

**RICHARDSON CITY COUNCIL  
MONDAY, OCTOBER 6, 2014  
WORK SESSION AT 6:00 PM; COUNCIL MEETING AT 7:30 PM  
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

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The Richardson City Council will conduct a Work Session at 6:00 p.m. on Monday, October 6, 2014 in the Richardson Room of the Civic Center, 411, W. Arapaho Road, Richardson, Texas. The Work Session will be followed by a Council Meeting at 7:30 p.m. in the Council Chambers. Council will reconvene the Work Session following the Council Meeting if necessary.

As authorized by Section 551.071 (2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

**WORK SESSION – 6:00 PM, RICHARDSON ROOM**

• **CALL TO ORDER**

**A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA**

*The City Council will have an opportunity to preview items listed on the Council Meeting agenda for action and discuss with City Staff.*

**B. REVIEW AND DISCUSS OVERVIEW OF NATIONAL ASSOCIATION OF TOWN WATCH'S NATIONAL NIGHT OUT AGAINST CRIME ON TUESDAY, OCTOBER 7, 2014**

**C. REVIEW AND DISCUSS NEIGHBORHOOD VITALITY PROGRAM PROJECT IMPLEMENTATION**

**D. REPORT ON ITEMS OF COMMUNITY INTEREST**

*The City Council will have an opportunity to address items of community interest, including: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the City of Richardson; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the City of Richardson that was attended or is scheduled to be attended by a member of the City Council or an official or employee of the City of Richardson; and announcements involving an imminent threat to the public health and safety of people in the City of Richardson that has arisen after posting the agenda.*

**COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS**

**1. INVOCATION – BOB TOWNSEND**

**2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – BOB TOWNSEND**

**3. VISITORS**

*The City Council invites citizens to address the Council on any topic not already scheduled for Public Hearing. Citizens wishing to speak should complete a "City Council Appearance Card" and present it to the City Secretary prior to the meeting. Speakers are limited to 5 minutes and should conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns will be addressed by City Staff, may be placed on a future agenda, or by some other course of response.*

**ACTION ITEMS:**

**4. CONSIDER ORDINANCE NO. 4075, CREATING A CHARTER COMMISSION AND ESTABLISHING CHARTER COMMISSION GUIDELINES.**

**5. CONSIDER APPOINTMENTS TO THE CHARTER COMMISSION.**

6. CONSIDER ORDINANCE NO. 4076, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, BY ADDING ARTICLE VIII, REGULATING TEMPORARY OPEN AIR MARKETS.
7. CONSIDER RESOLUTION NO. 14-26, ESTABLISHING TEMPORARY OPEN AIR MARKET PERMIT FEES AND OTHER RELATED FEES.
8. CONTINUED CONSIDERATION OF ZONING FILE 14-21 AND CONSIDER ADOPTION OF ORDINANCE NO. 4077, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR A FARMERS MARKET (NOW TERMED OPEN AIR MARKET) ON A 16.85-ACRE TRACT ZONED PD PLANNED DEVELOPMENT, LOCATED AT 100 S. CENTRAL EXPRESSWAY, RICHARDSON, TEXAS. (CONTINUED FROM AUGUST 25, 2014 CITY COUNCIL MEETING).

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### **EXECUTIVE SESSION**

In compliance with Section 551.072 and Section 551.087(1) and (2) of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Deliberation Regarding Real Property
  - Property Considerations in the Main St./Greenville Ave., Floyd Rd./U.S. 75, and Plano Rd./Renner Rd. Areas
- Deliberation Regarding Economic Development Negotiations
  - Commercial Development – Floyd Rd./U.S. 75 Area

### **RECONVENE INTO REGULAR SESSION**

Council will reconvene into open session, and take action, if any, on matters discussed in Executive Session.

- **ADJOURN**

I CERTIFY THE ABOVE AGENDA WAS POSTED ON THE BULLETIN BOARD AT THE CIVIC CENTER/CITY HALL ON FRIDAY, OCTOBER 3, 2014, BY 5:00 P.M.

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AIMEE NEMER, CITY SECRETARY

ACCOMMODATION REQUESTS FOR PERSONS WITH DISABILITIES SHOULD BE MADE AT LEAST 48 HOURS PRIOR TO THE MEETING BY CONTACTING SUSAN MATTISON, ADA COORDINATOR, VIA PHONE AT 972 744-0809, VIA EMAIL AT ADACoordinator@cor.gov, OR BY APPOINTMENT AT 1621 E. LOOKOUT DRIVE, RICHARDSON, TX 75082.



City of Richardson  
City Council Worksession  
Agenda Item Summary



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- Worksession Meeting Date:** Monday, October 6, 2014
- Agenda Item:** Overview of National Association of Town Watch's National Night Out Against Crime
- Staff Resource:** Jim Spivey, Chief of Police  
Danny Martin, Assistant Chief
- Summary:** The National Association of Town Watch (NATW) is a not for profit, crime prevention organization which works in cooperation with thousands of crime watch groups and law enforcement agencies throughout the country. In an effort to heighten awareness and strengthen participation in local anticrime efforts, National Night Out, "America's Night Out Against Crime" was introduced by the Association in 1984 and this year will be the 30th anniversary of the program.
- Board/Commission Action:** N/A
- Action Proposed:** During Monday's Work Session, Assistant Chief Martin will present an overview of the National Night Out program, our history and successes with this program and what to anticipate in this year's event.
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City of Richardson  
City Council Worksession  
Agenda Item Summary



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**City Council Meeting Date:** October 6, 2014

**Agenda Item:** Review and Discuss Neighborhood Vitality Program Project Implementation

**Staff Resource:** Don Magner, Assistant City Manager

**Summary:** City staff will provide a status report on the 2010 Neighborhood Vitality Program. The Neighborhood Vitality Program is a neighborhood improvement program funded through bond programs to address enhancements to bridges, screening walls, landscaping and entry features.

**Board/Commission Action:** N/A

**Action Proposed:** N/A

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**ORDINANCE NO. 4075**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, CREATING A CHARTER COMMISSION; ESTABLISHING CHARTER COMMISSION GUIDELINES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 22.03 of the Home Rule Charter provides that the Charter may be amended by action of the City Council submitting proposed amendments to the voters for approval or by report of a Charter Commission created by ordinance; and

**WHEREAS**, the City Council desires to establish a Charter Commission to review the City Charter for the purpose of making recommendations to the City Council for appropriate amendments to cause the Charter to conform to federal and state law where conflict or inconsistency exist to be approved by the voters at an election called for such purpose on November 3, 2015; and

**WHEREAS**, the City Council desires to establish guidelines to assist the Charter Commission in making appropriate recommendations to the City Council for consideration by the City Council to be submitted to the voters at an election called for such purpose to be held on November 3, 2015.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the City Council of the City of Richardson does hereby establish a Charter Commission to review the City Charter for the purpose of making recommendations to the City Council for appropriate amendments to the City Charter to be approved by the voters at an election called for such purpose to be held on November 3, 2015. The Charter Commission shall consist of eleven (11) members to be appointed by the Mayor and City Council. The City Manager, or designee, and the City Attorney, or designee, shall be ex-officio, non-voting members of the Charter Commission. The Mayor and City Council shall select a chairperson and vice chairperson from among the Charter Commission members. The Mayor and City Council may remove any member from the Charter Commission for absenteeism or other cause. A quorum of the Charter Commission shall consist of six (6) members; and a majority of the entire membership of the Charter Commission is required for the approval of any recommendation to the City Council for the City Council to consider any amendment to the

Charter. The Charter Commission shall complete its review and submit a written report to the City Council containing any recommendations for amendments to the City Charter on or before June 1, 2015.

**SECTION 2.** That the City Council of the City of Richardson does hereby establish the following charge, guidelines, and schedule for the Charter Commission.

1. Charge:

- (a) to review the Charter for purposes of recommending amendments as necessary to cause the Charter to conform to federal and state law where conflict or inconsistencies exist;
- (b) to review the Charter for purposes of recommending amendments as necessary to clarify and condense existing Charter sections to improve the effective application of the Charter;
- (c) to review the Charter for any other provisions of the Charter as the Charter Review Commission determines necessary.

2. Guidelines:

- (a) Chairperson, and the vice chairperson in an absence of the chairperson, shall preside over the Charter Commission meetings;
- (b) The meetings of the Charter Commission shall be conducted in compliance with the Texas Open Meetings Act, and shall be open to the public, except for authorized closed meetings to consult with the City Attorney;
- (c) The Charter Commission shall prepare and submit a report to the City Council no later than June 1, 2015, consisting of recommendations in the form of proposed amendments to the Charter for review and consideration by the City Council of possible amendments to the Charter to be submitted to the voters at an election called for that purpose to be held on November 3, 2015.
- (d) The Charter Commission shall conduct its initial meeting for an orientation on October 15, 2014, at which time the Charter Commission shall: (i) receive comments from the Mayor, City Manager and City Attorney, (ii) review the Charter Commission charge, guidelines, and schedule, (iii) establish a meeting calendar that allows for the appropriate review, adheres to the June 1, 2015, reporting deadline, and informs the public of the review schedule; and (iv) discuss how to proceed with the review of the Charter;
- (e) The Charter Commission shall, prior to conducting its review of the Charter, conduct a public hearing following the initial orientation meeting of the Charter Commission to receive public comments concerning amendments to the Charter.
- (f) The Charter Commission shall, following the initial orientation meeting, meet in the City Manager's Conference Room, second floor of the City Hall/Civic Center (or other designated locations from time to time) in accordance with the Charter Commission schedule; and at the call of the Chair Person on such other dates and times, as may be necessary;

- (g) At the end of each meeting the Chair Person will ask for a vote and approval of recommended changes to the Charter, if any, and/or to move the review to the next portion or subject matter of the Charter, as appropriate;
- (h) City staff shall provide clerical support to the Charter Commission and shall keep the minutes of each meeting, including any Charter Commission approved recommendations to the City Council;
- (i) At the conclusion of the review of the Charter, the Charter Commission should review all prior approved Charter Commission recommendations with the City Attorney to ensure that such recommendations are in proper form and legal. Following such review the Charter Commission shall prepare and submit a report to the City Council.

**SECTION 3.** That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 4.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 5.** That this Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on the 6th day of October, 2014.

APPROVED:

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MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

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CITY ATTORNEY  
(PGS:9-16-14:TM 68231)

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CITY SECRETARY



City of Richardson  
City Council Meeting  
Agenda Item Summary



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**Meeting Date:** Monday, October 6, 2014

**Agenda Item:** Consider appointments to the Charter Review Commission.

**Staff Resource:** Dan Johnson, City Manager

**Board/Commission Action:** NA

**Action Proposed:** Take action making appointments to the various boards and commissions.

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**ORDINANCE NO. 4076**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES, BY ADDING ARTICLE VIII, REGULATING TEMPORARY OPEN AIR MARKETS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council desires to establish regulations governing the operation of a temporary retail operation known as a temporary open air market; **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That Chapter 12 of Code of Ordinances of the City of Richardson, Texas, be and the same is hereby amended by adding Article VIII, “Temporary Open Air Market,” to read as follows:

**“CHAPTER 12 LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS**

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**ARTICLE VIII. – TEMPORARY OPEN AIR MARKET**

**Sec. 12-221. Purpose.**

The purpose of this chapter is to facilitate the promotion of temporary open air markets within the city to support the local economy, to encourage sustainable living, and to create a more positive image of the city.

**Sec. 12-222. Definitions.**

The following words and phrases as used in this article shall have the meanings as set forth in this section:

*Applicant* means a person who has filed a written application for a temporary open air market permit.

*Director* means the director of health or other person designated by the city manager to implement, administer, and enforce this chapter, and includes any designated representative of the director.

*Permit holder* means a person issued a temporary open air market permit.

*Person* means an individual, firm, partnership, corporation, association, or other legal entity.

*Temporary open air market* means a temporary outdoor market place on private property where individual vendors offer produce, food, or other products are distributed, offered for sale, or sold directly to consumers by the persons that have raised, grown, made, crafted, processed, or produced the products, approved foods such as fruits, eggs, vegetables, pasteurized dairy products and honey, and other allowed foods. Temporary open air market does not include a flea market or other gatherings or markets offering merchandise, personal effects, tools, or outdoor retail sale or promotion subject to Article IV of Chapter 12 of this Code.

*Temporary open air market arts and crafts vendor* means any person who operates, offers, or sells any non-food items.

*Temporary open air market food vendor* means any person who operates, offers, or sells food from an approved location on private property. Foods included are whole produce, plants, nuts, approved meats, honey, eggs, pasteurized dairy, foods not requiring time or temperature control for safety, prepared packaged foods and other approved foods.

*Temporary open air market concession vendor* means any person who prepares, operates, offers, serves, or sells unpackaged, ready to eat, foods requiring time or temperature control for safety intended to be consumed on site at time of purchase.

*Temporary open air market permit* means written approval to hold a temporary open air market issued by the director under this chapter.

*Vendor* means a person who distributes, offers for sale, or sells produce, merchandise, food, or other products at a temporary open air market.

*Vendor permit* means the written approval to participate as a vendor in a temporary open air market.

**Sec. 12-223. General.**

(a) A permit holder and vendors shall comply with the requirements of this article, unless otherwise restricted by applicable state or federal law, or otherwise provided for in this article. Any other outdoor retail sale or promotion must adhere to Chapter 12, Article IV, of this Code. It shall be unlawful for any permit holder, vendor, or person to violate any of the provisions of this article.

(b) The director of health shall implement, administer, and enforce the provisions of this article.

(c) The director has authority to issue a temporary open air market permit when requirements of this article have been met.

(d) The permit holder shall be responsible for the operation, conduct, and safety of a temporary open air market for which a permit has been issued.

(e) The city council shall establish permit and other fees for a temporary open air market permit holder and vendors by resolution from time to time.

### **Sec. 12-224. Application**

(a) A person desiring to hold a temporary open air market shall apply for a temporary open air market permit by filing with the director a written application upon a form provided by the City for that purpose accompanied by a nonrefundable permit fee, if required. A permit for a temporary open air market may be issued to the applicant that only allows the market to be operated at the single location designated in the permit application.

