

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL

January 31, 2011

City of Richardson, Texas

A Regular Meeting of the City Council was held at 6:00 p.m., Monday, January 31, 2011 with a quorum of said Council present, to-wit:

Gary Slagel	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Council member
John Murphy	Council member
Bob Macy	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
Dave Carter	Asst. Director of Development Services – Traffic

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- 1. INVOCATION**
 - 2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
 - 3. MINUTES OF THE JANUARY 17, 2011 MEETING**

ACTION TAKEN: Mr. Macy moved approval of the minutes; second by Mr. Townsend 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.)*

Charlie Newton, 1206 Golden Rod Drive; requested to speak during the public hearing item.

Sandy Lauder, 2805 Wyndham Lane, reminded the Council about the forthcoming Super Bowl and requested volunteers.

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- 5. CONTINUATION OF PUBLIC HEARING, ZONING FILE 10-21: A REQUEST BY SCOTT POLIKOV, GATEWAY PLANNING GROUP, INC., REPRESENTING BUSH/75**

PARTNERS LP, FOR A PD PLANNED DEVELOPMENT FOR APPROXIMATELY 57 ACRES LOCATED ON THE NORTH SIDE OF RENNER ROAD BETWEEN THE DART LIGHT RAIL AND PLANO ROAD. (CONTINUED FROM JANUARY 17, 2011, CITY COUNCIL MEETING)

6. CONTINUATION OF PUBLIC HEARING, ZONING FILE 10-20: A REQUEST BY BRIAN E. MOORE, GOOD FULTON & FARRELL PLANNING AND THE CITY OF RICHARDSON, REPRESENTING THE ESTATE OF W.W. CARUTH, JR., US TRUST, BANK OF AMERICA AND THE CITY OF PLANO, FOR A PD PLANNED DEVELOPMENT FOR APPROXIMATELY 86 ACRES LOCATED AT THE NORTHWEST AND NORTHEAST CORNERS OF US HWY 75 AND RENNER ROAD. (CONTINUED FROM JANUARY 17, 2011, CITY COUNCIL MEETING)

Mayor Slagel described the process that would be adhered to for the public hearing process for Items 5 and 6.

Mr. Keffler provided a statement responding to many of the questions asked during the January 17, 2011 public hearings, noting that questions not pertaining to the sites and requests before the Council would not be responded to at this time. He stated that some of the questions will be answered by the staff presentation or the applicant's comments. He stated that the Urban Land Institute study of 2001 and the Comp Plan of 2009 are both on the City's website. No citizen survey has been conducted relative to the zoning requests however there have been a multitude of public meetings in regard to the ULI, the Comp Plan and the requests before the Council. He stated that transit villages call for high quality office, which the requests include; TODs would have a ¼ to ½ mile radius. With regard to consultant assistance, he stated that Richard Ferrara who is a previous member of the City Plan Commission and local architect has assisted the City. He advised that there has not been an analysis to determine what happens if the Cotton Belt doesn't occur as shown in the proposed plan, however the TOD that has been discussed takes into consideration the Bush Station and the Red Line. The rail absorption rate used means that is the number of people that is expect to be DART users and varies from station to station; in this case 10% is being used. With regard to building safety as proposed by the form based code, Mr. Keffler stated there is not anything being forfeited or made less desirable relative to the safety factors built into the codes. He stated that the U-turns for US 75 and the turnpike are designed specifically to allow traffic to reroute as needed and is an accepted planning exercise. In terms of evaluating multi-family mixes, there is cap that has been provided by the two property owners of 3,900 units as of January 17 and the applicants will advise if there are any further changes due to the comments and feedback from the last meeting. The Traffic Impact Analysis was presented and will be presented again. With regard to green space, Mr. Keffler advised that approximately 50% of the Parliament's 57 acres are developable and approximately 61% of the Caruth property is developable. Green strategies will continue to be discussed. Integration with existing neighborhoods has been considered and is a part of the traffic impact analysis. With regard to the 150 acres east of Plano Road, Mr. Keffler advised that the development rights include apartments and other office and commercial uses. Parliament identified a 600 ft deed restriction to the multi-family development along Renner Road. In terms of neighborhood meetings, he stated there had been a significant amount outreach that includes interviews conducted in 2001 regarding the Urban Land Institute study and the Comp Plan. He advised that the City has not conducted a Renner Road realignment study, but discussion has been held in the past about studying the expansion of lanes across the two water features in the Breckinridge area. The urban forest south of Renner Road has not been analyzed and is not part of the zoning file, but it does have multi-family zoning rights. He stated that no project has been submitted for the property. The City has not looked at a park development for the 23 acre tract that is south of the transfer station and north

of the Owens Park subdivision, and although it continues to be of interest, the City does not have an active park design in terms of purchasing the acreage. The Plano ISD has been provided the City's existing zoning and the Districts comments to the Council are that Stinson, Shell and Otto schools have been built with growth opportunities and they evaluation development on an ongoing basis. He stated that the City does not have a list of developers for the properties before the Council; there is not report gauging the interest on the property. The City does not have a business plan for the development and it is incumbent on the applicants to conduct market analysis to develop their proposal. He stated that several of the projects used as models have been around for many years and provided that information; and noted that the large developments have long term implications. With regard to Section 8 housing, he stated that the City is aware of two multi family developments in the City that has had some relationship with Section 8, but the City does not tract that information. He also noted that the pricing of the new developments would be outside the scope of Section 8 approvals. In terms of demographic and economic impact, any type of business and income analysis is not a part of the planning requirements for zoning applications and the City does not have such information. With regard to service impact, Mr. Keffler stated the City goes through the process of allocating services, but no cost benefit analysis has been conducted. He stated that a Tree City designation is not a requirement and the City does not have a Tree City USA designation. In terms of floodplain and storm water, it is extremely important during the development process but is not a requirement for zoning. Further an environmental impact study is not required as part of the zoning application, but they will be required to obtain clearances before development can proceed on any of the sites. He reiterated that many of the points will be amplified on during the presentation.

Mr. Mitchell asked city manager to respond to the previous question regarding a \$25 million incentive. Mr. Keffler stated the City has not made any commitments for funding incentives. He stated it is not unusual, as the City starts looking at future developments, applications would be made for County support for roads. He stated the project could be applied to TIF funding in the future should the Council decide to do so and as development proceeds, particularly commercial development, it is not unusual to have incentive support that would go to the company.

