

**RICHARDSON CITY COUNCIL
MONDAY, DECEMBER 1, 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, December 1, 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 EISEMANN CENTER PARTNERSHIP PROGRAMS

C. REVIEW AND DISCUSS THE 2015 CITY COUNCIL MEETING CALENDAR

D. REPORT ON ITEMS OF COMMUNITY INTEREST

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

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. INVOCATION – PAUL VOELKER

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – PAUL VOELKER

3. MINUTES OF THE NOVEMBER 10, 2014 AND NOVEMBER 17, 2014 MEETINGS

4. 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:

5. PUBLIC HEARING, ZONING FILE 14-40, A REQUEST BY WILLIAM S. DAHLSTROM, REPRESENTING JACKSON WALKER, L.L.P., FOR A CHANGE IN ZONING ON THREE (3) TRACTS OF LAND, AN APPROXIMATE 34-ACRE TRACT LOCATED AT THE NORTHEAST CORNER OF N. GLENVILLE DRIVE AND ROUTH CREEK PARKWAY (TRACT 1), AN APPROXIMATE 9-ACRE TRACT LOCATED AT THE NORTHEAST CORNER OF N. CENTRAL EXPRESSWAY AND GALATYN PARKWAY (TRACT 2), AND AN APPROXIMATE 6-ACRE TRACT LOCATED AT THE SOUTHWEST CORNER OF GALATYN PARKWAY AND N. GLENVILLE DRIVE (TRACT 3) FROM I-M(1) INDUSTRIAL (TRACT 1), C-M COMMERCIAL (TRACT 2), AND I-M(1) INDUSTRIAL (TRACT 3) TO PD PLANNED DEVELOPMENT. THIS REQUEST GENERALLY PROVIDES FOR THE ELIMINATION OF I-M(1) INDUSTRIAL USES FROM TRACTS 1 & 3 AND, FOR ALL THREE (3) TRACTS, THE INCLUSION OF MULTI-FAMILY AND OTHER RESIDENTIAL USES; NEW DEVELOPMENT AND USE STANDARDS; AND A MODIFIED DEVELOPMENT APPROVAL PROCESS.

6. 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. CONSIDER THE FOLLOWING RESOLUTIONS:

1. RESOLUTION NO. 14-31, ADOPTING THE CITY OF RICHARDSON INVESTMENT POLICY ATTACHED HERETO AS EXHIBIT "A"; DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT EXHIBIT "A" RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES.
2. RESOLUTION NO. 14-32, ADOPTING AMENDED FINANCIAL POLICIES.
3. RESOLUTION NO. 14-33, REQUESTING THE MEMBERS OF THE 84TH LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT THE CITY OF RICHARDSON LEGISLATIVE AGENDA.
4. RESOLUTION NO. 14-34, APPROVING THE TERMS, CONDITIONS AND PROVISIONS OF A LICENSE AGREEMENT FOR USE OF CITY RIGHT OF WAY (STATE STREET) TO LOCATE PRIVATE FACILITIES (HEREINAFTER "LICENSE AGREEMENT"), BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, AND BCS OFFICE INVESTMENTS ONE, LP; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LICENSE AGREEMENT.
5. RESOLUTION NO. 14-35, APPROVING THE TERMS, CONDITIONS AND PROVISIONS OF A LICENSE AGREEMENT FOR USE OF CITY RIGHT OF WAY (PLANO ROAD) TO LOCATE PRIVATE FACILITIES (HEREINAFTER "LICENSE AGREEMENT"), BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, BCS OFFICE INVESTMENTS ONE, LP AND BCS OFFICE INVESTMENTS TWO GP, LLC; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LICENSE AGREEMENT.

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, Lakeside Blvd./U.S. 75 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 WEDNESDAY, NOVEMBER 26, 2014, BY 5:00 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, December 1, 2014

Agenda Item: Review and Discuss Eisemann Center Partnership Programs

Staff Resource: Bruce MacPherson, Managing Director

Summary: City staff will provide a presentation regarding partnerships with local businesses for upcoming Eisemann Center programs and events.

Board/Commission Action: N/A

Action Proposed: N/A



City of Richardson
City Council Work Session
Agenda Item Summary



Meeting Date: Monday, December 1, 2014

Agenda Item: Review and Discuss the 2015 City Council Meeting Calendar

Staff Resource: David Morgan, Deputy City Manager
Aimee Nemer, City Secretary

Summary: Staff will provide a review of the proposed 2015 City Council Meeting Schedule.

Board/Commission Action: NA

Action Proposed: Provide feedback to Staff and schedule for Council Action on December 8, 2014.

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
NOVEMBER 10, 2014

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:00 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
Aimee Nemer	City Secretary
Taylor Paton	Management Analyst
Michael Spicer	Director of Development Services
Gary Beane	Budget Officer
Greg Sowell	Director of Communications

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

Michael Spicer, Director of Development Services, reviewed the Zoning Cases for Council. Don Magner, Assistant City Manager, reviewed the Sign Control Board Cases for Council.

B. REVIEW AND DISCUSS THE YEAR-END FINANCIAL REPORT FOR THE FY 2013-2014 OPERATING BUDGET

Gary Beane, Budget Officer, reviewed the 2013-2014 Year-End Financial Report for Council.

C. REVIEW AND DISCUSS ZONING CHANGE REQUEST NOTIFICATION ENHANCEMENTS

Greg Sowell, Director of Communications, reviewed enhancements to the zoning change request notification process.

D. REPORT ON ITEMS OF COMMUNITY INTEREST

Councilmember Solomon reported on the pet event at Huffhines Park commenting that the park was a great location for the event. Councilmember Hartley reported on the Spirit Run stating that there were approximately 450 runners.

COUNCIL MEETING – 7:30 PM, COUNCIL CHAMBERS

1. **INVOCATION – KENDAL HARTLEY**
2. **PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – KENDAL HARTLEY**
3. **MINUTES OF THE OCTOBER 6, 2014, OCTOBER 13, 2014, OCTOBER 20, 2014, OCTOBER 27, 2014 (ADVISORY BOARDS & COMMISSIONS MEETING), OCTOBER 27, 2014, AND NOVEMBER 3, 2014 MEETINGS**

Council Action

Councilmember Mitchell moved to approve the Minutes as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

4. **VISITORS**

There were no visitors comments submitted.

5. **CONSIDER APPOINTMENTS TO THE CITY PLAN COMMISSION, CIVIL SERVICE BOARD, ENVIRONMENTAL ADVISORY COMMISSION, PARKS & RECREATION COMMISSION, AND THE SIGN CONTROL BOARD.**

Council Action

Mayor Pro Tem Townsend moved to reappoint the following to the **City Plan Commission** for a term to end August 1, 2016. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

Barry Hand as Chair
Gerald Bright as Vice Chair
Janet DePuy – District 3 Representative
Eron Linn – District 2 Representative
Stephen Springs, Alternate

Councilmember Voelker moved to reappoint the following to the **Civil Service Board** for a term to end August 31, 2016. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

Bill Harper
David A. Stephan

Councilmember Solomon moved to reappoint the following to the **Environmental Advisory Commission** for a term to end September 22, 2016. Mayor Pro Tem seconded the motion. A vote was taken and passed, 7-0.

Richard G. Wilder as Chair
Melanie Seeley Brown – At Large Representative
Nancy Crowe – District 2 Representative
Jan R. Skinner – District 4 Representative

Councilmember Solomon moved to appoint Matthew Fulgham to **the Environmental Advisory Commission** as an at-large representative for a term to end September 22, 2015. Mayor Pro Tem Townsend seconded the motion. A vote was taken and passed, 7-0.

Councilmember Hartley moved to reappoint the following to the **Park & Recreation Commission** for a term expiring December 1, 2016. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

Jeremy Thomason as Vice Chair
Susan Fischer
Collin L. Hayes

Councilmember Hartley moved to appoint Jim Bailey to the **Parks and Recreation Commission** for a term to end December 1, 2016. Councilmember Voelker seconded the motion. A vote was taken and passed, 7-0.

Councilmember Mitchell moved to reappoint the following to the **Sign Control Board** for a term expiring December 1, 2016. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

Robert L. Izard (Chip)
Charles B. Warner
C. Scott Petty – Alternate

PUBLIC HEARING ITEMS:

- 6. PUBLIC HEARING, ZONING FILE 14-31, A REQUEST BY QUOC-ANH C. TRAN FOR APPROVAL OF A SPECIAL PERMIT FOR AN ADULT DAY CARE FACILITY TO BE LOCATED AT 327 W. SPRING VALLEY ROAD (SOUTH SIDE OF SPRING VALLEY ROAD, EAST OF CENTRAL EXPRESSWAY). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.**

Public Hearing

City Manager Johnson explained that the applicant requested a continuance of this case to the December 8, 2014 Council meeting in order to have time to respond to concerns of neighbors. He stated that since the Public Hearing was published in the paper, the hearing would have to be conducted at this meeting but could be continued to December 8, 2014. Mayor Maczka opened the Public Hearing. Ms. Reeva Wilkinson, representing the applicant, addressed Council and presented a petition favoring the approval of the zoning request. No other public comments were submitted.

Council Action

Councilmember Solomon moved to continue the Public Hearing to December 8, 2014. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

- 7. PUBLIC HEARING, ZONING FILE 14-33, A REQUEST BY JONATHAN SPENCER, REPRESENTING STERLING DESIGN ASSOCIATES, LLC, TO REVOKE ORDINANCE 4063, A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE, AND FOR APPROVAL OF A CHANGE**

IN ZONING FROM C-M COMMERCIAL TO PD PLANNED DEVELOPMENT TO ALLOW A RESTAURANT WITH DRIVE-THROUGH SERVICE TO BE LOCATED AT 501 W. BELT LINE ROAD (SOUTHWEST CORNER OF CENTRAL EXPRESSWAY AND BELT LINE ROAD). THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

Public Hearing

Mayor Maczka opened the Public Hearing. Ms. Shannon del Valle, representing the applicant, was available to answer questions from Council. There was some discussion about adding a second pay window. Ms. del Valle explained that there is a specific science for the placement of the menu board for ordering and the pay window, eliminating the need for a second window. Councilmember Solomon stated that he liked the design and looked forward to the pergola. There were no other public comments submitted. Councilmember Solomon moved to close the Public Hearing, seconded by Councilmember Dunn, and approved unanimously.

Council Action

Councilmember Mitchell moved to approve the request as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 7-0.

- 8. PUBLIC HEARING, ZONING FILE 14-35 AND CONSIDER ADOPTION OF ORDINANCE NO. 4084 AMENDING THE COMPREHENSIVE ZONING ORDINANCE BY AMENDING ARTICLE I, SECTION 2, "DEFINITIONS", BY ADDING THE DEFINITION OF A "TEMPORARY OPEN AIR MARKET"; BY AMENDING ARTICLE XXII-A, "SPECIAL PERMITS", BY AMENDING SECTION 2(b) TO ALLOW TEMPORARY OPEN AIR MARKETS BY SPECIAL PERMIT.**

Public Hearing

Mayor Maczka opened the Public Hearing. With no public comments submitted, Councilmember Mitchell moved to close the Public Hearing, seconded by Councilmember Voelker, and approved unanimously.

Council Action

Councilmember Solomon moved to approve the request as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

- 9. PUBLIC HEARING, ZONING FILE 14-36, A REQUEST BY ERIC R. KUEHMEIER, REPRESENTING PAGE SOUTHERLAND PAGE, INC., FOR A CHANGE IN ZONING FROM I-M(1) INDUSTRIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT TO ACCOMMODATE THE DEVELOPMENT OF NON-MASONRY UTILITY BUILDINGS. THE PROPERTY IS LOCATED AT 300 W. RENNER ROAD (NORTHWEST CORNER OF RENNER ROAD AND ALMA ROAD) AND IS CURRENTLY ZONED I-M(1) INDUSTRIAL.**

Prior to the discussion of this item, Mayor Pro Tem Townsend left the Council Chambers and abstained from the discussion and vote due to a conflict of interest which is on file with the City Secretary.

Public Hearing

Mayor Maczka opened the Public Hearing. Eric Kuehmeier, representing the applicant, was available to answer questions from Council. With no public comments submitted, Councilmember Solomon moved to close the Public Hearing, seconded by Councilmember Hartley, and approved 6-0 with Mayor Pro Tem Townsend abstaining.

Council Action

Councilmember Mitchell moved to approve the request as presented. Councilmember Hartley seconded the motion. A vote was taken and passed, 6-0 with Mayor Pro Tem Townsend abstaining.

- 10. PUBLIC HEARING, ZONING FILE 14-37, A REQUEST BY NABIL ELHARR, REPRESENTING Z.N.H. CORPORATION, FOR APPROVAL OF A SPECIAL PERMIT FOR A SMOKING ESTABLISHMENT TO BE LOCATED ON THE LOT ADDRESSED 314 E. MAIN STREET (SOUTHWEST CORNER OF MAIN STREET & ABRAMS ROAD). THE PROPERTY IS CURRENTLY ZONED LR-M(1) LOCAL RETAIL.**

Public Hearing

Mayor Maczka opened the Public Hearing. Nabil Elhorr, representing the applicant, was available to answer questions from Council. With no other public comments submitted, Mayor Pro Tem Townsend moved to close the Public Hearing, seconded by Councilmember Solomon, and approved unanimously.

Council Action

Councilmember Voelker moved to approve the request as presented with the added condition that all operations of the existing location cease once the Certificate of Occupancy is issued for the new location. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

Councilmember Mitchell stated that he does not support a proliferation of smoking establishments, but he does support this request due to the unique Mediterranean experience, good service, and the fact that the request is based on the relocation of an existing restaurant.

ACTION ITEMS:

- 11. RECEIVE THE NOVEMBER 5, 2014 SIGN CONTROL BOARD MINUTES AND CONSIDER FINAL APPROVAL OF SCB CASE #14-15, GOVINDJI'S JEWELERS AND SCB CASE #14-16, RICHARDSON MERCANTILE.**

Council Action

Councilmember Solomon moved to approve as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

- 12. SCB CASE # 14-13: TO CONSIDER THE REQUEST OF MCDONALD'S FOR A VARIANCE TO THE CITY OF RICHARDSON CODE OF ORDINANCES, CHAPTER 18, ARTICLE III, SECTION 18-96(23)(b)(3)(i) AND CHAPTER 18, ARTICLE III, SECTION 18-96(23)(d)(3) TO ALLOW FOR A POLE SIGN 50 FEET IN HEIGHT, 158.2 SQ.FT. IN AREA 27.5 FEET FROM THE NEAREST**

ATTACHED SIGN IN A COMMERCIAL ZONED DISTRICT ON THE PROPERTY LOCATED AT 120 S. CENTRAL EXPY; AND TAKE APPROPRIATE ACTION.

Applicant Comments

The applicant requested a continuance of this case.

Council Action

Councilmember Mitchell moved to confirm the Sign Control Board action and deny the request. Mayor Pro Tem Townsend seconded the motion. A vote was taken and passed, 7-0.

13. CONSENT AGENDA:

A. ADOPTION OF THE FOLLOWING ORDINANCES:

- 1. ORDINANCE NO. 4086, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT WITH CONDITIONS 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 FOR A 1.11-ACRE LOT ZONED C-M COMMERCIAL, LOCATED AT 233 N. CENTRAL EXPRESSWAY, RICHARDSON, TEXAS.**
- 2. ORDINANCE NO. 4087, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY AMENDING AND RESTATING ORDINANCE 2885-A; TO GRANT 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 TO GRANT A SPECIAL PERMIT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE FOR 0.843 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ARAPAHO ROAD AND CIVIC CENTER DRIVE.**
- 3. ORDINANCE NO. 4088, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM LR-M(2) LOCAL RETAIL TO PD PLANNED DEVELOPMENT FOR RP-1500-M PATIO HOME DISTRICT USES FOR 8.63 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF RENNER ROAD AND BRAND ROAD.**
- 4. ORDINANCE NO. 4089, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IV., BOARDS, COMMISSIONS, ETC., DIVISION 2, ARTS COMMISSION, TO CHANGE THE NAME OF THE ARTS COMMISSION TO “CULTURAL ARTS COMMISSION”.**

B. CONSIDER THE FOLLOWING RESOLUTIONS:

1. **RESOLUTION NO. 14-29, AMENDING RESOLUTION NO. 14-22 TO ADD A ZONING APPLICATION FEE FOR TEMPORARY OPEN AIR MARKETS.**
 2. **RESOLUTION NO. 14-30, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN INTERLOCAL AGREEMENT BETWEEN COLLIN COUNTY AND THE CITY OF RICHARDSON, TEXAS, CONCERNING THE CONSTRUCTION OF COLLINS BLVD. AND ALMA ROAD IMPROVEMENTS.**
- C. AUTHORIZE THE ADVERTISEMENT OF BID #19-15 – 2015 BRIDGE RAIL MAINTENANCE PROJECT. BIDS TO BE RECEIVED BY TUESDAY, DECEMBER 16, 2014 AT 2:00 P.M.**
- D. AUTHORIZED THE ADVERTISEMENT OF THE FOLLOWING COMPETITIVE SEALED PROPOSALS:**
1. **CSP #901-15 – CITYLINE EXTENSION PROJECT. COMPETITIVE SEALED PROPOSALS TO BE RECEIVED BY WEDNESDAY, DECEMBER 3, 2014 AT 2:00 P.M.**
 2. **CSP #902-15 – SHERRILL PARK COURSE #1 – 2015 RENOVATIONS. COMPETITIVE SEALED PROPOSALS TO BE RECEIVED BY FRIDAY, DECEMBER 12, 2014 AT 2:00 P.M.**
 3. **CSP #903-15 – 2010 NEIGHBORHOOD VITALITY BRIDGE IMPROVEMENT PROJECT FOR THE GREENWOOD HILLS HOA. COMPETITIVE SEALED PROPOSALS TO BE RECEIVED BY WEDNESDAY, DECEMBER 3, 2014 AT 2:00 P.M.**
- E. CONSIDER AWARD OF THE FOLLOWING BIDS:**
1. **BID #15-15 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO TEXAS TENNIS CONTRACTORS FOR TENNIS COURT RESURFACING PURSUANT TO UNIT PRICES BID.**
 2. **BID #20-15 – WE REQUEST AUTHORIZATION TO ISSUE COOPERATIVE ANNUAL REQUIREMENTS CONTRACTS FOR POLICE DEPARTMENT UNIFORMS AND POINT BLANK BODY ARMOR TO MILLER UNIFORMS & EMBLEMS, INC. IN AN ESTIMATED AMOUNT OF \$92,000 AND TO GT DISTRIBUTORS, INC. FOR SECOND CHANCE BODY ARMOR IN AN ESTIMATED AMOUNT OF \$10,000 PURSUANT TO UNIT PRICES AND PERCENTAGE OF DISCOUNT FROM LIST PRICES THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) CONTRACT #432-13 AND TO MILLER UNIFORMS & EMBLEMS, INC. FOR NON-CONTRACT UNIFORM ITEMS IN AN ESTIMATED AMOUNT OF \$5,000.**

3. **BID #21-15 – WE REQUEST AUTHORIZATION TO ISSUE A CO-OP PURCHASE ORDER TO GRAPEVINE DODGE CHRYSLER JEEP FOR SIX (6) 2015 DODGE CHARGER POLICE PURSUIT VEHICLES FOR THE POLICE DEPARTMENT THROUGH THE TARRANT COUNTY CONTRACT #2014-165 IN THE AMOUNT OF \$162,390.**
 4. **BID #22-15 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO RELIABLE CHEVROLET FOR THE CO-OP PURCHASE OF NINE (9) 2015 CHEVROLET PURSUIT RATED POLICE TAHOE’S FOR THE POLICE DEPARTMENT THROUGH THE STATE OF TEXAS CONTRACT #071-A1 IN THE AMOUNT OF \$267,968.52.**
 5. **BID #23-15 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO TASER INTERNATIONAL FOR CONDUCTED ELECTRICAL DEVICES AND ACCESSORIES IN THE AMOUNT OF \$71,912.92.**
 6. **BID #24-15 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO TECHLINE SPORTS LIGHTING FOR THE REPLACEMENT OF LIGHT FIXTURES FOR THE TENNIS COURTS AT THE RICHARDSON TENNIS CENTER PURSUANT TO THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE (BUYBOARD) CONTRACT #423-13 IN THE AMOUNT OF \$79,000.**
 7. **BID #25-15 – WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDERS FOR THE COOPERATIVE PURCHASE OF PARK PLAYGROUND EQUIPMENT AND INSTALLATION FOR CUSTER PARK TO KIDZONE PLAY, LLC DBA RECREATION CONSULTANTS OF TEXAS (\$197,999), GLENNVILLE PARK TO GAMETIME BY TOTAL RECREATION PRODUCTS, INC. (\$138,766.18), MIMOSA PARK TO PLAYPOWER LT FARMINGTON INC., C/O LEA PARK & PLAY (\$161,098.99), AND YALE PARK TO THE PLAYWELL GROUP (\$197,050.17) THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) CONTRACT #423-13 FOR A TOTAL AWARD OF \$694,914.34.**
- F. CONSIDER AWARD OF DESIGN BUILD #1001-14 – WE REQUEST AUTHORIZATION TO ENTER INTO A CONTRACT WITH PRIME CONTROLS, INC. FOR THE WATER AND WASTEWATER SCADA SYSTEM IN THE AMOUNT OF \$1,199,792.**
- G. CONSIDER REJECTION OF BID #24-14 – WE RECOMMEND REJECTING ALL BIDS RECEIVED FOR THE CITY ENTRY SIGNS PROJECT.**
- H. AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER #1 TO DECREASE AND CLOSE OUT PURCHASE ORDER NO. 130845 TO QUALITY EXCAVATION LTD. FOR THE PAVEMENT/DRAINAGE REHABILITATION (PITTMAN/WISTA VISTA/HUFFHINES) PROJECT IN THE AMOUNT OF (\$73,084.64).**

Council Action

Councilmember Solomon moved to approve the Consent Agenda as presented. Councilmember Dunn seconded the motion. A vote was taken and passed, 7-0.

EXECUTIVE SESSION

In compliance with Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Personnel
 - Evaluation of the City Manager

Council Action

The Executive Session was not held.

RECONVENE INTO REGULAR SESSION

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

ADJOURNMENT

With no further business, the meeting was adjourned at 8:45 p.m.

MAYOR

ATTEST:

CITY SECRETARY

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION MEETING
NOVEMBER 17, 2014

WORK SESSION – 6:00 P.M.:

- **Call to Order**

Mayor Maczka called the meeting to order at 6:00 p.m. with the following Council members present:

Laura Maczka	Mayor
Bob Townsend	Mayor Pro Tem
Mark Solomon	Councilmember
Scott Dunn	Councilmember
Kendal Hartley	Councilmember
Paul Voelker	Councilmember
Steve Mitchell	Councilmember

The following staff members were also present:

Dan Johnson	City Manager
David Morgan	Deputy City Manager
Cliff Miller	Assistant City Manager Development Services
Don Magner	Assistant City Manager Community Services
Aimee Nemer	City Secretary
Taylor Paton	Management Analyst
Kent Pfeil	Director of Finance
Keith Dagen	Assistant Director of Finance

Absent:

Shanna Sims-Bradish	Assistant City Manager Admin/Leisure Services
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Guests:

Dr. David Daniel, UTD
Dr. Calvin Jamison, UTD
Amanda Rockow, UTD

A. VISITORS

The following visitors addressed Council expressing concern with group homes located in Richardson: Sandy Lauder, Kevin Balsley, Lauren Balsley, Henry Sinnreich, and Rajlu Sham.

City Manager Johnson stated that the City has relied on the legal rationale relating to the Fair Housing Act and the Americans with Disabilities Act. He explained that staff will do further research on this issue and provide feedback to City Council and the residents as they have done throughout this process. He stated that he appreciates the concern and understands the sensitivity of this issue.

Mayor Maczka stated that the City Council realizes that this issue is a concern for residents and reiterated that Mr. Johnson would follow up with any additional information.

B. REVIEW AND DISCUSS THE UNIVERSITY OF TEXAS AT DALLAS UPDATE

Dr. David Daniel presented an update on the University of Texas at Dallas.

C. REVIEW AND DISCUSS THE INVESTMENT POLICY AND FINANCIAL POLICIES

Kent Pfeil, Director of Finance, and Keith Dagen, Assistant Director of Finance, presented an overview of the Investment and Financial policies.

D. REVIEW AND DISCUSS THE 2015 RICHARDSON LEGISLATIVE AGENDA

David Morgan, Deputy City Manager, reviewed the City’s 2015 Legislative Agenda.

E. REPORT ON ITEMS OF COMMUNITY INTEREST

Councilmember Solomon reported on the Yellow and Black Tie Gala by the Methodist Richardson Medical Center Foundation and thanked them for their fundraising efforts.

Mayor Maczka acknowledged Leadership Richardson Class XXX attendees in the audience. She also talked about the Miss Texas Pageant and thanked staff for their hard work in securing the Eisemann Center as the 2015 location.

EXECUTIVE SESSION

In compliance with Section 551.074 of the Texas Government Code, Council will convene into a closed session to discuss the following:

- Personnel
 - Evaluation of the City Manager

Council Action

Council convened into Executive Session at 8:05 p.m.

RECONVENE INTO REGULAR SESSION

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

Council Action

Council reconvened into Regular Session at 9:24 p.m. There was no action taken as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 9:24 p.m.

MAYOR

ATTEST:

CITY SECRETARY



MEMO

DATE: November 26, 2014
TO: Honorable Mayor and City Council
FROM: Michael Spicer, Director of Development Services *MS*
SUBJECT: Zoning File 14-40 – Galatyn Planned Development

REQUEST

William S. Dahlstrom, representing Galatyn Properties Ltd., is requesting a change in zoning for three (3) tracts of land comprising approximately 47 acres from I-M(1) Industrial and C-M Commercial to PD Planned Development. Generally, the requested zoning will eliminate industrial uses, add multifamily and townhouse uses; establish new use and development standards; and provide for a streamlined development review and approval process.

BACKGROUND

The existing zoning on Tract 1 and most of Tract 3 was established in 1989 by Ordinance No. 2735-A as parts of a much larger geographic area that was entitled with a broad range of prospective land uses. Tract 1 includes entitlements for residential uses, including multifamily, as well as industrial, office and retail uses. Industrial, office and retail uses are also allowed in Tract 3, but no residential.

The existing C-M Commercial zoning on Tract 2 was established in 1999 by Ordinance No. 3216-A and includes Special Conditions that provide for reduced setbacks, increased Floor Area Ratio (FAR), reduced parking requirements, and non-masonry building cladding options. Tract 2 does not have any current residential entitlements.

The applicant is proposing to rezone all three tracts under a common Planned Development district that establishes standards applicable to all three tracts and select provisions tailored to individual tracts. Zoning features common to all three tracts include: allowed uses, administrative plan approval, minor modification options, reduced parking ratios, landscaping, multifamily amenity points, setbacks, architectural requirements, and sign regulations. Zoning features tailored to individual tracts include building heights (minimum and maximum), residential density, nonresidential FAR, and requirements for structured and surface parking.

The proposed Planned Development District will result in a significant reduction in the number of multifamily units currently entitled under Ordinance No. 2735-A; redistribute multifamily entitlements geographically in a manner that potentially provides greater support for DART light rail ridership; better ensure delivery of a higher quality multifamily product; and contribute greater vitality to the Galatyn Park Urban Center.

