

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL**  
**November 14, 2011**  
**City of Richardson, Texas**

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, November 14, 2011 with a quorum of said Council present, to-wit:

Bob Townsend	Mayor
Laura Maczka	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
Samantha Woodmancy	Management Analyst
Vickie Schmid	Deputy City Secretary
Michael Spicer	Director of Development Services
Michael Massey	Director of Parks and Recreation
Greg Sowell	Director of Communications

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1. **INVOCATION – LAURA MACZKA**
  2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – JACK HUNTRESS AND AVERY SMITH - BOY SCOUT TROOP 719**
  3. **MINUTES OF THE OCTOBER 24, 2011 REGULAR MEETING AND NOVEMBER 7, 2011 WORK SESSION**

**ACTION TAKEN:** Mr. Omar moved approval of the minutes as presented; second by Ms. Maczka and the motion was approved with a unanimous vote.

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4. **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**

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**PUBLIC HEARING ITEMS:**

5. **PUBLIC HEARING, ZONING FILE 11-19: A REQUEST BY ROY L. WILSHIRE, REPRESENTING KIMLEY-HORN AND ASSOCIATES, INC. FOR A CHANGE IN ZONING FROM LR-M(1) LOCAL RETAIL AND O-M OFFICE WITH SPECIAL CONDITIONS AND A-**

**950-M APARTMENT TO LR-M(1) LOCAL RETAIL WITH MODIFIED DEVELOPMENT STANDARDS FOR PROPERTIES LOCATED AT 314, 318 AND 320 E MAIN STREET AND 335 AND 337 E POLK STREET (SOUTH SIDE OF MAIN STREET AND NORTH SIDE OF POLK STREET, WEST OF ABRAMS ROAD).**

Mr. Keffler advised that the site was 1.4 acres located along Belt Line Road and Polk Street. He stated that the Afrah restaurant site was currently 5,000 s.f. and the proposed development would increase building square footage to 17,000 s.f., including a new restaurant building, market center and plaza areas. He advised that the Plan Commission reviewed the case on October 18 and recommended approval with a 7-0 vote. He asked Michael Spicer, Director of Development Services, to brief the Council.

Mr. Spicer noted that the proposed site was located within the Downtown Main Street Enhancement Area, which encourages pedestrian-oriented development; and he said that rezoning of the five lots (three facing Belt Line and two facing Polk) would allow cohesive redevelopment of the property with an urban design. He said the applicant proposes an 8,400 s.f. restaurant and 8,600 s.f. market area with enhanced pavement between buildings that can be utilized as a mezzanine for special events. Additional key features include reduced front setbacks, 9' amenity zone, pedestrian-friendly sidewalks, 13% landscape area, patio dining, dedicated 6' Right-of-Way for a deceleration lane, 25' corner clip along Main Street, and water and fire elements in the outdoor restaurant area. Mr. Spicer advised that building elevations indicated well articulated facades on all four sides of the proposed structures. He stated that the applicant had taken the recently approved West Spring Valley Corridor development guidelines into consideration when developing plans for this site to encourage continuity between neighborhoods.

In response to Mr. Omar's question, Mr. Spicer advised that a tree inventory would be required with development plan submission, preserving 6" or greater trees where possible. He also advised that trees were located 40' on center along Main Street and that the site, landscape, and development plans would go before the Plan Commission for review and approval.

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

Roy Wilshire, Kimley-Horn, 12700 Park Central Drive, Dallas, TX, introduced the property owners and his development team. He stated that Afrah Restaurant was a successful family business that now has an opportunity to create a new market/grocery to support the neighborhood. Mr. Wilshire felt this development would be a catalyst for redevelopment in the Downtown Main Street area. He advised that construction would take place in phases; phase one – construct new parking lot along Polk and demolish the existing office building; phase two – build the new restaurant building; and phase three – demolish the old restaurant building and build the market structure. Mr. Wilshire noted that this proposal would replace the current apartment zoning with Local Retail zoning featuring strong urban design elements.

Lisa Swift, GSO, 5310 Harvest Hill Road, Dallas, TX, felt this project would bring the community together and would spur development of the downtown area. She stated that the building design illustrates a Mediterranean style, with a mix of stone, tile, brick and non-masonry cornice elements. Ms. Swift added that a shaded patio, covered walkways, and enhanced pavement materials would help to create a vibrant pedestrian plaza area.