There being no other questions for Mr. Keffler, he asked Sam Chavez, Asst. Director of Development Services – Planning, to brief the Council. He stated that staff is mindful of the fact that many of the slides have been seen before and have tried to summarize the changes since the hearings previously held. Particularly the hearing held on January 17.

Mr. Chavez reminded the Council and audience of the location of the requests. The current zoning for the Bush Central Station is roughly 57 acres that allows office, research, hospital, full service hotel, light manufacturing, and limited incidental retail and residential. The maximum square footage allowed on the site is 2.8M and a maximum of 426 multi-family units. It also includes height restrictions anywhere from 75 ft. to 20 stories. The Caruth properties, which encompasses about 85 acres allows similar types of uses, has a maximum of non-residential square footage at 2.5M sq. ft. and has height restrictions between anywhere from four to 12 stories in height. The actual zoning request is to rezone the property to a planned development district through the use of form based elements. All City codes and ordinances will still apply to the subject properties, including the zoning ordinance when not in conflict with the PD, the subdivision and development code, building codes, fire code, drainage and engineering design standards, landscape standards, the thoroughfare plan and the sign code. The key components of the PD are the regulating plan (zoning map) and the development standards, which are depicted in both text and graphic form. He reviewed various maps that reflect the character

zones and building heights. Dave Carter, Asst. Director of Development Services – Traffic/Transportation, reviewed the Traffic Impact Analysis recommended developer mitigation measures and also recommended potential future CIP improvements. He provided the following conclusions found with the TIA:

- TOD mixed use zoning results in more daily traffic than the existing zoning, but it is spread out over the day. Peak hour traffic volumes lower with a better distribution of inbound and outbound traffic.
- Adequate provision of access and circulation drives evenly distribute traffic to Arterial and Freeway system minimizing impact to network
- The Cotton Belt Transit Line Connection to Bush Turnpike Station greatly benefits the development and reduces impact on traffic.
- Significant levels of roadway capacity enhancements, including additional turn bays and auxiliary lanes are proposed as part of the regulating plan, maximizes efficiency of the roadway network.
- Plano Road at Renner Road Intersection can remain as an At-Grade Intersection.

Mr. Chavez continued the presentation with the applicants' proposed amendments as follows:

Bush Central Station:

- 2,400 multi-family unit cap
- Include Annual Periodic Review
- 15' Floor to Ceiling along at least 50% of linear footage of Infocom
- 50' Minimum bldg height along PGBT
- Eliminate 2-story multi-family in all Character Zones
- Include concrete and steel building construction on 50% of net area north of Infocom
- Increase masonry to 85% along Type "A" Streets and 80% on other elevations
- Include Retail Ready standards for Buildings along Plano, Renner and PGBT access road
- Restrict EIFS use to exterior trim/molding
- Modify 10 foot minimum floor-to floor TO floor-to-ceiling for majority of each upper floor
- Add Type 'A" Street exterior façade treatment for buildings along Plano and Renner (85% masonry)
- Add appeals procedure on minor modifications

Pending discussion items include multi-family units; percentage of masonry on Type 'B' streets and balance of building elevations (80%), minimum 1st floor podium heights, and standardization of periodic review time frame.

Caruth:

- 1,250 multi-family unit cap
- Include ANNUAL periodic review provision
- Eliminate multi-family in Arterial Mixed Use & TOD Freeway Hi-Rise Character Zone (west of US-75)
- Increase masonry content on balance of building elevations to 80%
- Modify 10 foot minimum floor to-floor TO floor-to-ceiling height (excluding areas common to furr down conditions)
- Include 50' minimum building height to TOD Core
- Restrict EIFS use to exterior trim/molding
- Add appeals procedure on minor modifications

Pending discussion items include multi-family units; exclusion of minimum building height in TOD Freeway Hi-Rise (SW PGBT/US75), minimum 1st floor podium heights (15' floor to floor), and standardization of periodic review time frame.

Mr. Chavez stated the following key points of both applications.

- Planned Development District
- Proposed Standards Equal To and/or Greater than current City Standards
- All Other Codes and Ordinances Still Apply
- Developable Acreage Significantly Less than Gross Acreage
- Normal Staff Review Procedure is in Place
- CPC and City Council Oversight
- Proposed Standards Inhibit 1st Floor Residential

Mr. Mitchell asked Mr. Carter to talk about the differences in traffic for multi-family, office and retail uses asking in general the type of traffic generated and which causes the most congestion. Mr. Carter stated that Office typically generates a great intensity of traffic during peak hours of morning, evening and lunch; residential may have more daily traffic throughout the day, but is less intense during the peak hours. Combining the two actually balances the load of traffic and has less impact than either of the two on its own. Mr. Murphy asked about the use of EIFS and Mr. Chavez replied that it could be used as trim work and molding above 8 ft. In response to Mr. Omar, Mr. Chavez replied that living room areas would be 10 ft in both proposals, but hallways and bathrooms could be less than 10 ft to allow for furr downs. Mr. Omar asked if there is a minimum height along the freeway on the Parliament request and Mr. Chavez stated there were no minimum building heights. Mr. Omar also asked about the heights of the freeway at the point where it passes the properties and Mr. Miller stated the highest point of the Turnpike at US 75 was estimated to be between 67 ft to 70 ft. and tapers down going east. Mr. Carter noted that the high point was above ground level of where the development is because US 75 is brought down while the Bush Turnpike goes up.

Mayor Slagel invited the first applicant to address the Council.

Bill Dahlstrom, 901 Main Street, stated there is no other site like this in this part of the Country. To address some of the concerns that have risen over the last couple of weeks, he stated that they have agreed to a cap of 2,000 apartment units on the 57 acres; agreed to an annual periodic review; agreed to 10 ft ceiling - floor to interior floor ceiling; agreed to concrete and steel construction on 50% of the net acreage north of Infocom; agreed there would be no two-story multi-family on the property; agreed to place a deed restriction of a 600 ft buffer on Renner Road the property east of Plano Road, that is not part of the zoning request, and stated it equated to a reduction of 500 units; and agreed to 80% masonry façades with an 85% cumulative building average.

