

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
June 13, 2011
City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, June 13, 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
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

Mayor Townsend called the meeting to order and requested a moment of silence in honor of Dot McCalpin who passed after a short illness.

1. **INVOCATION – MARK SOLOMON**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – MARK SOLOMON**
3. **MINUTES OF THE MAY 9, 2011 MEETING, MAY 23, 2011 SPECIAL CALLED MEETING AND JUNE 6, 2011 WORK SESSION**

ACTION TAKEN: Mr. Omar moved approval of the minutes as written; second by Mr. Solomon and the motion was approved with a unanimous vote.

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.)

Joy Strickland, 2904 Floyd Street, Suite F, founding CEO member of Mothers Against Teen Violence, stated the organization founded in 1994 is dedicated to rethinking drug policies in Texas. She addressed the Council on the topic of the 40th Anniversary of the War on Drugs. She noted various activities that MATV would be conducting.

PUBLIC HEARING ITEMS:

5. PUBLIC HEARING, ZONING FILE 11-05: A REQUEST BY JD DUDLEY, REPRESENTING QUIKTRIP, TO REVOKE ORDINANCE 3802, A SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION, AND TO REQUEST A NEW SPECIAL PERMIT FOR A MOTOR VEHICLE SERVICE STATION WITH MODIFIED DEVELOPMENT STANDARDS ON THE EAST SIDE OF INGE DRIVE, BETWEEN BELT LINE ROAD AND LOCKWOOD DRIVE. THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

Mr. Keffler advised that the circumstances surrounding the property had changed significantly resulting in the request to revoke Ordinance 3802 and request a new special permit. He asked Mr. Chavez to brief the Council.

Mr. Chavez stated that item is a request by QuikTrip to revoke Ordinance 3802 and to approve a special permit for a motor vehicle service station with modified development standards located at the northeast corner of Belt Line Road and Inge Drive. He provided the site plan and building elevations that were approved with Ordinance 3802 and the proposed site plan identifying the changes between the two. He advised that the property is zoned Commercial and noted that a motor vehicle service station requires a special permit in the Commercial District. He stated that the applicant is asking for several deviations from the City's development standards. He explained that the request for reduced depth for internal storage was due to the need to provide adequate access to Burger Street. The second item is for a reduced internal stacking requirement for vehicles at each pump station. He stated that staff felt that the current standard was put in place prior to double sided pumps and that the amount of stacking was no longer required. The third item requested was to waive the requirement for the screening wall behind the building along Lockwood. The last deviation requested is to allow a dumpster and dumpster enclosure in the front yard setback along Lockwood. He explained that due to the additional property acquired by QuikTrip, it would have two fronts; one along Belt Line and one along Lockwood. Mr. Chavez advised that in an effort to make a delineation between QuikTrip and Burger Street, staff requested QuikTrip enhance the curb and the applicant obliged with 4' of pavers. He advised that the Plan Commission recommended approval of the request with a vote of 6-0 subject to two conditions; the widening of the delineation between the two sites and the second regarding the architectural treatment of the rear of the structure. He concluded the presentation with photos of the area and adjacent sites.

Mr. Omar began his questions asking about building size. Mr. Chavez replied that the newly proposed building is 5,668 sq ft and the previously approved building was 4,900 sq ft. The larger building requires more parking and the additional property creates two front yard setbacks of 40 ft. In response to Mr. Omar, he stated that the circulation around the building would be lost if the building moved further north.

Mr. Mitchell asked about sidewalks and screening on the property along Lockwood and Mr. Chavez replied that there would be a 6 ft wide sidewalk that would abutt the curb. Mr. Mitchell asked about adding a requirement for a meandering sidewalk and also addressed a concern regarding a tall landscape screen. Mr. Chavez stated that Council could include conditions in the motion and those conditions would then become part of the landscape plan and on the replat. Mr. Mitchell also expressed a desire that staff not allow Red Tip Photenia bushes to be planted along Lockwood because it could block visibility to businesses north of Lockwood. Mr. Chavez advised that the code requires a hedge of some type and there is plant material specifically for parking lots that would restrict the height.

Mr. Solomon asked about the area outside of the property line on the northeast side of the property and Mr. Chavez stated it was a required access easement granted to QT that would run with the property.

Mr. Omar acknowledged that the QT would clearly be an enhancement to the area and asked how to provide for a larger amount of landscaping along Belt Line without causing an adverse impact to the applicant. Mr. Chavez stated there is ample landscape width for a meandering sidewalk along Belt Line and noted that some part of the area has approximately 15 ft from the property line. He stated there is ample room for a nice slow meandering sidewalk. Mr. Solomon was in agreement with a meandering sidewalk in that area. Mr. Omar expressed appreciation for the meandering sidewalk and a strong desire for more landscaping other than grass. Mr. Chavez noted that the City requires a minimum 24 ft wide drive aisle and QT has provided 30 ft wide, but it was for the turning movements of the delivery trucks and he did not feel that QT would be willing to reduce the aisle further.

