

**RICHARDSON CITY COUNCIL
MONDAY, OCTOBER 27, 2014
WORK SESSION AT 6:00 PM; COUNCIL MEETING AT 7:30 PM
CIVIC CENTER/CITY HALL, 411 W. ARAPAHO, RICHARDSON, TX**

The Richardson City Council will conduct a Work Session at 6:00 p.m. on Monday, October 27, 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 THE NORTH TEXAS TOLLWAY AUTHORITY TRANSPORTATION UPDATE

C. REVIEW AND DISCUSS AN UPDATE ON THE CULTURAL ARTS IN RICHARDSON

D. REVIEW AND DISCUSS THE STATUS OF WATER RESTRICTIONS

E. 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 – SCOTT DUNN

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – SCOTT DUNN

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.

PUBLIC HEARING ITEMS:

4. PUBLIC HEARING, ZONING FILE 14-28, A REQUEST BY JOHN ELLEDGE, REPRESENTING THE HERTZ CORPORATION, FOR APPROVAL OF A SPECIAL PERMIT FOR MOTOR VEHICLE RENTAL LOCATED IN A SINGLE-TENANT BUILDING AND OFFERING MORE THAN TEN (10) VEHICLES FOR RENT, IN CONJUNCTION WITH MOTOR VEHICLE SALES/LEASING – USED TO BE LOCATED AT 233 N. CENTRAL EXPRESSWAY (WEST SIDE OF CENTRAL EXPRESSWAY, NORTH OF BELT LINE ROAD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.
5. PUBLIC HEARING, ZONING FILE 14-29, A REQUEST BY BRIAN GILBERT, REPRESENTING GFC LEASING CORP., LLC, TO REVOKE ORDINANCE 2885-A, A SPECIAL PERMIT TO ALLOW OPERATION OF A DRIVE-THRU FOOD SERVICE WINDOW, FOR A CHANGE IN ZONING FROM LR-M(1) LOCAL RETAIL, LR-M(2) LOCAL RETAIL WITH SPECIAL CONDITIONS, AND C-M COMMERCIAL WITH SPECIAL CONDITIONS TO LR-M(1) LOCAL RETAIL, AND FOR APPROVAL OF A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE ON A 0.843-ACRE TRACT OF LAND LOCATED AT 445 W. ARAPAHO ROAD (SOUTHWEST CORNER OF ARAPAHO ROAD AND CIVIC CENTER DRIVE). THE PROPERTY IS CURRENTLY ZONED LR-M(1) LOCAL RETAIL, LR-M(2) LOCAL RETAIL, AND C-M COMMERCIAL.
6. PUBLIC HEARING, ZONING FILE 14-30, A REQUEST BY MATT DUENWALD, REPRESENTING KIMLEY-HORN & ASSOCIATES, FOR A CHANGE IN ZONING FROM LR-M(2) LOCAL RETAIL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR THE DEVELOPMENT OF A MAXIMUM 64-HOME PATIO HOME COMMUNITY ON APPROXIMATELY 8.63 ACRES. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF RENNOR ROAD AND BRAND ROAD AND IS CURRENTLY ZONED LR-M(2) LOCAL RETAIL.

ACTION ITEMS:

7. VARIANCE NO. 14-05: A REQUEST BY KENNETH NOVORR, FOR APPROVAL OF A VARIANCE TO THE CITY OF RICHARDSON SUBDIVISION AND DEVELOPMENT CODE, CHAPTER 21, ARTICLE III, SECTION 21-52(I) OF THE CODE OF ORDINANCES, FOR A REDUCTION IN REQUIRED OFF-STREET PARKING TO ACCOMMODATE A RESTAURANT TENANT IN AN EXISTING SHOPPING CENTER LOCATED AT THE SOUTHWEST CORNER OF THE PRESIDENT GEORGE BUSH TURNPIKE AND JUPITER ROAD. THE PROPERTY IS ZONED LR-M(2) LOCAL RETAIL.

8. CONSENT AGENDA:

All items listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be removed from the Consent Agenda and discussed separately.

A. ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 4080, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FOR 54.5573 ACRES OF LAND DESCRIBED IN EXHIBIT "A" HERETO FROM PD PLANNED DEVELOPMENT AS ESTABLISHED BY ORDINANCE NO. 3805 TO PD PLANNED DEVELOPMENT FOR TRANSIT-ORIENTED MIXED USE DEVELOPMENT (CARUTH TRANSIT ORIENTED PLANNED DEVELOPMENT CODE-EAST).
2. ORDINANCE NO. 4081, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT WITH CONDITIONS FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE FOR A 0.81-ACRE LOT AND A PORTION OF A 17.9-ACRE LOT ZONED LR-M(2) LOCAL RETAIL, LOCATED GENERALLY AT THE SOUTHEAST CORNER OF CAMPBELL ROAD AND COIT ROAD, RICHARDSON, TEXAS.

3. ORDINANCE NO. 4082, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM TO-M TECHNICAL OFFICE TO PD PLANNED DEVELOPMENT FOR TO-M TECHNICAL OFFICE DISTRICT USES FOR 5.2 ACRES LOCATED AT 2301 N. CENTRAL EXPRESSWAY.
 4. ORDINANCE NO. 4083, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON CHAPTER 17, "POLICE" BY ADDING ARTICLE V "9-1-1 FEES".
- B. CONSIDER THE FOLLOWING RESOLUTIONS:
1. RESOLUTION NO. 14-27, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.
 2. RESOLUTION NO. 14-28, REGARDING ITS REVIEW OF CHAPTER 2 "ADMINISTRATION," ARTICLE I "CODE OF ETHICS" OF THE RICHARDSON CODE OF ORDINANCES.
- C. AUTHORIZE THE ADVERTISEMENT BID #16-15 – 2015 ANNUAL REQUIREMENT CONTRACT FOR STREET REHABILITATION. BIDS TO BE RECEIVED BY TUESDAY, NOVEMBER 18, 2014 AT 2:00 P.M.
- D. CONSIDER AWARD OF BID #17-15 - WE RECOMMEND THE AWARD TO STRYKER EMS EQUIPMENT FOR FOUR (4) HYDRAULIC LOADING SYSTEMS FOR OUR EXISTING STRYKER AMBULANCE STRETCHERS IN THE AMOUNT OF \$102,556.84.
- E. CONSIDER AWARD OF COMPETITIVE SEALED PROPOSAL #902-14 - WE RECOMMEND THE AWARD TO C. GREEN SCAPING, L.P. FOR NORTHRICH PARK FOR A TOTAL AWARD OF \$494,066.
- F. CONSIDER REJECTION OF REQUEST FOR PROPOSAL #704-14 - WE RECOMMEND REJECTING THE ONLY PROPOSAL WE RECEIVED FROM WASHING EQUIPMENT OF TEXAS, INC. FOR THE AUTOMATIC VEHICLE WASHING SYSTEM SINCE IT WAS OVER THE BUDGET OF \$200,000.

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 Floyd Rd./U.S. 75 Area
- Deliberation Regarding Economic Development Negotiations
 - Commercial Development – Floyd Rd./U.S. 75 and Plano Rd./Renner Rd. Areas

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 24, 2014, BY 5:30 P.M.

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**



Worksession Meeting Date: Monday, October 27, 2014

Agenda Item: Review and Discuss the North Texas Tollway Authority Transportation Update

Staff Resource: Cliff Miller, Asst. City Manager

Summary: NTTA's Elizabeth Mow, P.E., Assistant Executive Director of Infrastructure and Carrie Rogers, Director of Government Affairs will be giving a presentation on the planned improvements to the President George Bush Turnpike and future capital improvements.

Board/Commission Action: N/A

Action Proposed: N/A



**City of Richardson
City Council Worksession
Agenda Item Summary**



Worksession Meeting Date: Monday, October 27, 2014

Agenda Item: Review and Discuss an Update on the Cultural Arts in Richardson

Staff Resource: Shanna Sims-Bradish, Assistant City Manager

Summary: City staff will provide an overview of recent cultural arts activities and initiatives. In addition, a recommendation will be presented regarding changing the name of the Richardson Arts Commission to the Richardson Cultural Arts Commission.

Board/Commission Action: N/A

Action Proposed: N/A.



City of Richardson
City Council Worksession
Agenda Item Summary



City Council Meeting Date: Monday, October 27, 2014

Agenda Item: Review and Discuss the Status of Water Restrictions

Staff Resource: Don Magner, Assistant City Manager

Summary: A status report on the current drought will be provided. The status of water restrictions will also be discussed in light of the latest conditions assessment.

Board/Commission Action: N/A

Action Proposed: N/A



MEMO

DATE: October 23, 2014
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 14-28 – Special Permit – Hertz Car Rental

REQUEST

John Elledge, representing The Hertz Corporation, is requesting approval of a Special Permit for motor vehicle rental located in a single-tenant building offering more than ten (10) vehicles for rent, in conjunction with a motor vehicle sales/leasing – used business at 233 N. Central Expressway.

BACKGROUND

The applicant states The Hertz Corporation currently conducts motor vehicle rental operations at 318 S. Central Expressway, located on the west side of Central Expressway, just south of the Richardson Heights Shopping Center. Because the sale of motor vehicles is already allowed at the subject property (as a legal, non-conforming use), it is the applicant's intent to relocate the rental business to the subject property as well in order to consolidate sales and rental operations at one location that would also provide additional area for customer parking.

The applicant intends to locate the rental vehicles on the west side of the property along Custer Road where they would be screened from view by an existing shrub row that would be supplemented with additional shrubs. The vehicles for sale and customer parking will be located on the east side of the building along Central Expressway. No changes are proposed to the existing property except for the addition and replacement of landscaping necessary to comply with the US-75 Design Guidelines and to upgrade the existing shrub row along Custer Road.

The subject property is located in the Central Expressway/Main Street enhancement/redevelopment area, within the Central Place Sub-District – one of four sub-districts comprising approximately 162 acres scheduled to be rezoned in early 2015. The applicant is aware of the prospective rezoning and understands the implications attendant to legal, non-conforming status.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 5-1 (Commissioner Linn opposed), recommends approval of the request as presented, subject to the attached special conditions.

ATTACHMENTS

Special Conditions	Zoning Exhibit (Exhibit "B")
CC Public Hearing Notice	Site Photos
City Plan Commission Minutes 10-09-2014	Applicant's Statement
Staff Report	Notice of Public Hearing
Zoning Map	Notification List
Aerial Map	

ZF 14-28 Special Conditions

1. A motor vehicle rental business located in a single-tenant building and offering more than ten (10) vehicles for rent shall be allowed and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
2. The use shall be allowed in conjunction with a motor vehicle sales/leasing – used business.
3. Landscaping shall be provided in substantial conformance with Exhibit “B”.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: October 7, 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: October 10, 2014

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, October 27, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 14-28

A request by John Elledge, representing The Hertz Corporation, for approval of a Special Permit for motor vehicle rental located in a single-tenant building and offering more than ten (10) vehicles for rent, in conjunction with motor vehicle sales/leasing – used to be located at 233 N. Central Expressway (west side of Central Expressway, north of Belt Line Road). The property is currently zoned C-M Commercial.

ZF 14-29

A request by Brian Gilbert, representing GFC Leasing Corp., LLC, to revoke Ordinance 2885-A, a Special Permit to allow operation of a drive-thru food service window, for a change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions, and C-M Commercial with special conditions to LR-M(1) Local Retail, and for approval of a Special Permit for a restaurant with drive-through service on a 0.843-acre tract of land located at 445 W. Arapaho Road (southwest corner of Arapaho Road and Civic Center Drive). The property is currently zoned LR-M(1) Local Retail, LR-M(2) Local Retail, and C-M Commercial.

ZF 14-30

A request by Matt Duenwald, representing Kimley-Horn & Associates, for a change in zoning from LR-M(2) Local Retail with special conditions to PD Planned Development for the development of a maximum 64-home patio home community on approximately 8.63 acres. The property is located at the northeast corner of Renner Road and Brand Road and is currently zoned LR-M(2) Local Retail.

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 –October 9, 2014**

PUBLIC HEARING

Zoning File 14-28 – Hertz Car Rental: Consider and take necessary action on a request for approval of a Special Permit for a motor vehicle rental located in a single-tenant building and offering more than ten (10) vehicles for rent in conjunction with motor vehicle sales/leasing – used. The property is zoned C-M Commercial and located at 233 N. Central Expressway, west side of the expressway, north of Belt Line Road.

Mr. Shacklett advised the applicant was requesting a Special Permit to allow motor vehicle rental in a single-tenant building as well as allowing more than 10 vehicles for rent in conjunction with a motor vehicles sales and leasing business located at 233 N. Central Expressway.

Mr. Shacklett pointed out that earlier in the year the previous tenant, a used car sales business that was a legal non-conforming use, moved out of the location and Hertz moved in within the necessary time frame to grandfather the non-conforming status of the vehicle sales portion of the business. In addition, Hertz was trying to consolidate their sales and rental operations by moving their store at 318 S. Central Expressway to the proposed location.

Mr. Shacklett said that in addition to the applicant updating the building with painting and new signs, staff was requesting additional trees and screening shrubs along Central Expressway, as well as shrubs in the back of the business along Custer Road to screen the parking lot.

Mr. Shacklett noted that the applicant’s property was included in the Main Street/Central Redevelopment/Enhancement Study area that will be coming before the Commission for rezoning in the near future. He added that if the current request was approved by the Commission and then the Main/Central rezoning was approved, it would be possible the current and previous Special Permits would go away and the car sales and rental would both become legal non-conforming uses.

Mr. Shacklett concluded his presentation by noting that no correspondence, either in support or opposed, had been received.

Chairman Hand asked for clarification on the piece of adjacent property used for parking by Hertz.

Mr. Shacklett the property is actually part of the Benefits Store property, but is under a shared access agreement with Hertz.

Commissioner Linn asked for clarification on the status of the Special Permit if the Main/Central Study was approved.

Mr. Shacklett said that if the City Council supports the current request, the car rental portion of the business would be considered legal conforming because of the approved Special Permit. However, if the Main/Central study is adopted by the City at a future date, and the City Council’s motion does not specifically save the proposed Special Permit, both the sales and rental of vehicles would

be considered legally non-conforming and could continue to operate as a used car sales and rental until they either change to a conforming use or the property is vacant for more than six months.

Commissioner Linn asked what would happen after six months if the property remained vacant.

Mr. Shacklett replied that if the property was vacant for more than six months the legal non-conforming rights will be lost.

Commissioner DePuy asked if the Main/Central study was approved and the property was non-conforming, would the applicant be able to make improvements or expand the property under the new guidelines.

Mr. Shacklett said it would depend on how the new PD or zoning district was written, but if the property was a standard non-conforming use they would most likely only be allowed to maintain basic health and safety standards. He added that the applicant was aware of this possibility.

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

Mr. Ed Voss of Brown and Hoffmeister, representing the applicant, 740 E. Campbell Road, Richardson, Texas, stated he understood the concerns about car uses expressed during the joint City Council/City Plan Commission meeting in September, but pointed out that what Hertz was proposing to do would not alter what is already present, but they are trying to combine two locations into one making a more efficient operation and improving the site.

Chairman Hand asked about the comments regarding combining two locations and wanted to know the location of both sites.

Mr. Voss replied that the sales location is at 233 N. Central Expressway and the rental location is at 318 S. Central Expressway.

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

Commissioner DePuy said she appreciated the fact that the applicant had improved the look of the property especially since it is adjacent to a residential neighborhood. She added there were some concerns on what would happen if and when the Main/Central zoning was approved, but felt that as long as the applicant was aware of the possibilities she did not have any problem with approving the request.

Chairman Hand asked if the back parking area off Custer Road was factored into the parking requirements. He also wanted to know if a vehicles would be brought to the site on an auto transport and where would that large truck park.

Mr. Shacklett replied the parking for motor vehicles sales requires the same parking as retail sales based on square footage, and the rental portion would usually be parked at the office rate; however, the applicant was assuming the office parking ratio for the entire lot, which required 11 parking spaces and the applicant was providing 26 spaces.

Regarding bringing vehicles to the site, Mr. Voss said vehicles would be brought to the site both by individual drivers and occasionally by auto transport trucks, but he was not sure where the transport trucks would off load.

Chairman Hand said he was ambivalent about auto uses on US 75 because if they were left unchecked the sites could deteriorate. He added that closing the smaller facility and incorporating the rentals into the sales site could provide an amenity to the neighborhood.

Commissioner Linn stated that based on some of the comments from the joint meeting with the City Council, he felt uses like the one proposed would be excluded and asked if it would be possible to table the discussion until after the Main/Central study had been acted on then go forward with the current request.

Mr. Shacklett replied that it would depend on what was approved by the City Council and if the base zoning was changed for the area. Mr. Chavez added that the development and major/minor modification requirements for the new Main Central Districts could dictate what would be allowed.

Commissioner Linn said he thought it would be best to wait to go through the Main/Central study process then come back and revisit the item.

Commissioner Springs asked if the existing rental location was operating under a Special Permit.

Mr. Shacklett replied that it was not under a Special Permit and thought it was a legal conforming use.

Vice Chair Bright and Commissioner DePuy said they agreed with Mr. Hand's comment about providing an additional amenity for the neighborhood and did not see how waiting for the study to be concluded would change anything.

Chairman Hand asked if the enhancement/redevelopment zone was approved, would it be a PD and would it remove all previous Special Permits.

Mr. Shacklett replied that if the property was rezoned and the new zoning did not specifically save any previous Special Permits, the permits would be removed and the property would come under the new base zoning.

Motion: Commissioner Springs made a motion to recommend approval of Zoning File 14-28 as presented including the listed special conditions; second by Commissioner Roland. Motion approved 5-1 with Commissioner Linn opposed



Staff Report

TO: City Council

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

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

DATE: October 23, 2014

RE: **Zoning File 14-28:** Special Permit – Hertz Car Rental – 233 N. Central Expressway.

REQUEST:

Approval of a Special Permit for motor vehicle rental located in a single-tenant building offering more than ten (10) vehicles for rent, in conjunction with a motor vehicle sales/leasing – used business.

APPLICANT / PROPERTY OWNER:

John Elledge – The Hertz Corporation / Steve Poury – Remarketing USA, Inc.

EXISTING DEVELOPMENT:

The subject property was recently occupied by Hertz for the purpose of selling used motor vehicles. The property was previously occupied by Texas Fine Cars that also sold used motor vehicles, and the use is a legal non-conforming use.

ADJACENT ROADWAYS:

Central Expressway: 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; 27,600 vehicles on all lanes, eastbound and westbound, west of Central Expressway (February 2013).

SURROUNDING LAND USE AND ZONING:

North: Office; C-M Commercial

South: Retail/Commercial; C-M Commercial

East: Office & Retail/Commercial; PD Planned Development

West: Retail/Commercial & Single Family; LR-M(2) Local Retail & 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.

Future Land Uses of Surrounding Area:

North: Enhancement/Redevelopment

South: Enhancement/Redevelopment

East: Enhancement/Redevelopment

West: Neighborhood Residential & Enhancement/Redevelopment

EXISTING ZONING:

C-M Commercial

INFRASTRUCTURE IMPACTS:

The requested zoning amendment will not have any significant impacts on the surrounding roadway system or the existing utilities in the area.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The current building was constructed in 1981 and was recently occupied by The Hertz Corporation for the purpose of used motor vehicle sales and leasing along with motor vehicle rental. Since 2008, used motor vehicle sales have only been allowed upon approval of a Special Permit; however, a certificate of occupancy was issued for used vehicle sales because the site has non-conforming rights to allow the use. Although used vehicle sales were allowed, the previous use did not offer motor vehicles for rent. The rental of motor vehicles in a single-tenant building or the rental of more than ten (10) motor vehicles requires a Special Permit as well. The applicant proposes to rent more than ten (10) vehicles from this location; therefore, a Special Permit is required to allow motor vehicle rental in conjunction with used motor vehicle sales.

Request:

The applicant states The Hertz Corporation currently conducts motor vehicle rental operations at 318 S. Central Expressway, which is located on the west side of Central, just south of the Richardson Heights Shopping Center. Their desire is to relocate the rental business to the subject property to combine the sales and rental operations into one location as well as relocating to a

site that provides additional area for customer parking as the current location provides less parking.

The applicant feels since the sale of motor vehicles is already allowed at the subject property, the addition of car rental operations would be compatible. The applicant intends to locate the rental vehicles on the west side of the property, along Custer Road, and the vehicles will be screened from Custer Road with the existing shrub row and additional proposed shrubs. The vehicles for sale along with customer parking will be located on the east side of the building, along Central Expressway. No changes are proposed to the existing property except for the addition and replacement of landscaping as discussed below.

Issues Related to the Request:

Central Expressway/Main Street Redevelopment – The subject property is located in the Central/Main Street Redevelopment and Enhancement District within the Central Place Sub-district. The property is part of the approximately 162 acres that is scheduled to be rezoned by the end of the year/early next year. The applicant is aware of the future proposed rezoning and that future rezoning of the property would have impacts on the conformity of the proposed use of motor vehicle rental. Although the used motor vehicle sales use is legal non-conforming, the car rental business would be considered legal conforming if the proposed Special Permit is approved. However, if the subject property is rezoned as part of the Central/Main Street initiative, the use could become legal non-conforming depending on the outcome of the rezoning.

Shared Access – The northeast corner of the property is located on the adjacent property; however, it is developed as parking that is fenced in and utilized by the Hertz car sales property. This is consistent with how the property has been used in the past as well. A shared access agreement has been filed with the County and is currently in place, but it does create an awkward layout as shown on Exhibit “B”. The applicant does not intend to make any changes to this configuration and plans to utilize the property in the same manner as utilized in the past.

Landscaping – The landscape plan for the subject property was approved in 1999. At that time, staff noted the site was in compliance with the US-75 Design Guidelines, although a meandering sidewalk was not provided. As part of the request, the applicant proposes to replace two (2) canopy and three (3) ornamental trees along Central Expressway to provide the trees as shown on the approved landscape plan. Landscape screening for parking areas along Central Expressway and Custer Road will be replaced and supplemented to provide better screening of the parked vehicles. No changes are proposed to the existing sidewalk.

It also appears that as part of the approved landscape plan, additional trees were to be relocated along Custer Road as well internally to the site. It appears the additional trees along Custer Road were never planted or were removed at a later date. Also, it appears three (3) internal trees shown on the approved landscape plan were removed at some point. The applicant does not intend to replace the missing trees. However, the applicant will still comply with the required number of street trees and parking lot screening along Central Expressway and Custer Road.

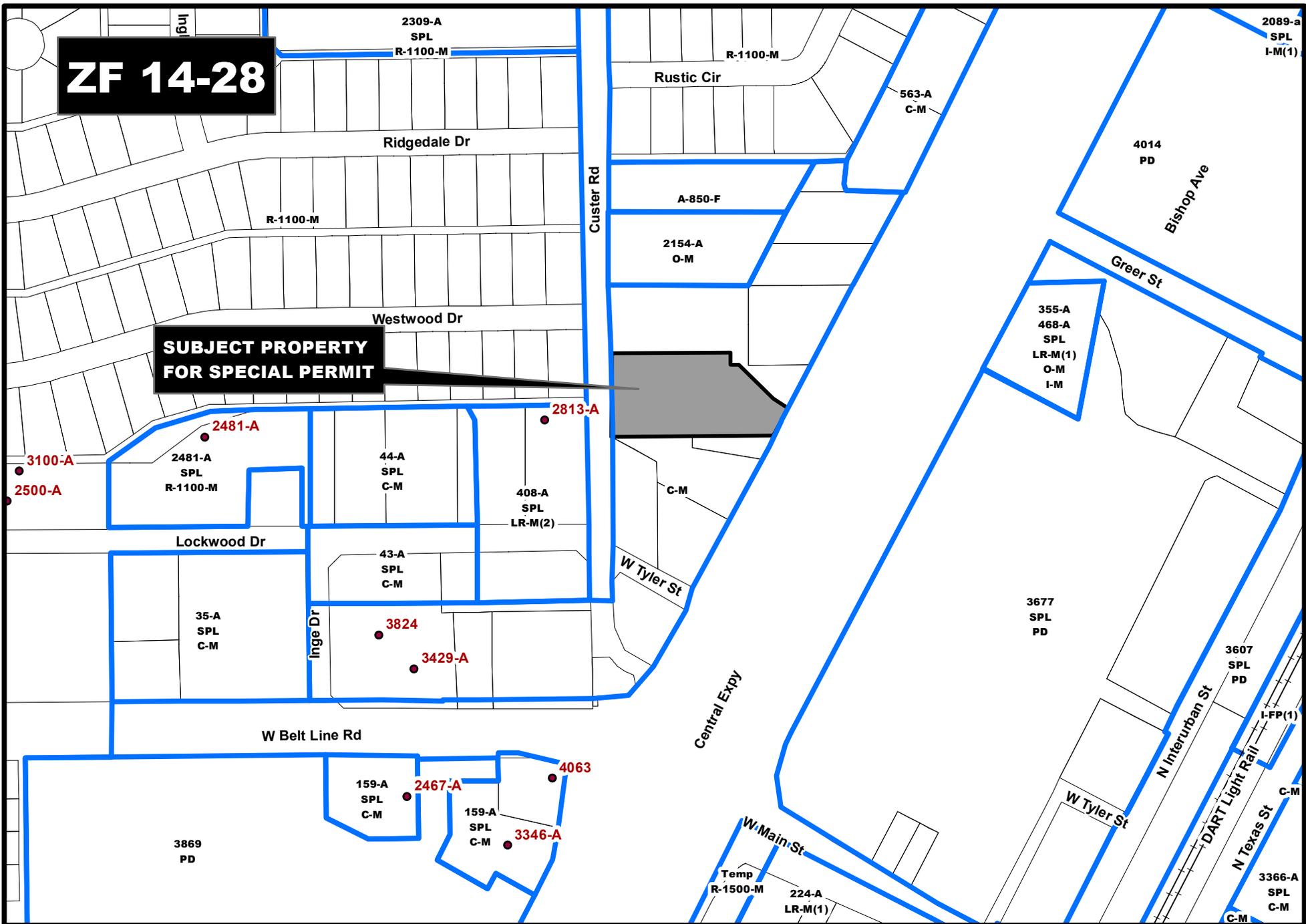
Parking – The parking lot on the east side of the property is utilized for parking of vehicles for sale. The northeast corner of the parking lot is located on the adjacent property though. An access easement agreement has been filed with Dallas County allowing the use of the parking lot

by the occupant of the subject property. Although those parking spaces are not counted toward the provided parking for the subject property, adequate parking is still provided.

Correspondence: As of this date, no correspondence in favor or in opposition has been received.

Motion: On October 9, 2014, the City Plan Commission recommended approval, by a vote of 5-1 (Commissioner Linn opposed), of the request as presented subject to the following special conditions:

1. A motor vehicle rental business located in a single-tenant building and offering more than ten (10) vehicles for rent shall be allowed and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
2. The use shall be allowed in conjunction with a motor vehicle sales/leasing – used business.
3. Landscaping shall be provided in substantial conformance with Exhibit “B”.



ZF 14-28 Zoning Map

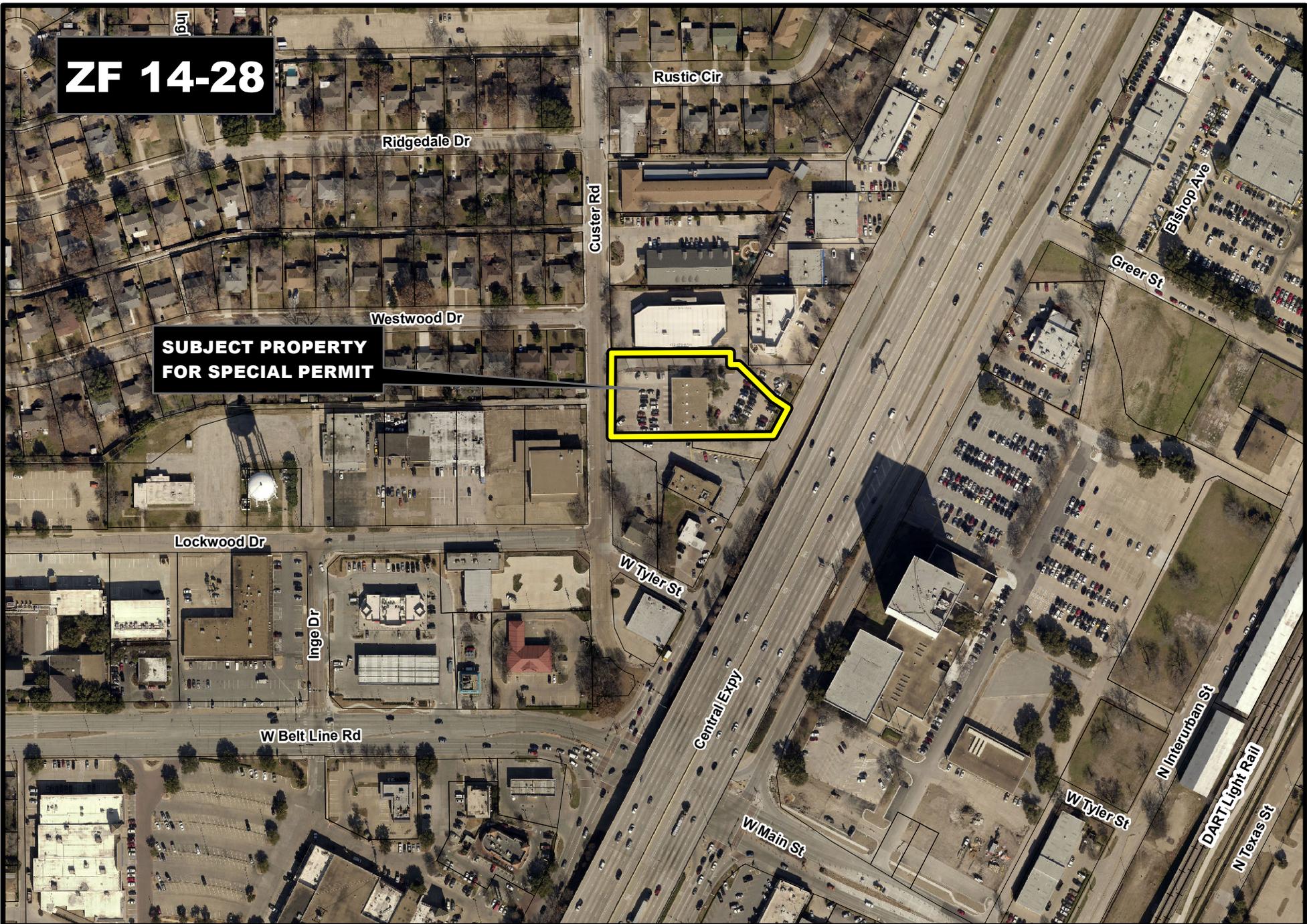
Updated By: shacklett, Update Date: September 18, 2014
 File: DSI\Mapping\Cases\Z\2014\ZF1428\ZF1428 zoning.mxd

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 14-28

**SUBJECT PROPERTY
FOR SPECIAL PERMIT**

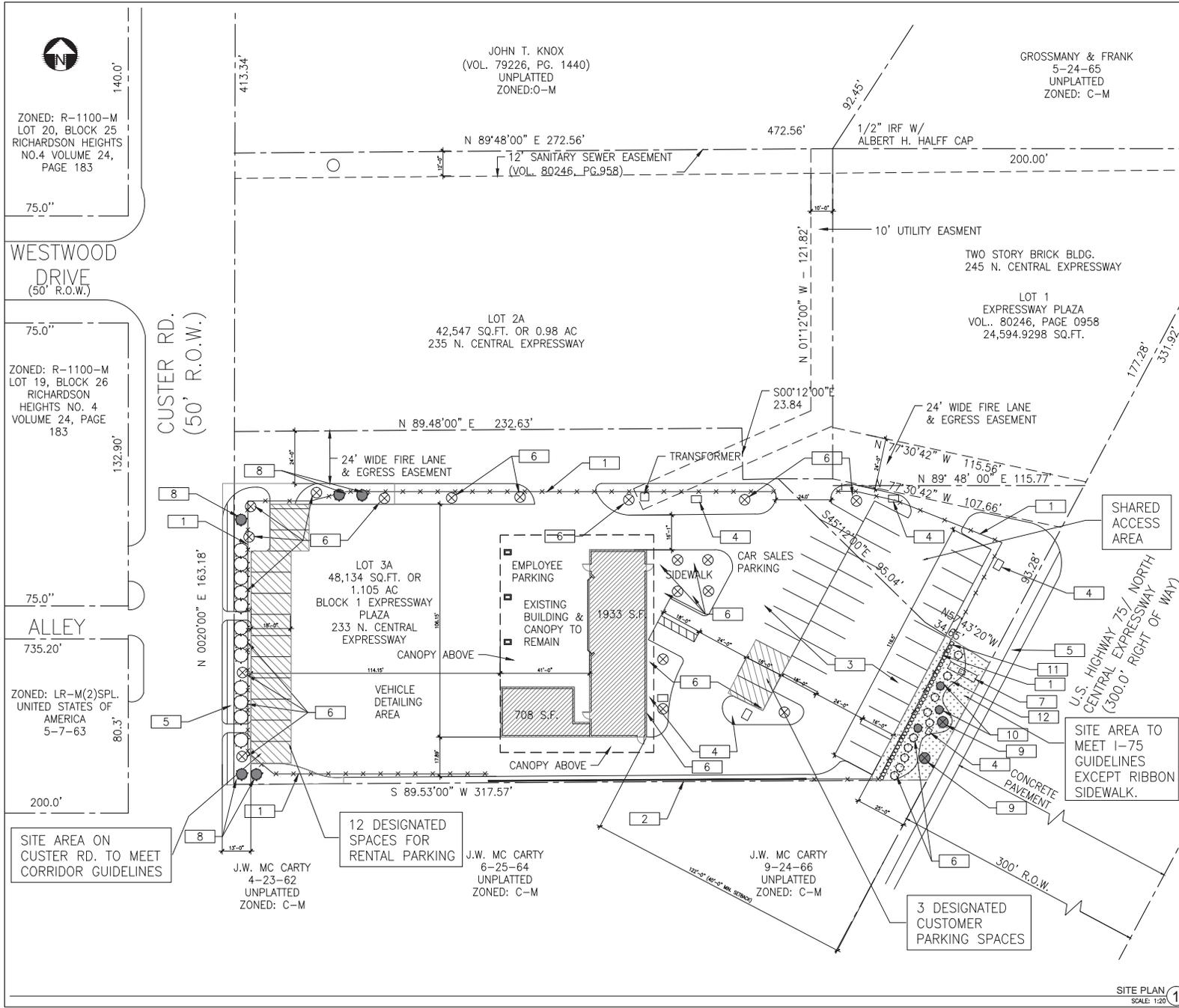


ZF 14-28 Aerial Map

Updated By: shacklett, Update Date: September 18, 2014
File: DSI\Mapping\Cases\Z\2014\ZF1428\ZF1428 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.





OWNER
 Remarketing USA, Inc.
 Attn. Steve Paury
 P.O. Box 831576
 Richardson, TX 75083
 214-437-6081
 Mike Agular
 Hertz Car Sales Manager
 214-529-5131



PROJECT SUMMARY

ZONING	C-M COMMERCIAL
ORDINANCE	C.Z.O.
SPECIAL CONDITIONS	NONE
SETBACKS:	40' AT STREETS
LOT AREA	48,134 SQ.FT.
GROSS ACREAGE	1.105 ACRES
BUILDING SQUARE FOOTAGE	2,641 SQ.FT.
REQUIRED PARKING (1 SPACE PER 250 S.F.)	11 SPACES
PROVIDED PARKING	26 SPACES
FLOOR AREA RATIO	.04-1/0.61 ALLOWED
BUILDING HEIGHT	13'-0" 1 STORY
LANDSCAPE AREA REQUIRED	3,395 SQ.FT. (7%)
LANDSCAPE AREA EXISTING/PROPOSED	8,478 SQ.FT. (17.6%)

- KEYNOTES (###)**
- 1 EXISTING 24" STEEL PIPE RAIL FENCE TO REMAIN
 - 2 EXISTING 5'-0" H. CONCRETE SCREENING WALL PAINTED WHITE TO REMAIN
 - 3 EXISTING PARKING TO REMAIN
 - 4 EXISTING SITE LIGHTING TO REMAIN, REPAIR AS NECESSARY
 - 5 EXISTING SIDEWALK TO REMAIN
 - 6 EXISTING LANDSCAPING OR TREE TO REMAIN
 - 7 EXISTING SIGN TO REMAIN (SIGNAGE APPROVALS SUBJECT TO COMMUNITY SERVICES APPROVAL)
 - 8 NEW LANDSCAPING (SHOWN SHADED). NEW BUSHES TO MATCH EXISTING SPECIES.
 - 9 NEW CEDAR ELM TREE (SHOWN SHADED).
 - 10 NEW ORANGE MYRTLE BUSH (SHOWN SHADED)
 - 11 NEW DWARF NANDINA (SHOWN AS ROW OF SMALL CIRCLES)
 - 12 NEW ASIAN JASMINE GROUND COVER

GRAPHICS SYMBOLS

- [Symbol] KEY NOTE
- [Symbol] MATERIAL/FINISH TAG
- [Symbol] REVISION NOTATION

[Symbol] PROJECT NORTH

SITE PLAN
SCALE: 1/20"=1'

Hertz
THE HERTZ CORPORATION
228 BRAE BLVD, PARK RIDGE, NJ

ZONING EXHIBIT
HERTZ CAR SALES & RENTAL
RICHARDSON, TX
233 N. CENTRAL EXPRESSWAY
RICHARDSON, TX 75080

PROJECT No: 50501100
SCALE: AS SHOWN
DATE: 09/27/14
DRAWN BY: B. Markono
CHECKED BY: B. Yoon

SD1.0

Exhibit B - Part of Ordinance



www.hertzenstore.org

Hertz
Car Sales

ROCK
Auto Sales

WALK TO POWER
WALK TO POWER
WALK TO POWER

CHANGE
CHANGE
CHANGE

ONE WAY
ONE WAY
ONE WAY

(1)

Looking South along
Central Expressway



Hertz
Car Sales

THE BENEFIT STORE
OFFICE FURNITURE
www.thebenefitstore.org

ZONING
CHANGE
REQUEST
972.744.4242

Looking North along
Central Expressway

(2)



(3)

Looking West along
North Property Line



Looking West along
South Property Line

(4)



(5)

Looking East at
Rear of Building



Looking North along
Custer Road

(6)

The Hertz Corporation
Special Permit Application: Motor Vehicle Rental
Application Submittal Date: September 8, 2014
Property: 233 N. Central Expressway, Richardson, Texas 75080

APPLICANT'S STATEMENT

The Hertz Corporation (“Applicant” or “Hertz”) is pleased to submit its Development Application for a Special Permit (“Application”) under City of Richardson Zoning Ordinance, Article XXII-A. Specifically, Hertz submits this Application to obtain City of Richardson (“City”) authorization to conduct its motor vehicle rental business at the above-referenced Property under Article XXII-A, Section 2(b)(41). Hertz currently is operating a car sales business at the Property, which is zoned C-M Commercial, under the name “Hertz Car Sales,” as a legal, non-conforming use, under a Certificate of Occupancy that was issued on or about March 24, 2014. Hertz Car Sales operates on the Property under a lease from the owner of the Property.

The prior car sales business at the Property was not well-run by the previous tenant, went into decline, and did not enhance the Property’s appearance or functionality. The Hertz Car Sales operation complies with City requirements and has maintained continuance of the car sales use of the Property while, at the same time, enhancing the function and appearance of the Property with the strength of the Hertz brand and upgraded facilities. Hertz currently conducts motor vehicle rental operations out of its rental location at 318 S. Central Expressway in the City. That rental location is a tight fit for providing availability of rental cars as well as for customer parking, and the Applicant desires to relocate its rental business to the Property to combine both sales and rental functions into one location, as stated on the Application.

The car sales business is compatible with the car rental business, and combining both uses into one location, rather than at two locations in the City, will reduce the number of automobile uses that exist along the Central Expressway corridor. Additionally, combining both auto sales and auto rental business at the Property will not measurably increase the appearance of the Hertz Car Sales business already in place, since the Applicant will use the less-visible rear (West) side of the building for parking its cars offered for rent. The Applicant is aware of the City’s future plans to encourage redevelopment and enhancement of the appearance of the Main Street/Beltline Road and Central Expressway intersection area (which area includes the Property). Reducing the number of automobile businesses by authorizing the car rental use at the Property will be consistent with the City’s goals of enhancing this area by: (1) providing the opportunity for the 318 S. Central Expressway property to be used by another business in accordance with the City’s redevelopment goals, and (2) rejuvenating and enhancing the Property, as stated. All auto repair or mechanical maintenance tasks will be performed off-site and not on the Property.

The access to the Property is primarily off of the Central Expressway Service Road via a shared access easement with the property immediately to the North, which shared access has been in existence for many years. Access to the rear (West) side of the Property is provided by a shared fire lane and access easement off of Custer Road. Parking for the Property is more than adequate under the auto sales use, with 9 spaces required (under current City standards) in the

front (the East side of the Property). The Zoning Exhibit/Concept Plan indicates 26 parking spaces provided, with 3 spaces specifically designated as customer parking. Twelve parking spaces are shown at the rear (West) side of the Property for rental vehicles. Vehicles for sale will primarily be located on the front (East) side of the Property. The Applicant proposes that the same parking ratio requirements for auto sale uses be used for auto rental uses. Total parking provided on the Property exceeds those combined standards, and is considered sufficient.

The Applicant is providing landscaping in accordance with the City's landscaping policies. On the front (East) of the Property, bushes and grass provide a pleasing appearance, in addition to the natural raised topography in the landscape buffer area between the parking area and Service Road. On the back (West) side of the Property, there are tall bushes that almost completely screen the parking area from view off of Custer Road. Existing trees are to remain in that location, as well.

Hertz is committed to providing its auto sales and auto rental services in a positive manner consistent with its well-known, high standards. Hertz looks forward to this opportunity to serve the citizens of the City of Richardson, as well as other members of the public, at the Property with a high quality auto sales business and a high quality auto rental business.



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 14-28 / Hertz Corporation
Property Owner: Steve Poury / Remarketing USA, Inc.
Applicant: John Elledge / The Hertz Corporation
Location: 233 N. Central Expressway (See map on reverse side)
Current Zoning: C-M Commercial
Request: A request for a Special Permit for a motor vehicle rental business in conjunction with a motor vehicles sales/leasing, used business.

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

THURSDAY, OCTOBER 9, 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.

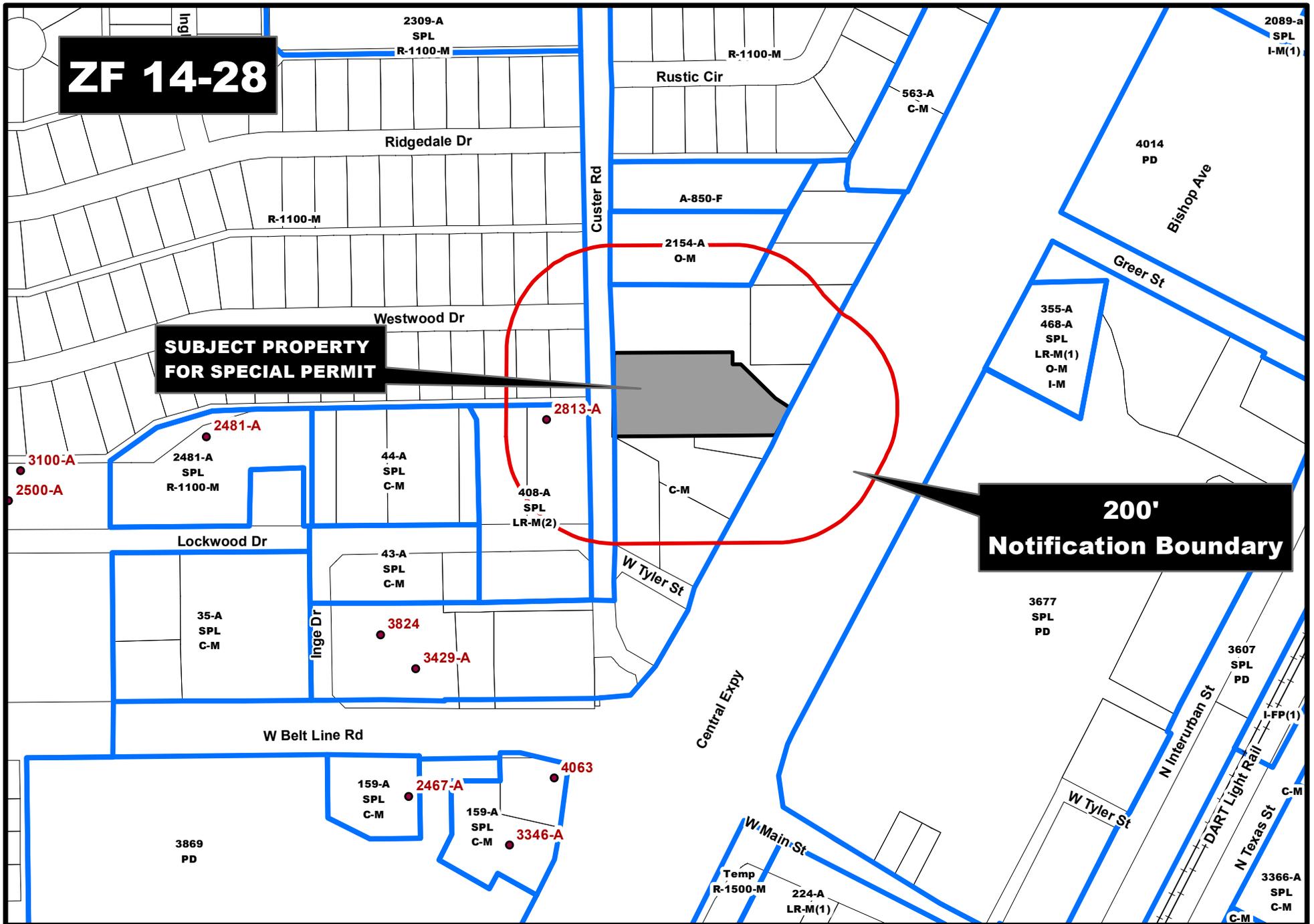
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 14-28.

Date Posted and Mailed: 09/26/2014



ZF 14-28 Notification Map

Updated By: shacklett, Update Date: September 18, 2014
 File: DSI\Mapping\Cases\Z\2014\ZF1428\ZF1428 notification.mxd

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RICHARDSON DEV CTR
FOR CHILDREN
PO BOX 835066
RICHARDSON, TX 7583-5066

CHRISTAL KATHRYN
502 WESTWOOD DR
RICHARDSON, TX 75080-5616

LEWIS PAUL D NO 6 LTD PS
25 HIGHLAND PARK VLG # 100 396
DALLAS, TX 75205-2776

PARMAR PARBHU H
245 N CENTRAL EXPY STE 104
RICHARDSON, TX 75080-5334

BENEFIT STORE INC THE
235 N CENTRAL EXPY
RICHARDSON, TX 75080-5306

PICKENS GARY W
500 WESTWOOD DR
RICHARDSON, TX 75080-5616

HERNANDEZ ILKA T
503 WESTWOOD DR
RICHARDSON, TX 75080-5617

SPN VENUES LLC
505 WESTWOOD DR
RICHARDSON, TX 75080-5617

REMARKETING USA INC
233 N CENTRAL EXPY
RICHARDSON, TX 75080-5306

TARWATER ADRIA M &
ZACHARY H
501 WESTWOOD DR
RICHARDSON, TX 75080-5617

BEAURLINE JAMES A &
BEAURLINE SUSAN L
2801 WYNDHAM LN
RICHARDSON, TX 75082-3127

CPC SING TRUST
7005 CHASE OAKS BLVD STE 20
PLANO, TX 75025-5943

POURY REZA S
1244 SOUTHRIDGE CT STE 102
HURST, TX 76053-4307

**JOHN ELLEDGE
THE HERTZ CORPORATION
17337 PINE CUT
HOUSTON, TX 77032**

**STEVE POURY
REMARKETING USA, INC.
PO BOX 831576
RICHARDSON, TX 75083**

ZF 14-28
Notification List



MEMO

DATE: October 23, 2014
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 14-29 – Zoning Change & Special Permit – Golden Chick – 445 W. Arapaho Rd.

REQUEST

Brian D. Gilbert, representing GFC Leasing Corp, LLC, is requesting to revoke Ordinance Number 2885-A, a Special Permit for operation of a drive-through window, approve a change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions and C-M Commercial with special conditions to LR-M(1) Local Retail, and approval of a new Special Permit for a restaurant with drive-through service located at the southwest corner of Arapaho Road and Civic Center Drive.

BACKGROUND

The applicant is requesting to revoke the existing Special Permit for a restaurant with drive-through service, rezone the subject property from three (3) zoning classifications into one (1) zoning classification (LR-M(1) Local Retail) and approval of a new Special Permit to accommodate the development of additional parking and other site modifications for the existing Golden Chick restaurant. The applicant proposes to construct additional parking on the vacant tract of land to the south to address a need for more parking. Additionally, the applicant is proposing other changes to the site including driveway modifications, relocating the dumpster, and modifications to the drive along the east side of the drive-through lane.

