

CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – JUNE 19, 2018

The Richardson City Plan Commission met on June 19, 2018, at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: Ron Taylor, Chairman
Janet DePuy, Vice Chair
Marilyn Frederick, Commissioner
Tom Maxwell, Commissioner
Stephen Springs, Commissioner
Bill Ferrell, Commissioner
Randy Roland, Commissioner
Dorothy McKearin, Alternate
Ken Southard, Alternate

MEMBERS ABSENT: No members absent

CITY STAFF PRESENT: Sam Chavez, Assistant Director – Dev. Svcs. – Planning
Amy Mathews, Senior Planner
Daniel Harper, Planner
Connie Ellwood, Executive 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 rezoning initiatives. No action was taken.

REGULAR BUSINESS MEETING

1. Approval of Minutes of the regular business meeting on June 19, 2018.

Motion: Commissioner Maxwell made a motion to approve the minutes as presented; Second by Commissioner Springs. Motion approved 7-0.

- 2. Public Hearing – Zoning File 18-14 – Tom Thumb Fuel Center:** Consider and take necessary action on a request for approval of a zoning change from LR-M(2) Local Retail to PD Planned Development for LR-M(2) Local Retail with modified development standards to allow for a motor vehicle service station on approximately 20.71 acres located at the northeast corner of N. Coit Road and W. Campbell Road. Applicant: C.J. Ponton, PE, Kimley-Horn, representing Tri-State Commercial Associates. *Staff: Amy Mathews.*

Staff Comments

Ms. Mathews presented regarding Zoning File 18-14. She stated the subject site consisted of two (2) lots, totaling approximately 20.7-acres, with Lot 2 being the focus of this request and the request to merge the two lots under one zoning district. The current development on Lot 1 is planned to remain, while the current retail building on Lot 2 would be demolished for the construction of a new 816-square foot convenience store and Tom Thumb fuel station, which was not a permitted use under Ordinance 3079-A.

Ms. Mathews stated the rezoning would simplify the parking and landscape requirements for the overall shopping center. The building would match the Tom Thumb concrete masonry units (CMU), stone, and tile inserts. The fuel islands would have tan, metal canopies with columns covered in CMU and stone to match. The applicant would keep the existing 50-foot building setback and landscape buffer.

The proposed service stations would provide six (6) parking spaces where five (5) were required. The applicant requested to eliminate the second vehicle space behind those using the pumps. The entire area would be treated as one (1) lot as it pertained to parking. A minimum requirement of parking spaces for this location was 850. The location contains 940 existing parking spaces. Ms. Mathews concluded her presentation stating she did not receive any correspondence in favor or against this project.

Commission Discussion

Commissioner Roland inquired why a zoning change was being requested from LR-M(2) to a PD for LR-M(2) as opposed to a special permit for a gas station.

Mr. Chavez stated the request was to simplify the zoning on the property as opposed to creating multiple zoning ordinances. From an administrative standpoint, it would be best to create a new Planned Development District with the remaining conditions and apply an additional use to Tract 2 as a Tom Thumb Gas fueling station.

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

Public Comments

Mr. C.J. Ponton, 5750 Genesis Court, Frisco, TX 75034, the Civil Engineer for the project approached and made himself available for questions. He requested a favorable recommendation for City Council.

Commissioner Roland asked the applicant for clarity on displays or marketing signs at the location.

Mr. Patton responded there would be no outside displays and all displays would be inside.

Commissioner Roland asked if there were plans to add fuel stations to all Tom Thumb stores.

David Harden, 2401 East Randol Mill, Arlington, TX 76011, a representative of Tom Thumb came forward. He stated they attempt to add a fuel station to every store where possible, but the property was not always available, and they wanted to take advantage of the opportunity at this location.

Commissioner Ferrell asked if any other configurations of the site were looked at, and was an increase in tract size or lot size considered.

Mr. Patton stated they looked at other requirements sliding east and west and ultimately ended with this layout to get the most use of the paved area. He stated an increase or change of tract size or lot sizes were not discussed.

Anasa Corasi, 2005 Garden Park Court, Richardson, TX 75080, approached to speak in opposition of the case. She believed the project would generate excessive traffic, be esthetically unpleasing, and bring property values down.

No other comments in favor or opposed were received. Chairman Taylor closed the public hearing.

Commission Action

Mr. Chavez noted condition 2C in the Comprehensive Zoning Ordinance, which defined a Motor Vehicle Service Station. He advised the board to consider limiting language to a Tom Thumb fueling station, in essence branding it.