Mayor Townsend opened the public hearing and invited the applicant to present the request.

Joe Domeier, Real Estate Manager for QuikTrip Corporation, 1120 N. Industrial Blvd., Euless, agreed they could provide a meandering sidewalk. With regard to moving the building further north, he stated it would push the dumpster further into the setback along Lockwood and could adversely impact the drive in the back that is needed for truck turning movements. He explained that the preferable minimum radius is typically 35 ft and the site plan is currently at 31 ft so they would not be willing to reduce it further. He stated their desire is to get the trucks straight in and straight out and to make the site as easy to navigate and as safe as possible. He requested approval to reduce the 4 ft paver section requested by the Plan Commission to a 2 ft wide paver section and asked for clarification about the build-to line for the adjacent property line.

JD Dudley, Real Estate Project Manager for QuikTrip, 1120 N. Industrial Blvd., Euless, stated the site plan is consistent with the dimensions that were approved on the Generation 2 store. He explained that the loading zone for truck deliveries determines the turning movements needed, which drives the amount of space allowed for landscaping. Mr. Omar asked about traffic volume and Mr. Dudley stated they do expect more traffic with the larger building and three points of entry, which increased the amount of parking needed. Mr. Mitchell asked for confirmation of his understanding that the thing driving the site is traffic flow of the delivery trucks and Mr. Dudley replied affirmatively. The meandering sidewalk is not a problem, but they could not take 5 ft of the landscaping from the north side. Discussion was held with regard to the expected truck delivery routes on the site and the turning radius needed. In response to Mr. Omar, Mr. Domeier stated they could not reduce the aisle on the west side of the building and stated that deliveries are typically made once a day. He reiterated his request to reduce the width of the paver section to 2 ft on the adjacent landowner's property.

David Knepper, 101 Shadywood Lane, felt that this is a catalyst project for the area and wants to be sure that the Council is mindful about what is placed there. He stated he was ambivalent regarding the landscaping treatment along Lockwood, but would like to see more than bushes along Belt Line.

Janet DePuy, 633 Parkview, stated she lives in the neighborhood just to the north of the property, and is President of the Heights Park Neighborhood Association. She stated many of the residents are very excited about the project and felt it would be a catalyst project. She stated that they expect them to embrace the project and would be watching and monitoring their progress. She understood traffic might increase and would prefer the additional traffic to what is

currently at the site. She felt QuikTrip would work with the City to make it beautiful, but did not want to relinquish landscaping along Lockwood. She recommended approval of the request.

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

Mr. Omar stated he would like to maximize the opportunity before the Council, which means providing an enhanced property to the travelers on Belt Line. He stated his preference to have a larger landscape buffer along Belt Line with more plant material. Mr. Mitchell asked about the depth of the green space along Belt Line and Mr. Chavez stated part of it was 10 ft and the larger area was approximately 17 ft, and he reminded Council that the landscape plan, which will be reviewed at a later date, will illustrate the type of landscaping to be used. He stated that a limiting factor with moving the QT building further north on the site was its proximity to the adjacent property owner's building, which would have an impact on what the owner would be able to do with the site. He also noted that the applicant has doubled the amount of landscape area required.

ACTION TAKEN: Mr. Mitchell moved approval of Agenda Item No. 5 with the special conditions set forth by the CPC; reducing the pavers to 2 ft on the adjacent property line; and requiring meandering sidewalks on the north and south side the property and leave the landscaping plan to Development Services; second by Mr. Omar, and the motion was approved with a unanimous vote.

6. PUBLIC HEARING, ZONING FILE 11-06: A REQUEST BY SMITHA PUPPALA & MADHURI SIDDABHATTUNI, REPRESENTING LITTLE STEPS MONTESSORI SCHOOL, TO REVOKE ORDINANCE 3524, A SPECIAL PERMIT FOR A CHILDCARE CENTER, AND TO REQUEST A NEW SPECIAL PERMIT FOR A CHILDCARE CENTER AT 635 W. CAMPBELL ROAD (SOUTHWEST CORNER OF CAMPBELL ROAD AND NANTUCKET DRIVE). THE PROPERTY IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

Mr. Keffler stated the site has been used as a childcare center over the past 15 years; most recently by the YWCA. The request is to revoke the most recent of the approvals and enable the site to move to a new operation. He reported that the Plan Commission recommended approval of the request with a vote of 6-0. He asked Mr. Chavez to brief the Council.

