

**MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL**  
**April 23, 2012**  
**City of Richardson, Texas**

A Regular Meeting of the City Council was held at 7:30 p.m., Monday, April 23, 2012 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
Michael Spicer	Director of Development Services
Don Magner	Director of Community Services
Steve Spanos	Director of Capital Projects – City Engineer
Gary Beane	Budget Officer
Robbie Hazelbaker	Asst. Director of Parks & Recreation

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1. **INVOCATION – LAURA MACZKA**
  2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – LAURA MACZKA**
  3. **MINUTES OF THE APRIL 9, 2012 MEETING**

ACTION TAKEN: Mr. Omar moved approval of the minutes as presented; second by Mr. Hartley 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.)

Representative Angie Chen Button read and presented a State Resolution recognizing the 11 miles of bike lanes in the City of Richardson in addition to the 24 miles of multiuse trails and plans trails. She congratulated Richardson on its designation as the Most Bike Friendly Neighborhood for 2011 by Bike Friendly Oak Cliff.

Darrell Day, 1303 Chickasaw, representing Neighborhood Protection Alliance of Richardson (NPAR), congratulated the Council for moving forward on the closure of the Willow Apartment Complex. He encouraged the Council to continue improving Richardson neighborhoods. He

asked if a decision had been made about the use of the land. Mr. Keffler replied that Council has not had any specific discussion and stated the biggest interest is to demolish the building.

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**PUBLIC HEARING ITEMS:**

**5. PUBLIC HEARING, ZONING FILE 12-04: A REQUEST BY BO CHAPMAN, REPRESENTING LAKE PARK TOWNHOMES LTD, FOR AMENDMENTS TO THE EXISTING PD PLANNED DEVELOPMENT SPECIAL CONDITIONS ON AN 8.76-ACRE SITE TO REDUCE THE MINIMUM LOT SIZE FOR LOTS ALONG THE NORTHERN PROPERTY LINE, INCREASE THE NUMBER OF UNITS ALLOWED IN A TOWNHOME BUILDING, AND FOR APPROVAL OF BUILDING ELEVATIONS FOR A PROPOSED TOWNHOME DEVELOPMENT LOCATED ON THE NORTH SIDE OF LAKE PARK WAY, EAST OF COIT ROAD.**

Mr. Keffler referred to the approval of the development in 2005, which will total approximately 253 townhomes when completed. He reported that the City Plan Commission recommended approval with a 6-0 vote on April 3, 2012 and he asked Mr. Spicer to brief the Council.

Mr. Spicer stated the project is Phase II of a development approved in 2005. He used an aerial map to illustrate the tract of land in question and pointed adjacent uses. He used the site plan and conceptual plan to highlight the buildings in question. He stated the request is to amend the district to allow for a reduction in the size of eight "estate" townhome lots; to allow a single "seven unit" townhome building; and approval of building elevations. He provided elevations of the various styles of units and photos of similar units constructed in Phase I. He stated there were no speakers during the Plan Commission public hearing and they received three letters regarding issues with visitor parking and driveway length in Phase I; two of the letters from the same individual. He reported that the City Plan Commission recommended approval with a unanimous vote.

Mr. Omar asked about the concerns with the lot depth and Mr. Spicer explained there would be less lot space for the eight lots noted in the request and the lot depth would be 75 ft. which would only allow a 1,800 sq ft lot area. He stated that part of the request is really a clarification of eliminating contradictions or confusion between the approved concept plan and the text of the ordinance. He stated the plan anticipated 75 ft depths for the lots, and similarly with the single seven-unit building. With regard to parking, 68 spaces are required by ordinance and 72 would be provided by the proposal. Mr. Mitchell asked about the impact of the lot depth reduction and Mr. Spicer replied that the lot space available was adequate to have a unit that complies with the zoning.

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

Harley Rice, 5339 Alpha Road, Ste. 300, Dallas, representing the applicant, stated the units needed to be reduced due to the geometry of the site and would center the building to fit the lot size. He stated they are asking approval of the request to clarify the ambiguous language in the ordinance. The building elevations are consistent with Phase I and the conditions of the ordinance. With regard to parking, he felt there was a more favorable distribution of parking throughout the site and the goal is to preserve some open space.

Mr. Hartley asked about the price range for the homes and Mr. Rice stated he did not have the information.

Mr. Dunn asked about the difference in elevation between the existing Home Depot site and the proposed development, and Mr. Rice stated they would be take land from the west side of the site and push it to the east to create a relatively level site. He advised they would take care of drainage concerns by constructing storm drains.

Mr. Omar asked if there was any ability to construct a sidewalk that is not adjacent to the curb and Mr. Allen replied that the sidewalk is already in existence.

Mr. Mitchell asked when the project would begin and Mr. Allen stated it would be HUD financed project and they hoped to break ground within the year.

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

ACTION TAKEN: Mr. Solomon moved approval of ZF 12-04; second by Mr. Dunn and the motion was approved with a unanimous vote.

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**6. PUBLIC HEARING AND CONSIDER ORDINANCE NO. 3863, ADOPTING STANDARDS OF CARE FOR YOUTH PROGRAMS OFFERED BY THE RICHARDSON PARKS AND RECREATION DEPARTMENT.**

Mr. Keffler stated the Texas Human Resources Code requires a public hearing if a municipality seeks an exemption from State Child Care licensing. He asked Robbie Hazelbaker, Asst. Director of Parks & Recreation, to brief the Council.