Joe Altermoore, 5909 Luther Lane, Dallas, stated he is part of the ownership of the properties and has been working with City staff for the last year. He stated he has been developing property for 35 years and learned that timing is very critical. The down time of the economy is the perfect opportunity to position the property and get the entitlements in place because once the market turns, it's too late. He stated that the table has to be set in order to attract the type of users desired. He emphasized that Richardson deserves to compete for this type of property. He remarked about the capability of the site due to the infrastructure already in place. He stated there is an evolution going on about the way that people live, transport, and work. People want

to be part of urban type communities and likened the Gen Y generation to the Baby Boomer generation, but a little bigger. He felt that people are going to choose to rent and will want the amenities of ownership properties. He felt that transportation would continue to be a concern because fuel costs will continue to rise and felt that the new generation will be much more receptive to mass transit than those who are accustomed to having their own vehicle. He stated that the form based code continues to be tweaked, but has been designed uniquely for the site. He stated the form based code could be a template for other property, but could not be used exactly. He stated the reason the code will work is because failed uses will be able to be retrofitted to correct uses. With regard to the number of units on the land east of Plano Road, he stated that they don't have any idea how it will be planned, but promised the Council that they would use the same discerning, planning, time and effort in planning that tract as they have the 57 acres subject property. He stated the planning on the middle tract is going to be driven by what happens on the 57 acres. He stated there could be a demand for an extension of some of the residential use in a pod there and have been hesitant to offer restrictions that keep the property from being the best it can be. He stated they provided the buffer because they are sensitive to the homeowners to the south and understand their concerns. He felt that putting the buffer shows that they are listening, but was not willing to compromise the integrity of the project. The existing zoning on the middle tract economically cannot be developed at 12 units per acre because the property is too valuable for it. He stated their intent to utilize and develop the property to the highest and best use. He stated there are no guarantees in the business, but there are certain predictabilities that can be made, and he feels that has occurred. He stated they intend to stay with the project and to do everything possible to make it happen in the way it has been projected.

Scott Polikov, Gateway Planning Group, 101 Summit Avenue, Fort Worth, stated they encouraged Joe Altermoore to speak so the Council would see a face other than the paid consultants. He noted the long contacts in the Richardson community and stated they are proud to be a part of the project. He provided photos of West Village and reviewed the strict standards in the proposed code. He stated that Legacy, West Village, Uptown, Waters Creek did not have a prescribed mixed use ratio and they are all well developed vibrant mixed use projects. He felt the standards embedded in the code will assure the quality of the development. He felt that the street types at the zoning level are what really make the project special. He reviewed a table providing an approximate fiscal impact for pre build-out and post build-out. He stated the proposal for the Parliament property alone has a huge post build out beneficial impact to the school district of \$83,450,640. He stated there are no guarantees as far as timing, but if the proposed application for zoning is approved, there are guarantees for the quality, characteristics, the nature of the neighborhoods and the development that will come to the site. He read a letter from Toby Growth (?), President of Koll Development Corporation, in favor of the proposed project, including the Caruth request, talking about a huge demand for such an environment.

Mr. Townsend stated he was still concerned about leaving multi-family zoning on the east side and asked if they had any idea about when they would return with a plan for the property. Mr. Polikov stated that realistically, no multi-family would occur with the Council's discretionary approval moving forward because the current entitlement is not viable. Mr. Altermoore stated they would start the planning on the eastern tract once this piece of the project is complete. One consideration is trying to interpret what impact the TOD has and how far it penetrates into the middle tract. He hoped to have a planner hired by mid summer 2011 and would begin the process and conversations with the City, and hopefully be before the Plan Commission in 2011.

Mr. Mitchell stated the concern is the property east of Plano Road and proposed that the property be deed restricted against multi-family, noting that even with the buffer offered by Parliament, it still allows 1500 apartment units. He stated he understands the value and importance of bringing such a site to Richardson, but the Council must be mindful of the density. He found it unacceptable that the property is still multi-family. Mr. Polikov stated he respects the comments and understands the concern. He underscored that if the Council approves the zoning, the team will be just as concerned as the Council. He stated they all agree that 12 units per acre are not viable, but it may make sense to do more urban residential on the site in terms of the quality and character of the neighborhood and the demand for high-end residential. He underscored that the Council controls every potential multi-family decision on the site, and pointed out the measures taken to illustrate their desire to work with the Council. He felt that if they agree to the complete elimination of a use in a vacuum without any planning may sell the site short and may forego tremendous opportunities for a high value mixed use neighborhood that should be a part of the development.

Mr. Murphy wondered when density is too much density. Mr. Polikov stated they have resolved what the number is for the 57 acres and agreed to reduce it to 2000 units, completely consistent with the TIA and the long term quality issues raised by Council. He thought the answer is they don't know what the answer is, but shouldn't they go through the process they went through with the current property and underscored that there is no risk to the City. He felt it simply is not time to answer the question. With regard to the question of how much residential is appropriate to drive retail and commercial, Mr. Polikov stated there is no magic number because that is not what the development is about. He stated there is no direct correlation in terms of the number of units. He stated it is all about location and neighborhood character, but there is a number that would be too low and causes the project to lose viability. He stated they were willing to drop the number of units to 2,000 because they felt the project would be more attractive on the commercial side. He felt strongly that it was important to go through the planning. Mr. Murphy underscored that he does not want them to return in the future requesting more apartments because the residents will expect them to develop the property as planned and Mr. Polikov stated they were comfortable.

Mr. Omar stated his big concern is that the City doesn't shortchange the opportunity or settle for taking the less exceptional option because of the pressure to make use of the zoning once approved. He stated that he visited various retail establishments at Legacy and found many retail sites with a 15 ft false ceiling and higher. He felt there could be some select places where the 20 ft ceilings make sense. With regard to the width of the walkway for TOD Street Type A and Mr. Polikov confirmed that it was 16 ft plus 5 ft minimum. Mr. Omar stated he was comfortable with the 21 ft minimum for the Parkway. He stated he would like to define the height of the buildings that borders the highway so that the buildings actually reach that height to make it something that is formidable against the highway. Mr. Polikov felt that a happy medium has been struck with heights and cautioned the possibility of malicious obedience and referred to Crystal City as an example. He stated he does not want to destroy the opportunity for creativity. Mr. Omar stated his concern and interest to so not have buildings that look up to the highway. He also asked if there were restrictions to having parking garages that would face the highway on the two buildings. Mr. Polikov stated the standards are lessened versus some of the other locations, but it still has architectural requirements. He stated that the last thing they want to announce is that highway travelers are going by a monoculture of cars but was concerned about requiring a wrap along the frontage.