In response to questions from the Council, Mr. Wilshire estimated the start of the first phase of this project to begin approximately nine months after securing approval of development plans;

and he clarified that the decorative lighting interior to the site would also be utilized along the street.

Mr. Omar made a motion to close the public hearing; second by Mr. Hartley. The motion was approved with a unanimous vote.

**ACTION TAKEN:** Mr. Solomon made a motion to recommend approval of Zoning File 11-19; second by Mr. Mitchell. The motion was approved with a unanimous vote.

Mr. Keffler confirmed that approval of Zoning File 11-19 as presented included the conditions recommended by the City Plan Commission, unless specifically stated otherwise.

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Mayor Townsend advised that Items 6. and 7. were related items and would be considered together.

**6. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 3844, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF RICHARDSON, TEXAS, AS TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO, CITY OF RICHARDSON, TEXAS, TO BE IDENTIFIED AS REINVESTMENT ZONE NO. TWO, CITY OF RICHARDSON, TEXAS ALSO KNOWN AS THE BUSH/75 PARTNERS ZONE; ESTABLISHING THE BOUNDARIES OF SUCH ZONE; CREATING A BOARD OF DIRECTORS FOR SAID REINVESTMENT ZONE AND OTHER MATTERS RELATED THERETO.**

**7. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 3845, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF RICHARDSON, TEXAS, AS TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER THREE, CITY OF RICHARDSON, TEXAS, TO BE IDENTIFIED AS REINVESTMENT ZONE NO. THREE, CITY OF RICHARDSON, TEXAS ALSO KNOWN AS THE CARUTH ZONE; ESTABLISHING THE BOUNDARIES OF SUCH ZONE; CREATING A BOARD OF DIRECTORS FOR SAID REINVESTMENT ZONE AND OTHER MATTERS RELATED THERETO.**

Mr. Keffler stated that early in 2011, zoning was approved for approximately 200 acres of property owned by the Parliament Group and Caruth Properties Group, anticipating future consideration of these properties for inclusion in a Tax Increment Financing (TIF) area under Chapter 313 of the Local Government Code to perpetuate infrastructure development. He noted that Public Hearings, as required by the TIF Act, would be conducted simultaneously for Ordinance No. 3844 (TIF Zone Two) and Ordinance No. 3845 (TIF Zone Three), public testimony would be taken, after which the public hearings would be closed, and each ordinance would be considered and decided separately. He asked Dan Johnson to brief the Council.

Mr. Johnson said the City has been active in assessing a structured way to participate in infrastructure development needed for these properties. He stated that staff has evaluated a variety of options and that Tax Increment Financing emerged as a viable tool with features and formats that can be strategically applied to these areas. Mr. Johnson advised that Chapter 311 of the State Tax Code provided guidelines for establishing TIF Zones and that the proposed zones are in compliance with the Code. He said that at the October 3 meeting, implementation of TIF zones were tied to Council Goals relative to Finance and Development; background on the properties outlining infrastructure needs, public facility requirements and development impact was provided; and the concept of two TIF Zones was discussed. Developing two TIF Zones would allow each of the key developments to look to their Zone for reimbursement. Mr. Johnson stated that in addition to the City's tax consideration, the Tax Code allows for

participation by other taxing entities. He noted that the viable taxing entities for these properties have shown interest in participating and that discussions with Collin County, Plano ISD, and Collin County College are ongoing. Mr. Johnson noted that in compliance with Chapter 311, Project & Financing Plans were developed for each of the TIF Zones and a summary of the contents of each of the plans was presented on November 7; with the summary presentation complete, the TIF Zone plans were ready to move forward to tonight's public hearings.

Mr. Johnson stated that these zones encompassed approximately 300 acres around the US75/President George Bush area, providing an exciting future development horizon and a structured way to have City involvement focused in the area. He felt the DART Red Line and future Cottonbelt Rail line provided a unique area for Transit Oriented Development opportunities and helped establish advanced form-based zoning regulations for the area.

Mr. Johnson reiterated that developing these TIF zones would:

- Stimulate quicker development schedules;
- Focus on early infrastructure support to allow financial viability;
- Set a strong development tone with the initial phase;
- Allow structured public participation support;
- Avoid future G.O. Bond Program impact;
- Advance the Cottonbelt Rail development schedule and Bush Station selection;
- Contract as reimbursement-based funding;
- Separate TIF zones to allow each development team a motive to **reimbursement only form** their increment additions; and
- Place risks of development pace for repayment with the developer.