Motion: Commissioner Springs made a motion to recommend approval of Zoning File 18-14 – Tom Thumb Fuel Center with the branding definition and limitation as stated by Mr. Chavez; second by Commissioner DePuy. Motion approved 7-0.

- 3. Public Hearing - Zoning File 18-16 – Hat Creek Burger Co.:** Consider and take the necessary action on a request for approval of a change in zoning from TO-M Technical Office to PD Planned Development for TO-M Technical Office with modified development standards for the development of two drive-through restaurants located at 2311 N. Central Expressway. Applicant: Sam Brown, Hat Creek Burger Co. *Staff: Amy Mathews.*

Staff Comments

Ms. Mathews presented regarding Zoning File 18-16. She stated the subject site consisted of an undeveloped, vacant lot that the applicant proposed to subdivide in the future. She stated the Technical Office District does not allow a restaurant with a drive-through, and the applicant requested two restaurants with a drive-through on each tract.

Part of the request was to allow Nichiha and Thin brick to be counted as masonry, and to require no side or rear setbacks. The applicant would like to request approvals for Lot A be administrative. They requested a flag lot for Tract B to ensure parking requirements were met and to avoid a shared parking situation.

She stated the applicant proposed artificial turf and lights in the playground area and covered outside patio. Both buildings would have sprinklers, heaters, and fans to be climate controlled. Ms. Mathews concluded her presentation and stated she did not receive any correspondence in favor or against for this project.

Commission Discussion

Commissioner Roland asked for clarification on the reason for the flag lot request. He requested confirmation that if the current setbacks for the corner lot were maintained, that would indicate the restaurant would fit but not the drive-through.

Mr. Chavez advised there is an existing mutual access easement for the corner property. He stated with the lot configuration for the Hyatt, in order to have each use and parking in the future; should the applicant decide to subdivide, it would create, by default, a flag lot. In lieu of the applicant returning for a Variance process and Replat, they would ask for it up front. Mr. Chavez stated it is an oddly shaped lot which creates the need for this exception.

Commissioner Frederick expressed concern regarding the flag lot and right turn lane. She asked staff if Traffic had looked at safety for that corner.

Ms. Mathews confirmed Traffic reviewed the plans as a part of the application process.

Commissioner Maxwell stated he had concern regarding the reduced setback proposal on the side and rear. He asked Mr. Chavez to confirm if the applicant could potentially push the building to the property line.

Mr. Chavez stated if the applicant moved the building, the revised plan would not conform to the concept plan as shown. He noted staff would ensure compliance; therefore, any deviation that affected circulation or health and safety elements would have to be brought back before the Commission.

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

Public Comments

Mr. Andy Summers, 3804 Kenora Court, Austin, TX 78738, stated he was the owner and representative to Hat Creek Burger. He stated as a business they catered to families.

No other comments in favor or opposed were received. Chairman Taylor closed the public hearing.

Commission Action

Mr. Chavez suggested under the proposed conditions regarding use regulations that the Commission limit the use to the restaurant on Tract A to the Hat Creek Burger Company.

Commissioner Maxwell spoke in favor of the restriction for one drive-through. He spoke in opposition to two drive-through facilities being allowed.

Commissioner DePuy wanted confirmation that the second flag lot would need to come back through the Commission.

Mr. Chavez confirmed it would for the Development Plans including Site, Landscape and Building Elevations. He stated that if the Development Plans conformed to the Zoning Exhibit, the only issue to potentially address would be the exterior façade.

Commissioner Roland stated he was in favor of approving Hat Creek Burger Company on Tract A, but stated he was hesitant approving an unknown restaurant of Tract B.

Mr. Chavez clarified the applicant would need to return for a Special Permit if the Commission made a motion to recommend approval of one drive-through for Tract A and require a Special Permit at a future date for a drive-through facility for Tract B.

Commissioner Springs stated he shared trepidation regarding Tract B and felt uncertain about what it would look like in the future. He noted much time was spent considering odd, tiny lots many years later for other cases that became untenable. He questioned why they would create a similar circumstance here. He said while he was in favor of approving Hat Creek Burger Company, he was ultimately not comfortable with Tract B.

Motion: Commissioner Maxwell made a motion to recommend approval of Zoning File 18-16 – Hat Creek Burger Co. with the branding definition and limitation for only Hat Creek Burger Company on Tract A and to allow a drive-through restaurant upon approval of a Special Permit for Tract B; Second by Commissioner Frederick. Motion approved 6-1 (Springs Opposed).