Mr. Mitchell referred to amenities and assurance that there would truly be mixed uses and asked Mr. Polikov to address the topic of phasing. He stated he was concerned about it

becoming a large apartment complex. Mr. Polikov stated that on the Main Street, going through the Caruth property and through the Bush Central Station properties, there is no allowance of ground floor residential for the first 30 feet regardless of construction and he said it is inconceivable that it would all be built with empty space on the ground floor. The second thing he thought was critical was the cost to construct the buildings to commercial code that have to be built to the build-to line. The beauty is that it allows the mix to be done through tenant negotiation. He felt that the code adds up to a more aggressive and robust long term mix. Mr. Mitchell said he believes that the residents want true mixed use and the concern is that they will not get viable retail and will end up with all apartments. Mr. Polikov felt that they have done everything they can to assure a quality development and felt they have answered the question affirmatively, aggressively and felt the work protection is imbedded in the application before the Council. With regard to maximum heights, Mr. Mitchell spoke in favor of maximizing heights and did not want to be in a situation where the buildings were below George Bush. He agreed that there has to be a correct mix of office, retail and residents to have the vibrancy.

Mr. Solomon asked for elaboration on the periodic review time frame and what it will mean. Mr. Dahlstrom stated they have offered to provide an annual review showing the square footage of the completed buildings, number of units completed, photographs showing compliance with the design guidelines in the code and a confirmation plan showing the extent of the development within the property. Mr. Solomon asked what would or could happen if the Council did not like what was happening. Mr. Chavez stated staff and the applicant would keep the Council updated on the status of the development. Also, they would report any issues that may be brought forward. Mr. Keffler stated it would be an annual check mark on the project. It is also assumed that the developer and those following up in the discussions are going to be interested in continuing that the City is reinforcing the project. He noted that it may be 1 – 3 years before progress is seen. He stated there is no reason for either person to run counter to the blessing of the Council. With regard to heights, Mayor Slagel noted that there would be a mix of heights that will look over, into and under the highway. Mayor Slagel stated he likes the periodic review because it gives the Council an opportunity to talk about where the project is going.

Larry Good, President of Good Fulton and Ferrill, stated they are very pleased that they have been able to bring forth some positive changes to the application. He reviewed the four made two weeks ago as well as additional concessions listed below.

1. Reduce the cap to 1,250 total multi-family units
2. EIFS is prohibited on all building elevations with the exception of its use for exterior trim and molding features.
3. Multi family NOT permitted in the portion of the Character Zone TOD Freeway HI-Rise located at the southwest corner of US 75/PGBT
4. For all uses, ceilings shall be a minimum of 10' 0" clear dimension with the exception of bathrooms, closets, hallways or areas common to furr down conditions.

Mr. Good also agreed to an annual review as directed by the City Manager. He felt it would be mutually beneficial. He underscored there was consistency with what they are saying as well as what Parliament is saying.

Mr. Mitchell asked for clarification if the heights were minimums or maximums and Mr. Good stated the regulating plan reflected both minimums and maximums on the east side and requested no minimums on the west side. He believed that the west side would not develop as intently because of the serious access problems. He noted that people would be able to walk to the station because of the trail but it would not be as amenable.

Mr. Omar asked about a restriction of 2-story apartments. Mr. Good stated they would be willing to agree to that restriction on the east side of Central, but not on the west side because there might be two story townhouse style apartments. Mr. Omar stated he was concerned about the garden style apartment. He asked him to consider a 70' height minimum at the northeast corner of the east side of US 75. Mr. Good stated the planning theory is that the TOD promenade street, which connects the center point of the station over to a fairly dense office, is a crucial character street and the streets that feel best are streets that tend to be the 4 and 5 story buildings lined with retail at the ground floor. He stated they set a 50 ft minimum on five blocks to insure that what we get in the neighborhood is the Dupont Circle / West Village character because it is comfortable and popular. He asked the Council to not associate minimums as if that's all you're going to get because it doesn't mean it will be the minimum. He complimented the Council for being attentive to high standards.

Mr. Mitchell stated the concern is the future and asked him to explain the number of stories involved at the heights discussed. Mr. Good stated a 180 ft height equates to a 13 or 14 story office building or a 15 or 16 story residential building. Mr. Mitchell asked the height of 1 Telecom and Mr. Keffler replied that it was 130 feet with nine stories. The Renaissance Hotel is 151 feet with 12 stories. Mr. Mitchell felt maximizing the heights is important where it's not invasive to neighborhoods because the height might maximize green space. He stated he understands the balance. Mr. Good felt it was important not to do something that would cause residents to say the heights were too much.

Mr. Murphy understood the two developments are designed to compliment each other but felt it was a discrepancy to have the Caruth buildings half the height of the adjacent development. Mr. Good replied that he and Mr. Polikov felt it makes good urban design and did not think the Council should be concerned. Mr. Murphy asked if they would have enough multi-family units to fill the taller buildings and Mr. Good stated they were very careful with the discussions about the cap for that reason. He stated that when they went from 1,500 units to 1,250 units, it had to do with eliminating the southwest corner of Bush and Central tract from the multifamily mix and they probably won't be doing multi family on the office blocks. He they can take the remainder of the blocks along the rail track and those can have the full compliment of mid-rise residential or on a couple of the places, they can substitute office and have high-rise residential. He felt the 1,250 number gives them the flexibility to continue to deliver really nice urban design and the kind of vibrancy wanted; less than that would hurt.

Mayor Slagel referred to the three properties along Bush where there is a 180 ft height maximum and asked if it would hurt if the Council wanted to allow more height. Mr. Good stated they would not argue with an increase in maximum heights.

There being no further questions from Council, Mayor Slagel asked the Pam Schmidt, City Secretary, to begin calling speakers. Ms. Schmidt advised the Council that the online appearance card did not include the neutral option as made on the hard copy. She assured the Council that the change would be made. She announced that approximately 100 cards were submitted through the online option as of 5:20 p.m. and noted that online cards continue to be submitted. Approximately 84 cards were received in opposition that did not wish to speak; four cards in opposition that do wish the speak; seven cards were received for those in favor of the item that did not wish to speak and one in favor that did wish to speak. She also advised that more cards have been hand submitted. She explained there were a few cards with a neutral position. Mayor Slagel asked to begin with those in opposition, then neutral and then in favor.

