

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL

June 27, 2011

City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, June 27, 2011 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka (absent)	Mayor Pro Tem
Mark Solomon	Council member
Scott Dunn	Council member
Kendal Hartley	Council member
Steve Mitchell	Council member
Amir Omar	Council member

City staff present:

Bill Keffler	City Manager
Dan Johnson	Deputy City Manager
Michelle Thames	Assistant City Manager Administrative Services
David Morgan	Assistant City Manager Community Services
Cliff Miller	Assistant City Manager Development Services
EA Hoppe	Assistant to the City Manager
Pamela Schmidt	City Secretary
Sam Chavez	Asst. Director of Development Services - Planning

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1. **INVOCATION – SCOTT DUNN**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – SCOTT DUNN**
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3. **VISITORS.** (The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Prior to the meeting, please complete a "City Council Appearance Card" and present it to the City Secretary. The time limit is five minutes per speaker.) None

PUBLIC HEARING ITEMS:

4. **PUBLIC HEARING, ZONING FILE 11-08: A REQUEST BY GRAHAM IRVINE, REPRESENTING JAH REALTY, LP, TO ALLOW A MAXIMUM 20% OF THE BUILDING SQUARE FOOTAGE TO BE OCCUPIED BY INCIDENTAL RETAIL, RESTAURANT OR PERSONAL SERVICES ACTIVITIES IN AN OFFICE OR INDUSTRIAL BUILDING IN LIEU OF THE MAXIMUM 10% ALLOWED IN AN IP-M(1) INDUSTRIAL PARK DISTRICT AT 930 E. CAMPBELL ROAD (SOUTHWEST CORNER OF CAMPBELL ROAD AND FIRMAN DRIVE). THE PROPERTY IS CURRENTLY ZONED IP-M(1) INDUSTRIAL PARK.**

Mr. Keffler advised that the proposal was a request to enhance the retail frontage along Campbell Road. He reported that the Plan Commission reviewed the matter on June 7, 2011 and voted 7-0 to recommended approval of the request. He asked Mr. Chavez to brief the Council.

Mr. Chavez stated the request was for a zoning amendment to allow a maximum of 20% of the building square footage to be occupied by incidental retail, restaurant or personal services in lieu of a minimum of 10% as allowed in the Industrial Park District. The existing 72,000 sq. ft. building is located in southwest corner of Campbell Road and Firman Drive. The existing uses within the proposed 20% area include a Taco Ocho and a Bop House. He advised that no site improvements are required and no correspondence has been received to date. He reiterated the City Plan Commission's recommendation of approval.

Mr. Mitchell asked about the time of the request and when the applicant knew a request would be needed for the additional space. Mr. Chavez stated he has been in discussions with Mr. Graham for just over a year about positioning the building. He stated that it was originally an HP office building with an accessory building on the southern end. It was his understanding that there is a corridor that splits the northern portion that is in question from the remainder of the facility. He stated the applicant's intent is to maximize the space available and is the reason for the request for 20% rather than 10%. Mr. Mitchell felt the zoning should have been requested prior to the construction.

Mayor Townsend opened the public hearing and invited the applicant to the podium.

Graham Irvine, Director of Acquisitions for JAH Realty, owner of the property, 1601 Elm Street, Suite 350, Dallas, stated the facility was originally a HP facility built in 1980 that was vacated in 2000. The site was subsequently filled by a company called Optical Switch that operated there for a period of 3 years and then the facility was vacant for about 7 years. The transition was motivated by the CoAmerica lease which caused the parking lot to be modified. At that time, the building was re-evaluated but they didn't want to rezone it to retail because they want the office component. He stated they have every intention of pushing for a big office tenant in the back and felt the retail component compliments the office use. With regard to the sale of alcohol by Taco Ocho, he stated they would have to pursue a private club and would not involve JAH.

There were no speakers regarding the request. Mr. Mitchell moved to close the public hearing; second by Mr. Omar and the motion was approved with a 6-0 vote.

ACTION TAKEN: Mr. Omar moved approval of ZF 11-08 as requested; second by Mr. Dunn and the motion was approved with a 6-0 vote.

5. PUBLIC HEARING, ZONING FILE 11-09: A REQUEST BY WAYNE CLENDENING, REPRESENTING DB CONSTRUCTORS, INC. TO REZONE A TRACT OF LAND LOCATED EAST OF GROVE ROAD, WEST OF THE KCS RAILROAD, APPROXIMATELY 550 FEET NORTH OF APOLLO ROAD FROM I-M(1) INDUSTRIAL & I-FP(2) INDUSTRIAL TO I-FP(2) INDUSTRIAL WITH MODIFIED DEVELOPMENT STANDARDS. THE PROPERTY IS CURRENTLY ZONED I-M(1) INDUSTRIAL & I-FP(2) INDUSTRIAL.

Mr. Keffler reported that the property was a long time business in Richardson expanding onto railroad property. The City Plan Commission reviewed the request at its June 7 meeting and recommended approval with a 7-0 vote. He asked Mr. Chavez to brief the Council.

