

MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL
January 10, 2011
City of Richardson, Texas

A Special Meeting of the City Council was held at 6:00 p.m., Monday, January 10, 2011 with a quorum of said Council present, to-wit:

Gary Slagel	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon (absent)	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
Monica Heid	Community Projects Manager

1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS**
3. **MINUTES OF THE DECEMBER 13, 2010 MEETING**

ACTION TAKEN: Upon a motion made by Mr. Murphy and seconded by Mr. Townsend, the December 13th minutes were approved and no changes were made.

4. **VISITORS. NONE**
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5. **PUBLIC HEARING AND REVIEW AND CONSIDER A REQUEST BY DR. DIEP TRUONG FOR A WAIVER FROM THE MORATORIUM ON COMMERCIAL LAND DEVELOPMENT IN THE WEST SPRING VALLEY CORRIDOR, 722 W. SPRING VALLEY ROAD.**

Mr. Keffler announced that the item before the Council is a request form Dr. Truong relative to a request of a waiver of the moratorium in regard to Ordinance No. 3800. Mr. Keffler called on Ms. Heid to brief the Council.

Ms. Heid read the provision of Ordinance No. 3800 providing for a request for a waiver and advised that the request submitted by Dr. Diep Truong was submitted on Tuesday, January 4, 2011. Ms. Heid provided a location map along with photos, the proposed site plan, elevations

and floor plan. She provided the criteria for consideration and noted the options before Council in consideration of the request. Mayor Slagel asked the applicant to present the request.

Dr. Diep Truong advised that she, her husband and architect were available to answer questions by Council and did not offer any further presentation. Dr. Truong thanked the council for reviewing their request for consideration.

Mr. Omar asked if she had an opportunity to review the planning and other things that have been done in the Spring Valley Corridor and Dr. Truong replied that she participated in meetings regarding the West Spring Valley Corridor strategy. She stated that she made sure the property in question was zoned properly for a dental office and expressed her hope that her proposed renovations could be part of the project. She remarked that no one mentioned the moratorium at any time. Mr. Omar asked if she was familiar with the catalyst concept as it relates to this project. Dr. Truong said that it is her hope to be part of that catalyst and join in the beautification process.

Mr. Mitchell asked Dr. Truong to talk about her practice and research regarding purchase of the site. Dr. Truong stated her current practice is in Oak Cliff and she chose Richardson as a second location because the community is very diverse and she felt a need to bring about a fresh approach to the community. She stated that she was raised in Richardson noting that she and her sisters attended school here. She stated she would like to give back to Richardson and noted that her partner lives in Richardson. She stated that she chose the site because of its visibility and because of the needs of the community. Mr. Mitchell asked if she looked at sites that already have other types of medical fields and Dr. Truong stated the visibility factor was a primary factor for selecting this property.

Mr. Townsend asked Dr. Truong if the purchase of the property was completed or if it was dependent on the request and Dr. Truong replied that the purchase had been finalized.

Mayor Slagel explained that the moratorium is to define the area. He stated the goal is not to eliminate good uses; the goal is to change the architecture and the image of the area. He asked if there was a reason to move forward now rather than after the moratorium was completed. Dr. Truong stated it is important to move forward now due to financing reasons to secure a low interest loan for remodeling the building. She advised also that there is a verbal agreement with Pollo Fiesta to buy out their lease. Mayor Slagel noted that the idea of the West Spring Valley Corridor strategy is to change look of the area and the proposed building would still look like the existing restaurant and stated he would like to see the dental business located here, but the proposed configuration would not change enough from the current building. She stated that they did know they more modifications were needed.

Mr. Murphy asked for clarification about the financing issue and Dr. Truong explained that the financing was for the renovations of the site. Mr. Murphy asked Dr. Truong if she had any concerns regarding how the surrounding property could change due to the moratorium that might make the site less attractive for a dental business. Dr. Truong stated that had she known there would be a moratorium, she would not have moved forward with the purchase of the property and reiterated that she was not aware that there would be a moratorium. Mayor Slagel noted that staff did not mention it because a moratorium was not discussed until the very end of the process. Mr. Murphy noted his understanding of doctor's offices tending to cluster and asked Dr. Truong if she had thought about the fact that the future of the area could change in a way that may not be conducive to a successful business. Dr. Truong stated they did their own

research and would not have moved forward had she know there was the possibility of zoning changes.