Mark Smithhisler, 2201 Victoria Lane, on behalf of NPAR, stated his appreciation for discussions and the responses provided by Mr. Keffler of the questions previously submitted. He stated that up to this point, NPAR maintained a neutral position by stating that they support a truly mixed use transit oriented development, but felt the greatest possible due diligence is necessary to insure that it happens. He felt there were questions that were yet to be answered and felt that the proposal would benefit the developer more than the City and its citizens. He questioned the number of apartments and the proposed form based code. He stated the NPAR had no choice but to oppose the two zoning requests before Council.

Bill Kinder, 2662 Daffodil Drive, passed.

Maitri Smithhisler, 2201 Victoria Lane; not present.

Jason Crane, 2610 Spring Lake Drive; not present.

Ronnie George, 1957 Eastpark, stated he would vote against any project that brings more apartments, more people, or more kids to the schools. He stated he does not understand the obsession with building on the DART rail line.

Jim Shepherd, 1811 Normandy Drive, stated this was the same story as was heard for Brick Row, Galatyn and Eastside. He noted that the areas such as Waters Creek and Legacy that are successful had exceptionally good view to highly traveled streets and roads. He felt the applicant was telling the truth about not enough residential to support the kind of retail desired. He suggested the Council concentrate on office, another corporate campus like Blue Cross and concentrate on something positive that has worked. He suggested the Council ask themselves who other than the developer feels there is a need for 4,000 more apartments in Richardson. He underscored his encouragement that the Council zone the property for the use desired. He stated that form based zoning favors the developer; no phasing favors the developer. He asked the Council to protect the citizens and back off on protecting the developer. Mr. Omar thanked Mr. Shepherd for sharing his thoughts and stated he has had an opportunity to talk to many executives and residents around the City, who advised that they chose to make Richardson their home because they were surrounded by an employment base that happened to be in the age and education level that were pertinent to them. He stated what he is hearing now is that companies are looking for another group of young professionals that are educated, upwardly mobile and they need a place for the young professionals to live. He felt that apartments aren't always bad and noted that the City codes and standards are considerably better. He asked if Mr. Shepherd felt that the infusion of new residents to meet the needs of the employers was not important. Mr. Shepherd stated that when the Spring Valley apartments were great as long as they were allowed to be adult only, but after that, the units deteriorated. He stated the previous Council did real well with single family and corporate campuses and felt the City could still do real well with single family and corporate campuses. He stated there are already more apartments available now than then and more are entitled. He also reminded Council about the impact on services with apartments and did not think the City needs 4,000 apartments, particularly in a concentrate area. Mr. Murphy stated the city is faced with a declining retail environment; things have changed and if the city doesn't change with it, there will be issues in the future. He stated that the land before the Council would never by single family homes and is never going to be townhouses; it will be a mix of something and will include some sort of multi family. He stated Council is looking for the constructive solution and felt the City was on the right tract. Mr. Shepherd disagreed with Mr. Murphy's comments and also disagreed that 4000 apartments were needed.

Richard Tanner, 401 Ridgehaven Place, felt the form based code seemed like an abandonment on one level on what the city government should be doing and a half way measure between zoning and no zoning. He was struck by the speculation voiced and particularly referred to the Cotton Belt. He had a major concern with the lack of control. He referred to the West Spring Valley moratorium and suggested a moratorium for the area in question. He recommended the Council table the request for further development. As an alternative, he suggested the Council pass it conditioned on an election held for that purpose. Mr. Macy asked Mr. Tanner if he had reviewed the restrictions in the form based code. Mr. Tanner felt there were no specifics and that it included general concepts. Mr. Macy suggested he review the information available on the internet and felt the statement that it was a free for all for the developers was incorrect. Mr. Tanner stated he recognized there were some standards and felt it was a blend of an abandonment of zoning and at the same time a zoning request.

David Roffino, 2103 Briarwick Court, Vice President of the University Estates HOA, felt there were too many apartments. He stated he moved to Richardson because it was a nice single family town. He referred to other areas that provide apartments such as Brick Row, Galatyn and Eastside and understood about zoning for the highest and best use, but felt 6,000 apartments was too much. He spoke opposed to the form based code and stated that his concern was what would happen 15 years from now.

Durward Rutledge, 2005 Brandeis Drive, stated the Council needs to do a better job of letting the citizens know what is going on and suggested using the water bill. He voiced concern about traffic congestion, impacts on the school system and asked what would generate revenue. He stated his son is a firefighter and asked the Council to plan for today, tomorrow and the next 30 years.

Diana Clawson, 800 Westminster Drive, felt the form based code regulates the buildings and streets rather than the use within the development. She stated she was opposed to form based zoning and should use conventional zoning. She was concerned about the number of apartments. She noted that there was quality retail all around Richardson and did not think that the retail that would go in the development would be destination retail. She felt that Richardson missed its opportunity for a Legacy town center. She stated a preference for office buildings. She stated that if she was a young two-income family that had money to spend, she would move to places that have museums and shopping rather than in a live/work environment.

Charlie Newton, 2106 Goldenrod Drive, apologized for exceeding the time limit during the last meeting. He felt certain that the one key factor needed was to call on God. He felt that the project is developing the heart of America and it could be called the crossroads of American and could also call it the gateway to the Metroplex. He encouraged the Council to read Proverbs and suggested the Council off portions of the sidewalk be offered for sale to members of the public for them to place their favorite scripture. He asked the Council to make it a matter of prayer and to not vote on the item this evening. Mr. Macy assured Mr. Newton that many pray for the City.

Ernest Randall, 1422 N. Cheyenne, stated there is a lot of solidarity in Richardson and commended the Council for tackling the issue. He noted his history developing property and service to the City. He stated he has always found it important to look at the reputation of the developer and felt that the applicants before the Council this evening are reputable. He encouraged the Council to continue to grapple with it and reiterated that time is money. He encouraged Council to come to a good decision on the property that is in the best interest of the citizens of Richardson.

Cathy Jackson, 3303 Foxcreek Drive, suggested there be a way to control the type of businesses that move into the area, such as adult businesses. She voiced a concern about streets, traffic and parking. She suggested a turn lane now at Wyndham. She voiced a concern about sufficient parking and gave Eastside as an example. She provided a letter from Ron Gonzales regarding the requests.