(b) An application must contain the following information:

- (1) The name, address, and telephone number of the applicant and of any other persons responsible for the conduct of the temporary open air market.
- (2) The street address of the proposed location of the temporary open air market; the name, address, and telephone number of the property owner.
- (3) A description of the temporary open air market, the proposed months, days, dates and hours of operation for the market.
- (4) Any other information the director determines necessary for the administration and enforcement of this chapter.

(c) The building official, city departments, and the director may prescribe licenses, permits, and authorizations required by other city ordinances or applicable law, restrictions, regulations, safeguards, and other conditions necessary for the safe and orderly conduct of a temporary open air market, to be incorporated into the permit before issuance.

(d) After reviewing the application and comments, the director shall issue the temporary open air market permit unless denial is required herein. A temporary open air market permit expires one (1) year after issuance and may be renewed by applying in accordance with this section.

### **Sec. 12-225 Denial; Appeal; Revocation**

(a) The director shall deny a temporary open air market permit if:

- (1) a temporary open air market permit has been previously granted in the calendar year to another temporary open air market that is located within one mile of the proposed market and has the same or overlapping operating dates and times as the proposed market;
- (2) the proposed temporary open air market will unreasonably disrupt the orderly flow of traffic, and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;
- (3) the applicant fails to adequately provide for:
  - a. the protection of the vendors and attendees at the temporary open air market;
  - b. maintenance of public order in and around the temporary open air market location;
  - c. crowd security, taking into consideration the size of the market; or
  - d. emergency vehicle access.
- (4) the applicant fails to comply with or the proposed temporary open air market will violate a city ordinance or other applicable law, unless the prohibited conduct or activity would be allowed under this chapter;
- (5) the applicant makes a false statement of material fact on an application for a temporary open air market permit or fails to properly complete an application for a market permit;
- (6) the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the temporary open air market;
- (7) the applicant has had a temporary open air market permit revoked within the preceding 12 months;
- (8) the applicant fails to pay any outstanding fees assessed under this article for the proposed temporary open air market or for a past temporary open air market;
- (9) the chief of the police or fire departments or the director determines that the temporary open air market-would pose a serious threat to the public health, safety, or welfare;

- (10) the applicant or any other person responsible for the conduct or sponsorship of the neighborhood temporary open air market is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person; or
  - (11) the applicant fails to acquire or maintain approval from the property owner to operate the temporary open air market on the property identified in the application.
- (b) The director shall revoke a temporary open air market permit if:
- (1) the permit holder failed to comply with or the temporary open air market is in violation of any provision of the temporary open air market permit, a city ordinance, or any other applicable law;
  - (2) the permit holder made a false statement of material fact on an application for a temporary open air market permit or failed to properly complete an application for a temporary open air market permit;
  - (3) the chief of the police or fire department or the director determines that the temporary open air market poses a serious threat to the public health, safety, or welfare;
  - (4) the permit holder failed to pay any outstanding fees assessed under this article for the proposed temporary open air market or for a past temporary open air market;
  - (5) the permit holder or any other person responsible for the conduct or sponsorship of the temporary open air market is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or
  - (6) the permit holder fails to acquire or maintain approval from the property owner to operate the temporary open air market on the property identified in the application.

(c) Appeal. If the director denies the issuance or renewal of a permit or revokes a permit, the director shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of the denial or revocation and of the right to an appeal. The applicant or permit holder may appeal the decision of the director to the city manager or designee by submitting a written request to the director within 10 business days after receipt of such denial or revocation. The decision of the city manager shall be final.

**Sec. 12-226. Operation of a temporary open air market.**

(a) A temporary open air market may only be operated on weekend days of Saturday and Sunday and on Mondays that are recognized national holidays.

(b) A temporary open air market may not be operated on more than 3 consecutive days.

(c) The temporary open market may only be operated in accordance with the schedule filed with the director at the time of permit application. Amendment to the schedule may be approved by the director during the calendar year if the changes do not conflict with the schedule of another temporary open air market. An amendment request must be received by the director at least 10 days before implementing any changes.

(d) All litter, tents, stalls, food, merchandise, and other evidence of the temporary open air market must be removed from the premises at the end of each market day.

(e) The permit holder shall be responsible for the operation and conduct of the temporary open air market and shall be present or may designate a person in charge who shall be present at the temporary open air market during the hours of operation.

(f) Except as otherwise provided in this article, products that may be sold at a temporary open air market include but are not limited to, fruits, vegetables, honey, eggs, nuts, herbs, mushrooms, seeds, dairy products, prepared foods requiring time or temperature controls for safety, concessions, prepackaged food from a licensed facility; prepared foods not requiring time or temperature controls for safety, meat: frozen, prepackaged and inspected by USDA or equal and non-food items: arts, crafts, live plants and flowers. The permit holder shall be responsible to ensure that the vendors comply with this section.

(g) No animals may be sold, offered for sale or adoption, displayed, transferred or given away at any temporary open air market.

(h) The permit holder shall maintain a list of all participating food vendors. The list shall be maintained for at least ninety (90) calendar days from the date of the end of the temporary open air market. This list shall include, at a minimum:

- (1) The name, address, and phone number of the vendor;
- (2) The date(s) the vendor operated at the temporary open air market;
- (3) A list of the food items offered by the vendor for each date operated at the temporary open air market;
- (4) A copy of any applicable permits held by the vendor; and

- (5) The address or location of each food item's origin, including information on where the food items were grown, cultivated or otherwise obtained by the vendor.
- (i) Temporary open air market vendor shall comply with the following:
    - (1) Vendors desiring to participate in a temporary open air market shall apply for a vendor's permit by filing with the director a written application upon a form provided by the City for that purpose accompanied by a nonrefundable permit fee, if required. It is unlawful for any vendor to participate in a temporary open air market without first having a valid vendor permit issued by the director.
    - (2) Vendors that offer, sell, sample or distribute foods requiring time or temperature controls for safety shall have a person in charge that can show proof of successfully passing a Texas Department of State Health Services (TDSHS) recognized certified food handler course.
    - (3) Vendors that offer, sell, or distribute only prepackaged foods not requiring time or temperature controls for safety and plants, nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling or washing by the consumer before consumption, are exempt from the certified food handler requirement.
    - (4) Vendors that offer, sell, sample or distribute foods requiring time or temperature controls for safety shall comply with the City of Richardson Health Department Regulations and Texas Food Establishment Rules (TFER).
    - (5) Vendors that offer, sell, sample or distribute foods requiring time or temperature controls for safety shall comply with all regulations specified in the food regulations in this chapter.
    - (6) Vendors that offer, sell, sample or distribute foods requiring time or temperature controls for safety shall submit a temporary open air market food vendor application accompanied by a non-refundable application fee, if required, before operating at the temporary open air market.
    - (7) Unless operating under the Texas Cottage Food Industry Law, vendors that offer, sell, sample or distribute prepackaged foods shall ensure prepackaged foods are labeled according to the Texas Food Establishment Rules (TFER) requirements.
    - (8) Unless operating under the Texas Cottage Food Industry Law, vendors that offer, sell, sample or distribute prepackaged foods shall possess Texas

Department of State Health Services manufactured foods license if required.

- (9) Unless operating under the Texas Cottage Food Industry Law, home preparation or storage of foods is not allowed.
- (10) Vendors that offer, sell, sample, or distribute foods under the Texas Cottage Food Industry Law shall follow labeling practices as specified by the Texas Cottage Food Industry requirements.
- (11) Vendors shall comply with the sign regulations in this article.

**Sec. 12-227. Food.**

(a) Preventing contamination.

- (1) Food display. Except for plants, nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling or washing by the consumer before consumption, food on display shall be protected from contamination by use of packaging; counter, service line, or sneeze guards that comply with National Sanitation Foundation (NSF) or equivalent personnel or staff, or by other means approved by the regulatory authority.
- (2) Approved source. Only food from an approved source as defined in the Texas Food Establishment Rules (TFER) or by Texas Cottage Food Industry Rules may be offered at a temporary open air market.
- (3) Prohibited items. Fresh non-frozen fish, foraged foods, game animals, gleaned foods, and non-pasteurized dairy items may not be sold, offered for sale, sampled, displayed, served or consumed at a temporary open air market.
- (4) Temperature requirements. Food temperatures must be in compliance with this article. Equipment used to hold foods shall maintain required temperatures for the duration of the hours of operation of the temporary open air market, including preparation.
  - a. Frozen meats, poultry, and seafood shall be maintained at or below zero degrees (0°) Fahrenheit for the duration of the market, including transportation to the market.
  - b. Eggs, prepared foods requiring time or temperature controls for safety, and refrigerated dairy items shall be maintained at or below forty one degrees (41°) Fahrenheit, or at or above one hundred thirty five degrees (135°) Fahrenheit for the duration of the temporary open air market, including transportation to the market.

(5) Sampling. Sampling is allowed in compliance with the following standards:

- a. Sampled food shall be offered to the consumer in individual servings and shall not be offered on a self-service basis. Portions shall be adequately protected from contamination as determined by the Director of Health or his designee.
- b. Only single-service articles may be given to the consumer for use.
- c. Foods requiring time or temperature controls for safety offered for sampling shall follow proper time and temperature controls as outlined in the Texas Food Establishments Rules (TFER).
- d. At least one (1) thermometer accurate to +/- two degrees (2°) Fahrenheit shall be on-site for each piece of equipment used to hold proper temperatures.
- e. Hand wash facilities compliant with article are required for any vendor conducting sampling.

(b) Functionality of equipment.

- (1) Equipment used to keep foods subject to this article frozen or refrigerated shall comply with TFER and be able to maintain required temperatures for the duration of operations.
- (2) Tables used within the vending area shall be made of non-porous material and be easily cleanable.
- (3) Utensils used for sampling shall be made of non-porous material and shall be disposable unless approved by the director.

(c) Equipment, numbers and capacities.

- (1) Hand wash facilities shall be provided for each vendor conducting sampling operations. A portable hand sink or other facilities or methods as approved by the director may be used if it satisfies the listed requirements.
- (2) Where a hand wash facility is required, a waste tank with a larger capacity than the potable source water tank shall be provided.
- (3) A hand wash facility is not required for vendors with only prepackaged products and plants, nuts in the shell and whole, raw fruits and vegetables

that are intended for hulling, peeling or washing by the consumer before consumption.

(4) Trash receptacles shall be available to each vendor. Trash shall be disposed of daily at the designated location as provided by the market operator or offsite as needed to prevent pests.

(d) Physical facilities.

(1) Vendors shall be located on a concrete, asphalt, or other approved surface providing adequate drainage.

(2) Vending areas shall be covered, except for those vendors selling plants, nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling or washing by the consumer before consumption.

### **Sect. 12-228. Signage.**

(a) Individual vendors may attach one (1) sign to their respective booth. Sign shall not exceed twenty four (24) square feet.

(b) No more than six (6) signs shall be erected on any frontage of the temporary open air market. Signs may be for purposes of promoting either the temporary open air market or individual vendors of the temporary open air market. Total square footage of all signs may not exceed thirty six (36) square feet.

(c) Any allowed sign shall be located on private property and at least ten feet (10') from the back of curb.

(d) No cloth, paper, banner, flag, device or other similar advertising matter shall be permitted to be attached, suspended from or allowed to hang loose from any sign, building, structure, motor vehicle, tree, shrub, or bush.

(e) Signs that are held by or attached to a human being are prohibited. A human sign includes a person dressed in costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product.

(f) Signs that move, flash, are animated or similar are prohibited.

(g) A sign may not cause a visibility obstruction.

(h) Signs shall not be hand painted or stenciled nor constructed of paper, cardboard, or similar non-durable material.

**SECTION 2.** That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 4.** That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Code of Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Richardson as heretofore amended and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day such violation shall continue shall be deemed and constitute a separate offense.

**SECTION 6.** That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on the 6th day of  
October 2014.

APPROVED:

---

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

---

CITY ATTORNEY  
(PGS:10-2-14:TM 64143)

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CITY SECRETARY

**RESOLUTION NO. 14-26**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ESTABLISHING TEMPORARY OPEN AIR MARKET PERMIT FEES AND OTHER RELATED FEES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Code of Ordinances of the City of Richardson authorizes the City Council to establish fees for temporary open air market by resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the City Council of the City of Richardson, Texas, hereby establishes the following temporary open air market fees:

**Vendor Fees**

- |     |                         |          |
|-----|-------------------------|----------|
| (1) | Food vendor .....       | \$50.00  |
| (2) | Concession vendor ..... | \$250.00 |

**SECTION 2.** That all provisions of the resolutions of the City of Richardson, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

**SECTION 3.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

**SECTION 4.** That this Resolution shall become effective immediately from and after its passage and the fees established herein shall take effect on October 7, 2014.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Richardson, Texas, on this the 6th day of October, 2014.

CITY OF RICHARDSON, TEXAS

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MAYOR

ATTEST:

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CITY SECRETARY

APPROVED AS TO FORM:

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CITY ATTORNEY  
(PGS:10-2-14:TM 64141)



# MEMO

**DATE:** October 2, 2014  
**TO:** Honorable Mayor and City Council  
**FROM:** Michael Spicer, Director of Development Services *MS*  
**SUBJECT:** Zoning File 14-21 – Four Seasons Market

## REQUEST

Vincent Hirth, representing Four Seasons Markets, is requesting approval of a Special Permit for an open air market to be located in the northern portion of the parking lot at Richardson Heights Shopping Center, which is located at the southwest corner of US-75 and Belt Line Road.

## BACKGROUND

City Council continued its consideration of this request from August 25, 2014. The public hearing was closed. Subsequently staff received further direction from City Council at a September 22, 2014 work session regarding universal open air market regulations to be included in Chapter 12 of the Code of Ordinances, as well as clarification regarding site-specific considerations to be evaluated in conjunction with Special Permit requests. Staff has also had further dialogue with the applicant and representatives of nearby residential neighborhoods regarding this request.

Consequently, the following changes have been made to the original Special Permit request:

- Food vendors shall comprise at least fifty percent (50%) of the total number of vendors on-site during hours of operation;
- A maximum of fifty (50) vendors may operate at this location;
- Food concessions, including food trucks, may be included, provided they are properly licensed and permitted;
- The proposed market may operate year round.
- The Special Permit would be limited to the applicant, Mr. Vincent Hirth, exclusively.

The market is still proposed to operate on Sundays from 10:00 AM until 3:00 PM and in accordance with the previously submitted concept plan. Other conditions, including those previously stated in the City of Richardson’s Policy and Conditions for farmers markets referenced in the City Plan Commission’s recommendation, are now included in Chapter 12 of the Code of Ordinances and no longer require specific reference within the context of the requested Special Permit.

## PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 7-0, recommends approval of the request as presented, subject to the attached special conditions.

Should City Council approve the request, Ordinance No. 4077, may also be approved with the same motion.

## ATTACHMENTS

- |                                       |                              |
|---------------------------------------|------------------------------|
| Special Conditions                    | Applicant’s Statement        |
| CC Public Hearing Notice              | Site Photos                  |
| City Plan Commission Minutes 8-5-2014 | Notice of Public Hearing     |
| Staff Report                          | Notification List            |
| Zoning Map                            | Correspondence in Support    |
| Aerial Map                            | Correspondence in Opposition |
| Zoning Exhibit (Exhibit “B”)          | Proposed Ordinance No. 4077  |

### **ZF 14-21 Special Conditions**

1. An open air market shall be allowed and limited to the area shown on the concept plan attached as Exhibit "B", which is hereby approved and made a part thereof.
2. The open air market shall be allowed to operate on Sundays from 10:00 a.m. to 3:00 p.m.
3. The maximum number of vendors allowed to operate shall be fifty (50).
4. Food vendors shall comprise at least fifty percent (50%) of the total number of vendors on-site during hours of operation.
5. Food concessions, including food trucks, are allowed within the area shown on the concept plan provided they are properly licensed and permitted.
6. The Special Permit for an open air market shall be limited to Vincent Hirth. No other person, company, business or legal entity may operate an open air market on the property other than Vincent Hirth.



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Attn. Lynda Black  
Publication for Dallas Morning News – Legals  
Submitted on: August 6, 2014  
Submitted by: City Secretary, City of Richardson

Please publish as listed below or in attachment and provide a publication affidavit to:

City Secretary's Office  
P.O. Box 830309  
Richardson, TX 75083-0309

FOR PUBLICATION ON: August 8, 2014

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**City of Richardson  
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, August 25, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

**ZF 14-19**

A request by Travis W. Thompson, representing Twin Rivers Capital Partners LLC, for a Special Permit for an assisted living facility and other related care services with modified development standards to be located on a portion of the lot at 1776 N. Plano Road (east side of Plano Road, south Campbell Road). The property is currently zoned O-M Office.

**ZF 14-21**

A request by Vincent Hirth, representing Four Seasons Market, for approval of a Special Permit for a farmers market to be located at 100 S. Central Expressway (southwest corner of Central Expressway and Belt Line Road). The property is currently zoned PD Planned Development.

**ZF 14-22**

A request by Mike Hope, representing Lonestar Construction Services, for approval of a Special Permit for a home school education resource center to be located at 1100 E. Campbell Road (southeast corner of Campbell Road and Glenville Drive). The property is currently zoned I-M(1) Industrial.

If you wish your opinion to be part of the record but are unable to attend, send a written reply prior to the hearing date to City Council, City of Richardson, P.O. Box 830309, Richardson, Texas 75083.

**The City of Richardson**  
/s/ Aimee Nemer, City Secretary

**EXCERPT  
CITY OF RICHARDSON  
CITY PLAN COMMISSION MINUTES – AUGUST 5, 2014**

**PUBLIC HEARING**

**Zoning File 14-21 – Four Seasons Market:** Consider and take necessary action on a request for approval of a Special Permit for a farmers market to be located at 100 S. Central Expressway, west of the intersection of Central Expressway and Belt Line Road, on the south side of Belt Line Road. The property is currently zoned PD Planned Development.

Mr. Shacklett stated the applicant was requesting a Special Permit for a farmers market that would be open only on Sundays and located on the northern portion of Heights Shopping Center parking lot. He added that the applicant would be using pop-up 10x10 canopies with the area that would be barricaded off both end without affecting the north/south travel lanes.

Mr. Shacklett pointed out the farmers market would primarily be providing food products along with up to 30 percent non-food items (crafts and art). He added that the applicant currently operates a farmers market on Saturdays on Campbell Road in front of the North Texas Auto Museum on Saturdays.

In closing his comments, Mr. Shacklett noted that the staff report contained the City's policies and conditions for markets regarding signage, food handling, sampling, etc. He added that staff had received one letter and a few phone calls in support of the market.

Commissioner Maxwell noted that the special conditions indicated the market would only operate on Sundays and asked if that was per the applicant's request.

Mr. Shacklett replied it was per the applicant's request.

Commissioner DePuy asked if the site was redeveloped how that would impact the market.

Mr. Shacklett said that if the site was substantially changed or the area in the parking lot was altered, the applicant would have to come back through the zoning process to change the location.

Commissioner Linn asked what would happen if the applicant wanted to expand beyond the proposed boundaries. He also wanted to know if on-site food preparation would be allowed as well as a time limit for food trucks.

Mr. Shacklett replied that if the applicant wanted to expand, they would have to come back through the zoning process to change the Special Permit.

Regarding on-site food preparation, Mr. Shacklett stated that would be forbidden under the City's Health Code. In addition, food trucks are only allowed by City Code to be at a location for 15 minutes.

With no further questions for staff, Chairman Hand opened the public hearing.

Mr. Andrew Laska, 502 Hyde Park, Richardson, Texas, stated he had been helping the applicant with his application and was in favor of the proposed farmers market. He noted that the applicant currently operates two farmers markets – one in Fairview, Texas and the other on Campbell Road in Richardson.

Mr. Laska said most of the vendors will be local farmers and artisans and noted that the proposed site would be superior to the Campbell Road site because of access, parking and the close proximity of the adjacent neighborhoods.

Mr. Vincent Herth, Four Seasons Markets, 3206 Cristie Circle, Garland, Texas, that after starting the Campbell Road market three years ago, he had received requests from neighborhood representative to look at opening a similar market in the Heights Shopping Center. He noted that a farmers market would aide in the redevelopment of the area as well as offer a gathering spot for residents in the area.

Mr. Herth said he was requesting to have the market open on Sunday so that it would not conflict with the Saturday operation of the Campbell Road market.

Commissioner DePuy asked how the vendors were selected for each market.

Mr. Herth replied that vendors can either contact them via their online web site or by stopping by one of the existing markets to inquire about participating. He added that once the vendor's product is confirmed as self-made and not a resale item, a decision is made as to how many of each product category will be allowed at the market so there will not be an overabundance of any one type of vendor.

Chairman Hand asked why the applicant was requesting a Special Permit for Sundays only and also wanted to know why the market would be next to Belt Line Road as opposed to the middle of the parking lot which would afford more parking.

Mr. Herth said he did not want to impact the Saturday market and wanted to make sure there were sufficient vendors to fill all the market stalls. In addition, the placement of the market comes from past experience and the fact the market would be able to take advantage of the traffic and visibility along Belt Line Road.

Chairman Hand asked if the Sunday market was a success would there be a possibility of adding a Saturday market.

Mr. Herth replied that could be a possibility, but he did not want to adversely impact the Saturday market on Campbell Road.

Commissioner Linn stated he was in support of the proposal and had seen other farmers markets have a positive impact on neighborhoods. He also asked the applicant to come back

before the Commission after the market is established to let them know if there was anything the City could do to help increase customer/consumer awareness.

Mr. Richard Dotson, President of Richardson Heights Neighborhood Association, 733 Nottingham, Richardson, Texas, said his association was overwhelmingly in favor of the market and suggested it might be beneficial to have some type of crossing guard to allow residents who walk to the site to cross the busier roadways safely.

With no other comments in favor or opposed, Chairman Hand closed the public hearing.

Chairman Hand mentioned that he liked the proposal and felt it would be beneficial for redevelopment in the area. In addition, he thought the City might want to look at some of the City's regulations regarding farmers market and food trucks and bring those codes up to date.

Mr. Chavez clarified that food trucks or food vendors would be allowed, but they would have to seek a special event permit from the City.

Commissioner DePuy asked why the Campbell Road market was operating under a special event permit and the proposed was required to have a Special Permit.

Mr. Chavez replied the Campbell location was considered to be a special event at the time until we had a better understanding of the operation aspects of a farmers market, but it still operates under the policies and conditions set forth in the proposed Special Permit for the subject site.

**Motion:** Commissioner Ferrell made a motion to recommend approval of Zoning File 14-21 as presented; second by Commissioner Linn. Motion approved 7-0.



## Staff Report

**TO:** City Council

**THROUGH:** Michael Spicer, Director of Development Services **MS**

**FROM:** Sam Chavez, Assistant Director – Development Services **SC**

**DATE:** October 2, 2014

**RE:** **Zoning File 14-21:** Four Seasons Markets – Heights Farmers Market – 100 S. Central Expressway.

### REQUEST:

Special Permit for a farmers market to be located in the northern portion of the parking lot at the Richardson Heights Shopping Center. The shopping center is located at the southwest corner of US-75 and Belt Line Road.

### APPLICANT / PROPERTY OWNER:

Vincent Hirth – Four Seasons Markets / Matthew Calvano – Hartman Richardson Heights Properties, LLC.

### EXISTING DEVELOPMENT:

The property is currently developed as a multi-building retail shopping center and supports six (6) retail buildings totaling approximately 204,000 square feet.

### ADJACENT ROADWAYS:

**US-75:** Freeway/Turnpike; 238,000 vehicles per day on all lanes, northbound and southbound, south of Campbell Road (2013).

**Belt Line Road:** Six-lane, divided arterial; 27,100 vehicles per day on all lanes, eastbound and westbound, east of Coit Road (February 2013).

### SURROUNDING LAND USE AND ZONING:

**North:** Retail/Commercial; C-M Commercial

**South:** Retail/Commercial & Single Family; C-M Commercial & R-1100-M Residential

**East:** Retail/Commercial; LR-M(2) Local Retail

**West:** Single Family; R-1100-M Residential

## **FUTURE LAND USE PLAN:**

### **Enhancement/Redevelopment**

*These are areas where reinvestment and redevelopment is encouraged. Further study may be necessary to understand the full potential for redevelopment. This property is located in the Central enhancement/redevelopment area and is part of the City's Tax Increment Finance (TIF) district. The subject property is located in the Central Place Sub-District which envisions retail infill development at the adjacent Richardson Heights Shopping Center and the use of open space to provide connection to neighborhoods.*

### **Future Land Uses of Surrounding Area:**

North: Enhancement/Redevelopment

South: Enhancement/Redevelopment & Neighborhood Residential

East: Enhancement/Redevelopment

West: Neighborhood Residential

## **EXISTING ZONING:**

PD Planned Development (Ordinance Number 3869). The property was rezoned in 2012 from C-M Commercial to PD Planned Development to accommodate the development of the Alamo Drafthouse.

## **TRAFFIC & INFRASTRUCTURE IMPACTS:**

The requested Special Permit will not have any significant impacts on the existing utilities or traffic in the area. The proposed drive aisle closure will not affect the fire lanes/fire access and will be appropriately barricaded from allowing through traffic during the hours of operation for the farmers market.

## **APPLICANT'S STATEMENT**

(Please refer to the complete Applicant's Statement.)

## **STAFF COMMENTS:**

### **Request:**

The applicant's request is for a Special Permit to allow a farmers market to operate in a portion of the parking lot along Belt Line Road. The applicant operates markets throughout the area known as Four Seasons Markets. The applicant states the events support local farmers, ranchers, and local craftspeople. The applicant currently operates a market on Saturdays in Richardson at the southeast corner of Campbell Road and Floyd Road.

The market previously operated elsewhere in Richardson and was not required a permit while the City Council considered a possible ordinance for farmers markets. Although no ordinance was adopted, Policies and Conditions were created to provide guidelines for the operation of these types of markets.

Currently, vendors adhere to health code requirements related to food preparation and handling, and policies and guidelines related to limitations on the number of vendors per category and requiring craftspeople to primarily sell their own handmade crafts.

Any new farmers markets will be required to acquire a Special Permit since the use is not listed in the Comprehensive Zoning Ordinance. This process will allow the Commission and City Council to review each request on a case by case basis. The market will also be required to comply with the established Policy and Conditions attached as Exhibit "C".

The applicant proposes to operate a farmers market at the subject property similar to his current operation on Campbell Road, except that this location would only operate on Sundays from 10:00 a.m. to 3:00 p.m. He has also stated the market would operate from April to November due to the lack of product offerings in the winter months.