Staff suggested additional changes (see Exhibit “D”) that the applicant chose not to incorporate. These changes included increasing the throat depth and landscape island radii for the Arapaho Road driveways; closing off the access between the subject property and the property to the west; increasing landscape buffers along Arapaho Road to accommodate the increased throat depth; and the addition of landscape islands at the end of parking rows. The applicant has indicated these changes were not incorporated due to the benefit not being justified by the cost or because the site has historically functioned properly and the changes are not necessary.

Staff’s suggested changes were reviewed and discussed at the City Plan Commission hearing. The resultant primary concerns expressed by the Commission related to the driveway connection to the property adjacent to the west and the lack of throat depth at the eastern driveway along Arapaho Road – conditions that exacerbate potential conflict among vehicle movements on-site and with traffic entering and exiting the property.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-0, recommends approval of the request as presented with additional conditions that either an access easement be acquired from the property to the west or the connection be closed; and the width of the landscape island at the northeast corner of the property be enlarged as shown on attached Exhibit “B”.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 10-09-2014
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking South
Zoning Exhibit (Exhibit “B”)

Proposed Building Elevations (Exhibit C)
Staff Site Plan Comments (Exhibit D)
Site Photos
Applicant’s Statement
Notice of Public Hearing
Notification List

ZF 14-29 Special Conditions

1. The subject site shall be zoned LR-M(1) Local Retail.
2. Ordinance Number 2885-A shall be repealed.
3. A Special Permit shall be granted for a restaurant with drive-through service subject to the following conditions:
 - a. A restaurant with drive-through service shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
 - b. The restaurant with drive-through service shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”) and building elevations (Exhibit “C”).
 - c. Reduced landscape buffers shall be allowed Civic Center Drive as shown on Exhibit “B”. Canopy and ornamental trees shall, at a minimum, be provided as shown on Exhibit “B”.
 - d. An access easement shall be acquired to allow access to the property to the west prior to the approval of a development plan to reflect the parking lot addition. In the event an access easement cannot be acquired to the property to the west, the driveway located at the northwest corner of the subject property shall be closed and landscaped prior to development plan approval.
 - e. The landscape island on the east side of the eastern driveway along Arapaho Road shall be modified as shown on Exhibit “B”.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: October 7, 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: October 10, 2014

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, October 27, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 14-28

A request by John Elledge, representing The Hertz Corporation, for approval of a Special Permit for motor vehicle rental located in a single-tenant building and offering more than ten (10) vehicles for rent, in conjunction with motor vehicle sales/leasing – used to be located at 233 N. Central Expressway (west side of Central Expressway, north of Belt Line Road). The property is currently zoned C-M Commercial.

ZF 14-29

A request by Brian Gilbert, representing GFC Leasing Corp., LLC, to revoke Ordinance 2885-A, a Special Permit to allow operation of a drive-thru food service window, for a change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions, and C-M Commercial with special conditions to LR-M(1) Local Retail, and for approval of a Special Permit for a restaurant with drive-through service on a 0.843-acre tract of land located at 445 W. Arapaho Road (southwest corner of Arapaho Road and Civic Center Drive). The property is currently zoned LR-M(1) Local Retail, LR-M(2) Local Retail, and C-M Commercial.

ZF 14-30

A request by Matt Duenwald, representing Kimley-Horn & Associates, for a change in zoning from LR-M(2) Local Retail with special conditions to PD Planned Development for the development of a maximum 64-home patio home community on approximately 8.63 acres. The property is located at the northeast corner of Renner Road and Brand Road and is currently zoned LR-M(2) Local Retail.

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 –October 9, 2014**

PUBLIC HEARING

Zoning File 14-29 – Golden Chick: Consider and take necessary action on a request for revocation of Ordinance 2885-A, approval of a Special Permit for a restaurant with drive-thru service, change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions, C-M Commercial with special conditions to LR-M(1) Local Retail. The property is a 0.843-acre tract of land located at 445 W. Arapaho Road, southwest corner of Arapaho Road and Civic Center Drive.

Mr. Shacklett said the request was proposing to revoke the existing multiple zonings on the property and consolidate the property into one zoning district, LR-M(1) Local Retail, update special conditions as it pertains to the drive-thru, and incorporate the vacant property directly to the south to provide additional parking for the restaurant.

Mr. Shacklett stated in addition to the proposed changes to the parking and the drive-thru, the applicant was proposing to increase the inbound radius on the western most driveway to make vehicle movement into the site easier, and removal of angled parking on the east side of the drive-thru lane and replace it with parallel parking, which would provide enough room for a fire lane.

Mr. Shacklett noted that during discussions with the applicant staff had suggested other modifications to the site to address landscape inadequacies, on-site vehicle conflicts, simplify circulation, and address safety issues at the driveways. He added that some of the suggestions were incorporated in the applicant's request and others were not.

Another change suggested by staff was to remove the parking space at the northeast corner of the parking lot and finish out the full 20-foot radius adding a landscape island to protect the vehicles in that area and add a 20-foot landscape island at the southeast driveway, which is the City standard to have islands at the end of parking rows.

Mr. Shacklett concluded his presentation by providing building elevations that would be tied to the Special Permit and stating that no correspondence had been received either in support or opposition.

Vice Chair Bright asked if applicant did not make the change to the throat depth on the western most driveway, would the other changes to the access easement, parallel parking and removing a parking space at the northeast corner of the property make sense.

Mr. Shacklett replied that all the suggested changes along Arapaho Road played off one another and if made together provided the safest option and would keep circulation flowing through the site. However, he felt the landscape island and the parallel parking could be done exclusive of the other suggested changes, but there would still be a safety concern for

vehicles backing out of the spaces at the northwest corner of the property because they would be backing into traffic trying to enter the site.

Commissioner DePuy said she would hate for the applicant to lose the patio area, but wanted to talk about closing the access between the two properties and removing the two parking spaces at the northwest corner of the property.

Mr. Shacklett replied that closing the access and removing the two parking spaces would not prevent vehicles from leaving the drive through and coming across lanes of on-site traffic.

Commissioner DePuy said she was concerned about the proposed landscape buffer between the two northern driveways affecting the outdoor patio area. She also wanted to know if the two parking spaces at the northwest corner were closed, and the landscape buffer was smaller, could the patio remain as is.

Mr. Shacklett replied his assumption was correct that if the landscape buffer was constructed it would move the driving aisle south and part of the patio area would be affected. He added that if the parking spaces were closed and the landscape buffer was reduced in size it might be possible to keep the patio.

Commissioner Springs asked if the structure in the southwest corner of the property was going to remain. He also noted that since the structure was on the property line did it meet the City's code.

Mr. Shacklett replied that buildings are allowed on property lines in non-residential zoning district, subject to meeting the Building Code, and it was the applicant's intent to keep the storage structure.

Commissioner Roland noted that the new parking the applicant was proposing did not seem to be the major focus of the staff's comments and asked if the suggested changes were a way of clearing up past inconsistencies.

Mr. Shacklett said the only issue the staff had with the new parking, as it related to City codes, was the width of the landscape buffer, and if the applicant increased the buffer to 10 feet a row of parking would be lost. However, it is standard practice when a zoning request is submitted for the staff to request changes where items do not meet current City codes or areas where there could be safety concerns as in the current case where it relates to some of the driveways.

Commissioner Roland asked if there was a requirement to have handicap parking spaces adjacent to a building or, as proposed, it was acceptable to have them across the driving aisle. He also wanted to confirm there would be a new dumpster enclosure.

Mr. Shacklett replied there are standards that have to be met if the spaces are not directly adjacent to the building.

Regarding the dumpster enclosure, Shacklett said the new location would be at the southern edge of the property just in front of the new parking area.

Commissioner Springs asked if the rezoning was an attempt to clean up the multiple zonings currently on the property.

Mr. Shacklett replied that was correct, plus it would remove some of the old obsolete special conditions from the previous ordinance.

Commissioner Linn asked if the property was currently under parked and wanted to know what net gain the new parking lot would provide. He also wanted to know how the recommendations from staff would impact the number of parking spaces.

Mr. Shacklett replied that if staff's recommendations were followed, four spaces would be removed and with the new parking spaces added on the southern edge of the property there would be a net gain of 9 parking spaces.

Commissioner Linn asked for clarification on not incorporating all of the staff's recommendations and which of the recommendations did the applicant include in their request

Mr. Shacklett said in meetings with the applicant, it was stated that since the applicant had been at the location for 20 years without any incidents, all they wanted to do was add additional parking. He added that the recommendations they did incorporate was moving the dumpster to the new location, removing angled parking and adding parallel parking on the east side of the drive-thru lane, increasing the radius on the inbound driveway, additional landscaping along Civic Center Drive, and adding directional striping in the parking lot.

Commissioner DePuy asked for a description of the new enclosure on the front of the building and would that addition be the reason for the requested additional parking. She also wanted to know if there was a pergola at the front of the business.

Mr. Shacklett replied that even without the proposed enclosure the popularity of the restaurant was the impetus for adding more parking, and the structure at the front of the building is an arbor.

Commissioner Linn asked if the proposed addition of the new parking area created a flag lot.

Mr. Shacklett said no, because the lot had frontage on two sides.

Chairman Hand wanted to know if it was preferential to have cross access between commercial properties.

Mr. Shacklett replied that typically cross access was preferable, but with the current case it is the location that causes the concern. He added that staff was not asking for the driveway connection to be closed but simply to remove the two parking spaces.

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

Mr. Mark Parmerlee, 1131 Rockingham, Richardson, Texas, stated that he had agreed to make some of the changes proposed by staff including:

- Adding the radius cut on the northwest driveway
- Moving the dumpster
- Widening the drive-thru lane
- Removing the angled parking spaces
- Adding the parallel parking spaces
- Creating a fire lane
- Creating a visibility triangle in the northeast corner of the property

Mr. Parmerlee said he did not want to close the access between his property and the property to the west because he felt it provided the safest way to get to the signal light at Custer Road to go west on Arapaho Road. He added that if all the recommendations were implemented it would not be worth it financially for a net gain of only 8 parking spaces.

Vice Chair Bright asked how many tables were in the patio area and was that the same area where the new enclosure would be located. He also wanted to know how often the outdoor seating was utilized.

Mr. Parmerlee replied that when the new enclosure is built, the pergola will be pushed out and there will be fixed and loose tables. He added that the outdoor seating was utilized on a seasonal basis.

Commissioner Linn asked why the striping suggested by the staff was not included by the applicant.

Mr. Parmerlee said he did not want to lose another parking space, but they were pushing back the space from where it is currently located to accommodate the fire lane and adjust the curbing on the exit.

Commissioner DePuy said she did not like the parallel parking spots and wondered if they would be used.

Mr. Shacklett said that as proposed it would be easy to use the parallel parking spaces and the reason for the landscape islands for those spaces were the City's standards that require landscape islands at the end of parking rows.

Commissioner Linn asked the applicant why he did not accept all the staff's recommendations.

Mr. Parmerlee replied it was a matter of cost benefit and if all of the suggestions were incorporated the cost would be over one hundred thousand dollars with a net gain of 8 parking spaces.

Vice Chair Bright said he liked staff's recommendations and was ready to agree with those recommendations until the comment was made that the applicant was only trying to increase his available parking.

Commissioner Roland stated he appreciated staff's efforts to bring the site up to current code standards, and acknowledged that the applicant had incorporated some of the staff's

recommendations, but said he would have liked to see more of the recommendations included in the applicant's proposal which would help with traffic safety in the area.

Chairman Hand commented that he could understand both sides of the issue, and the site could stand to be updated, but felt there was room for compromise between the applicant and the City. He also felt strongly that the access between the two properties needed to be designated as a pass through or parking and not used for both.

Mr. Shacklett replied that staff was not requesting the changes for the purpose of getting more landscaping, but to increase the throat depth of the driveway. The area where City policies came into play was at the end of the parking aisles where landscape islands were required.

Vice Chair Bright asked staff if the throat depth was not increased, could changes be made to the northeast and northwest areas of the property that would improve safety. He also wanted to know if that assumption was correct, how many parking spaces would be available.

Mr. Shacklett replied that if the throat depth was not increased, the other changes could be made to improve safety and would still leave 41 parking spaces for the business.

Mr. Chavez stated that whenever an application was presented to the City, the staff endeavored to make improvements to the site, especially as it pertained to safety issues, which was the case with the current application.

Chairman Hand reiterated that the site had some deficiencies that needed to be addressed and asked the applicant if addressing those issues was part of his plan.

Mr. Parmerlee said he would be happy to take care of those issues.

Commissioner Roland asked if the throat depth of the northwest driveway would be increased if the parking spaces/pass through area was designated as pass through only. He also wanted to know if increasing the throat depth at the northeast driveway would help with vehicles making a right turn.

Mr. Shacklett replied that he did not think so because staff's concerns pertained not only to vehicles backing out into the traffic coming into the site, but also with vehicles cutting across the incoming traffic lanes.

Regarding the northeast driveway, Mr. Shacklett said it would allow more separation from Arapaho Road for the vehicle parked in the first space and would provide an adequate radius.

Commissioner Roland said he thought the increased landscape buffer between the two driveways might be non-negotiable with the applicant because it would affect the seating capacity of the business, but thought there might be a way to incorporate some changes to increase safety for the driving public.

Mr. Chavez replied that staff's recommendations would provide safety for the driving public.

Chairman Hand suggested the following to improve the site, minimize the cost to the applicant, and address the safety issues:

- Remove the two parking spaces and closing the access at the northwest portion of the property;
- Remove one parking space and increase the landscape buffer at the northeast portion of the property; and
- Add a landscape island and the end of the parking row along Civic Center Drive.

Commissioner DePuy agreed with the changes to the two driveway areas, but was not as concerned with the landscape island along Civic Center Drive.

Vice Chair Bright asked staff the purpose of the proposed landscape at the end of the driving aisle and was that a safety feature.

Mr. Shacklett replied that the landscape island was City policy and in addition to providing a canopy tree, would extend to the back of the parking and prevents an incoming vehicle from possibly hitting a parked car.

Chairman Hand stated his remarks were rooted in protecting those moving in and out of parking spaces, which the changes to the northeast and northwest would provide.

Mr. Parmerlee said the reason he did follow staff's recommendations regarding the northeast corner of property was that most traffic going eastbound on Arapaho Road uses the northwest driveway to enter the property and the northeast is used to exit the property. He added he would prefer to leave the northwest access point open, but remove the two parking spaces.

Commissioner Springs stated that it would be hard to make everyone happy, but felt an access easement at the northwest corner should be made part of the motion as a requirement. In addition, he felt the changes to the center of the site were not a priority, but agreed the buffer at the northeast was doable.

Mr. Chavez stated that staff's recommendations includes requiring the applicant to get an off-site access easement; however, if the applicant was unable to get the easement he would have to come back before the Commission to amend the Special Permit to close the drive aisle before he could proceed with any of the other proposed changes. He added that the motion could state the access easement must be obtained or the area must be closed off.

Vice Chair Bright asked if an either/or contingent was placed on the access easement would there be a time limit on the process.

Mr. Shacklett replied that unless the applicant obtained the easement, whether it was through the northwest corner or the southern part of the property, the development plans would not be processed for the remainder of the proposed changes.

Chairman Hand asked if it would make sense to table the item and let the applicant review some of his options.

Mr. Shacklett replied that if the applicant wanted to table the item that would be fine, but wanted the Commission to understand that a recordable access agreement for moving vehicles in and out of the property would be needed either way.

Mr. Chavez suggested adding wording to the motion at the end of Item D of the special conditions that requires obtaining an access easement or removal of the two parking spaces.

Motion: Vice Chair Bright made a motion to recommend approval of Zoning File 14-29 as presented with the addition of the following two conditions at the end of Item D:

- *“In the event an access easement is not acquired, the drive aisle shall be closed and landscape with the site plan reflecting the same; and*
- *The parking space at the northeast corner of the parking lot will be removed and the area will be landscaped.”*

Second by Commissioner Springs. Motion approved 6-0.



Staff Report

TO: City Council

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

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

DATE: October 23, 2014

RE: **Zoning File 14-29:** Zoning Change & Special Permit – Golden Chick Drive-thru Restaurant – 445 W. Arapaho Road.

REQUEST:

Revoke Ordinance Number 2885-A, a Special Permit for operation of a drive-through window, approve a change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions and C-M Commercial with special conditions to LR-M(1) Local Retail, and approval of a new Special Permit for a restaurant with drive-thru service located at the southwest corner of Arapaho Road and Civic Center Drive.

APPLICANT / PROPERTY OWNER:

Applicant – Brian D. Gilbert – GFC Leasing Corp, LLC

Owners – Mark S. Parmerlee – GFC Leasing Corp, LLC, Margaret Dalton Powell and Dorothy Dalton Verhalen

EXISTING DEVELOPMENT:

The subject site is developed with a 2,661-square foot drive-thru restaurant. Earlier this year, a 248-square foot addition to the northwest corner of the building was approved, but is yet to be constructed. The addition is reflected on the attached zoning exhibit.

ADJACENT ROADWAYS:

Arapaho Road: Six-lane, divided arterial; 33,500 vehicles per day on all lanes, eastbound and westbound, east of Civic Center Drive (February 2013).

Civic Center Drive: Two-lane, local street; no traffic counts available.

SURROUNDING LAND USE AND ZONING:

North: Vacant; R-850-M Residential

South: Retail/Commercial & Multi-Family; C-M Commercial & A-950-M Apartment
East: Public/Institutional; I-M(1) Industrial
West: Retail/Commercial; C-M Commercial

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 West Arapaho enhancement/redevelopment area. Enhancement/redevelopment should include residential uses such as duplexes, townhomes, or senior housing with a focus on better serving the office and retail needs of the surrounding neighborhoods.

Future Land Uses of Surrounding Area:

North: Enhancement/Redevelopment
South: Enhancement/Redevelopment & Multi-Family Residential
East: Public/Semi-Public
West: Enhancement/Redevelopment

EXISTING ZONING:

The subject property is zoned LR-M(1) Local Retail (per Ordinance Number 598-A), LR-M(2) Local Retail with special conditions (per Ordinance Number 699-A), and C-M Commercial with special conditions (per Ordinance 110-A). The portion of the subject property where the existing Golden Chick is located also has a Special Permit (Ordinance Number 2885-A) to allow continued use of an existing drive-through window.

INFRASTRUCTURE IMPACTS:

The requested zoning amendment will not have any significant impacts on the surrounding roadway system or the existing utilities in the area.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The original structure was constructed in 1969 and operated as a restaurant with drive-through service prior to the City's Special Permit requirement for restaurants with drive-through service.

In 1992, a Special Permit was required and granted to allow the existing drive-through window to be utilized for a new drive-through restaurant because the building had been vacant for more than six (6) months and had lost its non-conforming rights to the use. The Special Permit

(Ordinance Number 2885-A) did not contain an approved concept plan or elevations; however, it did require that eight (8) parking spaces on the east side of the building be used for employee parking only.

In 2010, a playground was removed and replaced with a trellis on the north side of the building. Earlier this year, a 248-square foot addition was approved, but has not been constructed, along with the approval of moving the trellis and planter area north to accommodate the addition, which were changes were approved administratively.

The applicant's intent is to incorporate additional property to the south for additional parking. That property is zoned LR-M(2) Local Retail with special conditions only allowing retail nursery sales and storage uses, therefore it needs to be rezoned. Additionally, since that portion of property is not part of the tract described in the current Special Permit, a new Special Permit needs to be approved to include that property as well as a concept plan and building elevations.

Request:

In addition to rezoning the property from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions and C-M Commercial with special conditions to LR-M(1) Local Retail, the applicant is requesting to revoke Ordinance 2885-A and approval of a new Special Permit to accommodate the addition of parking to the south of an existing drive-thru restaurant. No changes to the restaurant, other than the approved addition mentioned above, are proposed. The applicant proposes to construct a double loaded, one-way parking lot with angled parking on the narrow, vacant tract of land located south of the existing restaurant site. The applicant is proposing additional changes on the existing site including reconfiguring the parking along the east side of the drive-thru lane, improving the turning radii for the driveways along Arapaho Road, and relocating the dumpster. Staff suggested additional changes to address on-site vehicle conflicts, simplify circulation, and address safety issues at the driveway, which will be further discussed below.

Proposed Development:

- **Building Size:** 2,909-square foot drive-thru restaurant (after addition) / There is also a storage building located at the southwest corner of the property that is shown on the approved site plan which the applicant proposes to remain. Although accessory buildings are not allowed, it would remain as a non-conforming structure.
- **Building Materials:** Primarily red brick and white stone, with yellow awnings and yellow and black painted parapets. Painted plywood to match the brick is utilized above the awnings. The building is also accented with decorative metal frames. The attached building elevations reflect the existing building and the proposed addition which has already been approved. The building exceeds the minimum masonry percentage requirements.
- **Setbacks and Landscape Buffer:**
 - Front: 40 feet along Arapaho Road and Civic Center Drive.
 - Landscape Buffers: 10-foot landscape buffer required along Arapaho Road and Civic Center Drive per City's Landscaping Policies (see below for applicant's proposed landscaping)

- No side or rear building setbacks are required.
- Height: 17'10" (top of parapet) / 22'10" (top of tallest element)
- Floor Area Ratio (overall lot): 0.08:1 proposed / Maximum 0.50:1 allowed
- Landscaping Percentage : 10% proposed / 7% required
- Building Orientation: The building entrance faces north toward Arapaho Road with outdoor patio dining located on the north side of the building. The entrance to the drive-thru lane is located at the northwest side of the building and wraps around the building exiting at the northeast corner of the building. The additional land being added to the southeast is for additional parking.
- Number of Parking Spaces: 42 proposed; 29 required

As stated above, a Special Permit (Ordinance No. 2885-A) was approved in 1992 which allowed the continued use of the existing drive-thru window for the existing restaurant. The ordinance did not contain an approved concept plan or elevations which are typical of Special Permits that have been approved recently for drive-thru restaurants. Since the applicant is expanding the use, which requires a Special Permit, and due to the existing conditions of the LR-M(2) Local Retail zoning on the additional property, the zoning change/Special Permit request is required.

Proposed Changes and Concerns:

As part of the parking lot addition, the applicant intends to make some changes to the site. However, the changes the applicant proposes do not reflect the comments that were provided to the applicant by staff as it related to more extensive site modifications. Attached in the packet as Exhibit "D" are the additional changes staff proposed, many of which have not been incorporated into the applicant's proposal. The following is a discussion of the changes the applicant proposes and an explanation of staff's comments:

- Arapaho Road Driveways & Throat Depth – There are currently two (2) driveways located along Arapaho Road, both of which the applicant intends to leave open. The applicant proposes to reconstruct the inbound radius on the west driveways to provide a larger turning radius for vehicles entering the site, but they do not intend to increase the throat depth. Also, the applicant had initially proposed to reconstruct the outbound radius of the west driveway and the both sides of the east driveway to provide larger turning radii; however, they decided they did not want to reconstruct those radii thereby allowing a wider driveway. Additionally the existing driveways do not meet the driveway standards per the City's Parking Design Manual along Arapaho Road (arterial) which are as follows:
 - Driveways shall be located at least 115 feet from a non-signalized intersection (measured curb to curb). The easternmost driveway is approximately fifty (50) feet west of Civic Center Drive. The westernmost driveway exceeds the 115 feet.

- Driveways shall be at least 200 feet from other driveways along an arterial (measured centerline to centerline). The two (2) driveways along Arapaho are separated by approximately ninety (90) feet.

Staff initially suggested the applicant consider closing the easternmost driveway; however, their desire is to leave the driveway opening at its current location to accommodate a fire lane and to allow vehicles exiting the drive-thru to make right turns onto eastbound Arapaho Road. Staff agreed that leaving the driveway open to provide a fire lane would be an improvement, but requested reconfiguration of the driveway exit as shown on Exhibit “D” to force vehicles exiting the drive-thru to turn west and make the right turn onto Arapaho Road from the western driveway. Staff concerns relate to conflicts between vehicles making right turns out of the easternmost driveway with vehicles looking to turn right and left onto Arapaho Road from Civic Center Drive.

As part of the reconfiguration of the drive-thru exit, staff provided a layout that accommodated a throat depth of twenty (28) feet which is the minimum throat depth typically allowed for a right in/right out driveway along an arterial. Along with the increased depth, a full 20-foot outbound radius on the west driveway and 20-foot inbound radius on the east driveway could also be accommodated to provide safer turning movements. The increased throat depth requires the removal of outdoor seating and two (2) parking spaces so the applicant chose not to incorporate this suggestion.

- Access Drive Connection to Adjacent Property – As shown on Exhibit “B”, the applicant is proposing an access drive to the adjacent shopping center. Access is currently provided today; however, it is not shown on the currently approved site plan, but is shown as two (2) parking spaces with wheel stops preventing access to the site to the west. The applicant has stated his desire to keep the connection to allow vehicles leaving the site to go west through the adjacent property to access Custer Road so a vehicle can make a left onto Arapaho Road at the Custer Road traffic signal.

Staff requested the access to the adjacent property as well as the parking be removed as shown on Exhibit “D”. As approved, parking spaces are required to be located where the access drive connection is currently located which is also not ideal. The request to close the access drive would allow a 30-foot radius to be constructed to allow vehicles entering the site a better turning radius, while also removing potential conflicts between vehicles entering the site and vehicles leaving the drive-thru and cutting through adjacent property. Also, by closing the access drive, vehicles parked in the angled spaces along the west property line can back out more safely than currently approved. Since the applicant is not proposing to close the access drive, staff informed the applicant that an access easement agreement will have to be acquired with the neighboring property prior to site plan approval if their proposed concept plan that is part of this zoning request is approved.

- Landscape Buffers and Islands – The City’s Landscaping Policies require 10-foot wide landscape buffers along street frontages with one (1) canopy and one (1) ornamental tree for every fifty (50) lineal feet of street frontage. Shrubs are also required in the buffer to screen parked vehicles that abut the landscape buffer. The current Golden Chick site provides the minimum 10-foot landscape buffer along Arapaho Road with seven (7)

ornamental trees, but there are no canopy trees located within the buffer due to the location of overhead power lines. As shown on Exhibit “D”, the increased throat depth would create deeper landscape buffers in which it may be possible to locate canopy trees.

The approved site plan shows a landscape buffer along Civic Center Drive that is approximately 3’8”, although the existing buffer appears to be closer to 2-3 feet wide. The applicant is proposing no changes to the landscape buffer along Civic Center Drive, north of the existing driveway. Within the current buffer, there is no landscaping; however, there are canopy and ornamental trees located in the parkway between the street and sidewalk as well as shrubs which are utilized for parking lot screening.

The new proposed parking lot located along Civic Center Drive provides a double row of angled parking served by a one-way drive running north to south. The applicant is also proposing to relocate the dumpster from its current location (southwest corner of current Golden Chick site) to the northwest corner of the new parking area. The relocated dumpster will comply with the City’s screening requirements. Along Civic Center Drive, the applicant is proposing a 5-foot landscape buffer in which six (6) ornamental trees and shrubs for parking lot screening will be placed. However, the applicant does not propose to located canopy trees in the landscape buffer due to the decreased width; however, they do propose to place one (1) canopy tree at either end of the buffer along with three (3) additional canopy trees in the large landscape area at the south end of the parking lot. The applicant does not want to provide the 10 foot landscape buffer because they would lose half of the parking in the new parking lot making the project impractical based on the net gain of parking.

Overall, the entire street frontage of Arapaho Road and Civic Center Drive combined is approximately 505 linear feet which would require ten (10) canopy and ten (10) ornamental trees. The applicant is proposing a total of seven (7) canopy trees and eighteen (18) ornamental trees, including existing trees located in existing buffers and the parkway along Civic Center Drive along with proposed trees along the new parking lot frontage.

Staff requested the applicant to place a landscape island on the north side of the existing Civic Center Drive driveway. The area where the island would be placed is currently striped and the applicant is proposing to extend the striping to separate the adjacent parking space from the driveway and create the 20-foot turning radius for the fire lane. However, the requirement is for that to be a landscape island with a canopy tree. Initially, the applicant proposed to place a landscape island within the proposed striped area, but they have decided they do not want to do that. Furthermore, Exhibit “D” reflects an extended island to accommodate the full 20-foot radius as well as providing an island which extends to the back of the parking spaces to protect a parked vehicle.

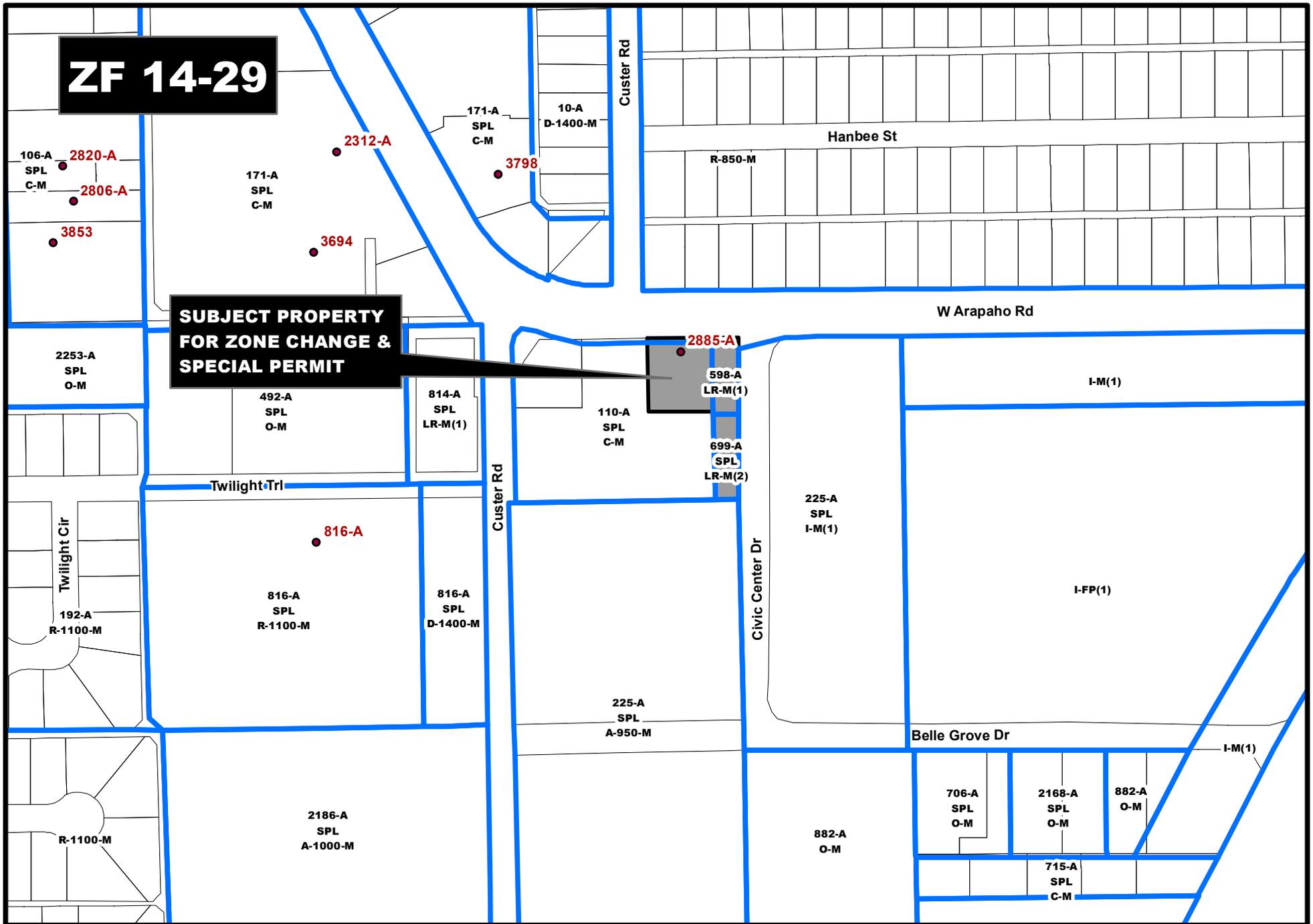
Lastly, a landscape island is located on the east side of the drive-thru lane to separate two (2) parallel parking spaces from the drive-thru lane. The applicant was informed that a 45-degree angle landscape island is required at either end of the island to protect the vehicles parked in the parallel spaces (see Exhibit “D”). The angle also serves to provide

additional maneuverability area for vehicles entering and exiting the spaces. Per the attached zoning exhibit (Exhibit “B”), the applicant has chosen to incorporate that design.

Correspondence: As of this date, no correspondence in favor or in opposition has been received.

Motion: On October 9, 2014, the City Plan Commission recommended approval, by a vote of 6-0, of the request as presented and amended as shown in bold text below:

1. The subject site shall be zoned LR-M(1) Local Retail.
2. Ordinance Number 2885-A shall be repealed.
3. A Special Permit shall be granted for a restaurant with drive-through service subject to the following conditions:
 - a. A restaurant with drive-through service shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.
 - b. The restaurant with drive-through service shall be constructed in substantial conformance with the attached concept plan (Exhibit “B”) and building elevations (Exhibit “C”).
 - c. Reduced landscape buffers shall be allowed Civic Center Drive as shown on Exhibit “B”. Canopy and ornamental trees shall, at a minimum, be provided as shown on Exhibit “B”.
 - d. An access easement shall be acquired to allow access to the property to the west prior to the approval of a development plan to reflect the parking lot addition. In the event an access easement cannot be acquired to the property to the west, the driveway located at the northwest corner of the subject property shall be closed and landscaped prior to development plan approval.**
 - e. The landscape island on the east side of the eastern driveway along Arapaho Road shall be modified as shown on Exhibit “B”.**



ZF 14-29 Zoning Map

Updated By: shacklett, Update Date: September 18, 2014
 File: DSI\Mapping\Cases\Z\2014\ZF1429\ZF1429 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 14-29

**SUBJECT PROPERTY
FOR ZONE CHANGE &
SPECIAL PERMIT**

ZF 14-29 Aerial Map

Updated By: shacklett, Update Date: September 18, 2014
File: DSI\Mapping\Cases\Z\2014\ZF1429\ZF1429 ortho.mxd

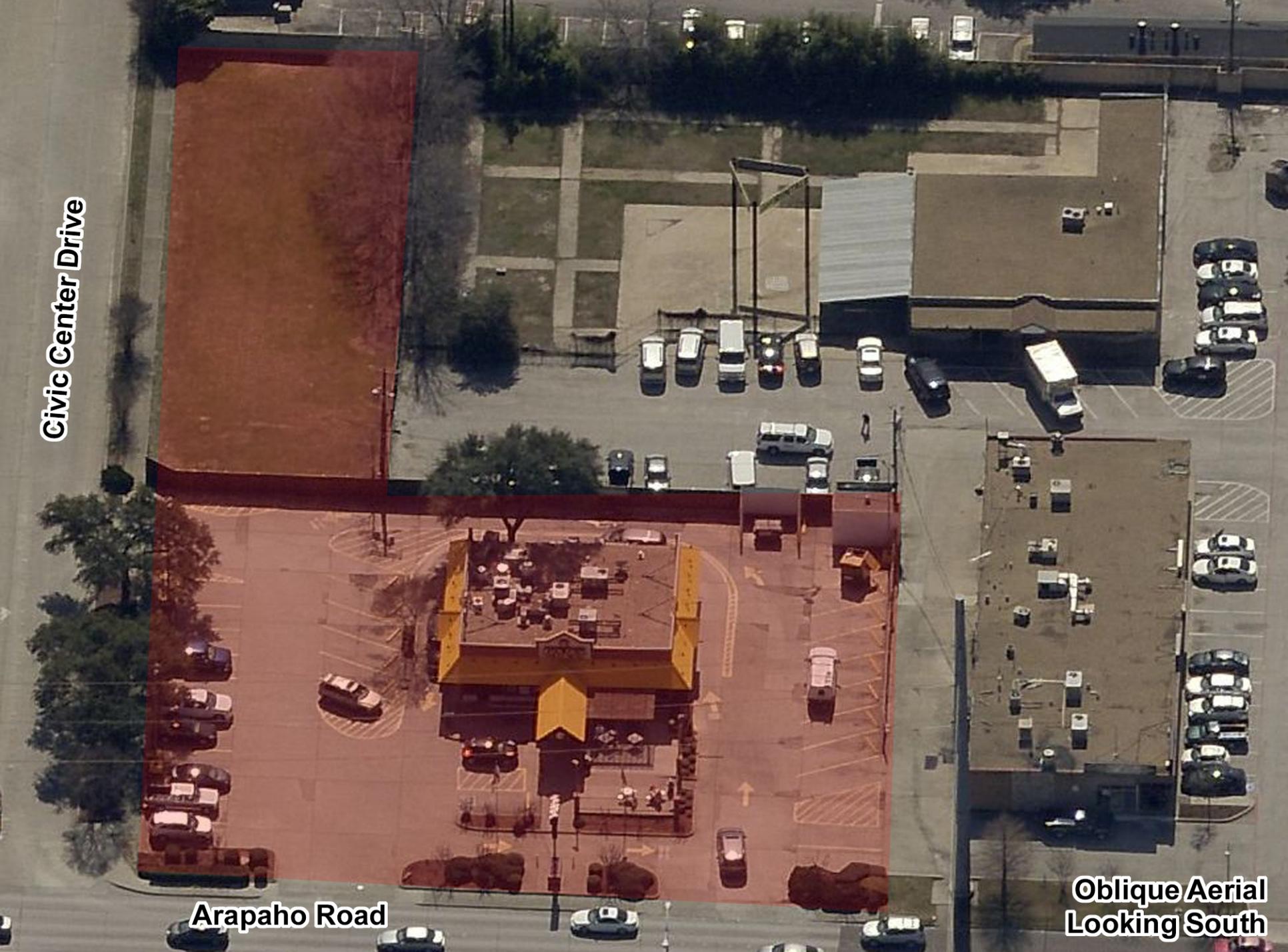
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Civic Center Drive

Arapaho Road

Oblique Aerial
Looking South



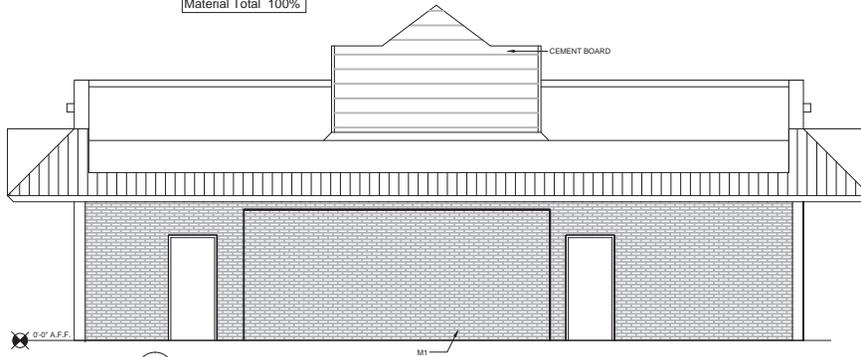
Oct 02, 2014 - 11:21am
036-05-A4.0-Exterior Elevations (Material Cals).dwg

NORTH ELEVATION
White Stone 22%
Ptd. Plywood 18%
Red Brick 60%
Material Total 100%



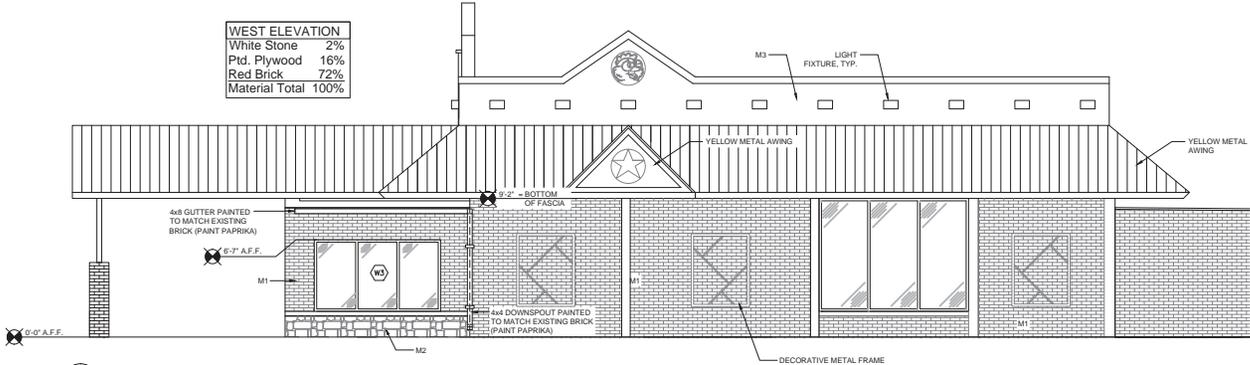
1 NORTH ELEVATION
A4.0 SCALE: 1/4" = 1'-0"

SOUTH ELEVATION
Red Brick 100%
Material Total 100%



2 SOUTH ELEVATION
A4.0 SCALE: 1/4" = 1'-0"

WEST ELEVATION
White Stone 2%
Ptd. Plywood 16%
Red Brick 72%
Material Total 100%

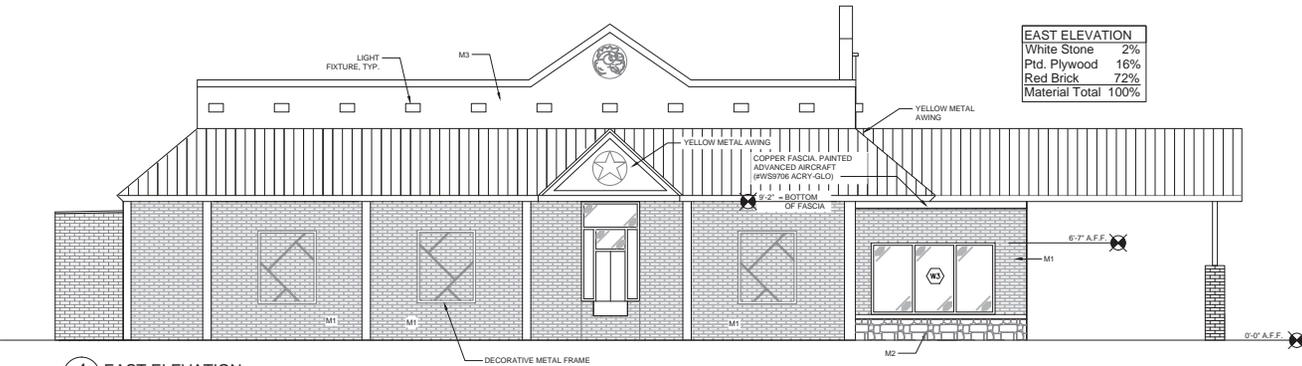


3 WEST ELEVATION
A4.0 SCALE: 1/4" = 1'-0"

MATERIAL SCHEDULE

- M1 BRICK - CR RED (PRODUCT NO. 113663) - AMCE BRICK
PAINT BRICK PAPIRKA (EB27-1) TO MATCH EXISTING BRICK.
MATERIAL SUPPLIER: SPECIFIED PRODUCTS, MR. CARTER LYON, 214-388-1228; CARTER@SPECIFIEDPRODUCTSINC.COM 8181 EAST POINT DRIVE, #300, DALLAS, TEXAS 75227
- M2 STONE - WHITE (AUSTIN BUCKEYE (TEJAS))
FULL SIZE. MATERIAL SUPPLIER: SPECIFIED PRODUCTS, MR. CARTER LYON, 214-388-1228; CARTER@SPECIFIEDPRODUCTSINC.COM 8181 EAST POINT DRIVE, #300, DALLAS, TEXAS 75227
- M3 PAINTED EXTERIOR GRADE PLYWOOD - PAINTED PAPIRKA (EB27-1) TO MATCH EXISTING BRICK.

EAST ELEVATION
White Stone 2%
Ptd. Plywood 16%
Red Brick 72%
Material Total 100%



4 EAST ELEVATION
A4.0 SCALE: 1/4" = 1'-0"

NOTE: SIGNAGE FOR ILLUSTRATION PURPOSES ONLY. SUBJECT TO COMMUNITY SERVICES APPROVAL.

DRAWN BY: DP
CHECKED BY: RK

EJES
ARCHITECTS
12840 CENTRAL EXPRESSWAY, SUITE 000
Dallas, Texas 75243
(714) 214-3435
MR. Lic. Copyright 2012

6007 FINANCIAL PLAZA, STE. 511
Surreyport, LA 71159
(504) 885-1228
(714) 214-3435

REGISTERED ARCHITECT
STATE OF TEXAS
08/18/14

EXTERIOR ELEVATIONS
GOLDEN CHICK
445 WEST ARAPAHO ROAD
RICHARDSON, TEXAS 75080

DATE	DESCRIPTION	BY
8/18/14	BLOC - PERMIT REV.1	DP

SCALE:
AS NOTED

PROJECT NO.
036-01

SHEET NO.
A4.0

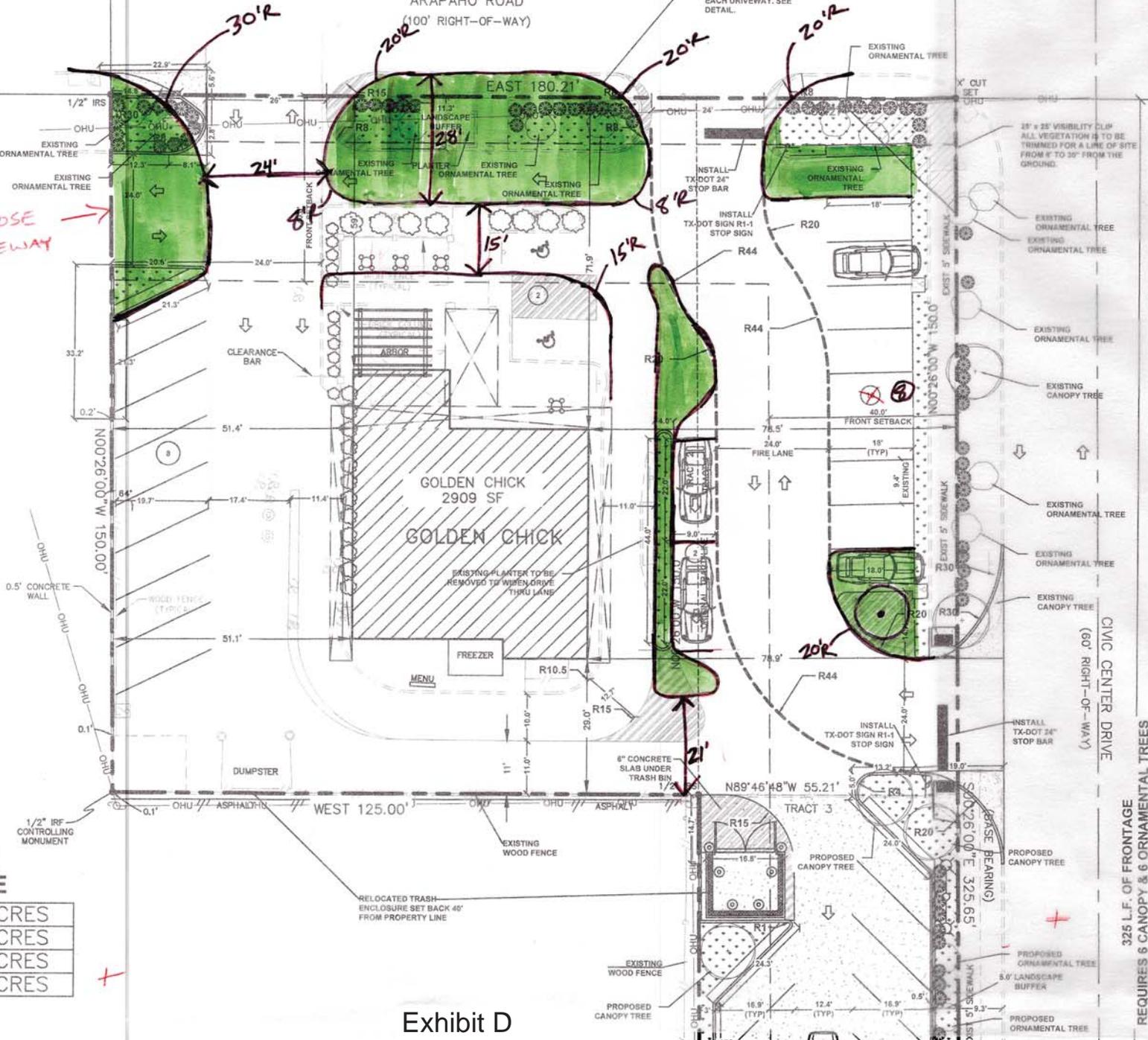


EAST 130.00'

180 L.F. OF FRONTAGE
REQUIRES 4 CANOPY & 4 ORNAMENTAL

ARAPAHO ROAD
(100' RIGHT-OF-WAY)

CLOSE
DRIVEWAY



C-M
TIARA PARK PARTNERS, LLC
INST. NO. 201000327504

EXISTING TRACT SUMMARY TABLE

TRACT 1	0.190 ACRES
TRACT 2	0.431 ACRES
TRACT 3	0.222 ACRES
TOTAL	0.843 ACRES



Exhibit D

CIVIC CENTER DRIVE
(60' RIGHT-OF-WAY)
325 L.F. OF FRONTAGE
REQUIRES 6 CANOPY & 6 ORNAMENTAL TREES



**GOLDEN
CHICK**

DRIVE THRU
BREAKFAST



**GOLDEN
CHICK**

**Looking Southeast at
Existing Restaurant**

(1)



GOLDEN CHICK

DRIVE - THRU
BREAKFAST
7 AM

GOLDEN CHICK

Looking East along
Arapaho Road (Driveway
Connection to West)

(2)



(3)

Looking South along Civic Center Drive



NO PARKING
ANY TIME
NO STOPPING
OR STANDING
EXCEPT
FOR THE
PURPOSES OF
LOADING AND
UNLOADING
PASSENGERS
OR MERCHANDISE
OR FOR THE
PURPOSES OF
REPAIRING
VEHICLES
OR FOR THE
PURPOSES OF
REPAIRING
EQUIPMENT
OR FOR THE
PURPOSES OF
REPAIRING
MACHINERY
OR FOR THE
PURPOSES OF
REPAIRING
EQUIPMENT
OR FOR THE
PURPOSES OF
REPAIRING
MACHINERY

(4)

Looking South at
Proposed Parking Lot



(5)

Looking South along
Proposed Fire Lane



Looking North along
West Side of Building

(6)



Golden Franchising Corporation
Golden Operating Corporation

1131 Rockingham Drive, Ste 250
Richardson, TX 75080

September 24, 2014

Chris Shacklett, AICP
The City of Richardson
411 W. Arapaho Road
Richardson, TX 75080

Re: Explanation and Description of Request
Development Application
Golden Chick Restaurant
445 W. Arapaho Road – Richardson, TX 75080

Dear Mr. Shacklett,

Golden Chick is hereby requesting the re-zoning of the two parcels, which are under the same ownership to allow for the addition of the new parking area for the convenience of our guests.