4. **Zoning File 18-18 – Duck Creek Professional Park:** Consider and take the necessary action on a request for a change in zoning from LR-M (1) Local Retail to PD Planned Development for the O-M Office District with modified development standards for the development of two office buildings on approximately 2.5 acres located at 998 N. Plano Road. Applicant: Travis Thompson, Duck Creek Professional Park, Ltd. *Staff: Daniel Harper.*

Staff Comments

Mr. Harper presented regarding Zoning File 18-18. He stated the applicant proposed the zoning change and upon approval wanted to subdivide the property. The applicant requested a reduction in required parking spaces from 90 to 82. Mr. Harper stated the reason for the zero-foot rear setback request was due to the flood plain along the creek and the disjointed property line the middle of the creek creates.

The front setback of 10-feet, as opposed to 30-feet, was requested to combine the landscape setback with the building setback to create parking spaces along Plano Road. The applicant requested would increase landscaping from 7% gross land area to 12%. Mr. Harper stated the applicant requested an evergreen shrub row as opposed to a 6-foot masonry wall for screening requirement due to the current wrought iron fence along the adjacent multi-family property.

Commission Discussion

Commissioner McKearin asked if delivery trucks would utilize parking spaces for deliveries.

Mr. Harper stated smaller trucks would be able to fit in one of the parking spaces shown.

Commissioner Frederick asked for the height of the residential buildings adjacent to this property.

Mr. Chavez replied the adjacent buildings are 42-feet.

Commissioner Roland confirmed that the applicant could build to the flood line but not the property line. He queried what would determine the location of a sidewalk connection.

Mr. Harper stated the alignment of the sidewalks at the Residences at Duck Creek was already an approved development plan. The current alignment of Duck Creek Professional Park sidewalk was only a proposed concept plan but will line up for approval.

Commissioner Maxwell asked for the whereabouts of the Landscape Plan and Elevations due to the administrative approval request.

Mr. Chavez clarified for an administrative approval, staff would approve the site plan and the elevations would be required to conform to the masonry requirements of the Office District. He confirmed they were not being shown as the applicant was not requesting changes from the base zoning for the buildings.

Commissioner Ferrell asked what use was currently allowed under the Retail zoning along with height restriction.

Mr. Harper stated offices, specialty stores, with a 2-story height restriction.

Mr. Chavez clarified the applicant chose an Office district as it more restrictive in regards to the types of uses allowed as opposed to Local Retail District which was more expansive.

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

Public Comments

Mr. Travis Thompson, 3740 North Josey Lane, Suite 112, Carrollton 75007, approached and stated he represented Duck Creek Professional Park Ltd Group. He presented on the project and stated this type of office usage and structure would attract high-end tenants to include doctors, lawyers and dentists with visitors limited to the number of patients they would see in an hour to prevent an influx of traffic and would also benefit the adjacent neighborhood and exemplified compliance with the City's Comprehensive Land Use Plan for neighborhood services. The units will be high-end single-story offices with professionals serving the immediate neighborhood and the residents that live nearby.

Commissioner DePuy asked if the applicant had current tenants in mind and what types of tenants had responded.

Mr. Thompson stated the market response had been positive and while he was not handling the brokerage he was aware a dentist, a cardiologist, and a lawyer have shown interest.

Commissioner Southard asked if the applicant would anticipate an emergency room being used in this space.

Mr. Thompson replied that overnight or emergency room facilities were never in their expectations. He stated he would be open to amending the Planned Development language if that was a concern.

Mr. Chavez confirmed that if patients stayed overnight it would be classified as a hospital which would not be allowed; however, by right, they could provide outpatient services and be considered an office use.

Mr. Charles Newton, 2106 Goldenrod Drive, Richardson, TX 75081, approached and spoke in opposition. He believed the Home Owner's Association was not aware of these development plans. He stated this was not the best time to develop and determine if this was the best use, as along Plano Road there was a large amount of vacant properties with office, industrial or retail land uses not yet developed. Mr. Newton stated the creek is an extension of a park which the community loves. He urged the Commissioners to not rush approval.

Mr. Anthony Rice, 1505 Creekside Drive, Richardson, TX 75081, approached and spoke in opposition. He stated the Commissioners should not approve solely a concept plan and did not agree with the placement of medical offices in a young, family community. Mr. Rice stated he was unhappy with the connection to the creek and believed the applicant did not take into consideration the protection of the development of the creek.

Mr. Thompson came forward and thanked the audience for coming forward with feedback concerning the application. He stated they felt confident in the aesthetics and look of the building taking into consideration all restrictions.

Mr. Thompson stated there would be a retaining wall which was not addressed in the concept plan but would be present in the utility and development plan upon approval.