During its consideration of this request on November 25, the City Plan Commission (CPC) discussed the merits of limiting the number of amenity points attributable to bike racks provided at multifamily properties, but did not include a condition to address the topic in its recommendation. However, the applicant did subsequently agree to include a maximum limit of five (5) amenity points for bike racks.

Additionally, subsequent to the CPC meeting, the applicant submitted a revised Conceptual Zoning Plan for Tract 3 that includes office as a prospective use in addition to Mixed-use, Retail and Multifamily. Office use had been omitted on the original Conceptual Zoning Plan for Tract 3.

City Council may include consideration of both the limitation on amenity points for bike racks and the revised Conceptual Zoning Plan for Tract 3 as part of the current request. Should Council approve these revisions, they will be incorporated into the final version of the proposed ordinance for ratification on December 8, 2014.

No correspondence has been received regarding this request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by unanimous vote, recommends approval of the request as presented.

ATTACHMENTS

CC Public Hearing Notice	Conceptual Zoning Plan (Exhibit "B", 3 /3)
CPC Minutes (11-25-2014)	Revised Conceptual Zoning Plan for Tract 3
Staff Report	Applicant's Statement
Zoning Map	Notice of Public Hearing
Aerial Map	Notification List
Oblique Aerial (Tract 1)	Proposed Ordinance
Oblique Aerial (Tracts 2 & 3)	Ordinance No. 257-A (Tract 3)
Conceptual Zoning Plan (Exhibit "B", 1 /3)	Ordinance No. 2735-A (Tracts 1 and 3)
Conceptual Zoning Plan (Exhibit "B", 2 /3)	Ordinance No. 3216-A (Tract 2)



Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: November 12, 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: November 14, 2014

**City of Richardson
Public Hearing Notice**

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, December 1, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 14-40

A request by William S. Dahlstrom, representing Jackson Walker, L.L.P., for a change in zoning on three (3) tracts of land, an approximate 40-acre tract located at the northeast corner of N. Glenville Drive and Routh Creek Parkway (Tract 1), an approximate 9-acre tract located at the northeast corner of N. Central Expressway and Galatyn Parkway (Tract 2), and an approximate 6-acre tract located at the southwest corner of Galatyn Parkway and N. Glenville Drive (Tract 3) from I-M(1) Industrial (Tract 1), C-M Commercial (Tract 2), and I-M(1) Industrial (Tract 3) to PD Planned Development. This request generally provides for the elimination of I-M(1) Industrial uses from Tracts 1 & 3 and, for all three (3) tracts, the inclusion of multi-family and other residential uses; new development and use standards; and a modified development approval process. The properties are currently zoned C-M Commercial and I-M(1) Industrial.

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

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

**CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES FOR
SPECIAL CALLED MEETING
NOVEMBER 25, 2014**

The Richardson City Plan Commission met on November 25, 2014, at 7:00 p.m. at City Hall in the Council Chambers, 411 W. Arapaho Road, Richardson, Texas.

MEMBERS PRESENT: Barry Hand, Chairman
Gerald Bright, Vice Chair
Janet DePuy, Commissioner
Marilyn Frederick, Commissioner
Thomas Maxwell, Commissioner
Randy Roland, Commissioner
Stephen Springs, Alternate

MEMBERS ABSENT: Eron Linn Commissioner
Bill Ferrell, Alternate

CITY STAFF PRESENT: David Morgan, Deputy City Manager
Michael Spicer, Director – Development Services
Sam Chavez, Assistant Director – Dev. Svcs – Planning
Kathy Welp, Executive Secretary

BRIEFING SESSION

Prior to the start of the special called business meeting, the City Plan Commission met with staff for a briefing session. No action was taken.

PUBLIC HEARING

1. **Zoning File 14-40 – Galatyn Properties:** Consider and take necessary action on a request for a change in zoning on three (3) tracts of land, an approximate 34 acre tract located at the northeast corner of N. Glenville Drive and Routh Creek Parkway (Tract 1); an approximate 9 acre tract located at the northeast corner of N. Central Expressway and Galatyn Parkway (Tract 2); and an approximate 6 acre tract located at the southwest corner of Galatyn Parkway and N. Glenville Drive (Tract 3) from I-M(1) Industrial (Tract 1), C-M Commercial (Tract 2), and I-M(1) Industrial (Tract 3) to PD Planned Development.

Mr. Spicer advised the purpose of the zoning change was to eliminate industrial uses currently entitled on some of the properties, to add multi-family and townhome entitlements to two of the three tracts, and establish new use and development standards for all three tracts, and to provide for a streamlined development and review process.

Mr. Spicer presented a brief history of each tract as follows:

- Tract 1: Located at the southwest corner of Renner and Plano Roads. In June 1989, property rezoned as part of a larger tract comprising approximately 150.81 acres to allow all uses permitted in the A-950-M Apartment district; all uses permitted in the I-M(1) Industrial district; all uses permitted in the LR-M Local Retail district; as well as clubs,

restaurants, health facilities, nurseries, day schools and private schools, based on the provisions of the LR-M (2) Local Retail district (Ordinance No. 2735-A). At the time of development, the applicant would be required to select which zoning classification to apply to the proposed development. The development would then have to comply with the provisions of the selected classification except as otherwise provided for in Ordinance No. 2735-A (provided for the development of a maximum of 2,640 dwelling units within the 150.81-acre tract identified in that ordinance as Tract 6. However, multiple actions taken since the adoption of Ordinance No. 2735-A in 1989, including land subdivision, sale and the filing of deed restrictions, have reduced the total number of dwelling units currently entitled to 2,267. Approximately 600 of these existing entitled units could be located on Tract 1 under current zoning).

- Tract 2: Located generally at northwest corner Galatyn Parkway and US Hwy 75. In March 1999, the property was rezoned to C-M Commercial with Special Conditions as part of a larger area comprising approximately 27.56 acres (Ordinance No. 3216-A). The Special Conditions associated with this tract provides for reduced setbacks, increased Floor Area Ratio, reduced parking requirements, and non-masonry building cladding options. There are no existing residential entitlements appurtenant to Tract 2.
- Tract 3: Located at southwest corner of Glenville Drive and Galatyn Parkway and is currently regulated under Ordinance No. 2735-A, which also regulates development in Tract 1 and applies to the substantial majority of the land area in Tract 3. A small portion of Tract 3 (approximately one acre) was also zoned I-M(1) Industrial per Ordinance No. 257-A adopted in March 1962. There are no existing residential entitlements for Tract 3.

Mr. Spicer pointed out the three properties were adjacent to the Spring Creek Nature area and Blue Cross Blue Shield campus (Tract 1); the DART Red Line, Galatyn Plaza, multi-family and Renaissance Hotel (Tract 2); and office development, hotel and vacant land (Tract 3).

Mr. Spicer summarized some of the key aspects of the proposed zoning beginning with the provisions that applied universally to all three tracts:

- Range of uses – retail, office, institutional, multi-family, townhomes, and senior related residential uses.
- Limitation on maximum number of multi-family (1,850 units).
- Streamlined development and review process with approval at staff level.
- Minor modifications – provides for adjustments to build-to, setbacks and footprints, etc.
- Non-residential parking – provided at 75 percent of standard Chapter 21 requirements with the exception of restaurants.
- Parking for multi-family – 1 space per bedroom in Tracts 1 and 3, and .8 spaces per bedroom for Tract 2.
- Masonry requirements – 85 percent masonry cladding for non-residential uses in all three tracts (includes pre-cast concrete spandrels).
- Masonry requirements – 75 percent masonry cladding for all multi-family.

- Landscaping – 10 percent for gross area and a minimum of 7 percent per lot.
- Amenity points – 70 points minimum for any size multi-family plus an additional .3 per unit.
- Front yard residential setbacks, standard landscape requirements, and 1 bay of parking per residential unit.
- Requirements for build-to zones.
- Architectural requirements for all three tracts.
- No trees can be removed from the site prior to development plan approval.
- Signage provided per Chapter 18 standards as well as a master sign package to come before the Commission for approval.

Regarding the individual tracts, Mr. Spicer related the following key aspects of the proposed zoning:

Tract 1

- Maximum building height of 120 feet (approximately 8 stories)
- Minimum height of 3-stories for multi-family
- Floor to Area Ratio (FAR) is .75
- Minimum multi-family density of 30 units/acre
- Multi-family build-to may be increased by 100 percent subject to approval of minor modification
- Surface parking is permitted.
- Access to Routh Creek Parkway (north of bisect of property by flood plain)
- Dedicated to multi-family use under proposed concept.

Tracts 2 and 3

- FAR is 2:1 (Tract 2) and 1.5:1 (Tract 3)
- Multi-family in Tract 2 - 70 units per acre, Tract 3 - 60 units/acre
- Multi-family build-to may be increased by 50 percent in both Tracts 2 and 3
- Structured parking primarily required in Tracts 2 and 3, but 5 percent of required parking could be surface parking, but shall not exceed a maximum of 20 spaces.
- Mixed-use and/or multi-family (Tract 2)
- Retail and/or multi-family (Tract 3)

Mr. Spicer concluded his presentation stating it was staff's conclusion that the proposed PD would result in the following positive outcomes:

1. Significant reduction in the number of multi-family units currently entitled under Ordinance 2735-A;
2. Units would be redistributed geographically in a manner that would potentially provide for greater support for DART Light Rail ridership;

3. Will better insure a higher quality multi-family product, regardless of the tract; and
4. Contribute greater vitality to Galatyn Park urban center.

Commissioner Frederick asked about the difference in the required parking between Tract 1 and Tracts 2 and 3. She also wanted to know if it would be better to have similar parking requirements in all three tracts.

Mr. Spicer replied the difference only applied to multi-family and in Tracts 1 and 3 the requirement would be 1 space per bedroom, and in Tract 2 it would be 0.8 spaces per bedroom with the difference being that Tract 2 is located adjacent to the DART Station and there would be a greater potential for ridership.

Commissioner Maxwell pointed out that the presentation slide regarding the amenity points might have an error and asked staff if it was correct based on the ordinance.

Mr. Spicer confirmed an error had been made on the presentation slide and the ordinance was correct.

Chairman Hand asked if either school district had been contacted regarding the impact multi-family units would have on their districts.

Mr. Spicer said he had spoken to the Assistant Superintendent of Richardson Independent School District (RISD).

Commissioner DePuy asked if both schools districts, RISD and Plano Independent School District (PISD), had been notified.

Mr. Spicer replied the City was obligated by State Law to notify the school districts when a zoning change involved residential development of any type. He added that the school district felt the proposed multi-family communities would generate so few school-aged children they did not have a concern.

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

Mr. Bill Dahlstrom, 901 Main Street, Dallas, Texas, stated he appreciated all the work the staff had completed in a very short time and was available to answer any questions.

No comments were received in favor or opposed and Chairman Hand closed the public hearing.

Commissioner Springs said he thought the proposal was a good idea and made a lot of sense for the City. However, he added that he was concerned about the proposed amenity points for bicycle racks in the ordinance and thought that item should be struck from the list, capped, or remove the racks from the amenity calculations.

Chairman Hand replied that if it was eliminated from the list there was always the possibility of not receiving any bicycle racks.

Vice Chair Bright asked for clarification on the point system for the bicycle racks.

Mr. Spicer noted that all three of the tracts would contribute to, and would be linked to, the trail system and pedestrian walkways and it made sense to have nearby areas to park your bike. He added the idea behind the amenity points was to provide a nominal incentive to the developers.

Commissioner Springs suggested that if the item was approved, and before it went to the City Council, the staff could research the different metrics available as standards for bicycle racks and add that to the ordinance.

Chairman Hand said he did not know the current thinking on public access bike racks and wondered if anyone who was a serious bike rider would consider leaving their expensive bike's out in the open.

Mr. Spicer said the intent was not to have bicycle storage, but to provide a means to temporarily park a bicycle. In addition, the staff was currently working on a universal amendment for bicycle parking requirements and any amendment to the City's standards would apply to the proposed developments if development had not been approved.

Vice Chair Bright did not think the question of the amenity points for the bicycle racks could be settled during the meeting and suggested allowing the City Council to address any changes.

Motion: Commissioner Roland made a motion to recommend approval of Zoning File 14-40 as presented including the subject site shall be zoned PD Planned Development District and in accordance with the conceptual zoning plan included as Exhibit B; second by Commissioner DePuy.

Commissioners Springs asked if the motion could be amended to ask staff to recommend a cap on the amenity points allotted for bicycle racks.

Commissioner Roland thanked Mr. Springs for his suggestion, and said he would like to see the bicycle racks in areas where the trail is located or next to the DART Station, but declined to amend his motion.

Commissioner DePuy agreed with Mr. Roland and said the bicycle parking issue could be addressed next year after staff completes their study.

Commissioner Maxwell said Mr. Springs was not asking staff to do something concrete, but was simply asking them to take another look at the item before going to City Council. If a decision was made to leave it as is that would be fine, or they could make a change if needed.

Commissioner Roland asked for clarification if the motion was to be left “as is” and staff would simply go back and look at the opportunities for bicycle racks in all three tracts.

Commissioner Springs replied he was not suggesting a limit on bicycle racks, but wanted to limit the value of the amenity points allotted to bicycle racks.

Commissioner Roland again said he appreciated the comments from the Commission, but declined to amend his motion.

Motion approved 7-0.

ADJOURN

With no further business before the Commission, Chairman Hand adjourned the regular business meeting at 7:42 p.m.

Barry Hand, Chairman
City Plan Commission



Staff Report

TO: City Council
FROM: Michael Spicer, Director of Development Services **MS**
DATE: November 26, 2014
RE: **Zoning File 14-40:** Galatyn Park Planned Development

REQUEST:

Rezone three (3) tracts of land comprising approximately 46.93 acres from I-M(1) and C-M Commercial to PD Planned Development, generally, to eliminate industrial uses; add multi-family and townhouse uses; establish new use and development standards; and provide for a streamlined development review and approval process.

APPLICANT / PROPERTY OWNER:

William S. Dahlstrom, Jackson Walker, L.L.P./ Galatyn Properties Ltd.

TRACT SIZES AND LOCATIONS:

Three (3) tracts of land comprising approximately 46.93 acres, including:

- Tract 1: an approximate 33.15 acre tract located at the northeast corner of N. Glenville Drive and Routh Creek Parkway;
- Tract 2: an approximate 8.41 acre tract located at the northeast corner of North Central Expressway and Galatyn Parkway; and
- Tract 3: an approximate 5.37 acre tract located at the southwest corner of Galatyn Parkway and N. Glenville Drive.

EXISTING DEVELOPMENT:

All three tracts are presently undeveloped.

ADJACENT ROADWAYS:

Central Expressway: Freeway/Turnpike; 256,000 vehicles per day on all lanes, northbound and southbound, north of Campbell Road (2013).
Glenville Drive: Four-lane, divided arterial; no traffic counts available.
Routh Creek Parkway: Four-lane, divided major collector; no traffic counts available.
Galatyn Parkway: Four-lane; divided major collector; no traffic counts available.

SURROUNDING LAND USE AND ZONING: TRACT 1

North: Undeveloped, Spring Creek Nature Preserve / I-M (1) Industrial
South: Office / I-M (1) Industrial
East: Office, Spring Creek Nature Preserve / I-M (1) Industrial
West: Undeveloped, DART Rail / I-M (1) Industrial

SURROUNDING LAND USE AND ZONING: TRACT 2

North: Galatyn Plaza, Hotel / C-M Commercial
South: Office / I-M Industrial
East: Multi-family / C-M Commercial
West: Central Trail, DART Rail /

SURROUNDING LAND USE AND ZONING: TRACT 3

North: Office / I-M (1) Industrial
South: Hotel, Undeveloped / I-M (1) Industrial
East: Office / I-M (1) Industrial
West: Office / I-M (1) Industrial

FUTURE LAND USE PLAN:

Regional Employment (Tract 1 & Tract 3)

Higher density development is appropriate with the primary use being high-rise office. Secondary uses include retail centers and entertainment venues.

Transit Village (Tract 2)

Transit Villages are nodes of mixed or multiple land uses within a development and/or a single building, often in a vertical or “stacked” format, built around small-scale pedestrian-friendly blocks. Uses include medium- to high-density residential (townhomes and multi-family), retail, entertainment, hospitality and offices. The intensity of development within Transit Villages can range from medium to high based on the proximity of the rail transit facility, the adjacent roadway infrastructure, and surrounding land uses.

TRAFFIC IMPACTS:

A Traffic Impact Analysis is not being conducted at this time. The proposed ordinance preserves the City’s ability to require a Traffic Impact Analysis prior to Concept Plan approval or approval of Development Plans.

STAFF COMMENTS:

Background:

Tract 1: In June 1989, Tract 1 was rezoned as part of a larger tract comprising approximately 150.81 acres to allow all uses permitted in the A-950-M Apartment district; all uses permitted in the I-M(1) Industrial district; all uses permitted in the LR-M Local Retail district; as well as clubs, restaurants, health facilities, nurseries, day schools and private schools, based on the provisions of the LR-M (2) Local Retail district (Ordinance No. 2735-A). At the time of development, the applicant is required to select which zoning classification to apply to the proposed development. The development would then have to comply with the provisions of the selected classification except as otherwise provided for in Ordinance No. 2735-A.

Ordinance No. 2735-A originally provided for the development of a maximum of 2,640 dwelling units within the 150.81-acre tract identified in that ordinance as Tract 6. However, multiple actions taken since the adoption of Ordinance No. 2735-A in 1989, including land subdivision, sale and the filing of deed restrictions, have reduced the total number of dwelling units currently entitled to 2,267. Approximately 600 of these existing entitled units could be located on Tract 1 under current zoning.

Tract 2: In March 1999, Tract 2 was rezoned to C-M Commercial with Special Conditions as part of a larger area comprising approximately 27.56 acres (Ordinance No. 3216-A). The Special Conditions associated with this tract provides for reduced setbacks, increased Floor Area Ratio, reduced parking requirements, and non-masonry building cladding options. There are no existing residential entitlements appurtenant to Tract 2.

Tract 3: Ordinance No. 2735-A, which currently regulates development in Tract 1, also applies to the substantial majority of the land area in Tract 3. However, for this tract, Ordinance No. 2735-A provides for uses permitted in the I-M(1) Industrial district and the LR-M (2) Local Retail district. As with Tract 1, at the time of development, the applicant is required to select which zoning classification to apply to the proposed development. A small portion of Tract 3 (approximately one acre) is also zoned I-M(1) Industrial per Ordinance No. 257-A adopted in March 1962. There are no existing residential entitlements appurtenant to Tract 3.

Applicant's Request

The applicant is proposing to rezone all three tracts under a common PD Planned Development district that establishes standards applicable to all three tracts and certain other provisions tailored to individual tracts.

Development Review Process: The proposed zoning includes a streamlined development review process for all three tracts that provides for all Concept Plans and Development Plans to be reviewed and approved administratively (i.e., by City staff). However, all requirements set forth in Article XXI-C of the Comprehensive Zoning Ordinance pertaining to Conceptual Site Plans and associated review procedures would still apply.

Minor Modifications: The proposed ordinance provides for the City Manager or designee to approve minor modifications to Conceptual Site Plans and Development Plans relative to

building footprints that do not encroach beyond the building envelope; changes that do not increase building coverage, floor area ratio or residential density by more than 10%; changes that do not decrease specified area regulations or parking ratios; and changes that do not substantially alter the access or circulation on or adjacent to the site.

Permitted Uses: The range of uses allowed in all three tracts would be the same and includes a variety of retail and retail services, office uses, institutional uses, multi-family, townhouses and residential uses that primarily serve the senior population.

Building Cladding Materials: Masonry is defined in the proposed ordinance to include brick, stone, stucco, pre-cast concrete panels, cast stone, rock, marble and granite.

- At least 85% of the exterior walls (exclusive of windows and doors) of non-residential buildings would require masonry cladding as defined.
- Multifamily buildings would be required to have at least 75% masonry cladding (exclusive of windows and doors) except for interior courtyard areas that are not seen or accessed by the public, where 50% masonry cladding would be required.

Height Regulations: In Tract 1, all multifamily buildings (excluding clubhouse facilities and amenity centers) must be at least three (3) stories; the maximum height for all buildings is 120 feet (about 8 stories). In Tract 2 and Tract 3, all multifamily buildings must be at least four (4) stories; there is no maximum height restriction.

Residential Density: The maximum number of multifamily units allowed on the three tracts combined is 1,850. The multifamily units may be distributed among the three tracts as desired by the developer, however the following minimum densities must be achieved:

- Tract 1- 30 units per acre
- Tract 2- 70 units per acre
- Tract 3- 60 units per acre

Setbacks & Build-to Zones: Front-yard build-to zones ranging from zero (0) to ten (10) feet are proposed for residential uses; a maximum setback of 52 feet is proposed for nonresidential uses.

- With approval of a minor modification the build-to zone may be increased from zero (0) to twenty (20) feet in Tract 1 and from zero (0) to fifteen (15) feet in Tract 2 and Tract 3.
- At least 75% of the building façade ground floor must be located within the build-to zone.
- No parking or accessory buildings are allowed within the build-to zone.
- Bay windows, balconies, stoops and other building features may encroach into the build-to zone up to six (6) feet.
- No side yard, rear yard or interior setbacks are required, except as may be required by the Building Code.

Lot Coverage: The proposed maximum lot coverage is ninety percent (90 %) for all three tracts.

Landscaping: A minimum of ten percent (10%) of the gross land area of the three tracts collectively must be landscaped and no platted lot shall provide less than seven percent (7%).

Parking: Required parking for nonresidential uses (except restaurants) in all three tracts is proposed at 75% of the City's standard parking requirements as set forth in Chapter 21 of the Code of Ordinances, the Subdivision and Development regulations (e.g., if a use normally requires 50 parking spaces, within the proposed PD, only 38 spaces would be required).

Required parking for multifamily uses in Tract 1 and Tract 3 is 1 space per bedroom. Tract 2 requires 0.8 space per bedroom due to its proximity to the DART station.

- Shared parking may be permitted subject to CPC approval.
- Tandem parking may be allowed for multifamily uses provided that it is exclusively dedicated to specified units.
- Recreational vehicle parking is prohibited.

Structured Parking: Structured parking is required for all uses in Tract 2 and Tract 3; however, five percent (5%) of the required parking, up to a maximum of 20 spaces, may be provided as surface parking. Structured parking is not required in Tract 1.

Multifamily Unit Size: The minimum floor area per unit is 525 square feet. The minimum average floor area per unit is 750 square feet per building.

Multifamily Amenity Points: While the proposed zoning preserves the minimum required amenity points for a multi-family development at seventy (70), a pro-rated point system would apply instead of a flat rate of 70 points for every 250 units. Existing zoning requirements require 70 amenity points for every 250 units or portion thereof. A 250 unit development yields a 0.28 point per unit ratio. The proposed zoning also requires a minimum of seventy (70) amenity points regardless of the size of a multifamily development, but requires a higher per unit ratio of 0.35 per unit. Therefore, a 250 unit multifamily development would require 87.5 amenity points (compared to 70 under current standards); however a multifamily development containing 300 units would currently require 140 amenity points, whereas, the proposed zoning would require only 105 amenity points (300 X 0.35).

Architectural Requirements: Multifamily and mixed-use buildings and parking garages must maintain a façade rhythm of 20 feet to 30 feet along street frontages through changes in color, materials, use of design elements or building articulation. In Tract 2 and Tract 3 vehicles on all levels of parking garages must be completely screened from public view at street level. Additional requirements include:

- Buildings and building entrances being oriented to the street;
- Prohibiting opaque, tinted, and mirrored glass on the ground floors of buildings;
- Residential buildings must have transparent glass windows comprising at least 25% of façade area along streets and civic spaces;
- Buildings with ground floor uses other than residential must provide storefront windows covering at least 50% of the façade along streets and civic spaces.
- Flat or low pitched roofs are required in Tract 2 and Tract 3.

Access for Tract 1: Two points of access will not be required for that portion of Tract 1 situated north of the flood zone east of Routh Creek Parkway, provided that access is constructed as a divided driveway of sufficient width to provide emergency vehicle ingress/egress via either side of the driveway median should one side be blocked or obstructed.

Tree Survey: A tree survey is not required to be conducted prior to development. However, no trees may be removed prior to approval of a Development Plan except as may be necessary to sustain the health of the larger forested area or as otherwise approved by the City Manager or designee.

Signage. Signage must comply with Chapter 18 of the City of Richardson Code of Ordinances, (i.e., the Sign Code) or approval of a “Sign Package” may be requested of the City Plan Commission to establish unique sign standards. In its evaluation the Commission would consider to what extent the Sign Package:

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

The table below provides a comparison of the fundamental multifamily components of the proposed zoning with those of five other recently approved developments.

Regulation	Proposed Development (ZF 14-40)	Palisades	GreenVue	Brick Row	The Venue	Eastside
Min. Floor Area per Unit	525 s.f. 750 s.f. average per building	Efficiency: 525 s.f. 1 bdrom – 675 s.f. 2 bdrm – 1,000 s.f. 3 bdrm – 1,200 s.f.	600 s.f.	1-bdrm - 750 s.f. 2-bdrm -900 s.f. Overall average 800 s.f.	1-bdrm - 700 s.f. 2-bdrm -900 s.f. Overall average 750 s.f.	625 s.f., except up to 8 units may be 500 s.f. Overall average 850 s.f.
Max # of Units	1,850	1,090	408	577	285	436
Building Materials	MF (public viewed facades): 75% masonry MF (exterior, non-public viewed facades): 50% masonry Non-Residential: 85% Masonry (Masonry - brick, stone, stucco, pre-cast concrete panels, cast stone, rock, marble and granite)	Min. 85% masonry (includes 3-step stucco)	Min. 70% masonry (per approved elevations)	100% masonry on ground floor Overall min. 85% masonry for entire building Reduced requirements for exterior walls of courtyard areas above 1 st floor	100% masonry on ground floor / Min. 50% above ground floor Reduced requirements for exterior walls of courtyard areas above 1 st floor	Min. 50% masonry
Parking Ratio	Tract 1 &3: 1 space/bedroom Tract 2: 0.8/bedroom Non-Residential: 75% of required parking space for use Structured Parking Required: Tracts 2 & 3 only	1.0 space/bdrm Non-Residential: 1 space/300 s.f.	1.5 spaces/unit	1-bdrm – 1.5 spaces/unit 2-bdrm – 1.75 spaces/unit 3-bdrm – 2 spaces/unit	1.5 spaces/unit	1.5 spaces/ unit
Max. Height	Tract 1: MF minimum 3 stories, maximum height-120 feet Tract 2 & 3: MF minimum 4 stories, no maximum height	Minimum 3 stories, Maximum 270 feet	60 feet	6-story (max. 100') / Developed at 4 stories (66'9" to top of architectural features)	Max. 151' / Developed at 87'10" to top of architectural features	Max. 80 feet
Density	Tract 1: 30 units/acre Tract 2: 70 units/acre Tract 3: 60 units/acre (MINIMUMS)	No density	37 units/acre	Approx. 52 units/acre developed as multi-family	Developed at approx. 64 units/acre	Developed at 29.5 units/acre

Conclusion

The proposed Planned Development District will result in a significant reduction in the number of multifamily units currently entitled under Ordinance No. 2735-A; redistribute multifamily entitlements geographically in a manner that potentially provides greater support for DART light rail ridership; better ensure delivery of a higher quality multifamily product; and contribute greater vitality to the Galatyn Park Urban Center.