Mr. Chavez stated the request is to revoke Ordinance 3524, which is a special permit for a childcare center limited to the YWCA approved in 2005; and a request for approval of a new special permit for a childcare center for Little Steps Montessori School located south of the southwest corner of Campbell Road and Nantucket Drive. The facility is a 12,000 sq. ft. lease space that includes an existing 5,000 sq. ft. outdoor play area. With the exception of a possible new attached sign, no exterior improvements are planned. The requestor will comply with the previous conditions of approval, which included a school van and employee parking location restrictions and maintenance of bollards and fencing for the existing outdoor play area. He provided photos of the site. Mr. Chavez advised that City and State officials will inspect the playground area at the time of licensing. The facility stated that the facility, at full build-out, would accommodate 200 children between the ages of 3 months and 12 years of age with 20-25 employees. He stated staff has received no correspondence in favor or against the request. The City Plan Commission recommended approval of the request with a 6-0 vote.

Mr. Solomon asked about shade structures and Mr. Chavez stated he would review the ordinance and respond shortly.

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

Madhuri Siddabhattuni, 1363 Austin Drive, Frisco, stated they would be caring for children ages 6 months to 12 years of age. She clarified that day care would be for children 6 months old to 6 years of age and after school would include children up to 12 years of age.

Mr. Solomon asked if the applicant intended to do anything with the fence and if they intended to install shade structures and she replied that they would be painting the fence and have replaced an old deck. She stated they are currently working on the licensing and were not prepared to install shade structures at this point.

Mayor Townsend asked if there were any speakers and Ms. Schmidt replied that no cards had been submitted.

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

Mr. Chavez stated shading is not required, but a minimum amount of outdoor play area is required.

ACTION TAKEN: Mr. Solomon moved to approved ZF 11-06 as presented; second by Mr. Omar and the motion was approved with a unanimous vote.

7. PUBLIC HEARING, ZONING FILE 11-07: A REQUEST BY THOMAS YAKOOB, REPRESENTING MAJESTY AUTO GLASS, FOR A SPECIAL PERMIT A MOTOR VEHICLE REPAIR SHOP – MINOR FOR AN AUTO GLASS REPAIR SHOP AT 819 W. ARAPAHO ROAD (SOUTH SIDE OF ARAPAHO ROAD, BETWEEN WEST SHORE DRIVE AND NEWBERRY DRIVE). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

Mr. Keffler advised that the site has been vacated since March of 2010 and stated it was previously an auto glass business. He explained that since the site was vacant for more than 6 months, the nonconforming rights were lost and a special use permit is required for the operation requested. He stated that the Plan Commission recommended approval of the request with a vote of 7-0.

Mr. Chavez stated the item was a request for a special permit for a minor motor vehicle repair shop, which would be limited to auto glass repair/replacement. The site is located at the southeast corner of Arapaho Road and Newberry Drive. The site was previously occupied by Safelite Auto Glass and has been vacant since March 2010. No site improvements are planned and no correspondence has been received. The Plan Commission recommended approval of the request on a vote of 7-0 at its May 17, 2011 meeting.

Mr. Solomon asked for confirmation that it would be restricted to repair of auto glass only and Mr. Chavez replied affirmatively.

Mayor Townsend opened the public hearing and invited the applicant to present the request.

Jeremy Cummings, 12740 Hillcrest, did not make a presentation but was available to answer questions.

The City Secretary advised there were no speakers regarding the item.

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

ACTION TAKEN: Mr. Mitchell moved approval of Agenda Item No. 7; second by Mr. Dunn and the motion was approved with a unanimous vote.

ALL ITEMS LISTED UNDER ITEM 8 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 requested that Item 8E2 be removed for separate action and moved approval of the remainder of the consent agenda;

Mr. Solomon asked about purchase of the police vehicles discussed during the Work Session and Mr. Keffler advised that it would be included in the next budget and purchased in the Fall 2011.

Second by Mr. Solomon, and the motion was approved with a unanimous vote.

A. Consider the following Ordinances:

1. Ordinance No. 3822 amending Ordinance No. 3818, West Spring Valley Corridor Planned Development District, by amending the Planned Development District Regulations attached as Exhibit "B" thereto, by amending Article IV, Section B(7)(a)(iii), Section B(7)(b)(v) and Section C(3)(b), by amending Article IX, Section I(4)(f) and (g), and by amending Appendix 1, "WSVC District Permitted Uses Table", to correct scrivener's errors.
2. Ordinance No. 3823 approving a negotiated resolution between the Steering Committee of cities served by Oncor ("Steering Committee") and Oncor Electric Delivery Company LLC ("Oncor" or "Company") regarding the Company's application to increase electric rates in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the Company to reimburse cities' reasonable ratemaking expenses; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; Approving Oncor's proof of revenues; and requiring delivery of this Ordinance to the Company and the Steering Committee's legal counsel.