Commissioner Roland asked if the applicant owned the nearby corner and asked if he reached out to the residences at Duck Creek in regards to this development.

Mr. Thompson stated he did not own that corner and did not reach out for comments on this development but stated his contact information is available for queries.

Mr. Harper confirmed staff acknowledged the 200-foot buffer required by the state, and 3 residential properties were notified within the Duck Creek neighborhood.

No other comments in favor or opposed were received. Chairman Taylor closed the public hearing.

Commission Action

Commissioner Frederick asked how early in advance signs were placed.

Mr. Chavez stated notices and signs are placed ten (10) days prior to the Public Hearing.

Commissioner Roland discussed the requests made by the applicant and believed they were overall beneficial.

Commissioner Ferrell asked what the ramifications would be if the condition for an administrative approval for the Site Plan, Landscape Plan and Elevations were denied.

Mr. Chavez stated that administrative approvals are shorter in duration, and the applicant would have to wait thirty (30) days to come back before the Commission for approval.

Motion: Commissioner Roland made a motion to recommend approval of Zoning File 18-18 – Duck Creek Professional Park as presented; Second by Commissioner Springs. Motion approved 7-0.

- 5. Zoning File 18-20 – The Learning Experience:** Consider and take the necessary action on a request for approval of a change in zoning from O/C Office/Commercial to PD Planned Development for the O/C Office/Commercial District with modified development standards for the development of a childcare center on approximately 3.4 acres located at 528 Centennial Boulevard. Applicant: Jonathan Hake, Cross Engineering, representing Centennial Blvd. LP. Staff: Amy Mathews.

Staff Comments

Ms. Mathews presented regarding Zoning File 18-20. The applicant is requesting to rezone a 3.37-acre tract of land located at 528 Centennial Boulevard on Lot 15B, Block A of the Centennial Buckingham Addition, from Office/Commercial (O/C) to a Planned Development (PD) District with a base zoning of Office/Commercial (O/C). The project is governed by the Town of Buckingham Zoning Ordinance which was updated earlier this year to include the requirement for a Special Permit for a childcare center. Prior to this, a childcare center was allowed by-right under the Buckingham Zoning Ordinance.

The proposed development is a two-phase development; the first phase is 1.37-acres of the site (Tract 1) for a proposed childcare center; The Learning Experience, and the remaining 2.01-acres for a future office/commercial site (Tract 2). Although the Zoning Exhibit shows the site layout for Tract 2, for a potential commercial/office building, no other details are provided for this tract at this time.

The proposed Planned Development includes a childcare center as an allowed use on Tract 1. The proposed one-story childcare center is approximately 10,000 square feet in size with a maximum height of 23 feet to the peak of the roof. The proposed building conforms to the City's minimum 85% masonry requirement and is comprised primarily of red brick with light grey stone sills encircling the building and white vinyl fascia.

This facility will have approximately 10 classrooms with indoor and outdoor playgrounds for a maximum of 200 students. The hours of operation will be 6:30 AM to 6:30 PM, Monday through Friday. According to the applicant, parents typically drop off their children between 6:30 and 9:30 AM in the morning. Adults will be required to escort children to the classroom door, and pick up at the classroom door. There is no drop off or pick up outside or at the entry to the building.

The 6,100 square foot playground area is enclosed with a solid fence. The center is providing a minimum of 30 square feet per child of indoor building are per pupil and minimum 80 square feet of fenced outdoor play space per pupil on playground at any one time, per the City's requirements.

The property would be zoned PD Planned Development for the O/C Office/Commercial district and shall be developed in substantial conformance with Exhibit "B", Zoning Exhibit, and Exhibit "C", Building Elevations, attached hereto, and in accordance with the requirements of the TO-M Technical Office District zoning regulations, except as otherwise provided herein:

1. Uses: All (O/C) Office/Commercial District uses apply with the following exception: A Childcare Center shall be an allowed use on Tract 1.
2. Screening: A masonry wall shall not be required along the south property line.
3. Approvals: Administrative approval of the building elevations, site plan, and landscape plan shall be permitted for Tract 1, provided the plans are in substantial conformance with the attached Exhibits "B" and "C".

4. Lot without Frontage and Flag lot: For the subject lot, Lot 15B, Block A of the Centennial Buckingham Addition, a maximum of one (1) lot may be platted without frontage on a dedicated public street, subject to a mutual access easement and fire lane being provided for access to a public street, and a maximum of one lot may be platted as a flag lot.

Commission Discussion

Commissioner Roland asked if the road dividing the soccer field from the school would be curbed and guttered. He also asked about the other road, if would continue in front of the school. Currently it appears to dead-end into parking.