Correspondence: No correspondence has been received.

Motion: On November 25, 2014 the City Plan Commission voted unanimously to recommend approval of the request to rezone the subject properties to PD Planned Development as presented and in accordance with the Conceptual Zoning Plan included as Exhibit "B".



ZF 14-40

SUBJECT PROPERTY FOR ZONE CHANGE

SUBJECT PROPERTY FOR ZONE CHANGE

SUBJECT PROPERTY FOR ZONE CHANGE

ZF 14-40 Aerial Map

Updated By: shacklett, Update Date: November 4, 2014
 File: D:\SMapping\Cases\Z\2014\ZF1440\ZF1440 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.



Plano Rd

Glenville Dr

Lookout Dr

Routh Creek Pkwy

US-75

Looking East at
Tract 1





Lookout Dr

Glenville Dr

Greenville Ave

Tract 3

Tract 2

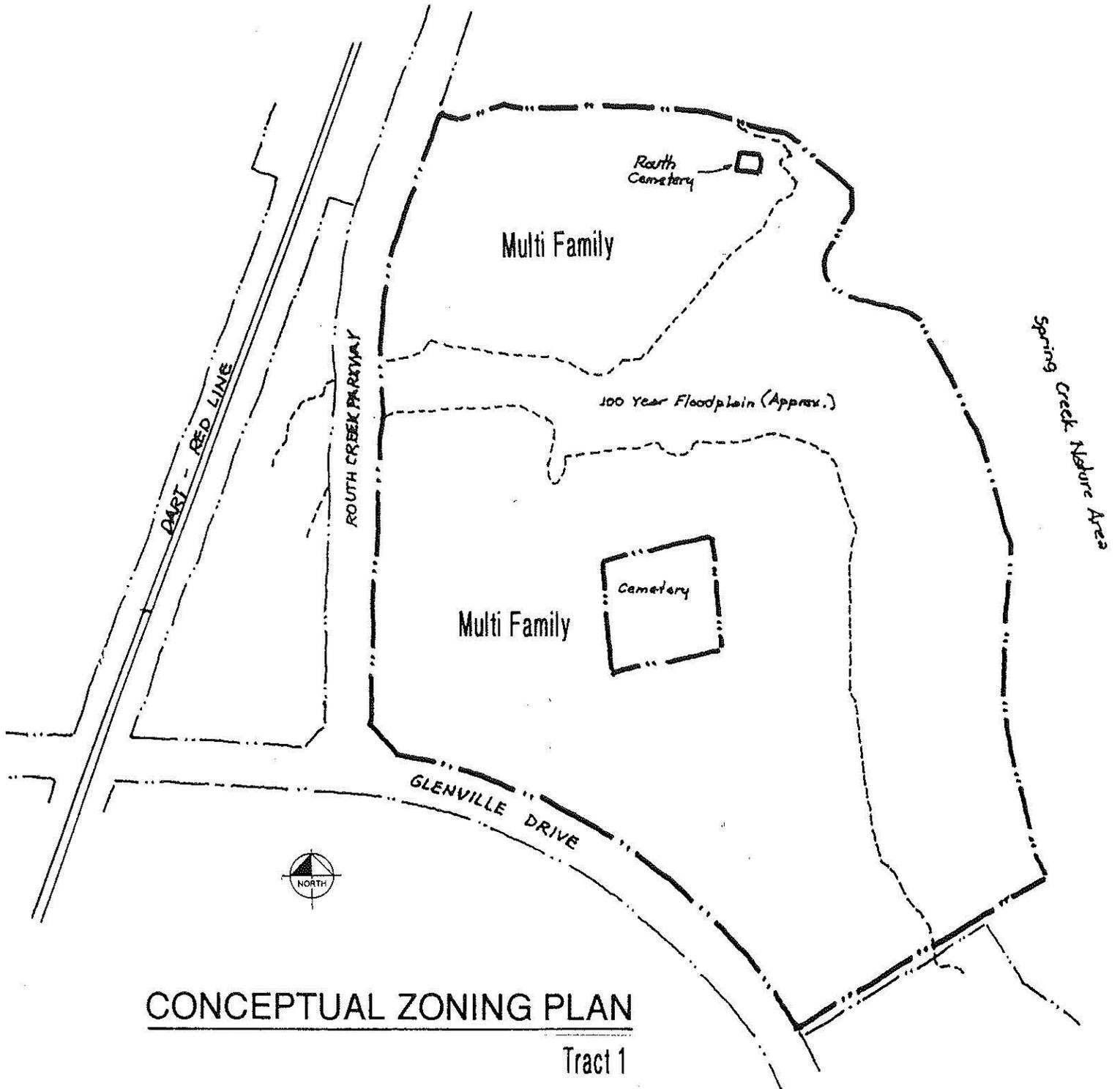
Galatyn Pkwy

US-75

Looking East at
Tracts 2 & 3

Exhibit "B"

(1 of 3)

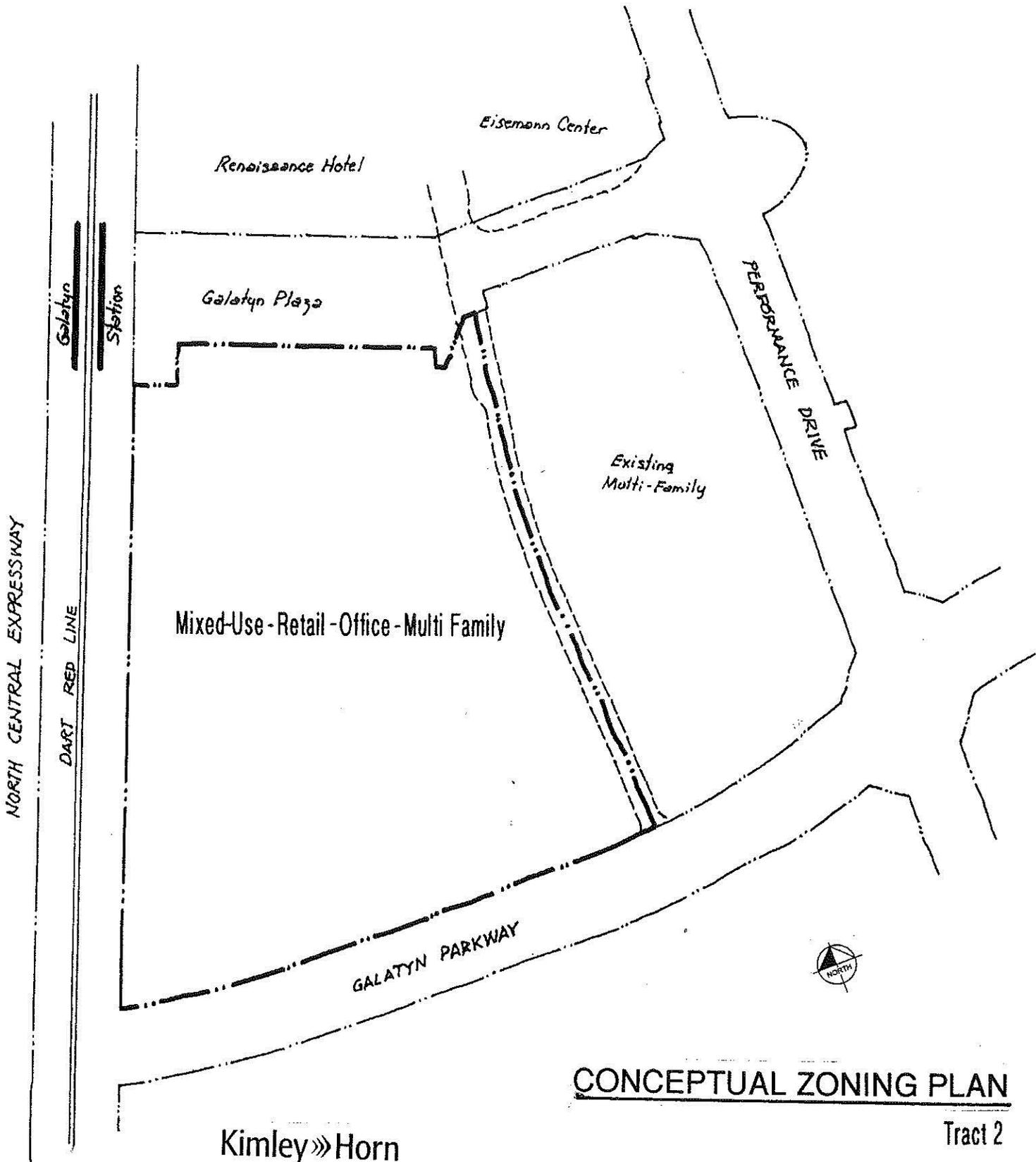


CONCEPTUAL ZONING PLAN

Tract 1

Exhibit "B"

(2 of 3)



CONCEPTUAL ZONING PLAN

Exhibit "B"

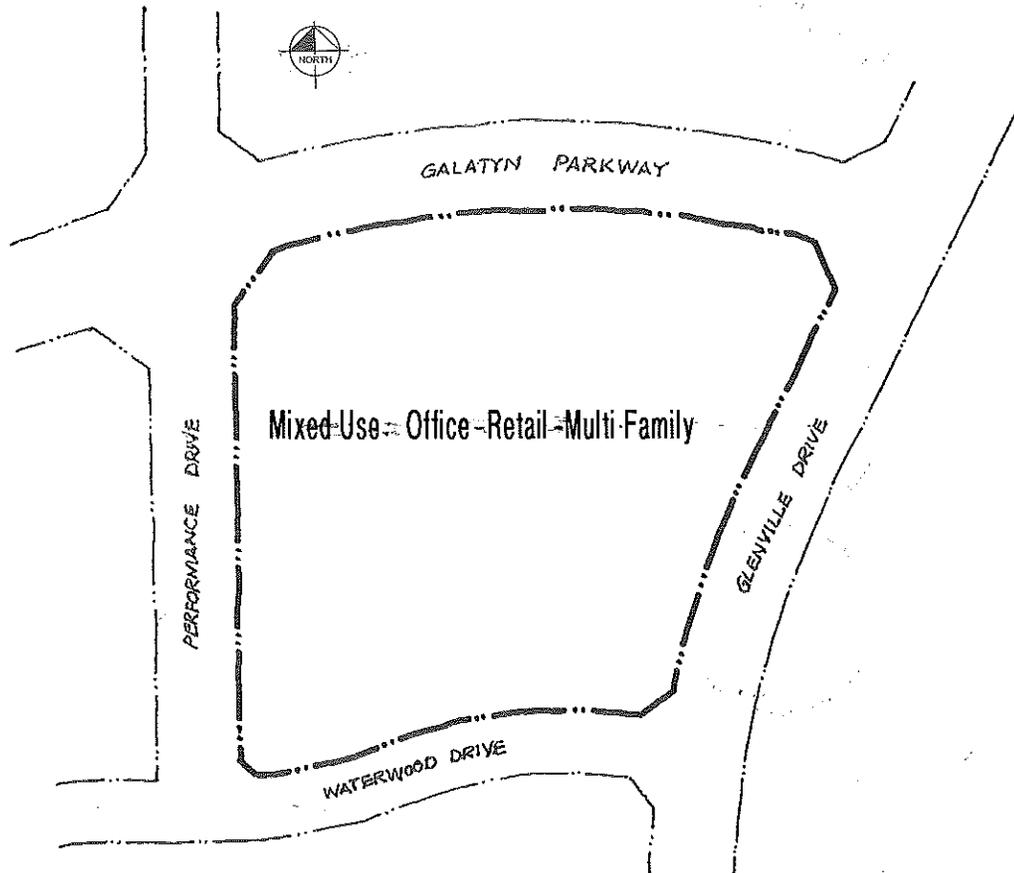
(3 of 3)



CONCEPTUAL ZONING PLAN

Tract 3

EXHIBIT "B" (3 OF 3)



CONCEPTUAL ZONING PLAN

Tract 3

Kimley»»Horn

Explanation and Description of Request

The purpose of the proposed GALATYN PLANNED DEVELOPMENT DISTRICT is to encourage a high-quality, transit-oriented, multifamily residential community in close proximity to substantial employment nodes within the City. The request is for three tracts. All three tracts are close to many amenities that present a friendly and inviting environment for future residents. These amenities include the City's significant entertainment center, a DART light rail station, parks and trails, and efficient thoroughfares. The multifamily and commercial buildings will accommodate the pedestrian nature of GALATYN through connecting streets, generous sidewalks, and landscape areas. The open space and public spaces surrounding the tracts will serve as gathering places for residents, employees and visitors to the property.



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 14-40 / Galatyn Properties Ltd.
Property Owners: Galatyn Properties, Ltd.
Applicant: William S. Dahlstrom / Jackson Walker, L.L.P.
Locations: northeast corner of N. Glenville Drive and Routh Creek Parkway (Tract 1); northeast corner of North Central Expressway and Galatyn Parkway (Tract 2); and southwest corner of Galatyn Parkway and N. Glenville Drive (Tract 3): *See map on reverse side*
Current Zoning: I-M(1) Industrial, C-M, Commercial, I-M(1) Industrial, respectively
Request: A request to change the zoning on three (3) tracts of land, an approximate 34 acre tract located at the northeast corner of N. Glenville Drive and Routh Creek Parkway (Tract 1), an approximate 9 acre tract located at the northeast corner of North Central Expressway and Galatyn Parkway (Tract 2), and an approximate 6 acre tract located at the southwest corner of Galatyn Parkway and N. Glenville Drive (Tract 3), from I-M(1) Industrial (Tract 1), C-M Commercial (Tract 2), and I-M(1) Industrial (Tract 3), to PD Planned Development.

This request generally provides for the elimination of I-M(1) Industrial uses from Tracts 1 and 3 and, for all three (3) tracts, the inclusion of multi-family and other residential uses; new development and use standards; and a modified development approval process.

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

TUESDAY, NOVEMBER 25, 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 14-40. Date Posted and Mailed: 11/14/2014

DALLAS AREA RAPID TRANSIT
PO BOX 660163
DALLAS, TX 752660163

RICHARDSON CITY OF
411 W ARAPAHO RD STE 101
RICHARDSON, TX 750804543

RICHARDSON CITY OF
411 W ARAPAHO RD STE 101
RICHARDSON, TX 750804543

DALLAS AREA RAPID TRANSIT
PO BOX 660163
DALLAS, TX 752660163

RICHARDSON CITY OF
411 W ARAPAHO RD STE 101
RICHARDSON, TX 750804543

GALATYN AB LP
%SPEAR ST CAPITAL LLC
ONE MARKET PLZ SUITE 4125
SAN FRANCISCO, CA 941051131

RICHARDSON CITY OF
ATTN: CITY MANAGER
410 W ARAPAHO RD
RICHARDSON, TX 750804501

RICHARDSON HAMMONS LP
4243 HUNT RD
BLUE ASH, OH 452426645

RICHARDSON CITY OF
410 W ARAPHO CITY OF
RICHARDSON, TX 75080

DART
PO BOX 660163
DALLAS, TX 752660163

GALATYN D LP
%SPEAR STREET CAPITAL LLC
ONE MARKET PLZ SUITE 4125
SAN FRANCISCO, CA 941051131

GALATYN D LP
%SPEAR STREET CAPITAL LLC
ONE MARKET PLZ SUITE 4125
SAN FRANCISCO, CA 941051131

GALATYN PROPERTIES LTD
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 75205-2741

GALATYN PROPERTIES LTD
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 75205-2741

DART
PO BOX 660163
DALLAS, TX 752660163

MEDISTAR LAKESIDE TOWER LLC
7670 WOODWAY DR STE 160
HOUSTON, TX 770631593

JP 2400 LAKESIDE LP
14801 QUORUM DR
DALLAS, TX 752547589

GALATYN PROPERTIES LTD
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 75205-2741

HPTMI CORPORATION
% MARRIOTT INTL INC
PO BOX 579
LOUISVILLE, TN 377770579

CLF LAKESIDE RICHARDSON LLC
%AMERICAN REALTY CAPITAL PROP
2325 E CAMELBACK RD STE 1100
PHOENIX, AZ 85016-9078

HEALTH CARE SERVICE CORPORATION
300 E RANDOLPH ST STE PL27
CHICAGO, IL 606015014

HEALTH CARE SERVICE CORPORATION
300 E RANDOLPH ST STE PL27
CHICAGO, IL 606015014

PPF AMLI 2301 PERFORMANCE DR LLC
200 W MONROE ST STE 2200
CHICAGO, IL 606065070

GALATYN PROPERTIES LTD
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 75205-2741

RICHARDSON CITY OF
PO BOX 830309
RICHARDSON, TX 750830309

RICHARDSON CITY OF
411 W ARAPAHO RD STE 101
RICHARDSON, TX 750804543

GALATYN PROPERTIES LTD
ATN: AD VALOREM TAX - JASON CLARO
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 752052741

MCI WORLDCOM NETWK SVCS
% PPTY TAX DEPT-C2-3-548
22001 LOUDOUN COUNTY PKWY
ASHBURN, VA 201476105

RICHARDSON LODGING II LLC
3345 KENDALL LN
IRVING, TX 75062-6593

GALATYN PROPERTIES LTD
ATN: AD VALOREM TAX - JASON CLARO
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 752052741

GH GLENVILLE INC
HAMBURGO 213 PISO 19 COL JUAREZ
MEXICO DF
MEXICO CITY 06600 MEXICO

RICHARDSON CITY OF
411 W ARAPAHO RD STE 101
RICHARDSON, TX 750804543

SUPERINTENDENT OF SCHOOLS
RICHARDSON ISD
400 S. GREENVILLE AVE
RICHARDSON, TX 75081

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

MAINTENANCE & OPERATIONS
ATTN: MICHAEL LONGANECKER
RICHARDSON ISD
400 S. GREENVILLE AVE
RICHARDSON, TX 75081

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

WILLIAM S DAHLSTROM
JACKSON WALKER, LLP
901 MAIN STREET STE 6000
DALLAS, TEXAS 75202

GALATYN PROPERTIES LTD
47 HIGHLAND PARK VLG STE 208
DALLAS, TX 75205-2727

ZF 14-40
Notification List

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY CHANGING THE ZONING OF THREE TRACTS OF LAND: A 33.15- ACRE TRACT OF LAND LOCATED AT THE NORTHEAST CORNER N. GLENVILLE DRIVE AND ROUTH CREEK PARKWAY (TRACT 1), AN 8.41-ACRE TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF NORTH CENTRAL EXPRESSWAY AND GALATYN PARKWAY (TRACT 2), AND A 5.37 ACRE TRACT OF LAND LOCATED AT THE SOUTHWEST CORNER OF GALATYN PARKWAY AND N. GLENVILLE DRIVE (TRACT 3), IN THE CITY OF RICHARDSON, DALLAS COUNTY, TEXAS, AND DESCRIBED IN EXHIBIT “A” HERETO, FROM “I-M(1)” (TRACT 1), “C-M” (TRACT 2), “I-M(1)” (TRACT 3), TO PD PLANNED DEVELOPMENT; ADOPTING USE AND DEVELOPMENT REGULATIONS INCLUDING A CONCEPT PLAN; 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 14-40).

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 its 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 to change the zoning on a 33.15-acre tract of land located at the northeast corner of N. Glenville and Routh Creek Parkway (Tract 1), an 8.41-acre tract of land located at the northeast corner of North Central Expressway and Galatyn Parkway (Tract 2), and a 5.37-acre tract of land located at the southwest corner of Galatyn Parkway and N. Glenville Drive (Tract 3), City of Richardson, Dallas and Collin County, Texas (Tracts 1, 2 and 3 are collectively referred to herein as “the Property”) described in Exhibit

“A”, attached hereto and incorporated therein by reference, from I-M(1) and C-M to PD Planned Development.

SECTION 2. That in addition to the applicable provisions of the City of Richardson Comprehensive Zoning Ordinance, as amended, the Property shall be used and developed in accordance with the following:

GALATYN PLANNED DEVELOPMENT DISTRICT

Sec. 1. Intent

The purpose of the **GALATYN PLANNED DEVELOPMENT DISTRICT** is to encourage a high-quality, transit-oriented, multifamily residential community in close proximity to substantial employment nodes within the City. All three tracts are close to many amenities that present a friendly and inviting environment for future residents. These amenities include the City’s significant entertainment center, a DART light rail station, parks and trails, and efficient thoroughfares. The multifamily and commercial buildings will accommodate the pedestrian nature of GALATYN through connecting streets, generous sidewalks, and landscape areas. The open space and public spaces surrounding the tracts will serve as gathering places for residents, employees and visitors to the property.

Sec. 2. Conceptual Site Plan and Development Plan.

- (a) Conceptual Zoning Plan. Development of the Property must substantially comply with the Conceptual Zoning Plan attached hereto as Exhibit “B”. For purposes of this planned development district, the “Conceptual Zoning Plan” shall include, the major circulation pattern surrounding and serving the site (but not internal to the site), drainage ways and wetlands, and land uses,
- (b) Conceptual Site Plan. Prior to the filing of a Development Plan for any portion of the Property, a Conceptual Site Plan must first be approved by the City Manager or the City Manager’s designee (“the City Manager”) for that portion of the Property to be developed. The Conceptual Site Plan shall conform in content and be subject to the same requirements and considerations applicable to all Conceptual Site Plans pursuant to Article XXI-C of the Comprehensive Zoning Ordinance, except as otherwise provided herein. At the discretion of the City Manager, the requirement for a Conceptual Site Plan may be waived. However, such waiver shall be contingent upon the determination of the City Manager that a Development Plan, as required in Section 2(c) of this ordinance, sufficiently addresses all matters normally considered as a part of the Conceptual Site Plan review process, as well as satisfying all requirements attendant to the filing and consideration of a Development Plan as required in Section 2(c) of this ordinance.
- (c) Development Plan. Prior to development of any portion of the Property, a Development Plan must be approved by the City Manager or the City Manager’s designee (“the City Manager”) for that portion of the Property to be developed. If

the City Manager determines that the Development Plan complies with the Conceptual Site Plan, the provisions of this planned development district, Chapter 21 of the City of Richardson Code of Ordinances (i.e., the Subdivision and Development Code) and any other applicable regulations, the City Manager shall approve the Development Plan. If the City Manager determines that the Development Plan does not comply with the Conceptual Site Plan, the provisions of this planned development district, Chapter 21 of the City of Richardson Code of Ordinances (i.e., the Subdivision and Development Code) and any other applicable regulations, the City Manager shall specify the deficiencies. A denial of the Development Plan may be appealed to the City Plan Commission by the Applicant. Development of such portion of the Property must substantially comply with the approved Development Plan.

Sec. 3. Permitted Uses.

No land shall be used and no building shall be erected for or converted to any use other than the following:

(a) Multiple allowed uses may be located within a single building or on a single lot.

(b) *Retail uses:*

- (1) Antique shop.
- (2) Art gallery.
- (3) Bakery.
- (4) Barber or beauty salon.
- (5) Book, card or stationery store.
- (6) Camera and photographic supply shop.
- (7) Catering service.
- (8) Clothing or apparel store.
- (9) Drugstore or pharmacy.
- (10) Fabric store.
- (11) Fine arts studio.
- (12) Florist.
- (13) Furniture, home furnishings and appliance store.
- (14) Hardware store.
- (15) Health club.
- (16) Jewelry store.
- (17) Laundry pick-up station.
- (18) Mailing service.

- (19) Martial arts school.
- (20) Motor vehicle parts and accessory sales.
- (21) Musical instrument sales and repair.
- (22) Office furniture, equipment and supply store.
- (23) Pet sales and grooming.
- (24) Photography or art studio.
- (25) Print shop, minor.
- (26) Repair shop, personal items.
- (27) Repair shop, household items, no outdoor storage.
- (28) Restaurant without drive-through or curbside service.
- (29) Sporting goods store.
- (30) Tailor shop.
- (31) Toy or hobby shop.
- (32) Video rental store.

(c) *Office uses:*

- (1) Bank or financial institution.
- (2) Office.
- (3) Veterinary office.

(d) *Residential/institutional residential uses:*

- (1) Assisted living facility.
- (2) Independent living facility.
- (3) Nursing/convalescent home.
- (4) Residential uses allowed in the A-950-M Apartment District, including, townhomes and apartments.

(e) *Other uses:*

- (1) Church.
- (2) Childcare center, subject to the supplemental regulations in article XXII-E and excluding night-time operations.
- (3) Construction field office.
- (4) Parking lot, accessory.
- (5) Public buildings excluding a vehicle impoundment lot, field service center, jail or detention facility.
- (6) Radio, recording or television studio.
- (7) School, parochial, when located on the same lot as the church of the sponsoring religious agency.

Sec. 4. Building Regulations.

- (a) *Building Materials for Nonresidential Buildings.* All nonresidential buildings shall have at least eighty-five (85%) percent of the exterior walls (excluding doors and windows) constructed of masonry construction as defined herein. The remainder of the exterior may be of other noncombustible construction; provided, however, that Exterior Insulation and Finish System (EIFS) materials may only be installed above a height of eight (8) feet.
- (b) *Multifamily Uses.* All multifamily buildings shall comply with the standards set forth herein.

Sec. 6. Area Requirements.

- (a) *Minimum Lot Area.* No minimum lot area is required.
- (b) *Height Regulations.* The height regulations shall be as follows:
 - (1) The minimum height for all multifamily buildings, excluding clubhouse facilities and amenity centers on Tract 1 shall be three (3) stories.
 - (2) The minimum height for all multifamily buildings on Tracts 2 and 3 shall be four (4) stories.
 - (3) The maximum height for all buildings on Tract 1 shall be (120) feet
 - (4) There shall be no maximum height for any primary buildings in Tracts 2 and 3.
 - (5) Accessory buildings and structures shall be limited to one (1) story in all tracts.
 - (6) Maximum height shall exclude (i) parapet walls not exceeding four (4) feet in height, and (ii) chimneys, cooling towers, elevator penthouses, mechanical equipment rooms, ornamental cupolas, standpipes, elevator bulkheads, domes, spires, turrets, towers, and lighting features not exceeding twelve (12) feet in additional height.
- (c) *Residential Density.* Densities for multifamily development shall be as follows:
 - (1) The total number of multifamily units permitted on the Property is 1,850 units which may be constructed anywhere within the Property.
 - (2) Minimum density for Tract 1: 30 units per net acre
 - (3) Minimum density for Tract 2: 70 units per net acre
 - (4) Minimum density for Tract 3: 60 units per net acre

- (d) *Front Yard.* Except as otherwise permitted herein, the front yard build-to zone for residential uses shall be zero (0) to ten (10) feet from the property line. The maximum setback set for nonresidential uses shall be 52 feet.
- (1) The build-to zone may be increased by up to 100% in Tract 1 and up 50% in Tract 2 and Tract 3 with approval of a Minor Modification as provided herein.
 - (2) At least seventy-five percent (75%) of the building façade's ground floor shall be located within the required build-to zone.
 - (3) No parking or accessory buildings shall be allowed within the build-to zone.
 - (4) In the event an easement extends along the right-of-way, the front yard shall be measured from the easement boundary opposite the right-of-way line.
- (e) *Side Yard.* No side yard setback shall be required except as may be required by the City of Richardson Building Code .
- (f) *Rear Yard.* No rear setback shall be required except as may be required by the City of Richardson Building Code.
- (g) *Lot Coverage.* The maximum lot coverage shall be ninety (90%) percent.
- (h) *Floor Area Ratio.* There is no maximum floor area ratio for residential uses. The maximum floor area ratio for nonresidential uses shall be as follows:
- 1) Tract 1:0.75:1 (gross square foot)
 - 2) Tract 2:2:1(gross square foot)
 - 3) Tract 3:1.5:1 (gross square foot)
- (i) *Interior Setbacks.* No setback shall be required from interior lot lines except as may be required by the City of Richardson Building Code.
- (j) *Permitted Encroachments.* Bay windows, balconies, stoops and other ordinary projections may encroach up to six (6) feet into required setbacks and "build-to zones" except as may be required by the City of Richardson Building Code.
- (k) *Landscaping.* Landscaping shall be provided at a minimum ratio of ten (10%) percent of the gross land area of the Property, provided however, that landscaping shall cover no less than seven percent (7%) of the gross land area of any platted lot within the Property. Landscaping shall include enhanced paving areas, exclusive of public sidewalks and any enhanced pavement located within a street right-of-way, public street easement, or parking lot landscape island.