Mr. Chavez stated the subject 4.2 acre site is located on the eastside of Grove Road north of Apollo Road and is currently zoned I-FP(2) Industrial and I-M(1) Industrial. He used a site plan to describe the area. He stated the request has two components. The first is the repeal of Ordinance 2241-A, which granted a special permit for an indoor soccer facility on Lot 2 in 1981 that no longer exists; and consolidation of the zoning districts on the site into a single zoning

district of I-FP(2) Industrial with modified development standards that include allowance of a flag lot configuration for the remaining portion of the KCS Railroad property. The second request is for a 10 space parking reduction. He reported that sufficient parking is available. Further, he explained that Lot 3 requires a minimum of 85% masonry exterior façade materials whereas the I-FP(2) District does not specify a minimum percentage of masonry materials; and therefore, Exhibit C would be a part of the ordinance to insure a minimum amount of masonry material to be used on the building with the balance to be constructed of metal panels. He reported that no correspondence has been received regarding the request and the Plan Commission recommended approval of the request as presented with a 7-0 vote.

Mr. Solomon asked if the gray area would also be reclassified and Mr. Chavez replied affirmatively.

Mayor Townsend opened the public hearing and invited the applicant to the podium.

Wayne Clendening, applicant and architect representing DB Constructors, Inc., stated that with approval of the request, they intend to replat the property, which allows them to deal with one lot.

Mr. Solomon asked if the applicant intends to put trees back in and Mr. Clendening stated they are working on the landscape and engineering plans.

Mr. Mitchell asked if the change would provide them more flexibility and Mr. Clendening replied they want to put it all on one lot to avoid lot line issues.

Ms. Schmidt advised there were no speakers regarding the request.

Mr. Solomon moved to close the public hearing; second by Mr. Hartley and the motion was approved with a unanimous vote.

ACTION TAKEN: Mr. Mitchell moved approval of ZF 11-09; second by Mr. Solomon and the motion was approved with a unanimous vote.

ALL ITEMS LISTED UNDER ITEM 6 OF THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSIONS OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY:

6. CONSENT AGENDA:

ACTION TAKEN: Mr. Solomon moved approval of the Consent Agenda; second by Mr. Hartley and the motion was approved with a unanimous 6-0 vote.

A. Consider the following Ordinances:

1. Ordinance No. 3824 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning to grant a Special Permit for a motor vehicle service station with special conditions on a 1.64-acre tract of land zoned C-M Commercial located at the northeast corner of Belt Line Road and Inge Drive.

2. Ordinance No. 3825 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning to grant a special permit for a childcare center located at 635 West Campbell Road, located on a 4.8-acre tract of land zoned LR-M(2) Local Retail, said tract being described as Lot 1B, Block 1, Campbell Road Shopping Center Addition in Dallas County, Texas.
 3. Ordinance No. 3826 amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning to grant a Special Permit for a motor vehicle repair shop – minor located at 819 West Arapaho Road, located on a 9.25-acre tract of land zoned C-M Commercial, said tract being described as Lot 13, Block 83, Third Installment Richardson Heights Estates Addition in Dallas County, Texas.
- B. Receive from the City Plan Commission:
1. Amending Plat for McKamy Park Addition: A request for approval of an Amending Plat of the McKamy Park Addition, being an amending plat of Lot 1A, Block A; Lots 1A and 2A, Block B; Lots 1A and 2A, Block C; Lots 1A and 2A, Block D; Lot 1A, Block I; Lot 1A, Block M; Lot 1A, Block N; Lot 1A, Block O; Lot 1A, Block P; Lots 1A and 2A, Block Q; Lot 1A, Block R; Lot 1A, Block S; and Lot 1A, Block T of the McKamy Park Addition. The site is located on the north side of Spring Valley Road, west of Greenville Avenue and is zoned (PD) Planned Development District.
 2. Replat of the McKamy Park Triangle Addition: A request for approval of a replat of the McKamy Park Triangle Addition, being a replat of Lot 1, Block 1 of the Taco Bell Addition, and a 0.37-acre tract of unplatted property and 0.09-acre tract of abandoned right-of-way. The site is located between Spring Valley Road and Centennial Boulevard, west of Greenville Avenue and is zoned (PD) Planned Development District.
- C. Cancellation of the Monday, July 4, 2011, City Council Work Session for the Independence Day Holiday.

7. RECEIVE SIGN CONTROL BOARD MINUTES OF THE JUNE 8, 2011 MEETING.

Mr. Keffler noted the June 8 meeting was an orientation and there were no cases heard by the Sign Control Board.

ACTION TAKEN: Mr. Mitchell moved approval of the minutes; second by Mr. Omar and the motion was approved with a unanimous 6-0 vote.

Mayor Townsend adjourned the meeting at 7:55 p.m.

ATTEST:


CITY SECRETARY


MAYOR