

**CARROLLTON CITY COUNCIL
REGULAR WORKSESSION AND MEETING
OCTOBER 10, 2017**

The City Council of the City of Carrollton, Texas convened in a Regular Worksession and Meeting on Tuesday, October 10, 2017 at 5:45 p.m. with the following members present; Mayor Kevin Falconer, Mayor Pro Tem Glen Blanscet, Deputy Mayor Pro Tem John Sutter, Councilmembers James Lawrence, Mike Hennefer, Frances Cruz, Young Sung and Doug Hrbacek. Also present were City Manager Erin Rinehart, Assistant City Managers Marc Guy, Chrystal Davis and Bob Scott, Asst. City Attorney Susan Keller and City Secretary Laurie Garber.

5:45 P.M. – COUNCIL BRIEFING ROOM

*****PRE-MEETING/EXECUTIVE SESSION*****

Mayor Falconer called the meeting to order at 5:51 p.m.

1. **Receive information and discuss Consent Agenda.**
2. Council will convene in **Executive Session** pursuant to Texas Government Code:
 - **Section 551.071** for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
3. Council will **reconvene in open session** to consider action, if any, on matters discussed in the Executive Session. Council did not convene in Executive Session.

*****WORKSESSION*****

4. **Discuss Nominations To The Denton Central Appraisal District's Board Of Directors.**

Mayor Falconer recognized Roy Atwood who was excited about pursuing the opportunity to join the DCAD Board of Directors and provided a brief history of Mr. Atwood's service to Carrollton. Councilmembers Hrbacek and Lawrence voiced their approval and support to nominate Roy Atwood for the Denton Central Appraisal District's Board of Directors. .

5. **Discuss Boards & Commissions Appointments And Select Interview Candidates.**

Mayor Falconer suggested the possibility of creating a committee that might let Council involve a number of people that aren't able to be on a Board that would possibly meet quarterly. It would give the members a little taste for the City and provide an opportunity for more interaction and feedback. He asked Council to give it some consideration and stated that further discussion would be held in the future. With regard to Chair appointments, a consensus was reached to amend the necessary ordinances to provide that Council would make those appointments.

- **CIPAC** – Remove Victor Patel and Kathryn Ortega due to attendance concerns. Reappoint John Powell and continue as Chair; appoint Andrew Palacios; Rajab Bardaie, and Daniel Law.
- **HPAC** –Remove Wendy Seeliger-Dietschweiler due to attendance concerns. Reappoint Doug Wedemeyer, John Roppolo and Dennis Raso. Appoint George Blackburn, Celeste Forester and Liz Castenada.

Mayor Falconer recessed the Worksession at 7:13 pm to convene the Regular Meeting.

*****REGULAR MEETING*****

Mayor Falconer called the Regular Meeting to order at 7:22 p.m.

INVOCATION – Councilmember James Lawrence

PLEDGE OF ALLEGIANCE and TEXAS PLEDGE – Councilmember Doug Hrbacek

CONSENT AGENDA

*(*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)*

Mayor Falconer opened the floor for a motion on Consent Agenda.

Councilmember Hrbacek moved approval of Consent Agenda Items 7-20 and inserting the name “Roy Atwood” in Item 20; second by Mayor Pro Tem Blanscet and the motion was approved with a unanimous 7-0 vote.

MINUTES

- *7. Consider Approval Of The September 19, 2017 Regular Meeting Minutes.**

BIDS & PURCHASES

- *8. Consider Approval Of A Bid Award For The Use Of Sports Officials For TJ Sports For The Parks Department In An Amount Not To Exceed \$85,000.00.**
- *9. Consider Approval Of RFP #17-046 For Water & Sewer Supplies For Public Works From Various Vendors In An Amount To Not Exceed \$455,672.00.**
- *10. Consider Approval Of The Purchase Of Installation And Landscape Materials With Bonick Landscaping For A.W. Perry Landscape Enhancement Project In An Amount Not To Exceed \$36,850.00.**
- *11. Consider Approval Of The Purchase Of Furniture From Plano Office Supply In An Amount Not To Exceed \$165,000.00.**