Sec. 7. Parking.

- (a) *Parking Requirements.* Parking minimums shall be provided as set forth below:

USE	PARKING REQUIREMENT
Restaurant	1 / 100 sq. ft.
All other nonresidential uses	75% of the parking requirement set forth in Chapter 21
Apartments in Tracts 1 and 3	1 spaces/bedroom
Apartments in Tract 2	0.8 spaces/ bedroom

- (b) *Structured Parking*: Structured parking shall be required on-site for all uses in Tracts 2 and 3. For purposes of this planned development, “structured parking” includes any parking within a structure including, but not limited to, garages, “tuck-under spaces”, and parking decks.
- (c) *Surface Parking*: Five percent (5%) of required on-site parking, up to a maximum of twenty (20) spaces, may be provided in the form of surface parking for any use in Tracts 2 and 3.
- (d) *Recreational vehicle parking*. Recreational vehicle parking is prohibited.
- (e) *Shared parking*. Shared parking may be permitted subject to City Plan Commission approval.
- (f) *Tandem Parking*. Tandem parking spaces may qualify as required parking for multifamily uses provided that all such tandem parking is exclusively dedicated to specific individual units.
- (g) *On-street Parking*. On-street parking built in conjunction with development within the Property may be counted towards required parking for a use within the same Tract as the on-street parking.

Sec. 8 Special Regulations for Multifamily Uses.

The following regulations shall apply:

- (a) *Apartment Community*. For purposes of this ordinance, an apartment community shall be defined as a multifamily development comprising more than three (3) dwelling units or buildings located on a single, common lot that share common access and circulation, parking areas, recreational areas and other facilities.
- (b) *Building Regulations*.
 - 1) Minimum floor area of dwelling unit. The minimum floor area per multifamily unit shall be 525 square feet. The minimum average multifamily unit floor area per building shall be 750 square feet.
 - 2) Building materials.

- a) A maximum of twenty-five (25) percent of the exterior, exclusive of the area for doors and windows, may be of a non-masonry material as defined in the comprehensive zoning ordinance; provided however, that chimneys shall be of one hundred percent (100%) masonry construction.
- b) The non-masonry exterior walls may be constructed of masonry-type materials, such as exterior stucco utilizing a three-step process, exterior insulating finishing systems (E.I.F.S.), cementitious siding, metal, or other materials approved by the building official. For purposes of this planned development, "metal" shall mean a high-performance façade solution that consists of a rain screen and decorative façade (manufactured of type 304, 316 or 430 architectural grade stainless steel, zinc alloy, titanium or other metal material of comparable or greater quality that is approved by the City Manager), cavity depth and ventilation, insulation and sub-frame. Systems may include colorized, patterned and textured stainless steel sheet cladding systems; insulated core metal wall panel systems; metal composite wall panel systems; rear ventilated phenolic rain screen wall panel systems; titanium zinc alloy sheet metal roofing façade cladding and roof drainage components systems. E.I.F.S. may not be located below eight (8) feet above grade .
- c) For "chateau," "mansard" or any other design where the roof serves as an exterior wall, the above percentages shall apply.
- d) All materials shall be installed in accordance with manufacturer's specifications.
- e) A maximum of fifty percent (50%) of the exterior walls, exclusive of the area for doors and windows, that face interior courtyards or are surrounded by Parking Structures may be constructed of non-masonry materials provided said exterior walls are not seen or accessed by the public.
- f) Wood and 3-tab asphalt shingles are prohibited
- g) Balconies and stairs shall be concrete, steel or glass, however, cantilevered balconies of wood sub-frame completely clad in an approved building material such that the sub-frame is weatherproof and no wood material is exposed or visible shall be permitted.
- h) Overhang and fireplaces. The minimum setback requirements shall apply in all cases, except that fireplaces, eaves, bays, balconies and fireproof outside stairways above the first floor may extend to a maximum of six (6) feet into the required front, side or rear yards except as may be required by the City of Richardson Building Code.
- i) Apartment communities shall not be required to be enclosed by a perimeter fence.

(c) *Recreational Areas.*

- 1) Indoor or outdoor recreational areas shall be required pursuant to this ordinance to meet the requirements of the residents in each apartment community.

- 2) At least one indoor or outdoor recreation area shall be provided for residents in each apartment community. Said recreational area shall be a minimum of nine-hundred (900) square feet in area and shall be designed for use by residents within the Property. Recreation equipment, if provided, must meet the guidelines of the Consumer Product Safety Commission for recreation equipment and safety surface. Playground access and equipment must be in compliance with A.D.A. requirements.
- 3) Pet-friendly common areas shall be required on-site for all apartment developments (size and location to be determined at time of development).
- 4) In addition, additional recreational amenities shall be provided for each apartment community. These amenities, listed below, shall accrue points based on the values assigned. A minimum of 0.35 recreational amenity points must be accumulated for each apartment or multifamily dwelling unit within an apartment community. For example, if an apartment community consists of 300 units, then a minimum total of 105 recreational amenity points shall be provided for that apartment community ($0.35 \times 300 = 105$ total recreational amenity points). However, no apartment community shall be provided with less than 70 total recreational amenity points regardless of the number of dwelling units comprising the apartment community. Points for recreational amenities are provided below. Additional recreational amenity points may be given for non-specified recreational amenities or for recreational amenities that exceed the minimum requirements as determined by the City Manager.
- 5) Playgrounds designed for children ten years of age or younger meeting the specifications listed above. (Ten points; maximum ten points for the PD.)
- 6) Clubhouse/game room/multi-purpose room a minimum of 400 square feet in area for each apartment community. (Ten points.)
- 7) Equipment, such as ping-pong tables, foosball tables, etc., in the clubhouse/game room/multi-purpose room; electronic videogames or pinball games shall not be eligible for points. The appropriateness of the equipment shall be determined by the City Manager. (One point for each piece of approved equipment.)
- 8) Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points/court.)
- 9) Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points/court.)
- 10) Indoor fitness center at least 400 square feet in area for each apartment community. (Ten points.)
- 11) Swimming pool including Hot Tub and/or wading area. Pools shall be fenced and secured according to the requirements of the City of Richardson. (Ten points; 20 points maximum for each apartment community.)
- 12) Reinforced concrete jogging trail, bike path, sidewalks or combination thereof looping through or around the Property, a minimum of eight feet in width. (Ten points.)

- 13) Sidewalks, hiking, jogging, and/or bike trail exclusive of those otherwise required by Chapter 21 of the City of Richardson Code of Ordinances (i.e., the Subdivision and Development code) connecting the development to public trail systems. (Up to five points.)
- 14) Open space, at least 1,000 square feet in area, to include at least three of the following: cluster of trees, outdoor fireplace, water features, seating areas, picnic tables, barbecue grills, gazebos or other elements as approved by the City Manager. (Ten points; maximum 30 points for the PD.)
- 15) Roof-top amenities (Up to ten points) to be determined by the City Manager.
- 16) Dog park at least 1,000 square feet in area (Ten points)
- 17) Other recreational amenities as approved by the City Manager. (One through ten points, to be determined by the City Manager.)
- 18) It shall be the responsibility of the City Manager to review the proposed recreational amenities and provide a written assessment of their adequacy concurrent with consideration of the Development Plan.
- 19) Open space shall be disposed in such a manner as to ensure the safety and welfare of residents.
- 20) Landscape and other improvements made to the cemetery areas located within Tract 1, may be considered an amenity, eligible for up to ten points as determined by the City Manager.
- 21) Trailhead amenities (Five points, subject to approval by the City Manager)
- 22) Open space and undisturbed tree preservation areas along creeks at least 1,000 square feet in area (Ten points)
- 23) Bicycle racks providing for a minimum of two bicycles per rack with two points of horizontal support per bicycle (One point per rack)

Sec. 9. Architectural Requirements for Multifamily and Mixed-Use Buildings and Parking Garages.

The following regulations shall be applicable to multifamily buildings, mixed-use buildings and parking garages.

- (a) *Façade Composition.* Buildings shall maintain a façade rhythm of 20 feet to 30 feet along all streets. This rhythm may be expressed by changing materials or color, or by using design elements such as columns and pilasters, or by varying the setback of portions of the building façade.
- (b) *Building Orientation.*
 - 1) Buildings shall be oriented toward streets where the lot has frontage along streets.
 - 2) The primary entrance to buildings shall be located on the street along which the building is oriented.
 - 3) At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
 - 4) All primary entrances shall be oriented to the sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.

(c) *Windows and Doors.*

- 1) First floor windows shall not be opaque, tinted or mirrored glass.
- 2) Residential buildings fronting on streets or civic/ open spaces, except alleys, shall have transparent windows covering an average of 25% of all of the building's facades.
- 3) Buildings with ground floor uses other than residential shall have transparent storefront windows covering no less than 50% of the façade area along streets or civic/open spaces.

(d) *Roof Form.*

- 1) Buildings shall have simple fronts with minimal articulations with flat or low pitched roofs (2.5:12 or lower) with parapets. Buildings in Tract 1 may have pitched roofs up to 12:12.
- 2) Corner hip roof elements and gable accents at the parapet may be permitted.
- 3) Projecting mansard roofs shall not be permitted.

(e) *Parking Structures.*

- 1) Parking structure facades on all streets shall be designed with both vertical (façade rhythm of 20 feet to 30 feet) and horizontal articulation (aligning with horizontal elements along the block).
- 2) Where above ground structured parking is located at the perimeter of a building with frontage along any street, screening shall be achieved through the use of liner units where possible. Where liner units are not possible, garage screening may be achieved through louvers or other approved screening elements that cover a minimum of 50% of all portions of the exposed parking structure along the street in Tract 1. In Tract 2 and Tract 3 vehicles on all levels shall be completely screened from public view at street level.
- 3) When parking structures are located at corners, corner architectural elements shall be incorporated such as corner entrance, signage and glazing.

Sec. 10. General Miscellaneous Regulations

- a) *Masonry.* For purposes of this planned development, "masonry" shall include brick, stone, stucco utilizing a three-step process, vertically and/or horizontally articulated architectural pre-cast concrete panels, cast stone, rock, marble, and granite.
- b) *Public Realm.* Sidewalks shall be provided along all streets and maintain at least six (6) feet of clear pedestrian space (i.e., not encroached by trees, street furniture, above-grade utilities, etc.)
- c) *Street Trees.* Street trees shall be provided along all streets at a spacing of not less than fifty (50) feet on center.
- d) *Phased Development.* Phased development shall require approval of a phasing plan showing conceptual locations for utilities and infrastructure for the entire tract

either prior to Development Plan approval or at time of Phase I Development Plan approval.

- e) *Access for Tract 1.* A maximum of two (2) curb cuts are permitted along Routh Creek Parkway frontage between the east-west creek and the north boundary of Tract 1. Two points of access shall not be required for development on the parcel of land within Tract 1 that is north of the east-west Flood Zone and east of Routh Creek Parkway subject to the approval of the City Manager and provided that the entrance to the parcel is located and designed to make use of the existing median opening in Routh Creek Parkway; is constructed as a divided driveway of sufficient width to provide emergency vehicle ingress and egress via either side of the driveway median in the event one side is blocked or obstructed; and, should the development require use of a call box, key pad or is similarly restricted, additional pavement width must be provided adequate to ensure that vehicles making use of such facilities can be accommodated wholly outside required firelanes .
- f) *Minor Modifications.* The City Manager shall have the authority to approve minor modifications to the Conceptual Site Plan and Development Plans approved within or required by this Ordinance. For purposes of this planned development, a minor modification shall be defined as (i) a change to a footprint of a building in which the proposed footprint remains within the building envelope, and (ii) except as otherwise provided in (i), a change which does not increase the building coverage, floor area ratio or residential density of the planned development by more than 10%, does not decrease any of the specified area regulations or parking ratios, nor substantially changes the access or circulation on or adjacent to the site.
- g) *Tree Survey.* A tree survey shall not be required for any approval process required for the development of any portion of the Property; provided, however, that no trees shall be removed from the Property prior to approval of a Development Plan, except as may be necessary to selectively clear undergrowth or remove diseased or damaged trees in order to better sustain the health of the larger forested area until such time that Development Plan approval is required or except as otherwise approved by the City Manager or his designee.
- h) *Signage.* All signage shall comply with Chapter 18 (Sign Code) of the City of Richardson Code of Ordinances, as amended, except that in lieu of compliance with Chapter 18, a “Sign Package” may be submitted for any tract or portion of a tract to establish unique sign standards including size, color, type, design and location for review and approval by the City Plan Commission. In evaluating a Sign Package, the City Plan Commission shall consider the extent to which the application:
 - 1) Promotes consistency among signs within a development thus creating visual harmony between signs, buildings, and other components of the property;
 - 2) Enhances the compatibility of signs with the architectural and site design features with the development;
 - 3) Encourages signage that is in character with planned uses thus creating a unique sense of place; and
 - 4) Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with development standards.

SECTION 3. That the above-described tract of land shall be used only in the manner and for the purposes 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 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 (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. 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
____th

day of _____, 2014.

EXHIBIT "A"

PROPERTY DESCRIPTION

TRACT 1

33.15 ACRES

BEING a tract of land out of the John J. Vance Abstract No. 942, Collin County, Texas, being part of a tract of land described in deed to Galatyn Properties, Ltd., recorded in Volume 4382, Page 2334 of the Land Records of Collin, Texas and being more particularly described as follows:

BEGINNING at the easternmost end of a right-of-way corner clip at the intersection of the north right-of-way line of Glenville Drive (an 80-foot wide right-of-way) and the east right-of-way line of Routh Creek Parkway (a variable width right-of-way);

THENCE with said right-of-way corner clip, North 40°46'58" West, a distance of 69.28 feet to the westernmost end of said right-of-way corner clip;

THENCE with said east right-of-way line, the following courses and distances:

North 01°14'16" East, a distance of 702.13 feet to the beginning of a tangent curve to the right with a radius of 809.50 feet, a central angle of 11°47'53", and a chord bearing and distance of North 07°08'13" East, 166.40 feet;

In a northeasterly direction, with said curve, an arc distance of 166.69 feet to the beginning of a curve to the right with a radius of 100.00 feet, a central angle of 07°08'20", and a chord bearing and distance of North 16°36'19" East, 12.45 feet;

In a northeasterly direction, with said curve, an arc distance of 12.46 feet to the end of said curve;

North 20°10'29" East, a distance of 238.29 feet to a point for corner in the southeast line of a tract of land described in deed to the City of Richardson recorded in Clerk's File No. 92-0069494, Land Records of Collin County, Texas;

THENCE with said southeast line, the following courses and distances:

South 80°30'52" East, a distance of 47.37 feet to a point for corner;

North 72°51'08" East, a distance of 78.39 feet to a point for corner;

South 86°19'39" East, a distance of 78.27 feet to a point for corner;

North 85°14'31" East, a distance of 58.50 feet to a point for corner;

South 87°41'36" East, a distance of 145.09 feet to a point for corner;

South 85°30'10" East, a distance of 85.28 feet to a point for corner;

South 72°58'43" East, a distance of 90.70 feet to a point for corner;

South 79°33'50" East, a distance of 58.02 feet to a point for corner;

South 52°24'16" East, a distance of 44.14 feet to a point for corner;

South 48°07'44" East, a distance of 122.12 feet to a point for corner;

South 04°37'44" West, a distance of 38.96 feet to a point for corner;

South 32°35'55" West, a distance of 82.35 feet to at the beginning of a tangent curve to the left with a radius of 50.00 feet, a central angle of 107°59'37", and a chord bearing and distance of South 21°23'54" East, 80.90 feet;
In a southeasterly direction, with said curve, an arc distance of 94.24 feet to the end of said curve;
South 75°23'42" East, a distance of 102.19 feet to a point for corner;
South 67°17'57" East, a distance of 36.32 feet to a point for corner;
South 29°30'10" East, a distance of 95.11 feet to a point for corner;
South 27°05'54" East, a distance of 140.95 feet to a point for corner;
South 16°30'08" East, a distance of 225.73 feet to a point for corner;
South 03°03'36" West, a distance of 235.03 feet to a point for corner;
South 00°39'04" East, a distance of 69.34 feet to a point for corner;
South 12°34'40" East, a distance of 263.34 feet to a point for corner;
South 30°36'58" East, a distance of 32.43 feet to a point for corner;

THENCE departing said southeast line, South 59°42'30" West, a distance of 519.52 feet to the beginning of a non-tangent curve to the left having a radius of 1090.00 feet, a central angle of 47°48'28", a chord bearing and distance of North 56°33'41" West, 883.34 feet; said point being in said north right-of-way line of Glenville Drive;

THENCE with said curve and said north right-of-way line, an arc distance of 909.50 feet to the **POINT OF BEGINNING** and containing 33.15 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

TRACT 2

8.41 ACRES

BEING, a tract of land situated in the J.V. Vance Survey, Abstract No. 1513, in the City of Richardson, Dallas County, Texas; and being all of Lot 7A, Block A of Galatyn Urban Center Addition, Lots 5, 6B and 7A, Block A, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof recorded in Instrument No. 200600458067 of the Official Public Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at the intersection of the north right-of-way line of Galatyn Parkway (a variable width public right-of-way) and the east line of a 100-foot wide Dallas Area Rapid Transit (DART) right-of-way, recorded in Volume 88083, Page 4905 of the Deed Records of Dallas County, Texas and being the southwest corner of said Lot 7A;

THENCE with said easterly line of the DART right-of-way, North 20°11'13" East, a distance of 747.08 feet to the northwest corner of said Lot 7A and the southwest corner of Lot 6B of said Galatyn Urban Center Addition;

THENCE departing said easterly line of the DART right-of-way and with the common line between said Lots 6B and 7A, the following courses and distances:

South 69°48'47" East, a distance of 50.81 feet to a point for corner;
North 20°19'11" East, a distance of 49.69 feet to a point for corner;
South 69°52'18" East, a distance of 306.25 feet to a point for corner;
South 20°11'13" West, a distance of 25.00 feet to a point for corner;
South 69°48'47" East, a distance of 11.32 feet to a point for corner;
North 39°19'35" East, a distance of 65.76 feet to a point for corner;
North 88°46'39" East, a distance of 14.81 feet to the northeast corner of said Lot 7A and the northwest corner of Lot 5 of said Galatyn Urban Center Addition;

THENCE with the common line between said Lots 5 and 7A, the following courses and distances:

South 7°36'10" West, a distance of 161.58 feet to a point at the beginning of a tangent curve to the left having a central angle of 12°26'09", a radius of 800.00 feet, a chord bearing and distance of South 1°23'06" West, 173.30 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 173.64 feet to a point at the end of said curve;
South 4°49'59" East, a distance of 321.84 feet to the southeast corner of said Lot 7A, the southwest corner of said Lot 5, in said north right-of-way line of Galatyn Parkway and being at the beginning of a non-tangent curve to the right having a central angle of 6°19'07", a radius of 939.25 feet, a chord bearing and distance of South 85°50'05" West, 103.53 feet;

THENCE with said north right-of-way line of Galatyn Parkway, the following courses and distances:

In a southwesterly direction, with said curve to the right, an arc distance of 103.58 feet to a point at the end of said curve;
South 88°59'39" West, a distance of 346.50 feet to a point at the beginning of a tangent curve to the right having a central angle of 11°52'24", a radius of 1070.48 feet, a chord bearing and distance of North 85°04'09" West, 221.44 feet;
In a northwesterly direction with said curve to the right, an arc distance of 221.83 feet to the **POINT OF BEGINNING** and containing 8.41 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

TRACT 3

5.37 ACRES

BEING a tract of land situated in the J.V. Vance Survey, Abstract No. 1513, and the A.T. Nanny Survey, Abstract No. 1093, located in the City of Richardson, Dallas County, Texas, and being all of a called 5.367 acre tract of land described in deed to Galatyn

Properties Ltd., recorded in Volume 99059, Page 4589 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the south end of a right-of-way corner clip at the intersection of the northwesterly right-of-way line of Glenville Drive (an 80-foot wide public right-of-way), dedicated to the City of Richardson by plat recorded in Cabinet G, Slide 585 of the Map Records of Collin County, Texas, and the south right-of-way line of Galatyn Parkway (an 80-foot wide public right-of-way), dedicated to the City of Richardson by deed recorded in Volume 4013, Page 448 of the Deed Records of Dallas County, Texas and Collin County Clerk's File No. 97-0085311 of the Land Records of Collin County, Texas;

THENCE with said northwesterly right-of-way line of Glenville Drive, the following courses and distances to wit:

South $26^{\circ}11'15''$ West, a distance of 169.01 feet to the beginning of a curve to the left;

Southwesterly, with said curve to the left, through a central angle of $14^{\circ}08'29''$, having a radius of 990.14 feet, and a chord bearing and distance of South $19^{\circ}06'37''$ West, 243.76, an arc distance of 244.38 feet to the north end of a right-of-way corner clip at the intersection of the north right-of-way line of Waterwood Drive (a 60-foot wide public right-of-way) and said northwesterly right-of-way line of Glenville Drive;

THENCE with said right-of-way corner clip, South $53^{\circ}40'23''$ West, a distance of 37.98 feet to the south end of said right-of-way corner clip, in the northerly right-of-way line of Waterwood Drive and the beginning of a non-tangent curve to the left;

THENCE with said north right-of-way line of Waterwood Drive, the following courses and distances to wit:

Southwesterly, with said curve to the left, through a central angle of $30^{\circ}05'13''$, having a radius of 480.00 feet, and a chord bearing and distance of South $82^{\circ}43'23''$ West, 249.17 feet, an arc distance of 252.06 feet to the beginning of a reverse curve to the right;

Southwesterly, with said curve to the right, through a central angle of $16^{\circ}21'50''$, having a radius of 420.00 feet, and a chord bearing and distance of South $75^{\circ}49'28''$ West, 119.55 feet, an arc distance of 119.95 feet to the south end of a right-of-way corner clip at the intersection of said north right-of-way line of Waterwood Drive and the east right-of-way line of Performance Drive (an 80-foot wide public right-of-way), dedicated to the City of Richardson by deed recorded in Volume 4013, Page 442 of the Deed Records of Dallas County, Texas, and Collin County Clerk's File No. 97-0085310 of the Land Records of Collin County, Texas;

THENCE with said right-of-way corner clip, North $48^{\circ}07'03''$ West, a distance of 21.56 feet to the north end of said right-of-way corner clip and in said east right-of-way line of Performance Drive;

THENCE with said east right-of-way line of Performance Drive, North $01^{\circ}14'44''$ West, a distance of 430.33 feet to the south end of a right-of-way corner clip at the intersection of said east right-of-way line of Performance Drive and said south right-of-way line of Galatyn Parkway;

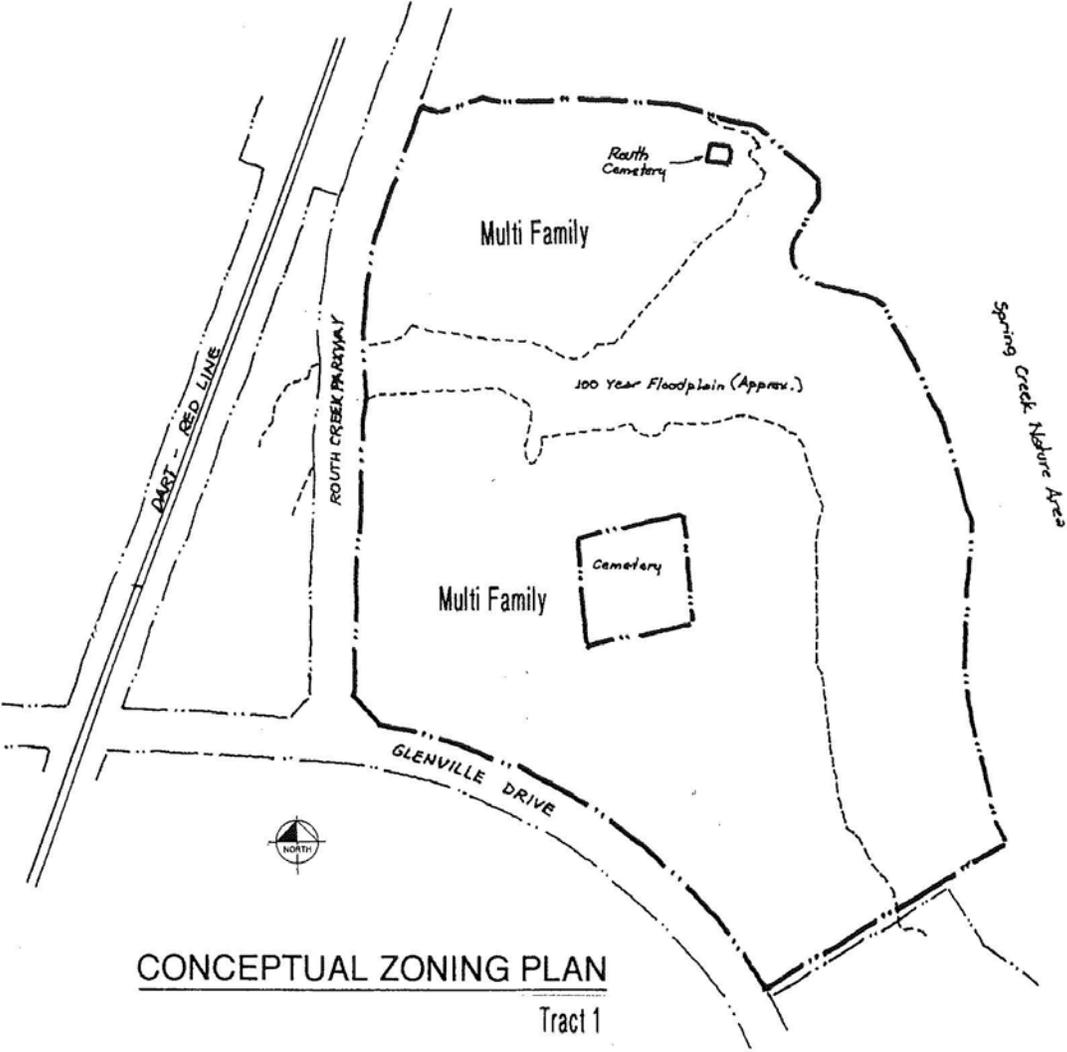
THENCE with said right-of-way corner clip, North 34°59'17" East, a distance of 64.53 feet to the north end of said right-of-way corner clip, in said south right-of-way line of Galatyn Parkway and the beginning of a non-tangent curve to the right;