Golden Chick has experienced a very good history at this location and we are now in need of offering additional parking and seating as well. We are just about to begin the approved addition, which is reflected in the attached elevations, to the dining area to provide the much needed seating for our peak time guests. In anticipation of this continued growth, we need to provide the safest traffic flow possible and an improved parking situation as well.

Our intentions are to take the current unused vacant lot to the south and develop a well landscaped parking area to supplement the current parking arrangements. The overall proposed plan will include the addition of a fire lane through the property on the eastern side, correctly sized parking spaces and the addition of approximately 20 new spaces however the plan removes 5 spaces from the original layout to accommodate a fire lane. The net increase is 15 parking spaces. The flow of the parking lot will be greatly improved by actually reducing some of the parking spaces on the existing lot to correct many of the current shortfalls. In addition, we propose that we enter into an agreement with the neighbors to the west to provide the safest possible exit from the property at the signalized intersection of Arapaho and Custer Rd.

In addition, we anticipate an upgrade to the existing landscape including the frontage on W. Arapaho to improve the visibility at the corner of Civic Center Drive. The trash enclosure will also be relocated to remove it from the main traffic flow and visibility, which will offer a more safe location for the use of the dumpster. We do propose that the current ADA parking locations remain in that they are at the closest possible location to our accessible entrance to the restaurant.

I hope this is sufficient for the initial application process and we look forward to working with your team on this exciting project. Please let me know if you have any questions.

Sincerely,

Brian Gilbert
Director of Franchise Development
GFC Leasing Corp. LLC



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

PLANNED DEVELOPMENT

File No./Name: ZF 14-29 / Golden Chick
Property Owner: Mark S. Parmerlee / GFC Leasing Corp., LLC
Margaret Dalton Powell and Dorothy Dalton Verhalen
Applicant: Brian D. Gilbert / GFC Leasing Corp., LLC
Location: 445 W. Arapaho Road (See map on reverse side)
Current Zoning: LR-M(1) Local Retail, LR-M(2) Local Retail, and C-M Commercial
Request: A request to revoke Ordinance 2885-A, a Special Permit for operation of a drive-through service window, for a change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions and C-M with special conditions to LR-M(1) Local Retail, and approval of a Special Permit for a restaurant with drive-through service.

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

THURSDAY, OCTOBER 9, 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.

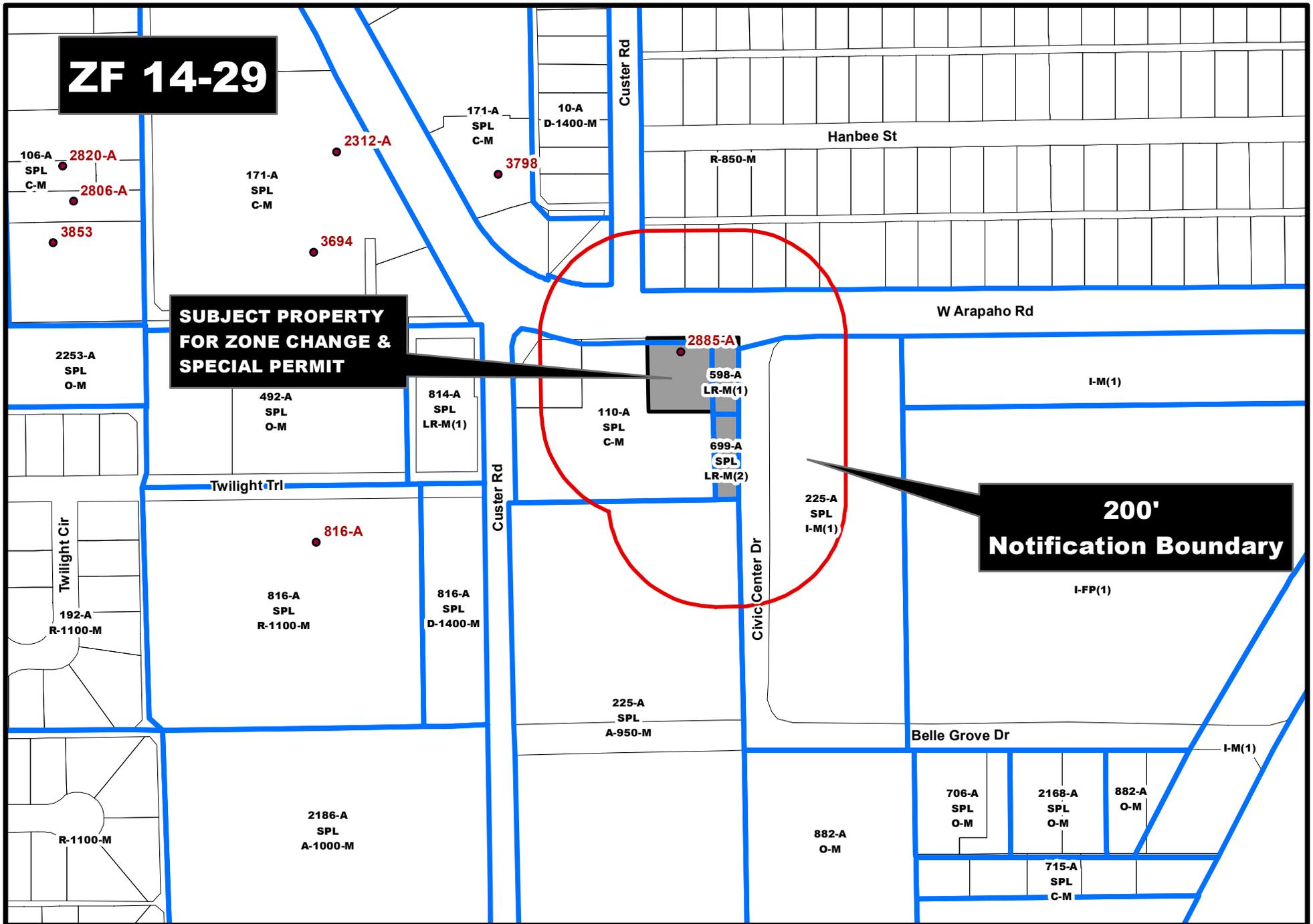
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 14-29.

Date Posted and Mailed: 09/26/2014



ZF 14-29 Notification Map

Updated By: shacklett, Update Date: September 18, 2014
 File: DSI\Mapping\Cases\Z\2014\ZF1429\ZF1429 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.



RICHARDSON CITY OF
PO BOX 830309
RICHARDSON, TX 75083-0309

RICHARDSON CITY OF
411 W ARAPAHO RD
RICHARDSON, TX 75080-4543

VERHALEN DOROTHY D
PO BOX 542257
DALLAS, TX 75354-2257

WEILBY DANIEL OLSEN
THOMAS SUFFIELD
801 ROCKY RIVER RD
HOUSTON, TX 77056-2105

SA PARADISE CORPORATION
2708 SAFARI CIR
PLANO, TX 75025-2140

BELLE GROVE APARTMENTS LLC
% REALSOURCE EQUITY SERVICE
2089 E FORT UNION BLVD
SALT LAKE CITY, UT 84121-3135

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4225 SHENANDOAH ST
DALLAS, TX 75205

ZF 14-29
Notification List



MEMO

DATE: October 23, 2014
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 14-30 – Planned Development – Ingram Terrace Patio Homes

REQUEST

Matt Duenwald, representing Kimley-Horn & Associates, is requesting to rezone approximately 8.63 acres from LR-M(2) Local Retail with special conditions to PD Planned Development to accommodate the development of a patio home subdivision located at the northeast corner of Renner Road and Brand Road.

BACKGROUND

The subject property was rezoned from R-1500-M Temp zoning to LR-M(2) Local Retail in 1988 and has never been developed. The applicant maintains that retail and other neighborhood service needs are being sufficiently provided for by existing commercial development at the intersection of Renner Road and North Star Road, in nearby Murphy to the northeast, and to the south along the President George Bush Turnpike. Consequently, the applicant believes retail development is unlikely to locate at this corner. Furthermore, the applicant states that since schools, parks, and other services are already established in the area, the site is well-suited for residential use.

The proposed development would be similar to the Savoy Trace and Savoy Landing patio home subdivisions located off West Campbell Road. Like those developments, the proposed development standards provide for modified setbacks, increased lot coverage, increased density, building and garage location/orientation, and additional landscaping standards in contrast to the City's standard patio home regulations.

At its October 9, 2014 meeting, the City Plan Commission discussed the trip generation memo submitted by the applicant, which concludes that the proposed development would generate less traffic than a retail shopping center. Commissioner Roland stated he had heard from surrounding neighbors, indicating a preference for residential development over commercial development. The applicant also stated that the same product constructed at the Savoy projects is being proposed here due to the success of those projects and because the proposed lot sizes allow for flexibility to place master bedrooms downstairs.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-0, recommends approval of the request as presented, subject to the attached special conditions.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 10-09-2014
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking South

Zoning Exhibit (Exhibit "B")
Proposed PD Conditions (Exhibit "C")
Site Photos
Applicant's Statement
Trip Generation Comparison Memo
Notice of Public Hearing
Notification List

ZF 14-30 Special Conditions

1. Base Zoning District: The property shall be developed used in accordance with the concept plan (“Concept Plan”) attached as Exhibit “B”, which is hereby approved, and RP-1500-M Patio Home Zoning District except as otherwise provided below:
 - A. Building Regulations
 1. Minimum dwelling unit size: 1,800 square feet (exclusive of garage floor area).
 - B. Height Regulations
 1. Maximum building height: Forty (40) feet.
 - C. Density
 1. Maximum density per gross acre: 7.5 dwelling units.
 - D. Area Regulations
 1. Minimum lot area: 3,600 square feet.
 2. Minimum lot width: Forty-five (45) feet at the garage build line, except for irregularly shaped lots, which may have a minimum width of thirty-five (35) feet at the garage build line.
 3. Minimum lot depth: Eighty (80) feet.
 4. Maximum lot coverage for dwelling units: Sixty-five (65%) percent.
 5. Minimum front setback: Twenty (20) feet for garages (measured to the face of garage door) and ten (10) feet for the remainder of the structure, including porches. The face of the garage shall be required to be recessed a minimum of five (5) feet from the remainder of the structure (18-inch overhang encroachment allowed for all of the above).
 6. Minimum interior side setback: To be determined at the time of development plan approval with a minimum required ten (10) foot building separation (18-inch overhang encroachment allowed).
 7. Minimum corner lot side setback: Ten (10) feet (18-inch overhang encroachment allowed).
 8. Minimum rear setback: Five (5) feet (18-inch overhang encroachment allowed).

E. Alleys

1. No alleys, or access to existing alleys shall be required.

F. Sidewalks

1. Within the development, no interior sidewalks shall be required.

G. Lot Lines

1. Non-radial lots shall be allowed as indicated on the Concept Plan.

H. Accessory Structures

1. No accessory structures shall be allowed within public view except for arbors. Arbors may be attached or detached and shall be constructed of stained cedar materials or other approved similar material.

I. Garage Doors

1. Garage doors shall be metal carriage-style (wooden look) doors or wooden doors.

J. Driveways

1. Non-perpendicular maneuverability shall be allowed for irregularly shaped lots, with a required minimum pavement area of eighteen (18) feet in width and twenty-four (24) feet in length and may include adjacent private street paving.

K. Fencing and Screening Walls

1. Fences shall be stained, board on board or standard vertical tubular steel.
2. Fences constructed generally perpendicular to a perimeter masonry screening wall:
 - (a) No fence shall exceed six (6) feet in height within the required rear yard or side yard setback or the height of the masonry screening wall, whichever is greater.
3. A minimum six (6) foot tall masonry screening wall shall be constructed along the perimeter of the site as shown on the Concept Plan, except for the portion along Renner Road where a minimum six (6) foot ornamental metal fence with masonry columns shall be utilized.
4. Fences located on corner lots shall be located no closer than ten (10) feet from the edge of pavement or within the ten (10) foot utility easement line, whichever is greater.

L. Buffering, Entry Monuments and Landscaping

1. Landscape Setback: Along Renner and Brand Road, a 30-foot landscape and pedestrian strip shall be required within the property lines of the tract in addition and adjacent to the standard 10-foot parkway required as street right-of-way. The 30-foot landscape and pedestrian strip (“Landscape Zone”) shall include ornamental trees and shrubs, a five (5) foot meandering sidewalk and berms at a maximum 3:1 slope. The berms and sidewalk shall be designed to meander throughout the Landscape Zone and parkway so that no visual separation is apparent between the Landscape Zone and the parkway.

Underground irrigation shall be required, and the installation of this system, the landscaping and sidewalk shall be the responsibility of the subdivision developer. Responsibility for maintenance of the landscaping shall be by the HOA.

2. An equivalent of one tree per thirty (30) linear feet of public street frontage shall be installed along Renner Road and Brand Road.
3. The amenity lot and open space lots shown on the Concept Plan shall be improved by the developer concurrent with the development of the property, and maintained by the HOA. At a minimum, the open space/amenity lots collectively on the south side of Victoria Road shall consist of four (4) canopy trees and ten (10) ornamental trees. The open space and amenity lots shall be permitted to incorporate other amenities and improvements, including without limitation; swimming pools, cabanas, gazebos, shade structures and play structures; however, no additional parking shall be required to serve these facilities.
4. Along Ingram Terrace and Victoria Road, entry features, entry monuments and screening walls shall be allowed in Open Space Lots 1-3 and shall meet the City visibility requirements. Entry features and entry monuments shall be permitted within the medians in Ingram Terrace. The guard shack shall be allowed in the open space lots in Ingram Terrace.
5. The construction of the median opening along Renner Road shall require existing trees to be replanted or relocated, if feasible. If the trees cannot be replanted or relocated, the Developer shall replace the trees with same number of caliper inches as was removed. The replacement trees shall be a minimum caliper of 3 inches. The City shall determine the appropriate relocation or new location for the trees. Additionally, the decorative wall located in the median shall be removed at the Developer’s expense.



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: October 7, 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: October 10, 2014

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, October 27, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 14-28

A request by John Elledge, representing The Hertz Corporation, for approval of a Special Permit for motor vehicle rental located in a single-tenant building and offering more than ten (10) vehicles for rent, in conjunction with motor vehicle sales/leasing – used to be located at 233 N. Central Expressway (west side of Central Expressway, north of Belt Line Road). The property is currently zoned C-M Commercial.

ZF 14-29

A request by Brian Gilbert, representing GFC Leasing Corp., LLC, to revoke Ordinance 2885-A, a Special Permit to allow operation of a drive-thru food service window, for a change in zoning from LR-M(1) Local Retail, LR-M(2) Local Retail with special conditions, and C-M Commercial with special conditions to LR-M(1) Local Retail, and for approval of a Special Permit for a restaurant with drive-through service on a 0.843-acre tract of land located at 445 W. Arapaho Road (southwest corner of Arapaho Road and Civic Center Drive). The property is currently zoned LR-M(1) Local Retail, LR-M(2) Local Retail, and C-M Commercial.

ZF 14-30

A request by Matt Duenwald, representing Kimley-Horn & Associates, for a change in zoning from LR-M(2) Local Retail with special conditions to PD Planned Development for the development of a maximum 64-home patio home community on approximately 8.63 acres. The property is located at the northeast corner of Renner Road and Brand Road and is currently zoned LR-M(2) Local Retail.

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 –October 9, 2014**

PUBLIC HEARING

Zoning File 14-30 – Ingram Terrace Patio Home Development: Consider and take necessary action on a request for approval for a change in zoning from LR-M(2) Local Retail with special conditions to PD Planned Development for the development of a maximum 64-home patio home community on approximately 8.63 acres. The property is located at the northeast corner of Renner Road and Brand Road.

Mr. Shacklett stated the applicant was requesting to rezone the northeast corner of Renner Road and Brand Road from LR-M(2) Local Retail to PD Planned Development (PD) to accommodate the development of a private, gated patio home community with a base zoning of RP-1500-M having two points of ingress to the community – one along Renner Road for residents, and an emergency access along Brand Road and with a requested density of 7.5 homes per acre.

Mr. Shacklett stated the applicant was proposing to provide a median cut along Renner Road to match up with the access point for the residents, which would require removing the existing masonry wall and some of the trees in the median. The trees to be relocated, if possible, to another area, but the wall would not be reconstructed.

Mr. Shacklett said the project was very similar to the Savoy Landing and Savoy Trace projects in that there would be minimum 3,600 square foot lots and minimum 1,800 square foot homes. He added they would not necessarily be zero-lot line homes because standard patio home are built on the property line and on the other side there would be a 10-foot setback or the developer could center the home on the lot with 5-foot setbacks on either side.

Mr. Shacklett noted the applicant was proposing to install a 30-foot landscape buffer, meandering sidewalks and berms around the development, which are common to many subdivisions in that part of the City.

Mr. Shacklett reported the applicant had committed to adding a number of canopy and ornamental trees to the open space areas adjacent to the front entry, but had not determined what they would do with those lots other than designating one for possible future amenities (pool or playground). He added the applicant was also requesting a decorative guard shack (unmanned) at the front entry.

In closing his comments, Mr. Shacklett pointed out the applicant was requesting restrictions for accessory structures (except arbors), requirements for carriage style garage doors, not allowing fences within 10 feet of pavement, and waivers for alleys and interior sidewalks.

Commissioner Roland asked why the applicant was not proposing to have another gated entrance off Brand Road instead of just an emergency access gate. He also wanted to know

if a Traffic Impact Analysis (TIA) had been completed and did it reflect theoretical information or actual hard counts of vehicles.

Mr. Shacklett said from a safety standpoint the main entrance and the emergency access point met the requirements, but suggested the applicant might be better able to address how another entrance would affect their development.

Regarding the TIA, Mr. Shacklett stated the analysis looked at the traffic generated if a retail center was developed under the current zoning as opposed to the traffic that would be generated by the proposed residential development.

Commissioner Roland stated that if the information was more theoretical then how would the actual be addressed citing the current state of traffic that flows through the area especially with the elementary school activity in the morning. He also wanted to know if there would be a curb cut on Brand Road.

Mr. Shacklett said a median cut would not be allowed on Brand Road so most of the traffic would have to go through the entrance on Renner Road.

Commissioner Roland asked if the applicant was not asking for a 5-foot lot width variance, how many houses would be built in the development.

Mr. Shacklett estimated there would be approximately a 10 percent decrease in the number of homes.

Commissioner DePuy asked for clarification on the placement of the homes on the lots and would the homes be considered zero lot line or patio homes. She also wanted to know if the master bedrooms would be on the ground floor.

Mr. Shacklett replied that whether the homes were on the property line or center loaded; there would always be 10 feet between structures. He added that the City's ordinance defines a patio home as one built on the property line.

Regarding the location of the master bedrooms, Mr. Shacklett reminded the Commission that during the development of the Savoy Trace property the applicant had asked for master bedrooms upstairs, but realized after discussions with Ms. DePuy and Ms. Frederick that having the master bedroom on the ground floor was a better option.

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

Mr. Matt Torbit, David Weekley Homes, 3301 N. Hwy 35, Carrollton, Texas, complimented staff on their presentation and stated he was available for any questions.

Commissioner DePuy asked the applicant to address the master bedroom question.

Mr. Torbit replied that all the plans in the Savoy projects have master bedrooms on the first floor and it would be the same in the proposed project.

Commissioner Roland asked the applicant to comment on traffic in the area and the possibility of a second gated entrance. He also wanted to know if applicant was going to forewarn potential home buyers of the active ball parks across the street as well as the nearby fire station.

Mr. Torbit said if another entrance was constructed on Brand Road it would cause traffic to U-turn to get back to Renner Road, which would increase the traffic in front of the elementary school. He said they would make potential buyers aware of the ball fields and fire station.

Commissioner DePuy asked what the price point would be on the homes.

Mr. Torbit replied it would be in the area of four hundred thousand dollars.

Commissioner Linn asked if David Weekley Homes would also be the builder.

Mr. Torbit replied that they would be the developer as well as the builder.

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

Commissioner Linn stated he was satisfied with the Savoy projects, but felt those projects were different because they were not adjacent to residential areas and was disappointed there was no feedback from the local homeowners associations. He also thought the price point was a little high, but would fit in nicely with the adjacent neighborhoods.

Commissioner Roland replied that he was the president of his homeowners association and the majority of the feedback he received was “better residential than commercial.”

Chairman Hand asked why the applicant was requesting a Planned Development as opposed to a straight zoning district.

Mr. Shacklett said rezoning to a residential district would require larger lots; therefore, diminishing the number of lots available as well as requiring alleys. Also, a PD would provide more control over the design of the community than a standard residential district.

Chairman Hand said he was not a big fan of gated communities, but felt the market would support the development and residential was better than commercial.

Vice Chair Bright asked if the Savoy projects had interior sidewalks.

Mr. Shacklett said they did not.

Motion: Vice Chair Bright made a motion to recommend approval of Zoning File 14-30 as presented including the listed special conditions; second by Commissioner DePuy. Motion approved 6-0.



Staff Report

TO: City Council

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

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

DATE: October 23, 2014

RE: **Zoning File 14-30:** Ingram Terrace Patio Home Development – NEC Renner Road and Brand Road

REQUEST:

Rezone approximately 8.63 acres from LR-M(2) Local Retail with special conditions to PD Planned Development to accommodate the development of a patio home subdivision located at the northeast corner of Renner Road and Brand Road.

APPLICANT / PROPERTY OWNERS:

Matt Duenwald, Kimley-Horn & Associates / James Ingram and Deborah Lloyd, John Ingram – JIDL, LTD.

EXISTING DEVELOPMENT:

The subject property is undeveloped.

ADJACENT ROADWAYS:

Renner Road: Four-lane divided arterial; 15,200 vehicles per day on all lanes, eastbound and westbound, between Brand Road and Murphy Road (February 2013).

Brand Road: Four-lane divided arterial; 3,200 vehicles per day on all lanes, northbound and southbound, south of Renner Road (February 2012).

SURROUNDING LAND USE AND ZONING:

North: Single Family; R-1500-M Residential

South: Single Family; R-1500-M Residential

East: Single Family; R-1500-M Residential

West: School; IP-M(1) Industrial Park

FUTURE LAND USE PLAN:

Neighborhood Service

Service-related uses such as retail sales; personal services; entertainment; recreation; and office uses oriented to the immediate area

Future Land Uses of Surrounding Area:

North: Neighborhood Residential
South: Neighborhood Residential
East: Neighborhood Residential
West: School

EXISTING ZONING:

LR-M(2) Local Retail per Ordinance 2669-A (1988)

TRAFFIC/ INFRASTRUCTURE IMPACTS:

The requested zoning amendment will not have any significant impacts on the surrounding existing utilities in the area.

The applicant submitted a trip generation study to compare the potential traffic generated by the proposed development and the site's current LR-M(2) Local Retail zoning designation. The trip generation calculations for existing zoning are based on a representative type development for the area, not maximum allowable development.

Based on the information provided, the proposed zoning request reduces the daily trips by approximately 71%, while the AM peak hour and PM peak hour trip generation are reduced by approximately 46% and 57%, respectively.

According to the attached study, sixty-three (63) single family lots would generate approximately 600 daily trips with a maximum AM peak hour trip generation of forty-seven (47) trips and a maximum PM peak hour trip generation of sixty-three (63) trips. Under the site's current zoning designation, the site would generate approximately 2,094 trips per day with a maximum AM peak hour trip generation of eighty-seven (87) trips and a maximum PM peak hour trip generation of 145 trips.

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:

The site was rezoned from R-1500-M Temp zoning to LR-M(2) Local Retail in 1988. The applicant states their intent is to develop and underutilized infill project. He states retail and other neighborhood services have located elsewhere in the area such as the intersection of Renner and North Star Roads with larger retail developments to the northeast in Murphy and to the south along President George Bush Turnpike. For this reason, they feel a retail development is unlikely to locate at this corner. Furthermore, the applicant states that since schools, parks, and other services are already established in the area, the site is well-suited for a residential use.

Request:

The proposed development is similar to Savoy Trace and Savoy Landing; two similar sized patio home subdivisions located on Campbell Road between Waterview Parkway and Coit Road. The applicant states the project will provide new housing stock in an area that is virtually built out while providing product diversity that is compatible with the existing neighborhood. David Weekley Homes, who built Savoy Trace and Savoy Landing, is the intended builder for this project as well.

As shown on Exhibit "B", the 8.63-acre development would contain sixty-two (62) residential lots, an amenity lot, and five (5) open space lots. The main entrance will be located on Renner Road near the southeast corner of the development, which would be served by a median opening. This entrance would be a gated, access controlled entrance providing a turnaround area between the open spaces located in Ingram Terrace for vehicles that turn into the driveway and cannot get into the development. A secondary emergency access gate will be provided on Brand Road at the northwest corner of the community. It will not provide access into or out of the community for the non-emergency vehicles. Pedestrian, access controlled gates will be provided at each of these two access points too.

The community is a private, gated community thereby requiring the streets to be private, which are required to be maintained by the HOA. A minimum 6-foot masonry screening wall will enclose the property except for the portion along Renner Road adjacent to Open Space 2 where an ornamental metal fence with masonry columns will be utilized. Within the open space lots and amenity lot, a minimum number of trees will be provided. However, the applicant has suggested that additional features such as a pool, cabana, or playground structure may also be located in the amenity lot.

Proposed Development Standards

The table below compares the proposed development standards with those of the RP-1500-M Residential District, the Savoy Trace development, and includes justifications for the modified development standards. In addition, there are several proposed regulations that are more restrictive than the RP-1500-M Patio Home including minimum dwelling unit size, garage location and orientation, and landscaping standards (Highlighted in **bold** text).

	RP-1500-M Residential District Development Regulations	Savoy Trace/Savoy Landing Development Regulations	Proposed Development Regulations
Dwelling Unit Size	Minimum: 1,500 square feet	Minimum: 1,800/1,600 s.f.	Minimum: 1,800 square feet
Building Height	Minimum 1-story / Maximum 2-story	Maximum 40-foot height (Savoy Trace required to be 2 stories)	Maximum 40-foot height
Area Regulations	Lot Area: Minimum 5,000 square feet. Lot Width: Minimum 50 feet. Lot Depth: Minimum 100 feet.	Lot Area: Minimum 3,600 square feet. Lot Width: Minimum 45 feet (irregularly shaped lots may be minimum 35 feet in Savoy Landing). Lot Depth: Minimum 80 feet.	Lot Area: Minimum 3,600 square feet. Lot Width: Minimum 45 feet, except for irregularly shaped lots may be minimum 35 feet. Lot Depth: Minimum 80 feet.
	<ul style="list-style-type: none"> • <u>Reduced Minimum Lot Width and Area</u> – The applicant’s request is to reduce the minimum lot width from fifty (50) feet to forty-five (45) feet and the minimum lot size from 5,000 square feet to 3,600 square feet. However, the average lot size is 4,234 square feet. <p>Similar to the Savoy projects, the smaller lots allow the number of lots to be increased while appealing to buyers seeking a low maintenance lifestyle.</p>		
Lot Coverage	Maximum Lot Coverage: 50%	Maximum Lot Coverage: 65%	Maximum Lot Coverage: 65%
	<ul style="list-style-type: none"> • <u>Increased Lot Coverage</u> – The applicant is requesting an increase in lot coverage from 50% to 65%. <p>This would allow the developer to fully utilize the smaller lots. As proposed, this will be a more compact neighborhood; therefore, lot coverage is typically higher than in a traditional patio home subdivision.</p>		
	RP-1500-M Residential District Development Regulations	Savoy Trace/Savoy Landing Development Regulations	Proposed Development Regulations
Setbacks	Front: Minimum 15 feet. Side: 0 feet and 10 feet/15 feet for side property line adjacent to a street.	Front: Minimum 20 feet to garage door. Required front setback of 10 feet for remainder of structure, including porches. (18-inch overhang encroachment allowed for all of the above.) (Face of garage shall be recessed minimum 5 feet from remainder of structure). Side: TBD at time of development plans. Minimum 10-foot building separation required. 10 feet for side property line adjacent to a street. (18-inch overhang encroachment allowed).	Front: Minimum 20 feet to garage door. Required front setback of 10 feet for remainder of structure, including porches. (18-inch overhang encroachment allowed for all of the above.) (Face of garage shall be recessed minimum 5 feet from remainder of structure). Side: TBD at time of development plans. Minimum 10-foot building separation required. 10 feet for side property line adjacent to a street. (18-inch overhang encroachment allowed).

	RP-1500-M Residential District Development Regulations	Savoy Trace/Savoy Landing Development Regulations	Proposed Development Regulations
Setbacks (Continued)	Rear: Minimum 20 feet.	Rear: Minimum 5 feet. (18-inch overhang shall be allowed).	Rear: Minimum 5 feet. (18-inch overhang shall be allowed).
	<ul style="list-style-type: none"> • <u>Modified Setbacks (same modifications as approved in Savoy projects)</u> <ul style="list-style-type: none"> ○ <u>Front</u> – Required front setback in the RP-1500-M Patio Home District is 15 feet. <p>The applicant is proposing a 20-foot setback to the garage door and a front setback of ten (10) feet for the remainder of the structure to allow for greater variations in the front elevation of the home. However, the face of the garage door will be required to be recessed a minimum of five (5) feet from the remainder of the structure to reduce its visual impact (See attached Savoy Trace photos)</p> ○ <u>Side</u> – The side setback in the RP-1500-M Patio Home District is zero (0) feet on one side and ten (10) feet on the other side. <p>A minimum 10-foot separation between the homes is met since the adjacent home would be set back ten (10) feet from the common side lot line. The applicant is requesting to defer the side setback until development plans are processed to allow them the option of the typical RP-1500-M zero lot line requirements or some other setback such as a 5-foot setback on either side. The minimum 10-foot building separation would be required regardless of which setback is chosen.</p> ○ <u>Rear</u> – The rear setback in the RP-1500-M Patio Home District is twenty (20) feet. <p>The applicant is requesting a 5-foot rear yard to accommodate a deeper building pad since the minimum lot depth is shallower than a typical patio home lot. Similar to the Savoy projects, the entire rear elevation may not be built to the 5-foot rear setback; rather, the 5-foot setback allows for an L-shaped rear elevation of the home, where a covered patio area could be located.</p> 		
Density	Maximum 5.5 dwelling units per acre.	Maximum 7.2/7.5 dwelling units per acre.	Maximum 7.5 dwelling units per acre.
	<ul style="list-style-type: none"> • <u>Increased Density</u> – The applicant has requested an increase in density from 5.5 dwelling units per acre to 7.5 dwelling units per acre, similar to both Savoy projects. <p>Based on the proposed concept plan, the density would be approximately 7.2 dwelling units per acre thereby reflecting the proposed nature of a compact neighborhood. Although only sixty-two (62) lots are shown, up to sixty-four (64) lots could be developed if the applicant could reconfigure the site without substantially changing the character of the concept plan.</p> 		

The applicant is also requesting the following additional modified standards with regard to Chapter 21-Subdivision and Development Code as part of their request and which were granted as part of the approval for the Savoy projects:

- Alley Waiver – The RP-1500-M Patio Home District requires alleys to be provided.

The applicant is proposing that alleys not be required to maximize the space for the residential lots. Additionally, since the development is a private gated community, utilizing the existing alley on the north and east side of the development would impede the ability for the neighborhood to be a “gated” community. The applicant is proposing front entry garages governed by the front setback regulations stated in the table above. The garages will be required to be set back farther than the rest of the house to mitigate the visual effect of the garage doors along the street. Other patio home subdivisions in Richardson that are private, gated communities have been approved without alleys.

- Sidewalk Waiver - The applicant has requested that interior sidewalks not be required.

Since the community will be gated and the streets will be private, the applicant does not believe sidewalks will be necessary. Sidewalk access will be provided near the Renner Road entrance and the emergency access gate on Brand Road along with controlled pedestrian gates to provide connections to public sidewalks along those two (2) streets.

- Non-Radial Lot Lines - The applicant has requested that non-radial lot lines be allowed.

This requirement applies to the lots located along the outside curve of the interior loop street. This exception is typically granted at the time of preliminary platting; however, since the applicant knows some lots may have non-radial lot lines, they are requesting the exception at the time of zoning.

The following are a list of additional development standards that the applicant has proposed as part of the Planned Development application. These are similar to conditions that were approved as part of the Savoy Trace and Savoy Landing developments:

- No accessory structures shall be allowed within public view except for arbors, which may be attached or detached and shall be constructed of stained cedar materials or other approved material.
- Garage doors shall be custom, metal carriage-style (wooden look) or wooden garage doors.
- Fences shall be stained, board-on-board or standard vertical tubular steel. No fence shall exceed six (6) feet in height or the exterior masonry screening wall height behind the lot, whichever is greater. Fences are required to be constructed perpendicular to the perimeter screen wall. This would prohibit an interior fence being placed along the perimeter screen wall as well as prohibit interior fences being taller than the perimeter screen wall.

Additionally, fences on corner lots shall be located no closer than ten (10) feet from the edge of pavement (the property line). This condition was not codified in the Savoy projects which would allow side yard fences to be located directly on the.

The following development standards proposed by the applicant are unique compared to landscaping standards provided in the Savoy projects:

- Along Renner and Brand Roads, a 30-foot landscape and pedestrian strip will be provided within a common area lot. Within the buffer, a 5-foot meandering sidewalk, an equivalent of one (1) ornamental tree per thirty (30) linear feet of frontage, and shrubs along with berms will be required. This is consistent with perimeter landscaping requirements for the subdivisions to the east and to the south.
- In addition, the applicant is proposing an open space and amenity lot within the development but has not programmed how these areas will be used. A minimum of four (4) canopy and ten (10) ornamental trees would be located within the two (2) lots; however, additional improvements would be allowed, including a swimming pool, gazebo, and play structures. The applicant's intent is to make the decision at a later date based on the future resident's desires.

The proposed subdivision will be required to establish a Homeowners' Association (HOA) which will be responsible for maintenance of the private streets within the subdivision and maintenance of the open space areas and landscaping along the perimeter of the site.

Other Elements Related to the Request:

Future Land Use Plan: The subject property is designated as "Neighborhood Service" on the City's 2009 Future Land Use Plan. This designation includes uses such as retail sales, personal services, entertainment, recreation, and office uses oriented to the immediate area. The applicant states retail and other neighborhood services have located elsewhere in the area such as the intersection of Renner and North Star Roads with larger retail developments to the northeast in Murphy and to the south along President George Bush Turnpike. For that reason and in view of the existing surrounding land uses, the applicant feels the change in zoning would allow for an appropriate and compatible use.

45-foot Wide Lots/Front Entry Garages: As with the Savoy developments, the applicant is proposing to develop 45-foot wide lots and require garage doors to be set back 5-10 feet from the façade. Attached are photos of existing front elevations from Savoy Trace. The photos depict the design of the proposed homes and show the juxtaposition of the garage door with the rest of the home.

Vehicle Maneuverability – The RP-1500-M Patio Home District requires an 18-foot wide by 24-foot deep paved area (includes street/alley) perpendicular to the entry opening of a garage for vehicle maneuverability. The applicant has requested that non-perpendicular maneuverability be allowed for irregularly shaped lots. These lots would be lots located on the outside of the curves of the interior loop street. Due to these lots' reduced widths at the street frontage, non-perpendicular maneuverability may be more suitable to provide adequate driveway location on the property. These driveways would still be required to provide the minimum 18-foot width by 24-foot deep pavement area; however, the driveways may be slightly curved to more appropriately locate the driveway on the property.

Renner Road Median Opening – The applicant initially requested a median opening along Renner Road that was located approximately halfway between Brand Road and the east property line of the subject property. Staff told the applicant that this location was not appropriate because it did not meet the spacing requirements between median openings along an arterial (730 feet), the effect it had on the future extension of the left turn lane from westbound Renner to southbound Brand, and visibility concerns related to the existing trees and decorative wall in the median (existing median openings at Brand Road and Charleston Drive, which is located just to the east of the subject property and serves the homes backing to the east property line of the subject property). The applicant stated the median opening was imperative to provide access into the development for vehicles travelling eastbound on Renner Road as well as egress for vehicles desiring to go eastbound on Renner Road. Staff suggested providing an additional right in/right out driveway on Brand Road, but that would reduce the number of lots that could be developed and still did not provide vehicles exiting the development an opportunity to get on eastbound Renner Road without making u-turns.

The applicant proposed the new median opening location as shown on Exhibit “B” allows for the future left turn lane extension and removes visibility concerns. The new median opening would require the removal of a decorative stone wall and seven (7) trees. As part of the PD, the applicant has stated they will relocate the trees if possible. If not, they state they will replace the trees with the same number of caliper inches as was removed. Also, the wall would be removed at their expense; however, it will not be relocated within the median due to issues with visibility that would be caused by placing it either east or west of the proposed median. Trees will be relocated or replaced subject to City approval regarding location and visibility standards.

Correspondence: As of this date, no correspondence has been received.

Motion: On October 9, 2014, the City Plan Commission recommended approval, by a vote of 6-0, of the request as presented subject to the following special conditions

The subject site shall be zoned PD Planned Development for the RP-1500-M Patio Home District, and shall be developed in substantial conformance with the concept plan attached hereto as Exhibit “B” (the “Concept Plan”) and in accordance with all applicable regulations of the RP-1500-M Patio Home District, subject to the following modified development standards:

1. Base Zoning District: The property shall be developed used in accordance with the concept plan (“Concept Plan”) attached as Exhibit “B”, which is hereby approved, and RP-1500-M Patio Home Zoning District except as otherwise provided below:
 - A. Building Regulations
 1. Minimum dwelling unit size: 1,800 square feet (exclusive of garage floor area).
 - B. Height Regulations
 1. Maximum building height: Forty (40) feet.
 - C. Density
 1. Maximum density per gross acre: 7.5 dwelling units.
 - D. Area Regulations
 1. Minimum lot area: 3,600 square feet.
 2. Minimum lot width: Forty-five (45) feet at the garage build line, except for irregularly shaped lots, which may have a minimum width of thirty-five (35) feet at the garage build line.
 3. Minimum lot depth: Eighty (80) feet.
 4. Maximum lot coverage for dwelling units: Sixty-five (65%) percent.

5. Minimum front setback: Twenty (20) feet for garages (measured to the face of garage door) and ten (10) feet for the remainder of the structure, including porches. The face of the garage shall be required to be recessed a minimum of five (5) feet from the remainder of the structure (18-inch overhang encroachment allowed for all of the above).
6. Minimum interior side setback: To be determined at the time of development plan approval with a minimum required ten (10) foot building separation (18-inch overhang encroachment allowed).
7. Minimum corner lot side setback: Ten (10) feet (18-inch overhang encroachment allowed).
8. Minimum rear setback: Five (5) feet (18-inch overhang encroachment allowed).

E. Alleys

1. No alleys or access to existing alleys shall be required.

F. Sidewalks

1. Within the development, no interior sidewalks shall be required.

G. Lot Lines

1. Non-radial lots shall be allowed as indicated on the Concept Plan.

H. Accessory Structures

1. No accessory structures shall be allowed within public view except for arbors. Arbors may be attached or detached and shall be constructed of stained cedar materials or other approved similar material.

I. Garage Doors

1. Garage doors shall be metal carriage-style (wooden look) doors or wooden doors.

J. Driveways

1. Non-perpendicular maneuverability shall be allowed for irregularly shaped lots, with a required minimum pavement area of eighteen (18) feet in width and twenty-four (24) feet in length and may include adjacent private street paving.

K. Fencing and Screening Walls

1. Fences shall be stained, board on board or standard vertical tubular steel.

2. Fences shall be constructed generally perpendicular to a perimeter masonry screening wall:
 - (a) No fence shall exceed six (6) feet in height within the required rear yard or side yard setback or the height of the masonry screening wall, whichever is greater.
3. A minimum six (6) foot tall masonry screening wall shall be constructed along the perimeter of the site as shown on the Concept Plan, except for the portion along Renner Road where a minimum six (6) foot ornamental metal fence with masonry columns shall be utilized.
4. Fences located on corner lots shall be located no closer than ten (10) feet from the edge of pavement or within the ten (10) foot utility easement line, whichever is greater.

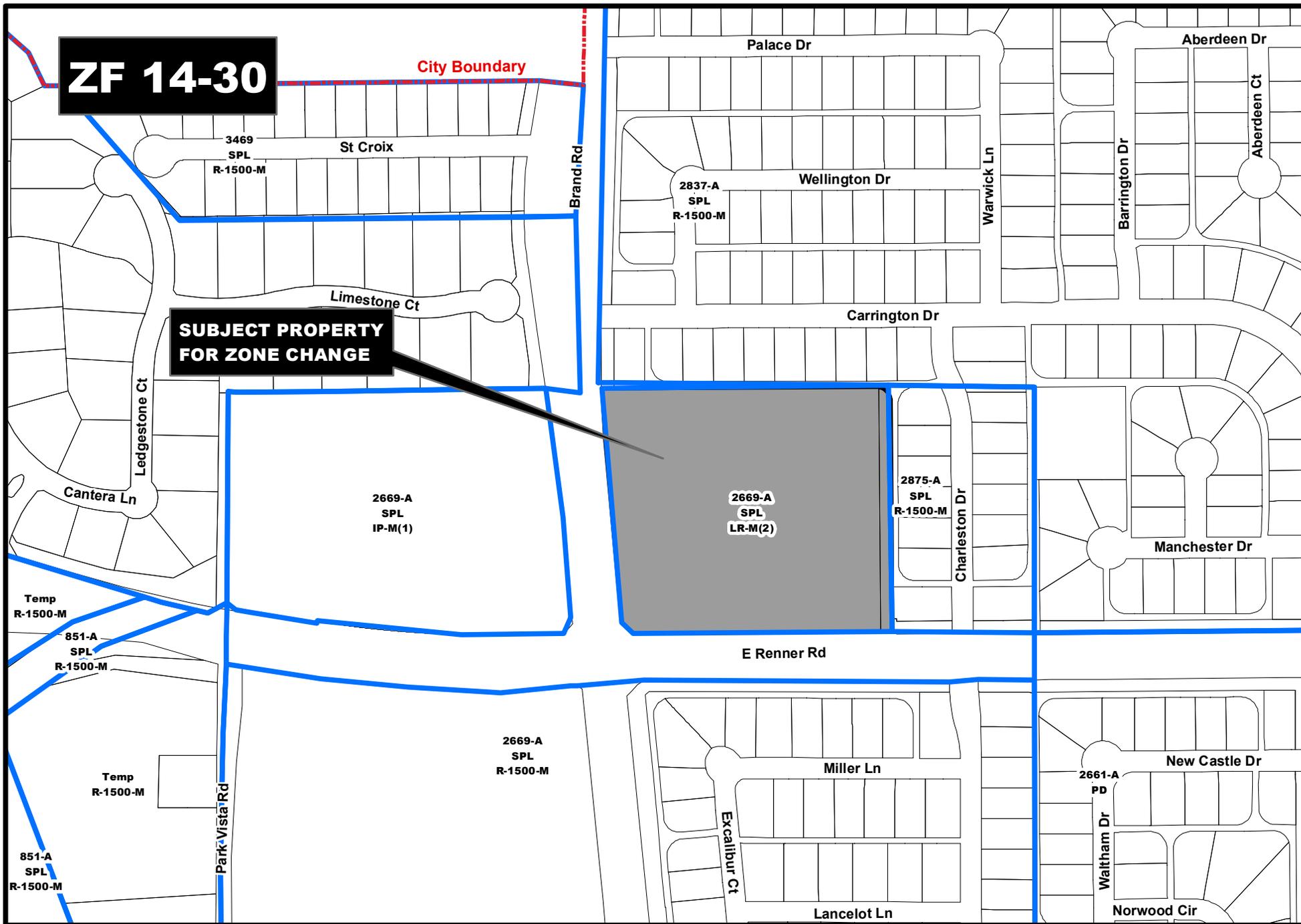
L. Buffering, Entry Monuments and Landscaping

1. Landscape Setback: Along Renner and Brand Road, a 30-foot landscape and pedestrian strip shall be required within the property lines of the tract in addition and adjacent to the standard 10-foot parkway required as street right-of-way. The 30-foot landscape and pedestrian strip (“Landscape Zone”) shall include ornamental trees and shrubs, a five (5) foot meandering sidewalk and berms at a maximum 3:1 slope. The berms and sidewalk shall be designed to meander throughout the Landscape Zone and parkway so that no visual separation is apparent between the Landscape Zone and the parkway.

Underground irrigation shall be required, and the installation of this system, the landscaping and sidewalk shall be the responsibility of the subdivision developer. Responsibility for maintenance of the landscaping shall be by the HOA.

2. An equivalent of one tree per thirty (30) linear feet of public street frontage shall be installed along Renner Road and Brand Road.
3. The amenity lot and open space lots shown on the Concept Plan shall be improved by the developer concurrent with the development of the property, and maintained by the HOA. At a minimum, the open space/amenity lots collectively on the south side of Victoria Road shall consist of four (4) canopy trees and ten (10) ornamental trees. The open space and amenity lots shall be permitted to incorporate other amenities and improvements, including without limitation; swimming pools, cabanas, gazebos, shade structures and play structures; however, no additional parking shall be required to serve these facilities.

4. Along Ingram Terrace and Victoria Road, entry features, entry monuments and screening walls shall be allowed in Open Space Lots 1-3 and shall meet the City visibility requirements. Entry features and entry monuments shall be permitted within the medians in Ingram Terrace. A guard shack shall be allowed in the open space lots in Ingram Terrace.
5. The construction of the median opening along Renner Road shall require existing trees to be replanted or relocated, if feasible. If the trees cannot be replanted or relocated, the Developer shall replace the trees with same number of caliper inches as was removed. The replacement trees shall be a minimum caliper of 3 inches. The City shall determine the appropriate relocation or new location for the trees. Additionally, the decorative wall located in the median shall be removed at the Developer's expense.



ZF 14-30 Zoning Map

Updated By: shacklett, Update Date: September 18, 2014
 File: DSI\Mapping\Cases\Z\2014\ZF1430\ZF1430 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 14-30

City Boundary

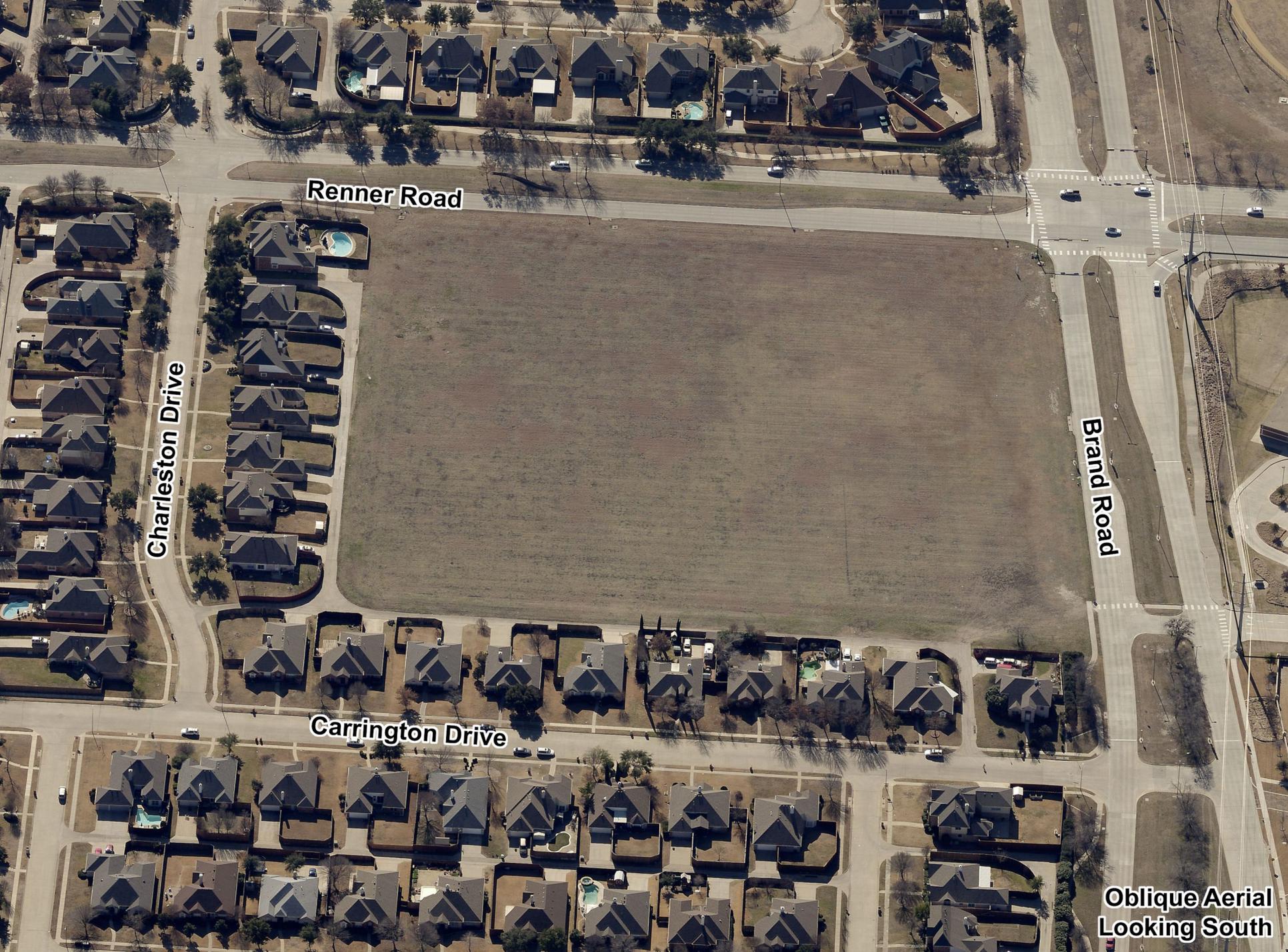
**SUBJECT PROPERTY
FOR ZONE CHANGE**

ZF 14-30 Aerial Map

Updated By: shacklett, Update Date: September 18, 2014
File: DSI\Mapping\Cases\Z\2014\ZF1430\ZF1430 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.