Bill Chance, 1706 Syracuse Drive, Commuting Coordinator for Raytheon, talked about the importance of the DART station and felt that people who can walk to a DART station would ride the train most days. He stated the development would exist almost by itself and as other stations get built along the rail, people will move from one to another. He talked about the options available to those who use the DART transportation. He stated it is a new way of living and noted there are plenty of people who are tired of driving US 75. He stated the DART stations in Richardson are jewels and guaranteed that DART is the future. Mr. Murphy asked if the people are looking for apartments or single family homes. Mr. Chance stated that the young professionals want flexibility and those coming from other states such as California, are cautious about the housing market.

Paul Voelker, 3308 Callaway Court, spoke in favor of the proposals. He stated he is a 28 year resident of Richardson and has been employed at HP for 28 years. He stated he understands the benefits and the reasons why the Legacy environment was developed as well as why HP continues to stay there. He stated it was sad when the corporation moved out of Richardson to Plano. He felt the City does a wonderful job of communicating to the citizenry and feels there was plenty of time to understand the issues. He agreed that time was critical relative to hitting the market opportunities at the right moment. He feels that Richardson is truly in a unique place. He stated he wants to see his home price increase; options for the young professionals and options for the empty nesters. He felt that using form based code was an opportunity to not do things the same way in order to get a different result. He offered his support.

Scott Dunn, 1003 N. Waterview, stated he is a concerned citizen wanting what is best for the citizens. He felt that many of the questions and concerns raised were answered. He stated he conducted research on form based code and stated the first 20 articles were positive. He noted that the value of the land is a half billion dollars. He asked that Council keep Richardson moving forward in the right direction.

David Knepper decided not to speak.

Andrew Laska, 502 Hyde Park, President of Richardson Heights NA, and resident of Richardson since 1968, spoke in support of the proposal with some reservations. He felt that the West Spring Valley strategy was not comparable and provided examples. He stated that antiquated and insufficient urban design standards are responsible for Spring Valley. He felt that form based code is not appropriate for everything, but that it is designed to alleviate the kinds of problems found on Spring Valley and prevent it from occurring. He felt it is very unlikely that the project presented could become West Spring Valley. He reiterated that he supports the case with reservations.

Grace Bielawski, 2200 Waterview Parkway, Apt. 26207, spoke in favor of the Bush TOD project. She stated that she currently serves as the Student Government President at the University of Texas at Dallas but was present to speak as a student who is familiar with her peers and their desires, and as a resident of Richardson. She stated the students do not stay in Richardson on the weekends; they are going to Uptown Dallas, the Shops at Legacy and to any number of

restaurants or bars in Addison. She felt it is important for students to spend more time in the City that has given so much and interact with the City on a social and financial level. She felt that the proposed development would also draw perspective students from around the Country. She spoke in favor of the proposal and stated she has a vested interest in the success of UT Dallas. She felt that the Bush development would make Richardson a more exciting, dynamic city with a prospect for growth in the future.

Steven Rosson, 800 W. Renner Road, stated he is a 15 year resident and recent graduate of UT Dallas that has chosen to stay in Richardson. He stated that the things that brought him and his peers here are not the same things that will keep them here. He stated that the request is an opportunity to take Richardson to the next level and help Richardson truly evolve. He felt it was bigger than any one citizen, neighborhood, or organization. He stated he came to Richardson for the schools, but has stayed for the community and the future. He stated he would love to have a Dupont Circle in Richardson and see people reverse commuting from Uptown Dallas. He stated he looks forward to the benefits the proposal will bring.

George Human, 1510 Amesbury Drive, stated he appreciates the time Mayor Slagel and Mr. Keffler spent meeting with the neighborhood regarding the Lookout Transfer Station. He provided his work history regarding planning and civil engineering. He thanked the Council for moving cautiously and stated he is very much in favor of TODs. He stated was torn with the proposal because he was asked to protect his neighborhood. He asked that the Council not approve the Parliament request until more items were negotiated. He stated he had a couple of concerns with the Caruth TOD and felt it was addressed with lowering the cap on apartment units to 1,250 and providing for an annual review. He provided a copy of an email he distributed earlier in the day and asked Council to consider the impact on the neighborhoods. He stated that Sherrill Park HOA and Crowley Park want to protect their quality of life and their property values. He referred to his points of concerns such as the number of apartment units, traffic congestion, and building heights and the solutions he offered.

Don Bouvier, 3102 Canyon Creek Drive, speaking on behalf of the Canyon Creek HOA, stated that the Board did not come to the decision of support very easily and noted the meetings held and attended regarding the requests. He stated they are concerned about the traffic, but feel confident that a solution has been developed. He stated that the two concerns: insuring the mix of uses; and checks and balances.

Larry Bassuk, 2907 Wyndham Lane, asked about the integrity of the insides of the buildings such as sound proofing or sound barriers. He stated he was in favor of the proposal, felt it was progress and was a terrific use of the land and it was a good deal for Richardson. Mr. Miller stated he was not sure about the requirements of the building code and noted that they would check the code.

Scott Morse, 7601 Queens Ferry, Dallas, stated he has a vested interest in the community and appreciates the consternation of the folks in the room. He commended the Council and staff for putting guidelines, rules and regulations in place. He felt this was a very well funded, well conceived, comprehensive live, work and play environment; destination location. He stated the work force includes four different generations noting the difference in lifestyle and it is incumbent upon corporations to try to address the generational needs. He felt it will enhance the image of Richardson and will open the door to further corporate relocations and further commercial uses that will support the development. He stated that location is critical in real estate and felt the zoning in place is well thought out and allows for the flexibility and movement in the markets. The downside of not allowing for the variety of uses and enough of the masses

was ending up with a dead development. He felt there as not been enough attention to paid to the risk of the real estate business, but most importantly, the partnership and underwriting of the developer with the City and the community. He felt that the way the developer has interacted with the City and community is a reflection of what to expect in the future. He highly encouraged approval of the zoning.

Cecily Norris, 317 Brookwood, stated she lives in Richardson and works for a company that operates in Eastside, but rarely plays in Richardson. She stated that young professionals want entertainment right outside the front door. She stated that this project would allow for it and stated the difference is the accessibility to entertainment. She encouraged the Council to vote in favor of the proposals.

Ron Gonzalez – was not present, but a letter was submitted earlier by Cathy Jackson.

Mayor Slagel stated the next step would be to allow the applicants an opportunity to respond.