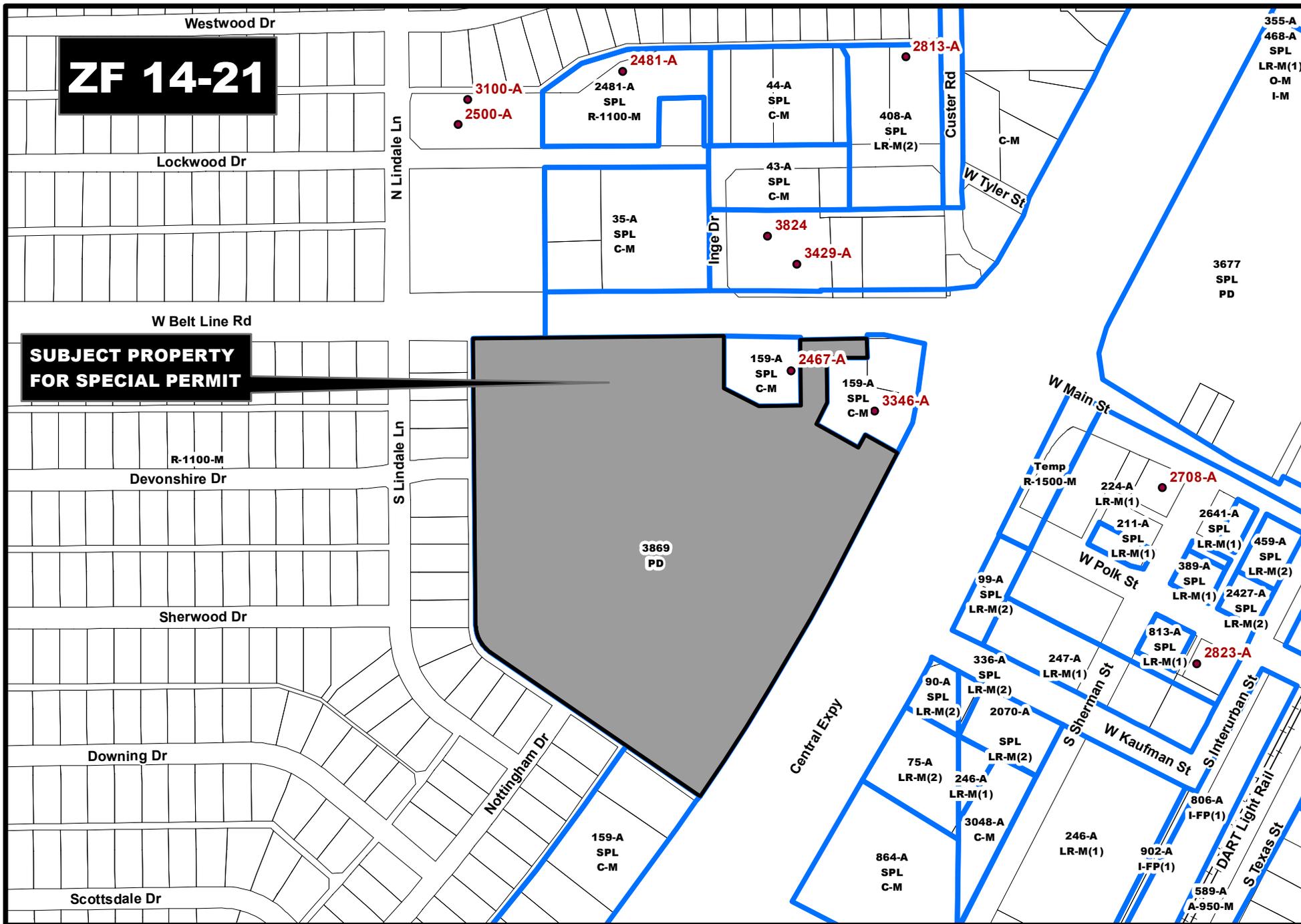
Prior to the opening each Sunday, vendors pull into the designated market area (as shown on Exhibit "B") and unload their vehicles or carry their product to the market area by hand. Once the vehicles are unloaded, they are moved to an area on-site away from the market, and trailers or barricades will be used to block off either end of the driving aisle to prevent vehicle traffic through the market area during hours of operation.

Staff discussed the issue of traffic control with the applicant. The applicant understands the market will be limited to the area shown on Exhibit "B" and that he will be responsible for providing appropriate barricading of the driving aisle.

**Correspondence:** As of this date, one (1) letter of support and one (1) letter of opposition have been received.

**Motion:** On August 5, 2014, the City Plan Commission recommended approval, by a vote of 7-0, of the request as presented; the following conditions reflect the revised conditions stated in attached Ordinance Number 4077:

1. An open air market shall be allowed and limited to the area shown on the concept plan attached as Exhibit "B", which is hereby approved and made a part thereof.
2. The open air market shall be allowed to operate on Sundays from 10:00 a.m. to 3:00 p.m.
3. The maximum number of vendors allowed to operate shall be fifty (50).
4. Food vendors shall comprise at least than fifty percent (50%) of the total number of vendors on-site during hours of operation.
5. Food concessions, including food trucks, are allowed within the area shown on the concept plan provided they are properly licensed and permitted.
6. The Special Permit for an open air market shall be limited to Vincent Hirth. No other person, company, business or legal entity may operate an open air market on the property other than Vincent Hirth.



**ZF 14-21**

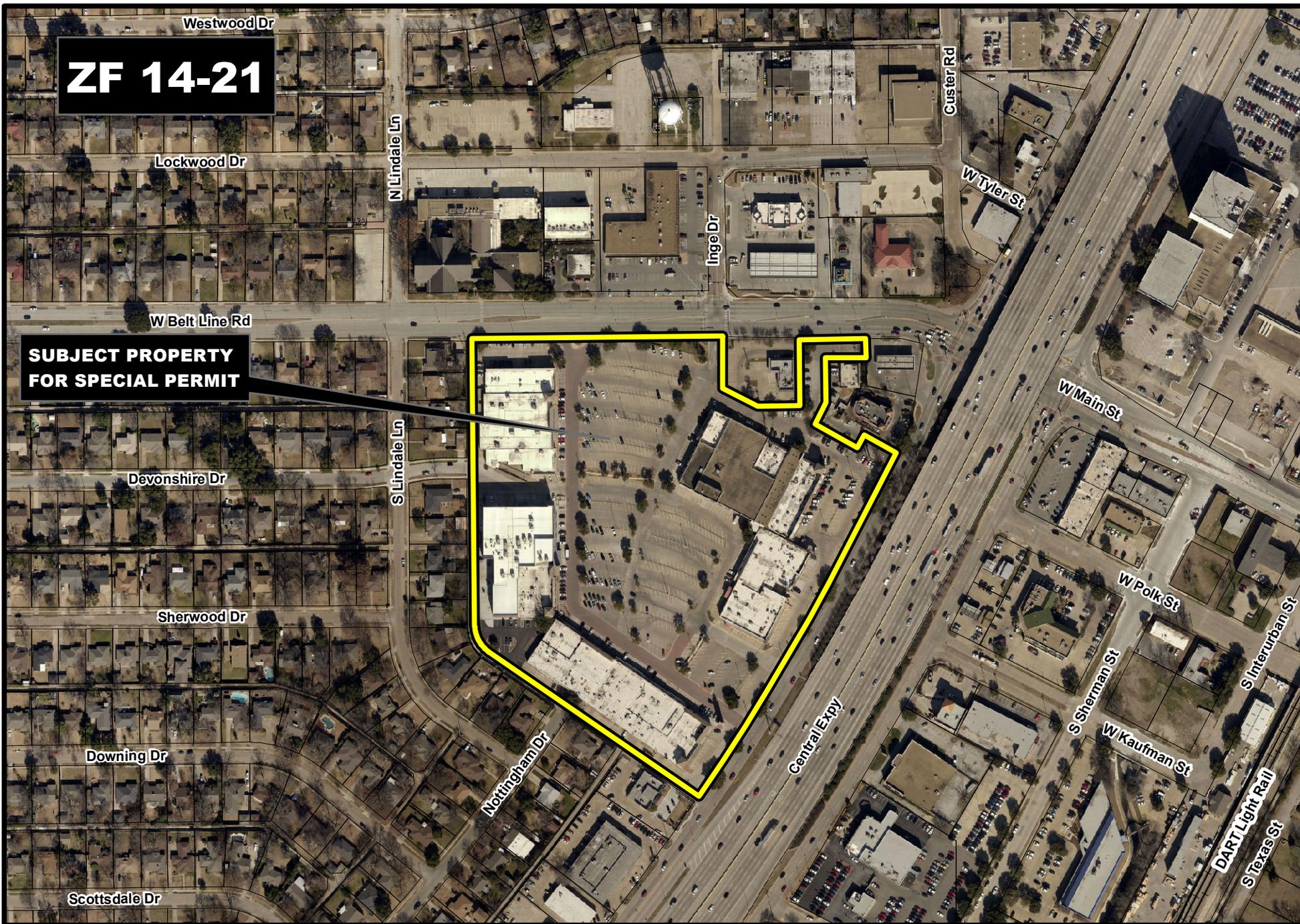
**SUBJECT PROPERTY  
FOR SPECIAL PERMIT**

# ZF 14-21 Zoning Map

Updated By: shacklett, Update Date: July 16, 2014  
 File: DSI\Mapping\Cases\Z\2014\ZF1421\ZF1421 zoning.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





**ZF 14-21**

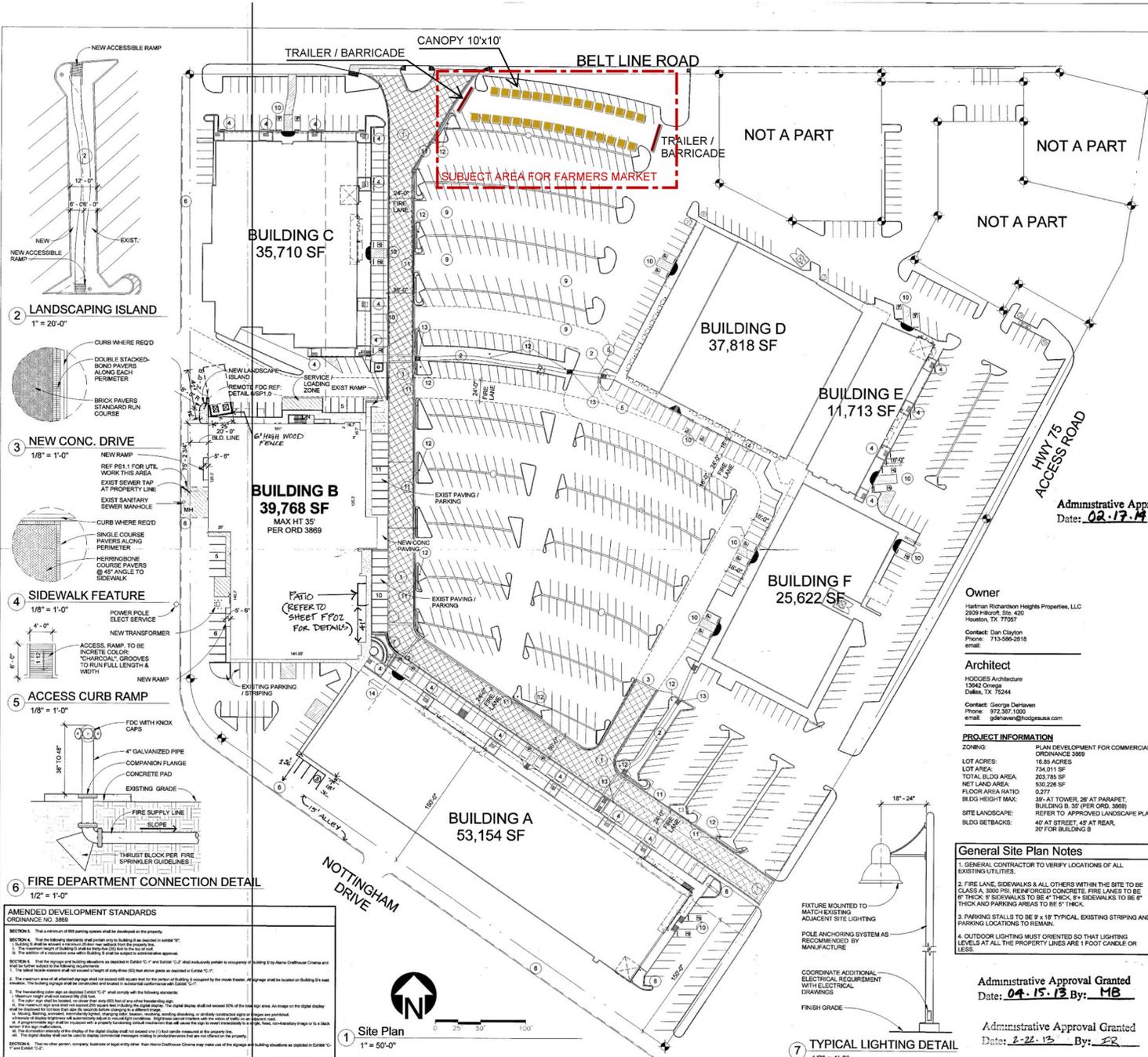
**SUBJECT PROPERTY  
FOR SPECIAL PERMIT**

### ZF 14-21 Aerial Map

Updated By: shacklett, Update Date: July 16, 2014  
File: DSI\Mapping\Cases\Z\2014\ZF1421\ZF1421 ortho.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





**PAVING NOTES**

BRICK PAVERS ON CONCRETE AS SPEC'D. 100% COMPACTION. 6" THICK, REIN. W/ NO. 3 REBARS @ 24" O.C. BOTH WAYS. EXPANSION JOINTS 600' INTERVALS. LATERAL SAW-CUTS @ 20' INTERVALS. COLOR: RED COURSE: RUNNING BOND @ INTERIOR W/ DOUBLE STACKED BOND @ PERIMETER. REF 09101. \*EXIST. FIRE LANE TO BE REPLACED AS NOTED. EXIST. DRAINAGE PATTERNS TO MAINTAIN.

BRICK PAVERS @ SIDEWALKS & PLANTERS ON CONCRETE AS SPEC'D. 100% COMPACTION. 6" THICK, REIN. W/ NO. 6 6"x6" W/M OR NO. 3 REBARS @ 24" O.C. BOTH WAYS. COLOR: RED COURSE: HERRINGBONE @ INTERIOR W/ SINGLE STACKED BOND @ PERIMETER. REF 09101.

NEW CONCRETE AT SIDEWALKS. 85% COMPACTION. 4" THICK, REINFORCE W/ NO. 6 6"x6" W/M OR NO. 3 REBARS @ 24" O.C. BOTH WAYS.

EXPANSION JOINTS 20' INTERVALS. TOOLED JOINTS @ 5' INTERVALS. COLOR: INCRETE "HARVEST SAND". TO BE INTRINSICALLY COLORED. www.singstone.com FINISH: BRUSH ON FINISH ONLY.

NEW CONC. PARKING. 85% COMPACTION. 6" THICK, REIN. W/ NO. 3 REBARS @ 24" O.C. BOTH WAYS. NATURAL COLOR.

NEW SIDEWALKS. 85% COMPACTION. 6" THICK, REIN. W/ NO. 6 6"x6" W/M OR NO. 3 REBARS @ 24" O.C. BOTH WAYS. EXPANSION JOINTS @ 20' & TOOLED JOINTS @ 5' INTERVALS. NATURAL COLOR.