CONTRACTS & AGREEMENTS

- *12. Consider Approval Of Lease Vehicles For The Police Department Through The Collin County Government Forum In An Amount Not To Exceed \$48,400.00.**
- *13. Consider Authorizing The City Manager To Approve Change Order No. 1 With Ark Contracting Services For Additional Excavation Associated With The Furneaux Creek 1A Channel Improvement Project In The Amount Of \$80,000.**

ORDINANCE

***14. Consider An Ordinance To Authorize Sworn Positions And Classifications In The Carrollton Police Department.**

***15. Consider An Ordinance To Amend The Authorized Number Of Fire Fighter Positions Within The Carrollton Fire Department.**

***16. Consider An Ordinance Authorizing The Abandonment Of 1,062 Square Feet Of Variable Width Right-Of-Way Located Along Crosby Road As Depicted In Dallas County Deed Records Instrument No. 93272 And Adjacent To The Meadows Apartments; Retaining All Rights To And In The Remaining Portion Of The Road; And Providing An Effective Date On And After Its Adoption And Publication.**

***17. Consider An Ordinance Amending The Code Of Ordinances, Chapter 73 "Traffic Schedules," Schedule I, To Revise The Limits Of The Existing School Speed Limit Zone For That Portion Of Creek Valley Boulevard From The North Curb Line Of Hebron Parkway To 1,135 Feet North Of The North Curb Line Of Hebron Parkway.**

RESOLUTIONS

***18. Consider A Resolution Revising A Lease Agreement By And Between The City And Tracy Precision Manufacturing d/b/a TPM Outfitters, For The Use Of City-Owned Real Property At 1003 West Main Street; Authorizing The City Manager To Execute A Revised Lease Agreement With TPM Outfitters, Inc.; And Providing An Effective Date.**

***19. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Service Agreement With Oncor Electric For Construction Services For The Relocation Of Oncor Electric Facilities Near Vandergriff And Elm Streets In Downtown Carrollton In the Amount Of \$301,332.36.**

***20. Consider A Resolution Nominating A Candidate To Be A Member Of The Board Of Directors For The Denton Central Appraisal District.**

PUBLIC HEARING - INDIVIDUAL CONSIDERATION

Mayor Falconer advised that Items 21 and 22 were withdrawn by the applicant. Noting the posted public hearing, he invited speakers to address the Council and there were no speakers; no action taken.

21. Hold A Public Hearing And Consider A Resolution Amending The Comprehensive Plan And The Future Land Use Map To Change An Approximately 8.6 Acre Site, Located On The East Side Of Marsh Lane Approximately 400 Feet North Of Running Duke Drive, From Medium Intensity Office And Industrial Uses To Single-Family Attached Residential Uses. Case No. 07-17MD1 Marsh Lane Townhomes (Comp-Plan). Case Coordinator: Michael McCauley.

22. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 8.6 Acre Tract Zoned PD-128 For The (O-2) Office District And (LI) Light Industrial District, Located On The East Side Of Marsh Lane Approximately 400 Feet North

Of Running Duke Drive, To PD-128 To Allow For The (SF-TH) Single-Family Townhouse Residential District, And Amending The Official Zoning Map Accordingly. Case No. 07-17Z1 Marsh Lane Townhomes. Case Coordinator: Michael McCauley.

23. Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Establish A Special Use Permit For A Gas Station With Special Conditions On An Approximately 0.7-Acre Tract Zoned (LR-2) Local Retail District, Located At 1865 East Rosemeade Parkway, And Amending The Official Zoning Map Accordingly. Case No. 09-17SUP1 7-Eleven. Case Coordinator: Michael McCauley.

Senior Planner Michael McCauley presented the request stating the request for the Special Use Permit was to expand the 2-pump station to a 5-pump station. The applicant would improve the site by repairing the parking lot; enclosing the trash dumpster; enhancing landscaping by refurbishing and adding shrubs and trees to the north side as well as along Josey and Rosemeade; and improving the sidewalk along Josey and Rosemeade by separating the sidewalk from the curb of the street. He stated they would also be improving the architectural character and canopy of the existing structures. Staff felt the improvements were right for the community; he noted receipt of one comment card in support and advised that the Planning Commission recommended approval. He advised that the footprint of the building would remain as it currently exists with the same square footage.

