressed his desire that any landscaping placed there would be low to the ground. He added that he is excited that the Albertson's location will be developed; however, he does not care for the site being cut up into sites for fast food operations because of all the traffic generated. Winfield added that if access to his location is permitted he feels that would help.

Ms. Smith responded that any type of drive-thru restaurant would require a special use permit because of their unique circulation needs.

Jack Corman, 10830 N. Central Expressway, Dallas, Texas 75231 stated his concern was that this application was for three (3) fast food operations with drive thru facilities. He added he did not see using the intersection of Belt Line Road and Plano Road for fast food operations as the best land use for the four (4) corners involved and asked the Commission to take a broader look at the area.

With no other comments in opposition were heard, Chairman Hand closed the public hearing.

Commissioner Roland stated Mr. Corman's point about the corner is well made. The comment about three (3) drive thru restaurants, as Ms. Smith explained is not what is being heard tonight and it cannot happen without a special use permit and stated that it appears all of Mr. Corman's concerns had been addressed.

Chairman Hand restated that the Commission is convening to consider a request to subdivide the Albertson's parcel for Applebee's restaurant. Chairman Hand continued that there was not to be any discussion of fast food restaurants.

Ms. Smith confirmed there is no planned discussion regarding fast food restaurants.

Ms. Smith clarified that on the Consent Agenda there was an item for revised site and landscape plans that covered the entire, original Albertson's site. Smith explained that as a part of the Consent Agenda, the Commission approved a new Applebee's and also for the remaining tract that does not include Applebee's, a plan was approved that indicated three (3) buildings for potential restaurants – not drive thru restaurants. She added that the site plans and landscape plans complied with our zoning, as well as our development standards and policies. She continued that the application being reviewed this evening was a replat and that replats were required to be a public hearing by state law, and provided the plat complied with our subdivision regulations, it was incumbent on the Commission to approve the document.

Commissioner Hand restated that if an item complied with the regulations and the zoning ordinances, there is a limit on what the Commission could do. He added that the decision made tonight by this body would be a final decision.

Mr. Helmberger addressed the point made that his group is looking at a single restaurant, not a drive thru restaurant. He continued that he and Mr. Winfield have been in discussion regarding access to his property. He emphasized that during the review process they did work extensively with staff to maintain all traffic flows as they currently exist and that access to Mr. Winfield's parking as well as parking for the remainder of the development will be maintained.

Commissioner Roland asked the applicant if he had purchased, in part or in whole, the Applebee's property.

Mr. Helmberger stated that Apple Texas is purchasing Lot 7.

Commissioner Frederick asked if Applebee's current location is a leased space.

Mr. Helmberger responded that the ground lease is near termination.

Commissioner Ferrell questioned staff regarding the property being replated based on a portion of the lot having been purchased.

Ms. Smith stated the replat is being requested because a portion of the lot has been purchased. It is also being replated so that each property can be sold separately. She explained that Applebee's wanted to purchase their lot, which was why they entered into the subdivision of the larger tract as well as a revised site and landscape plans, and civil package for both portions.

Commissioner Roland asked staff if this replat was approved, will the remainder of the land no longer support the "Big Box Concept."

Ms. Smith stated that it no longer complied with City regulations and any project that moved onto that site would have to remove the building to comply with the approved site plan.

Chairman Hand voiced his concern to see another large parcel on another major corner being subdivided. He added there was not much to be done, since the application met all criteria.

Ms. Smith confirmed that the application did meet all criteria.

With no other comments or questions, Chairman Hand called for a motion.

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

ADJOURN

Chairman Hand wished Kathy Welp a speedy recovery from her knee surgery and thanked Cindy Wilson for being in attendance.

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