**AREA CALCULATIONS**

BUILDING A	53,154 SF
BUILDING B (1st Floor)	38,326 SF
BUILDING B (Mezzanine)	3,443 SF
BUILDING C	35,710 SF
BUILDING D	37,818 SF
BUILDING E	11,713 SF
BUILDING F	25,622 SF
<b>TOTAL AREA</b>	<b>203,785 SF</b>

**PARKING TABULATIONS**

MIN PARKING SPACES PER ORDINANCE 3969	988
<b>PARKING SPACES PROVIDED</b>	<b>988</b>
HANDICAP REQ'D	20 SPACES
HANDICAP PROVIDED:	20 SPACES

- KEY NOTES:**
- BRICK PAVEMENT DRIVE, REF. PAVING NOTES.
  - NEW 4' WIDE SIDEWALK 6" THICK INTEGRALLY COLORED CONCRETE, BROOM FINISH; TO UNDLATE BETWEEN EXISTING TREES.
  - BRICK PAVEMENT DRIVE TO TERMINATE AT END OF ISLAND.
  - NEW CANOPY COLUMNS W/ ADJACENT PLANTERS AND BRICK PAVERS. REF. TO FLOOR PLANS & PAVING NOTES.
  - 
  - NEW 6" TALL CEDAR FENCE TO REPLACE EXISTING WOOD FENCE. 6" PICKETS SIDE BY SIDE W/ (3) 2X4 CEDAR RAILS ON METAL POLES W/ CAPS. FENCE CONSTRUCTED BY OWNER ON RESIDENTIAL PROPERTY. THE CONSTRUCTION OF THIS FENCE MUST BE APPROVED BY RESIDENT. ONCE CONSTRUCTED, THE FENCE MUST BE MAINTAINED BY THE RESIDENT.
  - NEW MIN-FLAZA W/ WATER FOUNTAIN FEATURE & BRICK PAVERS.
  - NEW BRICK PAVERS. REF. FLOOR PLANS FOR LOCATIONS.
  - REMOVE EXIST. H.C. PARKING. REMOVE EXIST. ACCESSIBILITY GRAPHICS & STRIPING. RESTRIPE AS TYP. PARKING STALL.
  - NEW HANDICAP PARKING & ACCESSIBLE RAMP / ALTERATION TO EXIST. CURB RAMP @ EXISTING CURB RAMP TO BE REMOVED FROM ABL AND TO EXTEND INTO SIDEWALK. NEW H.C. SIGNAGE. PARKING TO BE RE-STRIPPED. REF 03101.
  - REMOVE EXIST. CONC. CURB ALONG MAIN DRIVE @ ISLANDS & CONSTRUCT A NEW CONC. CURB PARALLEL TO EXIST. BUT 24" CLOSER TO THE BLDGS FOR AN INCREASED LANDSCAPE BED SIZE.
  - NEW ORNAMENTAL LIGHT POLE W/ 18" CONC. BASE TO 8' ABOVE GRADE.
  - NEW CURB RAMP. REF. TO 07101.
  - DAMAGED CONCRETE TO BE REPLACED WHEN SHOWN.

- GENERAL NOTES:**
- REF. TO FLOOR PLANS FOR ADDITIONAL INFORMATION ON NEW CONCRETE @ PEDESTRIAN SIDEWALKS. PROVIDE SOLID STAIN ON SIDE FACING RETAIL.
  - REF. TO FLOOR PLANS FOR INDIVIDUAL BLDG RENOVATION NOTES.
  - REF. TO LANDSCAPE PLANS FOR LANDSCAPE DESIGN.
  - PEDESTRIAN HEAD-ON PARKING & HANDICAP PARKING AT ALL BLDGS AT COMPLETION OF CONSTRUCTION.
  - ALL HANDICAP PARKING SHOWN AS CURRENTLY EXISTS. UNLESS INDICATED OTHERWISE. PROVIDE BID FOR 15 NEW CURB RAMPS (INTEGRALLY COLORED CONCRETE), 30 HANDICAP SPACES, 16 (H) ACCESS ZONES AND 30 HANDICAP SIGNS. REF 03101.
  - ADD H.C. PARKING SIGNAGE ON POLES AT EVERY H.C. PARKING SPACE. NEW EXIST.
  - WHERE STEPS TO BE PLACED IN ALL H.C. PARKING STALLS. PARKING STALLS LOCATED IN FRONT OF NEW COLUMNS ALSO TO RECEIVE WHEEL STOPS.
  - REPAIR AND REPLACE BROKEN OR DAMAGED CONCRETE @ CURBS. SIDEWALKS & RAMPS (DISTANCE AND/OR LOCATION OF SIDEWALK SEGMENTS) TO BE REPLACED AS NOTED ON SITE PLAN.
  - ALL HANDICAP ACCESS CURB RAMPS TO BE BUILT TO SIDEWALK.

Administrative Approval Granted  
Date: 02-17-14 By: MB

**Owner**  
Hodges Richardson Heights Properties, LLC  
2909 Harvard, Ste. 400  
Houston, TX 77057  
Contact: Dan Clayton  
Phone: 713-506-2818  
email: gdenaw@hodgesusa.com

**Architect**  
HODGES Architecture  
13642 Omega  
Dallas, TX 75244  
Contact: George DeLavenne  
Phone: 972-307-1000  
email: gdenaw@hodgesusa.com

**PROJECT INFORMATION**

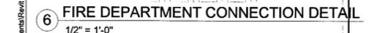
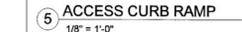
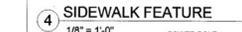
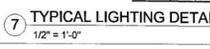
ZONING: PLAN DEVELOPMENT FOR COMMERCIAL, ORDINANCE 3969  
LOT ACRES: 16.85 ACRES  
LOT AREA: 734,911 SF  
TOTAL BLDG AREA: 203,785 SF  
NET LAND AREA: 630,228 SF  
FLOOR AREA RATIO: 0.277  
39' AT TOWER, 28' AT PARAPET, BUILDING B, 30' (PER ORD. 3969)  
BLDG HEIGHT MAX: REFER TO APPROVED LANDSCAPE PLAN  
SITE LANDSCAPE: 40' AT STREET, 45' AT REAR, 20' FOR BUILDING B  
BLDG SETBACKS:

**General Site Plan Notes**

- GENERAL CONTRACTOR TO VERIFY LOCATIONS OF ALL EXISTING UTILITIES.
- FIRE LANE, SIDEWALKS & ALL OTHERS WITHIN THE SITE TO BE CLASS A 3000 PSI REINFORCED CONCRETE. FIRE LANES TO BE 6" THICK. SIDEWALKS TO BE 4" THICK. SIDEWALKS TO BE 6" THICK AND PARKING AREAS TO BE 6" THICK.
- PARKING STALLS TO BE 8' x 18' TYPICAL. EXISTING STRIPING AND PARKING LOCATIONS TO REMAIN.
- OUTDOOR LIGHTING MUST ORIENTED SO THAT LIGHTING LEVELS AT ALL THE PROPERTY LINES ARE 1 FOOT CANDLE OR LESS.

Administrative Approval Granted  
Date: 04-15-13 By: MB

Administrative Approval Granted  
Date: 02-22-13 By: SR



**AMENDED DEVELOPMENT STANDARDS**  
ORDINANCE NO. 3969

SECTION 3. The area within of 988 parking spaces shall be developed as follows:

SECTION 4. The fire department connection shall be installed as follows:

SECTION 5. The fire department connection shall be installed as follows:

SECTION 6. The fire department connection shall be installed as follows:

SECTION 7. The fire department connection shall be installed as follows:

SECTION 8. The fire department connection shall be installed as follows:

SECTION 9. The fire department connection shall be installed as follows:

SECTION 10. The fire department connection shall be installed as follows:

SECTION 11. The fire department connection shall be installed as follows:

SECTION 12. The fire department connection shall be installed as follows:

SECTION 13. The fire department connection shall be installed as follows:

SECTION 14. The fire department connection shall be installed as follows:

SECTION 15. The fire department connection shall be installed as follows:

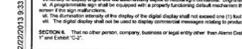
SECTION 16. The fire department connection shall be installed as follows:

SECTION 17. The fire department connection shall be installed as follows:

SECTION 18. The fire department connection shall be installed as follows:

SECTION 19. The fire department connection shall be installed as follows:

SECTION 20. The fire department connection shall be installed as follows:



**ALAMO DRAFTHOUSE CINEMA**  
Shell Building  
RICHARDSON HEIGHTS VILLAGE SHOPPING CENTER LOT 1  
100 S. Central Expressway - Richardson, Texas - 75080

**HODGES & ASSOCIATES**  
Architecture • Planning • Interiors  
1560 Omega Dallas, TX 75244  
972-307-1000  
www.hodgesusa.com



Project Number:  
12013-01

No.	Revision Schedule	Description	Date
For Review			02/20/13

**SP1.0**  
Site Plan

**Exhibit B - Part of Ordinance**



**FOUR SEASONS**  
markets

# Heights Farmers Market

Friday, June 6, 2014

## Description of the event

Four Seasons Markets events are all about supporting local farmers, ranchers, artisanal food producers and local craftsmen and women. We allow vendors who grow or make all or most of their own products to sell at our market. We prefer local products but will allow vendors to sell products—such as Gulf seafood, mushrooms and olive oil—from elsewhere if they are not available locally.

1. Farmers are allowed to sell products of other neighboring farmers
2. Specialty food vendors must primarily offer their own products which must meet all applicable federal, state and local health requirements
3. Craftspeople must primarily offer their own handmade crafts
4. Vendors per products category are limited to 3.

Also, we focus on communities and this is why we welcome local artists, non-profit organizations and various departments of the city where the markets are held.

## Date(s) and time

The Heights Farmers Market will take place every Sunday from April through November. Hours of operation will be from 10am to 3pm.

## Vendor setup/breakdown

1. Vendors drive to their space to unload and then park their vehicles away from the market (usually close to a non-business/deserted area). Setup starts 2 hours prior to the market opening. The loading/unloading process takes between 10 and 20 minutes per vendor. Most vendors don't even drive to their spots. Instead, they carry their equipment by hand. That process is supervised by the market manager who is the last person to leave the place.
2. Vehicles include cars, pick-up trucks and small trailers (rare).
3. When available, we use trailers to block one entrance of the market and we use orange cones to block the other one. We can use a pick-up truck when no trailers are available.



## List of the vendors

We select vendors we want to work with based on our own criteria. After they are approved by the board, they are allowed to attend any of our markets – as long as there is room. Although we received more than 2400 vendor's applications since August 2009, we only approved 639 of them so far. We anticipate 20 vendors for the first market day and we will limit the total number of vendors to 50.

The list of potential vendors can be found at: <http://www.fourseasonsmarkets.com/?sct=vendors>

## Market Manager

**Name:** Florine Bowman

**Phone:** (512) 522-0467

**Email:** [info@fourseasonsmarkets.com](mailto:info@fourseasonsmarkets.com)

## Site plan and vendors setup

Vendors bring standard 10x10 canopies with tables and chairs. No vehicles are allowed to drive through the market area. We use traffic orange cones and barricades to control the traffic.

Signage will be handled by Four Seasons Markets.





**FOUR SEASONS**  
markets

# Vendors Rules and Guidelines

Last update: May 2014

1. All vendors who produce food and/or agricultural products or manufacture non-agricultural goods and have obtained the necessary permits and licenses are eligible to sell at the market.
2. Vendors wanting to reserve regular space for the Farmers Market season shall so indicate on the Application form. The seller forfeits his/her reserved space if he/she misses three markets without notifying the market Representative, although he/she may sell in an unreserved space at the higher fee.
3. Designation and allocation of selling spaces are the responsibility and at the discretion of the Market Manager.
4. Vendors sell only items that the Four Seasons Markets board has approved for sale. The board has the discretion to add or delete items from the list and has the duty to provide notice to vendors.
5. All vendors must abide by the health code and restrictions of the City where the market is held.
6. Non-potentially hazardous, pre-package or whole produce or products are permitted for sale.
7. All items intended for human consumption must be kept off the ground above six (6) inches at all times and be in safe and sound condition. The seller is solely responsible for damages resulting from the sale of unsafe, unapproved or unsound goods.
8. Vendors must arrive early enough to set up and ready to greet their customers for the opening of the market.
9. Once the market has begun, no moving vehicles are allowed within the Farmers Market area as a safety precaution.
10. Vendors supply all materials and containers for the customer sales.
11. Vendors determine the pricing and display of their products.
12. Vendors must clean up their areas at the end of each market day. Vendors should not use public trash receptacles for disposal of produce boxes or unsold produce.
13. A standard vendor space is 10 foot x 10 foot.
14. If vendor is using a tent, it must be securely anchored to prevent it from becoming loose due to wind and/or inclement weather. If your tent is not securely anchored you will be asked to take down your tent and leave the premises.
15. No Firearms, alcoholic beverages or drugs will be allowed at the Farmers Market.
16. Violation of any provision of the Four Seasons Market Rules and Guidelines shall be a material breach and default by the vendor. The vendor will be asked to vacate the premises immediately. Failure to vacate may subject the seller to civil and/or criminal remedies.
17. The Farmers Market Board or its designee shall reserve the right to cancel any seller's participation at anytime if and when the seller shall be found to be in violation of any market rule or eligibility requirement.
18. The Farmers Market Board shall reserve the right to revise the Farmers Market Rules and Guidelines at any time.



FOUR SEASONS  
**FARMERS MARKET**  
Every Saturday (9am to 2pm) - Year round  
FourSeasonsMarkets.com (512) 522-0467

Looking along Campbell Rd  
at Farmers Market



Looking at Farmers Market  
from Campbell Road



Looking through Farmers Market



**Gilbert - Pruett**  
**Local Family Farms**  
Princeton, Texas  
Thank you for supporting your local farmers

**Looking at Farmers Market -  
End of Row Barricade**



Looking at Farmers Market  
from Parking Lot



# Notice of Public Hearing

## City Plan Commission • Richardson, Texas

An application has been received by the City of Richardson for a:

### SPECIAL PERMIT

**File No./Name:** ZF 14-21 / Four Seasons Markets  
**Property Owner:** Matthew Calvano / Hartman Richardson Heights Properties, LLC  
**Applicant:** Vincent Hirth / Four Seasons Markets  
**Location:** 100 S. Central Expressway (See map on reverse side)  
**Current Zoning:** PD Planned Development  
**Request:** A request for a Special Permit for a farmers market.

The City Plan Commission will consider this request at a public hearing on:

**TUESDAY, AUGUST 5, 2014**  
**7:00 p.m.**  
**City Council Chambers**  
**Richardson City Hall, 411 W. Arapaho Road**  
**Richardson, Texas**

*This notice has been sent to all owners of real property within 200 feet of the request; as such ownership appears on the last approved city tax roll.*

**Process for Public Input:** A maximum of 15 minutes will be allocated to the applicant and to those in favor of the request for purposes of addressing the City Plan Commission. A maximum of 15 minutes will also be allocated to those in opposition to the request. Time required to respond to questions by the City Plan Commission is excluded from each 15 minute period.