THENCE with the south right-of-way line of Galatyn Parkway, in an easterly direction, with the curve to the right, through a central angle of 31°52'35", having a radius of 939.25 feet, and a chord bearing and distance of North 88°34'14" East, 515.84 feet, an arc distance of 522.55 feet to the end of the curve for the north end of said corner clip at the intersection of said south right-of-way line of Galatyn Parkway and said northwesterly right-of-way line of Glenville Drive;

THENCE with said right-of-way corner clip, South 24°46'27" East, a distance of 49.60 feet to the **POINT OF BEGINNING** and containing 5.37 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

EXHIBIT "B" (1 OF 3)

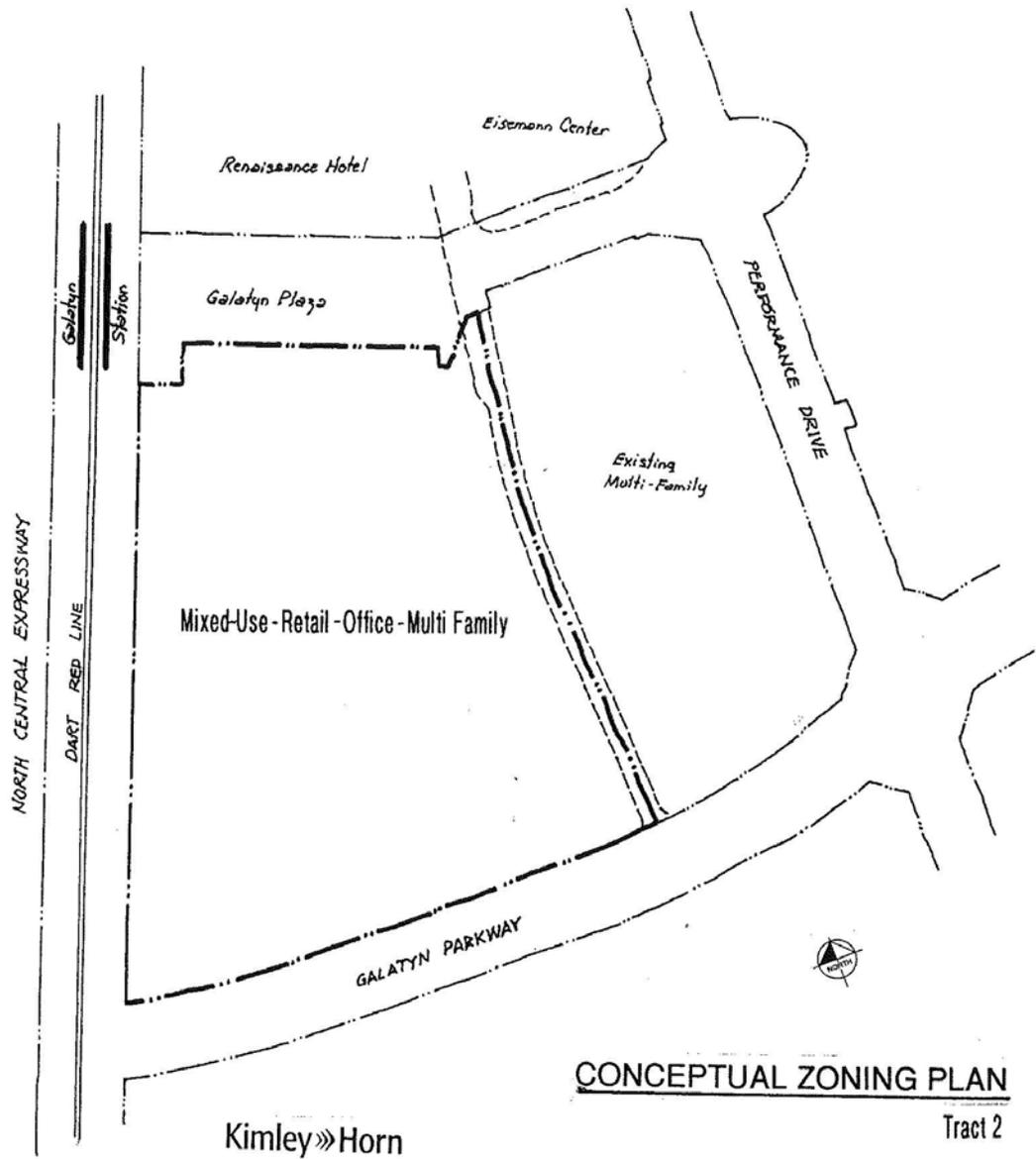


CONCEPTUAL ZONING PLAN

Tract 1

Kimley»Horn

EXHIBIT "B" (2 OF 3)



CONCEPTUAL ZONING PLAN

Kimley»Horn

Tract 2

EXHIBIT "B" (3 OF 3)



CONCEPTUAL ZONING PLAN

Tract 3

Kimley»Horn

ORDINANCE NO. 257-A

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON AS HERETOFORE AMENDED SO AS TO GIVE THE FOLLOWING DESCRIBED TRACTS OF LAND A PERMANENT IM-1 INDUSTRIAL CLASSIFICATION, SAID TRACTS BEING DESCRIBED AS FOLLOWS: TRACT NO. 1: BEING OUT OF THE ANDREW T. NANNY SURVEY, ABSTRACT NO. 1093 IN DALLAS COUNTY, TEXAS, THE JOHN U. VANCE SURVEY, ABSTRACT NO. 942 IN DALLAS AND COLLIN COUNTIES AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING IN THE EAST LINE OF THE H. & T. C. RAILROAD AND THE SOUTH LINE OF THE ANDREW T. NANNY SURVEY, AND BEING IN THE CENTERLINE OF CAMPBELL ROAD; THENCE IN A NORTHERLY DIRECTION ALONG THE EAST LINE OF THE H. & T. C. RAILROAD, AND ALONG A CURVE TO THE LEFT WHOSE RADIUS IS 5,779.58 FEET AND CENTRAL ANGLE IS 02 DEGREES 40 MINUTES 39 SECONDS, 270.10 FEET TO THE END OF SAID CURVE; THENCE NORTH 21 DEGREES 02 MINUTES EAST, ALONG THE EAST LINE OF THE H. & T. C. RAILROAD, 5,750.31 FEET AN IRON BAR FOR CORNER; THENCE NORTH 89 DEGREES 20 MINUTES EAST, 1,064.07 FEET, AN IRON BAR FOR CORNER; THENCE SOUTH 03 DEGREES 48 MINUTES EAST, 875.31 FEET, AN IRON BAR FOR CORNER; THENCE NORTH 89 DEGREES 52 MINUTES WEST, 758.29 FEET TO AN IRON PIPE FOR CORNER; THENCE SOUTH, 2,087.12 FEET TO THE SOUTH LINE OF THE JOHN U. VANCE SURVEY AND THE NORTH LINE OF THE ANDREW T. NANNY SURVEY, AN IRON PIPE FOR CORNER; THENCE SOUTH 89 DEGREES 51.5 MINUTES WEST, WITH THE LINE BETWEEN THE JOHN U. VANCE SURVEY AND THE ANDREW T. NANNY SURVEY, 479.35 FEET, AN IRON BAR FOR CORNER; THENCE SOUTH 00 DEGREES 23 MINUTES EAST, 1,469.11 FEET TO THE NORTHWEST LINE OF GREENVILLE AVENUE, AN IRON BAR FOR CORNER; THENCE SOUTH 60 DEGREES 46 MINUTES WEST, WITH THE NORTHWEST LINE OF GREENVILLE AVENUE, 1,781.41 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WHOSE RADIUS IS 1,796.37 FEET AND CENTRAL ANGLE IS 17 DEGREES 14 MINUTES 17 SECONDS; THENCE ALONG SAID CURVE AND ALONG THE NORTHWEST LINE OF GREENVILLE AVENUE, 540.46 FEET TO THE CENTERLINE OF CAMPBELL ROAD; THENCE NORTH 89 DEGREES 55 MINUTES WEST, WITH THE CENTERLINE OF CAMPBELL ROAD, 81.17 FEET TO THE PLACE OF BEGINNING AND CONTAINING 142.70 ACRES OF LAND. TRACT NO. 2: BEING OUT OF THE ANDREW T. NANNY SURVEY, ABSTRACT NO. 1093 DALLAS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF SAID ANDREW T. NANNY SURVEY AND THE CENTERLINE OF CAMPBELL ROAD, SOUTH 89 DEGREES 55 MINUTES EAST, 390.65 FEET FROM THE EAST LINE OF THE H. & T. C. RAILROAD; THENCE NORTH 20 DEGREES 14 MINUTES WEST, WITH THE EAST LINE OF GREENVILLE AVENUE, 95.16 FEET TO A POINT ON A CURVE TO THE RIGHT WHOSE RADIUS IS 1,676.37 FEET AND CENTRAL ANGLE IS 08 DEGREES 29.8 MINUTES AND RADIUS THAT BEARS NORTH 37 DEGREES 43.8 MINUTES WEST; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CURVE AND ALONG THE

SOUTHEASTERLY LINE OF GREENVILLE AVENUE, 248.60 FEET; THENCE NORTH 60 DEGREES 46 MINUTES EAST, ALONG THE SOUTHEAST LINE OF GREENVILLE AVENUE, 1,715.31 FEET, AN IRON BAR FOR CORNER; THENCE SOUTH 00 DEGREES 23 MINUTES EAST, 1,077.72 FEET TO THE SOUTH LINE OF SAID ANDREW T. NANNY SURVEY AND THE CENTER LINE OF CAMPBELL ROAD; THENCE NORTH 88 DEGREES 58 MINUTES WEST, WITH THE CENTERLINE OF CAMPBELL ROAD, 689.32 FEET; THENCE NORTH 89 DEGREES 55 MINUTES WEST, WITH THE CENTERLINE OF CAMPBELL ROAD, 989.11 FEET TO THE PLACE OF BEGINNING AND CONTAINING 23.13 ACRES OF LAND; RESTRICTING SUCH PROPERTY TO THE USES PROVIDED FOR UNDER THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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 the requisite notices by publication and otherwise and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof and in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance should be amended as follows:
NOW, THEREFORE;

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

Section 1. That the Comprehensive Zoning Ordinance of the City of Richardson, Texas, duly passed by the governing body on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended by amending the Zoning Map of the City of Richardson so as to give the following described tracts of land the following zoning classification, to-wit:

That the following areas be, and the same are hereby zoned as IM-4 Industrial Classification:

TRACT NO. 1.

BEING out of the Andrew T. Nanny Survey, Abstract No. 1093 in Dallas County, Texas, the John U. Vance Survey, Abstract No. 942 in Dallas and Collin Counties and being more particularly described as follows: BEGINNING in the east line of the H. & T. C. Railroad and the south line of the Andrew T. Nanny Survey, and being in the centerline of Campbell Road; THENCE in a northerly direction along the east line of the H. & T. C. Railroad, and along a curve to the Left whose radius is 5,779.58 Feet and central angle is 02 degrees

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS

ORDINANCE NO. 2735-A

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, SO AS TO CHANGE THE ZONING CLASSIFICATION ON A 5.32 ACRE TRACT FROM PD TO I-M(1) AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, WITH SPECIAL CONDITIONS; SO AS TO CHANGE THE ZONING CLASSIFICATION ON A 12.65 ACRE TRACT FROM PD TO I-M(1) AS DESCRIBED IN EXHIBIT "B" ATTACHED HERETO, WITH SPECIAL CONDITIONS; SO AS TO CHANGE THE ZONING CLASSIFICATION ON A 32.47 ACRE TRACT FROM PD TO I-M(1) AS DESCRIBED IN EXHIBIT "C" ATTACHED HERETO, WITH SPECIAL CONDITIONS; SO AS TO CHANGE THE ZONING CLASSIFICATION ON A 63.50 ACRE TRACT FROM PD TO I-M(1) AS DESCRIBED IN EXHIBIT "D" ATTACHED HERETO, WITH SPECIAL CONDITIONS; SO AS TO CHANGE THE ZONING CLASSIFICATION ON A 23.61 ACRE TRACT FROM PD TO I-M(1) AS DESCRIBED IN EXHIBIT "E" ATTACHED HERETO, WITH SPECIAL CONDITIONS; SO AS TO CHANGE THE ZONING CLASSIFICATION ON A 150.81 ACRE TRACT FROM PD AND I-M(1) TO A-950-M AS DESCRIBED IN EXHIBIT "F" ATTACHED HERETO, WITH SPECIAL CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND (\$1,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Planning 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, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance 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 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 by amending the Zoning Map of the City of Richardson so as to change the zoning classification on a 5.32 acre tract from PD to I-M(1) as described in Exhibit "A" attached hereto, with special conditions; so as to change the zoning classification on a 12.65 acre tract from PD to I-M(1) as described in Exhibit "B" attached hereto, with special conditions; so as to change the zoning classification on a 32.47 acre tract from PD to I-M(1) as described in Exhibit "C" attached hereto, with special conditions; so as to change the zoning classification on a 63.50 acre tract from PD to I-M(1) as described in Exhibit "D" attached hereto, with special conditions; so as to change the zoning classification on a 23.61 acre tract from PD to I-M(1) as described in Exhibit "E" attached hereto, with

special conditions; so as to change the zoning classification on a 150.81 acre tract from PD and I-M(1) to A-950-M as described in Exhibit "F" attached hereto, with special conditions.

SECTION 2. That the above changes in zoning classification are hereby granted, subject to the following special conditions, to-wit:

TRACTS 1 and 2 (17.97 acres)

A. Permitted Uses:

Permitted uses shall be:

1. All uses permitted in the I-M(1) Industrial district;
2. All uses permitted in the LR-M(2) Local Retail district;
3. Clubs, restaurants, health facilities, nurseries, day schools and private schools, based on the provisions of the LR-M(2) Local Retail district.

B. Area Regulations:

At the time of submission of a site plan to the City Plan Commission for approval, the applicant shall state whether the proposal is being submitted under the provisions of the LR-M(2) Local Retail district, or the I-M(1) Industrial district.

If the applicant elects to have the site plan reviewed under the provisions of the LR-M(2) Local Retail district, all of the area regulations, site plan requirements, and landscape plan requirements of the LR-M(2) Local Retail district shall apply to the development.

If the applicant elects to have the site plan reviewed under the provisions of the I-M(1) Industrial district, all of the area regulations, site plan requirements, and landscape plan requirements of the I-M(1) Industrial district shall apply to the development.

C. Height Regulations:

The height regulations for all development shall be those required in the I-M(1) Industrial district.

TRACT 3 (32.47 acres); TRACT 4 (63.50 acres); TRACT 5 (23.61 acres)

No height setbacks shall be assessed from Tract 6 as defined in this ordinance.

TRACT 6 (150.81 acres)

A. Permitted Uses:

Permitted uses shall be:

1. All uses permitted in the A-950-M Apartment district;
2. All uses permitted in the I-M(1) Industrial district;
3. All uses permitted in the LR-M(2) Local Retail district;
4. Clubs, restaurants, health facilities, nurseries, day schools and private schools, based on the provisions of the LR-M(2) Local Retail district.

B. Site Plan Requirements:

At the time of submission of a site plan to the City Plan Commission for approval, the applicant shall state whether the proposal is being submitted under the provisions of the A-950-M Apartment district, the LR-M(2) Local Retail district, or the I-M(1) Industrial district.

If the applicant elects to have the site plan reviewed under the provisions of the A-950-M Apartment district, all of the requirements of the A-950-M Apartment district, except as specifically amended herein, shall apply to the development.

If the applicant elects to have the site plan reviewed under the provisions of the LR-M(2) Local Retail district, all of the requirements of the LR-M(2) Local Retail district, except as specifically amended herein, shall apply to the development.

If the applicant elects to have the site plan reviewed under the provisions of the I-M(1) Industrial district, all of the requirements of the I-M(1) Industrial district, except as specifically amended herein, shall apply to the development.

C. Height Regulations:

1. Residential areas shall not be allowed to exceed four (4) stories in height, except the City Plan Commission may allow up to forty-three (43) acres of land area to exceed four (4) stories in height. However, in no event shall the height of buildings exceed the following maximum heights:
 - a. One (1) standard story or twenty-five (25) feet in height, when located within one hundred fifty (150) feet of any property zoned for either single-family or duplex residential.
 - b. Forty (40) feet, when located between one hundred fifty (150) feet and three hundred (300) feet of any property zoned for either single-family or duplex residential.
 - c. Fifty (50) feet in height, when located a distance of three hundred (300) feet or more from any property zoned for either single-family or duplex residential, except that any building or structure may be erected above fifty (50) feet in height if the building or structure is set back two (2) feet for each one (1) foot of its height above the fifty (50) foot height.
2. Distances for height setbacks shall be measured from the residential lot boundary nearest this property. These height setbacks shall be inclusive of all street and alley rights-of-way.

3. Above grade structured parking shall conform to the height requirements stated herein. A parking story shall be above grade, if forty (40) percent or more of the floor to ceiling height is above the mean exterior grade.

D. Area Regulations:

1. In residential areas, the minimum lot area per unit shall be 2,420 square feet for each unit. The minimum lot area per unit may be transferred from any area within the residentially designated area; including floodable areas, drainage areas, street rights-of-way, parks, cemeteries, and all other open space, to any other residentially designated area within Tract 6. Upon approval by the City Plan Commission of any site plan or plat indicating development of a lot, parcel or tract for nonresidential development, said lot, parcel or tract shall no longer be capable of being developed for residential purposes. In such case, all residential densities based upon the area of said lot, parcel or tract shall be voided and shall not be transferrable to any other lot, parcel or tract within Tract 6 as defined in this ordinance.

The maximum number of dwelling units permitted within Tract 6 shall not exceed 2,640.

2. The minimum floor area of any dwelling unit shall be not less than 550 square feet. The average floor area of all dwelling units within Tract 6 shall be not less than 800 square feet.

3. **Front Yard:**

- a. For residential areas, there shall be no parking allowed in front of the building setback line. For recreational facilities such as racquet courts, trails, playgrounds, pools, etc., security fencing may be allowed in the front yard, but no nearer than fifteen (15) feet from the street right-of-way. The front yard shall have a minimum of a fifteen (15) foot landscape strip adjacent to and parallel with the street right-of-way.
- b. For nonresidential areas, there shall be a front yard of thirty (30) feet in front of the building and adjacent to all street rights-of-way. The front yard shall allow parking lots, sidewalks, signs, and/or alleys, but in no case shall a parking lot be closer than fifteen (15) feet from the street right-of-way. The front yard shall have a minimum of a fifteen (15) foot landscape strip adjacent to and parallel with the street right-of-way.
- c. Driveways and alleys in the front yard shall be generally perpendicular to the street right-of-way.
- d. Sidewalks shall be allowed to meander within the front yard upon granting a pedestrian easement at the time of plat approval.

4. **Side Yard:**

- a. In residential areas where the building is adjacent to the side lot line, the side yard shall be not less than ten (10) percent of the length of the building's side closest to the side lot line, but in no case less than

fifteen (15) feet, except where building has a side yard next to an unusable land area wider than thirty (30) feet, then the side yard requirement shall be waived.

- b. In non-residential areas, no side yard shall be required, except as required in Ordinance No. 205-A.

5. Rear Yard:

- a. In residential areas, where the building is adjacent to the rear yard, the rear yard set back shall be fifteen (15) feet, except where the building is next to an unusable land area wider than thirty (30) feet, the rear yard requirement shall be waived.

- b. In non-residential areas, no rear yard shall be required, except as required in Ordinance No. 205-A.

6. Open Space and Landscaping:

- a. Each subdivided parcel bordering upon Spring Creek will provide the City of Richardson with a floodway and maintenance access easement for Spring Creek. The utilization of the floodway easement will be for storm water drainage.

- b. A fifteen (15) foot wide landscape strip adjacent and parallel with all public street rights-of-way shall be provided with each final site plan. The landscaping in the landscape strip will be approved by the City Plan Commission. For non-residential areas, a thirty (30) inch high visual barrier shall be provided within the fifteen (15) foot easement to screen those parking spaces facing a public street right-of-way.

- c. Underground irrigation shall be required and installed within newly landscaped areas prior to issuance of a certificate of occupancy. The owner shall maintain the irrigation system and landscape materials at all times after its full installation.

- d. The Spring Creek floodway shall be used as a City park/open space or as private recreational area which will be an amenity to the adjacent development area.

7. Coverage:

- a. Coverage shall be approved by the City Plan Commission in connection with the approval of any development or site plan or development schedule covering all or a portion of the property described herein, provided that such coverage for residential uses shall not exceed forty (40) percent of the total usable land area.

8. Parking Regulations:

Off the street parking shall be provided on the site at the rate of two (2) parking spaces per unit. However, the City Council may, upon recommendation of the City Plan Commission, approve an amended parking ratio based upon mitigating criteria.

E. Thoroughfares and Local Streets:

1. All arterial and collector streets shall be designated in accordance with the 1988 Master Thoroughfare Plan (Ordinance 2703-A), except that Lookout Drive, between Plano Road and Glenville Drive, shall be built within an eighty (80) foot right-of-way.
2. Local streets shall be located parallel to Spring Creek, as shown on Exhibit "G" attached hereto, unless the streets are deemed to be unnecessary by the City Plan Commission, in which case they may be deleted without submitting a revised Exhibit "G".

F. Other Special Provisions:

1. All sidewalks, lighting, and signage shall conform to the current City of Richardson ordinances.
2. Any security fence within a front yard shall be shown on the Final Site Plan and shall be constructed of materials creating a maximum visual obstruction of twenty (20) percent.
3. Nothing in this ordinance shall be interpreted as a waiver of any other applicable codes, ordinances, standards or legally required permits of the City of Richardson.

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

SECTION 4. That the above described tracts shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and subject to the aforementioned special conditions.

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 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 One Thousand (\$1,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provides.

DULY PASSED by the City Council of the City of Richardson, Texas, on the
26th day of June, 1989.

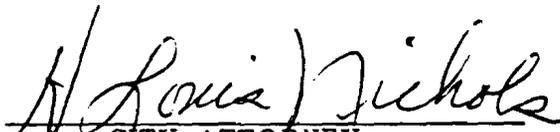
APPROVED:


MAYOR

DULY RECORDED:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

TRACT 1
FIELD NOTE DESCRIPTION
(continued)

THENCE departing the said easterly right-of-way line of proposed Glenville Drive and continuing along the said projected southerly right-of-way line of proposed Waterwood Drive the following:

North 80 45'58" West a distance of 96.43 feet to the point of curvature of a curve to the left having a central angle of 31 14'00" and a radius of 420.00 feet;

Southwesterly along said curve to the left an arc distance of 228.95 feet to the point of reverse curvature of a curve to the right having a central angle of 21 09'00" and a radius of 480.00 feet;

Southwesterly along said reverse curve to the right an arc distance of 177.19 feet to the point of tangency of said curve;

South 89 09'06" West a distance of 60.00 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 231,750 square feet or 5.32 acres of land, more or less.

TRACT 1
FIELD NOTE DESCRIPTION

BEING a 5.32 acre tract of land situated in the City of Richardson, Dallas County, Texas; and being situated in the J.V. Vance Survey, Abstract No. 1513 in Dallas County; and also being out of a 42.95 acre tract conveyed to William Herbert Hunt Trust Estate and Bunker Nelson Hunt Trust Estate as recorded in Volume 69193, Page 1513 of the Deed Records of Dallas County (DRDCT), Texas; and being more particularly described as follows:

COMMENCING at the most easterly southeast corner of Greenway, an addition to the City of Richardson as recorded in Volume 82209, Page 0334, DRDCT; said corner also being in the northerly right-of-way line of Greenville Avenue (a 120-foot wide R.O.W.) and the southwest corner of said 42.95 acre tract;

THENCE along the east line of said Greenway Addition, North 00 50'54" West a distance of 1,050.79 feet to the POINT OF BEGINNING; said point being in the south right-of-way line of Waterwood Drive (a 60-foot wide R.O.W.);

THENCE continuing along said east line of the Greenway Addition, North 00 50'54" West a distance of 418.56 feet to a point for corner; said corner being the most easterly northeast corner of said Greenway Addition; said corner also being the northwest corner of said 42.95 acre tract and being in the south line of a 77.49 acre tract conveyed to the said Hunt Trust Estates in Volume 1423, Page 335, DRDCT;

THENCE along the north line of said 42.95 acre tract, North 89 22'01" East a distance of 478.61 feet to a point for corner, said corner being the southeast corner of said 77.49 acre tract and the southwest corner of a 100.07 acre tract conveyed to the said Hunt Trust Estates in Volume 69215, Page 1468, DRDCT;

THENCE continuing along the said north line of 42.95 acre tract of land, North 89 59'38" East a distance of 212.61 feet to a point for corner in the easterly right-of-way line of proposed Glenville Drive (a 80-foot wide R.O.W.);

THENCE along the said easterly right-of-way line of proposed Glenville Drive the following:

South 26 33'40" West a distance of 98.21 feet to the point of curvature of a curve to the left having a central angle of 19 72'59" and a radius of 910.00 feet;

Southwesterly along said curve to the left an arc distance of 305.20 feet to a point for corner; said point being the non tangent intersection of the easterly right-of-way line of said proposed Glenville Drive and the projection of the southerly right-of-way line of said proposed Waterwood Drive;

TRACT 2
FIELD NOTE DESCRIPTION

BEING a 12.65 acre tract of land situated in the City of Richardson, Dallas County, Texas; and being situated in the J.V. Vance Survey, Abstract No. 1513 in Dallas County; and also being out of a 42.95 acre tract conveyed to William Herbert Hunt Trust Estate and Bunker Nelson Hunt Trust Estate as recorded in Volume 69193, Page 1513 of the Deed Records of Dallas County (DRDCT), Texas; and being more particularly described as follows:

BEGINNING at the most easterly southeast corner of Greenway, an addition to the City of Richardson as recorded in Volume 82209, Page 0334, DRDCT; said corner also being in the northerly right-of-way line of Greenville Avenue (a 120-foot wide R.O.W.) and the southwest corner of said 42.95 acre tract;

THENCE along the east line of said Greenway Addition, North 00 50'54" West a distance of 1,050.79 feet to a point for corner; said point being in the southerly right-of-way line of Waterwood Drive (a 60-foot wide R.O.W.);

THENCE along the said southerly right-of-way line of proposed Waterwood Drive the following:

North 89 09'06" East a distance of 60.00 feet to the point of curvature of a curve to the left having a central angle of 21 09'00" and a radius of 480.00 feet;

Northeasterly along said curve to the left an arc distance of 177.19 feet to the point of reverse curvature of a curve to the right having a central angle of 31 14'00" and a radius of 420.00 feet;

Northeasterly along said curve to the right an arc distance of 228.95 feet to the point of tangency of said curve;

South 80 45'58" East a distance of 96.43 feet to a point for corner; said corner being the intersection of the projected said southerly right-of-way line of proposed Waterwood Drive and the curving easterly right-of-way line of proposed Greenville Drive (a 80-foot wide R.O.W.); said non-tangent curve to the left having a central angle of 36 59'21" and a radius point bearing South 82 44'29" East a distance of 910.00 feet;

TRACT 2
FIELD NOTE DESCRIPTION
(continued)

THENCE departing the said southerly right-of-way line of proposed Waterwood Drive and continuing along the said curving easterly right-of-way line of proposed Glenville Drive the following:

Southeasterly along said curve to the left an arc distance of 587.48 feet to the point of tangency of said curve;

South 29 38'40" East a distance of 139.52 feet to a point for corner; said corner being the intersection of the said easterly right-of-way line of proposed Glenville Drive and the said northerly right-of-way line of Greenville Avenue;

THENCE departing the said easterly right-of-way of proposed Glenville Drive and continuing along the said northerly right-of-way line of Greenville Avenue, South 60 21'20" West a distance of 825.67 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 551,225 square feet or 12.65 acres of land, more or less.

