

## **ALLEN CITY COUNCIL**

### **REGULAR MEETING**

**JULY 14, 2020**

#### **Present:**

Debbie Stout, Mayor

#### **Councilmembers:**

Gary L. Caplinger, Mayor Pro Tem

Kurt Kizer

Carl Clemencich

Lauren Doherty

Chris Schulmeister

Baine Brooks

#### **City Staff:**

Eric Ellwanger, City Manager

Eric Strong, Deputy City Manager

Tim Dentler, Assistant City Manager

Rebecca Vice, Assistant City Manager

Shelley B. George, City Secretary

Teresa Warren, Director, Public and Media Relations

Lauren Field, Deputy City Secretary (absent)

Pete Smith, City Attorney

#### **Call to Order and Announce a Quorum is Present**

With a quorum of the Councilmembers present, the Regular Meeting of the Allen City Council was called to order by Mayor Stout at 7:00 p.m. on Tuesday, July 14, 2020, in the Council Chambers of the Allen City Hall, 305 Century Parkway, Allen, Texas.

#### **Pledge of Allegiance**

#### **Public Recognition**

##### **1. Citizen Comments.**

- Paula Ross, 917 Autumn Lake Drive, Allen, Texas, spoke in support of the locomotive project.

#### **Consent Agenda**

Mayor Stout removed the following item from the Consent Agenda at the request of Councilmember Brooks:

- 3. Authorize the City Manager to Execute a Contract with Morton Locomotive & Machine, LLC, for the Transportation and Limited Restoration of a Steam Locomotive in the Amount of \$261,667.**

**MOTION:** Upon a motion made by Councilmember Clemencich and a second by Mayor Pro Tem Caplinger, the Council voted seven (7) for and none (0) opposed to adopt all remaining items on the Consent Agenda as follows:

2. **Approve Minutes of the June 23, 2020, Regular City Council Meeting.**
4. **Adopt Authorize the City Manager to Execute a Contract with The Standard to Provide Life/Accidental Death and Dismemberment, Short-Term Disability, Long Term Disability and Voluntary Life Insurance.**

The motion carried.

3. **Authorize the City Manager to Execute a Contract with Morton Locomotive & Machine, LLC, for the Transportation and Limited Restoration of a Steam Locomotive in the Amount of \$261,667.**

**MOTION:** Upon a motion made by Mayor Pro Tem Caplinger and a second by Councilmember Brooks, the Council voted six (6) for and one (1) opposed, with Councilmember Doherty casting the negative vote, to authorize the City Manager to execute a contract with Morton Locomotive & Machine, LLC, for the transportation and limited restoration of a steam locomotive in the amount of \$261,667. The motion carried.

#### **Regular Agenda**

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5. **Adopt a Resolution Authorizing the Use of CARES Act Funds for a Business Recovery Program Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of Planned Development PD No. 3 Light Industrial "LI" and to Adopt a Zoning Exhibit, Concept Plan, Building Elevations, and Sign Schedule for Approximately 2.563± Acres of Land in the William Perrin Survey, Abstract No. 708, Generally Located at the Southwestern Corner of the Intersection of Prestige Circle and Greenville Avenue. [SHB]**

Mayor Stout opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

The following individuals did not speak, but wished to record their support of the item:  
Drew Donosky, 1903 Central Drive Suite 406, Bedford, Texas; and,  
Dave Cornette, 310 Willow Brook Drive, Allen, Texas; and,  
Jonathan Elder, 1207 Shadetree Lane, Allen, Texas.

With no one else speaking, Mayor Stout closed the public hearing.

**ORDINANCE NO. 3758-7-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE REGULATIONS OF PLANNED DEVELOPMENT PD NO. 3 LIGHT INDUSTRIAL "LI" RELATING TO THE DEVELOPMENT AND USE OF 2.563± ACRES OUT OF THE WILLIAM PERRIN SURVEY, ABSTRACT NO. 708, AND ADOPT A ZONING EXHIBIT, CONCEPT PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF

FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion by Mayor Pro Tem Caplinger and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3758-7-20, as previously captioned, to amend the Development Regulations of Planned Development PD No. 3 Light Industrial for a property generally located at the southwestern corner of the intersection of Prestige Circle and Greenville Avenue. The motion carried.

**6. Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of Planned Development PD No. 4 Shopping Center "SC" and to Adopt a Base Zoning, Concept Plan, and Building Elevations for Approximately 1.97± Acres of Land in the Rufus Sewell Survey, Abstract No. 875; Generally Located East of Greenville Avenue and Approximately 509± Feet North of Ridgemont Drive. [Hindu Temple]**

Mayor Stout opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

Michael Forbes, 6404 Wilderness Court, Arlington, Texas, did not speak, but wished to record his support of the item.

Jonathan Elder, 1207 Shadetree Lane, Allen, Texas. did not speak, but wished to record his opposition of the item

With no one else speaking, Mayor Stout closed the public hearing.

**ORDINANCE NO. 3759-7-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE USE AND DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT PD NO. 4 SHOPPING CENTER "SC" FOR A 1.97± ACRE TRACT OF LAND IN THE RUFUS SEWELL SURVEY, ABSTRACT NO. 875 BY ADOPTING A BASE ZONING OF COMMUNITY FACILITIES "CF" AND ADOPTING A CONCEPT PLAN AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion by Mayor Pro Tem Caplinger and a second by Councilmember Doherty, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3759-7-20, as previously captioned, to amend the Development Regulations of Planned Development PD No. 4 for a property generally located east of Greenville Avenue and north of Ridgemont Drive. The motion carried.