Renner Road

Charleston Drive

Brand Road

Carrington Drive

Oblique Aerial
Looking South

Exhibit C
Ingram Terrace
PD Conditions

1. Base Zoning District: The property shall be developed used in accordance with the concept plan (“Concept Plan”) attached as Exhibit “B”, which is hereby approved, and RP-1500-M Patio Home Zoning District except as otherwise provided below:

A. Building Regulations

1. Minimum dwelling unit size: 1,800 square feet (exclusive of garage floor area).

B. Height Regulations

1. Maximum building height: Forty (40) feet.

C. Density

1. Maximum density per gross acre: 7.5 dwelling units.

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1. Minimum lot area: 3,600 square feet.
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3. Minimum lot depth: Eighty (80) feet.
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5. Minimum front setback: Twenty (20) feet for garages (measured to the face of garage door) and ten (10) feet for the remainder of the structure, including porches. The face of the garage shall be required to be recessed a minimum of five (5) feet from the remainder of the structure (18-inch overhang encroachment allowed for all of the above).
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(1)

Looking West along
Renner Road



(2)

**Existing Wall & Trees/
Proposed Median Opening Location**



**Looking South across
Renner Road**

(3)



**Looking North along
East Property Line**



(5)

Looking East along
North Property Line



(6)

Looking West across
Brand Road (Schell Elementary)

Explanation and Description of Request

The purpose of this request is to change the zoning of an undeveloped, underutilized in-fill property so that it may become a quality and sustainable community of sixty-three (63) single-family residential homes. Commercial, retail, and neighborhood services in the area have established elsewhere, namely along Renner Road one mile to the west, along FM 544 one mile to the north, and along the SH 190 corridor farther to the south. Schools, parks, and other services are established in the area as well, making this site well-suited for residential use. The proposed project will provide for new housing stock in an area that is otherwise built out, and will add to housing diversity by offering a product that is comparatively unique in the area, yet compatible. The applicant's experience in validating markets and long history of developing successful residential communities should reinforce the idea of converting this site from its long-standing vacant status and into a valuable addition to the City of Richardson that will complement surrounding neighborhoods.



September 15, 2014

City of Richardson - Department of Development Services
411 W. Arapaho Road
Richardson, TX 75080-4551

RE: *Ingram Terrace Trip Generation*

The purpose of this memorandum is to analyze the trips generated during the daily, AM peak hour and PM peak hour for the current and proposed land uses. The current land use was approved under the City of Richardson Ordinance No. 2669-A. The project site is located at the northeast corner of Renner Road and Brand Road and is approximately 8.63 acres. David Weekley Homes is requesting a zoning change from the current LR-M(2) Local Retail With Special Conditions land use to RP-1500-M Patio Home with Special Conditions. The proposed project consists of 62 single family homes plus an additional amenity lot. For the purposes of this analysis, the amenity lot will be included as an additional single family lot (63 total lots).

As required under the current ordinance, a 30-foot landscape and pedestrian strip (0.7 acres) shall be provided along Renner and Brand Road which reduces the net buildable area to approximately 7.9 acres and has been deducted from the analysis. The current land use was modeled based on the acceptable land uses under this district. To be consistent with the 2669-A ordinance, it was assumed that a 8,086 square foot free-standing, high-turnover sit-down restaurant (2.4 acres) would be constructed as well as 24,000 square feet of specialty retail on the remaining 5.5 acres. The trip generation rates were generated using the ITE Trip Generation, 9th Edition. On the following page is a summary of the results.

Trip Generation Rates

	ITE Land Use	Quantity	Daily Rate	AM Rate	PM Rate	Daily Trips	AM Trips (In)	AM Trips (Out)	PM Trips (In)	PM Trips (Out)
High-Turnover (Sit-Down) Restaurant (Current)	932	8,086 SF	127.15	10.81	9.85	1,030	48	39	48	32
Specialty Retail Center (Current)	826	24,000 SF	44.32	-	2.71	1,064	-	-	29	36
Single Family Detached Housing (Proposed)	210	63 units	9.52	0.75	1.00	600	12	35	40	23
Difference						-1,494	-36	-4	-37	-45

Note: Specialty retail centers generally do not generate trips in the AM peak hour due to store hours.

The change of land use from High-Turnover Sit-Down Restaurant and Specialty Retail Center to Single Family Detached Housing will decrease daily trips by 1,494 per day, 40 trips during the AM peak hour and 82 during the PM peak hour. Therefore, the proposed single family project will have a lesser impact on the adjacent roadways than what the current LR-M(2) land use allows.

If you have any questions, please contact me at (972) 770-3034 or at matt.duenwald@kimley-horn.com.

Sincerely,

Matthew Duenwald, P.E.



Notice of Public Hearing

City Plan Commission • Richardson, Texas

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

PLANNED DEVELOPMENT

File No./Name: ZF 14-30 / Ingram Terrace
Property Owners: James Ingram
Deborah Lloyd, John Ingram / JIDL, LTD.
Applicant: Matthew Duenwald / Kimley-Horn & Associates
Location: Northeast corner of Brand Road & Renner Road
(See map on reverse side)
Current Zoning: LR-M(2) Local Retail
Request: A request for a change in zoning from LR-M(2) Local Retail with special conditions to PD Planned Development for the development of a patio home community on approximately 8.63 acres.

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

THURSDAY, OCTOBER 9, 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.

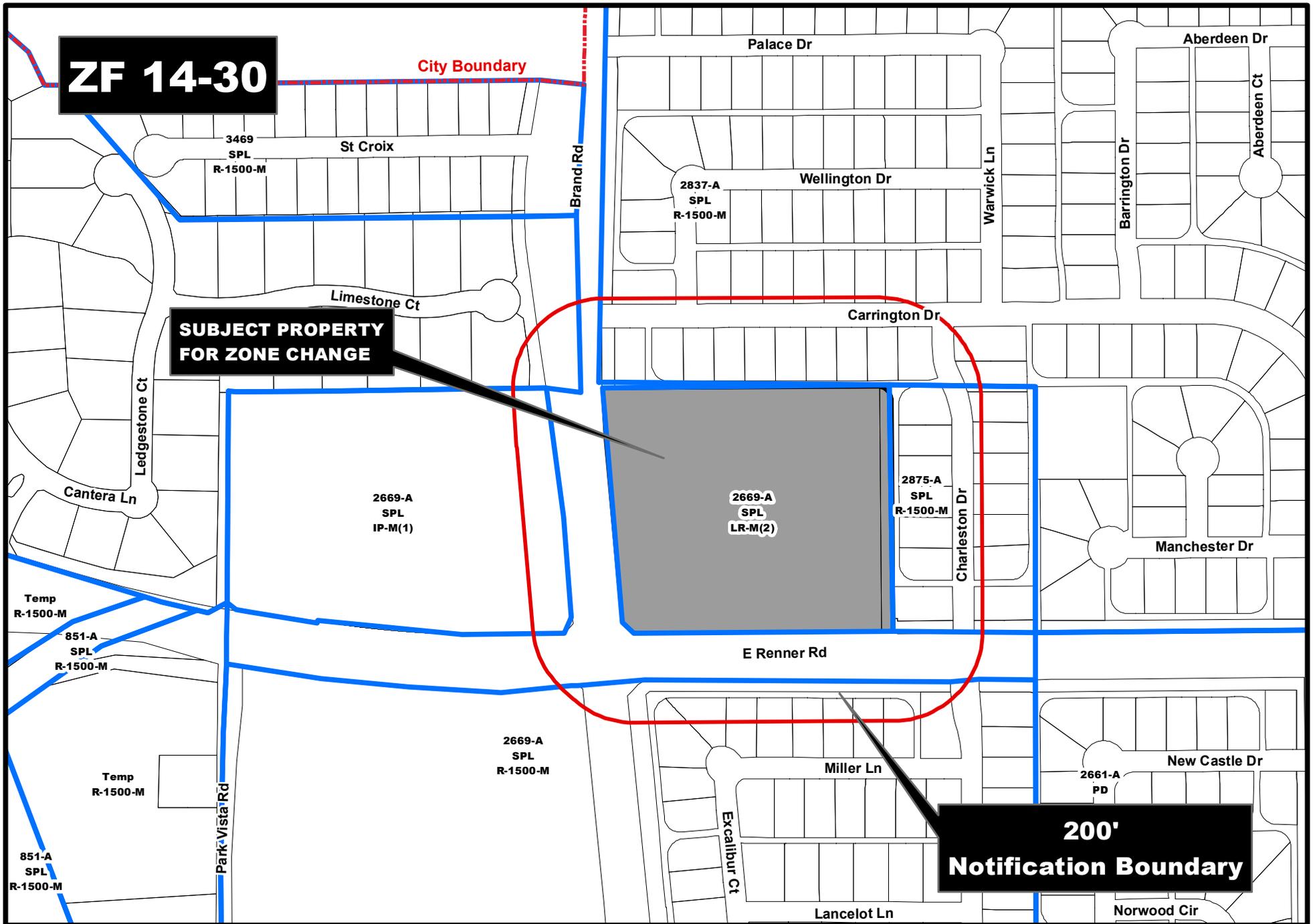
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 14-30.

Date Posted and Mailed: 09/26/2014



ZF 14-30 Notification Map

Updated By: shacklett, Update Date: September 18, 2014
 File: DSI\Mapping\Cases\Z\2014\ZF1430\ZF1430 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.



CARRINGTON EST III HOMEOWNERS
% REALMANAGE
PO BOX 702548
DALLAS, TX 75370-2548

MEEKS MARTY D
5417 CARRINGTON DR
RICHARDSON, TX 75082-2890

PATEL MEERA
5415 CARRINGTON DR
RICHARDSON, TX 75082-2890

WILSON WANDA G
5413 CARRINGTON DR
RICHARDSON, TX 75082-2890

FATTANI ZIKER A & ZOHRA
PO BOX 487
WYLIE, TX 75098-0487

NGUYEN THANK K
5409 CARRINGTON DR
RICHARDSON, TX 75082-2890

MAHMOOD ZAFAR & NASREEN ZAFAR
5407 CARRINGTON DR
RICHARDSON, TX 75082-2890

REYNA HORACIO T &
REYNA CATALINA
6805 AUDUBON DR
ALLEN, TX 75002-6926

TROXELL KATHERYN A
3801 WELLINGTON DR
RICHARDSON, TX 75082-2705

ABRAHAM SUSSAN
3708 CHARLESTON DR
RICHARDSON, TX 75082-2897

TRAN DINH-THI
5420 CARRINGTON DR
RICHARDSON, TX 75082-2891

SKECHUS LYDIA
5418 CARRINGTON DR
RICHARDSON, TX 75082-2891

BRAY HUGH W
5416 CARRINGTON DR
RICHARDSON, TX 75082-2891

SHAKOOR SHAHAB & SHAHNAZ MUKAR
5414 CARRINGTON DR
RICHARDSON, TX 75082-2891

LONG LAURA J
5412 CARRINGTON DR
RICHARDSON, TX 75082-2891

LOCKE DAL & ANTONIA
5410 CARRINGTON DR
RICHARDSON, TX 75082-2891

SCYRKELS BARBARA A
5408 CARRINGTON DR
RICHARDSON, TX 75082-2891

CARLYLE STEPHANIE &
TAMMY NATION
5406 CARRINGTON DR
RICHARDSON, TX 75082-2891

HUYNH HAJ &
TRAN NGOC LINH
5404 CARRINGTON DR
RICHARDSON, TX 75082-2891

ALMAZO PABLO
5402 CARRINGTON DR
RICHARDSON, TX 75082-2891

SEIFERT MARY JO K
3706 CHARLESTON DR
RICHARDSON, TX 75082-2897

NGUYEN OANH
3703 CHARLESTON DR
RICHARDSON, TX 75082-2896

INGRAM JAMES A & JOHN A
7722 YAMINI DR
DALLAS, TX 75230-3231

INGRAM JAMES A ETAL
7722 YAMINI DR
DALLAS, TX 75230-3231

KAUR MANINDER & PARMINDER
3704 CHARLESTON DR
RICHARDSON, TX 75082-2897

NGUYEN TIFFANY
846 MUSTANG RIDGE DR
PLANO, TX 75094-4477

EPPS LYDIA M
3701 CHARLESTON DR
RICHARDSON, TX 75082-2896

KABARIA SHIVLAL & SARLABEN
3610 CHARLESTON DR
RICHARDSON, TX 75082-2894

HASAN ASIF U & LUBNA
3609 CHARLESTON DR
RICHARDSON, TX 75082-2895

PHILLIPS WAYNE & REGINA
3608 CHARLESTON DR
RICHARDSON, TX 75082-2894

JAISWAL UDAYKANT & MAYURI
3607 CHARLESTON DR
RICHARDSON, TX 75082-2895

CAMACHO ALFREDO ETUX DIANA
3606 CHARLESTON DR
RICHARDSON, TX 75082-2894

KHAN ADIL A & NOSHEEN A
3605 CHARLESTON DR
RICHARDSON, TX 75082-2895

PHAM KIEN TRUNG
NGUYEN BAO THUY T
3604 CHARLESTON DR
RICHARDSON, TX 75082-2894

USMAN GHANI ABDUL HAI
3605 CHARLESTON DR
RICHARDSON, TX 75082-2895

GIESEY JAMES MICHAEL & RACHEL
3602 CHARLESTON DR
RICHARDSON, TX 75082-2894

TRAN KHANG T & HA M
3601 CHARLESTON DR
RICHARDSON, TX 75082-2895

RICHARDSON CITY OF
411 W ARAPAHO RD STE 101
RICHARDSON, TX 75080-4543

KNIGHTS BRIDGE ESTATES HOMEOWN
% SPECTRUM ASSOCIATION MGT
17319 SAN PEDRO AVE # 318
HOLLYWOOD PARK, TX 78232-1443

GONZALES XAVIER L
5415 MILLER LN
RICHARDSON, TX 75082-4918

PENERMON EZRA C & GABRIELLE PE
5401 MILLER LN
RICHARDSON, TX 75082-4918

CRUZ LEANDRO
NAGOSKI ELLEN JULIE
5403 MILLER LN
RICHARDSON, TX 75082-4918

EDDINS STEVEN & DEBORAH
5405 MILLER LN
RICHARDSON, TX 75082-4918

KIMSOPHALLA PAUL
5407 MILLER LN
RICHARDSON, TX 75082-4918

TARJAN TOM E & ZAHRA T
5409 MILLER LN
RICHARDSON, TX 75082-4918

HANSEN GERALD MAURICE & RACHEL
5411 MILLER LN
RICHARDSON, TX 75082-4918

SUTTERLY SHAWN & CHERYL
5413 MILLER LN
RICHARDSON, TX 75082-4918

BASCHAROW CHRISTIAN TIM & HOLL
3511 EXCALIBUR CT
RICHARDSON, TX 75082-4926

COURT WILLIAM SCOTT
6119 GREENVILLE AVE
DALLAS, TX 75206-1910

CANTERA OWNERS ASSOCIATION
% PREMIER COMMUNITIES MGR
3102 OAK LAWN AVE #202
DALLAS, TX 75219-6400

PLANO ISD
2700 W 15TH ST
PLANO, TX 75075-7524

SUPERINTENDENT OF SCHOOLS
PLANO ISD
2700 W 15TH ST
PLANO , TX 75075-7524

FACILITY PLANNING & CONSTRUCTION
PLANO ISD ATTN: TONY PEARSON
6600 ALMA DR STE E
PLANO , TX 75023

**DEBORAH LLOYD, JOHN INGRAM
JIDL LTD
11418 HILLCREST ROAD
DALLAS, TX 75230**

**MATT DUENWALD
KIMLEY-HORN & ASSOCIATES
12750 MERIT DRIVE STE 1000
DALLAS, TX 75251**

**INGRAM JAMES
7730 YAMINI DR
DALLAS, TX 75230**

**ZF 14-30
Notification List**



**City of Richardson
City Council Meeting
Agenda Item Summary**



City Council Meeting Date: Monday, October 27, 2014

Agenda Item: VAR 14-05 Jupiter Shopping Center

Staff Resource: Michael Spicer, Director of Development Services

Summary

This is a request for a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-52(i), Off-street Parking to allow a reduction in the required number of parking spaces for the Jupiter Shopping Center located at the southeast corner of President George Bush Turnpike and Jupiter Road.

The applicant is requesting a 5 space reduction to the number of required off-street parking spaces to accommodate a potential restaurant tenant. With the addition of the proposed restaurant, 55 parking spaces will be required by code; 50 spaces are currently provided on site.

Board/Commission Action: On October 9, 2014 the City Plan Commission unanimously recommended approval of the request.

Action Proposed The City Council may approve the request as presented, approve with conditions, or deny.

Variance 14-05 Jupiter Shopping Center

Attachments:

1. Locator
2. Staff Report
3. Applicant's Statement
4. Variance Exhibit
5. Parking Study
6. CPC Minutes from October 9, 2014
7. Notice of Variance Request
8. Notification List
9. Notification Map



VAR 14-05
Jupiter Shopping Center



**CITY COUNCIL
STAFF REPORT
October 27, 2014**

Variance 14-05

SUMMARY

Owner: Jupiter Shopping Center Associates / Sequoia Land Investments

Applicant: Kenneth Novorr

Project Name: VAR 14-05 Jupiter Shopping Center

Location: 3601 N. Jupiter Road
Southwest corner of President George Bush Turnpike and Jupiter Road.

Request: This is a request for approval of a variance to the City of Richardson Subdivision and Development Code, Chapter 21, Article III, Section 21-52(i), *Off Street Parking*, for reduction in the number of required parking.

The applicant is requesting a five (5) space reduction to the number of required off-street parking spaces for the Jupiter Shopping Center to accommodate a potential restaurant tenant. With the addition of the proposed restaurant, 55 parking spaces will be required by code; 50 spaces are currently provided on site.

Notification: This request is not a public hearing and specific notification is not required by State Law. As a courtesy, adjacent property owners received written notification. To date, no written correspondence has been received.

CPC Action: On October 9, 2014 the City Plan Commission unanimously recommended approval of the request.

DEVELOPMENT SUMMARY

Land Area:	1.69-acres (73,529 sq. ft)
Zoning:	LR-M(2) Local Retail District with Special Permit for a convenience store with fuel pumps (Ordinance 3898).
Existing Development:	10,137 square feet single-story multitenant building
Current occupancy	6,672 square feet (66%)
Current vacancy	3,465 square feet (34%)
Adjacent Land Use/ Zoning:	
North:	City of Plano
South:	Daycare & Retail/Commercial; LR-M(1) Local Retail
East:	Office; C-M Commercial
West:	Vacant & Retail/Commercial; LR-M(1) Local Retail

BACKGROUND INFORMATION

Background: The shopping center currently features a 7-Eleven convenience store with fuel pumps in accordance with a special permit approved in February 2013, a Subway restaurant, a pizza delivery store, and a cell phone repair store.

The applicant has indicated that a prospective restaurant tenant expressed interest in occupying a 1,595 square foot lease space on the west side of the 7-Eleven space. Based on a tenant roster provided by the applicant (attached), and assuming retail for all remaining vacant space (1,870 square feet), 55 parking spaces are required for the site; 50 spaces are currently provided on site.

In order to accommodate the prospective restaurant within the shopping center, the applicant is requesting a 5-space reduction to the number of required parking (or 10% of the available spaces).

The applicant conducted a parking study of the site. As shown, the peak parking demand was during lunch time (12:00 PM) on work days where at most 28 spaces (56%; 22 vacant) were occupied. Staff has visited the site, particularly during the peak time as

indicated by the parking survey, and based on site visits, staff concurs with the results of the study.

For comparison purposes, a list of similar parking variances is included below.

<i>MULTI-TENANT RETAIL CENTERS/MIXED USE PROJECTS (sorted by variance percentage)</i>			
PROJECT	LOCATION	REDUCTION GRANTED	DATE
Kebab 'n Curry (restaurant in strip center)	401 N. Central Expressway	8-space (20%) variance (41 required by code, 33 required per variance).	03-1991
Allred Retail Center	581 W. Campbell Road	12-space reduction for karate studio. As applied, resulted in a 12% overall reduction for the entire center.	12-1994
		11-space variance to lease vacant space for retail parked uses only. Combined with previous variance, the site has a 20% reduction.	04-2013
Campbell Plaza Shopping Center – Fox & Hound (parking reduction granted by zoning special condition)	104 - 180 W. Campbell Road	Modified ratio of 1 space/172 g.s.f. for 20,000 s.f. restaurant/ indoor amusement facility (in lieu of 1/100 required by code). As applied, resulted in 84-space (10%) reduction. This center also utilized the standard 10% reduction permitted for retail centers of 100,000 g.s.f. and larger, reducing required parking by an additional 74 spaces, for a total reduction of 158 spaces (19% total reduction). 827 spaces required by code before applying reductions, 669 required after reductions applied.	12-2001 (Ord. 3372-A)
DFW Chinatown Shopping Center (formerly Richardson Terrace S.C.)	400 N. Greenville Avenue	59-space (10%) variance (591 required by code, 532 required per variance).	08-2004
		The 10% reduction was extended for additional building square footage, resulting in a 63-space variance (632 spaces required by code, 569 required per variance).	07-2005
		54-space reduction (VAR 14-03). Combined with previous variances, represents 18.3% reduction	04-2014
Promenade Shopping Center (Central Section) and Wal-Mart Neighborhood Market	410 – 630 N. Coit Road (excludes 500 N. Coit)	86-space (15%) overall reduction permitted on two lots (subject to shared parking agreement).	01-2002
Citipointe Church in Campbell Road Village Shopping Center	605 & 635 W. Campbell Road	57-space variance for 200-seat church. Including the church, 413 spaces are required for the entire center by code, 356 required per variance. As applied, results in a 14% reduction for the entire center. Limited to Citipointe Church occupying suites 201 & 210.	2005
North Rich Plaza	525 W. Arapaho	40-space variance (349 required, 314 provided),	09/2012

Shopping Center	Road	equals 13% .	
Camelot Shopping Center	580 W. Arapaho Road	60-space variance (Billiard Ben) 38-space variance (Bridge Parlor) 73-space variance (VAR 14-04). Combined with previous variances, represents 28% reduction.	12-2006 (Ord. 3584) 6-2006 (Ord. 3558) 6-2014
Restaurant in multi-tenant building	318 S. Central Expressway	8-space (11%) variance (71 required by code, 63 required per variance).	03-1995
Westwood Shopping Center (adjacent to Kroger)	200 N. Coit Road (formerly 100 N. Coit Rd.)	Modified ratio of 1 space/200 g.s.f. for all uses (27,450 s.f. total building area; maximum 4% [1,098 s.f.] for restaurants). As applied, equal to a 13 space (11%) variance (123 spaces required by code, 110 spaces required by modified ratio).	01-1990
University Village Shopping Center (L.A. Fitness)	1407 & 1501 E. Belt Line Road	10% (63-space) variance (631 required by code, 568 required per variance). Also permitted use of shared parking agreement if property is subdivided into more than one lot.	02-2006
Promenade Shopping Center (Southern Section)	300 N. Coit Road	96-space (9%) variance (1,010 required by code, 914 required per variance).	06-1996
Terrace Supreme Shopping Center	SEC Greenville Ave. at Terrace Dr.	16-space (9%) variance (178 spaces required by code, 162 required per variance).	01-1995
Restaurant in multi-tenant retail strip	115 Spring Valley Village	4-space (9%) variance (43 required by code, 39 required per variance).	09-1993
Prosper Center	201 S. Greenville Avenue	8-space (8%) variance in the number of required off-street parking for a multi-tenant retail center.	02-2007
Richland Village Shopping Center	1310 E. Belt Line Road	(8%) variance in number of required off-street parking for a multi-tenant retail center.	07-2007
Prosper Center (parking reduction granted by zoning special condition)	201 S. Greenville Avenue	7-space (8%) reduction in parking spaces required on-site (total 89 spaces provided for retail center – 82 on-site and 7 off-site on adjacent apartment tract via shared parking agreement).	03-2004 (Ord. 3453-A)
Spring Valley Square Shopping Center	1400, 1430, & 1466-1490 W. Spring Valley Rd.	20-space (7.4%) variance (268 required by code, 248 required per variance). Must maintain a tenant mix requiring no more than 268 spaces per code.	09-2003
Govindji Plaza (jewelry store in strip center)	235 N. Central Expressway	2-space (6%) variance (33 required by code, 31 required per variance).	10-2000
Restaurant in Kondos & Kondos Law Office Building	1595 N. Central Expressway	5-space (6%) variance (79 required for office/restaurant combo, 74 required per variance).	05-1987
Dickey's BBQ in Arapaho Station retail center	1140-1190 N. Plano Road	20-space (5%) variance; (427 required by code, 407 required per variance).	02-1995
Texas Commerce	1600 N. Plano	12-space (5%) variance (248 required by code,	12-1991

Bank (in multi-tenant strip center)	Road	236 required per variance).	
China Plaza (multi-tenant center)	105-115 S. Greenville Ave.	3-space (4%) variance (69 required by code, 66 required per variance).	1993
Northpark Savings Center (restaurant in strip center)	279-299 W. Campbell Road	2-space (4%) variance (46 required, 44 required per variance).	09-1993
Canyon Creek Square Shopping Center (formerly Fleetwood Square)	320-350 W. Campbell Road	4-space (3%) variance (115 required by code, 111 required per variance).	07-1988
Sandwich shop (located inside office building)	801 E. Campbell Road	5-space (1%) variance (530 required by code, 525 required per variance). Current policy does not generally require additional parking for “accessory” restaurants in office/industrial buildings.	06-1986
The Shire	3600, 3610, 3650 Shire Blvd. and 2121 E. Infocom	Permitted sharing of parking spaces on three separately platted, contiguous lots with a shared parking agreement approved by City Attorney (no parking reduction granted).	04-2006
Canyon Creek Square Shopping Center and Luby’s Restaurant	202-238, 300, and 320-350 W. Campbell Road	Permitted sharing of parking spaces on three separately platted, contiguous lots with a shared parking agreement approved by City Attorney (no parking reduction granted).	08-2006
Richwood Square Shopping Center	2111-2159, 2165, and 2169-2187 E. Buckingham Road	Permitted sharing of parking spaces on three separately platted, contiguous lots with a shared parking agreement approved by City Attorney (no parking reduction granted).	01-2007
Arapaho Village Shopping Center	SWC Arapaho Road at West Shore Drive	Modified ratio of 1 space/250 g.s.f. for retail; all other uses per code (no percentage established).	12-1989
Galatyn Urban Center	East of Central Expwy. between Lookout Drive and Galatyn Parkway	Zoning permits use of ULI shared-parking methodology to reduce total number of spaces provided for multiple uses with non-overlapping peak hours (not a variance per se – no percentage established).	03-1999 (Ord. 3216-A)
Karate Studio in multi-tenant office/industrial building	1350 E. Arapaho	10-space variance w/parking agreement between 3 sites (no percentage established).	04-1994

STATEMENT

To: The City Planning Commission and City Council

The owners of Jupiter Shopping Center, 3601 N. Jupiter, are requesting a parking variance that will allow the former Subway restaurant space to be leased to another restaurant user.

Subway relocated to the end cap at the east end of the center. The former Subway space is 1,595 s.f. In our parking survey, this space is currently listed as vacant and for a retail use. For Jupiter center to lease this space for a restaurant, there would need to be 5 more parking spaces to satisfy the parking ordinance.

It is the Landlord's opinion that there is ample space for parking for the current tenants, and the addition of the new restaurant. The 800 s.f. pizza restaurant, now under construction, has a take out only clause in their lease, rendering the space as "retail" for parking purposes. 7-11 has a customer clientele that is an "in & out" quick customer visit. Many Subway customers use the "take-out" services and those that stay and eat there, do not linger as in a traditional restaurant.

The Landlord feels that the new residential and office construction, in the immediate area, will drive a need for more restaurant uses.

We look forward to the Commission allowing Jupiter Center to lease to an additional restaurant user.

Parking Requirements;

Retail 1 space for each 333 s.f.

Restaurant 1 space for each 100 s.f.

		RETAIL	RESTAURANT
Suite 500	Cell Phone (Retail)	972	
Suite 450	Pizza (take-out,Retail)	800	
Suite 400	Vacant (Restaurant proposed)		1595
Suite 200	7-11(Retail)	3,014	
Suite 150	Vacant (Retail, proposed)	1,870	
Suite 100	Subway (Restaurant)		1886
		6656	3481
	Spaces needed	20	35
Parking Spaces needed			Total 55
Existing Parking Spaces			50
Parking Space Short			5

Existing building square footage 10,137

9/25/2014

Parking Survey
Jupiter Shopping Center
 (Counts Taken Sept. 8 - Sept. 14, 2014)

		Number of Spaces Occupied	% of Total Spaces Occupied	Number of Spaces Occupied	% of Total Spaces Occupied	Number of Spaces Occupied	% of Total Spaces Occupied	Number of Spaces Occupied	% of Total Spaces Occupied
Day	Date	9:00 AM		Noon		6:00 PM		8:30 PM	
Monday	Sept. 8	7	14%	26	52%	6	12%	4	8%
Tuesday	Sept. 9	5	10%	25	50%	8	16%	5	10%
Wednesday	Sept. 10	6	12%	28	56%	7	14%	5	10%
Thursday	Sept. 11	7	14%	21	42%	6	12%	4	8%
Friday	Sept. 12	8	16%	24	48%	8	16%	7	14%
Saturday	Sept. 13	8	16%	12	24%	4	8%	6	12%
Sunday	Sept. 14	7	14%	8	16%	4	8%	4	8%

CPC Minutes from October 9, 2014:

Variance 14-05 – Jupiter Shopping Center: Consider and take necessary action on a request for a variance from Chapter 21 of the Subdivision and Development Code, for a reduction in parking to accommodate a restaurant. The site is located at the southwest corner of President George Bush Highway and Jupiter Road and is zoned LR-M(2) Local Retail.

Mr. Bireima stated the applicant was requesting a five-space reduction in the number of required parking spaces to accommodate a proposed restaurant at the shopping center at 3601 N. Jupiter Road, southwest corner of President George Bush Turnpike and Jupiter Road. He added that the proposed restaurant would occupy approximately 1,600 square feet on the west side of the existing 7-Eleven store.

Mr. Bireima said that based on the current tenant roster, 55 parking spaces are required, but only 50 spaces are provided. However, a parking study was conducted by the applicant and verified by staff that the peak parking demand at lunch time on work days was only 28 spaces.

Mr. Bireima concluded his presentation by stating that no correspondence had been received regarding the variance request and the applicant was present to answer any questions.

With no questions for staff, Chairman Hand asked if the applicant wanted to make a statement.

Mr. Kenneth Norvorr, 6121 Tremont Street, Dallas, said they were working on leasing the space in question to a barbeque restaurant and the 800-square foot space next door will be leased by a pizza restaurant that will only have take-out.

No other comments were received.

Chairman Hand asked if there was anything proposed for the triangle shaped piece of land just northwest of the applicant's location.

Mr. Roberts replied that there was a zoning application in previous years for a small retail, but was never developed.

Commissioner DePuy said she was in favor of the applicant's request.

Motion: Vice Chair Bright made a motion to recommend approval of Variance 14-05; second by Commissioner Roland. Motion approved 6-0.



Notice of Variance Request

City Plan Commission • Richardson, Texas

An application has been received by the City of Richardson for variances to Chapter 21, Subdivision and Development Ordinance.

File No./Name: VAR 14-05 Jupiter Shopping Center
Property Owners: Jupiter Shopping Center Associates/ Sequoia Land Investments
Applicant: Kenneth Novorr
Location: 3601 N. Jupiter Road
Request: Approval of a request for a variance from the City of Richardson Subdivision and Development Code, Article III, Section 21-52(i), to reduce the number of required parking spaces for a retail center.

The City Plan Commission will consider this request on:

THURSDAY, OCTOBER 9, 2014
7:00 p.m.
City Council Chambers
Richardson City Hall, 411 W. Arapaho Road
Richardson, Texas

As courtesy, adjacent property owners who may be affected by this request are receiving written notification of this meeting; as such ownership appears on the last approved city tax roll.

PROCESS FOR PUBLIC INPUT: This item is not a public hearing and specific notification is not required by State law.

While all interested persons are invited to attend the meeting, those wanting 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: Development Services Department, P.O. 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 prior to the meeting. For a copy of the agenda, please go to:

<http://www.cor.net/index.aspx?page=1331>

For additional information, please contact the Department of Development Services at 972-744-4240 and reference this variance number.

Date Mailed: September 26, 2014

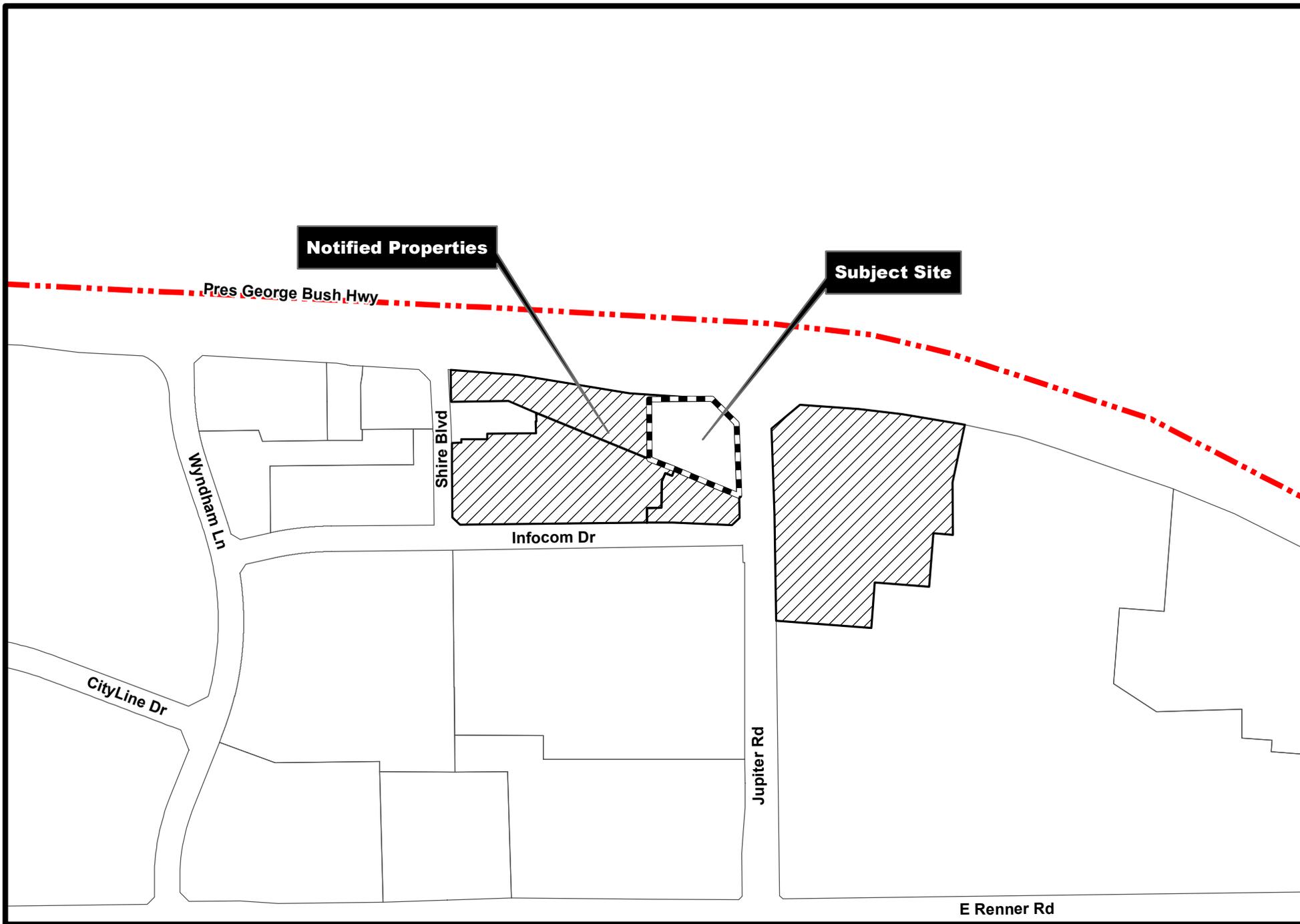
CISCO SYSTEMS SALES & SERVICE
170 W TASMAN DR
SAN JOSE, CA 951341700

FLORIDA COMPANY
3322 SHORECREST DR STE 235
DALLAS, TX 752352045

3650 SHIRE LLC
3600 SHIRE BLVD STE 206
RICHARDSON, TX 750822238

3650 SHIRE LLC
3600 SHIRE BLVD STE 206
RICHARDSON, TX 750822238

VAR 14-05 Notification List



VAR 14-05
Jupiter Shopping Center



ORDINANCE NO. 4080

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 FOR 54.5573 ACRES OF LAND DESCRIBED IN EXHIBIT “A” HERETO FROM PD PLANNED DEVELOPMENT AS ESTABLISHED BY ORDINANCE NO. 3805 TO PD PLANNED DEVELOPMENT FOR TRANSIT-ORIENTED MIXED USE DEVELOPMENT (CARUTH TRANSIT ORIENTED PLANNED DEVELOPMENT CODE –EAST); 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 14-17).

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 5th day of June, 1956, as heretofore amended (“the CZO”), be, and the same is hereby further amended so as to grant a change in zoning for a 54.5573 acre tract of land generally located at the northeast corner of US Highway 75 and Renner Road and more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes (“the Property”) from PD Planned Development as established by Ordinance No. 3805 to PD Planned Development for Transit-Oriented Mixed Use Development (Caruth Transit Oriented Planned Development Code – East)(“C-TOPD- East District”).

SECTION 2. That the use and development of the Property shall be subject to the following:

1. The Property shall be used and developed in accordance with the applicable provisions of the CZO, and amended, and the use and development regulations set forth in the *Caruth Properties Transit Oriented Development Code - East*, attached hereto as Exhibit “B” and incorporated herein by reference (“the C-TOPD East Code”). To the extent of any irreconcilable conflict between the provisions of the CZO and the C-TOPD East Code, the provisions of the C-TOPD East Code shall control.
2. Notwithstanding anything to the contrary in the C-TOPD East Code or other provisions of this Ordinance, the number of multi-family units to be constructed on the 86.0 acres of land described on Exhibits “A-1” and “A-2” of Ordinance Number 3805, adopted February 14, 2011, which land includes the Property, shall not exceed 1,250 as provided in Section 2.2 of Ordinance No. 3805.
3. A revised Traffic Impact Analysis (TIA) must be submitted and approved by the City prior to:
 - A. approval of an ordinance amending the development regulations set forth in this Ordinance which will result in (i) an increase in land use intensity or (ii) modifications to the mix of land uses on the Property as set forth in the C-TOPD East Code; or
 - B. issuance of a building permit by the City for construction, reconstruction, and/or remodeling of a building which, when completed, will result in the total area of office use space within the Property exceeding 1.5 million square feet; or
 - C. issuance of a certificate of occupancy for all or part of one or more existing buildings constructed on the Property which, if issued, will result in a change of use that will result in the total area of office use space within the Property exceeding 1.5 million square feet.

SECTION 3. That the Property shall be used 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 other 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) 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 27th day of October, 2014.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(kbl:10-23-14:68813)

CITY SECRETARY

EXHIBIT "A"

LEGAL DESCRIPTION

ZF 14-17 (Northeast Corner US Highway 75 and Renner Road

Being a tract or parcel of land situated in the City of Richardson, Collin County, Texas, being part of the John G. Vance Survey, Abstract 938 and being part of a 106.527 acre tract of land conveyed to W.W. Caruth, Jr. as recorded in Volume 462, Page 121 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for corner at the intersection of the northerly line of Renner Road (as dedicated by deed to the City of Richardson, Texas in Volume 1853, Page 177, of the Deed Records of Collin County, Texas), and the westerly right-of-way line of the H. & T.C. Railroad (50 feet from centerline)

THENCE North 89 degrees 51'00" West along said northerly line of Renner Road a distance of 216.46 feet along said northerly line of Renner Road a distance of 216.46 feet to an iron rod for angle point;

THENCE North 89 degrees 52'36" West continuing along said northerly line of Renner Road a distance of 7.78 feet to an iron rod for angle point;

THENCE North 78 degrees 19'00" West continuing along the northerly line of Renner Road a distance of 36.15 feet to an iron rod for angle point;

THENCE North 89 degrees 51'00" West continuing along the northerly line of Renner Road (40 feet from centerline) a distance of 57.98 feet to a point for corner in the centerline of Spring Creek;

THENCE North 31 degrees 41'00" East along the centerline of said Spring Creek a distance of 4.95 feet to a point for corner in the northerly line of Renner Road;

THENCE North 89 degrees 47'27" West along the northerly line of said Renner Road a distance of 241.17 feet to a point for corner;

THENCE North 00 degrees 12'33" East along the northerly line of said Renner Road a distance of 17.00 feet to a point for corner;

THENCE North 89 degrees 47'27" West along the northerly line of said Renner Road a distance of 389.83 feet to a point for corner in the northeasterly cut-off line between the northerly line of said Renner Road and the easterly line of U.S. Highway No. 75;

THENCE North 40 degrees 53'57" West along said cut-off line a distance of 9.32 feet to a point in the easterly line of U.S. Highway No. 75;

THENCE northerly along said easterly line of U.S. Highway No. 75 the following described courses:

North 06 degrees 48'30" East a distance of 220.32 feet to an angle point;
North 12 degrees 07'22" East a distance of 316.33 feet to an angle point;
North 25 degrees 12'56" East a distance of 151.88 feet to an angle point;
North 13 degrees 02'16" East a distance of 265.07 feet to an angle point;
North 06 degrees 34'24" West a distance of 155.33 feet to an angle point;
North 09 degrees 19'48" East a distance of 816.60 feet to an angle point;
North 48 degrees 29'00" East a distance of 98.09 feet to an angle point;
North 67 degrees 18'05" East a distance of 98.09 feet to a point on the non-tangent curve to the left;

THENCE easterly along said curve to the left having a radius of 1447.00 feet, a central angle of 14 degrees 01'43" feet, a tangent length of 178.04 feet, a chord bearing of North 86 degrees 37'57" East, and a chord length of 353.41 feet, for an arc distance of 354.29 feet to a point for corner;

THENCE North 83 degrees 04'09" East a distance of 129.06 feet to a point for corner in the southerly line of Texas Power and Light Company right-of-way (150 feet wide) as recorded in Volume 576, Page 395;

THENCE North 89 degrees 40'04" East along said southerly line of Texas Power and Light Company right-of-way a distance of 779.51 feet to an iron rod for corner in the westerly line of H. & T. C. Railroad right-of-way (100 feet wide);

THENCE South 21 degrees 02'00" West along said westerly line of the H. & T. C. Railroad right-of-way a distance of 2235.09 to the **POINT OF BEGINNING** containing 54.5573 acres, more or less.

CARUTH PROPERTIES TRANSIT ORIENTED PLANNED DEVELOPMENT CODE - EAST

October 27, 2014



GFF Planning



Gateway
Planning Group

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Section 1. Purpose and Intent:

The purpose of the Caruth Properties Transit Oriented Planned Development Code - East (hereinafter, "the C-TOPD Code - East") is to support development of a pedestrian-oriented, mixed-use urban development environment, with convenient access to rail transit, shopping, employment, housing, and regional retail services. The goal of the Caruth Properties Transit Oriented Planned Development - East District (hereinafter, "the C-TOPD - East District") is to promote an efficient, compact land use pattern; encourage pedestrian activity; reduce the reliance on private automobiles; and provide a more functional and attractive community through the use of recognized principles of urban design.

- 1.1 Economic Development – The C-TOPD - East District and corresponding standards are created to support economic development, sustainable tax base, and job creation by establishing adjacency predictability of private development that supports and leverages investment in and around the C-TOPD - East.
- 1.2 Implement the Design Goals of the Regulating Plan – The objective of the C-TOPD - East District is to foster a major regional employment center with significant regional retail and residential uses within convenient walking distance from the existing transit station and potential transfer station to the Cotton Belt rail line. The existing transit station provides a connection to the twelve (12) member cities of DART, including Dallas. Development within this area would be of high intensity, accommodating large scale office and retail users while providing for transitions to adjoining uses and neighborhoods.
- 1.3 Establish Specific Development Standards – The C-TOPD Code - East implements the vision for Transit Oriented Development along the DART rail corridor as established in the City's Comprehensive Plan and Caruth Properties Regulating Plan, hereafter known as the Regulating Plan (Appendix A). The Regulating Plan shall provide guidance to property owners, developers, and the City on the form, character, and intensity of future development in the C-TOPD - East. Creation of different Character Zones within the C-TOPD - East District enables specific site and locational standards to be enumerated and applied. Clear graphic standards are provided for location, height, and building elements. Such standards promote sustainability, public welfare, walkable mixed use development, housing variety and transportation choice.

Section 2. Components of the Code:

- 2.1 This C-TOPD Code - East shall apply to the C-TOPD - East District unless otherwise specified in this Code. Development of property within the C-TOPD - East shall comply with the respective development standards set forth in the C-TOPD Code - East. The components of this C-TOPD - East consist of:
 - 2.1.1 C-TOPD - East District Regulating Plan: The C-TOPD - East District Regulating Plan, hereafter known as the "Regulating Plan", is its official zoning map. It identifies the applicable character zones within the C-TOPD - East District including:
 - i. Character Zones – The C-TOPD - East is divided into different "Character Zones". A Character Zone creates a distinct urban form within that Zone which is different from urban forms in other Character Zones. Each Character Zone shall establish use and development standards including height, bulk, building and parking location, and functional design. The Regulating Plan classifies all lots within the C-TOPD - East into one of five (5) Character Zones.
 - ii. Special Frontage Standards – The Special Frontage Standards establish exceptions and special conditions for all buildings along designated frontages. These Special Frontage standards shall apply in addition to the underlying Character Zone standards.

- iii. Street Designations by Street Type – The Street Designations illustrate the design, configurations and development context for all streets within the C-TOPD - East. The Street Classification addresses vehicular lane widths, number of lanes, pedestrian accommodation, street tree requirements, on-street parking, and parkway and median standards (streetscape standards). Street designations on the Regulating Plan include Type ‘A’ and Type ‘B’ Streets, Mandatory and Non-Mandatory Street Networks. The Mandatory Street Network specifies the future streets needed to implement the C-TOPD - East Regulating Plan, and shall be required and shall generally meet the locational and connectivity goals of the Regulating Plan. Their design shall be guided by the Street Type Specifications. The Non-Mandatory Street Network indicates locations of suggested, but not required streets within the C-TOPD - East Regulating Plan. These streets are not mandatory, but at the election of the developer and their design shall be guided by the Street Type Specifications.
- iv. Civic/Open Space Designations – Civic/Open Space Designation include Mandatory Civic/Open Spaces. The Mandatory Civic/Open Space areas shown on the Regulating Plan designate the locations of proposed civic/open spaces (including parks, plazas, greens, and squares).

2.1.2 Development Standards: The C-TOPD Code - East (the text portion of this Code) enumerates the development standards with text and graphics for Character Zones, building form, civic/open space, landscape, architectural, signage, lighting, and all related standards for all streets, public and private development.

Section 3. Administration

This section sets forth the provisions for reviewing and approving development applications within the C-TOPD - East District. The intent is to ensure that all development is consistent with the provisions of this Code. All sections of this Code shall be applied during the review process.

3.1 The development standards under Articles XIII-A thru XVI and Article XXI-C of the City of Richardson Comprehensive Zoning Ordinance, as amended, shall not apply to the C-TOPD - East except as specifically referenced herein. Development standards not addressed in the C-TOPD - Code - East shall be governed by the City of Richardson Comprehensive Zoning Ordinance to the extent they are not in conflict with the intent or text of the C-TOPD Code - East.