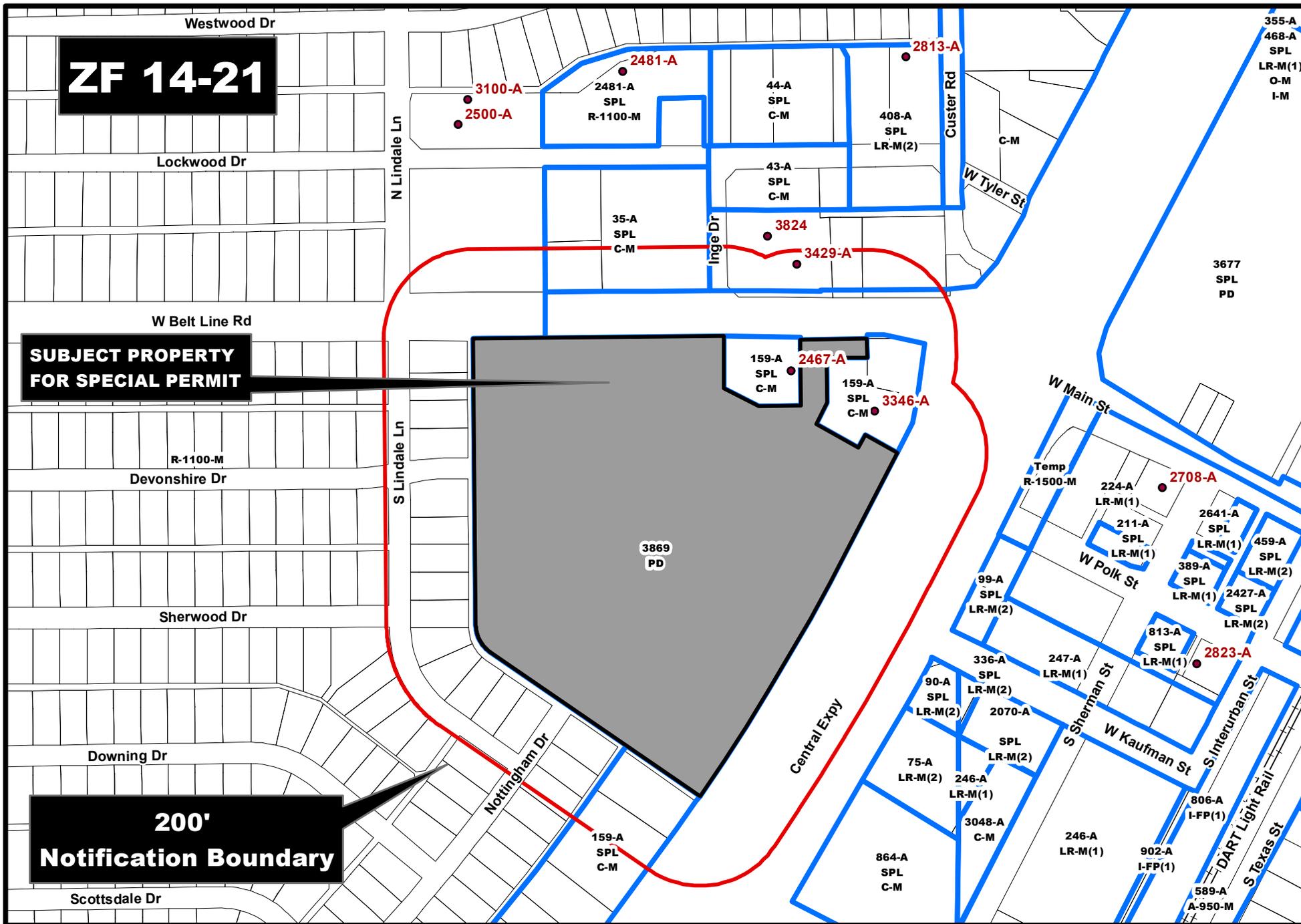
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

*The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.*

**Agenda:** The City Plan Commission agenda for this meeting will be posted on the City of Richardson website the Saturday before the public hearing. For a copy of the agenda, please go to: <http://www.cor.net/index.aspx?page=1331>.

For additional information, please contact the Dept. of Development Services at 972-744-4240 and reference Zoning File number ZF 14-21.

Date Posted and Mailed: 07/25/2014



# ZF 14-21 Notification Map

Updated By: shacklett, Update Date: July 16, 2014  
 File: DSI\Mapping\Cases\Z\2014\ZF1421\ZF1421 notification.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



BUDDHIST COMPASSION  
RELIEF TZU CHI FOUNDATION  
534 W BELT LINE RD  
RICHARDSON, TX 75080-6311

CBRYANT RHN LLC  
PO BOX 29088  
DALLAS, TX 75229-0088

FTB OF TEXAS LLC  
PO BOX 1350  
MADISONVILLE, LA 70447-1350

BM CAPITAL INVESTMENT GROUP LLC  
3705 HACKBERRY LN  
RICHARDSON, TX 75082-2450

HARTMAN RICHARDSON HEIGHTS  
2909 HILLCROFT ST STE 420  
HOUSTON, TX 77057-5815

MARTIN BETTY  
1601 FAIR OAKS DR  
RICHARDSON, TX 75081-3047

KAUR PARMJEET  
103 S LINDALE LN  
RICHARDSON, TX 75080-6119

SIMMONS DIANE ELIZABETH  
105 S LINDALE LN  
RICHARDSON, TX 75080-6119

MCKINNEY SUE LORENE  
601 W BELT LINE RD  
RICHARDSON, TX 75080-6114

ROSA PATRICIA G  
6603 TYREE ST  
DALLAS, TX 75209-4516

MARSHALL RAQUEL  
600 DEVONSHIRE DR  
RICHARDSON, TX 75080-6115

MAIN MARIAN L &  
SHIRLEY J STROUD  
201 S LINDALE LN  
RICHARDSON, TX 75080-6120

FREITES ALMIRA G  
203 S LINDALE LN  
RICHARDSON, TX 75080-6120

CAFFEY MARGARET  
714 SCOTTSDALE DR  
RICHARDSON, TX 75080-6009

GAPONENKO ALEKSANDR A  
205 S LINDALE LN  
RICHARDSON, TX 75080-6120

WASHINGTON BRUCE E &  
ROBERTS KAREN C  
7012 MIDCREST DR  
DALLAS, TX 75254-7948

REINHART WILLIAM D  
209 S LINDALE LN  
RICHARDSON, TX 75080-6120

ORAM JESSICA RENEE & DAVID  
600 SHERWOOD DR  
RICHARDSON, TX 75080-6123

MADRID NORMA  
301 S LINDALE LN  
RICHARDSON, TX 75080-6122

SEYMOUR CONRAD L  
603 SHERWOOD DR  
RICHARDSON, TX 75080-6124

POWERS RAMONA  
303 S LINDALE LN  
RICHARDSON, TX 75080-6122

BUDJENSKA H C JR EST OF  
305 S LINDALE LN  
RICHARDSON, TX 75080-6122

FOLTZ ANNE ELIZABETH  
300 S LINDALE LN  
RICHARDSON, TX 75080-6121

RAY SHANNON  
307 S LINDALE LN  
RICHARDSON, TX 75080-6122

CRANE IVAN LEE  
302 S LINDALE LN  
RICHARDSON, TX 75080-6121

WHITTINGTON BEVERLY  
304 S LINDALE LN  
RICHARDSON, TX 75080-6121

ASH BERNICE S  
309 S LINDALE LN  
RICHARDSON, TX 75080-6122

VESTAL IDA BELLE  
306 S LINDALE LN  
RICHARDSON, TX 75080-6121

RUSSELL CARMEN M  
303 NOTTINGHAM DR  
RICHARDSON, TX 75080-6104

DUHON TERRI B  
2202 BLACKBERRY DR  
RICHARDSON, TX 75082-3306

BESIO PAUL F  
PO BOX 1082  
CANON CITY, CO 81215-1082

MALANI MUN INC  
318 S CENTRAL EXPY STE 108  
RICHARDSON, TX 75080-6300

VANETTI BRIAN DALE  
300 NOTTINGHAM DR  
RICHARDSON, TX 75080-6103

GOLDENWEST DIAMOND CORP  
15732 TUSTIN VILLAGE WAY # A  
TUSTIN, CA 92780-4924

SIGNATURE LEASING LLC  
QUIK TRIP CORP  
PO BOX 3475  
TULSA, OK 74101-3475

WAUGH ENTERPRISES PROPERTY  
10903 ALDER CIR  
DALLAS, TX 75238-1354

STATE BANK OF TEXAS  
PO BOX 763009  
DALLAS, TX 75376-3009

**VINCENT HIRTH  
FOUR SEASONS MARKETS  
3206 CHRISTIE CIRCLE  
GARLAND, TX 75044**

**MATTHEW CALVANO, HARTMAN  
RICHARDSON HEIGHTS PROPERTIES, LLC  
8111 LBJ FREEWAY, SUITE 130  
DALLAS, TX 75251**

ZF 14-21  
Notification List



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "mark.solomon@cor.gov" <mark.solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** Fw: Your Help Needed bringing a Farmer's Market to Richardson Heights  
**From:** Amelia McMahan <amelia.mcmahan@yahoo.com> - Tuesday 08/26/2014 09:24 PM

---

I support Zoning File 14-21 for a Farmer's Market.

I was a first-time homeowner when I purchased my Richardson Heights house 23 years ago. I love this area and want to see it prosper. From our new Heights Rec Center to Durham Park to the Alamo Drafthouse, this community has come a long way. A Farmer's Market would attract young professionals and revitalize the area even further.

And of course, a Starbucks on Beltline where the old Jack-in-the-Box was wouldn't be such a bad idea either!

Amelia McMahan  
727 Sherwood Dr.

On Saturday, August 23, 2014 1:16 PM, Richardson Heights Neighborhood Association <president@richardsonheights.org> wrote:

Email not displaying correctly? [View it in your browser.](#)

**What:** City Council Hearing to bring a Farmer's Market to Richardson heights

**When:** Monday, August 25, 2014 -- 7:30 PM

**Where:** City Council Chambers, City Hall, 411 W. Arapaho.

This Monday the Richardson City Council will consider a request to allow a farmer's market to operate at Richardson Heights Shopping Center. The Richardson Heights Neighborhood Association fully supports this proposal. In our extensive 2013 survey a farmer's market was the most popular use supported for Richardson Heights Shopping

Center.

**We need your help getting it passed through the council.**

Every email or contact that the City Council receives tells them the level of our support. It also lets them know that you are engaged in your neighborhood and its surroundings to it pays double dividends if you send an email or letter in support.

To support the proposal please either attend the City Council meeting this Monday or send an email. We kindly ask that you at least send an email in support. Every email counts!

**What and Where to Send?**

In your email say, "I support Zoning File 14-21 for a Farmer's Market."

Briefly state your own words why you support it.

Please include your name and address. If more than one adult is in your home then each one can send a message of support and it helps if they do. Every message of support counts.

Send your e-mail to our City council at the following addresses: [laura.maczka@cor.gov](mailto:laura.maczka@cor.gov), [bob.townsend@cor.gov](mailto:bob.townsend@cor.gov), [Mark.Solomon@cor.gov](mailto:Mark.Solomon@cor.gov), [scott.dunn@cor.gov](mailto:scott.dunn@cor.gov), [kendal.hartley@cor.gov](mailto:kendal.hartley@cor.gov), [paul.voelker@cor.gov](mailto:paul.voelker@cor.gov), [steve.mitchell@cor.gov](mailto:steve.mitchell@cor.gov)

When you do this cc: [chris.shacklett@cor.gov](mailto:chris.shacklett@cor.gov), [president@richardsonheights.org](mailto:president@richardsonheights.org)

If you want to attend the Council Meeting, then see the date and time above. If you do attend, make sure you fill out a visitor card in support of zoning file 14-21, even if you sent an email. There will be three public hearings so it is possible that the hearing on the Farmer's Market will not begin until 8 to 8:15 PM.

Thanks for your support and please do what you can to show our City Council you support this Farmer's Market!

You are receiving this as a member of the Richardson Heights Neighborhood Association. You might have also given us your e-mail address at some time. If you do not want future communications please unsubscribe.

[Unsubscribe](#) [amelia.mcmahan@yahoo.com](mailto:amelia.mcmahan@yahoo.com) from this list | [Forward to a friend](#) | [Update your profile](#)

**Our mailing address is:**

Richardson Heights Neighborhood Association  
PO Box 832838  
Richardson, TX 75083

[Add us to your address book](#)

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**To:** laura.maczka@cor.gov, bob.townsend@cor.gov, Mark.Solomon@cor.gov,  
scott.dunn@cor.gov, kendal.hartley@cor.gov, paul.voelker@cor.gov,  
steve.mitchell@cor.gov,  
**Cc:** chris.shacklett@cor.gov, president@richardsonheights.org,  
**Bcc:**  
**Subject:** Zoning File 14-21  
**From:** Andrew Laska <cor1@andrewlaska.net> - Friday 08/22/2014 03:04 PM  
**Sent by:** andrew@andrewlaska.net

Mayor and Council,

I am writing to register my support for Zoning File 14-21 - The Farmer's Market proposed for Richardson Heights Shopping Center.

In the Richardson Heights N.A. 2013 survey it was the most popular use polled for Richardson Heights Shopping Center.

Thank you.

Regards,  
Andrew Laska



**To:** "laura.macska@cor.gov" <laura.macska@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "mark.solomon@cor.gov" <mark.solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>  
**Cc:**  
**Bcc:**  
**Subject:** Farmers Market Support  
**From:** Brenda West <BWest@swst.com> - Monday 08/25/2014 08:55 AM

I support zoning file 14-21 for a farmers market in Richardson Heights shopping center. This will be a great addition to our neighborhood and a great walk-to alternative for fruits and vegetables, etc. It will be so nice to not have to leave my neighborhood to go get basic essentials.