TRACT 3
FIELD NOTE DESCRIPTION

BEING a 32.47 acre tract of land situated in the City of Richardson, Collin and Dallas Counties, Texas; and being situated in the J. V. Vance Survey, Abstract No. 942 in Collin County and the J.V. Vance Survey, Abstract No. 1513 in Dallas County; and also being out of a 100.07 acre tract and a 142.9 acre tract conveyed to William Herbert Hunt Trust Estate and Bunker Nelson Hunt Trust Estate as recorded in Volume 69215, Page 1468 of the Deed Records of Dallas County (DRDCT), Texas and Volume 658, Page 114 of the DDeed Records of Collin County(DRCCT), Texas, respectfully; and being more particularly described as follows:

COMMENCING at the most easterly southeast corner of Greenway, an addition to the City of Richardson as recorded in Volume 82209, Page 0334, DRDCT; said corner also being in the northerly right-of-way line of Greenville Avenue (a 120-foot wide R.O.W.)and the southwest corner of a 42.95 acre tract conveyed to the said Hunt Trust Estates in Volume 69193 and Page 1513, DRDCT;

THENCE along the east line of said Greenway Addition, North 00 50'54" West a distance of 1,469.35 feet to a point for corner; said corner being the most easterly northeast corner of said Greenway Addition, the northwest corner of said 42.95 acre tract and being in the south line of a 77.49 acre tract conveyed to the said Hunt Trust Estates in Volume 1423, Page 335, DRCCT;

THENCE along the north line of said 42.95 acre tract, North 89 22'01" East a distance of 478.61 feet to the POINT OF BEGINNING; said corner being the southwest corner of said 100.07 acre tract and the southeast corner of said 77.49 acre tract of land;

THENCE along the west line of said 100.07 acre tract of land, North 00 27'48" West a distance of 2,086.88 feet to the northwest corner of said 100.07 acre tract of land;

THENCE along the north line of said 100.07 acre tract of land, North 89 36'53" East a distance of 757.76 feet to a point for corner; said corner being the intersection of the said north line of 100.07 acre tract of land and the most southerly southwest corner of a 142.9 acre tract of land conveyed to the said Hunt Trust Estates as recorded in Volume 658, Page 114 of the Deed Records of Collin County, Texas (DRCCT);

Thence departing the said north line of 100.07 acre tract of land and continuing along the said west line of 142.9 acre tract of land, North 04 17'04" West a distance of 254.82 feet to a non-tangent point for corner in the curving westerly right-of-way line of proposed Glenville Drive (a 80-foot wide R.O.W.); said nontangent curve to the right having a central angle of 60 33'29" and a radius point bearing South 56 00'11" West a distance of 1,010.00 feet;

TRACT 3
FIELD NOTE DESCRIPTION
(continued)

THENCE along the said westerly right-of-way of proposed Glenville Drive the following:

Southerly along said curve to the right an arc distance of 1,067.51 feet to the point of tangency of said curve;

South 26 33'40" West a distance of 4.64 feet to a point for corner; said point being the intersection of the said westerly right-of-way line of proposed Glenville Drive and the projected southerly right-of-way line of proposed Lookout Drive (a 80-foot wide R.O.W.);

THENCE along the said projected southerly right-of-way line of proposed Lookout Drive, South 63 26'20" East a distance of 80.00 feet to a point for corner; said point being the intersection of the easterly right-of-way line of said proposed Glenville Drive and the said southerly right-of-way line of proposed Lookout Drive;

THENCE along the said easterly right-of-way line of proposed Glenville Drive, South 26 33'40" West a distance of 1,441.89 feet to a point for corner in the south line of said 100.07 acre tract of land;

THENCE along the south line of said 100.07 acre tract of land, South 89 59'38" West a distance of 212.61 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 1,414,770 square feet or 32.47 acres of land, more or less.

TRACT 4
FIELD NOTE DESCRIPTION

BEING a 63.50 acre tract of land situated in the City of Richardson, Dallas, and Collin Counties, Texas; and being situated in the J.V. Vance Survey, Abstract No. 1513 in Dallas County and the J.V. Vance Survey, Abstract No. 942 in Collin County; and also being out of a 42.95 acre tract and a 100.07 acre tract conveyed to William Herbert Hunt Trust Estate and Bunker Nelson Hunt Trust Estate as recorded in Volume 69193, Page 1513 and Volume 69215, Page 1468, respectfully, of the Deed Records of Dallas County (DRDCT), Texas; and being more particularly described as follows:

COMMENCING at the most easterly southeast corner of Greenway, an addition to the City of Richardson as recorded in volume 82209, Page 0334, DRDCT; said corner also being in the northerly right-of-way line of Greenville Avenue (a 120-foot wide R.O.W.) and the southwest corner of said 42.95 acre tract;

THENCE along the said north right-of-way line of Greenville Avenue, North 60 21'20" East a distance of 825.67 feet to the POINT OF BEGINNING; said point being the intersection of the said north right-of-way of Greenville Avenue with the east right-of-way of proposed Glenville Drive (a 80-foot wide R.O.W.);

THENCE along the said east right-of-way line of proposed Glenville Drive the following:

North 29 38'40" West a distance of 139.52 feet to a point of curvature of a curve to the right having a central angle of 56 12'20" and a radius of 910.00 feet;

Northeasterly along said curve to the right an arc distance of 892.68 feet to the point of tangency of said curve; and passing the projected south right-of-way line of proposed Waterwood Drive (a 60 feet wide R.O.W.) at the arc distance of 587.48 feet;

North 26 33'40" East a distance of 1441.89 feet to a point for corner at the intersection of said east right-of-way of proposed Glenville Drive and the south right-of-way of proposed Lookout Drive (a 80 feet wide R.O.W.); and passing the north line and south line of said 42.95 acre tract and 100.07 acre tract, respectfully at 98.21 feet;

THENCE departing the said east right-of-way line of proposed Glenville Drive and along the said south right-of-way of proposed Lookout Drive the following:

South 63 26'20" East a distance of 476.98 feet to a point of curvature of a curve to the left having a central angle of 25 56'09" and a radius of 1040.00 feet;

Easterly along said curve to the left an arc distance of 470.77 feet to the point of tangency of said curve;

TRACT 4
FIELD NOTE DESCRIPTION
(continued)

South 89 22'29" East a distance of 410.25 feet to a point for corner at the intersection of said south right-of-way of proposed Lookout Drive and the west right-of-way of Plano Road (a 140 feet wide R.O.W.); said point being in a nontangent curve to the right having a central angle of 0 16'00" and a radius point bearing North 86 02'00" West a distance of 1430.00 feet;

THENCE departing the said south line of proposed Lookout Drive and along the west right-of-way line of Plano Road southerly along said curve to the right an arc distance of 6.65 feet to the point of tangency of said curve;

THENCE continuing along said west right-of-way of Plano Road, South 03 58'00" West a distance of 304.25 feet to the point of curvature of a curve to the right having a central angle of 48 42'45" and a radius of 1676.47 feet;

THENCE southwesterly along said west right-of-way of Plano Road and the north right-of-way of Greenville Avenue, along said curve to the right an arc distance of 1425.32 feet to the point of tangency of said curve;

THENCE southwesterly along said curve to the right an arc distance of 1425.32 feet to the point of tangency of said curve;

THENCE continuing along said north right-of-way line of Greenville Avenue, South 60 21'20" West a distance of 1,211.77 feet to the POINT OF BEGINNING:

CONTAINING within these metes and bounds 2,766,400 square feet or 63.50 acres of land, more or less.

TRACT 5
FIELD NOTE DESCRIPTION

BEING a 23.61 acre tract of land situated in the City of Richardson, Dallas, and Collin Counties, Texas; and being situated in the J.V. Vance Survey, Abstract No. 1513 in Dallas County and the J.V. Vance Survey, Abstract No. 942 in Collin County; and also being out of a 100.07 acre tract conveyed to William Herbert Hunt Trust Estate and Bunker Nelson Hunt Trust Estate as recorded in Volume 69215, Page 1468 of the Deed Records of Dallas County (DRDCT), Texas; and being more particularly described as follows:

COMMENCING at the most easterly southeast corner of Greenway, an addition to the City of Richardson as recorded in volume 82209, Page 0334, DRDCT; said corner also being in the northerly right-of-way line of Greenville Avenue (a 120-foot wide R.O.W.) and the southwest corner of a 42.95 acre tract conveyed to the said Hunt Trust Estate as recorded in Volume 69193, Page 1513;

THENCE along the said north right-of-way line of Greenville Avenue, North 60 21'20" East a distance of 2,037.44 feet to a point of curvature of a curve to the left having a central angle of 48 42'45" and a radius of 1,676.47 feet; passing the east right-of-way line of proposed Glenville Drive (a 80 feet wide R.O.W.) at 825.67 feet;

THENCE northeasterly along said northerly right-of-way of Greenville Avenue and the west line of Plano Road (a 140 feet wide R.O.W.) along said curve to the left an arc distance of 1,425.32 feet to the point of tangency of said curve;

THENCE continuing along said west right-of-way of Plano Road, North 03 58' 00" East a distance of 304.25 feet to a point of curvature of a curve to the left having a central angle of 0 16'00" and a radius of 1,430.00 feet;

THENCE continuing along said west right-of-way of Plano Road, northerly along said curve to the left an arc distance of 6.65 feet to the POINT OF BEGINNING; said point being the intersection of said west right-of-way of Plano Road and the south right-of-way of proposed Lookout Drive (a 80 feet wide R.O.W.);

THENCE departing the said west right-of-way of Plano Road at a nontangent point of the curve along said south right-of-way of proposed Lookout Drive the following:

North 89 22'29" West a distance of 410.25 feet to a point of curvature of a curve to the right having a central angle of 25 56'09" and a radius of 1,040.00 feet;

Northwesterly along said curve to the right an arc distance of 470.77 feet to a point of tangency of said curve;

TRACT 5
FIELD NOTE DESCRIPTION
(continued)

North 63 26'20" West a distance of 556.98 feet to a point at the intersection of the projection of the south right-of-way of proposed Lookout Drive and the west right-of-way of said proposed Glenville Drive; passing the said east right-of-way of proposed Glenville Drive at 476.98 feet;

THENCE along said west right-of-way of proposed Glenville Drive, North 26 33'40" East a distance of 4.64 feet to a point of curvature of a curve to the left having a central angle of 28 50'11" and a radius of 1010.00 feet;

THENCE departing the said west right-of-way of proposed Glenville Drive at an angle radial to the curve, North 87 43'29" East a distance of 1,088.97 feet to a point for corner;

THENCE North 86 00'28" East a distance of 169.56 feet to a point for corner in the said west line of Plano Road;

THENCE along said west right-of-way of Plano Road the following:
South 00 01'04" East a distance of 821.56 feet to a point of curvature of a curve to the right having a central angle of 3 43'04" and a radius of 1,430.00 feet;

Southerly along said curve to the right an arc distance of 92.79 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 1,028.525 square feet or 23.61 acres of land, more or less.

TRACT 6
FIELD NOTE DESCRIPTION

BEING a 150.18 acre tract of land situated in the city of Richardson, Collin Counties, Texas; and being situated in the J.V. Vance Survey, Abstract No. 942 in Collin County; and also being out of a 100.07 acre tract, 77.49 acre tract and a 142.9 acre tract conveyed to William Herbert Hunt Trust Estate and Bunker Nelson Hunt Trust Estate as recorded in Volume 69215, Page 1468 of the Deed Records of Dallas County (DRDCT), Texas, Volume 1423, Page 335 of the Deed Records of Collin County (DRCCT), Texas, and Volume 658, Page 114 of the DRCCT, respectfully; and being more particularly described as follows:

COMMENCING at the most easterly southeast corner of Greenway, an addition to the City of Richardson as recorded in Volume 82209, Page 0334, DRDCT; said corner also being in the northerly right-of-way line of Greenville Avenue (a 120-foot wide R.O.W.) and the southwest corner of a 42.95 acre tract conveyed to the said Hunt Trust Estate as recorded in Volume 69193, Page 1513;

THENCE along the said north right-of-way line of Greenville Avenue, North 60 21'20" East a distance of 2,037.44 feet to a point of curvature of a curve to the left having a central angle of 48 42'45" and a radius of 1,676.47 feet; passing the east right-of-way line of proposed Glenville Drive at 825.67 feet;

THENCE northeasterly along said northerly right-of-way of Greenville Avenue and the west line of Plano Road (a 140 feet wide R.O.W.) along said curve to the left an arc distance of 1,425.32 feet to the point of tangency of said curve;

THENCE continuing along said west right-of-way of Plano Road the following:
North 03 58' 00" East a distance of 304.25 feet to a point of curvature of a curve to the left having a central angle of 03 59'04" and a radius of 1,430.00 feet;

Northerly along said curve to the left an arc distance of 99.44 feet to the point of tangency;

North 00 01'04" West a distance of 821.56 feet to the POINT OF BEGINNING;

THENCE departing the said west right-of-way of Plano Road, South 86 00'28" West a distance of 169.56 feet;

THENCE South 87 43'29" West a distance of 1,088.97 feet to a tangent point for corner in the curving west right-of-way of proposed Glenville Drive (a 80 feet wide R.O.W.); said curve to the left having a central angle of 84 56'18" and a radius of 1,010.00 feet;

TRACT 6
FIELD NOTE DESCRIPTION
(continued)

THENCE along the westerly and southerly right-of-way of said Glenville Drive the following:

Northwesterly along said curve to the left for an arc distance of 1,497.28 feet to a point of tangency;

North 87 12'49" West a distance of 372.22 feet to a point in the east line of the S.P.T.C. Houston-Dennison Railroad (DART) right-of-way (a 100 feet wide R.O.W.);

THENCE along said east right-of-way of S.P.T.C. Houston-Dennison Railroad right-of-way the following:

North 20 34'23" East a distance of 1,121.77 feet to a S.P.T.C. Houston-Dennison Railroad right-of-way expansion point (a 100 feet wide to a 200 feet wide R.O.W.);

South 69 25'37" East a distance of 50.00 feet to a point for corner;

North 20 34'23" East a distance of 1,482.92 feet to a point in the south right-of-way of Renner Road (50 feet from new centerline as dedicated in Volume 1853, Page 173 of the DRCCT);

THENCE along the said south right-of-way of Renner Road the following:

North 89 40'48" East a distance of 1,166.82 feet to a point for corner;

South 83 25'03" East a distance of 99.85 feet to a point for corner;

North 89 40'48" East a distance of 350.00 feet to a corner clip point at the intersection of the said south right-of-way of Renner and the said west right-of-way of Plano Road;

THENCE along said right-of-way corner clip, South 45 10'09" East a distance of 14.11 feet to a point in the said west right-of-way line of Plano Road;

THENCE along said west right-of-way of Plano Road, South 00 01'04" East a distance of 3,339.84 feet to the POINT OF BEGINNING;

CONTAINING within these metes and bounds 6,541,840 square feet or 150.81 acres of land, more or less.

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AS HERETOFORE AMENDED, BY APPROVING A REQUEST FOR A C-M COMMERCIAL ZONING DISTRICT CLASSIFICATION WITH SPECIAL CONDITIONS ON A 27.56 ACRE OF LAND IN THE J.V. VANCE SURVEY, ABSTRACT NO. 942, COLLIN COUNTY, TEXAS, AND ABSTRACT NO. 1513 IN DALLAS COUNTY, TEXAS, THE TRACT BEING BORDERED ON THE NORTH BY LOOKOUT DRIVE, ON THE EAST BY PERFORMANCE DRIVE, ON THE SOUTH BY GALATYN PARKWAY, AND ON THE WEST BY THE DART RAIL LINE, AND DESCRIBED IN EXHIBIT "A"; WITH SPECIAL CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Planning 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, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance of the City of Richardson 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 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 by approving a request for C-M Commercial District zoning with special conditions on a 27.56 acre tract of land in the J.V. Vance Survey, Abstract No. 942, Collin County, Texas and Abstract No. 1513 in Dallas County, Texas, the tract being bordered on the north by

Lookout Drive, on the east by Performance Drive, on the south by Galatyn Parkway, and on the west by the DART Rail Line, and described in Exhibit "A", attached hereto and made a part hereof for all purposes, subject to special conditions.

SECTION 2. That the above special permit is hereby granted subject to the following special conditions:

Special Conditions

General Regulations:

1. Unless otherwise specified herein, zoning conditions, requirements, and calculations, such as FAR, parking and access, shall be calculated and determined based on the overall acreage, regardless of the future subdividing of the property.
2. Enclosed at-grade, elevated, or below-grade structures used for pedestrian and/or service access between buildings shall be a permitted use, and shall be allowed to cross future lot lines if property is subdivided.
3. Concurrent with each phase of development, a General Master Plan shall be provided for the entire 27.56-acre parcel. As phases are added, the General Master Plan shall be updated to reflect the existing and proposed development, as well as any known details of future development. In order to monitor the relationship among the individual phases and ultimate development, each site plan shall include a summary of calculations for parking, building square footage per use, number of hotel rooms, number of seats in the auditorium, landscape percent, and other relevant information. The General Master Plan shall be maintained on file in the Planning Department upon approval by the City Plan Commission.

Use Regulation:

Offices (to include incidental retail and/or personal service activities as defined below)

Business and professional offices
Employment training centers

Conference center

Support services

Health studio, fitness center

Restaurant (quality, sit-down restaurant without drive-through, drive-up or drive-in service)

Day care center

Commercial parking lot or garage

Lodging (to include incidental retail and/or personal service activities as defined below)

Full service hotel

Institutional uses

Performing arts theater/auditorium

Conference or convention center

Incidental retail or personal service activities

Activities of a retail or personal service nature intended to provide support and personal services to the tenants, occupants, employees and guests of a building or area corporate users, including, but not limited to, barber and beauty shops, laundry pick-up stations, printing and copy shops, office supply and stationery stores, travel agencies, secretarial services, candy/cigar/tobacco shops, florists, optical good sales, photographic supply sales, film processing and printing, professional pharmacies, food court activity.

General Concept Plan:

The configuration/placement of uses shall generally conform to the General Concept Plan, Exhibit "B" attached hereto and made a part hereof.

Building Height:

The maximum height of any building shall be twenty (20) standard stories. The tract shall be exempt from any residential adjacency requirements.

Setbacks:

Building setbacks (front, side and rear) on all tracts may be zero feet (0'), except along the Lookout Drive and Galatyn Parkway frontages, where a minimum building setback of fifteen (15') feet shall be required.

Floor Area Ratio (FAR):

The maximum Floor Area Ratio shall be 1.25:1, based on the entire 27.56 acre tract.

Parking:

The use of shared parking within this tract shall be encouraged, along with a recognition of the impact of light rail transit on parking demands. Off-site parking (assured by formal agreement), or other similar arrangements as approved by the Plan Commission at time of site plan approval, may be used to satisfy the special event parking needs of a conference center and/or a performance theater/auditorium. The shared parking needs of each phase of other development uses shall be met by the provision of on-site parking facilities.

The following special parking rates and adjustment factors are hereby established for uses within this tract:

Shared Parking Reductions – The standard peak parking demand factors (Exhibit 26) attached hereto and made a part hereof and hourly accumulation, based on percentage of peak demand (Exhibit 28), attached hereto and made a part hereof as described in the Urban Land Institute (ULI) report Shared Parking, may be utilized in determining the amount of shared parking allowed within the development. Any shared parking consideration shall be approved by the City Plan Commission at the time of site plan approval.

Transit Parking Reduction – A reduction of 3.0% may be granted following the initial operation of the Galatyn Park Station, increasing to 5.0% with the completion of service to the Parker Road Station in Plano. An additional 5.0% reduction may be granted following the provision of rail service to DFW International Airport.

Travel Demand Management (TDM) – The developers may demonstrate the ability to utilize public transit, shuttle service, carpools/vanpools or other TDM systems and techniques to receive additional parking credits. These systems and techniques must be formalized and on going to satisfy the City Plan Commission as part of site plan review.

Landscaping:

Approval of a landscape plan according to the provisions of Article XXII-D shall be required, except that a minimum landscaped area of fifteen (15%) percent of the total net developable area shall be required. Publicly owned plazas and open space, excluding paved roadways or drives, shall be included in satisfaction of this requirement.

Construction Materials:

Hotel/conference facility: Exterior Insulation and Finish System (EIFS), Glass Fiber Reinforced Concrete (GFRC) or other materials approved by the City Plan Commission shall be permitted on a maximum of 85% of the exterior wall area of the hotel tower in lieu of standard masonry construction. At a minimum, the first 10 feet of the hotel/conference facility base above ground floor elevation shall be constructed of 100% masonry materials, except that EIFS, in accordance with the specifications below, or GFRC materials shall be permitted on lower level exterior walls that are shielded from public view by masonry screening walls. EIFS shall not be permitted as a recladding material on the first floor elevation.

Standard Class PB Polymer Based EIFS materials shall be permitted on the hotel/conference facility at a minimum height of 10 feet above the ground floor elevation. Below 10 feet, Polymer Based High Impact EIFS materials shall be permitted. All EIFS materials shall contain components and methods of attachment required by the warranty. Said materials shall be installed by approved applicators in accordance with the manufacturer's specifications.

The hotel developer shall contract with an independent third party inspection service to monitor and report on compliance with the EIFS conditions and specifications stated herein.

All other buildings: All other buildings shall be of standard masonry construction as defined in the comprehensive zoning ordinance and the C-M Commercial district regulations.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the

same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 4. That all provisions of this 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 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 (\$2,000.00) Dollars for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

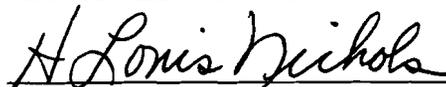
SECTION 6. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 22nd day of March, 1999.

APPROVED:


MAYOR

APPROVED AS TO FORM:


CITY ATTORNEY
(HLN/sb 3-9-99)

CORRECTLY ENROLLED:


CITY SECRETARY

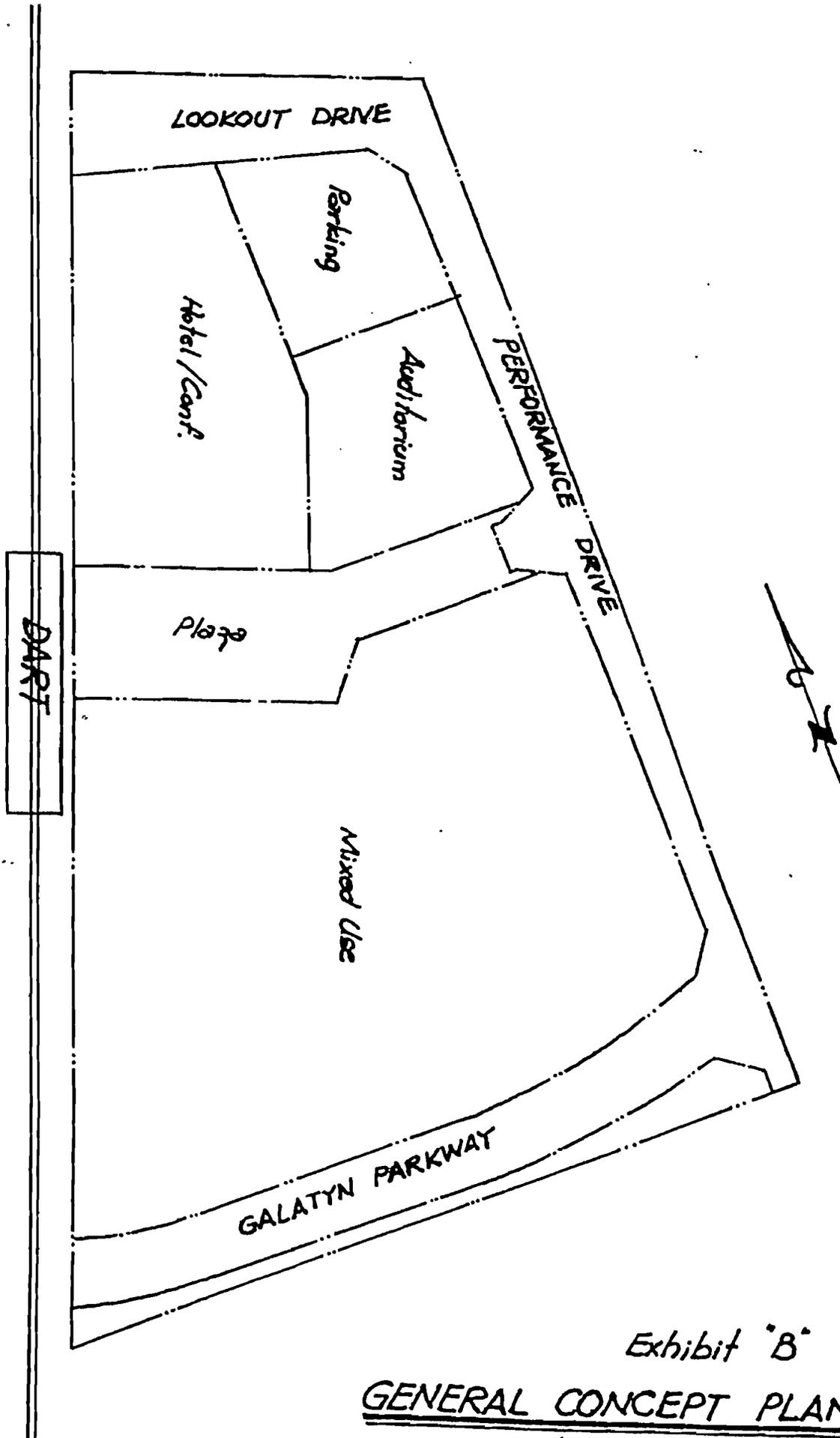


Exhibit "B"
GENERAL CONCEPT PLAN
GalatynSM Urban Center

EXHIBIT 26
REPRESENTATIVE PEAK PARKING DEMAND FACTORS

Land Use	Unit	Weekday	Saturday
Office	Parking spaces per 1,000 sq. ft. GLA	3.00	0.50
Retail (400,000 sq. ft.)	Parking spaces per 1,000 sq. ft. GLA	3.80	4.00
Retail (600,000 sq. ft.)	Parking spaces per 1,000 sq. ft. GLA	3.80	5.00
Restaurant	Parking spaces per 1,000 sq. ft. GLA	20.00	20.00
Cinema	Parking spaces per seat	0.25	0.30
Residential	Parking spaces per dwelling unit ^a	1.00	1.00
Hotel			
Guest room	Parking spaces per room	1.25 ^b	1.25 ^b
Restaurant/lounge	Parking spaces per 1,000 sq. ft. GLA	10.00	10.00
Conference rooms	Parking spaces per seat ^c	0.50	0.50
Convention area	Parking spaces per 1,000 sq. ft. GLA ^c	30.00	30.00

^aPer one auto owned per dwelling unit.

^bFactored up to 100 percent auto use from the 80 percent auto use indicated in exhibit 13.

^cUsed by nonguests; the given rates thus are upper bounds, which are very rarely achieved.