Ms. Mathews confirmed yes the road be brought up to standard. She confirmed the other road only provides cross access to the east.

Commissioner Southard asked if the decision to not require masonry wall to the south, if sometime in the future were to be used for residential, would that requirement then fall back on the learning experience.

Ms. Mathews stated not if the board approves the waiver of that requirement.

Commissioner Maxwell wanted clarification on what was being approved for lot 2. This will be the last we see other than the plat of site 1 but site 2 would come back.

Ms. Mathews stated the building that is shown on the concept plan and simply create a placeholder for lot 2.

With no questions for staff, Chairman Taylor opened the public hearing

Public Comments

Mr. Edward Manuel 3713 Monticello drive Fort Worth Texas came forward to answer any questions.

Commissioner Roland asked if they reached out to private soccer club that owns the land behind and uses the property for parking.

Mr. Manuel responded that they had not but would as suggested.

No other comments in favor or opposed were received. Chairman Taylor closed the public hearing.

Commission Action

Commissioner Roland confirmed if the special permit should be tied to the learning experience.

Commissioner Maxwell stated he had hesitation in branding it as in the future when they may sell it there would be an issue and they would need to revert the provision.

Commissioner Springs agreed with Commissioner Maxwell.

Motion: Commissioner Roland made a motion to recommend approval of Zoning File 18-20 – The Learning Experience as presented; second by Commissioner Ferrell. Motion approved 7-0.

- 6. Zoning File 18-21 – Royal Garden Towns:** Consider and take the necessary action on a request for approval of a change in zoning from R-1250-M Residential to PD Planned Development for the RA-1100-M Townhomes District with modified development standards for the development of a 97 lot, single-family attached home subdivision on approximately 9.4 acres located at the southeast corner of Greenville Avenue and Centennial Boulevard. Applicant: Amna Paryani, Greenville Development, Inc. Staff: Sam Chavez.

Staff Comments

Mr. Chavez presented regarding Zoning File 18-21. He stated the applicant was requesting to rezone the subject sites to a PD Planned Development for the RA-1100-M an Attached (Townhome) District with modified standards to accommodate a townhome residential development. Due to the configuration of the subject site, which includes flood plain along the east and south perimeter of the site, the site is constrained from being designed as a traditional single-family subdivision. As a result of the site's constraints, the appropriate zoning mechanism is a PD Planned Development which allows modifications to an existing zoning district's development regulations to create development standards that are unique and only applicable to the proposed development.

The applicant is proposing to build 88 townhome units, and (7) open space lots, with all townhomes fronting onto open space lots. There are 2 points of access onto the site. One on Centennial Boulevard (one ingress lane, and a left and right egress lane), and one on Greenville Avenue (one ingress lane, and a left and right egress lane, with a hooded median to prohibit left-hand turns from south bound traffic on Greenville Avenue). Rear entry lots will be serviced by a twenty-four (24) foot wide paved access/fire lane easement, with twenty-four (24) feet of pavement. There will be thirty-nine (39) visitor parking spaces and screening with a minimum 6-foot tall tubular metal fence with brick columns located ten (10) feet off the north, east and west boundaries to provide for a landscape buffer.

The applicant proposed the following development standards:

- Increasing the minimum living area from 1,300 to 1,320 square feet.
- 3 story, not to exceed 55 feet in height, be allowed for Blocks A, B, E and F as they are currently restricted to a 2 story height limitation not to exceed 40 feet
- Minimum lot size of 1,430 square feet, district requirements are a minimum lot size of 1,750 square feet,
- Minimum lot width of 22 feet. District requirements are a minimum lot width of 25 feet.
- Minimum lot depth of 65 feet. District requirements are a minimum lot depth of 70 feet.
- Maximum lot coverage of 92%. District requirements allow a lot coverage of 75%
- Minimum setback from access/fire lane easement of 5-feet.
- Minimum setback from Open Space Lot of Zero (0) feet, with the exception that the front door shall be setback a minimum of six (6) feet from the property line.
- Minimum separation between buildings of 15 feet. District requirements a minimum setback of 10 feet. The increased setback allows for better utilization of the area as an amenity.

- Visitor parking space ratio of 0.4 spaces per unit, with visitor parking spaces allowed within street right-of-way as shown on the Concept Plan.