Mr. Polikov clarified that he did not say that the rooftops were not available for the development to be a success and clarified that the rooftops are here. He clarified that he meant that one can't transfer enough of those people to count on just those people living here to be the purchasers of the services. He stated he would absolutely appreciate Council's consideration of the request and did not see any reason not to move forward.

Mayor Slagel asked Mr. Altermoore to describe why they are asking for form based code instead of using what is already in place. Mr. Altermoore stated that when the current zoning was put in place, the dynamics of the site were different from what they are today. With the mass transit station that's already in place, the intensity that needs to be entitled on the property to create the environment is necessary. The existing entitlements would lead to just another conventional type of development and there environment discussed couldn't be created.

Mayor Slagel asked if the missing card was found and Ms. Schmidt advised that she had not been able to locate. He invited the speaker to address the Council.

Shelley McCall, 538 Highland Boulevard, President of Highland Terrace NA, stated she submitted the card around 3:00 p.m. online. Ms. McCall stated that it was her understanding that if a building failed in the future that it could become apartment units and Mayor Slagel stated the cap is the limit. He asked the Council to have a moratorium and delay action on the item. With regard to Brick Row, she stated it was not anything like the developer said it would be or what the Council promised it would be, and she did not want to see it happen at Plano and Renner. She encouraged the Council to delay the item.

In response to Ms. McCall, Mayor Slagel explained that the discussion that would typically be held in Work Session was held at the meeting. He opened the floor for discussion by Council. Mr. Omar suggested a break.

Mayor Slagel called a recess at 10:35 and reconvened the meeting at 10:51 p.m. and invited the applicants to provide any responses to questions or rebuttal.

Scott Polikov stated he would like to address two issues in a spirit of final refinement. With regard to the concern about haste, he stated that he has not seen a more comprehensive process noting that they have met with Council in two open session joint meetings and stated they will continue to be responsive to Council. On the issue of the building heights along the

Bush turnpike, he stated they are happy to do what Caruth is doing on the buildings that will be fronting along the George Bush and go to a 50' minimum height and he felt the buildings would be more. With regard to floor to floor, the main concern is the key retail, which is Infocom with the main aggregation of café/retail/restaurant places, he proposed that 50%, to be consistent with the steel and concrete frame, of the linear footage of Infocom be a minimum of 15 ft floor to ceiling. He stated he was concerned with going to 20 ft although he felt many would be higher than the minimum on Infocom and the Plaza. He felt the 15 ft floor to ceiling would address Mr. Omar's concerns.

Mr. Omar stated it is clear that the heights create an atmosphere in some of the businesses that make it a higher end and upper crust type of establishment. He stated it is a definite concern for him. Mr. Polikov stated his that his concern is that the architect who is doing the best work in this city and in this region is concerned and the only reason he understands it is because when you mandate a minimum 20 ft clear, what happens is that you affect the whole architecture of any given building and it's hard to make shorter buildings and sometimes shorter buildings within urban environments are critical to making the taller buildings work. He stated 15 ft clear is actually a decent retail clearance that feels good to most people. He stated it is beyond his capacity to understand the unintended consequences of going to a 20 ft floor to floor. Mr. Good stated his concern is that they don't know if Infocom is going to be the retail street that the market suggests is the best street or will it be the TOD promenade that connects the station and the plaza over to the Caruth high rise offices. He felt it was not a good idea to change it this evening and suggested it might be the kind of thing that is discussed in the annual tweaking review.

Mr. Mitchell asked about the expectation of the annual review meeting. Mr. Polikov stated there may be some need for fine tuning and the annual review would be the perfect communication environment to do it. He did not think it would be an adversarial environment and although they can't anticipate what the conversation would be, the work session would speak directly to the project. It could be a time where modifications could be made to insure the success of the project.

Mr. Macy stated his appreciation for everyone that has stayed and continued to be involved. He felt that the Council has met its due diligence and was ready to take action.

ACTION TAKEN: Mr. Macy moved to close the public hearing; second by Mr. Townsend. Mr. Omar spoke opposed to closing the public hearing at this point because he felt there were still some unanswered questions. Mayor Slagel clarified that closing the public hearing did not mean that the Council could not continue to ask questions. Mr. Mitchell spoke opposed to closing the public hearing. Mr. Murphy asked if more public input from the audience was needed. The motion was approved with a vote of 5-2 with Mr. Omar and Mr. Mitchell opposed.

Mr. Townsend asked for a recap of the changes offered after the presentation. Mr. Chavez provided the following language with regard to the annual reviews: On an annual basis the City Manager or designee shall convene in a city council session format to receive project status updates and to assess progress of the PD to achieve its intended outcomes. He stated that the last two proposed amendments by Mr. Polikov include the minimum 15 ft floor to ceiling height for 50% of the linear footage along Infocom and the minimum building height for buildings that front along George Bush to be set at a minimum of 50 ft. Mr. Keffler added the reduction to 2,000 apartment units on the Parliament and reduction to 1,250 units on the Caruth property. Mr. Omar asked if they could offer a percentage for the 20 ft floor to ceiling height regardless of the street. He also asked Mr. Farrara to comment about the floor to ceiling height.

Richard Ferrara, 405 N. Waterview, consultant on behalf of the City of Richardson, stated he was very comfortable with 15 ft floor to ceiling. He stated that with the type of podium construction discussed, there would be at least 18" of either structural steel and fireproofing or concrete framing and then another couple of feet for air conditioning ducts, recessed light fixtures, etc. Mr. Omar asked if exposed air ducts would be 15 ft clear or would it be 15 ft clear and then exposed air ducts above that and Mr. Ferrara replied above that for the more high tech look. Mr. Omar stated he is much more comfortable with 15 ft before any obstructions.