B. Consider the following Resolutions

1. Resolution No. 11-18 approving the terms and conditions of a Master Agreement Governing Major Capital Improvement Program, by and between the City of Richardson, Texas, and Dallas County, Texas, and authorizing its execution by the city manager.

2. Resolution No. 11-19 designating certain officials as being responsible for, acting for, and on behalf of the "Applicant" in dealing with the Collin County Parks and Open Space Board, for the purpose of participating in the 2011 Collin County Parks and Open Space Funding Assistance Program, certifying that the "Applicant" is eligible to receive program assistance; certifying that the "Applicant" matching share will be readily available; and dedicating the proposed site for permanent public park and recreational uses.

C. Receive from the City Plan Commission:

1. Replat for Crystal Creek Addition, Lot 1, Block 1, of the Swordglisten Addition and 11.03-acres of unplatted property for the development of a 35-lot single-family detached subdivision.

D. Consider advertisement of the following competitive sealed proposals:

1. CSP #904-11 – 2011 jail improvements. Competitive sealed proposals to be received by Thursday, June 30, 2011 at 2:00 P.M.
2. CSP #905-11 – Eisemann Center Garage led lighting retrofit. Competitive sealed proposals to be received by Thursday, June 30, 2011 at 3:00 P.M.

E. Consider award of the following bids:

1. Bid #18-11 – authorization to issue a Co-Op Purchase Order to Grande Truck Center for a truck tractor for fleet services through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #358-10 for a total expenditure of \$116,018.
2. Bid #26-11 – award to Mart, Inc., for the Huffhines Recreation Center Alternative Energy project in the amount of \$307,655.

Removed for separate action.
3. Bid #40-11 – award to Jim Bowman Construction Company for the 2010 Sidewalk Repair Program Phase II – Regions 3 & 4 in the amount of \$644,341.14.
4. Bid #41-11 – authorization to issue an Annual Requirements Contract to Texas Tree Turf Company for tree watering pursuant to unit prices.
5. Bid #47-11 – authorization to issue a Co-Op Purchase Order to Bond Equipment Company, Inc., for seven (7) 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 \$943,552.
6. Bid #48-11 – authorization to issue a Co-Op Purchase Order to McNeilus Truck & Manufacturing Company, Inc., for seven (7) McNeilus (17) cubic yard rearloader refuse bodies for the Solid Waste Department through the Texas Local Government Statewide Purchasing Cooperative Buyboard contract #357-10 in the amount of \$385,071.

7. Bid #49-11 – authorization to issue a Co-Op Purchase Order to Motorola Solutions, Inc., for portable and mobile radios for the Cassidian (EADS) P25 radio system through the Houston-Galveston Area Council of Governments Contract #RA01-08 in the amount of \$4,673,395.30.
 8. Bid #50-11 – authorization to issue a Co-Op Purchase Order to Avtec, Inc., for the radio console for the Cassidian (EADS) P25 radio system through the General Services Administration, Schedule 70, Contract #GS-35F-0183U in the amount of \$566,869.57.
 9. Bid #51-11 – authorization to issue a Purchase Order to Cassidian Communications, Inc., for the sole source procurement of the Radio Encryption Server for the Cassidian (EADS) P25 radio system in the amount of \$340,000.
 10. Bid #52-11 – authorization to issue a Cooperative Purchase Order to Qwest Communications, LLC for data switches for the Cassidian (EADS) P25 radio system through the State of Texas Department of Information Resources (DIR) Contract DIR-SDD-1376 in the amount of \$66,276.50.
- F. Award of Request for Proposal #701-11 – award to Globberanger Corporation for the radio frequency identification (RFID) asset tracking system for the Police Department in the amount of \$71,558.46 and pursuant to unit prices.
- G. Authorize the city manager to execute Change Order #3 to increase Purchase Order #100901 to Schneider Electric for additional power at the Meredith and Collins Lift Stations in the amount of \$90,337.02.

ITEMS REMOVED FROM THE CONSENT AGENDA:

8E2. Bid #26-11 – recommend award to Mart, Inc., for the Huffhines Recreation Center Alternative Energy project in the amount of \$307,655.

Mr. Omar stated he would like local businesses to have an opportunity to be subcontractors under the general contractor. He stated he would like the City to go above and beyond to insure local businesses are allowed to bid on it. He stated he was thrilled with the project and noted that the dollars are Federal Grant funding. Mr. Keffler stated staff encourages local bidding and connects with the Chamber in that regard. Various members voiced agreement with encouraging general contractors to look locally for subcontractors.

ACTION TAKEN: Mr. Omar moved approval of the bid as presented; second by Mr. Mitchell and the motion was approved with a unanimous vote.

Mayor Townsend stated the Council would reconvene in Work Session in the Richardson and adjourned the meeting at 8:53 p.m.

ATTEST:

Pamela Schmidt
CITY SECRETARY

G. J. Townsend
MAYOR