Brenda West  
602 Downing Dr  
Richardson, Tx 75080

*Brenda West*

Reorganization Dept.  
Southwest Securities, Inc.  
Member: NYSE, SIPC, FINRA  
1201 Elm Street, Suite 3500  
Dallas, Tx 75270  
Phone: 214-859-6040  
Fax: 214-859-5611

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**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** "I support Zoning File 14-21 for a Farmer's Market."  
**From:** Diana Howard <nana.howard@yahoo.com> - Sunday 08/24/2014 01:28 PM

Richardson Heights Farmers Market – GREAT idea!! This would not only be very popular for Richardson residents, but would draw from surrounding communities! Example – Rockwall has a super Farmers Market that draws crowds from every area within driving distance. Not only is it practical and convenient, but is a social draw as well. I might add that as our Luby's closed, Rockwall got a brand new one that always has a packed parking lot. I have lived in Richardson for many years, my 3 kids graduated from Berkner, and I now live in Richardson Heights, and would love to have this in our neighborhood. Once again – GREAT idea!! Let's do it!

Diana Lutes Howard

707 Winchester



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** Richardson Heights Farmers Market  
**From:** Diane Simmons <simmonsdiene@yahoo.com> - Monday 08/25/2014 08:49 AM

RE: Please approve the Farmer's Market Zoning File 14-21 proposal on 8/25

I support Zoning File 14-21 for a Farmer's Market.

This is another step to give our neighborhood a unique, quaint, "M" Streets atmosphere (part of the City's master plan). A farmer's market will create another "destination site" for Richardson and create commerce which appeals to the profile of the neighborhood. It will also provide neighbors another venue to get to know each other and create stronger neighborhood ties.

*Diane*

Diane Simmons  
105 S. Lindale Lane  
Richardson, TX 75080  
214.636.0031  
simmonsdiene@yahoo.com



**To:** [chris.shacklett@cor.gov](mailto:chris.shacklett@cor.gov),  
**Cc:**  
**Bcc:**  
**Subject:** Farmers Market  
**From:** Helen connelly <[helenconnelly6054@gmail.com](mailto:helenconnelly6054@gmail.com)> - Sunday 08/24/2014 09:32 PM

I support a Farmers Market for Richardson Texas .



[To:](#) laura.maczka@cor.gov, bob.townsend@cor.gov, Mark.Solomon@cor.gov,  
scott.dunn@cor.gov, kendal.hartley@cor.gov, paul.voelker@cor.gov,  
steve.mitchell@cor.gov, chris.shacklett@cor.gov, president@richardsonheights.org,  
[Cc:](#)  
[Bcc:](#)  
[Subject:](#) In support of the Farmers Market at Heights Shopping Center  
[From:](#) H and J Alexander <draco33g@tx.rr.com> - Saturday 08/23/2014 03:42 PM

To the City Council Members:

I support Zoning File 14-21 for a Farmer's Market. Please do everything you can to help our neighborhood get a Farmers Market in the Heights Shopping Center. I think it would be wonderful addition to the latest improvements there. If we can't have a grocery store there, like we did quite a few years ago when there was a Kroger grocery store in the current TJ Maxx location, the farmers market would be the next best thing.

Thank you for your time and attention.

Jeran Alexander  
711 Scottsdale Dr.



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** Zoning File 14-21 for a Farmer's Market  
**From:** Whorton Julie <Julie.Whorton@irs.gov> - Monday 08/25/2014 08:16 AM

I support Zoning File 14-21 for a Farmer's Market.

Having a farmer's market in a central location like Richardson Heights would bring people to Richardson; help promote other businesses in the area and enable people to see what a thriving community we are.

I am trying to live a healthier lifestyle. Having a Farmer's Market in a convenient location would make it so much easier.

I also try to support local merchants and locally grown produce.

*Julie Whorton*  
714 James Drive  
Richardson, TX 75080  
972-644-0216



**To:** <kendal.hartley@cor.gov>,  
**Cc:**  
**Bcc:**  
**Subject:** Zoning File 14-21 for a Farmer's Market  
**From:** "Kimberly Atchley" <kimberly@aspewater.com> - Monday 08/25/2014 05:40 PM

"I support Zoning File 14-21 for a Farmer's Market."

I live in Richardson Heights and would love to be able to purchase fresh local fruits and vegetables without having to drive to downtown Dallas. Also I believe that it would be a good influence for our younger generation to encourage them to develop better eating habits and help fight obesity in our kids.

Best regards,

**Kimberly Atchley**

Aspen Water, Inc.

Office: 972-889-9500

Cell: 972-680-3030

[kimberly@aspewater.com](mailto:kimberly@aspewater.com)



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** I support Zoning File 14-21 for a Farmer's Market  
**From:** Laura Hill <hillclan2001@yahoo.com> - Monday 08/25/2014 07:39 AM

I am a resident of Richardson Heights and support Zoning File 14-21 for a Farmer's Market.

We have lived in Heights for 18 years and have been pleased to see that quality and vibrancy of this quiet and lovely neighborhood has stayed high. People are increasingly interested in living in older, gracious neighborhoods that are centrally located and offer a realistic alternative to large, McMansion style homes. That's why we moved here, that's why we stayed and raised our children here. Heights is thriving, with a growing number of young professionals and young families settling in.

A big part of keeping Richardson Heights a desirable community (and an asset to Richardson) is having quality education and retail nearby. Heights Elementary, West and RHS are good schools and their diversity (and some of the challenges it brings) is a good thing, not a bad thing. Thanks also for focusing on re-vitalization of Heights shopping center; Alamo Drafthouse and Haystacks have been a major plus (and seem very popular). I am excited about the possibility of a Farmer's Market at Heights shopping center. Many of my neighbors and I shop other farmers markets as well as Central Market/Sprouts/Whole Foods, so we want those offerings. We would love to have a farmers market in our neighborhood- within walking distance if we choose! Please grant the rezoning for a local Farmer's Market in our area.

Thank you,  
Laura Hill  
807 Bristol Court  
Richardson, TX 75080



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <scott.dunn@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** "I support Zoning File 14-21 for a Farmer's Market."  
**From:** "Cannon, Lisa G." <Lisa.Cannon@baylorhealth.edu> - Monday 08/25/2014 01:49 PM

To Whom It May Concern (Richardson City Council),

I am sending this email in full support of a Farmer's Market operating in the Richardson Heights Shopping Center. I have lived in Richardson Heights for over 5 years and I'm amazed by the additions/improvements that have happened or will be happening. A Farmer's Market would be one of these improvements. I am proud to say I live in Richardson!!!! I fully support this and hope you will too. Thank you for your time and consideration of approving this request.

Sincerely,  
Lisa Cannon (718 Nottingham Drive).

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**To:** [chris.shacklett@cor.gov](mailto:chris.shacklett@cor.gov),  
**Cc:**  
**Bcc:**  
**Subject:** I support Zoning File 14-21 for a Farmer's Market.  
**From:** Marjorie Nance <[mrnancecpa@tx.rr.com](mailto:mrnancecpa@tx.rr.com)> - Thursday 08/28/2014 10:45 AM

FYI - sent email late.

--

Marjorie R. Nance, CPA  
10440 N. Central Expy., Suite 800  
Dallas, TX 75231  
(214)750-5885

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**To:** laura.maczka@cor.gov, bob.townsend@cor.gov, Mark.Solomon@cor.gov,  
scott.dunn@cor.gov, kendal.hartley@cor.gov, paul.voelker@cor.gov,  
steve.mitchell@cor.gov,  
**Cc:** chris.shacklett@cor.gov, president@richardsonheights.org, patricia mcmillan  
<indigoroad1@earthlink.net>,  
**Bcc:**  
**Subject:** Zoning File 14-21  
**From:** patricia mcmillan <indigoroad1@earthlink.net> - Monday 08/25/2014 02:39 PM

Dear Richardson City Council,

This email is to inform you that I SUPPORT ZONING FILE 14-21  
FOR A FARMERS MARKET!!!

I absolutely LOVE the idea of this for a number reasons. It brings local  
businesses and fresh produce right to our doorstep, and what a great way to  
'support local'. This is a progressive movement encouraging people and small  
businesses and giving them an outlet to sell. It also is a wonderful  
neighborhood event.

Thank you!

Patricia McMillan  
809 James Drive  
Richardson, TX 75080



**To:** "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>,  
**Cc:** "dotson733@gmail.com" <dotson733@gmail.com>,  
**Bcc:**  
**Subject:** Support letter - Four Seasons Markets  
**From:** "Dotson, Richard" <rdotson@ti.com> - Wednesday 07/30/2014 04:46 PM

Chris,

This is a letter of support for the Four Seasons Markets special permit request in the Heights shopping center. The Richardson Heights neighborhood is excited about the interest in a farmers market and we look forward to their successful launch.

I hope you can please include this letter of support in the CPC packet.

Thanks and regards,  
Richard Dotson  
president@richardsonheights.org



**To:** Laura Maczka <laura.maczka@cor.gov>, bob.townsend@cor.gov, Mark.Solomon@cor.gov, scott.dunn@cor.gov, kendal.hartley@cor.gov, paul.voelker@cor.gov, steve.mitchell@cor.gov,  
**Cc:** chris.shacklett@cor.gov, Richardson Heights Neighborhood Association <president@richardsonheights.org>,  
**Bcc:**  
**Subject:** Farmer's Market at Richardson Heights Shopping Center - Zoning File 14-21  
**From:** "Sandy Hanne feelbetter@healingdallas.com" <advancedcranio@gmail.com> - Saturday 08/23/2014 04:14 PM

Dear City Council members,

I'm writing in enthusiastic support of this farmer's market. Nearly a year ago I approached Vincent Hirth of Four Seasons Markets to propose bringing one of his markets to the corner of our neighborhood, as the Whole Foods had recently moved out of Dal-Rich shopping center, leaving us with less access to healthy food. The Richardson Heights shopping center owners, with encouragement from the Richardson Heights Neighborhood Association and the community, have been working hard to revitalize that shopping center, and we've had a lot of discussions, both at city-sponsored surveys and meetings, and within our community, about the kind of community-centered, walk-to destinations we'd like in that area, and I thought it was a perfect fit. Vincent had other ideas and other opportunities, but I worked to convince him that this could be an ideal location and he would have great support from us, and we've had many conversations since then. Vincent stuck with us through some discouraging hurdles, believing in the neighborhood, and I believe everyone is on board and excited now.

There have been many discussions of support and enthusiasm on the local Facebook page and by the neighborhood association, including at the Planning Commission meeting, and it would create a weekend, fair-like destination, bringing visibility to our city, community and neighborhood, while providing fresh organic-quality produce, pasture-raised beef, eggs, breads and pastas, and employing local artisans of all kinds.

I encourage you to pass this zoning proposal.

Thank you very much,

Sandy Hanne  
637 W. Belt Line Rd.,  
Richardson, TX 75080

--

Sandy Hanne  
Advanced CranioSacral Therapy  
Healing for Body and Mind  
[www.healingdallas.com](http://www.healingdallas.com)



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <mark.solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <kendal.hartley@cor.gov>, "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>,  
**Cc:**  
**Bcc:**  
**Subject:** Farmers Market in Heights Shopping Center  
**From:** SHARON W. <sharon\_welker@hotmail.com> - Monday 08/25/2014 03:18 PM

I support zoning 14-21 for a Farmers Market in Heights Shopping Center. I currently go elsewhere for my Farmers Market and already use some of the vendors and it would be much more convenient to have one located there as well as being able to perhaps be introduced to other vendors products.

Thank you,  
S Welker

resident in the Heights area since 1957



**To:** "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>,  
**Cc:**  
**Bcc:**  
**Subject:** Support for Four Seasons Market  
**From:** Suzanne Kirklin <su3mk13@sbcglobal.net> - Friday 08/22/2014 12:57 PM

I am unable to attend the City Council mtg. Monday night, but wanted to indicate my support for the Four Seasons Market considered for Richardson Heights Shopping Center.

I have shopped at the farmer's market on Campbell Rd. and love the community atmosphere and great local & organic products such as local honey & fresh produce. I would LOVE to have this as an ongoing shopping option in my own neighborhood! This would also bring more traffic to Heights Shopping center for the new shopping & restaurants there. Adds to the excitement & revitaization of our neighborhood.

Thanks,

**Suzanne Kirklin**

**751 James Drive**

[su3mk13@sbcglobal.net](mailto:su3mk13@sbcglobal.net)



**To:** <laura.maczka@cor.gov>, <bob.townsend@cor.gov>, <Mark.Solomon@cor.gov>, <scott.dunn@cor.gov>, <kendal.hartley@cor.gov>, <paul.voelker@cor.gov>, <steve.mitchell@cor.gov>,  
**Cc:** <chris.shacklett@cor.gov>, <president@richardsonheights.org>,  
**Bcc:**  
**Subject:** Farmers market at Heights S. C.  
**From:** "Thomas Gibbons" <tgibbons@tx.rr.com> - Saturday 08/23/2014 01:57 PM

Friends,

I support Zoning File 14-21 for a Farmer's Market at Richardson Heights Shopping Center. One of the truly powerful undertakings in our present day is the movement to grow local and eat local. Richardson as a forward looking community needs to make such venues available to its citizenry.

Of course, as a resident of Richardson Heights, I would really welcome such an amenity close at hand!

Thank you,  
Tom

Thomas C. Gibbons, Pastor  
St. Barnabas Presbyterian Church  
1220 W. Belt Line Rd.  
Richardson, TX 75080  
972/235-2000  
fax 972/235-2016  
[tom@saintb.org](mailto:tom@saintb.org)

**St. Barnabas Presbyterian Church**  
Seeking the way of Christ together,  
with  
---minds that search,  
---hearts that share, and  
---lives that serve



**To:** "laura.maczka@cor.gov" <laura.maczka@cor.gov>, "bob.townsend@cor.gov" <bob.townsend@cor.gov>, "Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>, "scott.dunn@cor.gov" <scott.dunn@cor.gov>, "kendal.hartley@cor.gov" <kendal.hartley@cor.gov>  
**Cc:** "chris.shacklett@cor.gov" <chris.shacklett@cor.gov>, "president@richardsonheights.org" <president@richardsonheights.org>  
**Bcc:**  
**Subject:** I support Zoning File 14-21 for a Farmer's Market  
**From:** Shawn Davis <SDavis@enterpriserc.com> - Monday 08/25/2014 03:32 PM

Good afternoon,

I think it would be a great addition to have a farmer's market in the Richardson Heights Shopping Center. My name is Shawn Davis and I live at 637 Scottsdale dr. I shop at the farmer's market on Campbell often and think this location would provide great traffic.