Mr. Townsend asked if she would be moving her business or expanding and Dr. Truong stated she would be expanding the business.

Mayor Slagel emphasized that the visioning process was a very public process and felt that it was obvious that change in the area was expected. He stated he sympathizes with her that she may not have realized what was happening, but was not sure that the proposal was in the best interest of what the City was trying to accomplish.

Mr. Mitchell referred to the second criteria of Ordinance No. 3800 and felt that although a dental office may serve the community, he did not see that it is compatible with what is there or what will be there. He felt that granting the waiver would be contrary to the spirit of the ordinance and would not be in the best interest of the community. Mr. Mitchell stated the Council was not at the point of knowing the types of businesses that would be beneficial.

Mayor Slagel opened the public hearing.

David Knepper, 101 Shadywood Lane, spoke opposed to the request for a waiver. He felt she has good intentions and would probably a good dentist office, but felt it may not fit in the future. He felt at the present time, it probably was not the best business to have there.

Andrew Laksa, President of Richardson Heights Neighborhood Association, 502 Hyde Park, reported that the Board voted to oppose the waiver request. He stated they have no objections to the applicant's business, but object to the continued form of the property and any enhancements that extend the life of the out-of-date property. The proposed building does not fit the vision for the Spring Valley Corridor. He provided various points for denying the request for a waiver. He felt it would be a minor reuse of the property and felt it would disrupt a potential catalyst project.

Barry Hand, 710 Laguna, President of Cottonwood Heights Neighborhood Association, stated the Board of nine members, while sympathetic to the doctor's position, felt it was not in line with the highest use and vision for the Corridor. He stated he would love to see the doctor's practice in Richardson but felt the location in an old restaurant would not be suitable for this area. He stated that the Board would also encourage further study to ultimately decide what the appropriate land uses are for the area.

Mr. Townsend moved to close the public hearing; second by Mr. Macy and the motion was approved with a 6-0 vote.

While directing his comments to the applicant, Mr. Omar stated that it's hard to listen to the her explanation and not be rooting for her, and noted that an office of her caliber and the vision that she has described is exactly what would be desired in Richardson, but the building design proposed seems to be a hold-over from the old one. He stated he would like Dr. Truong to be in Richardson and encouraged her to find a way to be a part of the solution.

Mr. Murphy noted the original purpose of the moratorium was to halt situations like we are facing here and encouraged Dr. Truong to come back to Richardson, just not in this location or at least not with this configuration. He stated this is not what was envisioned for the area and would not support the request.

Mr. Townsend felt the proposal is a significant upgrade to what is presently there, but felt it would not be compatible with the future plans and although he sympathizes with Dr. Truong, would not support the request.

Mr. Mitchell expressed his appreciation to Dr. Truong for bringing forward the request and her desire to locate her business in Richardson. He encouraged her to have a part in transforming Spring Valley and hoped she would at other locations.

Mr. Macy stated he appreciates her initiative and liked her willingness to invest in Richardson. He noted that conversions of buildings happen and stated his regret that the waiver would not be supported.

Mayor Slagel clarified that Dr. Truong has the ability to come back to the Council with a new plan for the site that is reconfigured to fit in with the vision for the area and what we are trying to accomplish. There is an opportunity to do something larger here.

ACTION TAKEN: Mr. Mitchell moved that the request by Dr. Truong for a waiver from the West Spring Valley Corridor commercial development moratorium to allow the conversion of the existing Pollo Fiesta Restaurant located at 722 W. Spring Valley Road, to a dental office be denied; second by Mr. Townsend and the motion was approved with a vote of 5-1, Mr. Macy opposed.

6. REPORT ON ITEMS OF COMMUNITY INTEREST.

Mr. Omar reported that he had the opportunity to run the Super Bowl 5K race Saturday morning at Galatyn Park and stated it was a beautiful venue and a great experience at Galatyn.

Mayor Slagel adjourned the meeting at 6:55 p.m.


MAYOR

ATTEST:


CITY SECRETARY