Mr. Johnson felt it was important to note that there are no fronted dollars from the City for development considerations and he reiterated that the two zones included reimbursement-based funding structures. He said the risk remains with the developer to create the level of value additions, to create the increment, to create the ability, to be reimbursed. Mr. Johnson added that the fund was increment revenue was based on incremental real revenue. He advised that the plan allows the City to maintain base real property taxes, all unallocated real property taxes not devoted to the TIF, all business property taxes, sales tax, hotel/motel tax; and franchise tax, which should be considerable in this area.

Mr. Johnson summarized by stating the base property value for TIF Zone Two and Three would be the 2011 tax year value and would be a 25-year TIF focused on real property taxes. He stated that the Council will take action at a future meeting to appoint a Board of Directors for TIF Zone Two and TIF Zone Three, which is anticipated to be the current TIF Board. Mr. Johnson noted that in preparation for this meeting staff was required to provide Notice of this Public Hearing, which has been done in a variety of ways, going beyond the minimum legal requirement by publishing notice in the November 4, 2011 Dallas Morning News, and posting on the City's website, the Public Meetings agenda board, and the Mayor's Week In Review. He confirmed that the property owners were actively seeking development teams and he felt both sides were ready to move forward quickly in a strong and exciting direction.

Mayor Townsend opened the public hearing and invited speakers to the podium. There were no speakers.

Mr. Omar made a motion to close the public hearing; second by Ms. Maczka. The motion was approved with a unanimous vote.

**ACTION TAKEN:** Mr. Omar made a motion to recommend approval of Ordinance No. 3844; second by Mr. Hartley. The motion was approved with a unanimous vote.

**ACTION TAKEN:** Mr. Mitchell made a motion to recommend approval of Agenda Item 7 (Ordinance No. 3845); second by Ms. Maczka. The motion was approved with a unanimous vote.

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ALL ITEMS LISTED UNDER ITEM 5 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:

**8. CONSENT AGENDA:**

**ACTION TAKEN:** Mr. Omar moved approval of the Consent Agenda; second by Mr. Hartley and the motion was approved with a unanimous vote.

A. Approve the following resolutions:

1. Resolution No. 11-34, Naming certain property owned by the City as McKamy Spring Park.
2. Resolution No. 11-35, casting its vote for a Member of the Board of Directors of the Central Appraisal District of Collin County.
3. Resolution No. 11-36, casting its vote for the fourth Member of the Board of Directors of the Dallas Central Appraisal District.
4. Resolution No. 11-37, approving a Memorandum of Understanding between the City of Richardson, Texas and the University of Texas at Dallas for Cooperative Campus Development and Adjacent Land Use Support Program; authorizing the City Manager to enter into the Memorandum of Understanding on behalf of the City of Richardson, Texas with the University of Texas at Dallas; authorizing the City Manager to negotiate and execute an Interlocal Cooperation Agreement on behalf of the City of Richardson with the University of Texas at Dallas consistent with the Memorandum of Understanding, and any other documents, easements, licenses, or leases related thereto.

B. Award of the following bids:


1. Bid #13-12 – Issue a Co-op Purchase Order to Bond Equipment Company, Inc., for four (4) crane carrier corporation cab-over/chassis for rearloader refuse trucks for the Solid Waste Department through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #358-10 in the amount of \$575,104.
2. Bid #14-12 – Issue a Co-op Purchase Order to McNeilus Truck & Manufacturing Company, Inc., for four (4) McNeilus (17) cubic yard rearloader refuse bodies with accessories for the Solid Waste Department through the Texas Local



Government Statewide Purchasing Cooperative Buyboard Contract #357-10 in the amount of \$220,212.

3. Bid #15-12 – Issue a Purchase Order to Qwest Communications, LLC. dba Centurylink for the internet circuit and ISP provider through the State of Texas Department of Information Services Contract #DIR-TEX-An-NG-CTSA-004 for an annual expenditure of \$94,360.08 annually.

There being no further business, Mayor Townsend adjourned the meeting at 9:02 p.m.

  
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MAYOR

ATTEST:

  
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DEPUTY CITY SECRETARY