3.2 Sign Standards under Chapter 18, as amended, of the City of Richardson Code of Ordinances, shall not apply to the C-TOPD - East except as specifically referenced herein.

3.3 Using this Code:

The following basic steps should be followed to determine the uses and development standards applicable to all properties within the C-TOPD - East District:

3.3.1 Locate the subject property on the Regulating Plan.

3.3.2 Identify:

- i. the Character Zone in which the property is located;
- ii. the Street Type designation along all its street frontages; and,
- iii. any Special Frontage Requirements that may be applicable to the subject property.

3.3.3 Review the Schedule of Uses by Character Zone as listed in Table 6.1 to determine allowed uses.

3.3.4 Examine the corresponding zone standards in the Building Form and Development Standards in Section 7 to determine the applicable development standards.

3.3.5 Refer to Section 5.5 for Special Frontage Standards.

3.3.6 Refer to Section 8 for Building Design Standards.

3.3.7 Refer to Section 9 for Street Type and Streetscape Standards.

The information from the above listed steps explains where the building will sit on the lot, the limits on its three dimensional form, the range of uses, and the palette of materials that will cover it.

- 3.4 Development within the C-TOPD - East District that complies with the provisions of this Code shall follow the City's development process as outlined in Chapter 21, Article II of the City of Richardson's Code of Ordinances and shall be approved by the City Manager or designee (see Appendix C for flow chart of the review process). In addition to complying with applicable City regulations that are not in conflict with this Code, the applicant shall provide the information required to adequately show compliance with this Code.
- 3.5 Standard for Approval of development plans: If a development plan conforms to the standards set forth in this Code and applicable City regulations not in conflict with this Code, the development plan shall be approved. Upon request by an applicant, the authority charged with approving the development plan shall certify the reason for an action taken on a development plan.
- 3.6 The City Manager or designee shall be responsible for the following:
- 3.6.1 Reviewing development plan applications for compliance with the requirements of C-TOPD - East.
 - 3.6.2 Approving development plan applications that are in compliance with the requirements of the C-TOPD Code - East.
 - 3.6.3 Making determinations on the applications and interpretations of standards in this Code.
 - 3.6.4 Approving revisions to previously approved development plans that comply with this Code and all applicable city ordinances.
 - 3.6.5 Approving any minor modifications to the approved Regulating Plan per Section 3.8.
 - 3.6.6 Recommendations on any SDP applications to the City Plan Commission (CPC) and City Council.
- 3.7 Special Development Plans: A request for a modification to any of the standards of this Code other than minor modifications permitted under Sections 3.8 shall be reviewed and processed as Special Development Plans.
- 3.7.1 Special Development Plans (SDP) are intended to allow applicants development flexibility to address specific market opportunities and/or contexts. An application for a Special Development Plan shall be processed as an amendment to the zoning ordinance under Article XXIX of the City of Richardson Zoning Ordinance and may only be considered by the City Council (CC) after the CPC has made a recommendation. The City Manager or designee shall review, make recommendations on any SDPs, and shall forward all SDP applications to the CPC. In evaluating an SDP, CC may consider the extent to which the application meets any of the following:
- i. provides an alternative "Master Plan" approach by consolidating multiple properties to create a predictable, market responsive development for the area; or
 - ii. fits the adjoining context by providing appropriate transitions.
- 3.8 Minor Modifications to the C-TOPD Code - East:
- The City Manager or designee shall have the authority to approve a request for minor modifications to C-TOPD Code - East that:
- 3.8.1 Does not materially change the circulation and building location on the site;
 - 3.8.2 Does not increase the building area permitted under this Code;
 - 3.8.3 Does not change the relationship between the buildings and the street;
 - 3.8.4 Does not allow a use not otherwise authorized in this Code;
 - 3.8.5 Does not allow greater height of any building or reduction of any parking requirement established in this Code; or

3.8.6 Changes to established street cross sections per Table 3.1 below and Section 9 of this Code.

The City Manager or designee shall also have the authority to approve minor modifications outlined in Table 3.1. Any appeals to the decisions of the City Manager on minor modifications shall be heard by the City Council. Any City Council denials of minor modifications or any changes beyond those that meet the criteria above, the thresholds established in Table 3.1, shall be processed as an amendment to this Code under Article XXIX of the City of Richardson Comprehensive Zoning Ordinance.

Table 3.1 Minor Modification Thresholds

<i>Standard</i>	<i>Minor Modification Threshold</i>	<i>Comments</i>
Area/boundary of Character Zones (including any Mandatory Civic/Open Spaces)	No more than a 15% change (increase or decrease) in the area of the TOD Freeway Hi-Rise and TOD Arterial Mixed Use (aggregate or per block). No more than 25% change (increase or decrease) in the area of the TOD Core, TOD Mid-Rise and TOD Mixed Use Zone (aggregate or per block).	<ul style="list-style-type: none"> • Shall not eliminate any Character Zone • 15% or 25% measurement shall be based on the total area of that specific Character Zone within the entire C-TOPD - East District
Location of any Mandatory Street	Location shall not move more than 100' in any direction. (This standard does not apply to the TOD Trail Connector Street Type)	<ul style="list-style-type: none"> • Shall maintain the connectivity intended by the Regulating Plan
Building Form and Development Standards		
<ul style="list-style-type: none"> • Build to zones/setbacks 	No more than a 20% change in the maximum or minimum setback.	<ul style="list-style-type: none"> • Changes to the Build to zones or setbacks may only be due to any changes to the street cross sections or change in the width of a sidewalk • In no case shall the sidewalk be less than 6 feet in width.
<ul style="list-style-type: none"> • Building Frontage 	No more than a 15% reduction in the required building frontage along each block of a Type 'A' Street	<ul style="list-style-type: none"> • Any reduction in the required building frontage shall be to accommodate Porte-cocheres for drop-off and pick-up.
<ul style="list-style-type: none"> • Required Off-street Parking 	No more than 20% reduction in the required off-street parking	<ul style="list-style-type: none"> • Shared parking agreements may be required between adjoining properties. • A parking demand analysis may be required based on the mix of uses being proposed.
<ul style="list-style-type: none"> • Street screen 	Waiver of Street Screen requirement along a Type 'B' Street	<ul style="list-style-type: none"> • Requirement for a street screen may only be waived along a Type 'B' Street along the frontage of any interim surface parking lot (off-street) that is intended to be in-filled with a parking structure. • In no case shall any portion of the surface parking have frontage along a Type 'A' Street without a required street screen • In no case shall the (off-street) surface parking lot be located at a street intersection for a minimum depth of 30' along each street (regardless of the Street Type).
<ul style="list-style-type: none"> • Street Cross Sections 	Cross sections of new streets may be adjusted with respect to number of lanes, lane widths, on-street parking configuration, pedestrian accommodation, and street tree planting	<ul style="list-style-type: none"> • Any changes in the street cross sections shall be based on specific development context such as vegetation, natural features,

		<p>drainage, and fire access and is subject to approval by the City.</p> <ul style="list-style-type: none"> Street cross sections may allow encroachment of porte cocheres into the street right-of-way and parking lanes, but not within any travel lanes subject to approval by the City.
Street Cross Sections	On-street parking configuration adjustments	<ul style="list-style-type: none"> On-street parking may be adjusted from angled to parallel or angled to drop-off lanes to accommodate valet drop-offs and pickups and similar functions subject to a Development Plan or parking plan submitted by the applicant and subject to approval by the City.

3.9 Requirement for Periodic Review:

3.9.1 The City Manager or his/her designee shall convene an annual City Council work session with the property owners and/or the Property Owners Association (POA) of all the property within the planned development, for the purpose of receiving project status updates on the development of the property and to assess progress of the planned development districts to achieve its intended outcome. The project updates should include, but are not limited to, total square footage of developed property, square footage of non-residential development, number of residential units, mix of land uses and traffic/transportation related items.

Section 4. Definitions

In addition to Definitions in Article I of the City of Richardson Comprehensive Zoning Ordinance, the following terms shall have the corresponding interpretations.

Arcade means a portion of the main façade of the building that is at or near the sidewalk and a colonnade supports the upper floors of the building. Arcades are intended for buildings with ground floor commercial or retail uses and the arcade may be one or two stories.

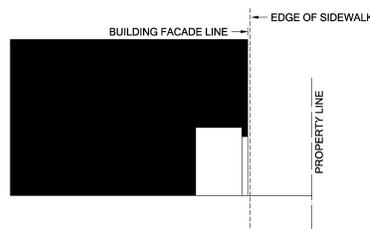


Image of an arcade

Attics/Mezzanines means the interior part of a building contained within a pitched roof structure or a partial story between two main stories of a building.

Auto-Related Sales and Service Uses means establishments that provide retail sales and services related to automobiles including, but not limited to, tires, batteries, gasoline, etc.

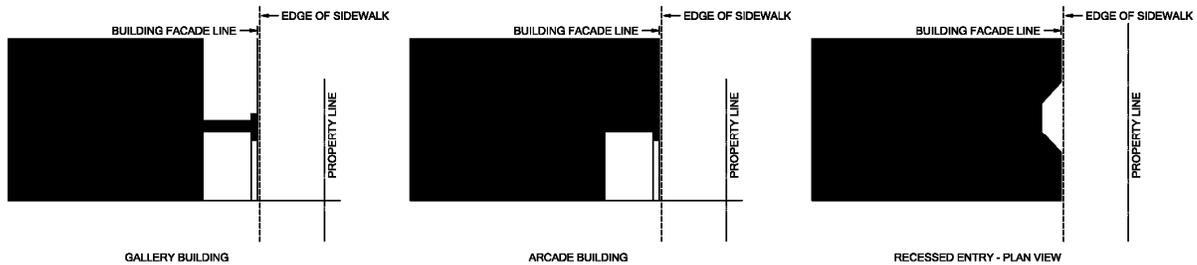
Block means the aggregate of lots, pedestrian passages and rear alleys, circumscribed by streets.

Block Face means the linear dimension of a block along one of its street frontages.

Build-to Line means the line at which the principal building’s front façade shall be built.

Build-to Zone (BTZ) means the area within which the principal building’s front façade is to be built.

Building Façade Line means the horizontal plane along a lot where the building’s front façade is actually located.



Building Façade Line Illustrations

Building Form Standards means the standards established for each Character Zone that specify the height, bulk, orientation, and elements for all new construction and redevelopment.

Building Frontage means the percentage of the building’s front façade that is required to be located at the front Build-to Line or Zone as a proportion of the block frontage along that public street. Parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage.

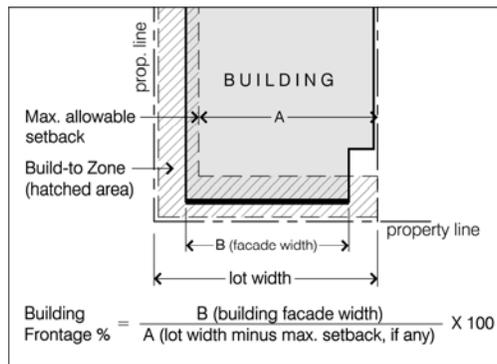


Image showing how a lot’s building frontage is calculated.

Character Zone means an area within the C-TOPD - East that creates a distinct urban form different from other areas within the C-TOPD - East. Character Zones are identified in the Regulating Plan.

City Manager means the City Manager of the City of Richardson or his/her designee.

Civic/Open Space means publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. For all residential uses, privately accessible open spaces such as courtyards, porches, and balconies may also be considered as Civic/Open Space for the purposes of the C-TOPD Code - East.

Comprehensive Plan means the City of Richardson Comprehensive Plan that establishes the blueprint for the long-term growth and development of the City as adopted on the effective date of this Code.

Encroachment means any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public R.O.W, or above a height limit.

Gallery means an extension of the main façade of the building that is at or near the front property line and the gallery may overlap the public sidewalk.

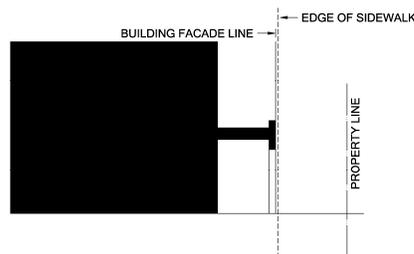


Image of a Gallery

Kiosk means a small, roofed structure, often open on one or more sides, used as a newsstand or booth. This structure could be temporary or permanent.

Live-Work Unit means a dwelling unit that is also used for work purposes, provided that the ‘work’ component is restricted to the uses of professional office, artist’s workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The ‘live’ component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by the C-TOPD Code - East in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

Living Screen means a Street Screen composed of landscaping in the form of vegetation.

Master Sign Plan means a unique sign plan to implement a specific vision for a portion or all of the development that meets Section 10.2 of this Code.

Minor Modification means any changes to the C-TOPD Code - East that meets the criteria established in Section 3.8 and Table 3.1.

Motor Court means an uncovered space that is wholly or partly surrounded by buildings or walls intended as a courtyard for vehicles as they approach a building. Surface parking is permitted within this space and shall not include more than 75 spaces. Surface treatments of the vehicular zones are richer in character than traditional concrete surface parked lots, using a variety of textures and colors such as brick, concrete pavers and colored concrete. Individual motor courts shall be separated by intervening buildings.

Non-Mandatory Street means a street that is designated on the Regulating Plan which is shown as a suggested street within the C-TOPD - East. The Non-Mandatory Street is not required and is at the election of the developer.

Park means a civic/open space that is a preserve available for unstructured recreation.

Plaza means a primarily hardscaped civic/open space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings.

Playground means a civic/open space designed and equipped for children's recreation. A playground may be fenced and may include an open shelter. Playgrounds may be located within residential areas and may be placed within a block. They may be included in other civic/open spaces.

Pedestrian Easement means a grant of use of private property for pedestrian access and use. This area contains the sidewalk, street trees, lighting and pedestrian furniture.

Regulating Plan means the Zoning Map attached hereto as Appendix A that shows the Character Zones, Civic Spaces, location of Streets, maximum height permitted and other Special Requirements applicable to the C-TOPD - East subject to the standards in the C-TOPD Code - East. For the purposes of this Code, the Regulating Plan shall also be the Concept Plan for the C-TOPD - East District.

Retail Ready means space constructed at a minimum interior height of 15 feet which may be used for non-commercial uses and can be converted into retail/commercial use. Prior to the issuance of a certificate of occupancy for a retail/commercial use in a Retail-Ready space, the space must comply with all building and construction codes for that use. In addition, the space must comply with all building and construction codes for that use. The intent of Retail-Ready space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

Retail Sales Retail establishments are the final step in the distribution of merchandise. They are organized to sell in small quantities to many customers. Establishments in stores operate as fixed point-of-sale locations, which are designed to attract walk-in customers. Retail establishments often have displays of merchandise and sell to the general public for personal or household consumption, though they may also serve businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation. Included in, but not limited to this category, are durable consumer goods sales and service, consumer goods, other grocery, food, specialty food, beverage, dairy, etc, and health and personal services.

Service Uses means a category for limited personal service establishments which offer a range of personal services that include (but not limited to) clothing alterations, shoe repair, dry cleaners, laundry, health and beauty spas, tanning and nail salons, hair care, etc.

Sign, Building Blade means a pedestrian-oriented sign that is affixed perpendicular to the corner of a building or to the front façade of a building above the ground floor to provide identification for the whole building.



Image of a Building Blade Sign

Sign, Marquee means a sign structure placed over the entrance to a theatre or other public gathering venue. It has signage stating either the name of the establishment or the name of the event, artist, and other details of the event appearing at that venue. The marquee is often identifiable by a surrounding cache of light bulbs, usually yellow or white, that flash intermittently or as chasing lights. Marquee signs may often be combined with Building Blade signs.



Image of a Marquee sign with a Building Blade Sign

Sign, Monument means any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign may include a sign face and sign structure, and may also include a sign base and sign cap.



Image of a Monument Sign

Sign, Sandwich Board means a portable sign consisting of two panels of equal size, which are hinged at the top or one panel with a support and placed on the ground or pavement so as to be self-supporting.



Images of sandwich board signs.

Sign, Tenant Blade means a smaller pedestrian-oriented sign that is affixed perpendicular to the building façade under a canopy or awning or immediately over a tenant space and provides identification for individual tenants within a building.



Image of a Tenant Blade Signs

Special Development Plan means a development application that meets Section 3.7 of this Code.

Station Platform Frontage: means the special frontage requirement on blocks with frontage along the rail station platform as indicated in the Regulating Plan.

Street Screen means a freestanding wall or living screen built along the BTZ or in line with the building façade line along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



Image of a combination masonry and living street screen

Street Network means the Mandatory and Non-Mandatory network for new and existing streets within the C-TOPD - East as established in the Regulating Plan.

Street Type means a specific designation for streets that establish a certain character and cross-sections to improve walkability within the C-TOPD - East.

Tree Well means an unpaved area around the trunk of a tree within the sidewalk area that is either landscaped with ground cover or covered with a tree grate.



Example of a tree wall with a tree grate



Example of a tree well with landscaping

Type 'A' Street means the streets identified as such on the Regulating Plan. Type 'A' Streets are the primary pedestrian streets.

Type 'B' Street means the streets identified as such on the Regulating Plan. Type 'B' Streets are intended to primarily accommodate access to parking, service, and other auto-related functions.

Section 5. The Regulating Plan

5.1 The Regulating Plan (Appendix A) is hereby adopted as the official zoning map for the C-TOPD - East District.

5.2 Character Zones Established – the following Character Zones are established. The boundaries of the specific Character Zones shall be established in the Regulating Plan.

5.2.1 TOD Core: The TOD Core provides the most opportunity for the highest intensity development. It is the area that has significant development impact and the highest pedestrian activity due to its adjacency to the transit station. The TOD Core consists of the highest density, with the greatest variety of uses. Development within the TOD Core Zone shall meet the Building Form and Development Standards in Section 7.1 of this Code.

5.2.2 TOD Mixed Use: The TOD Mixed Use is the area adjacent to the TOD Core that is intended for high intensity commercial and residential uses in addition to supporting retail and restaurant uses. Development within the TOD Mixed Use Zone shall meet the Building Form and Development Standards in Section 7.2 of this Code.

5.2.3 Arterial Mixed Use: Arterial Mixed Use is intended to provide appropriate transitions to major regional roadways while taking advantage of the arterial frontage for limited auto-oriented sites. The Arterial Mixed Use frontage also acts as a gateway into the C-TOPD - East by providing an attractive street frontage for the overall development. Development within the Arterial Mixed Use Zone shall meet the Building Form and Development Standards in Section 7.3 of this Code.

5.2.4 TOD Freeway Hi-Rise: TOD Freeway Hi-Rise is intended to provide an appropriate transition into the C-TOPD - East from the President George Bush Turnpike (SH 190) and US 75 access roads. This area is also intended for high intensity development. Development within the TOD Freeway Hi-Rise Zone shall meet the Building Form and Development Standards in Section 7.4 of this Code.

5.2.5 TOD Mid-Rise: TOD Mid-Rise consists of many attributes of the TOD Freeway Hi-Rise, but with a focus on more residential uses that are structure-parked. Ground floor retail uses are encouraged, but not required. Development within the TOD Mid-Rise Zone shall meet the Building Form and Development Standards in Section 7.5 of this Code.

5.3 Street Designations Street Type Established – The Regulating Plan shall establish the following Street Designations:

5.3.1 Type “A” Streets Established – Type “A” Streets are intended to be the primary pedestrian streets. The Type “A” Streets are TOD Main Street and TOD Station.

5.3.2 Type “B” Streets Established – Type “B” Streets are intended to balance pedestrian orientation with automobile orientation (service access, driveways, drive-through lanes, etc.). The Type “B” Streets are Parkway and TOD Street.

5.4 Mandatory Streets by Street Type – The Street Network indicates Mandatory and Non-Mandatory streets needed to implement the C-TOPD - East Regulating Plan. The Regulating Plan designates the type, classification and location of streets. All new streets in the C-TOPD - East shall meet the street design standards established in Section 9 herein.

5.5 Special Frontage Requirements – In order to address specific requirements and transitions based on street frontage and adjacency, the following Special Frontage Requirement as established in the Regulating Plan shall apply:

5.5.1 Station Platform Frontage: Ground floors of all buildings designated as Station Frontage on the Regulating Plan shall provide shaded areas to a minimum depth of 6 feet. Shaded devices may include arcades, galleries, awnings, canopies, etc.

5.5.2 Ground Floor Retail Ready: ground floors of all buildings designated as Ground Floor Retail Ready on the Regulating Plan shall be provided. The specific standards can be found in Section 7.

5.6 Street Network by Street Type – The Street Network indicates Mandatory and Non-Mandatory streets needed to implement the C-TOPD - East Regulating Plan. The Regulating Plan designates the type and location of streets. All new streets in the C-TOPD - East shall meet the street design standards established in Section 9 herein

5.7 Civic/Open Space – The Regulating Plan indicates Mandatory Civic/Open Spaces. The specific standards for Civic/Open Space are established in Section 11.

5.8 Building Height – The Regulating Plan also indicates the minimum and maximum building height permitted within each character zone of the C-TOPD - East District.

Section 6. Schedule of Permitted Uses

6.1 Generally: Due to the emphasis on urban form over land uses in the C-TOPD - East, general use categories have been identified by Character Zone. Uses not listed in the following schedule, but are substantially similar, may be permitted upon the approval of the City Manager or designee, subject to appeal directly to the City Council.

6.2 Schedule of Uses:

Table 6.1

Character Zone	TOD Core	TOD Mixed Use	Arterial Mixed Use	TOD Freeway Hi-Rise	TOD Mid-Rise
Land Use					
Commercial Uses (Office, Retail, Sales & Service Uses)					
Retail Sales or Service with <u>no drive through facility</u> (includes alcohol sales, which shall meet Chapter 4, Alcohol Beverages of the City of Richardson Code of Ordinances). Excluded from this category are Auto-Retail Sales and Service Uses (see Section 3 of the Code for Definition of Retail, Service uses, and Auto-related Sales and Service)	P	P	P	P	P
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive through facility</u>	P	P	P	P	P
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	P	P	P	P	P
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with <u>no drive through facilities</u> Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages which shall meet Chapter 4, Alcoholic Beverages of the City of Richardson Code of Ordinances.	P	P	P	P	P
Any use with a drive through facility	NP	P/C	P/C	NP	NP
Auto-related Sales and Service	NP	NP	P/C	NP	NP
Community and Cultural Uses					
Art galleries	P	P	P	P	P
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	P	P	P	P	P
Games arcade establishments	P	P	P	P	P
Theater, cinema, dance, music or other entertainment establishment	P	P	P	P	P
Museums and other special purpose recreational institutions	P	P	P	P	P
Fitness, recreational sports, gym, or athletic club	P	P	P	P	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P
Public and Institutional Uses					
Business associations and professional membership organizations	P	P	P	P	P
Child day care and preschools	P	P	P	P	P
Schools, libraries, and community halls	P	P	P	P	P
Universities and Colleges	P/C	P/C	P	P	P/C
Hospital	P	P	P	P	P
Civic uses	P	P	P	P	P
Social and fraternal organizations	P	P	P	P	P
Social services and philanthropic organizations	P	P	P	P	P
Religious Institutions	P	P	P	P	P
Funeral homes	P	P	P	P	P
Residential Uses					
Home Occupations	P/A	P/A	P/A	P/A	P/A
Multi-family residential					

Character Zone	TOD Core	TOD Mixed Use	Arterial Mixed Use	TOD Freeway Hi-Rise	TOD Mid-Rise
Ground Floor	P/C	P	NP	P/C ***	P/C
Upper Floors	P	P	NP	P ***	P
Residential Lofts	P	P	P	P	P
Live-Work Unit	P	P	P	P	P
Single-family residential attached dwelling unit (Townhomes)	NP	P/C	NP	NP	NP
Single-family residential detached dwelling unit	NP	NP	NP	NP	NP
Accessory residential unit	NA	NA	NA	NA	NA
Model homes for sales and promotion**	P	P	P	P	P
Hotels	P	P	P	P	P
Parking, surface (primary use of property)	NP	NP	NP	NP	NP
Parking, surface (accessory use of property)	P	P	P	P	P
Parking, structured	P	P	P	P	P
Private attached garage	NP	P	NP	NP	NP
Private detached garage	NP	NP	NP	NP	NP
Sales from kiosks	P	P	P	P	P
Veterinary clinic	NP	P	P	NP	NP
Community garden	P	P	P	P	P
Incidental Outdoor Display (subject to standards in Section 7 of the Code)	P/A	P/A	P/A	P/A	P/A
Antennas including cell, accessory, and mounted on top of buildings.	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Utility infrastructure	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Rain water harvesting equipment	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C
Wind energy equipment	P/A	P/A	P/A	P/A	P/A
Solar energy equipment	P/A	P/A	P/A	P/A	P/A
Special Event	P	P	P	P	P

P= Permitted by right NP= Not Permitted P/C= Permitted with design criteria per Table 6.2 P/A = Permitted Accessory Use NA= Not applicable

A* = Accessory use to not exceed 25% of the primary use building square footage

** Model homes are limited to a time period until all the homes are sold in the neighborhood.

*** = Multi-Family Residential – Ground Floor and Upper Floor not permitted in TOD Freeway Hi-Rise Character Zone at the southwest corner of PGBT and U.S. 75.

6.3 Use Criteria: All uses listed as P/C in Table 6.1 shall also meet the following standards in Table 6.2

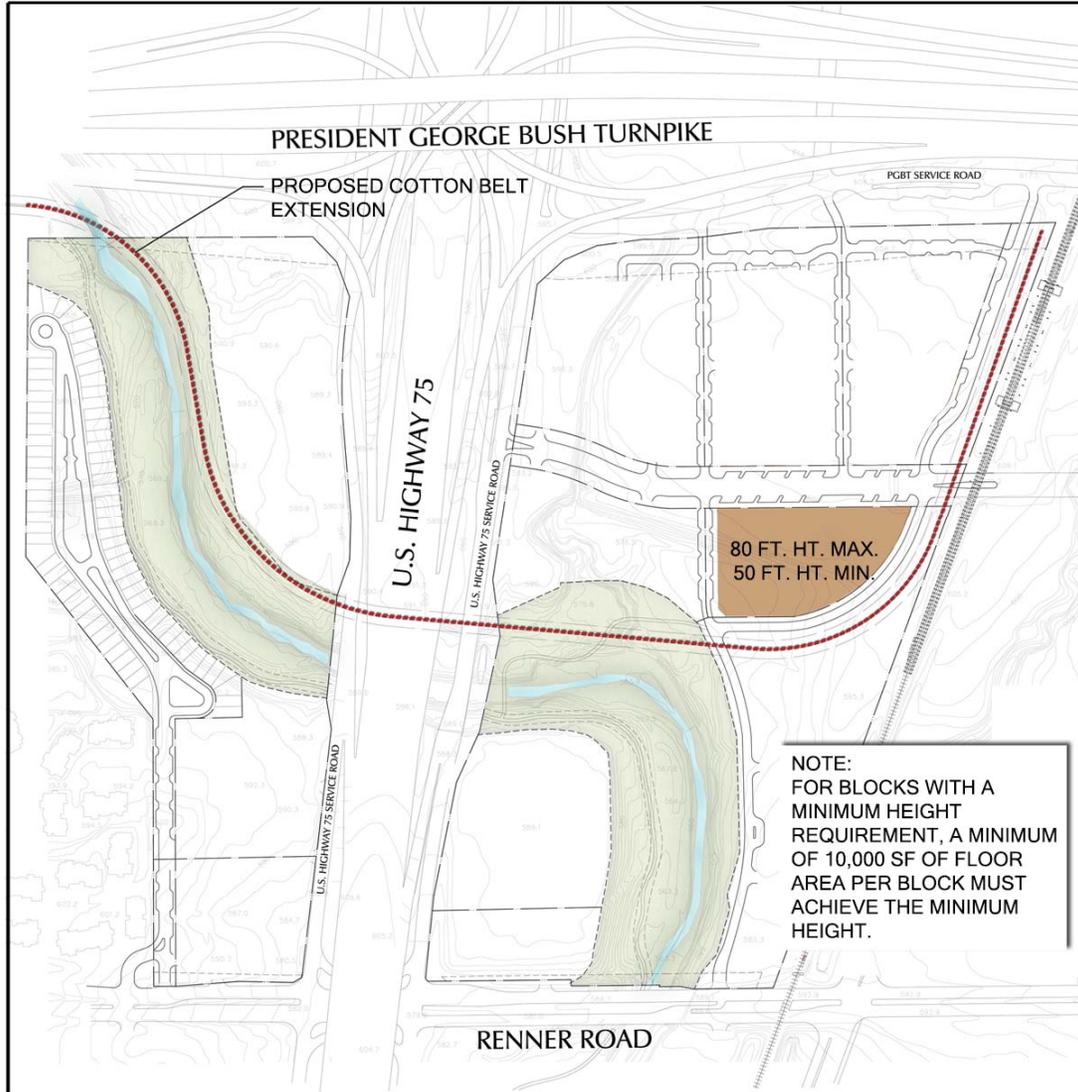
Table 6.2 – Use Criteria		
<i>Use</i>	<i>Zone</i>	<i>Location & Design Criteria</i>
Non-Residential Uses		
Any permitted use with a drive through facility	TOD Mixed Use & Arterial Mixed Use	<ul style="list-style-type: none"> All drive through access (driveways) shall be from Type 'B' Streets. Drive through lanes and/or canopies shall not have frontage along on or be located along any Type 'A' Streets. Drive through areas screened by a 4' high Street Screen.
Universities and Colleges	TOD Core, TOD Mixed Use & TOD Mid-Rise	<ul style="list-style-type: none"> Shall be required to provide structured parking as part of the build-out for the university/college campus
Auto-related Sales and Service	Arterial Mixed Use	<ul style="list-style-type: none"> No more than 50% of a block's frontage along a Type 'B' Street shall be occupied by gas pumps, canopies, and/or service bays. No outdoor storage of vehicles or other products sold shall be permitted. All auto related sales display shall be inside storefronts.
Residential Uses		
Multi-family residential Ground Floor	TOD Core, TOD Freeway Hi-Rise & TOD Mid-Rise	<ul style="list-style-type: none"> All ground floors as depicted on the Regulating Plan shall be built to Retail Ready standards.
Single-family residential attached dwelling unit (Townhomes)	TOD Mixed Use	<ul style="list-style-type: none"> Shall not be permitted along Renner Road
Other Uses		
Antennas including cell, accessory and mounted (Excluded from this category are freestanding and commercial antennas and equipment buildings)	All Zones	<ul style="list-style-type: none"> Antennas shall be permitted on rooftops. Antennas shall be screened entirely with a screen of same color as the principal building. Antennas shall not be visible from adjacent Type 'A' Street.
Utility equipment (includes electrical transformers, gas meters, etc)	All Zones	<ul style="list-style-type: none"> On all other frontages, they shall be screened with a Street Screen at least as high as the equipment being screened. On Type "A" street frontages, utility equipment shall also be recessed into the building. Utility equipment shall be permitted on rooftops. Utility equipment shall be screened entirely with a screen of same color as the principal building.
Rain water harvesting equipment	All Zones	<ul style="list-style-type: none"> Rain water harvesting equipment shall be permitted on rooftops. Rain water harvesting equipment shall be screened entirely with a screen of same color as the principal building.

Section 7. Building Form and Development Standards

The following section establishes the Building Form and Development Standards for all Character Zones within the C-TOPD - East District. Diagrams and reference letters are used for illustrations purposes only. Reference letters may not be in continuous sequence.

7.1 TOD Core Zone

Character Zone: TOD Core

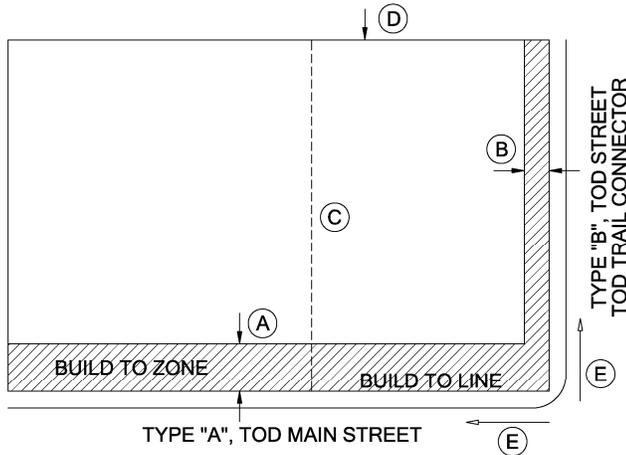


TOD Core Zone Location Map

Note: This map is for reference only. Refer to the Regulating Plan (Appendix A) for all requirements.

TOD Core Zone

7.1.1 Building Placement



REFER TO SECTION 9 FOR BTL LOCATION

Build-To Zone (BTZ)
(Distance from pedestrian easement to edge of the BTZ)

Type "A," TOD Main Street	0 - 25 feet	(A)
Type "B," TOD Street, TOD Trail Connector	0 - 10 feet	(B)

Setback

Side (from property line)	0 feet (see #1)	(C)
Rear (from property line)	0 feet (see #1)	(D)

Building Frontage

Building Frontage required along all street BTZ	90% (min.) (see #4)	(E)
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7.1.2 Block Standards

Block face dimensions	250 - 500 feet
Block perimeter	1500 feet (maximum)

7.1.3 Building Height

Principal Building Standards

Building maximum	Shall be established on the Regulating Plan
First floor to floor height	15 feet min. (see #2)
Ground floor finish level	12 inches max. above sidewalk (except for ground floor Retail Ready buildings)
Upper floor(s) height (floor-to-ceiling)	10 feet min. (excluding bathrooms, hallways, closets and areas common to furr downs)

7.1.4 Ground Floor Retail Ready Requirements

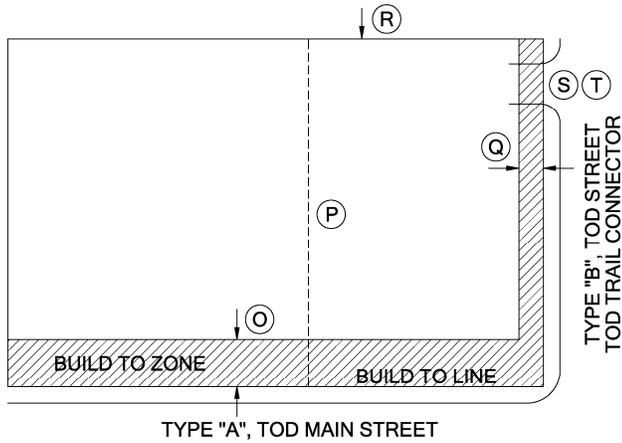
Ground floors of all buildings fronting on Cityline Drive (TOD Main Street) shall be built to Retail Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

Notes

- #1 - Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 - First floor heights shall not apply to parking structures.
- #3 - All buildings in the TOD Core Zone shall meet the Building Design Standards in Section 8.
- #4 - Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen that provides an opaque screen at maturity or a combination of masonry and living screen. Species shall be selected from the C-TOPD - East Planting List in Appendix B of the C-TOPD Code - East. The required Street Screen shall be located within the BTZ along the corresponding frontage.
- #5 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #6 - Setbacks and build-to lines for recessed entry and arcade buildings shall be measured from the building façade line which contains the recessed entry or arcade.
- #7 - Required parking may be provided anywhere within the C-TOPD - East
- #8 - Article III, Chapter 21, Section 21-52 of the City of Richardson Subdivision and Development Ordinance shall apply for design of off-street parking areas.

TOD Core Zone

7.1.5 Parking & Service Access



7.1.6 Encroachments

Canopies, signs, awnings and balconies may encroach over the BTZ, setback, and, sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane.

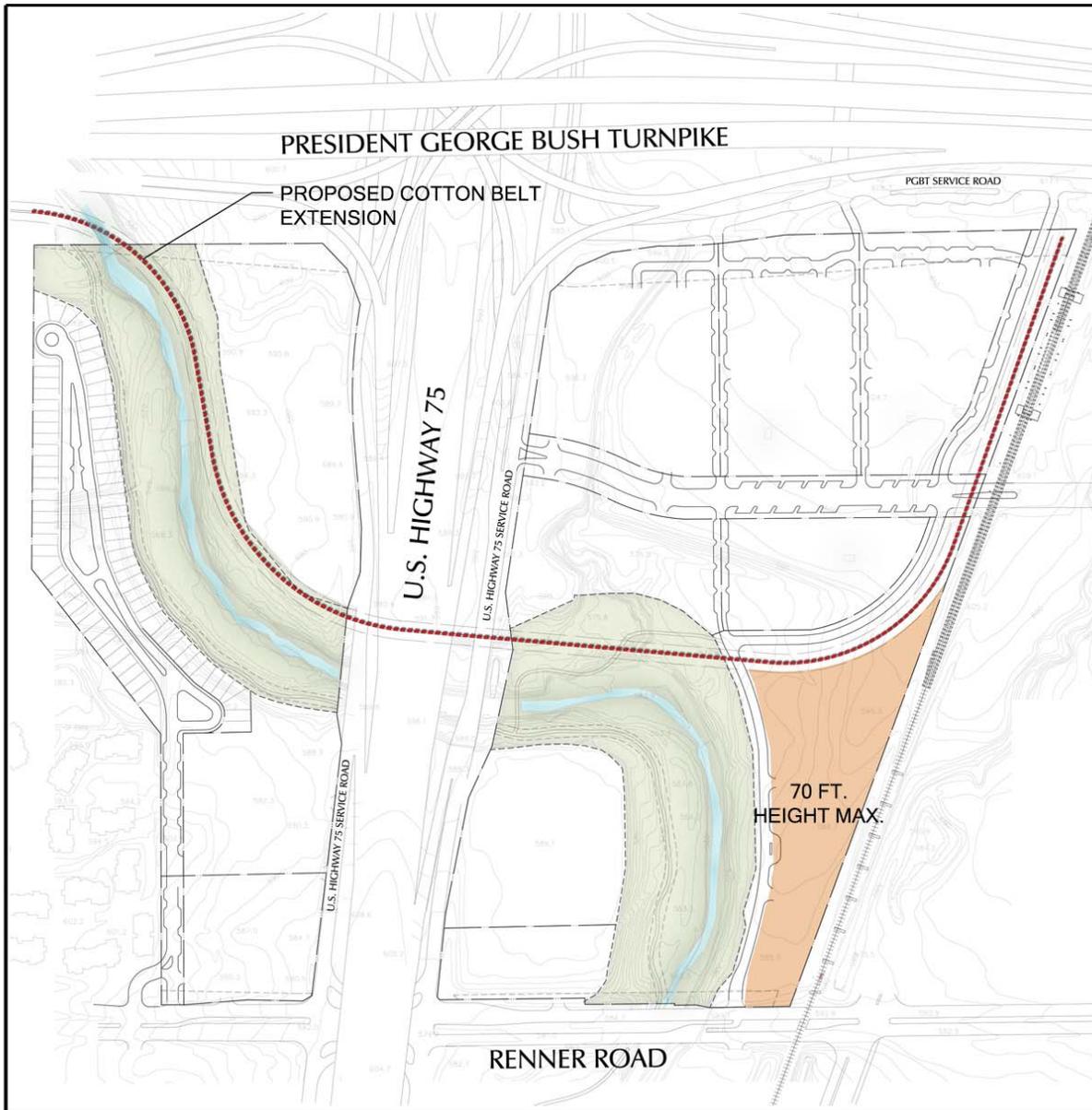
7.1.7 Applicability

Building Form and Development Standards in this Section shall apply to all development within this Character Zone.

(i) Parking Location		
Surface/At Grade Parking		
Type "A," TOD Main Street	Shall be located behind the principal building	⓪
Type "B," TOD Street, TOD Trail Connector	Min. of 3 feet behind the building facade line along that street	Ⓠ
Side setback (distance from property line)	0 feet min.	Ⓟ
Rear setback (distance from property line)	0 feet min.	Ⓡ
Above Grade Parking		
Setback along Type "A," TOD Main Street, Type "B," TOD Street, TOD Trail Connector and Civic Space (distance from edge of sidewalk)	0 feet min.	⓪
Side and rear setbacks (distance from property line)	0 feet min.	
Upper Floors	May be built up to the building line	
(ii) Required Off-Street Parking Spaces		
Non-residential uses	1 space/300 sq. feet (gross)	
Residential uses	1.5 space/unit	
(iii) Driveways and Service Access		
Parking driveway width	20 feet max. (except when drives may need to be wider to address service access or fire lane standards)	Ⓢ
Driveways and off-street loading and unloading shall not be located on a Type "A," TOD Main Street. Porte cocheres may be permitted on Type "A" Streets to provide drop-off and valet service. Shared driveways and cross access easements are encouraged between lots to minimize curb cuts. If driveway and/or off-street service loading and unloading access is provided from a Type "A," TOD Main Street, such access shall be deemed as temporary and cross access easements along the rear of the property shall be required when adjoining properties are developed.		Ⓣ

7.2 TOD Mixed Use Zone

Character Zone: TOD Mixed Use

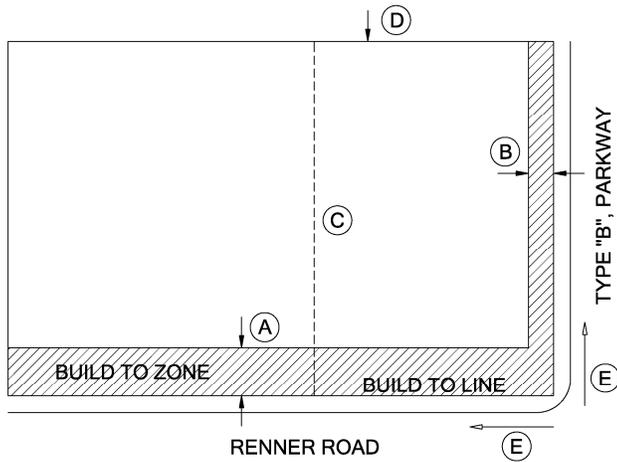


TOD Mixed Use Zone Location Map

Note: This map is for reference only. Refer to the Regulating Plan (Appendix A) for all requirements.

TOD Mixed Use Zone

7.2.1 Building Placement



REFER TO SECTION 9 FOR BTL LOCATION

Build-To Zone (BTZ) (Distance from edge of pedestrian easement to edge of the BTZ)		
Renner Road	None	(A)
Type "B," Parkway	0 - 10 feet (see #1)	(B)
Setback		
Side (distance from property line)	0 feet (see #2)	(C)
Rear (distance from property line)	0 feet (see #2)	(D)
Building Frontage		
Building Frontage required along all street BTZ	80% (min.) (see #3)	(E)

7.2.2 Block Standards

Block face dimensions	250 – 500 feet (see #4)
Block perimeter	1500 feet (maximum) (see #4)

7.2.3 Building Height

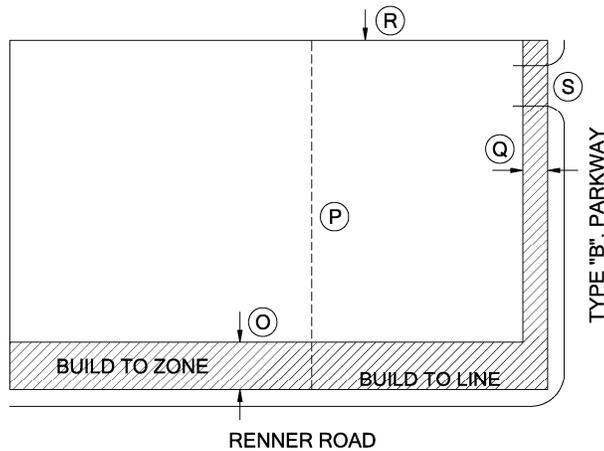
Principal Building Standards	
Building maximum	Shall be established as on the Regulating Plan
First floor to ceiling height	10 feet min. (excluding bathrooms, hallways, closets, and areas common to furr downs)
Ground floor finish level	12 inches max. above sidewalk (except for ground floor Retail Ready buildings)
Upper floor(s) height (floor-to-floor)	10 feet min. (excluding bathrooms, hallways, closets, and areas common to furr downs)

Notes

- #1 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – First floor heights shall not apply to parking structures.
- #3 – All buildings in the TOD Mixed Use Zone shall meet the Building Design Standards in Section 8.
- #4 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen that provides an opaque screen at maturity or a combination of masonry and living screen. Species shall be selected from the C-TOPD - East Planting List in Appendix B of the C-TOPD Code - East. The required Street Screen shall be located within the BTZ along the corresponding frontage.
- #5 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #6 – Setbacks and build-to lines for recessed entry and arcade buildings shall be measured from the building façade line which contains the recessed entry or arcade.
- #7 – Required parking may be provided anywhere within the C-TOPD - East.
- #8 – Article III, Chapter 21, Section 21-52 of the City of Richardson Subdivision and Development Ordinance shall apply for design of off-street parking areas

TOD Mixed Use Zone

7.2.4 Parking & Service Access



7.2.6 Applicability

Building Form and Development Standards in this Section shall apply to all development within this Character Zone.

(i) Parking Location

Surface/At Grade Parking

Renner Road	Shall be located behind the principal building	⓪
Type "B," Parkway	Min. of 3 feet behind the building facade line along that street	Ⓠ
Side setback (distance from property line)	0 feet min.	Ⓟ
Rear setback (distance from property line)	0 feet min.	Ⓡ

Above Grade Parking

Setback along Type "B," Parkway (distance from edge of sidewalk)	0 feet min.	⓪
Side and rear setbacks (distance from property line)	0 feet min.	
Upper Floors	May be built up to the building line	

(ii) Required Off-Street Parking Spaces

Non-residential uses	1 space/250 sq. feet (gross)
Residential uses	1.5 space/unit

(iii) Driveways and Service Access

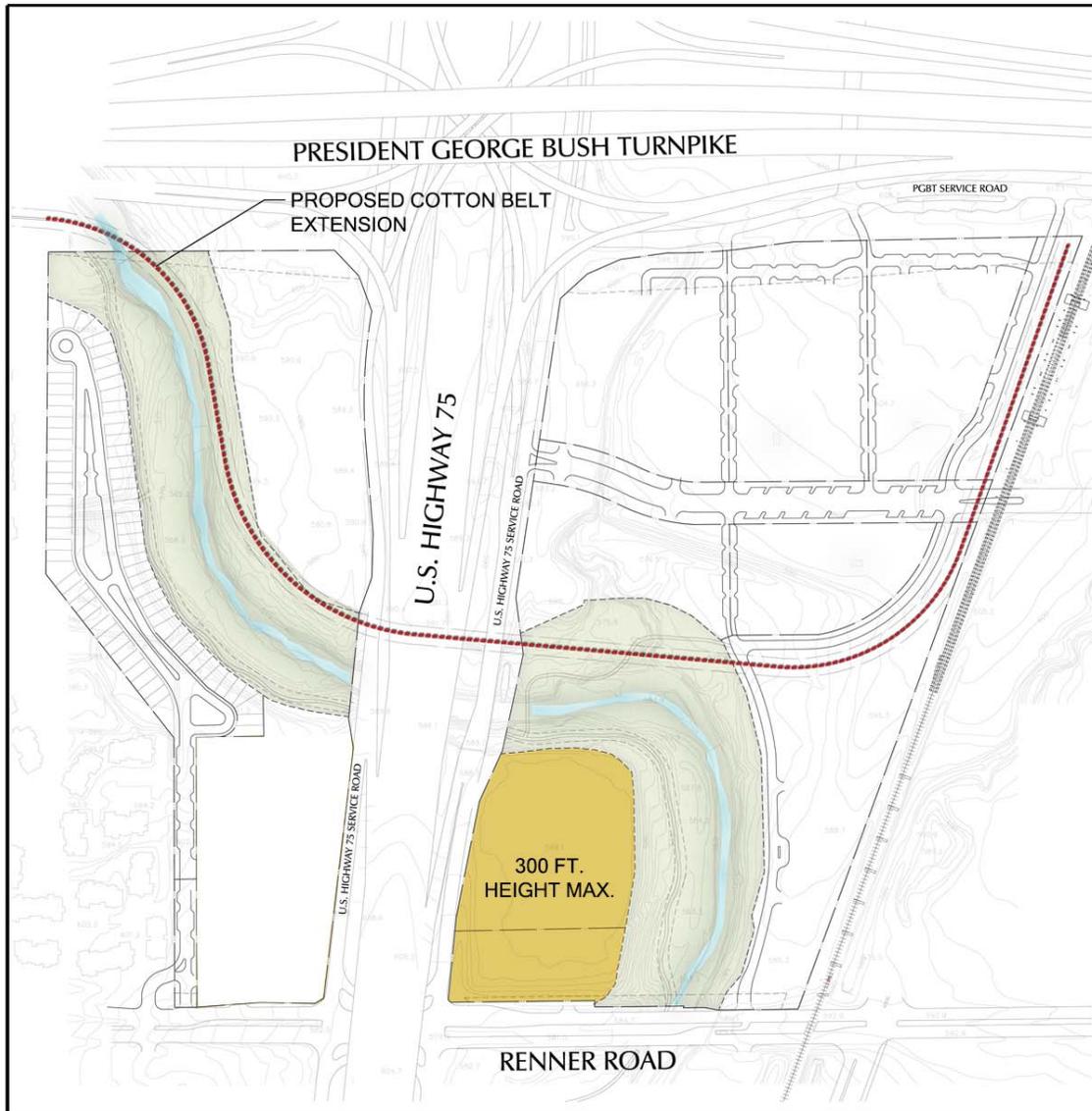
Parking driveway width	20 feet max. (except service drives which may be a max. of 30 feet wide)	Ⓢ
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7.2.5 Encroachments

Canopies, signs, awnings and balconies may encroach over the BTZ, setback, and, sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane.