EXHIBIT 28
REPRESENTATIVE HOURLY ACCUMULATION BY
PERCENTAGE OF PEAK HOUR

Hour of Day	Hotel															
	Office		Retail		Restaurant		Cinema	Residential (non-CBD)		Residential (CBD)	Guest Room		Restaurant/Lounge		Conference Room	Convention Area
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday	Daily	Weekday	Saturday	Daily	Weekday	Saturday	Weekday	Saturday	Daily	Daily
6:00 a.m.	3%	—	—	—	—	—	—	100%	100%	100%	100%	90%	20%	20%	—	—
7:00 a.m.	20	20%	8%	3%	2%	2%	—	87	95	95	85	70	20	20	—	—
8:00 a.m.	63	60	18	10	5	3	—	79	88	90	65	60	20	20	50%	50%
9:00 a.m.	93	80	42	30	10	6	—	73	81	87	55	50	20	20	100	100
10:00 a.m.	100	90	68	45	20	8	—	68	74	85	45	40	20	20	100	100
11:00 a.m.	100	100	87	73	30	10	—	59	71	85	35	35	30	30	100	100
12:00 Noon	90	100	97	85	50	30	30%	60	71	85	30	30	50	30	100	100
1:00 p.m.	90	90	100	95	70	45	70	59	70	85	30	30	70	45	100	100
2:00 p.m.	97	60	97	100	60	45	70	60	71	85	35	35	60	45	100	100
3:00 p.m.	93	40	95	100	60	45	70	61	73	85	35	40	55	45	100	100
4:00 p.m.	77	40	87	90	50	45	70	66	75	87	45	50	50	45	100	100
5:00 p.m.	47	20	79	75	70	60	70	77	81	90	60	60	70	60	100	100
6:00 p.m.	23	20	82	65	90	90	80	85	85	92	70	70	90	90	100	100
7:00 p.m.	7	20	89	60	100	95	90	94	87	94	75	80	100	95	100	100
8:00 p.m.	7	20	87	55	100	100	100	96	92	96	90	90	100	100	100	100
9:00 p.m.	3	—	61	40	100	100	100	98	95	98	95	95	100	100	100	100
10:00 p.m.	3	—	32	38	90	95	100	99	96	99	100	100	90	95	50	50
11:00 p.m.	—	—	13	13	70	85	80	100	98	100	100	100	70	85	—	—
12:00 Mid-night	—	—	—	—	50	70	70	100	100	100	100	100	50	70	—	—

Metes and Bounds Description

27.56 Acres

J. V. Vance Survey

Abstract No. 942 - Collin County, Texas

Abstract No. 1513 - Dallas County, Texas

BEING a 27.56 acre tract of land in the J. V. Vance Survey, Abstract No. 942, Collin County and Abstract No. 1513, Dallas County, Texas and being part of that certain 77.49 acre tract of land conveyed to William Herbert Hunt Trust Estate and Nelson Bunker Hunt Trust Estate as recorded in Volume 1423, Page 335 of the Deed Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at the southwest corner of said 77.49 acre tract and the northwest corner of Greenway Addition. an addition to the City of Richardson as evidenced by plat recorded in Volume 82209, Page 334 of the Map Records of Dallas County, Texas. same being in the southeast line of the Dallas Area Rapid Transit (D.A.R.T.) right-of-way recorded in Volume 88083, Page 4905 of the Deed Records of Dallas County, Texas;

THENCE North $20^{\circ}12'50''$ East along said D.A.R.T. right-of-way and the northwest line of said 77.49 acre tract a distance of 1753.49 feet;

THENCE South $69^{\circ}47'10''$ East departing said right-of-way and the northwest line of said 77.49 acre tract a distance of 485.46 feet;

THENCE South a distance of 1460.00 feet;

THENCE South $89^{\circ}02'31''$ West a distance of 1061.58 feet to the POINT OF BEGINNING:

CONTAINING within the metes recited 27.56 acres of land, more or less.

3216



RESOLUTION NO. 14-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ADOPTING THE CITY OF RICHARDSON INVESTMENT POLICY ATTACHED HERETO AS EXHIBIT “A”; DECLARING THAT THE CITY COUNCIL HAS COMPLETED ITS REVIEW OF THE INVESTMENT POLICY AND INVESTMENT STRATEGIES OF THE CITY AND THAT EXHIBIT “A” RECORDS ANY CHANGES TO EITHER THE INVESTMENT POLICY OR INVESTMENT STRATEGIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Public Funds Investment Act, Chapter 2256, TEX. GOV'T CODE, the City Council of the City of Richardson, Texas by resolution adopted an investment policy; and

WHEREAS, Section 2256.005, Tex. Gov't Code, requires the City Council to review the investment policies and investment strategies not less than annually and to adopt a resolution or order stating the review has been completed and recording any changes made to either the investment policies or investment strategies.

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

SECTION 1. That the City of Richardson Investment Policy, attached hereto as Exhibit “A,” be and the same is hereby adopted and shall govern the investment policies and investment strategies for the City, and shall define the authority of the investment official of the City from and after the effective date of this Resolution.

SECTION 2. That the City Council of the City of Richardson has completed its review of the investment policies and investment strategies and any changes made to either the investment policies or investment strategies are recorded in Exhibit “A” hereto.

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

SECTION 4. 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 5. 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 1st day of December, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

PETER G. SMITH, CITY ATTORNEY
(PGS:10-15-14:TM 68703)

Exhibit “A”

City of Richardson Investment Policy

ARTICLE I PURPOSE AND NEED FOR POLICY

Chapter 2256 of the Government Code, as amended from time to time by the Texas State Legislature (“Public Funds Investment Act”) requires each city to adopt rules governing its investment practices and to define the authority of the investment official. The Investment Policy addresses the methods, procedures and practices which must be exercised to ensure effective and prudent fiscal management of the City of Richardson funds.

ARTICLE II SCOPE

The Investment Policy applies to the investment and management of all funds under direct authority of the City of Richardson.

- A. These funds are accounted for in the City’s Annual Financial Report and include the following:
- (1) the General Fund;
 - (2) Special Revenue Funds;
 - (3) Capital Project Funds;
 - (4) Enterprise Funds;
 - (5) Trust and Agency Funds, to the extent not required by law or existing contract to be kept segregated and managed separately;
 - (6) Debt Service Funds, including reserves and sinking funds to the extent not required by law or existing contract to be kept segregated and managed separately; and
 - (7) Any new fund created by the City unless specifically exempted from this policy by the City or by law.

This investment policy shall apply to all transactions involving the financial assets and related activity of all the foregoing funds.

- B. This policy excludes:
- 1) Employee Retirement and Pension Funds administered or sponsored by the City.
 - 2) Defeased bond funds held in trust escrow accounts.

C. Review and Amendment

The City Council is required by state statute and by this investment policy to review this investment policy and investment strategies not less than annually and to adopt a resolution or an ordinance stating the review has been completed and recording any changes made to either the policy or strategy statements.

**ARTICLE III
PRUDENCE**

Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived.

In determining whether an investment official has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- (1) the investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
- (2) whether the investment decision was consistent with the written investment policy of the City.

All participants in the investment program will seek to act responsibly as custodians of the public trust. Investment officials will avoid any transaction that might impair public confidence in the City's ability to govern effectively. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism which is worthy of the public trust. Nevertheless, the City recognizes that in a marketable, diversified portfolio, occasional measured losses are inevitable and must be considered within the context of the overall portfolio's investment rate of return.

Investment officials, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for market price changes, provided that these deviations from expectations are reported immediately to the Director of Finance, the City Manager and the City Council of the City of Richardson, and that appropriate action is taken by the investment officials and their oversight managers to control adverse developments.

**ARTICLE IV
OBJECTIVES**

A. Preservation and Safety of Principal

Preservation of capital is the foremost objective of the City. Each investment transaction shall seek first to ensure that capital losses are avoided, whether the loss occurs from the default of a security or from erosion of market value.

B. Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which can be reasonably anticipated. Liquidity will be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

C. Yield

The investment portfolio of the City shall be designed to meet or exceed the average rate of return on 91-day U.S. treasury bills throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio. Legal constraints on debt proceeds that are not exempt from federal arbitrage regulations are limited to the arbitrage yield of the debt obligation. Investment officials will seek to maximize the yield of these funds in the same manner as all other City funds. However, if the yield achieved by the City is higher than the arbitrage yield, positive arbitrage income will be averaged over a five year period, netted against any negative arbitrage income and the net amount shall be rebated to the federal government as required by federal regulations.

**ARTICLE V
RESPONSIBILITY AND CONTROL**

A. Delegation

Management responsibility to establish written procedures for the operation of the investment program consistent with this investment policy has been assigned to the Director of Finance by the City Manager. The Director of Finance has delegated this responsibility to the Assistant Director of Finance. Such procedures shall include explicit delegation of authority to persons responsible for the daily cash management operation, the execution of investment transactions, overall portfolio management and investment reporting. The Assistant Director of Finance may delegate the daily investment responsibilities to either an internal investment official or an external investment advisor in combination with an internal investment official. The Assistant Director of Finance and/or his representative(s) will be limited by conformance with all federal regulations, ordinances, and the statements of investment strategy.

B. Subordinates

All persons involved in investment activities shall be referred to as "Investment Officials." No person shall engage in an investment transaction except as provided under the terms of this policy, the procedures established by the Assistant Director of Finance and the explicit authorization by the City Manager to withdraw, transfer, deposit and invest the City's funds. The City Council, by resolution, has authorized the City Manager to appoint these individuals. The Director of Finance and the Assistant Director of Finance shall be responsible for all transactions undertaken, and shall establish a system of controls to regulate the activities of subordinate Investment Officials.

C. Internal Controls

Internal controls shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by investment officials. Controls deemed most important would include: control of collusion, separation of duties, third-party custodial safekeeping, avoidance of bearer-form securities, clear delegation of authority, specific limitations regarding securities losses and remedial action, written confirmation of telephone transactions, minimizing the number of authorized investment officials, and documentation of and rationale for investment transactions.

In conjunction with the annual independent audit, a compliance audit of management controls on investments and adherence to the Investment Policy and the Investment Strategy shall be performed by the City's independent auditor.

D. Ethics and Conflicts of Interest

An investment officer of the City who has a personal business relationship with a business organization offering to engage in an investment transaction with the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree of affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship with the Texas Ethics Commission and the City Council. For purposes of this section, an investment officer has a personal business relationship with a business organization if:

- (1) the investment officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
- (2) funds received by the investment officer from the business organization exceed 10 percent of the investment officer's gross income for the previous year; or
- (3) the investment officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment officer.

Investment officials of the City shall refrain from personal and business activities involving any of the City's custodians, depositories, broker/dealers or investment advisors which may influence the officer's ability to conduct his duties in an unbiased manner. Investment officials will not utilize investment advice concerning specific securities or classes of securities obtained in the transaction of the City's business for personal investment decisions, will in all respects subordinate their personal investment transactions to those of the City, particularly with regard to the timing of purchase and sales and will keep all investment advice obtained on behalf of the City and all transactions contemplated and completed by the City confidential, except when disclosure is required by law.

E. Investment Training Requirements

The Director of Finance, the Assistant Director of Finance, and the Investment officials shall attend at least one ten hour training session relating to their investment responsibilities within 12 months after assuming their duties. In addition to this ten hour requirement, each

investment officer shall receive not less than ten hours of instruction in their investment responsibilities at least once during each two year period that begins on October 1st and consists of the two consecutive fiscal years after that date. The investment training session shall be provided by an independent source approved by the investment committee. For purposes of this policy, an “independent source” from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a Business Organization with whom the City of Richardson may engage in an investment transaction. Such training shall include education in investment controls, credit risk, market risk, investment strategies, and compliance with investment laws, including the Texas State Public Funds Investment Act. A list will be maintained of the number of hours and conferences attended for each investment official and a report of such information will be provided to the Investment Committee.

ARTICLE VI AUTHORIZED INVESTMENTS

- A. Obligations, including letters of credit, of the United States or its agencies and instrumentalities.
- B. Direct obligations of the State of Texas or its agencies and instrumentalities.
- C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, the State of Texas, or the United States or its instrumentalities.
- D. Obligations of states, agencies, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than “A” or its equivalent.
- E. Joint Investment Pools of political subdivisions in the State of Texas which invest in instruments and follow practices allowed by current law. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.
- F. Certificates of Deposit issued by a depository institution that has its main office or branch office in Texas:
 - (1) and such Certificates of Deposit are:
 - a. Guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund or their successors; or
 - b. Secured by obligations described in Article VI, sections A through D above.
 - (2) or such depository institution contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

Certificates of Deposit brokered by an authorized broker/dealer that has its main office or a branch office in Texas who contractually agrees to place the funds in federally insured

depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Government Code (Public Funds Investment Act) as amended.

- G. Fully collateralized repurchase or reverse repurchase agreements, including flexible repurchase agreements (flex repo), with a defined termination date secured by a combination of cash and obligations of the United States or its agencies and instrumentalities pledged to the City held in the City's name by a third party selected by the City. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. The securities received for repurchase agreements must have a market value greater than or equal to 103 percent at the time funds are disbursed. All transactions shall be governed by a Master Repurchase Agreement between the City and the primary government securities dealer or financial institution initiating Repurchase Agreement transactions.

The term of any reverse security repurchase agreement may not exceed 90 days after the date the reverse security repurchase agreement is delivered. Money received under the terms of a reverse security repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature not later than the expiration date stated in the reverse security repurchase agreement.

- H. No-load money market mutual funds if the mutual fund:
- (1) Is registered with and regulated by the Securities and Exchange Commission;
 - (2) Has a dollar-weighted average stated maturity of 90 days or fewer; and
 - (3) Includes in its investment objectives the maintenance of a stable net asset value of one dollar for each share.
- I. Investment instruments not authorized for purchase by the City of Richardson include the following:
- (1) Banker's Acceptances;
 - (2) "Bond" Mutual Funds;
 - (3) Collateralized Mortgage Obligations of any type; and
 - (4) Commercial Paper, except that the City can invest in local government investment pools and money market mutual funds that have commercial paper as authorized investments. A local government investment pool or money market mutual fund that invests in commercial paper must meet the requirements of Article VI, Sections E and H above.
- J. If an investment in the City's portfolio becomes an unauthorized investment due to changes in the Investment Policy or the Public Funds Investment Act, or an authorized investment is rated in a way that causes it to become an unauthorized investment, the investment officials of the City shall review the investment and determine whether it would be more prudent to hold the investment until its maturity, or to redeem the investment. Officials shall consider the time remaining until maturity of the investment, the quality of the investment, and the quality and amounts of any collateral which may be securing the investment in determining the appropriate steps to take.

**ARTICLE VII
PORTFOLIO AND INVESTMENT ASSET PARAMETERS**

A. Bidding Process for Investments

It is the policy of the City to require competitive bidding for all investment transactions (securities and bank C.D.'s) except for:

- (1) transactions with money market mutual funds and local government investment pools (which are deemed to be made at prevailing market rates); and
- (2) treasury and agency securities purchased at issue through an approved broker/dealer.

At least three bids or offers must be solicited for all other investment transactions. In a situation where the exact security being offered is not offered by other dealers, offers on the closest comparable investment may be used to establish a fair market price of the security. Security swaps are allowed as long as maturity extensions, credit quality changes and profits or losses taken are within the other guidelines set forth in this policy.

B. Maximum Maturities

The City of Richardson will manage its investments to meet anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five years from the date of purchase.

C. Maximum Dollar-Weighted Average Maturity

Under most market conditions, the composite portfolio will be managed to achieve a one-year or less dollar-weighted average maturity. However, under certain market conditions investment officials may need to shorten or lengthen the average life or duration of the portfolio to protect the City. The maximum dollar-weighted average maturity based on the stated final maturity, authorized by this investment policy for the composite portfolio of the City shall be three years.

D. Diversification

The allocation of assets in the portfolios should be flexible depending upon the outlook for the economy and the securities markets. In establishing specific diversification strategies, the following general policies and constraints shall apply.

- (1) Portfolio maturities and call dates shall be staggered in a way that avoids undue concentration of assets in a specific sector. Maturities shall be selected which provide for stability of income and reasonable liquidity.
- (2) To attain sufficient liquidity, the City shall schedule the maturity of its investments to coincide with known disbursements. Risk of market price volatility shall be controlled through maturity diversification such that aggregate realized price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.
- (3) The following maximum limits, by instrument, are established for the City's total portfolio:
 - U.S Treasury Notes/Bills 100%
 - U.S. Government Agencies & Instrumentalities..... 100%
 - U.S. Treasury & U.S. Agency Callables..... 25%

- Certificates of Deposit 50%
 - Repurchase Agreements (*See D. (4) below*)..... 50%
 - Money Market Mutual Funds (*See D.(5) below*)..... 100%
 - Local Government Investment Pools (*See D.(5) below*)..... 100%
 - State of Texas Obligations & Agencies 25%
 - Obligations of states, agencies, cities and other political subdivisions of any state 25%
- (4) The City shall not invest more than 50% of the investment portfolio in repurchase agreements, excluding bond proceeds and reserves.
- (5) The City shall not invest more than 25% of the investment portfolio in any individual money market mutual fund or government investment pool.
- (6) The investment committee shall review diversification strategies and establish or confirm guidelines on at least an annual basis regarding the percentages of the total portfolio that may be invested in securities other than U.S. Government Obligations. The investment committee shall review quarterly investment reports and evaluate the probability of market and default risk in various investment sectors as part of its consideration.

**ARTICLE VIII
AUTHORIZED BROKER/DEALERS
AND FINANCIAL INSTITUTIONS**

- A. Investment officials will maintain a list of financial institutions and broker/dealers selected by credit worthiness, who are authorized to provide investment services to the City. These firms may include:
- (1) all primary government securities dealers; and
 - (2) those regional broker/dealers who qualify under Securities and Exchange Commission Rule 15C3-1(uniform net capital rule), and who meet other financial credit criteria standards in the industry.

The investment officials may select up to six firms from the approved list to conduct a portion of the daily City investment business. These firms will be selected based on their competitiveness, participation in agency selling groups and the experience and background of the salesperson handling the account. The approved broker/dealer list will be reviewed and approved along with this investment policy at least annually by the investment committee.

- B. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the investment officials with the following:
- (1) Audited financial statements;
 - (2) Proof of National Association of Securities Dealers (N.A.S.D.) certification, unless it is a bank;
 - (3) Resumes of all sales representatives who will represent the financial institution or broker/dealer firm in dealings with the City; and
 - (4) An executed written instrument, by the qualified representative, in a form acceptable to the City and the business organization substantially to the effect that the business organization has received and reviewed the investment policy of the City and

acknowledges that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and the organization that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio or requires an interpretation of subjective investment standards.

ARTICLE IX SAFEKEEPING AND CUSTODY OF INVESTMENT ASSETS

All security transactions, including collateral for repurchase agreements entered into by the City shall be conducted using the delivery vs. payment (DVP) basis. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the safekeeping bank. The only exceptions to DVP settlement shall be wire transactions for money market funds and government investment pools. The safekeeping or custody bank is responsible for matching up instructions from the City's investment officials on an investment settlement with what is wired from the broker/dealer, prior to releasing the City's designated funds for a given purchase. The security shall be held in the name of the City or held on behalf of the City in a bank nominee name. Securities will be held by a third party custodian designated by the investment officials and evidenced by safekeeping receipts or statements. The safekeeping bank's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City. A safekeeping agreement must be in place which clearly defines the responsibilities of the safekeeping bank.

ARTICLE X COLLATERAL

The City's depository bank shall comply with Chapter 2257 of the Government Code, Collateral for Public Funds, as required in the City's bank depository contract.

A Market Value

The Market Value of pledged Collateral must be equal to or greater than 102% of the principal and accrued interest for cash balances in excess of the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUSIF) insurance coverage. The Federal Reserve Bank and the Federal Home Loan Bank are designated as custodial agents for collateral. An authorized City representative will approve and release all pledged collateral. The securities comprising the collateral will be marked to market on a monthly basis using quotes by a recognized market pricing service quoted on the valuation date, and the City will be sent reports monthly.

B Collateral Substitution

Collateralized investments often require substitution of collateral. The Safekeeping bank must contact the City for approval and settlement. The substitution will be approved if its value is equal to or greater than the required collateral value.

C Collateral Reduction

Should the collateral's market value exceed the required amount, the Safekeeping bank may request approval from the City to reduce Collateral. Collateral reductions may be permitted only if the collateral's market value exceeds the required amount.

D Letters of Credit

Letters of Credit, as defined in Article VI (A), are acceptable collateral for Certificates of Deposit. Upon the discretion of the City, a Letter of Credit can be acceptable collateral for City funds held by the City's bank depository.

**ARTICLE XI
INVESTMENT REPORTS**

A. Reporting Requirements

The investment officials shall prepare a quarterly investment report in compliance with section 2256.023 of the Public Funds Investment Act of the State of Texas. The report shall be submitted to the City Council and the Investment Committee within 45 days following the end of the quarter.

B. Investment Records

An investment official designated by the Assistant Director of Finance shall be responsible for the recording of investment transactions and the maintenance of the investment records with reconciliation of the accounting records and of investments carried out by an accountant. Information to maintain the investment program and the reporting requirements, including pricing or marking to market the portfolio, may be derived from various sources such as: broker/dealer research reports, newspapers, financial on-line market quotes, direct communication with broker/dealers, market pricing services, investment software for maintenance of portfolio records, spreadsheet software, or external financial consulting services relating to investments.

C. Auditor Review

The City's independent external auditor must formally review the quarterly investment reports annually to insure compliance with the State of Texas Public Funds Investment Act and any other applicable State Statutes.

**ARTICLE XII
INVESTMENT COMMITTEE**

A. Members

An Investment Committee, consisting of the City Manager or his designee, the Director of Finance, the Assistant Director of Finance, the Controller, and an appointed investment official, shall review the City's investment strategies and monitor the results of the investment program at least quarterly. This review can be done by reviewing the quarterly written reports and by holding committee meetings as necessary. The committee will be authorized to invite other advisors to attend meetings as needed.

B. Scope

The Investment Committee shall include in its deliberations such topics as economic outlook, investment strategies, portfolio diversification, maturity structure, potential risk to the City's funds, evaluation and authorization of broker/dealers, rate of return on the investment portfolio, review and approval of training providers and compliance with the investment policy. The Investment Committee will also advise the City Council of any future amendments to the investment policy that are deemed necessary or recommended.

C. Procedures

The investment policy shall require the Investment Committee to provide minutes of investment information discussed at any meetings held. The committee should meet at least annually to discuss the investment program and policies.

**ARTICLE XIII
INVESTMENT STRATEGY STATEMENTS**

The City of Richardson portfolio will be structured to benefit from anticipated market conditions and to achieve a reasonable return. Relative value among asset groups shall be analyzed and pursued as part of the investment program within the restrictions set forth by the investment policy.

The City of Richardson maintains portfolios which utilize four specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios.

A. Operating Funds

Suitability - All investments authorized in the Investment Policy are suitable for Operating Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for the pooled operating funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The dollar-weighted average maturity of operating funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less. Constant \$1 NAV investment pools and money market mutual funds shall be an integral component in maintaining daily liquidity. Investments for these funds shall not exceed an 18-month period from date of purchase.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Operating Funds shall be the 91 day Treasury bill.

B. Reserve and Deposit Funds

Suitability - All investments authorized in the Investment Policy are suitable for Reserve and Deposit Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for reserve and deposit funds shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate reserve fund from investments with a low degree of volatility. Except as may be required by the bond ordinance specific to an individual issue, investments should be of high quality, with short-to-intermediate-term maturities. The dollar-weighted average maturity of reserve and deposit funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Reserve and Deposit Funds shall be the 91 day Treasury bill.

C. Bond and Certificate Capital Project Funds and Special Purpose Funds

Suitability - All investments authorized in the Investment Policy are suitable for Bond and Certificate Capital Project Funds and Special Purpose Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for bond and certificate capital project funds, special projects and special purpose funds portfolios will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final

maturity dates of investments held should not exceed the estimated project completion date or a maturity of no greater than five years. The dollar-weighted average maturity of bond and certificate capital project funds and special purpose funds, based on the stated final maturity date of each security, will be calculated and limited to three years or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Bond and Certificate Capital Project Funds and Special Purpose Funds shall be the 91 day Treasury bill. A secondary objective of these funds is to achieve a yield equal to or greater than the arbitrage yield of the applicable bond or certificate.

D. Debt Service Funds

Suitability - All investments authorized in the Investment Policy are suitable for Debt Service Funds.

Preservation and Safety of Principal - All investments shall be high quality securities with no perceived default risk.

Liquidity - Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date. The dollar-weighted average maturity of debt service funds, based on the stated final maturity date of each security, will be calculated and limited to one year or less.

Marketability - Securities with active and efficient secondary markets will be purchased in the event of an unanticipated cash requirement.

Diversification - Maturities shall be staggered throughout the budget cycle to provide cash flows based on anticipated needs. Investment risks will be reduced through diversification among authorized investments.

Yield - The City's objective is to attain a competitive market yield for comparable securities and portfolio constraints. The benchmark for Debt Service Funds shall be the 91 day Treasury bill.

RESOLUTION NO. 14-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, ADOPTING AMENDED FINANCIAL POLICIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council previously adopted Financial Policies which set out criteria for desired fund balances for various funds (“Financial Policies”); and

WHEREAS, the establishment of “Financial Policies” is considered prudent financial management and the City of Richardson desires to maintain a stable, financial position as well as position itself for the future; and

WHEREAS, financial policies can communicate and document the City’s stewardship of public funds, give assurance to investors and other interested parties, and acknowledge the City’s operating practices and contingent responses to emergencies; and

WHEREAS, the rating agencies and the City’s auditors have recommended that the City adopt the “Financial Policies” to protect the financial position of the City; and

WHEREAS, the “Financial Policies” maintain the criteria for desired fund balances and maintain a Rate Stabilization Fund in the Water and Sewer Fund; and

WHEREAS, the City Council desires to amend the “Financial Policies” as heretofore amended, by the adoption of the amended Financial Policies, attached hereto as Exhibit “A”.

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

SECTION 1. That the “Financial Policies” is hereby amended by the adoption of the amended Financial Policies, as set forth in Exhibit “A” attached hereto and made a part hereof for all purposes.

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

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

SECTION 4. That this resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Richardson, Texas, on this the 1st day of December, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:11-12-14:TM 69112)

City of Richardson

Financial Policies

I. Introduction

The City of Richardson financial policies set forth the basic framework for the fiscal management of the City. These policies were developed within the parameters established by applicable provisions of the Texas Local Government Code and the City of Richardson City Charter. The policies are intended to assist the City Council and City staff in evaluating current activities and proposals for future programs. The policies are to be reviewed on an annual basis and modified to accommodate changing circumstances or conditions.

II. Annual Budget (Charter Requirements)

- A. The fiscal year of the City of Richardson shall begin on October 1 of each calendar year and will end on September 30 of the following calendar year. The fiscal year will also be established as the accounting and budget year.
- B. The City Manager, prior to August 15th of each year, shall prepare and submit to the City Secretary, the annual budget covering the next fiscal year which shall contain the following information:
 - 1. Outline the proposed financial policies for the next fiscal year with explanations of any changes from previous years in expenditures and any major changes of policy and a complete statement regarding the financial condition of the City.
 - 2. An estimate of all revenue from taxes and other sources, including the present tax structure rates and property evaluations for the ensuing year.
 - 3. A carefully itemized list of proposed expenditures by fund, service type and object of expenditures for the budget year, as compared to actual expenses of the last ended fiscal year, and estimated expenses for the current year compared to adopted budget.
 - 4. A description of all outstanding bonded indebtedness of the City.
 - 5. A statement proposing any capital expenditures deemed necessary for undertaking during the next budget year and recommended provision for financing.
 - 6. A projection of revenues and expenditures together with a list of capital projects which should be considered within the next five succeeding years.
- C. A public hearing shall be conducted by the Council, allowing interested citizens to express their opinions concerning items of expenditures or revenues. The notice of hearing shall be published in the official newspaper of the City of Richardson not less than 10 days or more than 30 days before the hearing.
- D. Following the public hearing, the Council shall analyze the budget, making any additions or deletions which they feel appropriate, and shall, by ordinance, adopt the budget by a majority vote.