Additionally, the applicant is requesting the following additional modified standards with regard to Chapter 21-Subdivision and Development Code as part of their request:

- Perimeter Fencing: Minimum six (6) foot tall tubular metal screening fence with brick columns along the north, east and west boundary of the development in lieu of the required six-foot tall masonry screening wall. The proposed six (6) foot tall tubular metal screening fence with brick columns serves as a visual screen when combined with the required landscape buffering and creates an appealing livable environment for the homeowners as opposed to facing a masonry wall.
- Alley Waiver: Access/Fire Lane easement in lieu of alleys. Although the RA-1100-M Residential Attached (Townhome) District requires alleys to be provided, the applicant is proposing 24-foot wide access/fire lane easements, which will serve the same function as an alley (access and utility service corridor).
- Sidewalk Waiver: The applicant has requested a partial sidewalk waiver for the development. Although the community will not be gated and the access/fire lane easements will not be private "streets", sidewalks will not be provide across the garage side of the lots; however, perimeter sidewalks will be provided along Centennial Boulevard and Greenville Avenue, in addition to the sidewalks that will be provided in the open space lots to create a network of public sidewalks within the proposed development.
- Lot Frontage: Allow lot frontage to be achieved along the 24-foot wide access/fire lane easement for the lots (residential and open space lots). This provision supplants the Subdivision and Development Code requirement that lots front on a public street.

Commission Discussion

Chairman Taylor expressed concern regarding traffic flow going west on Centennial and South on Greenville, and asked if there would be turn in lanes.

Mr. Chavez stated there would be access west bound on Centennial via an existing median opening and turn bay for access on the west bound side of property. The access point on Greenville had a similar access point or lane configuration.

Commissioner Maxwell asked about the visitor parking reduction. He asked if we have allowed a reduction in similar developments for visitor parking and how they were functioning in reality.

Mr. Chavez stated they had reduced parking. He was not aware of the quantity but they stated they were functioning. The city reduced the visitor parking ratio in many of these townhomes but reduced in patio home subdivisions where most reductions have come from.

Commissioner McKearin asked how many of the units would end up being 3-story and what was the result of the traffic study in this area.

Mr. Chavez responded 20 would be required to be 2-story and the balance of the 88 would be 3-stories. He also responded there had not been a traffic study.

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

Public Comments

Mr. Kelly Dockwiler, 1909 Forestwood Drive, Richardson, Texas came forward to make himself available for questions. He stated that the type of proposed development was a concept of taking the open space and moving it in front of the homes. He stated they had taken advantage of as much open space as possible for this location. He noted the advantages of this type of development were that it would encourage an engaging environment. In regard to parking, he said they were only slightly off with the parking ratio to number of units.

The goal was to achieve 3-4 bedrooms with their 3-story structures and to have 2-3 bedrooms in their 2-story structures.

Commissioner Frederick asked about elevators.

Mr. Dockwiler stated elevators would be cost prohibitive. He indicated that it could be something they consider on a unit basis if a buyer had a need.

Commissioner Roland asked about emergency services and how they would be able to respond in light of one door for each unit. He asked about resident parking and how that would be enforced, as well as the reasoning behind the parking ratio.

Mr. Dockwiler responded that the level of detail for emergency services was not presented in this conceptual presentation. Parking restrictions should be addressed within the deed restrictions of property. He also responded to the parking space size and stated their goal was to maximize green space, and stay outside the limit of the flood plain.

Commissioner Roland also asked about the height of one of the buildings bordering Abrams Road and why it would need to be a 3-story structure.

Mr. Dockwiler responded that it was conceptually listed as a 3-story structure because the visibility from Abrams Road would be virtually non-existent due to the heavy tree canopying.

Vice Chair DePuy asked about visitor parking and if there would be paved paths to a resident's front door.

Mr. Dockwiler confirmed yes, there will be a designated path to the common areas.

Vice Chair DePuy requested clarity on the garage sizes, especially in relation to larger full size or oversized vehicles, such as SUV's, Trucks, etc. Many vehicles would not fit in a 20-foot garage. She asked about the types of balconies per unit as well as master bedroom placement within the units, specifically making comment to the master bedrooms being on the 2nd or 3rd floor.

Mr. Dockwiler confirmed that the garage spaces are 21.6-feet deep to allow for the larger vehicles in the 3-story units. The 2-story units would only have 20-feet allowed for garage parking. Regarding balconies, he responded that the 2-story units would have a small balcony that could be furnished and the 3-story units conceptually would have a more substantial amount space of approximately side to side and 7-foot deep.

The current floor plans all have the master bedroom on the 2nd floor or the 3rd floor. They are willing to consider plans that would treat the downstairs bedroom as a mother-in-law suite or a master bedroom downstairs option.