7.3 Arterial Mixed Use Zone

Character Zone: Arterial Mixed Use

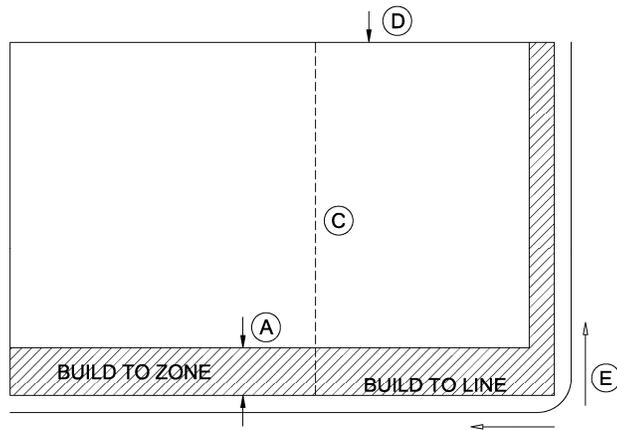


TOD Arterial Mixed Use Zone Location Map

Note: This map is for reference only. Refer to the Regulating Plan (Appendix A) for all the requirements.

Arterial Mixed Use Zone

7.3.1 Building Placement



U.S. 75 FRONTAGE ROAD, RENNEN

REFER TO SECTION 9 FOR BTL LOCATION

Build-To Zone (BTZ)

(Distance from Property Line to edge of the BTZ)

Front (U.S. 75 Service Road, Renner Road))	None	(A)
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(Distance from sidewalk easement to edge of the BTZ)

Civic Space	0 – 40 feet	(B)
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Setback

U.S. 75 Service Road, Renner Road – distance from property line or edge of utility easement.	10 feet (min.)	
Side (distance from property line)	0 feet (see #1)	(C)
Rear (distance from property line)	0 feet (see #1)	(D)

Building Frontage

Building Frontage required along BTZ	40% (min.)	(E)
Building Frontage required along U.S. 75 Service Road and Renner Road	0% (min.)	

7.3.2 Block Standards

Block face dimensions	No Maximum
Block perimeter	No Maximum

7.3.3 Building Height

Principal Building Standards

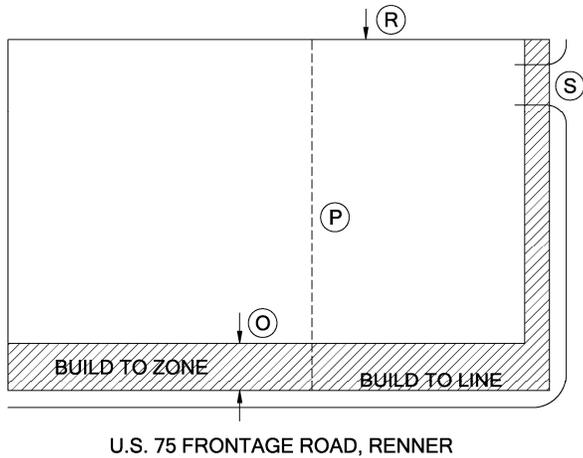
Building maximum	Shall be as established on the Regulating Plan
First floor to floor height	15 feet min. (see #2)
Ground floor finish level	12 inches max. above sidewalk (except for ground floor Retail Ready buildings)
Upper floor(s) height (floor-to-ceiling)	10 feet min.

Notes

- #1 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – First floor heights shall not apply to parking structures.
- #3 – All buildings in the Arterial Mixed Use Zone shall meet the Building Design Standards in Section 8.
- #4 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #5 – Setbacks and build-to lines for recessed entry and arcade buildings shall be measured from the building façade line which contains the recessed entry or arcade.
- #6 – Required parking may be provided anywhere within the C-TOPD - East.
- #7 – Article III, Chapter 21, Section 21-52 of the City of Richardson Subdivision and Development Ordinance shall apply for design of off-street parking areas
- #8 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high street screen; furthermore, service areas shall be defined by a street section that is at least as high as the service equipment being screened. The street screen shall be of either the same building material as the principal structure of a the lot of masonry or a living screen that provides an opaque screen at maturity or a combination of masonry and living screen. Species shall be selected from the C-TOPD – East Planting List in Appendix B of the C-TOPD – East Code. The required street screen shall be located within the BTZ along the corresponding frontage.
- #9 – Surface parking as an ancillary use with an office building motor court shall be permitted with a 0 – 50 foot setback from the building line.

Arterial Mixed Use Zone

7.3.4 Parking & Service Access



7.3.5 Encroachments

Canopies, signs, awnings and balconies may encroach over the BTZ, setback, and, sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane.

7.3.6 Applicability

Building Form and Development Standards in this Section shall apply to all development in this Character Zone.

(i) Parking Location

Surface/At Grade Parking

U.S. 75 Service Road, Renner Road setback	Min. 3 feet behind the building façade line (see #9)	
Civic Space setback (distance from approximate line delineated)	Min. of 3 feet behind the building façade line (see #9)	(O)
Side setback (distance from property line)	0 feet	(P)
Rear setback (distance from property line)	0 feet	(R)

Above and Below Grade Parking

Setback along Civic Space (distance from approximate line indicated)	0 feet min.	(O)
Setback along U.S. 75 Service Road and Renner Road (distance from property line)	0 feet min.	
Side and rear setbacks (distance from property line)	0 feet min.	
Upper Floors	May be built up to the building line	

(ii) Required Off-Street Parking Spaces

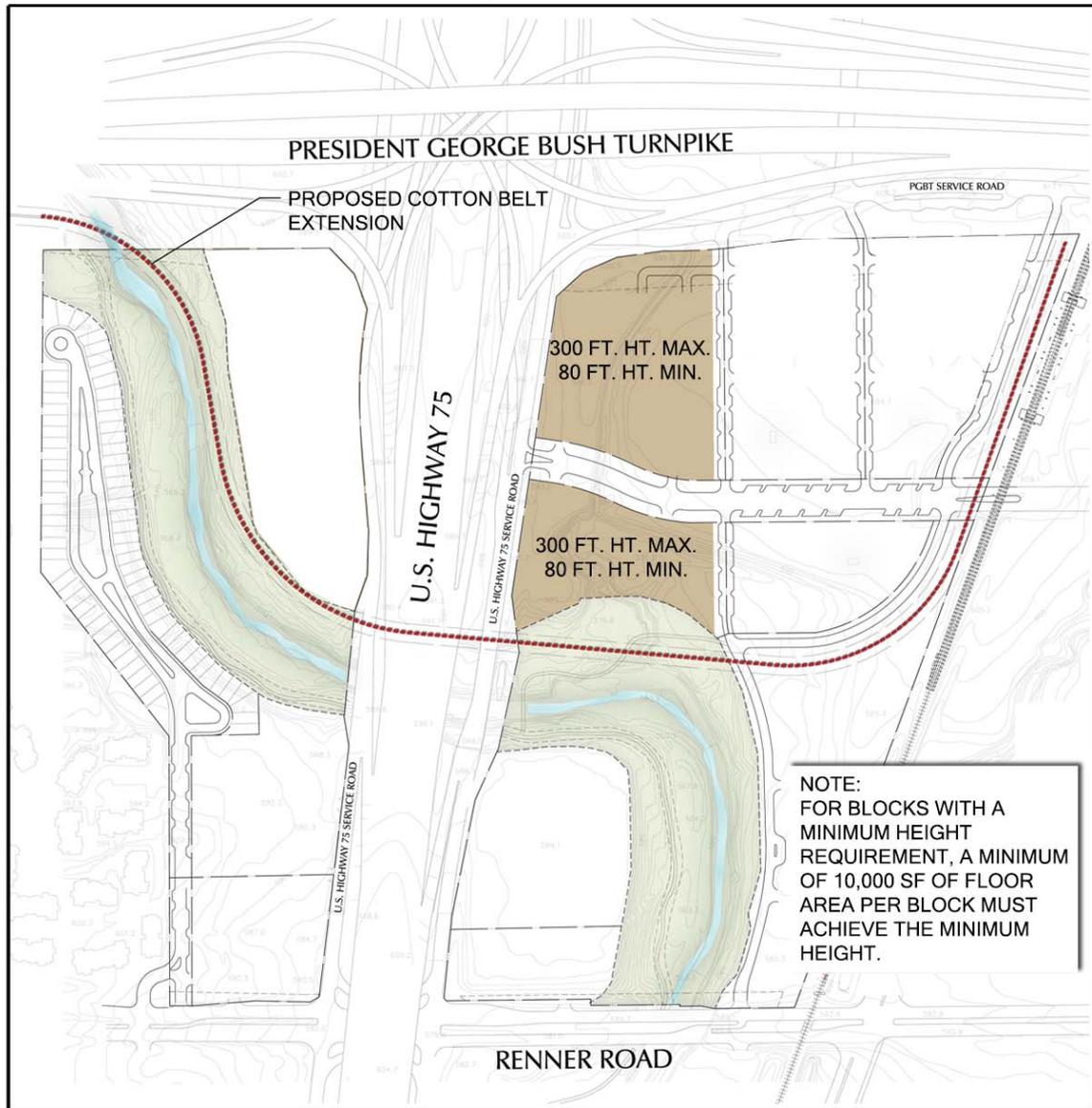
Retail/Restaurant uses	1 space/200 sq. feet (gross)
Residential uses	1.5 space/unit
Office Uses	1 space/300 sq. feet
Hotel/Lodging	1 space/hotel room

(iii) Driveways and Service Access

Parking driveway width	City standards on Arterial Roadways and 24 feet max on all C-TOPD - East Streets, except when drives may need to be wider to address service access or fire lane standards.	(S)
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7.4 TOD Freeway Hi-Rise

Character Zone: TOD Freeway Hi-Rise

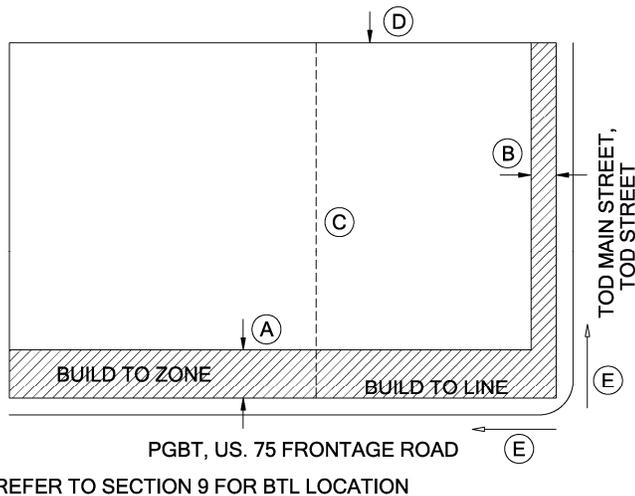


TOD Freeway Hi-Rise Zone Location Map

Note: This map is for reference only. Refer to the Regulating Plan (Appendix A) for all requirements.

TOD Freeway Hi-Rise Zone

7.4.1 Building Placement



Build-To Zone (BTZ)		
(Distance from Property Line to edge of the BTZ)		
PGBT and U.S. 75 Service Road	None	(A)
(Distance from pedestrian easement to edge of the BTZ)		
Type "A," TOD Main Street and Civic Space	0 – 25 feet	(B)
Type "B," TOD Street	0 - 10 feet	
Setback		
Side (distance from property line)	0 feet (see #1)	(C)
Rear (distance from property line)	0 feet	(D)
Building Frontage		
Building Frontage required along all street BTZ	90% (min.) (see #4)	
Building Frontage required along PGBT and U.S. 75 Service Road	0% (min.) (see #4)	(E)

7.4.2 Block Standards

Block face dimensions	No Maximum
Block perimeter	No Maximum

7.4.3 Building Height

Principal Building Standards

Building maximum	Shall be as established on the Regulating Plan
First floor to floor height	15 feet min. (see #2)
Ground floor finish level	12 inches max. above sidewalk level (except for ground floor Retail Ready buildings)
Upper floor(s) height	10 feet min. (excluding bathrooms, hallways, closets, and areas common to furr downs)

7.4.4 Ground Floor Retail Ready Requirements

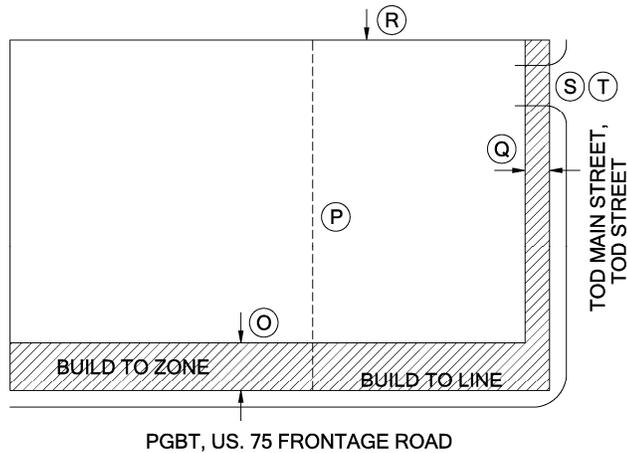
Ground floors of all buildings fronting on TOD Main Street shall be built to Retail Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

Notes

- #1 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – First floor heights shall not apply to parking structures.
- #3 – All buildings in the TOD Freeway Hi-Rise shall meet the Building Design Standards in Section 8.
- #4 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen that provides an opaque screen at maturity or a combination of masonry and living screen. Species shall be selected from the C-TOPD - East Planting List in Appendix B of the C-TOPD Code - East. The required Street Screen shall be located within the BTZ along the corresponding frontage.
- #5 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #6 – Setbacks and build-to lines for recessed entry and arcade buildings shall be measured from the building façade line which contains the recessed entry or arcade.
- #7 – Required parking may be provided anywhere within the C-TOPD - East.
- #8 – Article III, Chapter 21, Section 21-52 of the City of Richardson Subdivision and Development Ordinance shall apply for design of off-street parking areas.
- #9 - Surface parking as an ancillary use with an office or condo tower motor court shall be permitted with a 0 – 20 foot setback.
- #10 - Setbacks and build-to lines for recessed entry and arcade buildings shall be measured from the building façade line which contains the recessed entry or arcade.
- #11 - Article 3, Chapter 21, Section 21-52 of the City of Richardson Subdivision and Development Ordinances shall apply for design of off-street parking areas.

TOD Freeway Hi-Rise Zone

7.4.5 Parking & Service Access



7.4.6 Encroachments

Canopies, signs, awnings and balconies may encroach over the BTZ, setback, and, sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane.

7.4.7 Applicability

Building Form and Development Standards in this Section shall apply to all development within this Character Zone.

(i) Parking Location

Surface/At Grade Parking		
PGBT Service Road and U.S. 75 setback (see #1)	Shall be located behind the principal building	⓪
Type "A," TOD Main Street and Civic Space (see #1)	Shall be located behind the principal building	⓪
Type "B," TOD Street	Min. of 3 feet behind the building façade line along that street	Ⓠ
Side setback (distance from property line)	0 feet min.	Ⓟ
Rear setback (distance from property line)	0 feet min.	Ⓡ
Above Grade Parking		
Setback along Type "A," TOD Main Street, Type "B," TOD Street, and Civic Space (distance from edge of sidewalk)	0 feet min.	
PGBT Service Road, U.S. 75 Service Road, side and rear setbacks (distance from property line) or edge of sidewalk.	0 feet min.	
Upper Floors	May be built up to the building line	

(ii) Required Off-Street Parking Spaces

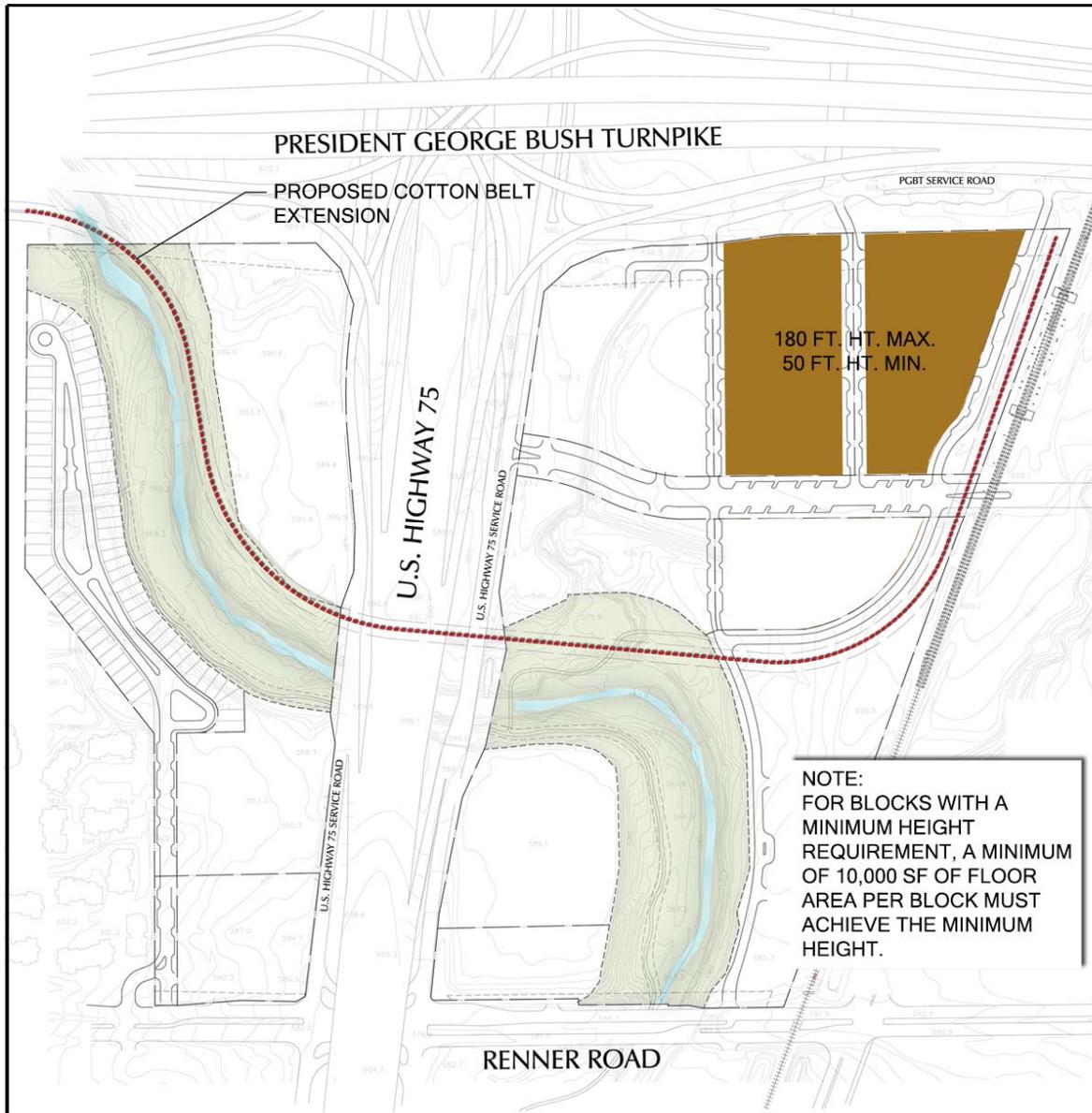
Non-residential uses	1 space/300 sq. feet (gross)
Residential uses	1.5 space/unit

(iii) Driveways and Service Access

Parking driveway width	TXDOT standards on service road and 24 feet max on all C-TOPD - East Streets, except when drives may need to be wider to address service access or fire lane standards.	Ⓢ
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7.5 TOD Mid-Rise

Character Zone: TOD Mid-Rise

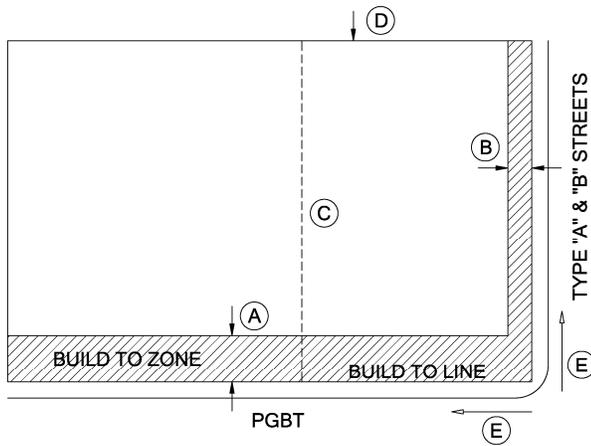


TOD Mid-Rise Zone Location Map

Note: This map is for reference only. Refer to the Regulating Plan (Appendix A) for all requirements.

TOD Mid-Rise Zone

7.5.1 Building Placement



REFER TO SECTION 9 FOR BTL LOCATION

Build-To Zone (BTZ)
(Distance from edge of pedestrian easement to edge of the BTZ)

PGBT	None	(A)
TOD Station	0 – 10 feet	(B)
Type "A," TOD Main Street	0 – 25 feet	(B)
Type "B," TOD Street	0 – 10 feet	(B)

Setback

Side (distance from property line)	0 feet (see #1)	(C)
Rear (distance from property line)	0 feet	(D)

Building Frontage

Building Frontage required along all street BTZ	90% (min.) (see #2 and #5)	(E)
Building Frontage required along PGBT and Service Road	0% (min.) (see #2 and #5)	(E)

7.5.2 Block Standards

Block face dimensions	No Maximum
Block perimeter	No Maximum

7.5.3 Building Height
Principal Building Standards

Building maximum	Shall be as established on the Regulating Plan
First floor to floor height	14 feet average per block with no point being less than 11 feet (see #2)
Ground floor finish level	12 inches min. above sidewalk (except for ground floor Retail Ready buildings)
Upper floor(s) height (floor-to-ceiling)	9.5 feet min. (excluding bathrooms, hallways, closets, and areas common to furr downs)

7.5.4 Ground Floor Retail Ready Requirements

Ground floors of all buildings as depicted on the Regulating Plan shall be built to Retail Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

7.5.5 Station Frontage Requirements

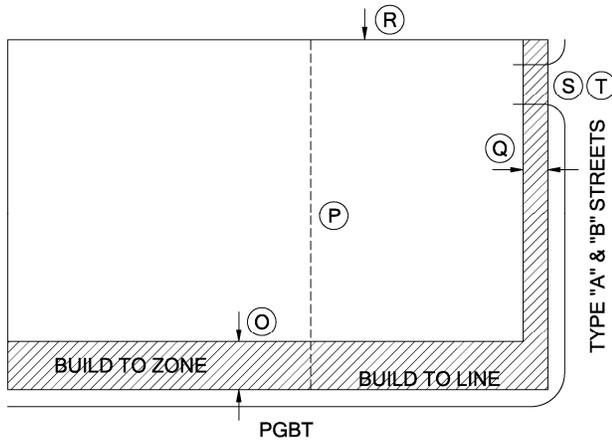
Ground floors of all buildings designated as Station Frontage on the Regulating Plan shall provide shaded areas to a minimum depth of 6 feet. Shaded devices may include arcades, galleries, awnings, canopies, etc.

Notes

- #1 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – First floor heights shall not apply to parking structures; 14 feet average applies to Retail-Ready as depicted on the Regulating Plan.
- #3 – All buildings in the TOD Mid-Rise shall meet the Building Design Standards in Section 8.
- #4 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.
- #5 – Setbacks and build-to lines for recessed entry and arcade buildings shall be measured from the building façade line which contains the recessed entry or arcade.
- #6 – Required parking for all residential uses shall be provided for each blocked development.
- #7 – Article III, Chapter 21, Section 21-52 of the City of Richardson Subdivision and Development Ordinance shall apply for design of off-street parking areas.
- #8 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high street screen; furthermore, service areas shall be defined by a street section that is at least as high as the service equipment being screened. The street screen shall be of either the same building material as the principal structure of a the lot of masonry or a living screen that provides an opaque screen at maturity or a combination of masonry and living screen. Species shall be selected from the C-TOPD – East Planting List in Appendix B of the C-TOPD – East Code. The required street screen shall be located within the BTZ along the corresponding frontage.
- #9 – Surface parking as an ancillary use with an office motor court shall be permitted with a 0 – 50 foot setback from the building line.
- #10 – On-street parking may count toward meeting the parking requirement for non-residential uses.

TOD Mid-Rise Zone

7.5.6 Parking & Service Access



Driveways and off-street loading and unloading shall not be located on PGBT Service Road.

T

Porte cocheres may be permitted on Type "A" Streets to provide drop-off and valet service.

Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

If driveway and/or off-street service loading and unloading access is provided from PGBT Service Road, such access shall be deemed as temporary and cross access easements along the rear of the property shall be required when adjoining properties are undeveloped.

7.5.7 Encroachments

Canopies, signs, awnings and balconies may encroach over the BTZ, setback, and, sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane.

7.5.8 Applicability

Building Form and Development Standards in this Section shall apply to all development within this Character Zone.

Parking Location

Surface/At Grade Parking

PGBT Service Road setback (see #1)	Shall be located behind the principal building	O
Type "A" Streets (see #1)	Shall be located behind the principal building	O
Type "B" Street setback	Shall be located behind the principal building	Q
Side setback (distance from property line)	0 feet min.	P
Rear setback (distance from property line)	0 feet min.	R

Above Grade Parking

Setback along Type "A" Street, Type "B" Street	0 feet min.
PGBT Service Road, side and rear setbacks (distance from property line)	0 feet min.

Upper Floors May be built up to the building line

Required Off-Street Parking Spaces

Non-residential uses	1 space/300 sq. feet (gross) (see #2)
Residential uses	1.5 space/unit

Driveways and Service Access

Parking driveway width	TXDOT standards on service road and 24 feet max on all C-TOPD – East Streets, except when drives may need to be wider to address service access or fire lane standards.	S
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Section 8. Building Design Standards

The Building Design Standards and Guidelines for the C-TOPD - East shall establish a coherent urban character and encourage enduring and attractive development. Development plans shall be reviewed by the City Manager or designee for compliance with the standards below.

The key design principles establish essential goals for development in the C-TOPD - East to ensure the preservation, sustainability, and visual quality of this unique environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces. The key design principles are:

- a. New buildings shall utilize building elements and details to achieve a pedestrian-oriented public realm.
- b. Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
- c. Building facades shall include appropriate architectural details and ornament to create variety and interest.
- d. Open space(s) shall be incorporated to provide usable public areas integral to the urban environment.

8.1 General to all Character Zones

8.1.1 Building Orientation

- i. Buildings shall be oriented toward public streets, where the lot has frontage along public streets.
- ii. Primary entrance to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
- iii. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.

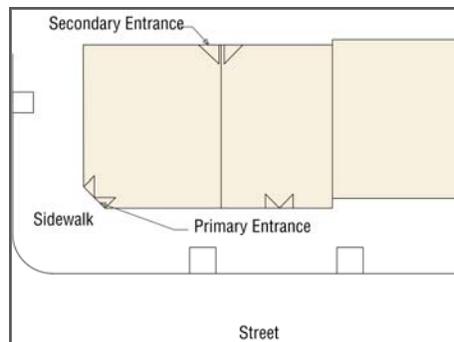


Figure showing required building orientation and location of primary entrances

8.1.2 Design of Parking Structures

- i. All frontages of parking structures located on Type “A” Streets shall not have parking uses on the ground floor to a minimum depth of 30 feet.
- ii. Parking structure facades on all public streets shall be designed with both vertical (façade rhythm of 20 feet to 30 feet) and horizontal (aligning with horizontal elements along the block) articulation.

- iii. Where above ground structured parking is located at the perimeter of a building with frontage along any public street; it shall be screened in such a way that cars on all levels are completely hidden from view, with frontages being precast spandrels (no cables with view). Parking garage ramps shall not be visible from any public street. Ideally, ramps should not be located along the perimeter of the parking structure. Architectural screens shall be used to articulate the façade, hide parked cars and shield lighting.
- iv. When parking structures are located at corners, corner architectural elements shall be incorporated such as corner entrance, signage and glazing.
- v. Parking structures and adjacent sidewalks shall be designed so pedestrians are clearly visible to entering and exiting automobiles.



Images showing appropriate design of Parking Structures

8.1.3 Design of Automobile Related Building Site Elements

- i. Drive-through lanes for commercial uses shall not be located along or visible from any public street within all Character Zones except Arterial Mixed Use and TOD Mixed Use. Drive-through lanes shall be hidden behind a Street Screen within Arterial Mixed Use and TOD Mixed Use.
- ii. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or Type ‘B’ Streets unless permitted in the specific building form and development standards in Section 7. Any off-street loading, unloading, or trash pick-up areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening at the BTZ. The Street Screen shall be made up of (i) the same material as the principal building or (ii) a living screen or (iii) a combination of the two.

8.2 Standards Specific to the TOD Core, TOD Mixed Use, Arterial Mixed Use, TOD Freeway Hi-Rise, & TOD Mid-Rise Character Zones:

8.2.1 Roof Form

- i. Buildings shall have simple, flat fronts with minimal articulations with flat or low pitched roofs with parapets (pitches 2.5:12 or lower). Corner hip roof elements and gable accents at the parapet may be permitted. Projecting mansard roofs shall not be permitted.



8.2.2 Façade Composition

- i. Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- ii. Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper level uses may be defined and integrated into the design of the overall building facade.
- iii. Buildings shall generally maintain the alignment of horizontal elements along the block.
- iv. Corner emphasizing architectural features, pedimented parapets, cornices, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.



Buildings with architectural features and storefront elements that add interest along the street.

- v. Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered as feature buildings. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is off-set from the front wall planes and goes above the main building eave or parapet line.

8.2.3 Windows and Doors

- i. Windows and doors on public street (except alleys) fronting facades shall be designed to be proportional and appropriate to the architectural style of the building. First floor windows shall NOT be opaque, tinted or mirrored glass.
- ii. All ground floor front facades of buildings along public streets or Civic/Open Space shall have transparent storefront windows covering no less than 50% of the façade area.



Images showing appropriate window designs and proportions.

8.2.4 Building Materials

- i. At least 85% of each building's façade (excluding doors and windows) along any public street shall be finished in one of the following materials:
 - Masonry (brick, stone, stucco utilizing a three-step process, cast stone, glass or glass block, fiber cement panel, minimum ½ inch thickness, minimum 18 inches width).
- ii. No more than 15% of each façade along any public street shall use accent materials such as wood, fiber cement siding, architectural metal panel, split-face concrete block, tile, pre-cast concrete panels, or Exterior Insulating Finishing System (EIFS). EIFS may only be used 8 feet above the ground floor and is prohibited on all building elevations with the exception of its use for exterior trim and moulding features. The balance of all building elevations shall be a minimum 80% masonry content.



Images showing appropriate building materials within TOD Core, TOD Mixed Use, TOD Freeway Hi-Rise & TOD Mid-Rise.

- iii. Roofing materials visible from any public right-of-way shall be copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

Section 9. Street & Streetscape Design Standards

9.1 Generally: Streets in the C-TOPD - East District need to support the overall goal of a mixed use, compact, pedestrian oriented district. They should balance all forms of mobility while maximizing convenience for residents and visitors.

The Regulating Plan designates the required and recommended street network within the C-TOPD - East District. This section specifies the typical configuration of streets within the C-TOPD - East District. The specifications address vehicular lane width, parkway widths, R.O.W widths, number of travel lanes, on-street parking, and pedestrian accommodation. The character of streets in the C-TOPD - East District will vary based on the location. The service/access roads of President George Bush Turnpike (State Highway 190) and US 75 are under the purview of Texas Department of Transportation (TxDOT) while the remaining streets are city streets.

9.2 New Streets: This section specifies standards for all new streets in the C-TOPD - East District. New streets shall be based on the Mandatory or Non-Mandatory designation on the Regulating Plan.

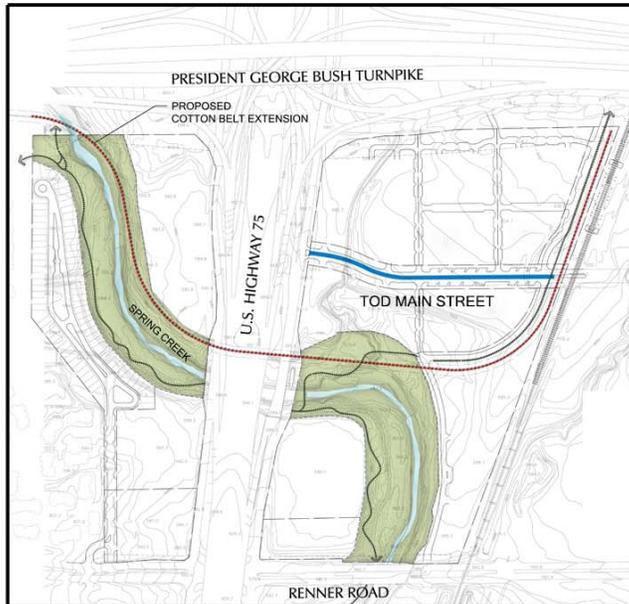
9.3 Street Classifications Established: Table 9.1 and associated cross sections shall establish the cross sections for each street type. The cross sections may be adjusted to fit existing contexts with the approval of the City Engineer. In addition, the proposed cross sections may be adjusted to meet the needs of the Uniform Fire Code as adopted by the City.

Table 9.1

Elements Street Classifications	Street Width (Recommended Minimum)		Number of Vehicular Lanes	Lane Widths for Vehicular Lanes	Number of Bike Lanes	On-Street Parking	Pedestrian Sidewalk Width (min.)	Parkway/ Tree Well
	R.O.W	Pedestrian Easement (both sides)						
TOD Main Street Type "A"	86 feet	16 feet	4	11 feet 14 feet		Yes, both sides, angled	16 feet	Tree well (5 feet X 5 feet)
TOD Street Type "B"	38 feet	13 feet	2	11 feet		Yes, both sides, parallel	8 feet	In bulb out
Parkway Type "B"	30 feet	13 feet	2	15 feet		No	8 feet	Parkway (5 feet)
TOD Station Type "A"	Variable	13 feet (west side)	2	10.5 feet		Yes, west side, parallel	8 feet (west)	Tree well (5 feet X 5 feet)
TOD Trail Connector/Type "B"	22 feet (fire lane only)	13 feet	2 (fire lane only)	11 feet		No	8 feet	Parkway (5 feet)

9.4 TOD Main Street

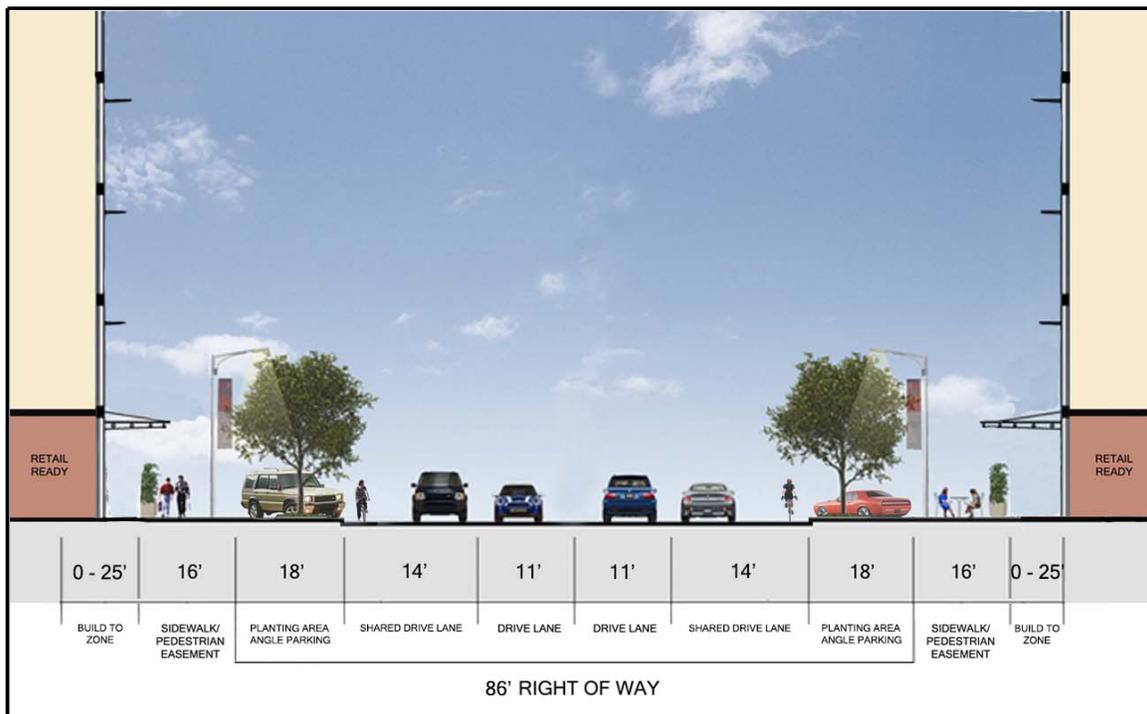
Location Map



TOD Main Street

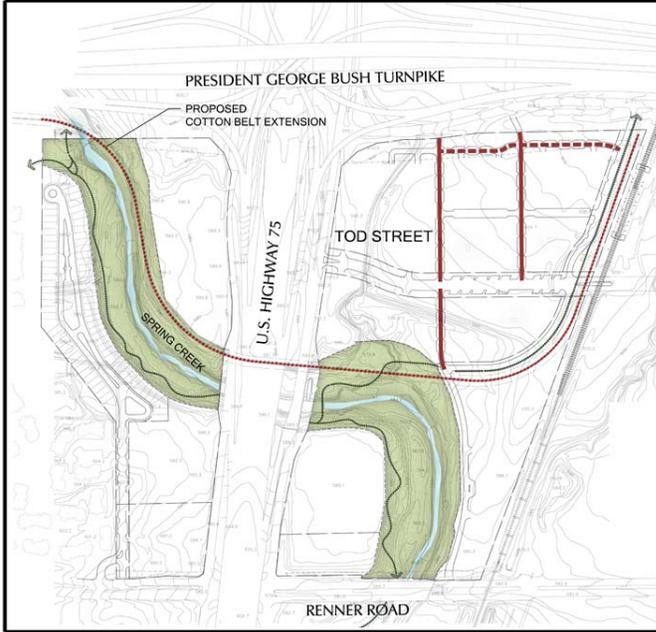
Street Type: A
ROW: 86 ft.
Design Speed: 25 MPH
Parking: Angle on both sides
Number of Vehicular Lanes: 4
Number of Bike Lanes: None
Curb Radius: 20 ft.
Walkway Type: Pedestrian Esmt.
Landscape Type: Street Trees between 40 ft. & 50 ft. avg.

Street Section



9.5 TOD Street

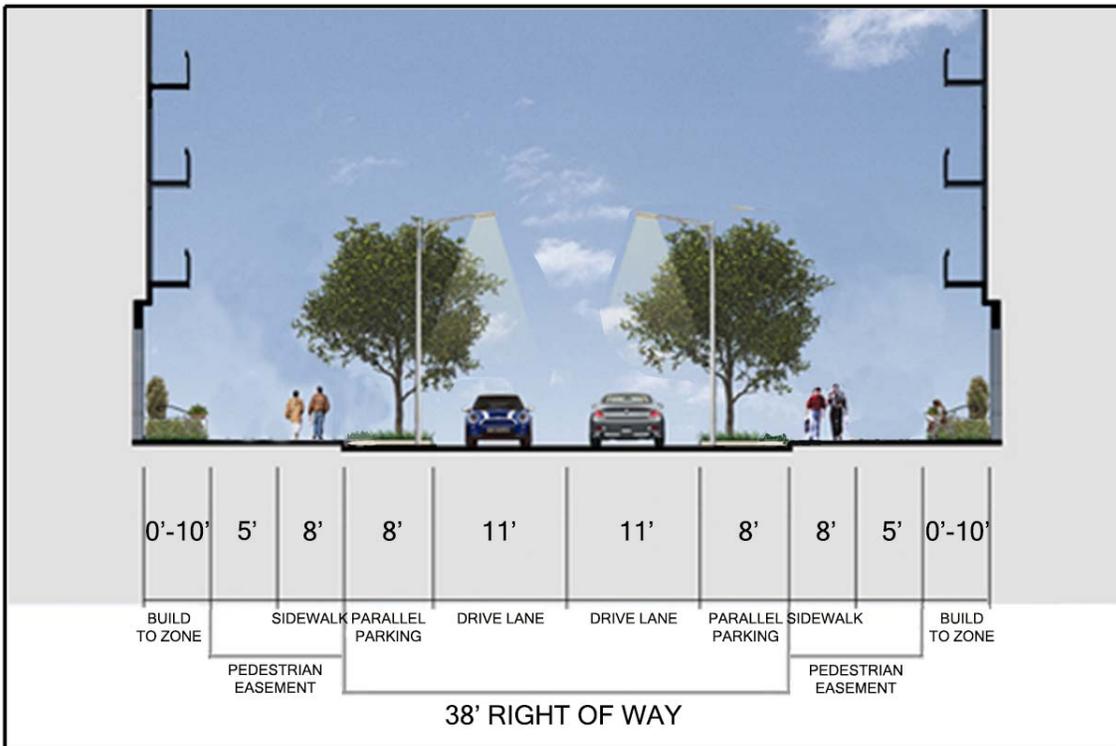
Location Map



TOD Street

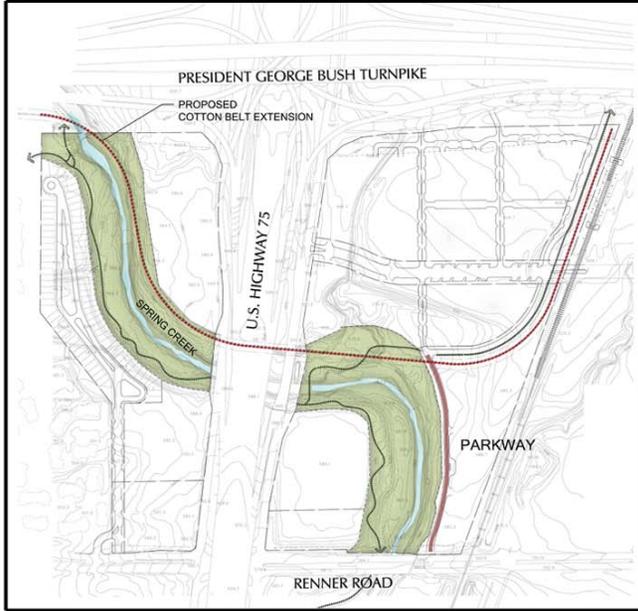
Street Type: B
ROW: 38 ft.
Design Speed: 25 MPH
Parking: Parallel on both sides
Number of Vehicular Lanes: 2
Number of Bike Lanes: None
Curb Radius: 20 ft.
Walkway Type: Pedestrian Esmt.
Landscape Type: Street Trees 60 ft. avg.

Street Section



9.6 Parkway

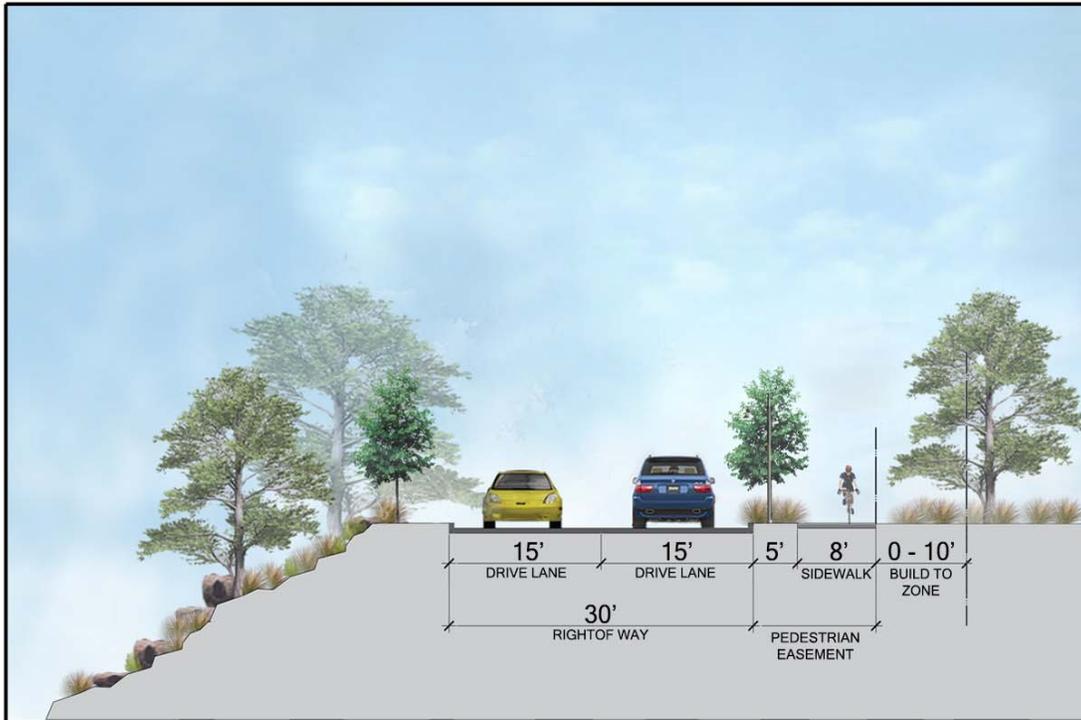
Location Map



Parkway

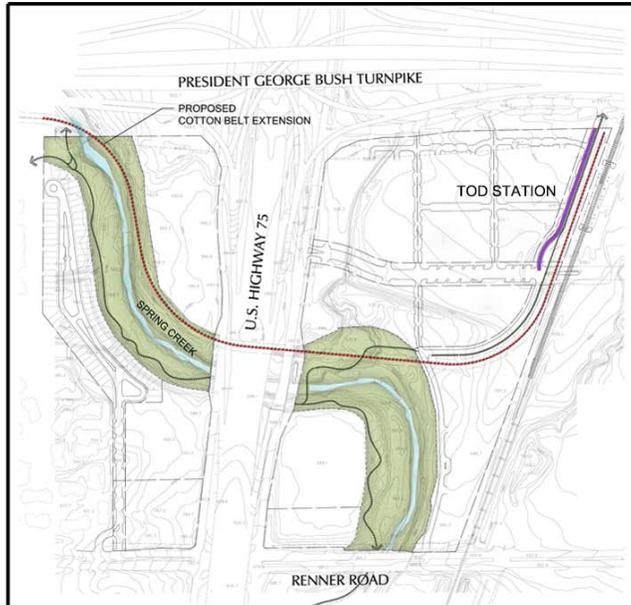
Street Type: B
ROW: 30 ft.
Design Speed: 25 MPH
Parking: None
Number of Vehicular Lanes: 2
Number of Bike Lanes: None
Curb Radius: 20 ft.
Walkway Type: Pedestrian Esmt.
Landscape Type: Street Trees between 40 ft. & 50 ft. avg.

Street Section



9.7 TOD Station

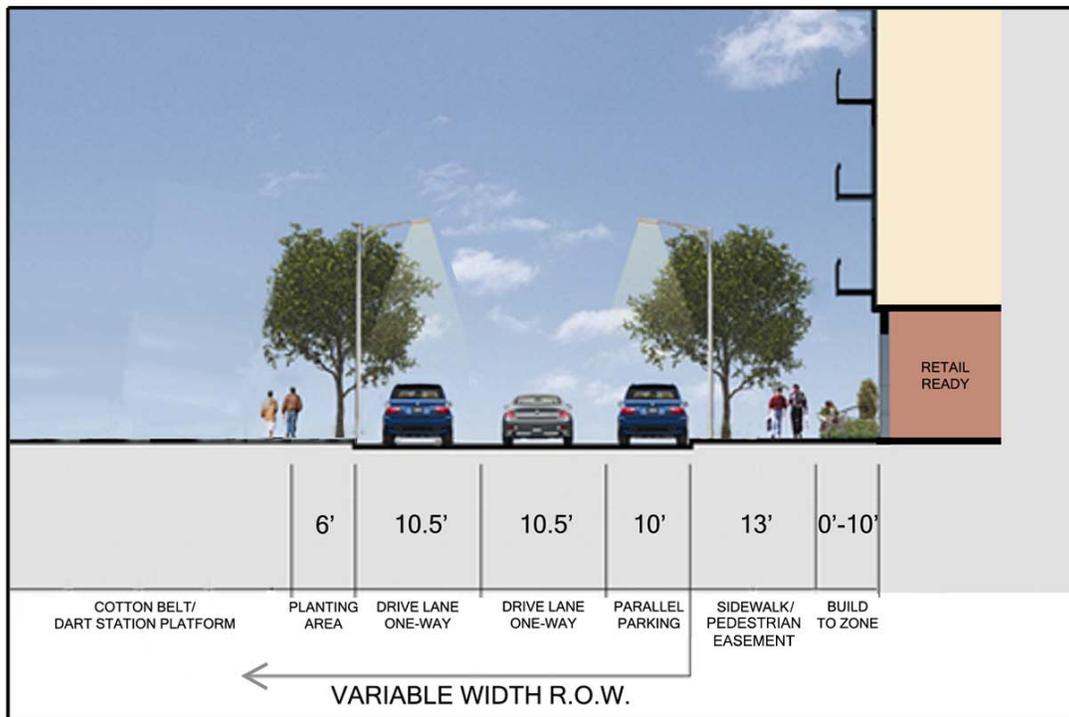
Location Map



TOD Station

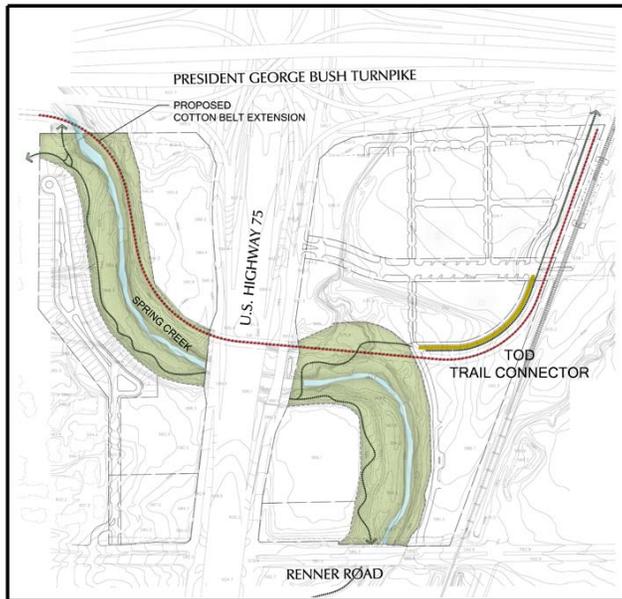
Street Type: A
ROW: Variable
Design Speed: 25 MPH
Parking: Parallel parking on west side
Number of Vehicular Lanes: 2
Number of Bike Lanes: None
Curb Radius: 20 ft.
Walkway Type: Pedestrian Esmt.
Landscape Type: Street Trees between 40 ft. & 50 ft. avg.