Mr. Hazelbaker stated the public hearing and adoption of Standards of Care for youth programs is required to occur annually. He recommended approval.

There were no speakers regarding the request.

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

ACTION TAKEN: Mr. Mitchell moved to approved Item No. 6; second by Mr. Hartley and the motion was approved with a unanimous vote.

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**ACTION ITEMS:**

**7. CONSIDER THE REQUEST OF THE CVS CORPORATION FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE I, SECTION 18-5(4) TO ALLOW A DIGITAL DISPLAY DEVICE SIGN SHOWING A PRINTED MESSAGE ON THE PROPERTY LOCATED AT 2129 E BELT LINE RD; AND A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE IV, SECTION 18-125(5) TO ALLOW FOR A 22.65 SQUARE FOOT VARIANCE INCREASE IN THE MAXIMUM 60 SQUARE FEET ALLOWED FOR A MAJOR FREESTANDING SIGN; AND TAKE APPROPRIATE ACTION.**

Mr. Keffler stated the item was brought forward for review on the request of the Council and asked Mr. Magner to review the request.

Mr. Magner advised that the item is a request of the CVS Corporation for the property located at 2129 E. Belt Line Road. He stated that electric message center requested is only allowed with a special permit by the Sign Control Board and acceptance by the City Council. The applicant also requests a variance to exceed the allowable size. If permitted, the old sign would be removed and replaced with the new sign. He provided photos of the existing sign and a superimposed sign as well as photos of various existing signs located in several cities. He advised that the Sign Control Board approved the request with the additional stipulation that the message can only change once every 24 hours. Mr. Magner concluded the presentation noting that there had been a previous policy allowing such signage so long as the electronic sign did not change more than once every 24 hours. He explained that the policy has been discontinued to insure that staff did not do anything that would be inconsistent with any potential new regulation that the Council might adopt.

Mr. Omar stated he was not opposed to a digital display so long as it remained on the existing two-pole sign at the current height and was the same size as the existing sign. His concern is professional image of the sign. Mr. Solomon expressed his preference for the double pole with the skirting on the poles. Mr. Mitchell asked if the height was in question and Mr. Magner stated the request pertained to the square footage and the digital sign rather than the height. He clarified that 20 ft high was allowed by right.

Pauline Wright, 809 Greenbriar Road, Fate, stated she represents the CVS Corporation and would be responsible for the sign installation. She stated there are three sizes for the digital box and the proposal includes the middle sized sign size. She explained that the smaller sign was too small and the medium sized sign would allow them to maximize the area. She stated they would be willing to increase the size of the proposed CVS sign to meet the size of the electronic sign. The reason for the single pole is because the applicant cannot get approved engineering for the existing poles to support the weight of the sign. Mr. Omar stated he would prefer something that integrates the two signs, with similar width and with two poles. Ms. Wright stated they would be willing to go to a larger top cap sign to meet the width of the electronic sign. Mr. Solomon stated his preference was a sign similar to slides 57 or 51 with the electronic sign pressed up against the top cap because looks like one solid unit. A lengthy discussion was held regarding the size of the sign.

Mr. Mitchell stated he would like to wait until the Sign Board presents its recommendations for amendments to the current ordinance and also was struggling with the increase in sign size. Mayor Townsend stated he has heard that Richardson is difficult to do business with because of the sign ordinance. Mr. Omar talked about his desire to insure that the signs in Richardson have an upscale appearance and are uniform in nature.

**ACTION TAKEN:** Mr. Solomon moved that Item 7 be approved with the following conditions: allow the 9' 11" on the top sign and 9' 11" on the bottom sign; that they be joined together; remaining to the current height of the current sign; they be on two poles, clad; and limit the digital sign to change no more often that once every 24 hours. Discussion. Mr. Magner clarified that 20 ft height is allowed for any major freestanding sign by right. Mr. Solomon added a stipulation that the sign be no more than 15 ft high. Second by Mr. Omar. Discussion. Mr. Mitchell felt the approval may be a little premature and felt Richardson is seen as a pro business community. He understood the need for signature signage, but would vote in opposition to the motion. Ms. Maczka underscored that the change only increases the sign by 5 sq ft and felt the joining of the two was more important. The motion was approved 5-2 with Mr. Mitchell and Mayor Townsend voting in opposition.

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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. Solomon moved approval of the Consent Agenda; second by Mr. Hartley and the motion was approved with a unanimous vote.

A. Consider the following Ordinances:

1. Ordinance No. 3864, re-appointing a Presiding Municipal Judge, Assistant Municipal Judges of the Municipal Court of Record No. 1 of the City of Richardson.
2. Ordinance No. 3865, amending the Comprehensive Zoning Ordinance and Zoning Map to grant a change in zoning from I-M(1) Industrial with special conditions to PD Planned Development for I-M(1) Industrial with a Special Permit for a hospital with special conditions.

B. A request for approval of building elevations for Brick Row multi-family buildings "D" and "E" with exceptions to the maximum percentage of one-bedroom units minimum floor area for building "D", and the minimum masonry percentage for buildings "D" and "E".

C. Award of the following bids:

1. Bid #24-12 – award to HD Supply Waterworks for a sole source procurement of radio frequency encoders for existing Neptune water meters in the amount of \$58,675.
2. Bid #41-12 – award to August Industries, Inc., for the 6000 psi breathing air compressor station for the Fire Department in the amount of \$52,488.

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Mayor Townsend adjourned the meeting at 8:50 p.m.

  
MAYOR

ATTEST:

  
CITY SECRETARY