Mr. Polikov stated it would be 15 ft floor to ceiling clear, whether the ceiling is a false ceiling or the duct work on 50% on Infocom. Mr. Omar asked staff to address the review process and gave an increase in apartments as an example. Mr. Chavez stated the city manager would not have the ability to approve that change and talked about the minor issues that could be requested. Mr. Polikov stated that with regard to floor to ceiling height, they agree with 15ft clear space on 50% of Infocom regardless of whether you have a false ceiling or not. Mr. Mitchell stated he realizes that the parcel east of Plano Road is not part of the zoning case, but feels it is important for the applicant to deed restrict the entire property. Mr. Polikov stated it is one thing to say that 12 units/acre is likely not to happen, but it is another thing to eliminate multi-family. Mayor Slagel stated his feeling that the Council needs to rezone the property on the east side of Plano Road and it would be rezoned in the context of what is approved on the west side of Plano Road. He felt that the reason the applicant wants to keep the 1500 units is because they don't know if it makes sense to put something on the corner or not and stressed the great thing is the Council gets to see the request and determine whether or not it makes sense. He stated the applicant could develop it at the current 12 units/acre, but they won't do that and felt the City was protected. Mr. Mitchell felt there needs to be some concessions on the number of units. He stated he is good with form based zoning and the only thing he is concerned about is the density to the east of Plano Road. Mr. Murphy stated the neighborhood should be more concerned with the property to the east of Plano Road, but it should be heard separately. He stated it will be an interesting case because it all the ramifications of being somewhat in support of the projects being discussed and some new territory. Potentially it is a more important discussion than what is being discussed tonight. Mr. Omar stated he was not concerned because of the economics of it and because it has been zoned apartments for 20 years and nothing has happened. He felt it needs to be made a priority to address the zoning on the property.

Mayor Slagel asked Mr. Ferrara to address phasing the development and the impact of have retail ready buildings. Mr. Ferrara stated he has never worked for a developer or designed a complex of this scale where we absolutely could identify in terms of years how a development should occur. He stated it is an impractical and impossible thing to do. He stated he has always strived to put enough controls in place that when the development occurs, there is some cause and effect. He stated the details in the ordinance tells him that they are very serious about the project and cause him to say that he has no problem with the lack of a phasing plan. His recommendation was that the Council was on pretty solid ground. Mayor Slagel asked about the property to the east of Plano Road. Mr. Ferrara stated that one of the things that has been lost sight of is Plano Road because of its north/south connector. He felt it will become a focal point. He felt the multi-family zoning of 12 units/acre is virtually worthless and noted that the walking circle overlaps part of the property, which would make it attractive for reconsideration. Mr. Ferrara stated he feels it is a holding zoning only. Mr. Mitchell asked about the zoning in the Hall Office Park area and Mr. Keffler stated it was zoned 12 units/acre but felt the two properties was not comparable. Mr. Ferrara stated he did not see the danger in letting things settle and respond to what will happen at the Bush station. Mr. Murphy asked about FAR and Mr. Ferrara stated floor area ratio could have a role, but shouldn't. He stated it

establishes the maximum amount of square feet that can be put on a particular site in relationship to the size of the site. The code includes regulations that are far superior to FAR. Mayor Slagel asked Mr. Polikov to address the concern of Mr. Human about the height of buildings along Renner Road and being able to treat the property nearest Renner and Plano Road the same as the Caruth were going to treat the property along Renner Road. Mr. Polikov stated a four or five story building along Renner Road creates quality. If the buildings are limited to a couple of stories, then it takes you back to the conventional site that would not work. He stated that if you begin to push the bottom of the project down, you begin to devalue the center; if you devalue the center and don't have the urban destination, then it is way out of wack to have tall buildings and you are back to the conventional environment. He stated it requires a very careful design strategy.

Mr. Murphy stated he would like to move forward with a decision. He stated they are zoning the property for high density apartments, which is partially true, but they are also zoning the property for a different life than it has ever had before. He stated it is more than apartments; more than retail; it sets a visual tone for the community. He felt the Council is at the point with the changes the applicants proposed to move forward and would be in favor of the proposal. Mr. Omar stated he is satisfied with the direction. He referred to the Council goal to make the City more attractive to young professionals and the need of major employers who seek places for young professionals to live in order to recruit good employees. He felt that this project is the real hope for retail in Richardson. He felt it will also provide the opportunity for a night life and he also felt it could be the gateway to DFW. He stated he would be in favor of moving forward with the request. Mr. Solomon felt the Council has done a good job of hearing concerns and vetting a lot of issues. He felt the number of apartments is acceptable, and was not concerned about additional apartments on the property east of Plano Road due to the financial viability. He stated the proposed code is much more detailed and stringent than the current code. He felt it will be an area that people want to visit on their way home. He felt the Council is making sure that it will be a good quality development. He felt comfortable that the applicant will work with the City. He stated he would support the ordinance.

Mayor Slagel stated he has tried to paint the vision in the minds of the people in the community and the response he has received from his letter and the State of the City address is a desire to proceed. He stated he has held back because he is scared to sell a vision that won't come true. He stated he has had a lot of discussion with developers, retail people and with land owners over the last couple of weeks to try to get a better sense of what is going to happen. He stated the meeting he was in today with the applicants gave him the confidence that the City was on the right tract. He stated that the applicants want the tract east of Plano Road to be corporate development and the due diligence needs to occur. He felt the timing is right for the development proposed and the Council could add another two weeks to the discussion, but it won't get any different until they get to the next zoning case. He stated he was happy with moving forward with it. Mr. Mitchell stated the exciting thing about the development is that it is what the people in the community want and based on what he has heard, form based code provides the flexibility that a developer needs. He felt Mr. Polikov addressed the mix very well and stated he fully understands importance of building as much value as possible. He stated the presentation satisfied a lot of his concerns about the retail component, the mix, and felt the form based code is very specific. He felt it is right for Richardson; is good for Richardson and good for the Region. With regard to the property east of Plano Road, he stated he is very torn, but he is willing to take the chance that there won't be 12 units/acre and there will be a zoning case submitted sooner than later to address it. He felt it was important to show unanimous support of the proposal. Mr. Macy stated he appreciated all the work put into the proposal; felt

he witnessed good government and would be in favor. Mr. Townsend stated the two concerns he expressed of apartments and retail were addressed.

ACTION TAKEN: Mr. Townsend moved approval of ZF 10-21 with the amendments stated; second by Mr. Macy. Mayor Slagel commented that the ordinance would be on the agenda in two weeks and he confirmed that the 600 ft deed restriction referred to is being worked on with the City Attorney and would be a part of the motion. The motion was approved with a unanimous vote.

ACTION TAKEN: Mr. Townsend moved approval of ZF 10-20 with the amendments; second by Mr. Macy and the motion was approved with a unanimous vote.

7. REPORT ON ITEMS OF COMMUNITY INTEREST. None

Mayor Slagel adjourned at 12.09 a.m.



MAYOR

ATTEST:



CITY SECRETARY