Mayor Falconer opened the public hearing and invited speakers to address the Council; there being no speakers, he closed the public hearing and opened the floor for a motion.

Councilmember Hrbacek moved approval of Item 23; second by Deputy Mayor Pro Tem Sutter. Councilmember Cruz voiced her feeling that the project would be beneficial to the location noting the landscaping would add to the aesthetics and stating she would vote in favor. Mayor Pro Tem Blanscet agreed that the improvements would enhance the entire corner and voiced his appreciation to the applicant. **The motion was approved with a unanimous 7-0 vote.**

24. Hold A Public Hearing And Consider An Ordinance Amending the Zoning On An Approximately 71 Acre Tract Zoned PD-181 For The (LI) Light Industrial District And (FWY) Freeway District, Located On The South Side Of Sandy Lake Road, To Amend PD-181 For The (LI) Light Industrial District With Special Development Standards, And Amending The Official Zoning Map Accordingly. Case No. 09-17Z1 Western Extrusion.

Chief Planner Loren Shapiro presented the request to add a 50,000 sq ft building in the center of the property for storage; install a 9½ ft masonry wall on the north end of the property that will parallel Sandy Lake Road; install a 10 ft landscape buffer between the wall and the street; and adding previously purchased land to the Development. Staff recommended approval.

Mark Aldridge, Western Extrusion, 1725 Sandy Lake Road, stated they would work with staff to see what could be done to address visibility along Luna Road and enhance the landscaping already there noting that the property drops off pretty dramatically. With regard to the 9 ½ ft masonry wall, he stated they were in the process of designing it and were keeping the Sandy Lake Road elevation change in mind. He stated it would probably be some type of concrete wall with either a brick or brick embossment on the Sandy Lake Road side. He also advised that as the new building is constructed, they would be touching up the existing buildings. With regard to the view from the Harley Davidson site, he stated they have talked to staff in the past about the area and are still considering addressing that concern as well as securing the property in the future.

Councilmember Hrbacek asked the applicant if he would be agreeable to another stipulation for an additional landscape buffer along Luna that would be approved by the City Arborist and Mr. Aldridge replied affirmatively.

Mayor Falconer opened the public hearing and invited speakers to address the Council; there being none, he closed the public hearing.

Councilmember Hrbacek moved approval of Item 24 and an added stipulation that there be a landscape buffer along Luna Road as approved by the City Arborist; second by Councilmember Cruz.

Mayor Pro Tem Blanscet asked about the intent of the stipulation and Councilmember Hrbacek replied the intent was to screen the inventory. He recognized the difficulty and felt it would be important to work with the City Arborist to develop a solution. Councilmember Hennefer suggested putting a screen on the north side of the pond and Councilmember Hrbacek stated the wording of the stipulation would allow for that. **Mayor Falconer suggested the wording of the motion be amended to state there be a landscape buffer to visually block the view from Luna and Councilmember Hrbacek and Councilmember Cruz agreed to the amendment and the motion was approved with a unanimous 7-0 vote.**

25. Hold A Public Hearing And Consider An Ordinance Amending The Zoning On An Approximately 10.5 Acre Tract Zoned PD-5 For The (LR-2) Local Retail District, Located On The Northeast Corner Of Old Denton Road And Raiford Road, Amending Planned Development District 5 (PD-5) To Allow For Multi-Family, Townhomes, Restaurants, and Retail Mixed-Use With Special Development Standards, And; Amending The Official Zoning Map Accordingly. Case No. 08-17Z1 Furneaux Creek Square (Raiford).

Mayor Falconer advised that Councilmember Sung had a conflict of interest on this item and was excused from the meeting during the hearing and deliberation.