Thank you,

Shawn Davis, Project Manager



Office: 469-304-3349

[sdavis@enterpriserc.com](mailto:sdavis@enterpriserc.com)

Enterprise Risk Control, LLC

1800 Preston Park Blvd, Suite 200

Plano, TX 75093

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**To:** chris.shacklett@cor.gov,  
**Cc:**  
**Bcc:**  
**Subject:** Flee Market in Richardson Heights Shopping Center  
**From:** "Aboca's Catering" <catering@abocas.com> - Friday 08/15/2014 02:11 PM  
**Sent by:** abocasitaliangrill@gmail.com

Hi Mr. Chris,

My name is Artur Pira and I am the owner of Aboca's Italian Grill located in Richardson Heights Shopping Center. We are very concerned about the new project "Farmers/Flea Market" at the south west corner of Belt line and 75. Our restaurant has been opened since August 21st, 2014.

Here is my problem:

1. Taking all of Aboca's, Subways, Addis Abeba Ethiopian Restaurant, Deans and other Tenants parking spaces while operating normal business hours.
2. Perishable product displayed outside in the heat and handled by uncertified food handlers.
3. Attraction of birds, wild animals and rodents etc.
4. Hazardous traffic jam. Potential hazard of senior citizens and kids safety.
5. Overall jeopardizing safety of shopping center by attracting all kinds of nonresidents and jay walkers which leads to car and store burglaries.
6. Loss of Revenue to neighborhood grocery stores Tom Thumbs, Albertson's, Walmart etc  
THIS MEANS: Loss of tax revenue to city and loss of employment to these stores.
7. Last but not the least.

Littering. Who is going to enforce and clean such a mess outdoors?

Please protect the interests and the rights of neighborhood businesses. We are and have been big supporters of the community, schools, non profit entities, fire department and city officials for the past 10 years.

Sincerely,

Artur Pira  
and all the employees of Aboca's Italian Grill  
469-767-0458 CEL  
972-231-7500 WORK  
artpira@gmail.com



**To:** chris.shacklett@cor.gov, Richard Dotson <dotson733@gmail.com>,  
**Cc:**  
**Bcc:**  
**Subject:** Fwd: FOUR SEASONS FARMERS MARKET  
**From:** Marcos Fernandez <mimich@icloud.com> - Monday 08/25/2014 11:37 AM

Dear Mayor Laura Maczka,

Thank you for your past contributions to successful projects in Richardson. Today, I am writing in **mild opposition to the proposed Four Seasons Farmers Market** at the Richardson Heights Shopping Center (RHSC).

While the idea of buying fresh groceries at RHSC is a good one, we are being **short-changed** by not establishing a permanent indoor market to do so. This is similar to how we are likely to be **short-changed** by the excellent idea of a Starbucks coffee shop at the center, but one that will primarily service drive-thru customers. In both cases, it seems we are getting the **left-overs** of another established land-use, left-overs that lack long-term vision.

Real success often comes when public-private partnerships exist where we take an active role in our future, rather than waiting for somebody else to tell us what it is. Proposals to add tenants to RHSC should be a result of a vision partnership with the city (some area cities already have retail-incentive programs). With a little more time and city resources, we might have found a way to have made Starbucks a sit-down facility, and we might make the market a permanent facility.

Long term, the RHSC commercial area (north and south of Belt Line) should develop similar to the Preston-Forest area, or even Highland Park Village.

Sincerely,

Marcos Fernandez  
616 Devonshire Dr.

XC: Chris Shacklett, AICP

**ORDINANCE NO. 4077**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT FOR AN OPEN AIR MARKET ON A 16.85-ACRE TRACT ZONED PD PLANNED DEVELOPMENT, LOCATED AT 100 S. CENTRAL EXPRESSWAY, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO-THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 14-21).**

**WHEREAS**, the City Plan Commission of the City of Richardson and the governing body of the City of Richardson, in compliance with the laws of the State of Texas and the ordinances of the City of Richardson, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5<sup>th</sup> day of June, 1956, as heretofore amended, so as to grant a change in zoning to grant a Special Permit for an open air market on a 16.85-acre tract of land zoned PD Planned Development located at 100 S. Central Expressway, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.** That the Special Permit for an open air market is hereby granted subject to the following special conditions:

1. An open air market shall be allowed and limited to the area shown on the concept plan attached as Exhibit "B", which is hereby approved and made a part thereof.
2. The open air market shall be allowed to operate on Sundays from 10:00 a.m. to 3:00 p.m.

3. The maximum number of vendors allowed to operate shall be fifty (50).
4. Food vendors shall comprise at least fifty percent (50%) of the total number of vendors on-site during hours of operation.
5. Food concessions, including food trucks, are allowed within the area shown on the concept plan provided they are properly licensed and permitted.
6. The Special Permit for an open air market shall be limited to Vincent Hirth. No other person, company, business or legal entity may operate an open air market on the property other than Vincent Hirth.

**SECTION 3.** That the above-described tract of land shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended, and subject to the aforementioned special conditions.

**SECTION 4.** That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

**SECTION 6.** That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.** That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the

Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 8.** That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on the 6<sup>th</sup> day of October, 2014.

**APPROVED:**

\_\_\_\_\_  
**MAYOR**

**APPROVED AS TO FORM:**

**CORRECTLY ENROLLED:**

\_\_\_\_\_  
**CITY ATTORNEY**  
(PGS:10-2-14:TM 68514)

\_\_\_\_\_  
**CITY SECRETARY**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**ZF 14-21**

BEING located on a portion of a 734,011-square foot or 16.8506-acre tract of land situated in the Lavinia McCommas Survey, Abstract No. 927, Dallas County, Texas and being part of Lot 1 of The Final Plot of Lot 1 of Richardson Heights Village Shopping Center Subdivision, an addition to the City of Richardson, Dallas, County, Texas, according to the map thereof recorded in Volume 87089, Page 3530. Deed instrument No. 200503592805, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a set "x" cut on concrete pavement for a corner in the line of North Central Expressway, U.S. Highway 75 (a variable width right of way at this location), said point being the southeast corner of Lot 2A of Richardson Heights Village Shopping Center, in addition to the City of Richardson, Dallas County, Texas according to the map thereof recorded in Volume 2001153, Page 0001, Deed Records of Dallas County, Texas, said point being S 08°47'00 W, a distance of 188.09 feet and S 27°33'00° W, a distance of 76.40 feet from the intersection of the northwest line of North Central Expressway with the south line of Belt Line Road (a variable width right of way) and a chord distance of 686.22 feet;

THENCE, S 27°33'00° W, continuing with the northwest line of North Central Expressway, a distance of 245.20 feet to a set ½ inch iron rod at the beginning of a non-tangent curve to the right with a central angle of 07°02'03", a radius of 5,593.03 feet, a chord bearing of S 31°05'00° W and a chord distance of 686.22 feet;

THENCE, Southwesterly, continuing with the northwest line of North Central Expressway, and along said curve, an arc distance of 686.65 feet to a set "x" on the concrete pavement for a corner at the intersection of the northwest line of North Central Expressway with the northeast line of a 15 foot Alley right of way, said point being the south east corner of said Lot 1;

THENCE, N00°14'00° W, departing the northwest line of North Central Expressway and with the northeast line of the said Alley right of way, a distance of 597.75 feet to a set "x" cut on concrete pavement at the beginning of a tangent curve to the right with a central angle of 55°00'00, a radius of 81.05 feet, a chord bearing of N 27°44'00° W and a chord distance of 74.58 feet;

THENCE, Northwesterly, continuing with the northeast line of the said Alley right of way and along said curve, and arc distance of 77.80 feet to a set "x" cut on concrete pavement at the point of tangency;

THENCE, N 00°14'00° W with the east line of the said Alley right of way, a distance of 671.75 feet to a set "x" cut on concrete pavement for a corner in the in the south line of Belt Line Road, said point being the northwest corner of said Lot 1;

THENCE, N 89°44'00° E, with the south line of Belt Line Road, a distance of 588.80 feet to a set "x" cut on concrete pavement for a corner, said point being the common north corner of said

Lot 1 and Lot 3 of the Final Plot of Lot 3 of Richardson Heights Village Shopping Center Subdivision, in addition to the City of Richardson, Texas according to the map thereof recorded in Volume 85026, Page 1728, Deed Records of Dallas County, Texas,

THENCE, the following courses and distance with the common line of said Lots 1 and 3:

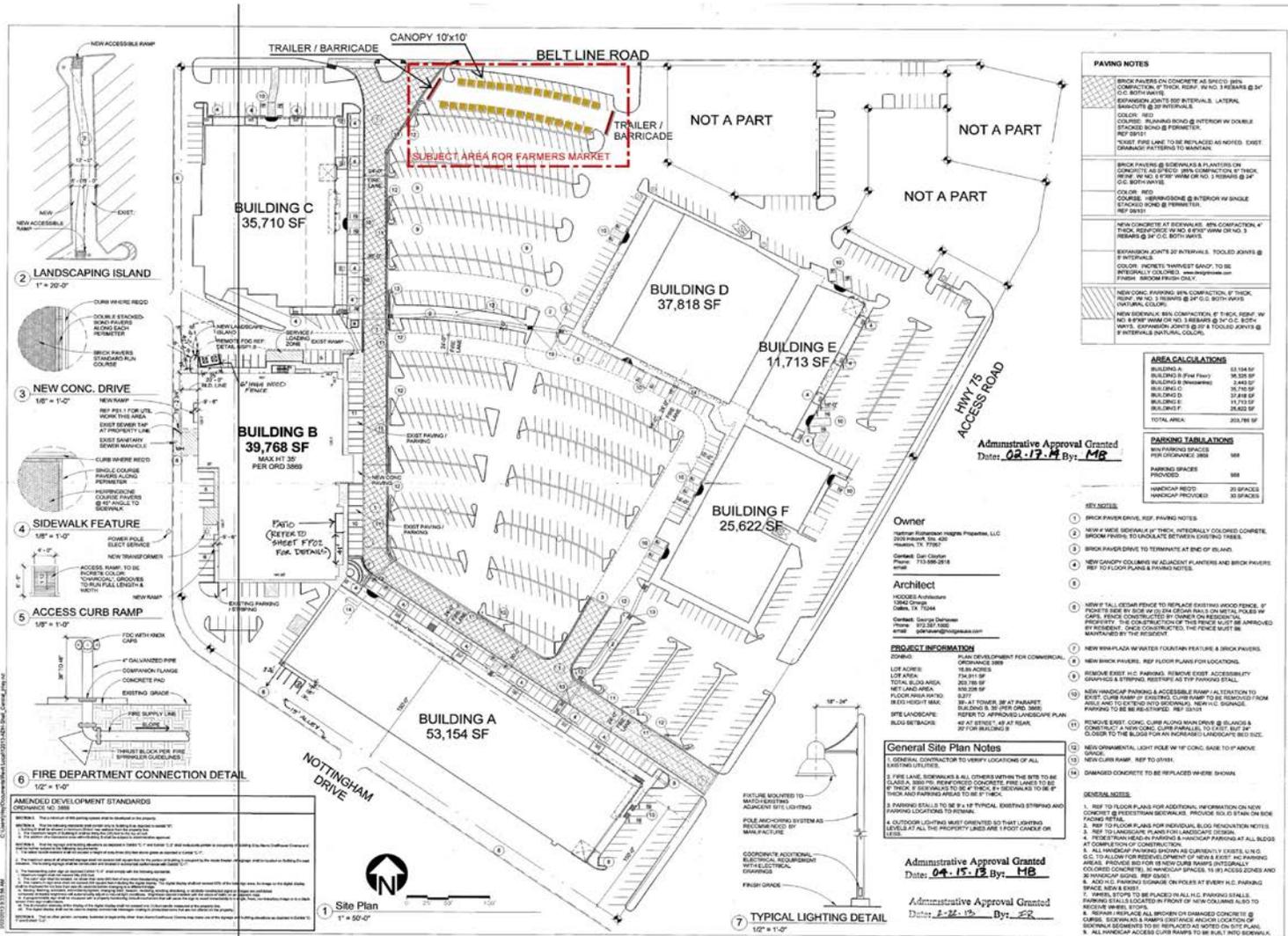
- S 00°16'00" E, departing the south line of Belt Line Road, a distance of 123.03 feet to a point for corner;
- S 62°44'00" E, a distance of 91.48 feet to a point for a corner,
- N 89°44'00" E, a distance of 96.86 feet to a point for a corner,
- N 00°16'00" W, a distance of 155.32 feet to a set "x" cut on concrete pavement for a corner to the south line of Belt Line Road, said point being a north corner in said Lot 1;

THENCE, N 89°44'00" E, with the south line of Belt Line Road, a distance of 157.20 feet to a set "x" cut on concrete pavement for a corner, said point being the most northerly northeast corner of said Lot 1 and in the west line of a called 0.37 acre tract of land conveyed to BM Capital Investment Group, Ltd. By deed recorded in Volume 2004158, Page 10155, Deed Records of Dallas County, Texas;

THENCE, S 00°16'00" E, departing the south line of Belt Line Road and with the east line of said Lot 1 and west line of the said 0.37 acre tract, a distance of 44.08 feet to a set "x" cut on concrete pavement for a corner, said point being the most northeast corner of the above said Lot 2A;

THENCE, the following courses and distance with the north, west and southwest line of said Lot 2A;

- S 89°44'00" W, a distance of 95.20 feet to a set "x" cut on concrete pavement for a corner;
- S 00°16'00" E, a distance of 104.75 feet to a set ½ inch iron rod for a corner;
- S 27°06'22" W, a distance of 55.85 feet to a set ½ inch iron rod for a corner;
- S 60°18'21" E, a distance of 113.03 feet to a set ½ inch iron rod for a corner;
- N 29°41'39" E, a distance of 34.22 feet to a set ½ inch iron rod for a corner;
- S 60°18'21" E, a distance of 86.43 feet to the Point of Beginning.



**ALAMO DRAFTHOUSE CINEMA**  
Shell Building

**RICHARDSON HEIGHTS VILLAGE SHOPPING CENTER LOT 1**  
100 S. Central Expressway - Richardson, Texas - 75080

**HODGES & ASSOCIATES**  
Architects • Planners • Interiors  
10000 North Central Expressway, Suite 1000  
Dallas, Texas 75243  
972.387.9000  
www.hodgesandassociates.com

**Project Number:** 020101

Drawn By: [ ] Checked By: [ ]

**Revision Schedule**

No.	Description	Date
1	As Shown	08/01/13

**SP1.0**  
Site Plan