Street Section



9.8 TOD Trail Connector

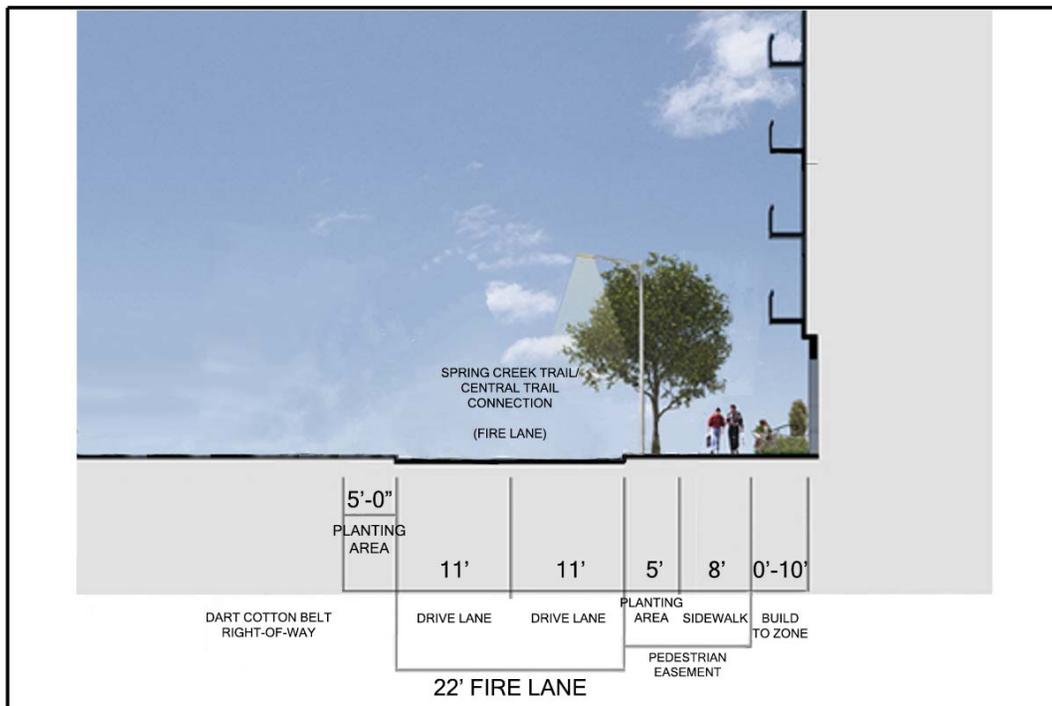
Location Map



TOD Trail Connector

Street Type: B
Fire Lane: 22 ft.
Design Speed: 25 MPH
Parking: None
Number of Vehicular Lanes: 2
Number of Bike Lanes: None
Curb Radius: 20 ft.
Walkway Type: Pedestrian Esmt.
Landscape Type: Street Trees between 40 ft. & 50 ft. avg.

Street Section



- 9.9 Streetscape & Landscape Standards: Streetscape standards shall apply to all streets within the C-TOPD - East. Streetscape standards shall address all elements between the building face and edge of the curb. Typical streetscape elements addressed are street trees, lighting, street furniture and pedestrian amenities, and materials. Maintenance of all landscape within the rights-of-way shall be by the property owners association established for the C-TOPD - East.
- 9.10 Street Trees and Landscaping (within the pedestrian easement):
- 9.10.1 Street trees shall be required on all C-TOPD - East Streets (except on alleys and PGBT access road.)
 - 9.10.2 Street trees shall be planted approximately 3 feet behind the curb line, except when they reside in a bulb out.
 - 9.10.3 Spacing shall be an average of 50 feet on center (measured per block face) along all streets.
 - 9.10.4 The minimum caliper size for each tree shall be 3 in. and shall be a minimum of 12 feet in height at planting. Each tree shall be planted in a planting area no less than 36 sq. feet; however, the tree well area may be no smaller than 25 sq. feet.
 - 9.10.5 Turf and groundcover: When clearly visible from the street and alleys, all unpaved ground areas shall be planted with low growing shrubs or ground cover, ornamental grasses, or a combination thereof. Turf grass must be installed as solid sod and not seeded on.
 - 9.10.6 Species shall be selected from the C-TOPD - East Planting List in Appendix B of this ordinance.
 - 9.10.7 Maintenance of all landscape materials shall meet the requirements of the City of Richardson Landscape Ordinance Requirements.
 - 9.10.8 Along arterials and highway access roads, street trees shall be planted within the required landscape parkway as per the City of Richardson Landscape Ordinance/Policies.
- 9.11 Street Furniture, Lighting, and Materials:
- 9.11.1 Pedestrian scale lighting shall be required along all C-TOPD - East streets (except on PGBT access road). They shall be no taller than 20 feet.
 - 9.11.2 Pedestrian scale and regular street lights shall be placed at uniform locations based on the placement of street trees and other street furniture to provide safety for both pedestrians and automobiles while limiting spill over and light pollution effects of such street lights. The placement and illumination intensity shall be subject to city approval at the time of development plan.
 - 9.11.3 The light standard selected shall be compatible with the design of the street and buildings.
 - 9.11.4 Trash receptacles and bike racks shall be required along all Type 'A' Streets. A minimum of one each per block face shall be required.
 - 9.11.5 Street furniture and pedestrian amenities such as benches are recommended along all Type 'A' Streets.
 - 9.11.6 All street furniture shall be located in such a manner as to allow a clear sidewalk passageway of a minimum of 6 feet.
 - 9.11.7 Materials selected for paving and street furniture shall be of durable quality and require minimal maintenance.

Section 10. Signage

Except as specifically listed below, all other signage and sign standards must comply with Chapter 18 of the City of Richardson Code of Ordinances, as amended.

10.1 For new signs, the standards in Table 10.1 shall apply and sign permits shall be approved administratively by the City of Richardson Building Official unless specifically noted in this section.

Table 10.1

Character Zone	TOD Core	TOD MU	ArterialMU	TOD Freeway	TOD Mid-Rise	Standard
Sign Type						
Wall (Building) Signs	P	P	P	P	P	<ul style="list-style-type: none"> For all ground floor commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage for the tenant space with a maximum of 100 sq. ft per tenant. Second and upper floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 1.5 sq. feet per linear foot of second or upper floor frontage along that public street with a maximum of 125 sq. feet Institutional uses (non-profits and churches): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage with a maximum of 100 sq. feet Live-Work and Home occupations: One sign limited to an area of 20 sq. feet max. Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 8 feet from the finished sidewalk. Building signs may be internally or externally lit. Marquee signs as only permitted as specified below.
Monument Signs	NP	NP	P	P	NP	<ul style="list-style-type: none"> One monument sign per lot per lot street frontage (no more than 2 per lot separated by at least 100 feet) limited to a maximum of 50 sq. feet per sign face and 6 feet in height. Permitted only along PGBT access road, U.S 75 access road, and streets along TOD Freeway Hi-Rise.
Window Signs	P	P	P	P	P	<ul style="list-style-type: none"> Limited to 10% of the window area. The following shall be exempt from this limitation: Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs. Mannequins and storefront displays of merchandise sold. Interior directory signage identifying shopping aisles and merchandise display areas.
Building Blade Signs	P	P	P	P	P	<ul style="list-style-type: none"> One per building (commercial and mixed use buildings only), always on separate building face

Character Zone	TOD Core	TOD MU	ArterialMU	TOD Freeway	TOD Mid-Rise	Standard
						<ul style="list-style-type: none"> Area = 30 sq. feet maximum per sign face. May encroach a maximum of 6 feet over a sidewalk, but shall not encroach over any parking or travel lane. Building blade signs may be attached to the building at the corners of building or along any street facing façade above the first floor facade.
Tenant Blade Signs	P	P	P	P	P	<ul style="list-style-type: none"> One per commercial tenant space (retail, office, or restaurant use) Area = 16 sq.feet maximum per sign face May encroach a maximum of 4 feet over a public sidewalk, but shall not encroach over any parking or travel lane. Tenant blade signs shall be oriented perpendicular to the building façade and hung under the soffit of an arcade or under a canopy/awning or attached to the building façade immediately over the ground floor tenant space while maintaining a vertical clearance of 8 feet from the finished sidewalk.
Marquee Signs	P	P	P	P	P	<ul style="list-style-type: none"> Permitted for theatres, auditoriums, and other public gathering venues of 100 persons or more Marquee signs shall be attached to the building or located above or below a canopy only Area = 100 sq.feet maximum Message board may be changeable copy (electronic and non-electronic). Electronic message boards shall be non-flashing. Marquee signs shall not be permitted along Renner Road, PGBT access road and U.S. 75 access road.
For sale/for lease signs	P	P	P	P	P	<ul style="list-style-type: none"> Size is limited to 32 sq. feet per sign face All other standards are the same as City or Richardson Sign Regulations.
Address signs	P	P	P	P	P	Same as City of Richardson Sign Regulations
Temporary construction signs	P	P	P	P	P	One (1) free standing sign per lot during construction only; limited to 32 sq. feet
Banners	P	P	P	P	P	Same as City of Richardson Sign Regulations
Sandwich board signs	P	P	P	P	P	<ul style="list-style-type: none"> Permitted only for retail, service, or restaurant uses Limited to 12 sq. feet per sign face per storefront; Sign may not exceed 4 feet in height. A minimum of 6 feet of sidewalk shall remain clear. Chalkboards may be used for daily changing of messages. Readerboards (electronic and non-electronic) shall be prohibited. Sign shall be removed every day after the business is closed.

Character Zone	TOD Core	TOD MU	ArterialMU	TOD Freeway	TOD Mid-Rise	Standard
Light Pole Banners	P	P	P	P	P	<ul style="list-style-type: none"> Permitted only with approval of the Building Official. Max. 10 sq. feet per sign face. Limited to one per light pole All light pole banners shall be approved by the appropriate utility company prior to consideration by the Sign Control Board. Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.
Directory signs	P	P	P	P	P	<ul style="list-style-type: none"> Shall be allowed for all multi-tenant commercial and mixed use buildings only One directory sign per multi-tenant building limited to 12 sq. feet in area Design of the sign shall be integral to the façade on which the sign is to be affixed.
LED signs	P	P	P	P	P	<ul style="list-style-type: none"> Shall be covered by a lens or diffuser. Shall only be permitted as part of a Master Sign Plan.
Pole signs	NP	NP	NP	NP	NP	
Off-premises signs	NP	NP	NP	NP	NP	

10.2 An applicant has the option to establish unique sign standards including size, color, type, design, and location. Such applications shall be reviewed as “Master Sign Plans” by the City Manager or designee and are subject to approval of the City Plan Commission. In evaluating a Master Sign Plan, City Plan Commission shall consider the extent to which the application:

- 10.2.1 Promotes consistency among signs within a development thus creating visual harmony between signs, buildings, and other components of the property;
- 10.2.2 Enhances the compatibility of signs with the architectural and site design features within a development;
- 10.2.3 Encourages signage that is in character with planned and existing uses thus creating a unique sense of place; and
- 10.2.4 Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with development standards.

Section 11. Civic/Open Space Standards

11.1 The design of Civic/Open Space shall be regulated by the Civic/Open Space standards herein which shall create a network of open spaces that recognizes the natural qualities of the area while providing a range of both passive and active recreational opportunities. These opportunities may be accommodated in a variety of spaces ranging from large regional parks to neighborhood-scaled plazas. The open space network will be serviced by an interconnected network of trails and paths for pedestrians and bicyclists alike.

11.2 Open Space Standards – Spring Creek Corridor



The required open space, Spring Creek Corridor, as designated on the Regulating Plan, will create an important public space that connects the community within the C-TOPD - East and allows for active and passive recreation. Spring Creek Corridor shall primarily be naturally landscaped with many places to sit on benches or low walls. Appropriate civic elements, fountains or open shelters may be included. TOD Freeway Hi-Rise, TOD Mixed Use and Arterial Mixed Use buildings shall front onto and activate this space.

Typical Characteristics

General Character

- Large, open space
- Spatially defined by landscaping and building frontages
- Paths, trails, open shelters, lawns, trees and shrubs naturally disposed
- May be lineal, following the trajectories of natural corridors

Location and Size

Location and size shall be as shown on the Regulating Plan (Appendix A).

Typical Uses

- Passive, and unstructured active recreation
- Casual seating/picnicking

11.3 Plaza Standards



Plazas add to the vibrancy of streets within the more urban zones and create formal open spaces available for civic purposes and commercial activity. Building frontages shall define these spaces. The landscape should consist primarily of hardscape. If trees are included, they should be formally arranged and of appropriate scale. Casual seating, along with tables and chairs, should be provided. Plazas typically should be located at the intersection of important streets.

Typical Characteristics

General Character

- Formal open space
- Primarily hardscape surfaces
- Trees and shrubs optional
- Spatially defined by building frontages

Location and Size

Location and size shall be as shown on the Regulating Plan (Appendix A).

Typical Uses

- Commercial and civic uses
- Casual seating
- Tables and chairs for outdoor dining

11.4 Pedestrian Passage Standards



Pedestrian passages create intimate passageways through buildings at designated locations. These paths provide direct pedestrian access to residential addresses and create unique spaces for frontages to engage and enter off of. Pedestrian passages allow for social and commercial activity to spill into the public realm. Pedestrian passages should consist of a hardscape pathway activated by frequent entries and exterior stairways. The edges may simply be landscaped with minimal planting and potted plants.

Typical Characteristics

General Character

- Hardscape pathway
- Frequent entries and frontages
- Exterior stairways
- Defined by building frontages
- Minimal planting and potted plants
- Maintain the character of surrounding buildings

Standards

Min. Width 12 feet

Typical Uses

- Pedestrian connection and access
- Casual seating

11.5 Multi-Use Trail Standards



The multi-use trail provides an important place for active recreation and creates a connection to regional paths and biking trails. The multi-use trail will help activate connections between the open spaces and the uses throughout the C-TOPD - East. The multi-use trail may have different character as it passes through Spring Creek Corridor and as it aligns with public streets. Within Spring Creek Corridor, the trail shall be naturally disposed with low impact paving materials so there is minimal impact to the existing creek bed and landscape. Along public streets, the trail shall have a more formal disposition with a paved trail and regular landscaping.

Typical Characteristics

General Character

Spring Creek Corridor Multi-Use Trail:

Naturally disposed landscape

Low impact paving

Trees lining trail for shade

Appropriately lit for safety

Public Street Multi-Use Trail:

Hardscape Path

Formally disposed pedestrian furniture, landscaping and lighting

Trees lining trail for shade

Standards

Min. Width 12 feet

Location shown on the Regulating Plan (Appendix A).

Typical Uses

Active and passive recreation

Casual seating

11.6 Playground Standards



Playgrounds shall be permitted in parks to provide open space designed and equipped for the recreation of children. These playgrounds should serve as quiet, safe places – protected from the street and typically located where children are not required to cross major roads to access. Playgrounds may be fenced. An open shelter, play structures or interactive art and fountains may be included with landscaping between. Shaded areas and seating shall be provided.

A large playground may be incorporated into the park.

Playground equipment shall serve all ages, based on City of Richardson Parks and Recreation Standards, as amended. Playground equipment and design shall be reviewed and approved by the City of Richardson, including the Parks and Recreation Department.

Typical Characteristics

General Character

- Focused toward children
- Fenced with minimal exits (non-mandatory)
- Open shelter
- Shade and seating provided
- Play structure, interactive art or fountains

Standards

- Min. Size N/A
- Max. Size N/A
- As described by civic space type in which playground is located
- Protected from traffic
- No service or mechanical equipment

Typical Uses

- Active and passive recreation
- Unstructured recreation
- Casual seating

11.7 Ancillary Structure Standards



Ancillary structures should be formal in character and generally related to but clearly subordinate to surrounding buildings. Each individual structure should keep in character with the style of nearby buildings. Typically, these structures are located at prominent locations within an appropriate civic space. Ancillary structures located in more urban zones may have minor commercial uses, such as small food or news vendors, but may also serve as civic elements for general public use with more passive activities.

Typical Characteristics

General Character

- Formal character
- Relating to style of surrounding buildings
- One or more open sides
- Covered or providing shade
- Small, stand alone structure
- Located within Park, Green, Square or Plaza

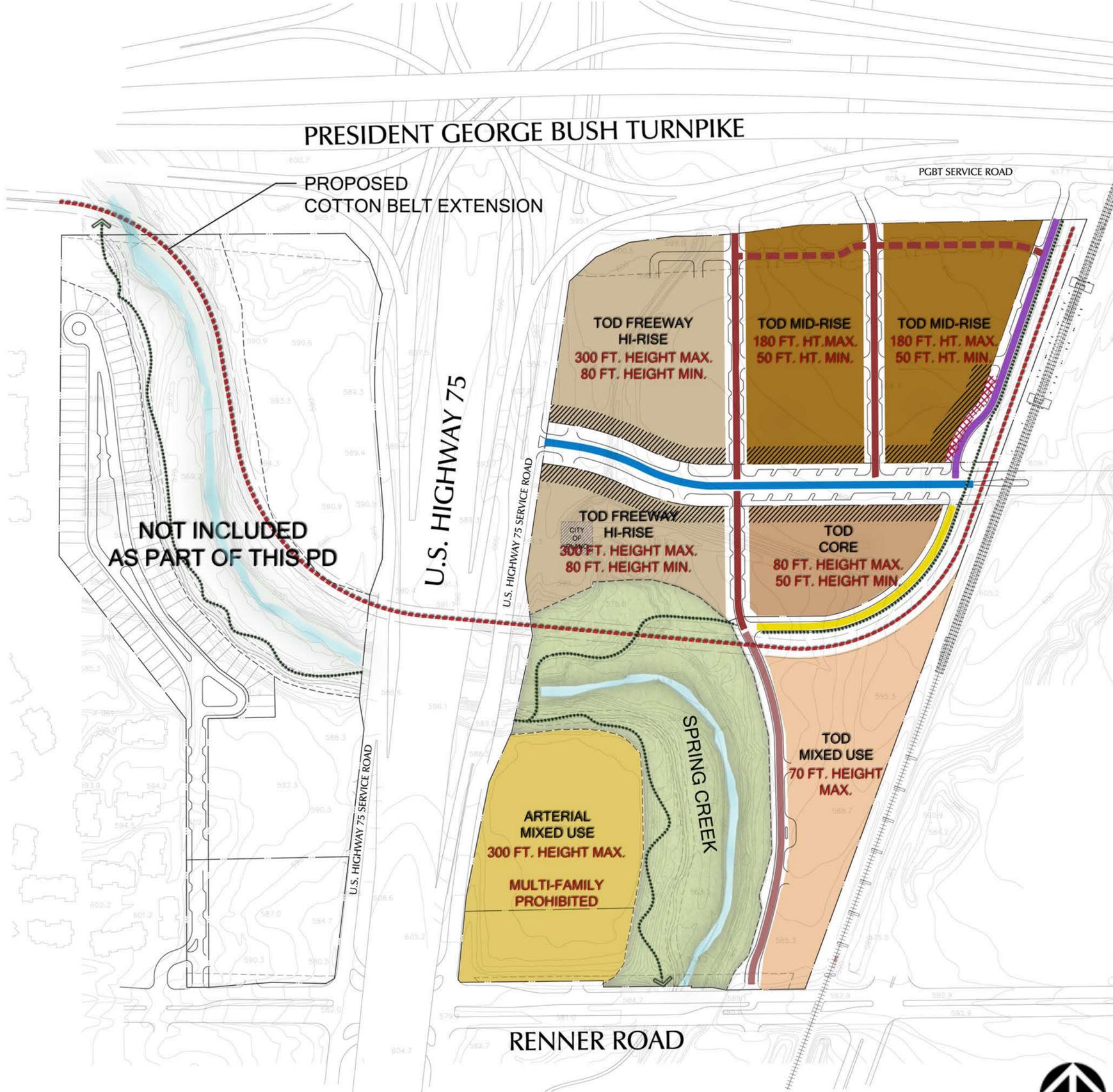
Standards

- Min. Size N/A
- Max. Size N/A

Typical Uses

- Civic purposes
- Minor commercial uses
- Casual seating/picnicking

Please see following page attached.



LEGEND

CHARACTER ZONES

- TOD Core -- 3.2 Acres
- TOD Mixed Use -- 5.3 Acres
- TOD Freeway Hi-Rise -- 16.1 Acres
- Arterial Mixed Use -- 6.7 Acres
- TOD Mid-Rise -- 9.1 Acres

Note: Acreages are approximate.

SPECIAL REQUIREMENTS

- Station Platform Frontage
- Ground Floor Retail Ready

NOTE:
For blocks with a minimum height requirement, a minimum of 10,000 sf of floor area per block must achieve the minimum height.

STREETS - GENERAL

- Solid line denotes mandatory street
- Dashed line denotes non-mandatory street

STREET TYPES

- Street Type "A" - TOD Main Street
- Street Type "A" - TOD Station
- Street Type "B" - TOD Trail Connector
- Street Type "B" - Parkway
- Street Type "B" - TOD Street

OTHER

- Multi-Use Trail

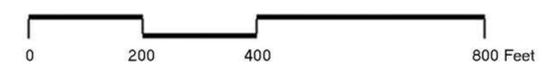
OPEN SPACE TYPES

- Mandatory Open Space

APPENDIX A: REGULATING PLAN

Caruth Properties

Transit Oriented Planned Development - East



GFF Planning

Appendix B**Planting List**

The following lists contain all species approved for use in the C-TOPD - East District. It contains native and acceptable adapted species. Other species that are drought tolerant and adaptive may be used for planting within the C-TOPD - East District. The use of alternative species may be permitted with the approval of the Zoning Administrator.

CANOPY/STREET TREE LIST

<u>Common Name</u>	<u>Botanical Name</u>
Live Oak	<i>Quercus virginiana</i>
Red Oak	<i>Quercus shumardi</i>
Bald Cypress	<i>Taxodium distichum</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Lacebark Elm	<i>Ulmus parvifolia</i>
Bigtooth Maple	<i>Acer grandidentatum</i>
Caddo Maple	<i>Acer saccharum 'Caddo'</i>
Texas Ash	<i>Fraxinus texensis</i>
Bur Oak	<i>Quercus macrocarpa</i>
Chinquapin Oak	<i>Quercus muhlenbergii</i>
Escarpment Live Oak	<i>Quercus fusiformis</i>
Ginkgo	<i>Ginkgo biloba</i>

ORNAMENTAL TREE LIST

<u>Common Name</u>	<u>Botanical Name</u>
Yaupon Holly	<i>Ilex vomatoria</i>
Crape Myrtle	<i>Lagerstromia indica</i>
Deciduous Yaupon	<i>Ilex decidua</i>
Southern Crabapple	<i>Malus app.</i>
Chinese Pistache	<i>Pistacia chinensis</i>
Mexican Plum	<i>Prunus Mexicana</i>
Wax Myrtle	<i>Myrica carifera</i>
Chitalpa	<i>Chitalpa tashkentensis</i>
Deciduous Holly	<i>Ilex decidua</i>
Desert Willow	<i>Chilopsis linearis</i>
Eve's Necklace	<i>Sophora affinis</i>

SHRUBS LIST

<u>Common Name</u>	<u>Botanical Name</u>
Dwarf Nandina	<i>Nandina domestica 'nana'</i>
Dwarf Burford Holly	<i>Ilex cornuta 'burfordi nana'</i>
Abelia Grandiflora	<i>Abelia grandiflora</i>
Barberry	<i>Barberry spp.</i>
Yucca (Red, Yellow or Soft Tip)	<i>Hesperaloe parviflora</i>
Texas Sage	<i>Leucophyllum frutescans</i>
Indian Hawthorn	<i>Raphiolepis indica</i>

Dwarf Crape Myrtle	<i>Lagerstromia indica 'nana'</i>
Dwarf Yaupon Holly	<i>Ilex vomitoria 'nana'</i>
Pampas Grass	<i>Cortaderia selloana</i>
Black-Eyed Susan	<i>Rudbeckia hirta</i>
Dwarf Wax Myrtle	<i>Myrica pusilla</i>
Needlepoint Holly	<i>Ilex cornuta 'Needle Point'</i>
Knockout Rose	<i>Rosa 'Knock Out'</i>
Rosemary	<i>Rosmarinus officinalis</i>

GROUND COVER/VINES LIST

<u>Common Name</u>	<u>Botanical Name</u>
Asian Jasmine	<i>Trachelosperum Asiaticum</i>
Big Blue Liriope	<i>Liriope muscari</i>
Mondograss	<i>Ophiopogon japonicus</i>
Purple Winter Creeper	<i>Euonymum coloratus</i>
Santolina	<i>Santolina virens</i>
Trumpet Vine	<i>Campsis radicans</i>
Virginia Creeper	<i>Parthenocissus quinquefolia</i>
Lady Banks Rose	<i>Rosa banksiaw lutea</i>
Confederate Jasmine	<i>Trachelospermum jasminoides</i>
Crossvine	<i>Bignonia capreolata</i>
Evergreen Wisteria	<i>Millettia reticulata</i>
Lantana 'New Gold'	<i>Lantana camara 'New Gold'</i>
Liriope 'Silver Dragon'	<i>Liriope muscari 'Silver Dragon'</i>
Prostrate Rosemary	<i>Rosmarinus officinalis prostrata</i>
Sweet Autumn Clematis	<i>Clematis terniflora</i>

ORNAMENTAL GRASSES LIST

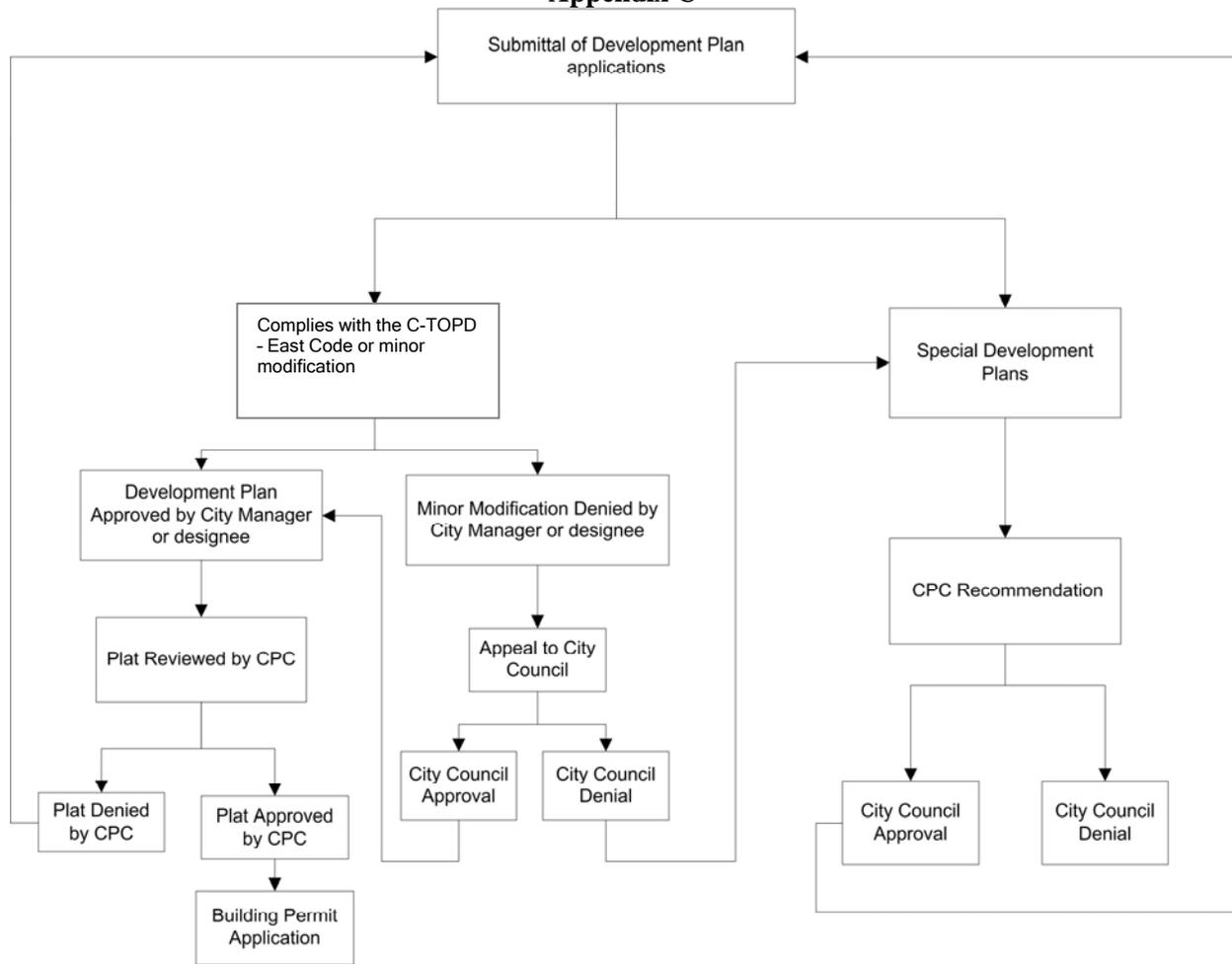
<u>Common Name</u>	<u>Botanical Name</u>
Dwarf Fountain Grass 'Little Bunny'	<i>Pennisetum alopecuroides 'Little Bunny'</i>
Dwarf Maiden Grass	<i>Miscanthus sinensis 'Adagio'</i>
Fountain Grass	<i>Pennisetum alopecuroides</i>
Inland Sea oats	<i>Chasmanthium latifolium</i>
Maiden Grass	<i>Miscanthus sinensis 'Gracillimus'</i>
Mexican Feather Grass	<i>Stipa tenuissima</i>
Muhly Grass	<i>Muhlenbergia capillaris</i>
Weeping Lovegrass	<i>Eragrostis curvula</i>

TURF

<u>Common Name</u>	<u>Botanical Name</u>
Bermuda	<i>Cynodon dactylon</i>
St. Augustine	<i>Stenotaphrum secundatum</i>
Zoysia	<i>Zoysia tenuifolia</i>

These plantings may be placed in Civic/Open Spaces or used to meet the private landscaping requirements of the Code. The applicant shall select drought tolerant, low maintenance, and adaptable shrubs and ground cover based on the placement on the site subject to approval by the City.

Appendix C



C-TOPD - East: Caruth Properties Transit Oriented Planned Development

CPC: City Plan Commission

CC: City Council

SDP: Special Development Plan

Note: Development Plans include site plans, building elevations, landscape plans, civil engineering plans, and all plats

ORDINANCE NO. 4081

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 WITH CONDITIONS FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE FOR A 0.81-ACRE LOT AND A PORTION OF A 17.9-ACRE LOT ZONED LR-M(2) LOCAL RETAIL, LOCATED GENERALLY AT THE SOUTHEAST CORNER OF CAMPBELL ROAD AND COIT ROAD, 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 14-26).

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 5th day of June, 1956, as heretofore amended, be, so as to grant a change in zoning to grant a special permit for a restaurant with drive-through service subject to special conditions, including a concept plan and building elevations for a 0.81-acre lot and a portion of a 17.9-acre lot of land zoned LR-M(2) Local Retail located generally at the southeast corner of Campbell Road and Coit Road, 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 a restaurant with drive-through service is hereby conditionally granted subject to the following special conditions:

1. A restaurant with drive-through service shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the attached concept plan, marked as Exhibit “B” (concept plan) and made a part thereof.
2. The restaurant with drive-through service shall be developed, used and constructed in substantial conformance with the concept plan and the building elevations attached hereto as Exhibit “C”, and made a part hereof for all purposes.

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 27th day of October, 2014.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:10-20-15:TM 68763)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 14-26

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS OUT OF THE JOHN EDMONS SURVEY, ABSTRACT NO. 429, AND BEING ALL OF LOT 1 AND A PART OF LOT 2 IN BLOCK 1 OF THE PAVILLION ADDITION, SECTION SIX, AN ADDITION TO THE CITY OF RICHARDSON, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 86121 AT PAGE 28 OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH RIGHT OF WAY LINE OF CAMPBELL ROAD (VARIABLE WIDTH RIGHT OF WAY), SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT 1 IN BLOCK 1 OF THE PAVILLION ADDITION, SECTION SIX ADDITION;

THENCE SOUTH 00° 34' 00" EAST (BASIS OF BEARINGS PER PLAT RECORDED IN VOLUME 86121 AT PAGE 28 OF THE PLAT RECORDS OF DALLAS COUNTY, TEXAS) AND FOLLOWING ALONG THE EAST LINE OF SAID LOT 1 FOR A DISTANCE OF 219.00 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LOT 1 IN BLOCK 1 OF THE PAVILLION SECTION SIX ADDITION;

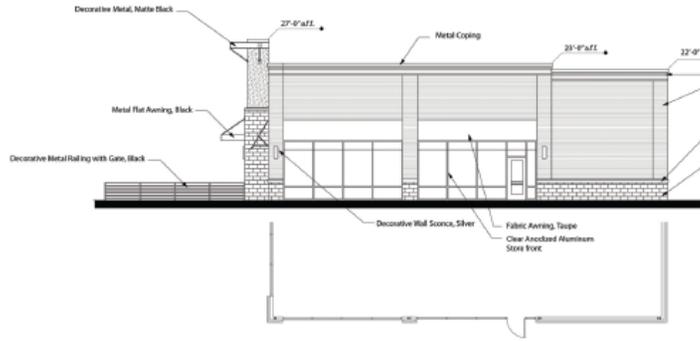
THENCE SOUTH 89° 26' 00" WEST ALONG THE SOUTH LINE OF SAID LOT 1 BLOCK 1 OF THE PAVILLION SECTION SIX ADDITION AND PASSING ITS SOUTHWEST CORNER AT A DISTANCE OF 160.00 FEET AND CONTINUING ON FOR A TOTAL DISTANCE OF 223.14 FEET TO A POINT FOR CORNER;

THENCE NORTH 00°45'55" WEST FOR A DISTANCE OF 227.71 FEET TO A POINT FOR CORNER IN THE AFORESAID SOUTH RIGHT OF WAY LINE OF CAMPBELL ROAD;

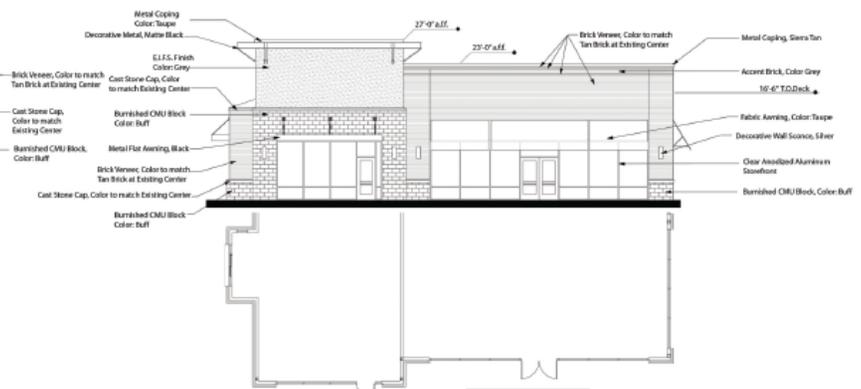
THENCE SOUTH 88°15'55" EAST AND FOLLOWING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID CAMPBELL ROAD FOR A DISTANCE OF 63.98 FEET TO A POINT FOR CORNER;

THENCE SOUTH 88° 06' 59" EAST AND CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID CAMPBELL ROAD FOR A DISTANCE OF 26.41 FEET TO A POINT FOR CORNER, SAID POINT BEING THE BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°40'27" WITH A RAADIUS OF 2865.00 FEET AND A CHORD BEARING SOUTH 88°25'07" EAST AT A DISTANCE OF 133.71 FEET;

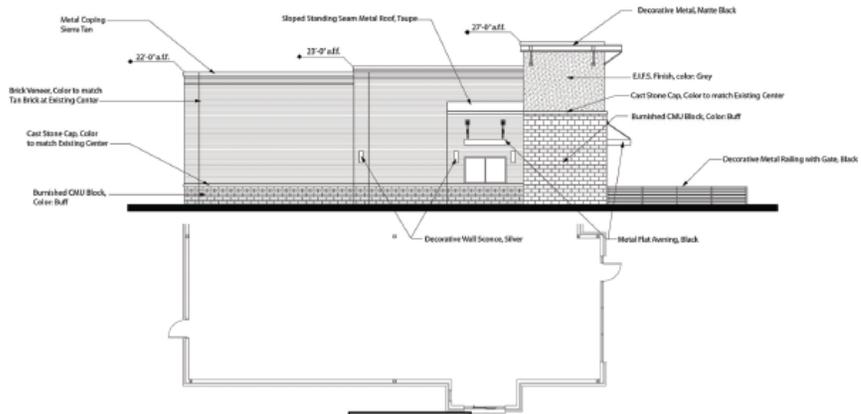
THENCE SOUTHEASTERLY ALONG SIAD CURVE TO THE LEFT AND CONTINUING ALONG THE SOUTH RIGHT OF WAY LINE OF SAID CAMPBELL ROAD FOR AN ARC DISTANCE OF 133.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.1441 ACRES OF LAND, MORE OR LESS.



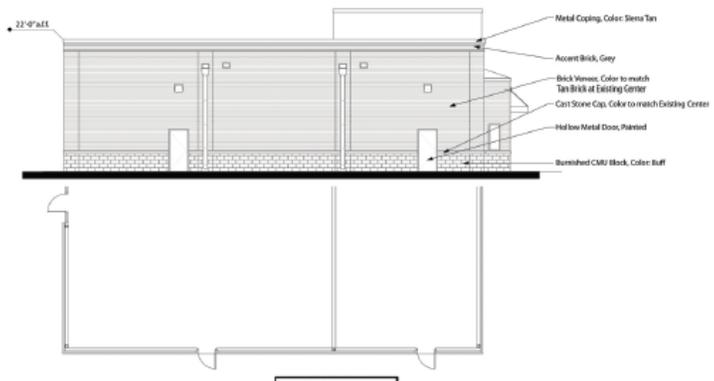
01 WEST ELEVATION West: Masonry 98%
E.I.F.S. 2%



02 NORTH ELEVATION North: Masonry 84%
E.I.F.S. 16%



03 EAST ELEVATION East: Masonry 91%
E.I.F.S. 9%



04 SOUTH ELEVATION South: Masonry 93%
E.I.F.S. 7%

TOTAL PERCENTAGES

Total: Masonry	91%
E.I.F.S.	9%

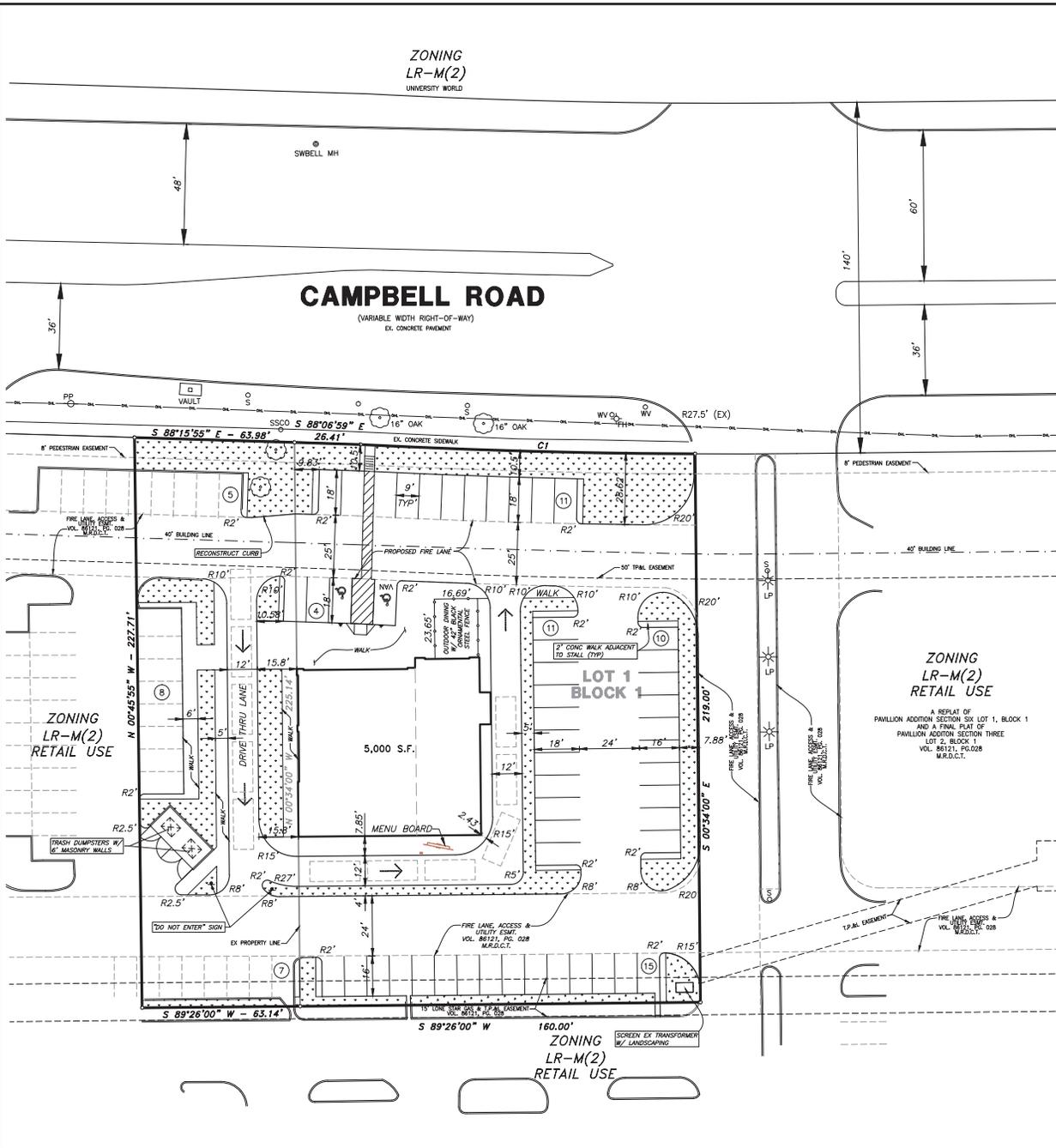


PAVILLION EAST, RICHARDSON, TEXAS

12044-01, YZ, 09/10/2014, LINE

REVISED 09/12/2014

Exhibit C - Part of Ordinance



ZONING
LR-M(2)
UNIVERSITY WORLD

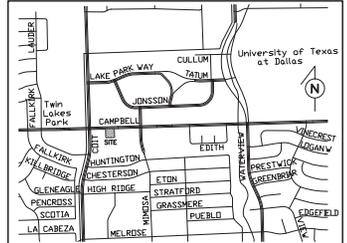
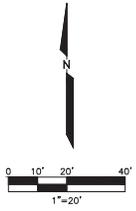
CAMPBELL ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)
EX. CONCRETE PAVEMENT

ZONING
LR-M(2)
RETAIL USE

ZONING
LR-M(2)
RETAIL USE

ZONING
LR-M(2)
RETAIL USE

A REPLAT OF
PAVILLION ADDITION SECTION SIX LOT 1, BLOCK 1
AND A FINAL PART OF
PAVILLION ADDITION SECTION THREE
LOT 2, BLOCK 1
VOL. 86121, PG. 028
M.R.D.C.T.