**7. Motion Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of Planned Development PD No. 92 Corridor Commercial "CC" and to Adopt a Concept Plan, Building Elevations, Landscape Plan, and Screening Cross Section for Approximately 3.838± Acres of Land in the Francis Dosser Survey, Abstract No. 280, Generally Located at the Southwestern Corner of the Intersection of Ridgeview Drive and Watters Road. [Allen Fire Station 6]**

Mayor Stout opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

The following individuals did not speak, but wished to record their support of the item:  
Mark Mortimer, 16515 Dundrennan Lane, Dallas, Texas; and,  
Dave Cornette, 310 Willow Brook Drive, Allen, Texas; and,  
Jonathan Elder, 1207 Shadetree Lane, Allen, Texas.

With no one else speaking, Mayor Stout closed the public hearing.

**ORDINANCE NO. 3760-7-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE REGULATIONS OF PLANNED DEVELOPMENT PD NO. 92 CORRIDOR COMMERCIAL “CC” RELATING TO THE DEVELOPMENT AND USE OF 3.838± ACRES OUT OF THE FRANCIS DOSSER SURVEY, ABSTRACT NO. 280, AND ADOPT A CONCEPT PLAN, BUILDING ELEVATIONS, LANDSCAPE PLAN, AND SCREENING CROSS SECTION; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion by Councilmember Schulmeister and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3760-7-20, as previously captioned, to amend the Development Regulations of Planned Development PD No. 92 Corridor Commercial for a property generally located at the southwestern corner of the intersection of Ridgeview Drive and Watters Road. The motion carried.

8. **Conduct a Public Hearing and Adopt an Ordinance to Amend the Development Regulations of Planned Development PD No. 134 Mixed Use, Adopting a Zoning Exhibit, Schedule of Uses, Regulating Plan, Open Space Plan, Street Plan, Street Cross Sections, Driveway Plan, West Lake Park Conceptual Plan, Lot Plan, and Ridgeview Parkway Cross Section for an Approximately 135.35± Acre Tract of Land Located in the J. W. Parsons Survey, Abstract No. 705; J. W. Roberts Survey, Abstract No. 762; and John Phillips Survey, Abstract No. 718 and Generally Located at the Southeastern Corner of the Intersection of State Highway 121 and Alma Drive.**

Mayor Stout opened the public hearing and asked anyone wishing to speak for or against this item to do so at this time.

The following individual spoke in support of the item:  
Yogesh Nanji, 2001 Meghan Court, Allen, Texas.

The following individuals did not speak, but wished to record their opposition of the item:  
Julie Weleski Fu, 1830 Olney Drive, Allen, Texas; and,  
Jennifer Doran, 1104 Cross Plains Drive, Allen, Texas; and,  
Leta Mekker, 912 Autumn Lake Drive, Allen, Texas; and,  
David Shafer, 351 Chaparral Road, Allen, Texas; and,  
Dave Cornette, 310 Willow Brook Drive, Allen, Texas; and,  
Jonathan Elder, 1207 Shadetree Lane, Allen, Texas.

With no one else speaking, Mayor Stout closed the public hearing.

**ORDINANCE NO. 3761-7-20:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO THE USE AND DEVELOPMENT OF 135.35± ACRES OUT OF THE JOHN PHILLIPS SURVEY, ABSTRACT NO. 718, J.W. PARSONS SURVEY, ABSTRACT NO. 705 AND THE J.W. ROBERTS SURVEY, ABSTRACT NO. 762, BY AMENDING AND RESTATING IN THEIR ENTIRETY THE DEVELOPMENT AND USE REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 134 MIXED USE MIX, AS ADOPTED PURSUANT TO ORDINANCE NO. 3542-1-18 TO CREATE PLANNED DEVELOPMENT “PD” NO. 134A FOR SINGLE-FAMILY, MULTIFAMILY, OFFICE AND RETAIL USES, AND ADOPTING A ZONING EXHIBIT, SCHEDULE OF USES, REGULATING PLAN, OPEN SPACE PLAN, STREET PLAN, STREET CROSS SECTIONS, DRIVEWAY PLAN, WEST LAKE PARK CONCEPTUAL PLAN, LOT PLAN, AND RIDGEVIEW PARKWAY CROSS SECTIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

**MOTION:** Upon a motion by Mayor Pro Tem Caplinger and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3761-7-20, as previously captioned, to amend the Development Regulations of Planned Development PD No. 134 Mixed Use for a property generally located at the southwestern corner of the intersection of State Highway 121 and Alma Drive. The motion carried.

**Other Business**

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9. Calendar.

10. Item of Interest.

**Executive Session**

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The Executive Session was not held.

**Adjournment**

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**MOTION:** Upon a motion made by Councilmember Doherty and a second by Councilmember Brooks, the Council voted seven (7) for and none (0) opposed to adjourn the Regular Meeting of the Allen City Council at 8:43 p.m. on Tuesday, July 14, 2020. The motion carried.

These minutes approved on the 28<sup>th</sup> day of July 2020.

**APPROVED:**

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**Debbie Stout, MAYOR**

**ATTEST:**

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**Shelley B. George, TRMC, CITY SECRETARY**