Loren Shapiro presented the case stating the applicant proposed to develop mixed use, multi-family four-story on the west side of the property and 26 townhomes on the east side. The applicant proposed 285 multi-family units with over 43,000 sq ft of commercial/retail space and restaurant mixed use. The elevations reflect over 90% masonry material; a streetscape plan was provided for the streets and along the park area. He stated that staff recommended approval.

Dick Calvert, Calvert Co. Architects, 1001 W Main Street, stated he represented JK&JY Development - owners of the site. He stated the mixed use project would provide up to 285 residential condominium and dwelling units in Buildings A, B & C; 26 townhomes; two dedicated restaurant spaces totaling 10,962 sq ft; and 22,239 sq ft of flexible retail space. He explained that the site is unusually shaped and is bisected by two north/south easements which greatly increases the challenge to make something work; it's located in Denton and Dallas County; and it lies partially in the floodplain. Because it was determined that the developer needed to follow the Urban Design Standards and because of the comments in the Briefing Session, Mr. Calvert read the introduction of the Standards for Raiford Road. He stated the setback from Old Denton was 65.9 ft and it varies along Raiford Road from 33.9 to 18 ½ ft. He provided details of the buildings and stated the maximum building height is 51 ft to the 4th floor and 61 ft to the top of the parapet wall. The site development will include walking trails connecting to the City's trail system in Furneaux Creek Park. He noted that the backs of buildings would not be visible from the Park and he advised that the project meets the minimum parking requirements with 93% of the parking being enclosed or within

garages. The garage doors would all be decorative wood garage doors. All exterior walls will be 100% brick and stone as well as the townhomes. He stated the project meets the minimum size requirements and stated the composition would be around 10% of 3 bedroom units, 60% of 2 bedroom units and 30% of 1 bedroom units. Maintenance would be provided by a mandatory property owner association. He stated that they have reviewed and concur with the staff comments and respectfully requested approval. He cited reasons he felt this project would result in a different product from the apartments on Crosby.

Councilmember Cruz asked about landscaping along the trail. Mr. Calvert replied that the proposal follows the Urban Design Standards noting that the plan is currently conceptual and landscaping would certainly be a consideration further into the design. With regard to the townhomes, he stated that half would front Raiford Road and half would front the park and each would have a front yard.

Councilmember Hennefer suggested the need for some type of vegetation barrier along the homes that are really close to the trails and Mr. Calvert stated there was no problem with that but it is something that would have to be worked out. With regard to signage, Mr. Calvert stated they anticipate some type of monument sign within the requirements of the sign ordinance.

Deputy Mayor Pro Tem Sutter asked if the commercial condos would be leased or owned and Mr. Calvert stated they would be owned. Mr. Calvert stated the garages would be screened from the trail and referred to elevation drawing E3A.

Mayor Falconer asked if there would be a leasing office and Mr. Calvert replied that there would be a business/sales office and stated he would be agreeable to a stipulation that says there would not be a leasing office and he was also agreeable to a stipulation that electric and gas meters would not face the trails or the street.

Mayor Falconer opened the public and invited speakers to address the Council; there being no speakers he closed the public hearing and opened the floor for discussion and a motion.

Councilmember Hrbacek stated the project was very well designed and stated that if the project was within walking distance of a train station he would be very excited. He underscored his long time position against multi-family unless it is within walking distance of a train station. He voiced a concern about what the development would be 30-50 years from now and stated that from a land use perspective, he could not support the development.

Councilmember Hennefer stated he also was opposed to high density construction outside of the TOD area and asked for discussion on what type of development would be the highest and best use for the site. Councilmember Hrbacek recognized that it is a challenging site as are the other sites in the area and reiterated that if the project was within walking distance of a train station he would in favor because it is a terrific looking project but in his opinion, it is not a sustainable land use. He did not feel there was a need for more multi-family in that area so it was a basic land use decision for him. Mayor Falconer asked staff to explain the uses that could be developed on the site today. Mr. Shapiro replied that basically it could be any type of retail limited to the concept plan on file. Councilmember Hennefer stated it was hard for him to deny the project in lieu of something the Council is only imagining but he also liked Councilmember Hrbacek's point of view.