VICINITY MAP
N.T.S.
MAPSCO: 6-P

PROPERTY LINE ~ CURVE TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	2865.00'	02°40'27"	133.72'	S 88°25'07" E	133.71'

BUILDING/PARKING SUMMARY

TRACT AREA:	49,837 S.F. / 1.1441 ACRES
ZONING:	LR-M(2)
CURRENT USE:	VACANT
PROPOSED USE:	RESTAURANT W/DRIVE THRU IN A MULTI-TENANT BUILDING
BUILDING AREA:	5,000 S.F.
BUILDING HEIGHT:	27 ONE STORY (TOP OF PARAPET)
SETBACKS:	40' ALONG CAMPBELL
PARKING RATIO (ZONED PARCEL):	1 SPACE/100 S.F.
REQUIRED PARKING:	50 SPACES
PROVIDED PARKING:	71 SPACES
LANDSCAPE S.F.:	8,855 S.F.
LANDSCAPE %:	18.0%
FAR: FLOOR AREA RATIO:	0.10-1MAX 0.5:1 ALLOWED

LEGEND

⊕ F.H.	FIRE HYDRANT
⊗ O.K. SET	CHISELED "X" SET
⊕ O.F.A.	CHISELED "X" FOUND
⊕ O.F.A.R.	IRON ROD FOUND (SIZE AS NOTED)
⊕ O.S.H.	IRON ROD SET (SIZE AS NOTED)
⊕ PP	OVERHEAD UTILITY POLE W/ GUY
⊕ U.C.D.T.	UNDERGROUND ELECTRIC OR TELEPHONE
⊕ L.P.	LIGHT POLE
⊕ S.S.M.H.	SANITARY SEWER MANHOLE
⊕ S.M.H.	STORM SEWER MANHOLE
⊕ W.M.H.	WATER MANHOLE
⊕ C.O.	SAN. SWR. CLEAN OUT
⊕ C.S.V.	GAS VALVE
⊕ W.V.	WATER VALVE
⊕ BOLLARD	BOLLARD
⊕ S.P.	SIGNAL POLE
⊕ S.B.	SIGNAL BOX
⊕ E.B.	ELECTRIC BOX
⊕ S.S.	STREET SIGN
⊕ C.M.	CABLE MARKER
⊕ S.	SIGN
⊕ T.	TREE
LS	LANDSCAPE
VOL.	VOLUME
PG.	PAGE
M.R.D.C.T.	MAP RECORD, DALLAS COUNTY, TEXAS
⊕	LANDSCAPE AREA

PARKING SUMMARY (ENTIRE CENTER INCLUDING ZONED PARCEL)

RETAIL:	142,979 S.F.
OFFICE:	5,911 S.F.
RESTAURANT:	25,016 S.F.
SERVICE STATION:	6,960 S.F.
TOTAL SQ. FT.:	180,866 S.F.
PARKING RATIOS USED:	
RETAIL - 30 SPACES + 1 SPACE PER 200 S.F. OVER 10,000 S.F. (LESS 10% FOR RETAIL DEVELOPMENT OVER 100,000 S.F.)	
OFFICE - 1 SPACE PER 250 S.F.	
RESTAURANT - 1 SPACE PER 100 S.F.	
SERVICE STATION - 5 SPACES + 3 SPACES PER BAY	
PARKING REQUIRED (ENTIRE CENTER):	
RETAIL: 30 SPACES + 132,979 S.F. @ 10200 = 694.9	
OFFICE: 5,911 S.F. @ 1250 = 23.64	
RESTAURANT: 25,016 S.F. @ 1100 = 250.16	
SERVICE STATION: 5 + 3 SPACES PER BAY (10 BAYS) = 35	
PARKING REQ'D:	1004
LESS 10% REDUCTION:	100
TOTAL PARKING REQ'D:	904
PROVIDED PARKING:	1030

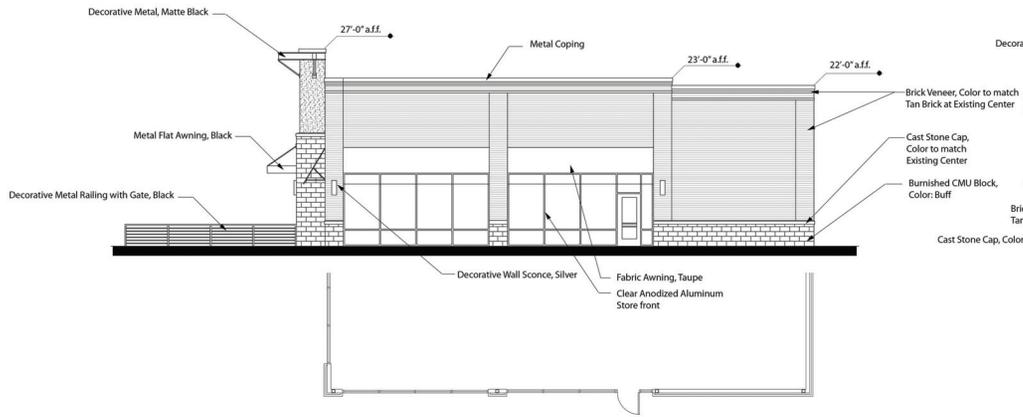
ZONING EXHIBIT
DRIVE-THRU RESTAURANT
IN A MULTI-TENANT BUILDING
LOT 1, BLOCK 1, AND A PORTION OF LOT 2, BLOCK 1,
PAVILLION ADDITION SECTION SIX
BEING 1.1441 ACRES OUT OF THE
JOHN EDMONDS SURVEY, ABSTRACT NO. 429
CITY OF RICHARDSON, DALLAS COUNTY, TEXAS

JULY 31, 2014

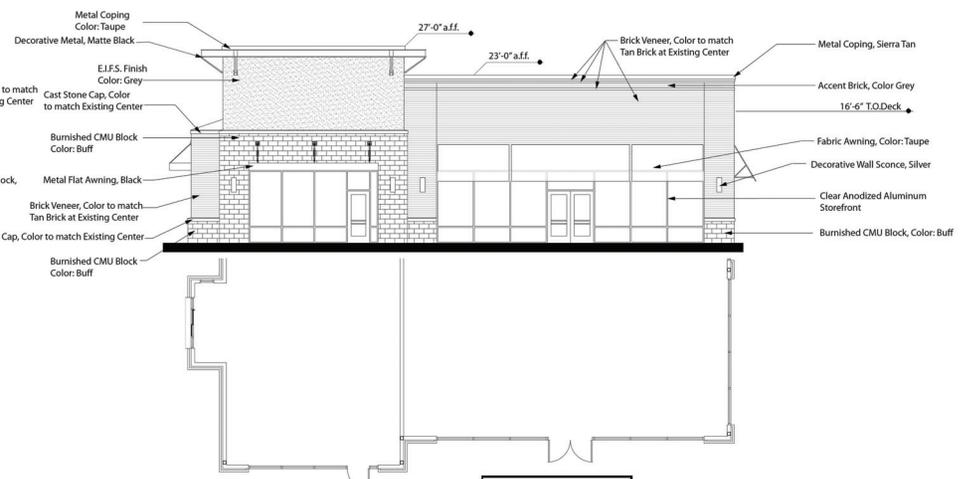
OWNER
J.R. BLACK PROPERTIES, LTD.
7517 CAMPBELL ROAD, SUITE 601
DALLAS, TEXAS 75248
(972) 733-4900
CONTACT: WILLIAM CAGLE

ARCHITECT
CATES-CLARK
14800 Quorum Drive, Suite 200
Dallas, Texas 75254
972.385.2272
TEXT: 972.3754
CONTACT: LAWRENCE A. CATES

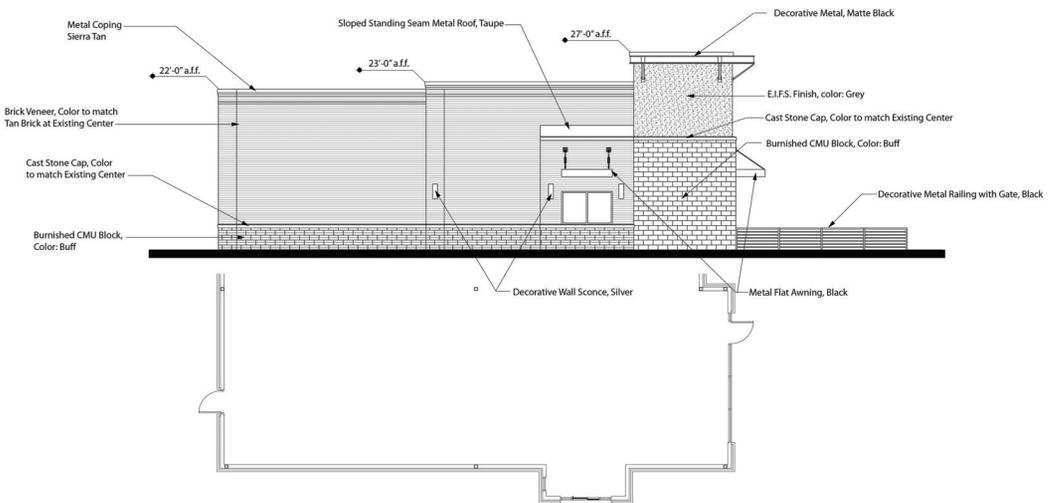
SHEET 1 OF 1



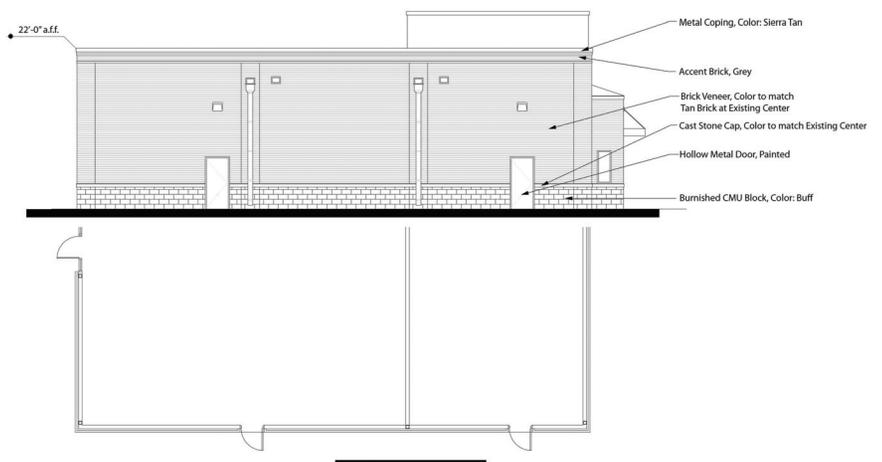
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04 SOUTH ELEVATION
 South: Masonry 93%
 E.I.F.S. 7%

TOTAL PERCENTAGES

Total: Masonry	91%
E.I.F.S.	9%



PAVILLION EAST, RICHARDSON, TEXAS

12044-01, YZ, 09/10/2014, LINE

REVISED 09/12/2014

ORDINANCE NO. 4082

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 FROM TO-M TECHNICAL OFFICE TO PD PLANNED DEVELOPMENT FOR TO-M TECHNICAL OFFICE DISTRICT USES FOR 5.2 ACRES LOCATED AT 2301 N. CENTRAL EXPRESSWAY, 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 DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 14-27).

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 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to grant a change in zoning from TO-M Technical Office to PD Planned Development for TO-M Technical Office District uses for 5.2 acres located at 2301 N. Central Expressway, and being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property shall be used and developed in accordance with the development regulations set forth below:

1. Base Zoning District: The Property shall be used and developed in accordance with the TO-M Technical Office District regulations as set forth in the Comprehensive Zoning Ordinance, as amended, except as otherwise provided herein.

2. Conceptual Plan: The Property shall be developed and used in substantial conformance with the Concept Plan attached as Exhibit “B” and which is incorporated herein for all purposes.
3. Permitted Uses: Uses allowed under TO-M Technical Office District and suite hotel as defined by the Comprehensive Zoning Ordinance by special permit.
4. Special Permit is granted for a suite hotel subject to the following special conditions:
 - (i) Parking shall be provided at a ratio of 1.1 spaces per guest room.
 - (ii) Cementitious stucco shall be permitted in lieu of masonry materials provided that the foundations for the building are designed to minimize cracking of the stucco material. The foundations shall be designed to be of a sufficient strength to support the loads and forces that will be encountered. Said plans shall be designed by an engineer legally registered under practice of engineering and who shall affix his official seal to said drawings, specifications, and accompanying data.
 - (iii) The roof shall be constructed of gray brown, cementitious roofing tiles.
 - (iv) Use and development of the Property for a suite hotel development of the property shall proceed in substantial conformance with the attached Concept Plan marked Exhibit “B” and made a part hereof.
5. The sale and service of alcoholic beverages for on-premises consumption shall be limited to the suite hotel and the individual suites. The sale of alcoholic beverages for off-premise consumption is prohibited.

SECTION 3. That the above-described tract of land shall be used 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 27th day of October, 2014.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:10-20-14:TM 68777)

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 14-27

BEING a tract of land situated in the Andrew T. Nanny Survey, Abstract No. 1093, Dallas County, Texas and being all of Lot 1, Block 1, of a Re-plat of FALL CREEK PARK, as Lot 1, Lot 3, Block 1 of Fall Creek Park, an addition to the City of Richardson according to the plat thereof recorded in Volume 96148, Page 2000, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a "x" cut found in the west line of U.S. 75 (Central Expressway, 310' R.O.W.), and the north line of Fall Creek Drive (60' R.O.W.);

THENCE departing the said west line of U.S. 75 and along the said north line of Fall Creek Drive the following:

N 89°25'34" W, a distance of 377.20 feet to an "x" cut found for corner at the beginning of a curve to the right which has a central angle of 31°56'36", a radius of 320.00 feet, a tangent of 91.59 feet, and a chord which bears N 73°27'16" W, 176.10 feet;

With said curve to the right, an arc distance of 178.41 feet to an "x" cut set for corner at the beginning of a curve to the left which has a central angle of 02°33'48", a radius of 380.00 feet, a tangent of 8.5 feet, and a chord which bears N 58°45'52" W, 17.00 feet to an "x" cut found for corner;

N 29° 57' 14' E, a distance of 10.00 feet to a 5/8" iron rod set for corner and the beginning of a non-tangent curve to the left.

Along said curve having a central angle of 29°22'58", a radius of 390.00 feet, a tangent of 102.25 feet, an arc distance of 200.00 feet, and a chord which bears N 74°44'15" W, 197.82 feet to an "x" cut found said point being situated in the east line of North Collins Boulevard;

THENCE N 00°33'45" E, along the said east line of North Collins Boulevard, a distance of 272.37 feet to an "x" cut found for corner at the southwest corner of the aforementioned Lot 2, Block 1;

THENCE departing the said east line of North Collins Boulevard and along the south line of said Lot 2, Block 1, the following:

S 89°26'15" E, a distance of 59.99 Feet to an "x" cut found for corner;

N 75°32'49" E, a distance of 34.28 feet to an "x" cut found for corner at the beginning of a non-tangent curve to the right which has a central angle of 33°57'17", a radius of 199.50 feet, a tangent of 60.91 feet, and a chord which bears N 73°35'47" E, 116.51 feet;

With said curve to the right, an arc distance of 118.23 feet to an “x” cut found for corner at the beginning of a curve to the right which has a central angle of $31^{\circ}30'21''$, a radius of 159.50 feet, a tangent of 44.99 feet, and a chord which bears $S 73^{\circ}40'24'' E$, 86.61 feet;

With said curve to the right, an arc distance of 87.71 feet to a 5/8” iron rod found for corner at the beginning of a curve to the left which has a central angle of $31^{\circ}30'21''$, a radius of 184.50 feet, a tangent of 52.04 feet, and a chord which bears $S 73^{\circ}40'24'' E$, 100.18 feet;

With said curve to the left, an arc distance of 101.45 feet to a 5/8” iron rod found for corner at the end of said curve;

$S 89^{\circ}25'34'' E$, a distance of 33.83 feet to an “x” cut found for corner at the beginning of a curb to the left which has a central angle of $20^{\circ}11'42''$, a radius of 340.06 feet, a tangent of 60.56 feet, and a chord which bears $N 80^{\circ}28'35'' E$, 119.24 feet

With said curve to the left, an arc distance of 119.86 feet to a 5/8” iron rod found for corner at the beginning of a curve to the right which has a central angle of $41^{\circ}00'00''$, a radius of 199.50 feet, a tangent of 74.59 feet, and a chord which bears $S 89^{\circ}07'16'' E$, 139.73 feet;

With said curve to the right, an arc distance of 142.76 feet to a 5/8” iron rod found for corner at the end of said curve;

$S 68^{\circ}37'16'' E$, a distance of 4.60 feet to a point for corner;

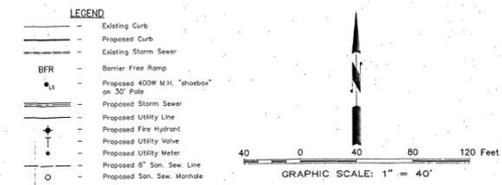
THENCE $S 21^{\circ}22'44'' W$, departing the south line of said Lot 2, Block 1, a distance of 416.25 feet to a point for corner;

THENCE $S 89^{\circ}25'34'' E$, a distance of 167.15 feet to a point for corner;

THENCE $N 21^{\circ}22'44'' E$, a distance of 51.78 feet to a point for corner;

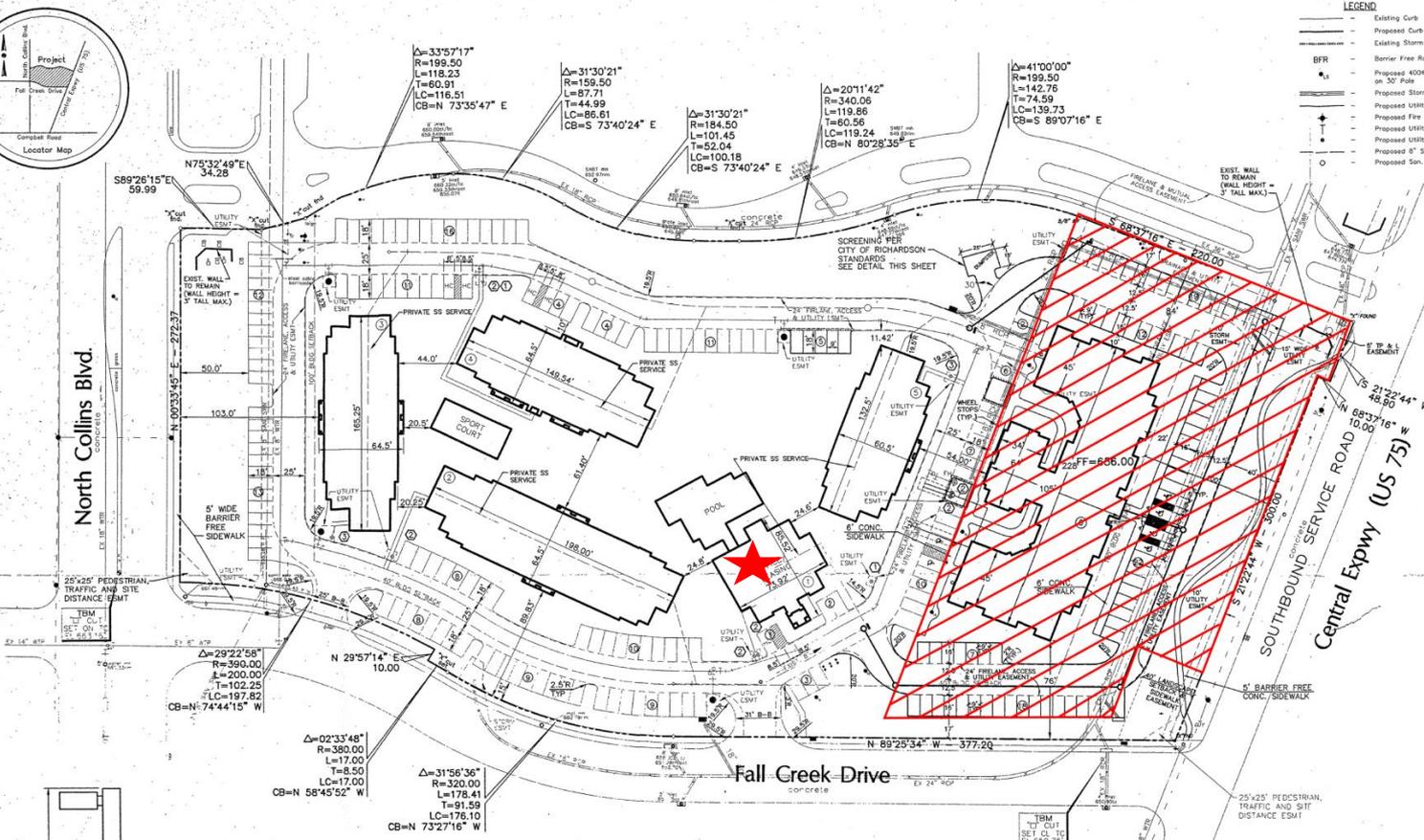
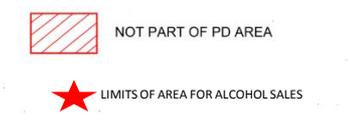
THENCE $S 68^{\circ}37'16'' E$, a distance of 49.15 feet to a point situated in the west line of said U.S. 75;

THENCE $S 21^{\circ}22'44'' W$, along the west line of said U.S. 75, a distance of 43.80 feet to the POINT OF BEGINNING and containing 225,117 square feet or 5.168 acres of land, more or less.



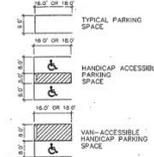
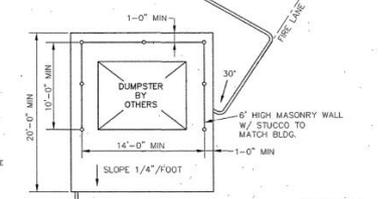
NOTE:
 -CONTRACTOR TO FIELD VERIFY LOCATION OF ALL EXISTING UTILITIES.
 -REFER TO DEVELOPMENT PLANS FOR GRADING DETAILS.
 -REFER TO LANDSCAPE PLANS
 -REFER TO MEP PLANS FOR LIGHTING LAYOUT DETAIL. PROVIDED ON THIS SHEET IS FOR REFERENCE ONLY.

SITE CRITERIA
 LOT AREA: 5.168 ACRES
 ZONING: PD FOR TO-M TECHNICAL OFFICE
 ORDINANCE #: HOTEL 3334-A
 EXISTING NO. ROOMS: 132
 PARKING RATIO: 1.1 PER ROOM
 REQUIRED PARKING: 146 SPACES
 PROVIDED PARKING: 152 SPACES (EXISTING CONDITIONS)

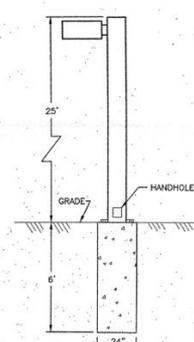


BUILDING CRITERIA				
BUILDING NO.	FIRST FLOOR (SF)	SECOND FLOOR (SF)	THIRD FLOOR (SF)	TOTAL OF RENTABLE UNITS
1	4,652	1,880	---	6,532
2	10,195	10,400	---	20,595
3	8,341	8,547	---	16,888
4	7,514	7,514	7,617	22,645
5	6,485	6,691	---	13,176
6	16,595	14,213	14,092	44,900
				124,736

- DUMPSTER PAD REQUIREMENTS**
- 1.) A CONCRETE PAD, FOURTEEN FEET (14') BY TWENTY FEET (20') OF 6" CONCRETE, 3000, #4 WITH NUMBER 3 REBAR, 24" ON CENTER SHALL BE PROVIDED FOR EACH TRASH RECEPTACLE OR DUMPSTER UNIT.
 - 2.) ALL TRASH RECEPTACLES SHALL BE SCREENED BY A SIX FOOT (6') SCREENING FENCE OF REDWOOD MATERIAL OR HARDWOOD.
 - 3.) ALL TRASH RECEPTACLE ORIENTED PERPENDICULAR TO THE PRINCIPAL MEANS OF ACCESS TO SAID RECEPTACLE SHALL BE LOCATED IN SUCH A MANNER AS TO PROVIDE A MINIMUM TURNING RADIUS OF FORTY FEET (40') FOR THE COLLECTION VEHICLE.
 - 4.) ANY TRASH RECEPTACLE NOT PERPENDICULAR TO THE PRINCIPAL MEANS OF ACCESS TO SAID RECEPTACLE SHALL BE ORIENTED AS A THIRTY (30) DEGREE ANGLE FROM THE FIRE LAKE, ALLEY, OR OTHER MEANS OF ACCESS.
 - 5.) A MINIMUM OF 42' OF UNINTERRUPTED BACK UP SPACE.
 - 6.) ALTERNATIVE DESIGN STANDARDS MUST BE APPROVED BY THE CITY PLANNING COMMISSION OR RECOMMENDATION BY THE DIRECTOR OF PUBLIC SERVICES.



BUILDING HEIGHT			WATER METER SCHEDULE		
LEAVE (FT)	RIDGE (FT)	MEAN HEIGHT	ID	TYPE	NUMBER OF UNITS
2 STORY	17'-2"	32'-0"	①	2" IRRIGATION	2
3 STORY	27'-8"	42'-8"	②	2" DOMESTIC	6
			③	1 1/2" DOMESTIC	2



BENCHMARK:
 1" CUT ON THE NORTH MEDIAN NOSE AT THE INTERSECTION OF NORTH COLLINS BLVD AND FALL CREEK DRIVE. ELEV 665.16
 1" CUT AT THE CENTERLINE OF 8' CURB INLET AT THE NORTH WEST CORNER OF (US75) SOUTHBOUND SERVICE ROAD AND FALL CREEK DRIVE. ELEV 650.75

DEVELOPER
 INTERVEST COMPANY
 4131 CENTURION WAY
 ADDISON, TX 75001
 (972)661-9711
 ATTN: JOHN WILSON

ENGINEER
 BROCKETTE, DAVIS, DRAKE, INC.
 4144 N. CENTRAL EXPRESSWAY
 SUITE 1100
 DALLAS, TX 75204
 (214)824-3647
 ATTN: MATT KOSTIAL

PD CONCEPT PLAN
 PART OF Lot 1A, Block 1, Fall Creek Park
 Bradford HomeSuites
 City of Richardson, Dallas County, Texas

BROCKETTE, DAVIS, DRAKE, inc.
 consulting engineers
 Civil & Structural Engineering/Surveying
 Central Expressway, Suite 1100 Dallas, Texas 75204
 (214)824-3647, Fax (214) 824-7064

DESIGN	DRAWN	DATE	SCALE	NOTES	FILE	NO.
MPK	MPK	8/29/14	1"=40'	BDD	C00374	C3

ORDINANCE NO. 4083

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF RICHARDSON CHAPTER 17, "POLICE" BY ADDING ARTICLE V "9-1-1 FEES"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Code of Ordinances of the City of Richardson be amended by amending Chapter 17 "Police" by adding Article V "9-1-1 Fees", to read as follows:

"Chapter 17

POLICE

...

ARTICLE V. 9-1-1 FEES

Sec. 17-94 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning:

Local exchange access line or equivalent local exchange access line mean the physical voice grade telecommunications connection or the cable or broadband transport facilities, or any combination of these facilities, owned, controlled, or relied upon by a service provider, between an end user customer's premises and a service provider's network that, when the digits 9-1-1 are dialed, provides the end user customer access to a public safety answering point through a permissible interconnection to the dedicated 9-1-1 network. In the case of multi-channel services or offerings, channelized by a service provider, each individual channel provided to an end user customer shall constitute a separate "*local exchange access line*" or "*equivalent local exchange access line*" (e.g., ISDN-PRI service consists of 24 individual channels.) *Local exchange access line or equivalent local exchange access line* include lines as defined above that a service provider offers at a fully or partially discounted rate from the provider's base rate to a class of end users (e.g., the service provider's employees/retirees). Such discounting is not a basis for eliminating or reducing the 9-1-1 emergency service fee on such lines, except in the instance of an Emergency Communication District imposing its 9-1-1 emergency service fee based on a percentage in lieu of a flat rate.

Local exchange access line or equivalent local exchange access line do not include coin-operated public telephone equipment, public telephone equipment operated by card reader,

commercial mobile radio service that provides access to a paging or other one-way signaling service, a communication channel suitable only for data transmission, a line from a telecommunications service provider to an Internet service provider for the Internet service provider's data modem lines used only to provide its Internet access service and that are not capable of transmitting voice messages, a wireless roaming service or other non-vocal commercial mobile radio service, a private telecommunications system, or a wireless telecommunications connection subject to Texas Health and Safety Code §771.0711.

9-1-1 service means a telecommunications service through which the user of a public telephone system has the ability to reach the city's public safety answering point by dialing the digits 9-1-1.

9-1-1 emergency service system means a system of processing emergency 9-1-1 calls.

Public safety answering point means the city communications facility that:

- (1) Is operated continuously;
- (2) Is assigned the responsibility to receive 9-1-1 calls and to dispatch emergency response services directly or to transfer or relay emergency 9-1-1 calls to other public safety agencies;
- (3) Is the first point of receipt by a public safety agency of a 9-1-1 call; and
- (4) Serves the city.

Service provider means an entity providing local exchange access lines and/or equivalent local exchange access lines to a service user in the city.

Service user means a person or business entity that is provided local exchange access lines or equivalent local exchange access lines in the city.

Sec. 17-95 Service fee.

There is hereby imposed on each service user's local exchange access line and equivalent local exchange access line in the city a 9-1-1 service fee seventy-five cents (\$0.75) per month for each residential line; one and 25/100 dollars (\$1.25) per month for each business line, and two dollars (\$2.00) per month for each business trunk line. Such 9-1-1 service fee shall be used only to provide for the purchase, installation, operation and maintenance expenses of 9-1-1 service, including required personnel.

Sec. 17-96 Execution of contracts with 9-1-1 service providers.

The city manager, or his designee, is hereby authorized to execute a contract or contracts on behalf of the city with any service provider, pursuant to the provisions of this article, to provide for the billing and collection of fees imposed by the city pursuant to the provisions hereof.

Sec. 17-97 Restrictions and limitations on 9-1-1 service fee.

The 9-1-1 service fee imposed by this article shall be subject to the following restrictions and limitations:

- (1) The 9-1-1 service fee may only be imposed upon service users' local exchange access lines and equivalent local exchange access lines.
- (2) The 9-1-1 service fee may not be imposed upon more than one hundred (100) local exchange access lines per service user per location, or more than one hundred (100) local exchange access lines for a single business entity at a single location unless the lines or services are used by residents of the location. The fee limitation of this section shall not apply to equivalent local exchange access lines.
- (3) The 9-1-1 service fee may not be imposed upon any coin-operated or coin/card reader operated telephone equipment.
- (4) The 9-1-1 service fee shall be stated separately on each service user's bill.
- (5) The 9-1-1 service fee shall have uniform application within the municipal boundaries of the city.
- (6) Each service provider not already remitting 9-1-1 service fees should be advised in writing of the amount of the 9-1-1 service fee to be applied to each type of service at least ninety (90) days prior to the first billing date.
- (7) No service provider will be obliged or authorized to take any legal action to enforce the collection of any billed 9-1-1 service fee.
- (8) No service provider will disconnect any service user's telephone service for failure to pay the 9-1-1 service fee.
- (9) Each service provider will assess a 9-1-1 service fee to each service user on a monthly basis and will remit the collected 9-1-1 service fee to the city no later than sixty (60) days after the close of the month in which such 9-1-1 service fees were assessed.”
- (10) Each service provider will retain from its remittance to the city two (2) percent of the collected 9-1-1 service fees as its compensation for performing its obligations under the contract.
- (11) Each service provider shall complete a remittance report that details the number of records associated with each 9-1-1 service fee charged, and the remittance report shall accompany the remitted 9-1-1 service fees.

- (12) Each service provider will provide the city with a list of any service users who have refused to pay the 9-1-1 service fee. This list shall be provided a minimum of once per calendar year.
- (13) Each service provider will retain records of the amount of 9-1-1 service fees collected for a period not to exceed two (2) years from the date of collection.
- (14) Should the city desire to audit the records of collected fees from any service provider, it may do so at the city's sole cost and expense.
- (15) All federal service users located in the city are exempt from the 9-1-1 service fee.

Sec. 17-98 VoIP Positioning Center Operator minimum requirements.

The City of Richardson as the 9-1-1 Entity codifies the adoption of Texas Administrative Code Title 1, Part 12, Chapter 251, Rule 251.14 and requires all VoIP Positioning Center (VPC) Operators comply to provide end-users of IP-enabled voice service providers (VSPs) with a consistent level of 9-1-1 service that is comparable to wireline E9-1-1 service.”

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 thereof decided to be unconstitutional, illegal, or invalid.

SECTION 4. This Ordinance shall take effect immediately from and after its passage and publication of caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 27th day of October 2014.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(06-13-14/66657)

CITY SECRETARY

RESOLUTION NO. 14-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Richardson, Texas (the “City”), has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended, for the purpose of paying contractual obligations to be incurred for the acquisition of public park land and open space and professional services rendered in connection therewith; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in a newspaper of general circulation in the City, said notice stating (i) the time and place the City Council tentatively proposes to pass the ordinance authorizing the issuance of the certificates; (ii) the maximum amount proposed to be issued; (iii) the purposes for which the certificates are to be issued; and (iv) the manner in which the City Council proposes to pay the certificates;

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

SECTION 1. That the City Secretary is hereby authorized and directed to cause notice to be published of the City Council’s intention to issue certificates of obligation, in one or more series, in the principal amount not to exceed \$11,425,000 for the purpose of paying contractual obligations to be incurred for the acquisition of public park land and open space and professional services rendered in connection therewith. The notice hereby approved and authorized to be published shall read substantially in the form and content of Exhibit “A” hereto attached and incorporated herein by reference as a part of this Resolution for all purposes.

SECTION 2. That the City Secretary shall cause the aforesaid notice to be published in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least thirty-one (31) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

SECTION 3. That it is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 4. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 27th day of October, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY

EXHIBIT "A"

**NOTICE OF INTENTION TO ISSUE CITY OF RICHARDSON, TEXAS
CERTIFICATES OF OBLIGATION**

TAKE NOTICE that the City Council of the City of Richardson, Texas, shall convene at 7:30 p.m. on the 8th day of December, 2014, at 411 W. Arapaho Road, Richardson, Texas, and, during such meeting, the City Council will consider the passage of an ordinance authorizing the issuance of certificates of obligation in one or more series in an amount not to exceed ELEVEN MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$11,425,000) for the purpose of paying contractual obligations to be incurred for the acquisition of public park land and open space and professional services rendered in connection therewith; such certificates of obligation to be payable from ad valorem taxes and a lien on and limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

City Secretary
City of Richardson, Texas

RESOLUTION NO. 14-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, REGARDING ITS REVIEW OF CHAPTER 2 “ADMINISTRATION,” ARTICLE I “CODE OF ETHICS” OF THE RICHARDSON CODE OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Richardson Code of Ordinances Section 2-10 requires the City Council of the City of Richardson shall review Chapter 2 “Administration,” Article I “Code of Ethics” of the Richardson Code of Ordinances once every two years following the adoption of said article; and

WHEREAS, the City Council of the City of Richardson has conducted such review;

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

SECTION 1. That the City Council finds and declares there is no need or desire at this time to amend Chapter 2 “Administration,” Article I “Code of Ethics” of the Richardson Code of Ordinances.

SECTION 2. 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 3. That this Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the ____ day of _____, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(pgs 10-21-14 TM68779)

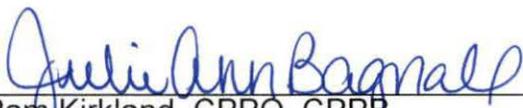
CITY OF RICHARDSON

TO: Dan Johnson - City Manager
THRU: Kent Pfeil - Director of Finance
FROM: Pam Kirkland - Purchasing Manager
SUBJECT: Bid Initiation Request # 16-15
DATE: October 20, 2014

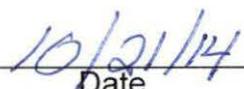
Request Council approval to initiate bids for the following:

2015 Annual Requirement Contract for Street Rehabilitation

Proposed Council approval date: October 27, 2014
Proposed advertising dates: October 29, 2014 & November 5, 2014
Proposed bid due date: Tuesday, November 18, 2014 – 2:00 p.m.
Proposed bid opening date: Tuesday, November 18, 2014 – 2:30 p.m.
Engineer's estimated total cost: \$1,000,000
Account: #353

for 
Pam Kirkland, CPPO, CPPB
Purchasing Manager


Kent Pfeil
Director of Finance


Date

Approved: _____
Dan Johnson
City Manager

Date



MEMO

TO: Dan Johnson, City Manager

THRU: Cliff Miller, Assistant City Manager 

FROM: Steve Spanos, P.E., Director of Engineering 

SUBJECT: Permission to Advertise Bid # 16-15
2015 Annual Requirement Contract for Street Rehabilitation

DATE: October 17, 2014

BACKGROUND INFORMATION:

The 2015 Annual Requirement Contract for Street Rehabilitation consists of citywide concrete replacement/rehab at various locations throughout the city. The contractor will be on-call for various concrete work including arterial streets. Work to be performed generally includes concrete pavement removal and replacement, concrete sidewalk/leadwalk replacement, 6" concrete curbs, barrier free ramps, sodding and other appurtenances related to performing the work. This contract contains an option to renew the contract for two (2) additional one (1) year periods subject to the conditions, attached hereto.

It's the intent of the City to schedule approximately One Million Dollars (\$1,000,000) worth of work for the contractor during fiscal year 2014-2015. The City has the option to decrease or increase the amount of work during any contract period.

FUNDING:

Funding is provided from the Street Rehabilitation Fund.

SCHEDULE:

Capital Projects plans to begin construction for this project January 2015 and be completed by January 2016. An option to renew the contract may be exercised and could extend the schedule for up to two (2) additional one (1) year periods.

**NOTICE TO CONTRACTORS
CITY OF RICHARDSON**

**2015 ANNUAL REQUIREMENTS CONTRACT
FOR STREET REHABILITATION**

BID 16-15

Sealed bids addressed to the Purchasing Manager, of the City of Richardson, Texas, will be received at the Office of the City Purchasing Department, Suite 101, City Hall, 411 West Arapaho Road, Richardson, Texas, until **2:00 p.m. on Tuesday, November 18, 2014**, and will be opened and read aloud in the **Capital Projects Department, Room 206**, 30 minutes later that same day, for furnishing all labor, materials, tools and equipment, and performing all work required including all appurtenances for:

The 2015 Annual Requirements Contract for Street Rehabilitation consists of citywide concrete replacement/rehab at various locations throughout the city. The contractor will be on-call for various concrete work including arterial streets. Work to be performed generally includes concrete pavement removal and replacement, concrete sidewalk/leadwalk replacement, 6" concrete curbs, barrier free ramps, sodding and other appurtenances related to performing the work. This contract contains an option for two (2) one-year renewals subject to the conditions, attached hereto.

Proposals shall be accompanied by a certified or cashier's check on a state or national bank in an amount not less than five percent (5%) of the possible total of the bid submitted, payable without recourse to the City of Richardson, Texas, or an acceptable bid bond for the same amount from a reliable surety company as a guarantee that the bidder will enter into a contract and execute required Performance and Payment Bonds within ten (10) days after notice of award of contract. The notice of award of contract shall be given to the successful bidder within ninety (90) days following the opening of bids.

The successful bidder must furnish a Performance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, a material and labor Payment Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, and a Maintenance Bond upon the form provided in the amount of one hundred percent (100%) of the contract price, from a surety authorized under the laws of the State of Texas to act as a surety on bonds for principals.

The right is reserved, as the interest of the Owner may require, to reject any and all bids, to waive any informality in the bids received, and to select bid best suited to the Owner's best interest.

The contract will be for a period of 12 months beginning on the construction start date as indicated in the Notice to Proceed letter. The contract may be renewed at the option of the City for two (2) additional one (1) year periods under the same terms and conditions of the initial contract, if mutually agreed upon by both parties.

One set of specifications and bid documents may be secured from the Office of the City Engineer, Capital Projects Department in Room 204, of the Richardson Civic Center/City Hall, 411 West Arapaho Road, Richardson, Texas, **beginning at 12:00 p.m. on Tuesday, October 28, 2014** upon a **NON-REFUNDABLE FEE OF FIFTY Dollars (\$50.00)** per set, payable to the City of Richardson, accompanied by the contractor's name, address, phone number, email address and FAX number.

A pre-bid conference will be held Tuesday at 2:00 p.m. November 11, 2014, in the Capital Projects Department, Room 206, Richardson Civic Center/City Hall.

By: /s/Laura Maczka, Mayor
City of Richardson
P. O. Box 830309
Richardson, Texas 75083

PROJECT SCHEDULE

2015 ANNUAL REQUIREMENT CONTRACT FOR STREET REHABILITATION

BID No. 16-15

Agenda Paperwork to Advertise	Friday, October 17, 2014
Council Authorization to Advertise	Monday, October 27, 2014
Plans/Specs Available for Contractors	Tuesday, October 28, 2014
Advertise in Dallas Morning News	Wednesday, October 29, 2014
Advertise in Dallas Morning News	Wednesday, November 5, 2014
Pre Bid Meeting (2:00 pm Room 206)	Tuesday, November 11, 2014
Bids Received & Opened (by 2:00 open 2:30 pm Room 206)	Tuesday, November 18, 2014
Agenda Paperwork to Award Contract	Wednesday, November 26, 2014
Council to Award Contract	Monday, December 8, 2014
Pre-Construction Meeting	~ Early January 2015
Project Start	~ January 2015
Project Completed 365 Calendar Days	~ January 2016

*Project Manager: Brad Bernhard
Engineers Estimate: \$1,000,000
Funding from
Account #  Project #*



MEMO

DATE: October 14, 2014
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager *Pam*
SUBJECT: Award of Bid #17-15 for four (4) hydraulic loading systems for ambulance stretchers to Stryker EMS Equipment in the amount of \$102,556.84

Proposed Date of Award: October 27, 2013

I concur with the recommendation of Ed Hotz – Assistant Chief – Administration, and request permission to issue a purchase order to Stryker EMS Equipment for four (4) hydraulic loading systems for our existing Stryker ambulance stretchers in the amount of \$102,556.84, as per the attached quote.

The Richardson Fire Department has standardized on Stryker ambulance stretchers for use in all ambulances. We are recommending purchasing and installing the hydraulic loading assembly for these stretchers in four (4) units. Stryker EMS Equipment is the manufacturer and sole supplier for their products as outlined in the attached letter. Captive replacement parts or components for existing equipment qualifies this as a sole source procurement exempt from competitive bidding as allowed by Texas Local Government Code Chapter 252.022 (a)(7)(D).

Funding is available in account 235-1410-581-7401, Project FD1506 for this expenditure.

Concur:

Kent Pfeil

Kent Pfeil

ATTACHMENTS

- XC: Dan Johnson
- David Morgan
- Cliff Miller
- Don Magner
- Shanna Sims-Bradish

Inter-Office Memorandum

Date: October 14, 2014
To: Pam Kirkland, Purchasing Manager
From: Ed Hotz, Assistant Chief Administration *ECH*
Subject: Purchase of hydraulic loading systems for ambulance stretchers

I recommend the purchase of four Power-LOAD hydraulic loading systems to match our existing Stryker ambulance stretchers. They will be purchased from Stryker EMS Equipment for a total price of \$102,556.84. These systems are accessories to the existing Stryker Power cots and must be purchased from the manufacturer.

The funding for the purchase will come from account #235-1410-581-7401, Project #FD 1506

CC: Curtis Poovey, Battalion Chief EMS
Alan Palomba, Fire Chief *AP*
Steve Dossett, Assistant Chief Operations



EMS Equipment

Remit To:
1901 Romence Road Parkway
Portage, MI 49002

PO #

Billing Address

Curtis Poovey
Richardson Fire Dept
136 N Greeville
Richardson, TX 75081 United
States
(972) 744-5700
curtis.poovey@cor.gov

Shipping Address

Curtis Poovey
Richardson Fire Dept
136 N Greeville
Richardson, TX 75081 United
States
(972) 744-5700
curtis.poovey@cor.gov

Quote Info

Date: 9/22/14
Quote #: 00602
Terms: Net 30
Contact: Gary Montana
Phone: 817-846-0415
Fax: 866-384-4353
Email: gary.montana@stryker.com

Power-LOAD				\$91,906.36	
Qty	Part #	Description	Unit	Extended	
4	6390	Power-LOAD	\$22,448.79	\$89,795.16	
4	6391-001-00 2	Power-LOAD Mass Casualty Floor Mount Assembly	\$527.80	\$2,111.20	

Aftermarket				\$10,650.48	
Qty	Part #	Description	Unit	Extended	
4	6500-700-04 9	Power-LOAD Cot Compatibility Upgrade Kit (6500) for an existing Power-PRO cot.	\$2,362.62	\$9,450.48	
4	77-100-003	Cot Compatibility Kit Installation	\$300.00	\$1,200.00	

Sub-Total **\$102,556.84**

Grand Total **\$102,556.84**

Notes

Terms and conditions: Cot, all cot accessories on original order, and aftermarket accessories FOB origin. Applicable sales tax will be applied at time of invoicing. Order subject to Stryker Corporation's approval. Credit cannot be allowed on return of special or modified items. All approved returns will be accepted only in Kalamazoo, Michigan. Proposal valid for 30 days from submittal.

Printed Name

Signature

Date



Gary Montana
Account Manager

3800 E Centre Ave
Portage, MI 49002
Phone: (817) 846-0415
Fax: (866) 384-4353

October 6, 2014

To Whom It May Concern,

Stryker does not operate a distribution channel in which competitive pricing may be obtained on the model 6390 Power-LOAD System. The Power-LOAD System must be purchased directly from Stryker.

If you have any questions or if I can be of further assistance, please don't hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Gary Montana". The signature is stylized with a large, sweeping initial "G" and "M".

Gary Montana
Account Manager



MEMO

DATE: October 20, 2014

TO: Kent Pfeil – Director of Finance

FROM: Pam Kirkland – Purchasing Manager

*Julie Ann Bagnall
for Pam Kirkland*

SUBJECT: Award of Competitive Sealed Proposal #902-14 for the Northrich Park
in the amount of \$494,066

Proposed Date of Award: October 27, 2014

I concur with the recommendation of Paul Nassauer – Park Planner, and request permission to issue a contract to C. Green Scaping, L.P. for the above referenced project for a total award of \$494,066, as outlined in Mr. Nassauer's attached memo.

Two competitive sealed proposals were received. The proposals were evaluated by a committee of City staff from various departments on criteria related to the proposal amount, previous related project experience, experience & qualifications of staff, and proposed time of completion & schedule.

Funding is provided from the 2010 G.O Bond. The project was advertised in the *Dallas Morning News* on August 27, 2014 and September 3, 2014 and was posted on Bidsync.com. A pre-proposal conference was held on September 4, 2014.

Concur:


Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish



MEMO

TO: Dan Johnson, City Manager
THROUGH: Shanna Sims-Bradish, Assistant City Manager *Shbs*
FROM: Paul Nassuar, Park Planner *PCN*
SUBJECT: Award of Northrich Park – CSP No. 902-14
DATE: October 17, 2014

ACTION REQUESTED:

Council to consider award of CSP #902 -14 to C. Green Scaping, L.P. for the Northrich Park for a total amount of \$494,066.00.

BACKGROUND INFORMATION:

On September 17, 2014, the Parks Department received and opened two proposals for the Northrich Park.

A Competitive Sealed Proposal (CSP) Committee of City Staff from various departments reviewed all qualifying proposals and scored each one in accordance with the proposal scoring criteria. The scoring criteria included, proposal cost, schedule, company experience, team member experience and preproposal conference attendance.

At the CSP Committee's request, C. Green Scaping, L.P. identified various cost saving measures and developed a plan to help reduce their proposal from \$549,550.00 to the recommended award amount of \$494,066.00. The costs saving measures consist of minor scope and material modifications that don't compromise project value.

The Park at Northrich Elementary includes the removal of an existing chain link backstop and dugouts. New construction consists of an open air pavilion, a 2-5 year old playground, a 5-12 year old playground, new backstop, concrete trails, decomposed granite plaza, curb replacement, ramps, leuders stone outdoor classroom and site furniture. Landscape plantings include ornamental and canopy trees, native grasses, perennials. Various utilities are required for irrigation, water fountain, and site lighting. Site drainage includes subsurface drains at playground.

FUNDING:

Funding is provided from 2010 G.O. Bond.

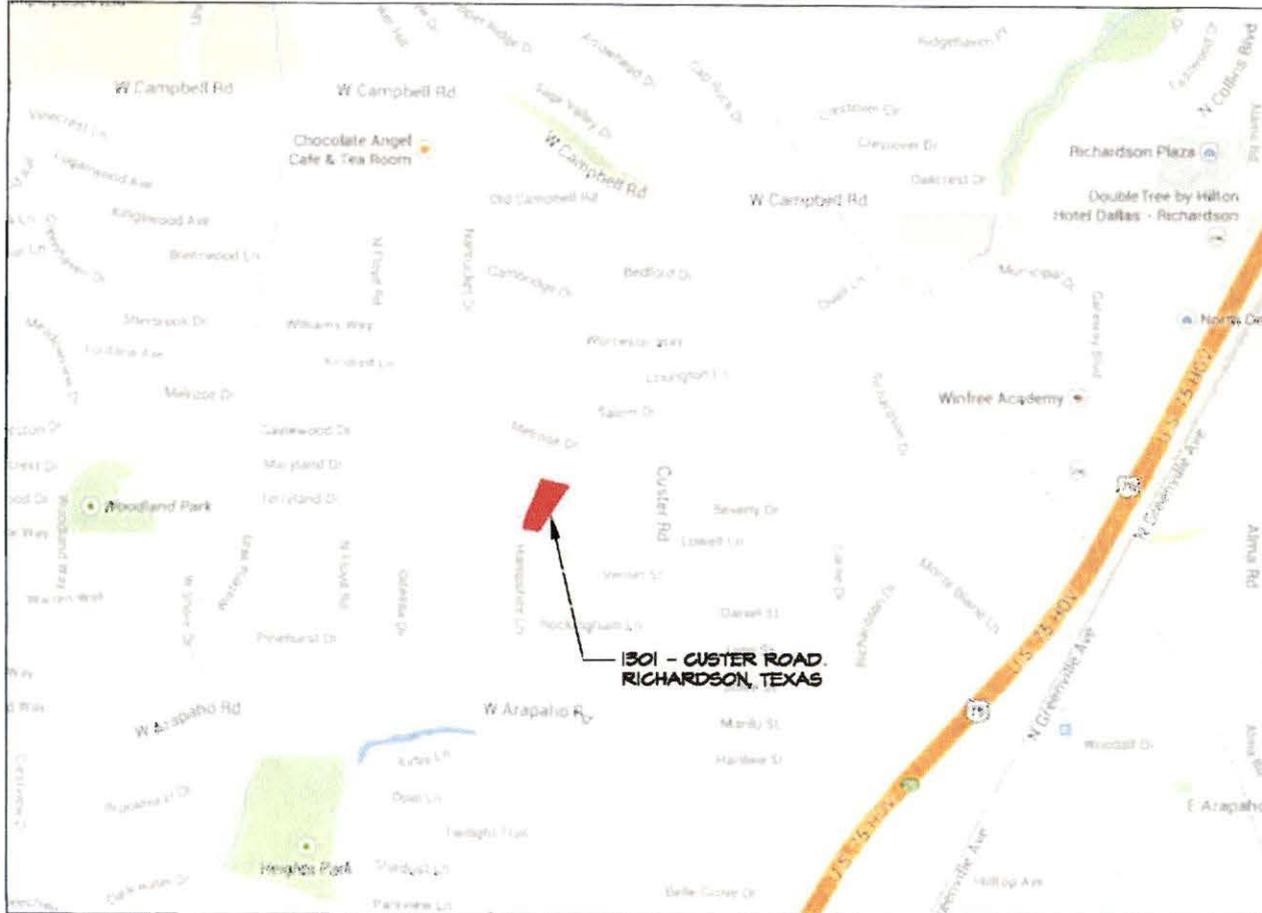
SCHEDULE:

Parks Department plans for this project to begin construction November 2014 and be completed by March 2015.

NORTHRICH PARK

Richardson, Texas

LOCATION MAP



N.T.S.



NORTH



MEMO

DATE: October 13, 2014
TO: Kent Pfeil – Director of Finance
FROM: Pam Kirkland – Purchasing Manager
SUBJECT: Rejection of Request for Proposal #704-14 for the Automatic Vehicle Wash System

*Julie Ann Bagnall
for Pam Kirkland*

Proposed Date of Award: October 27, 2014

I concur with the recommendation of Ernest Ramos – Fleet and Materials Manager, and request to reject the only proposal received for the automatic vehicle wash system. The proposal submitted by Washing Equipment of Texas, Inc. was over the budget of \$200,000 and we will be rewriting the specifications to rebid the project as soon as possible.

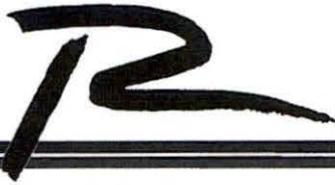
This proposal was advertised in the *Dallas Morning News* on August 26, 2014 and September 2, 2014 and was posted on Bidsync.com. A pre-proposal conference was held on September 9, 2014 and one vendor and two staff members were in attendance. A total of 524 vendors were electronically notified; 25 viewed the proposal; and one proposal was received.

Concur:


Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Shanna Sims-Bradish



MEMO

DATE: October 9, 2014
TO: Pam Kirkland, Purchasing Manager
FROM: Ernie Ramos, Fleet & Materials Manager *ER*
RE: Bid Proposal RFP #704-14

After reviewing the proposal received from Washing Equipment of Texas, Inc. (WET). I recommend that the proposal be rejected based upon the manner in which their proposal is structured, received one proposal, and the proposal is over budget. I recommend this project be re-advertised and additional proposals are solicited.

CC: Kent Pfeil, Director of Finance

: ER

WASHING EQUIPMENT
OF TEXAS, INC.

ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Automatic Vehicle Wash System per specifications	1	lot		\$204,037.47						
	Shipping & Handling				\$4,000.00						
	Installation				\$11,500.00						
				Payment Terms: 30% @ order 70% @ deliv.							
	TOTAL PRICE				\$219,537.47						