Chairman Taylor asked if any members of the public would like to speak in favor or opposition of the case.

Mr. John Muzika, 1700 Alma Drive, Ste. 310, Plano Texas approached to speak in favor of the case. Mr. Muzika was representing the Texas Conference Association of 7th Day Adventists who own the property. He stated he had been working with the property owners nearby to solicit their input on potential development of this property. They were not interested in multi-family product, or commercial development. The proposed product is in our estimation the best use for the community who would benefit from the property being added back to the tax rolls.

Mr. Rick Hart, 267 Queen Victoria Court, Richardson Texas approached to speak in opposition of the case. Mr. Hart resides in the Rosehill Estate subdivision located next to the proposed location. On the east side of his subdivision, the Jasmine Hills project is taking place by this same developer for the proposed case. He stated they are currently experiencing issues with this project. He continued by stating that the preference by the Rosehill Estate subdivision was to have the property occupied by residential as opposed to retail; however, they do have concerns about traffic pressure and suggested that a traffic impact analysis needs to be completed. Mr. Hart also spoke of the challenges getting into and out of the Rosehill Estate subdivision. He commented that adding 88 additional units would equate to potentially over 200 additional vehicles utilizing the same road. He suggested reducing the number of units. He spoke about the potential impact to the creek and the flood plain. He also stated a concern for potential buyers to purchase multiple units, then turn them into rental property. Lastly he posed questions concerning access for emergency vehicles.

Ms. Barbara Edmonson, 301 Prince Albert Court, Richardson, Texas approached to speak in opposition of the case. Ms. Edmonson resides in the Rosehill Estate subdivision. She stated the developer provided the Rosehill residents a rendering illustrating the density of the units for the proposed location. The rendering was a location in Las Colinas, Texas area. The rendering was insufficient in her opinion as the complex provided was not bordered by residential properties on any side. She also expressed concern about the flooding in the creek area which would be partially a result of where these homes are planned for.

Mr. Jeff Large, 885 Cogswald Court, Richardson, Texas approached to speak in opposition of the case. He stated that his property backs up against the Jasmine Hill project. There have been issues with resolution for property damage to a drain easement on the north side of his property. He also expressed concern about the height restrictions and elevations of the 3-story units. He stated the tree canopy screening would not be enough to maintain the privacy of the homeowners south of the planned development. He also spoke about the challenges Jasmine Hill residents currently exiting the subdivision onto Centennial Boulevard or the south side of development. Residents are essentially required to exit the subdivision, make a right turn onto Centennial Blvd thus creating a large circle of traffic on Centennial.

Mr. Dockwiler came forward to respond to public comment. He stated that all garages were 2-car garages. He also responded to the privacy concern and the field of vision from the subdivision to the development site. He stated the tree canopy is extremely dense with heavily vegetated trees on the southern edge and he felt confident that the 2-story units would secure the privacy concerns.

No further questions were asked of the staff and no further comments, in favor or opposed, were received, therefore, Chairman Taylor closed the public hearing.

Commission Action

Commissioner Roland asked about the traffic study and that it was not needed because this is zoned residential. He stated the previous development on the subject property looked less dense. He asked whether the traffic study considered the amount of car trips that a residential neighborhood generates.

Mr. Chavez responded the numbers are generated from the Uniform Traffic Manual. It assigns a certain number of trips per day, per unit based on the density of the development. The property is zoned residential. You would look at a density of 6 or 7 units per acre for R-1250 district zoned property. The best way to manage this is by managing traffic flow. This equates to increased numbers of turn lanes along arterial thoroughfares

Commissioner Ferrell asked about the screening requirements along the south side of the property line. He wanted clarity on if the applicant would be required to come back before commission. He asked for confirmation that the townhomes have to comply with the regulations within the proposed based zoning.

Mr. Chavez responded there is no screening required because the zoning is the same as the abutting properties and the subdivision plat will come back before the Commission for consideration. Landscape plans will be reviewed by staff as part of the subdivision plat, as well as the HOA deed restrictions. In response to the regulations within the proposed base zoning, the town homes will have to comply with these regulations along with the development standards being proposed

Vice Chair DePuy asked if staff had made any considerations concerning the creek and the flood plain.

Mr. Chavez responded that those will be explored further into the development process, when they applicant submits their plat, civil plans, etc.

Commissioner Springs asked about charter school options. He asked for clarity on the developer's right to build a charter school if this case does not pass.

Mr. Chavez confirmed yes, by right the developer could build a charter school, because it is considered a public school and could require a traffic impact study because the use will change from residential to an institutional use. The site plan and landscape plans would be the only things that would come before the Commission.

