

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
September 26, 2011
City of Richardson, Texas

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, September 26, 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
Samantha Woodmancy	Management Analyst
Pamela Schmidt	City Secretary
Sam Chavez	Asst. Director of Development Services - Planning

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1. **INVOCATION – SCOTT DUNN**
 2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – DALLAS JUNIOR LEAGUE**
 3. **MINUTES OF THE SEPTEMBER 12, 2011 MEETING**

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

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4. **VISITORS.** *(THE CITY COUNCIL INVITES CITIZENS TO ADDRESS THE COUNCIL ON ANY TOPIC NOT ALREADY SCHEDULED FOR PUBLIC HEARING. PRIOR TO THE MEETING, PLEASE COMPLETE A "CITY COUNCIL APPEARANCE CARD" AND PRESENT IT TO THE CITY SECRETARY. THE TIME LIMIT IS FIVE MINUTES PER SPEAKER.)* **None**

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5. **VARIANCES 11-09, 11-10 AND 11-11 FOR CORPORATE SQUARE: A REQUEST FOR APPROVAL OF THREE (3) VARIANCES FROM THE SUBDIVISION AND DEVELOPMENT CODE LOCATED AT 1100 EXECUTIVE DRIVE, 1200 W. EXECUTIVE DRIVE, AND 1201 E. EXECUTIVE DRIVE:**

A. Article III, Section 21-30(a.1), Approval standards for non-residential district landscape plans, to permit a reduced landscape percentage for proposed Lot 1A;

B. Article III, Section 21-30(a.1), Approval standards for non-residential district landscape plans, to permit a reduced landscape percentage for proposed Lot 3; and

C. Article III, Section 21-52(i), Off-street Parking, to allow a reduction in required parking for an existing office/warehouse building on proposed Lot 1A.

Mr. Keffler noted that this item did not require a public hearing and that written notification to the property owners within 200 ft was not required. As a courtesy, notification was provided to adjacent property owners. He stated the tract involves buildings constructed in the mid 1970's and the owners are in the process of refitting the tracts for future purchase and lease options. He advised that the City Plan Commission reviewed the matter on September 6, 2011 and unanimously recommended approval of the request as presented. He asked Sam Chavez, Asst. Director of Development Services – Planning, to brief the Council.

Mr. Chavez stated the property is located on the north side of Arapaho Road at Executive Drive and is zoned I-M Industrial. He stated the intent of the request is to subdivide the property into two lots and the requests are for two variances; reduction in landscape areas which applies to Lots 1A and Lot 3; and the reduction in parking relates to Lot 1A. The existing lot percentage is 4.4%, which exceeded the minimum landscape area requirement at the time of construction. He explained that the landscape ordinance was amended in 1984 to require 7%, therefore placing that property into legal nonconformance. He stated that the property owner does not intend to make any improvements on the site and intend to subdivide the property for future ownership. As proposed, Lot 1A would have 4.3% landscaped area and Lot 3 would have 4.6% landscaped area. With regard to the parking variance request for Lot 1A, the code requires 119 parking spaces and the site would have 102 parking spaces.

Mr. Omar stated his interested in the opportunity to increase the landscaping and green area. Mr. Hartley asked about the parking requirements as currently platted and Mr. Chavez replied that as currently platted, the property is over parked and they do not lose any spaces with the subdivision of the tract. Mr. Mitchell asked for clarification and Mr. Chavez stated that the landscaping requirements have changed since the building were constructed in 1974, and with the subdivision, there would be a surplus of parking spaces on Lot 3.

Mayor Townsend noted that this was not a public hearing, but invited the applicant to the podium to respond to questions from the Council.

Mark Aston, President of the Corporation. Mr. Omar noted the desire to beautify Richardson whenever there is an opportunity and asked about the four quadrants of landscaping. Mr. Aston advised that there is a live oak in each corner and the site has over 30 live oak trees. Mr. Solomon noted the activity in the area. Mr. Omar asked about the occupancy level and Mr. Aston replied that it is below 50% and noted that Lot 1A has been vacant for 12 years. Mr. Solomon noted that the landscaping has continually been maintained and maintained very well. Mr. Mitchell asked about improvements and Mr. Aston stated they repainted the building on Lot 1A about 12 months ago and with regard to landscaping, he said there is no way to increase it without losing parking spaces. Mr. Mitchell noted that the property looks very well maintained and encouraged increased improvements.

ACTION TAKEN: Mr. Solomon moved approval of VAR 11-09, 11-10 and 11-11 for Corporate Square; second by Mr. Dunn and the motion was approved with a unanimous vote.

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

6. CONSENT AGENDA:

ACTION TAKEN: Mr. Mitchell moved approval of Agenda Item 6; second by Mr. Hartley and the motion was approved with a unanimous vote.

A. Approve the following Ordinances:

1. Ordinance No. 3837 amending the Code of Ordinances by amending Chapter 2 Administration, Article III Administrative Code; by amending Section 2-51(b) to add Community Services and remove Building Inspection and Neighborhood Services; by amending Sections 2-54, 2-58, 2-60, 2-62, 2-65 and 2-68 by amending the duties of the Chief Building Official, the Fire Chief, Director of Library Services, Director of Human Resources, Chief Information Officer and Director of Communications; by combining Section 2-54, Chief Building Official and Section 2-67, Director of Neighborhood Services, into the new Section 2-54, Director of Community Services, and deleting Section 2.67, by updating the Organizational Chart.
2. Ordinance No. 3838, approving a negotiated Resolution between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") regarding the Company's Fourth Annual Rate Review Mechanism ("RRM") Filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; 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; requiring the Company to reimburse cities' reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; requiring delivery of this ordinance to the Company and the Steering Committee's Legal Counsel.

B. Approve the following Resolutions:

1. Resolution No. 11-29 nominating Wayne Mayo as a candidate for election to the Board of Directors of Collin Central Appraisal District.
2. Resolution No. 11-30 nominating Michael Hurtt as a candidate for election to the Board of Directors of Dallas Central Appraisal District.
3. Resolution No. 11-31 adopting the City of Richardson 2011-2013 City Council Near Term Action Items.

- C. Authorize the City Manager to execute Change Order to increase Purchase Order 110170 to Estrada Concrete Company for additional work performed due to high number of concrete failures resulting from extreme heat in the amount of \$410,000 pursuant to unit prices awarded in Bid #56-10.**
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There being no further business, Mayor Townsend adjourned the meeting at 7:56 p.m.


MAYOR

ATTEST:


CITY SECRETARY