Councilmember Lawrence stated he also was struggling; talked about his thought process, and agreed that it's a land use decision referring to his experience on the Council over the past two years. He complimented Mr. Calvert on bringing a beautiful, utilitarian and considerate product and he really

wished for a site in the TOD area and underscored that his decision has nothing to do with the product. With regard to land use, he stated he continues to see retail but doesn't see high density and he doesn't see multi-family.

Councilmember Cruz states she was also very conflicted and stated that what concerns her is the proximity to the established neighborhoods but didn't see a big problem with the type of development and felt Council shouldn't be too quick to dismiss it.

Deputy Mayor Pro Tem Sutter stated he considered uses in the area and discussed his considerations and stated he likes the concept in the location to serve as a buffer between the retail and the residential.

Mayor Pro Tem Blanscet echoed the compliments of the design by Mr. Calvert and stated his commitment to not approve multi-family outside of a TOD area. He stated there was a lot about the project that was good but the amount of the density was his highest concern along with traffic flow.

Councilmember Cruz asked if a study was done with regard to traffic and Mr. Shapiro replied he was only aware of the study completed a few years ago.

Councilmember Hrbacek moved to deny Item 25; second by Councilmember Lawrence.

Discussion was held acknowledging the amount of work and the quality of the project. Mayor Pro Tem Blanscet suggested the possibility of continuing the item to allow the applicant an opportunity to consider changes regarding density and Mayor Falconer noted for the record that the applicant would consider it. Discussion was also held regarding prejudice.

Councilmember Hrbacek stated he would amend his motion to deny Item 25 without prejudice; second by Councilmember Lawrence and the motion was approved with a 4-2 vote. Councilmember Cruz and Deputy Mayor Pro Tem Sutter opposed; Councilmember Sung abstained.

26. Hold A Public Hearing To Consider An Ordinance Annexing Approximately 5.01 Acres Of Land Generally Located At The Northwest Corner Of The Intersection Of Parker Road (FM 544) And Josey Lane. Case No. 10-17MD1 NWC Parker - Josey (Annexation).

Loren Shapiro stated that the hearing was the first of two required public hearings regarding the annexation of the subject site.

Mayor Falconer opened the public hearing; there being no speakers, he closed the public hearing.

PUBLIC FORUM

27. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be

removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

There were no speakers.

Mayor Falconer adjourned the Regular Meeting at 8:28 and announced that Council would reconvene in Worksession.

*****WORKSESSION*****

Mayor Falconer reconvened the Worksession at 8:37 pm.

5. Discuss Boards & Commissions Appointments And Select Interview Candidates – Continued.

- **Library Board** – Reappoint Gretchen Biery and Amber Lasseigne. Applicants Melissa Shadowens and Karen Forte will be added to an alternate list should a seat become available.
- **Museum Board** – Reappoint Thomas Williams, Rachel Lewis, Michael Vertz and Marjorie Lambert.
- **NAC** – Reappoint Joe Marquez and BJ Cadwalader. Appoint Brain Doherty, Cynthia Northrop, Jane Harmon and Kathleen Foster with Julio Acosta as an alternate.
- **Park Board** – Appoint Adam Polter, Andrea Macaluso, Gerald Blase and Al Overholt with Lincoln King as an alternate.
- **P&Z** – Reappoint Sunil Sundaran, Garry Kraus, Tony Romo II and Mel Chadwick.
- **PSB** – Reappoint Jim Pipkin and Andy Folmer. Appoint Dave Hermon and Pat Cochran. Interview John Chollampel, Jack Fan, Les Folse and Roland Casteneda at the October 24 Council Meeting.
- **TAC** – Reappoint Sam Courtney. Councilman Lawrence would look into the attendance of Michelle Inzunza to see if she needed to be replaced at the October 24 meeting. Appoint Fawaz Anwar with Toby Knighton and Eric Hagen as alternates.

6. Mayor and Council reports and information sharing.

ADJOURNMENT

Mayor Falconer adjourned the meeting at 9:41 pm.

ATTEST:


Laurie Garber, City Secretary




Kevin W. Falconer, Mayor