Commissioners Maxwell and Frederick both questioned staff regarding the width of the garages. Ms. Frederick went on to say that she would not support this request.

Vice Chair DePuy responded that a normal 2-car garage is 20-foot x 20-foot and extended cab vehicles will not fit in a garage this size. There is concern about parking. She suggested that the HOA note this within their documents referencing vehicle size when purchasing. It would have to be disclosed to the purchaser. In response to the units being changed into rental units – there is no restriction because of property rights.

Chairman Taylor commented that he would probably not support this request because of the density of this request and the parking issues it presents.

Commissioner Roland asked staff to clarify the process for Jasmine Hill residents to file grievances. What was the city doing to ensure the developer would comply with rules of construction and when there is damage, what would the timeframe be for remediation

Mr. Chavez responded that the inspection process goes on in conjunction with the development process. As phases of the infrastructure are completed, inspectors go into the field to ensure that the element is designed and constructed according to approved plans. In regard to filing complaints, citizens would need to reach out to the City's Development Engineer. From a process standpoint, one is presented through a grievance or complaint, or is discovered during an inspection.

Commissioner DePuy commented that she was also concerned with the density of the proposed development. She went on to say the concept was one that was needed within the city. She felt that if it were less dense it would address some of the concerns about parking and garage space. She would like to see it come back in front of the Commission with modifications.

Mr. Chavez addressed the questions concerning the typical width of the garage door and driveway spacing. Our minimum standards for a driveway width are 18-feet which take into account the typical garage door width. A typical back-up space for a driveway is 18-feet wide x 24-feet deep. The developer is providing 24-feet length, plus the 5-feet for the setback for a total of 29-feet.

He explained that it wasn't necessarily overly-dense, but it may appear so because of the lot widths. He also confirmed that there are no restrictions on purchasing multiple lots and utilizing them for rental property. He explained that the initial concept plan was much denser. By working with the developer, we were able to create more usable green space and interlink the units within the development with walking paths, landscaping while utilizing the perimeter sidewalks that are required around Centennial, Greenville Avenue and Abrams Road. The bulk of the green space is centrally located and will include walk ways, seating areas, shaded areas, arbors, seasonally landscaping, etc. By creating more green space, the developer reduced the number of units.

Vice Chair DePuy asked for confirmation on if residents or visitors could park on the street. She also asked if residents would be able to utilize visitor parking instead of parking in their garages. She also asked how it will be mandated that residents park in their garages.

Mr. Chavez responded that no-one would be able to park on the streets as these access easements are considered fire lanes and would be painted as fire lanes. He went on to say that residents could park in visitor parking.

Commissioners Maxwell, Springs and Frederick all mirrored Commissioner DePuy's sentiments. He recommended that this case be continued so the developer has an opportunity to consider comments made by the Commission.

Commissioner McKearin recommended placing the master bedroom on the first floor to avoid traveling up and down the stairs.

Commissioner Maxwell stated his concern about the 2-car garage and its ability to truly be used as such.

Vice Chair DePuy responded stating that if owners had 2 small vehicles, they could park in the garage, however there would be no room for storage, working space, etc.

Mr. Chavez provided the date of the next commission meeting of July 17, 2018 in the event that this case would be continued. He suggested asking the applicant about their preference.

Chairman Taylor re-opened the public hearing so the applicant could come back forward and respond to staff comments.

Mr. Dockwiler came forward to address comments and questions from staff. He first responded to the question regarding garage width and stated the standard width is 18-feet, anything different would be a custom site door.

He also commented about the parking and stated they could add additional parking; however, it would encumber a flood plain area. They would prefer not to impede upon the flood plain. He also asked for criteria to work towards for making changes.

He went on to speak about the type of community this would be. The goal is to make it more of a pedestrian community and less of a traffic community. It will require a certain lifestyle and a person who does not like stairs would never purchase a 2-story unit. The people who purchase in this community would be mindful and aware of the pedestrian community focus and embrace it.

Commissioner Maxwell stated that he would like to see data on how many people park 1 car versus 2 cars in these types of units; how much parking is needed for this development and how can that be accomplished by garage parking and visitor parking.

Commissioner DePuy mentioned providing for paid parking.

Motion: Commissioner Maxwell made a motion to recommend continuation of Zoning File 18-21 – Royal Garden Towns to the July 17, 2018 meeting; second by Chairman Taylor. Motion approved 7-0.

Adjourn

With no further business before the Commission, Chairman Taylor adjourned the regular business meeting at 10:19 p.m.

Janet DePuy, Vice Chair