- E. On final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by the Council shall constitute the official appropriations for the current year and shall constitute the basis of the official levy of the property tax. Under conditions which may arise the Council may amend or change the budget to provide for any additional expense.

III. Basis of Accounting and Budgeting

- A. The City of Richardson finances shall be accounted for in accordance with generally accepted accounting principles as established by industry practice and applicable governing Accounting Standards Boards.
 - 1. The financial transactions of the City of Richardson are accounted for and recorded in individual funds. These funds account for revenues and expenditures according to their intended purpose and are used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds are maintained consistent with legal and managerial requirements. Governmental funds are used to account for the government's general government activities and include the General, Special Revenue, Debt Service and Capital Project funds.
 - 2. Governmental fund types use the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they are "measurable and available"). "Measurable" means the amount of the transaction can be determined and "available" means collectable within the current period or soon enough thereafter to pay liabilities of the current period. Substantially all material revenues are considered to be susceptible to accrual. A thirty-day availability period is used for revenue recognition for all governmental fund type revenues, except fines and forfeitures which are accrued using a forty-five day availability period. Expenditures are recognized when the related fund liability is incurred, if measurable, except for unmatured principal and interest on general long-term debt, which are recorded when due. Compensated absences, claims, and judgments are recorded when the obligations are expected to be paid with current available financial resources.
 - 3. The City of Richardson utilizes encumbrance accounting for its fund types, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation.
 - 4. The Proprietary fund types are accounted for on a flow of economic resources measurement focus and use the accrual basis of accounting. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred.
- B. The budgets shall be prepared and adopted on a cash basis for all governmental funds and modified accrual basis for proprietary funds. The capital projects funds adopt project-length budgets at the time of their presentation. Annual appropriations lapse at fiscal yearend for operating and debt service funds. Under the City's budgetary process, outstanding encumbrances are classified as restricted, committed, or assigned fund balance, depending on the government's resources.

IV. Budget Administration

- A. All expenditures of the City of Richardson shall be made in accordance with the annual budget. Budgetary control is maintained at the individual expenditure account level by the review of all requisitions of estimated purchase amounts prior to the release of purchase orders to vendors.
- B. The following represents the City of Richardson budget amendment policy delineating responsibility and authority for the amendment process. Transfers between expenditure accounts in one department may occur with the approval of the Budget Officer. Transfers between operating departments may occur with the approval of the City Manager's Office. Transfers between funds must be accomplished by budget amendment approved by the City Council. Budget amendments calling for new fund appropriations must also be approved by the City Council. As a matter of course, continuous budget monitoring requires that deviations from expected amounts of revenue and/or expenditures be noted and estimates revised, if necessary, to avoid financial distress. Budget amendments are thus considered prudent financial management techniques and are deemed to fulfill the requirements of City Charter, Article 11, Section 11.09 for budget amendment justification.

V. Financial Reporting

- A. Following the conclusion of the fiscal year, the City of Richardson Director of Finance shall cause to be prepared a Comprehensive Annual Financial Report (CAFR) in accordance with generally accepted accounting and financial reporting principles established by industry practice and statements issued by the Governmental Accounting Standards Board. The document shall also satisfy all criteria of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting Program.
- B. The CAFR shall show the status of the city's finances on the basis of generally accepted accounting principles (GAAP). The CAFR shall show fund revenues and expenditures on both a GAAP basis and budget basis for comparison purposes. In most cases this reporting conforms to the way the city prepares its budget. Differences in format are acknowledged through reconciliations. Liabilities for post-employment benefits and compensated absences (accrued but unused sick and vacation leave) are not reflected in the budget but are accounted for in the CAFR's government-wide financial statements. The government-wide financial statements modify the presentation of the governmental funds by presenting their results in the same manner as proprietary funds.
- C. Included as part of the Comprehensive Annual Financial Report shall be the results of the annual audit prepared by independent certified public accountants designated by the City Council.
- D. Each fiscal year, the Director of Finance will analyze accounts receivable balances and, if necessary, write off uncollectible accounts in accordance with applicable statutes after review by the City Manager or his designee.
- E. The City Manager's Office shall, within sixty days following the conclusion of each calendar quarter, issue a report to the Council reflecting the City's financial condition for that quarter. The quarterly report format shall be consistent with the format of the annual budget document. The preliminary budget may serve as the report for the third quarter of the year, as it reflects the City's current financial status and expected year end posture.

VI. Revenues

- A. To protect the City of Richardson's financial integrity, the City will maintain a diversified and stable revenue system to shelter it from fluctuations in any particular revenue source.
- B. For every annual budget, the City of Richardson shall levy two property tax rates: operation/maintenance and debt service. The debt service levy shall be sufficient for meeting all principal and interest payments associated with the City's outstanding debt for that budget year. The debt service levy and related debt service expenditures shall be accounted for in the Debt Service fund. The operation and maintenance levy shall be accounted for in the General Fund. A portion may be assigned for special purposes (i.e. Street Maintenance Fund).
- C. The City of Richardson will maintain a policy of levying the lowest tax rate on the broadest tax base. Mandated exemptions will be provided to home owners, senior citizens, and disabled citizens. On an annual basis during the budget process, City Council will review the exemption for senior citizens and disabled persons with a goal to maintain a tax benefit of approximately 30% of the average home value.
- D. The City of Richardson will establish user charges and fees at a level that attempts to recover the full cost of providing the service.
 - 1. User fees, particularly utility rates, should identify the relative costs of serving different classes of customers.
 - 2. The City of Richardson will make every reasonable attempt to ensure accurate measurement of variables impacting taxes and fees (e.g. verification of business sales tax payments, verification of appraisal district property values, accuracy of water meters, etc.)
- E. The City of Richardson will attempt to maximize the application of its financial resources by obtaining supplementary funding through agreements with other public and private agencies for the provision of public services or the construction of capital improvements. The City of Richardson will consider market rates and charges levied by other public and private organizations for similar services in establishing tax rates, fees and charges.
- F. When developing the annual budget, the City Manager shall project revenues from every source based on actual collections from the preceding year and estimated collections of the current fiscal year, while considering known circumstances which will impact revenues for the new fiscal year. The revenue projections for each fund should be made conservatively so that total actual fund revenues exceed budgeted projections.

VII. Operating Expenditures

- A. Operating expenditures shall be accounted, reported, and budgeted for in the following major categories:
 - 1. Personal Services
 - 2. Professional Services
 - 3. Maintenance
 - 4. Contracts
 - 5. Supplies
 - 6. Capital

- B. The annual budget shall appropriate sufficient funds for operating, recurring expenditures necessary to maintain established quality and scope of city services.
- C. The City of Richardson will constantly examine the methods for providing public services in order to reduce operating, recurring expenditures and/or enhance quality and scope of public services with no increase to cost.
- D. Personal service expenditures will reflect the minimum staffing needed to provide established quality and scope of city services. To attract and retain employees necessary for providing high-quality service, the City shall maintain a compensation and benefit package competitive with the public and, when quantifiable, private service industries.
- E. Professional services include fees for attorneys, auditors, consultants and other services that require specialized expertise.
- F. Maintenance expenditures shall be sufficient for addressing the deterioration of the City's capital assets to ensure the optimal productivity of the capital assets. Maintenance should be conducted to ensure a relatively stable level of maintenance expenditures for every budget year.
- G. The City of Richardson will utilize contracted labor for the provision of city services whenever private contractors can perform the established level of service at less expense to the City. The City will regularly evaluate its agreements with private contractors to ensure the established levels of service are performed at the lowest possible cost.
- H. Supply expenditures shall be sufficient for ensuring the optimal productivity of City employees.
- I. Existing capital equipment shall be replaced when needed to ensure the optimal productivity of City of Richardson employees.
- J. Expenditures for capital equipment shall be made only to enhance employee productivity, improve quality of service, or expand scope of service.
- K. To assist in controlling the growth of operating expenditures, operating departments will submit their annual budgets to the City Manager within fiscal parameters provided by the City Manager's Office.

VIII. Fund Balance

- A. The annual budget shall be presented to Council, with each fund reflecting minimum ending fund balances as follows:

General Fund	60 days of expenditures
General Debt Service Fund	30 days of expenditures
Water and Sewer Fund	90 days of expenditures
Utility Debt Service	Compliance with bond covenants
Golf Fund	30 days of expenditures, building towards 60 days
Solid Waste Fund	60 days of expenditures, building towards 90 days
- B. Fund balances, which exceed the minimum level established for each fund may be appropriated for non-recurring capital projects or programs.
- C. The City of Richardson will exercise diligence in avoiding the appropriation of fund balance for recurring operating expenditures. In the event fund balance is appropriated for recurring operating expenditures to meet the needs of the community, the budget document shall include an explanation of the circumstances requiring the appropriation and the methods to be used to arrest the future use of fund balance for operating expenditures.

D. For financial statement purposes, all governmental fund balances will be classified as follows:

Nonspendable – amounts that cannot be spent; legally or contractually required to be maintained.

Restricted – amounts that have external enforceable legal restrictions.

Committed – amounts that can only be used for specific purposes as directed through formal action of the City Council. Amounts can only be changed or revoked through similar formal action of the Council.

Assigned – amounts intended to be used for specific purposes as designated by management.

Unassigned – remaining amounts that have not met the criteria for restricted, committed, or assigned.

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, and then unrestricted resources as they are needed.

E. The Rate Stabilization Fund (RSF) was established in Fiscal Year 1996-97 for the Water and Sewer Utility Fund. The fund provides a source of funds which can be used to address serious and unexpected conditions that may arise, such as adverse weather conditions which seriously alter expected revenue amounts. In addition, the fund alleviates the need for sudden and unexpected rate increases, allowing the City to implement needed rate increases in a phased and orderly manner. The RSF is a sub-fund of the Water and Sewer Utility Fund and shall be maintained at a targeted level of \$1,700,000. If monies from the RSF are transferred to operating working capital fund balances, RSF funds will be restored to the targeted level as soon as practical. Decisions involving the use of the RSF shall be at the discretion of the City Manager and reported in normal budgeting and financial reporting formats throughout the fiscal year.

IX. Fund Transfers

- A. Fund transfers may occur when surplus fund balances are used to support non-recurring capital expenses or when needed to satisfy debt service obligations.
- B. Fund transfers are used to pay for general and administrative costs in the General Fund and to charge franchise fees to Proprietary Funds.

X. Debt Expenditures

- A. The City of Richardson will issue debt only to fund capital projects, which cannot be supported by current, annual revenues.
- B. To minimize interest payments on issued debt, the City will maintain a rapid debt retirement policy by issuing debt with maximum maturities not exceeding 20 years. Retirement of debt principal will be structured to ensure constant annual debt payments.
- C. The City of Richardson will attempt to maintain base bond ratings (prior to insurance) of Aa2 (Moody's Investors Service) and AA+ (Standard & Poor's) on its general obligation debt. The City shall continue to seek to enhance its credit quality by frequent contact and visits with the rating agencies, and monitoring the current trends and guidance from the agencies.
- D. When needed to minimize annual debt payments, the City of Richardson will obtain insurance for new debt issues.

- E. In order to minimize the impact of debt issuance on the property tax rate and to assist the City in meeting its arbitrage requirements, the City will consider the sequential sale of bonds for the purpose of financing capital projects.

XI. Capital Project Expenditures

- A. The City of Richardson will develop a multi-year plan for capital projects which identifies all projects likely to be constructed within a five year horizon. The multi-year plan will reflect for each project the likely source of funding and attempt to quantify the project's impact to future operating expenditures.
- B. Capital projects will be constructed to:
 - 1) Protect or improve the community's quality of life.
 - 2) Protect or enhance the community's economic vitality.
 - 3) Support new development.
 - 4) Provide significant rehabilitation of City infrastructure for sustained service.
- C. Capital project expenditures will not be authorized by the City Council without identification and commitment of revenue sources sufficient to fund the improvement. Potential funding sources include, but are not limited to, reserve funds, debt issuances, matching fund revenues, user fees, grants, or reallocation of existing capital funds with the recognition that construction of previously authorized capital projects may be delayed or postponed.
- D. Capital Improvement Planning and Programming shall include the following categories for the determination of funding for individual projects: design costs, right-of-way costs, utility construction/adjustment costs, construction costs, appropriate contingency funds, furnishings and equipment, and direct project administration services provided by City employees or outside forces.
- E. Cost incurred for advanced planning of capital projects may be funded from reimbursement of appropriate debt or operating funds.
- F. The City will intend to maintain adequate funding levels in the developer participation fund to ensure that no City obligation for participation goes unfunded for a period of more than one (1) year.
- G. To minimize the issuance of debt, the City of Richardson will attempt to support capital projects with appropriations from operating revenues or excess fund balances (i.e. "pay-as-you-go").

XII. Utility Capital Expenditures

- A. The City of Richardson uses three funding sources for Utility Capital expenditures. Utility rates are designed to provide for a depreciation reserve which accumulates resources to replace or rehabilitate aging infrastructure. In addition, the multi-year financial plan provides debt strategies to finance needed capital items. Thirdly, annual transfers are made to capital rehabilitation and renewal projects from utility operations to maintain adequate funding for capital items.
- B. Inasmuch as roads and other infrastructure components are essential to extending utility service, revenues in excess of anticipated current year needs will be reserved for future road improvements and related infrastructure projects at year-end. This will assure that infrastructure costs are funded along with utility projects.

XIII. Long-term Financial Plan

- A. The City of Richardson will adopt the annual budget in the context of a long-term financial plan, or other multi-year budget analysis.
- B. The long-term financial plans will establish assumptions for revenues, expenditures and changes to fund balances over a five year horizon. The assumptions will be evaluated periodically as part of the budget development process.

XIV. Cash Management and Internal Controls

- A. Written guidelines on cash handling, accounting, segregation of duties, and other financial matters shall be maintained.
- B. Each department director shall ensure that departmental procedures are adequate to safeguard City funds.
- C. Staffing and training shall be reviewed periodically to ensure adequacy.
- D. Daily deposits of City cash shall be performed unless amounts collected warrant less frequent deposits, as determined by the Finance Department.
- E. The timing and amount of cash needs and availability shall be systematically projected in order to maximize interest earnings from investments.
- F. The City's investment portfolio shall be managed in accordance with the Public Funds Investment Act and the City's Investment Policy.
- G. The City shall conduct periodic reviews of Internal Controls and Cash Handling Procedures.

XV. Internal Audit

- A. The function of internal audit shall be an assignment of the City Manager's Office. The administrative support may occur through directly assigned personnel or contractual professional services.
- B. The City will annually identify appropriate operations and practices to be reviewed in developing an annual Internal Audit Workplan. Other projects may be added or amended as needs arise.
- C. Reviews of operation on the identified topics will be conducted, examining for all fiduciary and financial controls, compliance, risk minimization, and general operational integrity.
- D. Recommendations and findings will be submitted for each workplan element, with the City Manager's Office responsible for implementation of proposed improvements.

XVI. Economic Development Funding

- A. The City may use authorized funding sources for promoting new development or redevelopment within the city that will promote economic improvement, stimulate commercial activity, generate additional sales tax and that will enhance the property tax base and economic vitality of the City. The primary economic development funding sources, purpose(s), and legal authority are as follows:
 - 1. Home Improvement Incentive Program – The purpose of this program is to provide an economic incentive to encourage reinvestment in residential neighborhoods. A one-time incentive payment equal to 10 times the amount of the increase in City taxes will be paid to the property owner based on the property's pre-construction and post-construction

appraised value. This program will be funded through General Fund resources as authorized by the Texas Local Government Code Chapter 380.

2. Economic Development Fund – The purpose of this fund is to account for a portion of ad valorem tax revenue committed by the City Council for stimulating economic development using tax incentives authorized by the Texas Local Government Code Chapter 380. The fund may also receive transfers from other funds such as the General Fund or General Special Projects Fund as resources become available for authorized economic development purposes.
3. General Fund – Available resources may be used to fund economic development for residential and business purposes through tax incentives authorized by the Texas Local Government Code Chapter 380. Funding may be provided directly from the General Fund or through transfers from the General Fund to the Economic Development Fund or the General Special Projects Fund.
4. Tax Increment Financing - Tax increment financing will be used to fund economic development projects for new development and redevelopment through ad valorem taxes generated on the incremental growth of real property in tax increment reinvestment zones as authorized by Texas Tax Code Chapter 311.

XVII. Revisions

- Resolution No. 96-03 dated February 5, 1996
- Resolution No. 97-23 dated November 24, 1997
- Resolution No. 98-24 dated December 14, 1998
- Resolution No. 03-05 dated January 27, 2003
- Resolution No. 03-19 dated September 8, 2003
- Resolution No. 05-28 dated December 19, 2005
- Resolution No. 11-22 dated August 8, 2011
- Resolution No. __-__ dated December 8, 2014

RESOLUTION NO. 14-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, REQUESTING THE MEMBERS OF THE 84TH LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT THE CITY OF RICHARDSON LEGISLATIVE AGENDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the 84th legislative session convenes on January 13, 2015, and will be considering issues of interest and importance to the City of Richardson; and

WHEREAS, the City of Richardson desires to adopt a State Legislative Agenda that is consistent with the mission and vision of the City and in the best interest of the public it serves; and

WHEREAS, City staff, legal counsel and the legislative consultant will work under the direction of the City Council to affirmatively pursue the City of Richardson's Legislative Agenda; and

WHEREAS, the City of Richardson's Legislative Agenda is intended to be a broad policy statement on issues that are anticipated to be discussed during the 84th session, while additional items will be more specifically reviewed and discussed by the City Council as necessary during the Legislative Session.

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

SECTION 1. That the City Council request the members of the 84th Legislature of Texas actively pursue the items found in the City of Richardson Legislative Agenda set forth in Exhibit "A" attached hereto.

SECTION 2. 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 1st day of December, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY

CITY SECRETARY

City of Richardson Legislative Agenda
2015 Texas Legislative Session – 84th Legislature
City Council Work Session - November 17, 2014

General Government Initiatives:

The City of Richardson strongly supports local control, where local elected officials are tasked with raising funds and providing services to respond to the individual needs of the community they serve. Cities are the government closest to the people and provide the services we cannot do without.

As such, the City of Richardson strongly supports the following general government issues:

Development:

- Close the loophole in state law that allows payday, auto title, and other consumer loan providers to carry excessively high annual percentage rates.
- Provide a level playing field for financial institutions by requiring all lenders and brokers of payday, auto title, or other consumer loans to be licensed and to comply with the same standards and consumer protection laws of licensed lenders under Chapter 342 of the Texas Finance Code.
- Create a system to collect consumer loan data from lenders and brokers of consumer loans to ensure that these operations engage in fiscally sound lending that supports the well-being of our communities.

Finance:

- Support legislation requiring the mandatory disclosure of real property sales prices to appraisal districts to ensure fair and equitable valuation and taxation of all real property in the State of Texas.
- Support truth in taxation efforts by urging the legislature to permit the publication of a simplified notice of tax rates and tax impact to Richardson taxpayers.

Library:

- Support legislation that would appropriate funds (\$6.4 million/biennium) for shared digital content through TexShare for public and college library users and TexQuest for K-12 public schools.
- Support funding (\$550,000/biennium) for library workforce development training and support so library professionals are better positioned to help Texans find jobs and improve their workplace skills.

Parks:

- Support legislation that creates a Constitutional dedication of sporting goods sales tax revenue for use in State and local parks.
- Restore the Local Parks Grant Program to the level recommended in the Texas Park and Wildlife legislation appropriation request.
- Ensure that no legislative appropriation riders are allowed that set aside Texas Recreation and Parks Account (TRPA) money for specific projects or locales. All candidate grant projects should be subject to the established competitive grant process.

Public Safety:

- Support enhancement of burglary of a motor vehicle from a misdemeanor to a State Jail felony.
- Support legislation authorizing sobriety check points in Texas.
- Support the requirement of a DNA sample from all suspects who are arrested for a Class B misdemeanor or higher.
- Continue support for municipally operated intersection safety camera programs.
- Enhance local control in decision making regarding fire protection system requirements.
 - Currently state law determines when a sprinkler system is required in a structure.

Water:

- Support local control in the process of infrastructure funding of projects in the state water plan, following the Prop 6, the constitutional amendment to take \$2 billion of the state's rainy day fund and create the State Water Implementation Fund of Texas (SWIFT) and the State Water Implementation Revenue Fund of Texas (SWIRFT).
- Continued support for the elements found in Senate Bill 1 (SB 1), enacted in 1997, supporting a regionally-driven planning process and regional water planning groups to create State water plans covering fifty years and updated every five years.
- Support the implementation and funding of the 2012 Region C Water Plan.
- Support an equitable mechanism for funding the state water plan.
- Continued support for the protection of all other designated unique reservoir sites in Texas.

Economic Development:

The Texas Enterprise Fund (TEF) has proven to be a valuable tool for the state to attract new job-creating projects to Texas through performance-based financial incentives. The City of Richardson has seen the benefits of the TEF through Texas Instruments, Rockwell Collins, and other successful projects.

The City of Richardson also supports the continued funding of the Texas Emerging Technology Fund (TETF). This fund is focused on fostering innovation, research and job creation in the high-tech industries. It's important for Texas to invest in emerging fields of technology in order to remain competitive in the evolving economy.

As such, the City of Richardson supports:

- Continued funding for the Texas Enterprise Fund, Texas Emerging Technology Fund, as well as the Skills Development Fund.
- Support legislation that helps build equity in economic development between communities that are able to utilize 4A/4B sales tax and those who utilize sales tax funding for regional transportation purposes.

Transportation:

The City of Richardson recognizes the value of a robust and healthy transportation system. Texas is leading the nation in population growth, and the condition/capacity of Texas roadways is declining because of underinvestment in maintenance and new construction. Dallas-Fort Worth residents want and deserve transportation improvements that enhance mobility, improve air quality, relieve gridlock, maintain existing infrastructure and energize the local economy.

Voter approval of Proposition 1 takes a portion the state's oil and gas severance tax revenue that would have gone into the rainy day fund, and allocates around \$1.7 billion annually to the State Highway Fund; however, falling oil and gas prices may reduce that amount and TxDOT has reported it needs to increase its \$10 billion budget to \$15 billion.

As such, the City of Richardson urges the Texas Legislature to adopt several transportation funding and policy initiatives:

- Support a Constitutional amendment to stop diversions of motor fuels taxes from Fund 6 to non-transportation programs.
- Identify a sustainable method of generating transportation revenue, which accounts for economic inflation and enhanced motor vehicle fuel economy, to ensure the adequate funding of statewide and regional efforts to maintain and improve multimodal transportation systems.
- Require allocations of all TxDOT funding categories across the state to be returned to the region in which they were generated.
- Support legislation that allows for 4A/4B sales tax funds to be utilized for transportation purposes.
- Support the 2015 Legislative Programs of DRMC and RTC.

Higher Education:

The University of Texas of Texas at Dallas (UTD), which is located in Richardson, focuses on developing the human capital necessary for Texas to be competitive in the global economy.

The City of Richardson recognizes UTD as a key community partner and supports the following key initiatives that will assist them in their endeavors to become a Tier-One Research University:

- Clear the \$109 million backlog of Texas Research Incentive Program (TRIP) matching funds, and restore TRIP funding for FY2016-17 to its original \$50 million/biennium.
 - TRIP provides state matching funds for private dollars raised at the state's eight emerging research universities. DFW is home to three of these eight institutions.
 - Since TRIP was created UTD has raised \$49.2 million for faculty chairs, graduate student fellowships, and research, which was matched by \$43.2 million in TRIP funds.
- Authorize UTD's capital building program to address the university's explosive enrollment growth.
 - UT Dallas Tuition Revenue Bonds (TRB) Request #1 - \$110 million, 200,000 square foot Engineering Building for its growing mechanical engineering program. Graduates of this program are in very high demand, particularly in the technology-intensive DFW region.
 - UT Dallas TRB Request #2 - \$95 million, 175,000 square foot Science Building will support the mathematical and physical sciences, which are fundamental to the mission of UTD.

Public Education:

The City of Richardson strongly supports both the Richardson and Plano Independent School Districts, and believes that top-quality public schools are the bedrock of any desirable community. High-performing public schools have a positive, direct impact on an educated workforce, the stability of property values, and desirability of the city to employers and their employees.

Thus, the City supports the following initiatives related to public education:

- Ensure and protect adequate funding for school districts to meet the state's increasing education standards, including the provision of sufficient revenue and enable all districts to pay for educational reforms and inflationary costs.
- Returning local control to locally elected school boards through sufficient taxing authority. Such local control recognizes that representative government ensures an appropriate balance between the interests of parents, students, professional educators, educators, and the community.

Anticipated Legislation to Oppose:

The City of Richardson opposes and seeks to defeat any legislation that would erode municipal authority in any way or that would otherwise be detrimental to cities, especially legislation that would:

- Reduce the appraisal growth cap established in current law.
- Impose revenue caps in the form of adjusting provisions for the current property tax rollback rate.
- Limit a municipality's ability to implement and/or maintain safety camera program. The City also opposes any further diversion of proceeds from intersection safety camera programs away from local control.
- Impose limits on the city's existing economic development authority.
- Restrict the ability of cities to provide economic and efficient methods of financing city purchases and projects.
- Erode zoning authority.
- Erode municipal authority over the rights-of-way or erode municipal authority to collect reasonable compensation for the use of rights-of-way.

Key Dates:

- January 13, 2015 – 84th Legislature convenes at noon
- March 2 and 3 – Collin County Legislative Days
- March 4 – Richardson Chamber of Commerce Legislative Day
- June 1, 2015 – Last day of 84th Regular Session



Dallas Regional Mobility Coalition

2015 Legislative Agenda

The Dallas Regional Mobility Coalition (DRMC) is a transportation advocacy group made up of cities, counties and transportation agencies in a five-county region (Dallas, Denton, Collin, Rockwall and Ellis) with a primary mission to advance critical mobility projects through advocacy efforts with state and federal elected officials and regional transportation agencies.

As such, the DRMC represents local governments from the fourth most populous metropolitan area in the country with over 6.8 million residents and a regional GDP of over \$420 billion. The DFW region has encountered tremendous job growth and economic success over the last several decades, which has led to exponential increases in population. Without substantial investment in transportation infrastructure, North Texas' economic growth will not continue. Adequately investing in transportation infrastructure is a good return on our investment and a core function of government. Based on these principles, the DRMC supports the following legislative agenda for the 2015 Legislative session:

1. **Reliable & Sustainable Transportation Funding:** Support Senator Nichols' effort to transfer Motor Vehicle sales tax revenues to Fund 006 to increase available revenues for transportation projects and provide a more sustainable funding source in the future.
2. **End the Diversion of Transportation Funding:** Support the effort, through the Appropriations process, to end the diversion of tax revenues collected for transportation uses, which are currently used for other purposes.
3. **Maintain Local Funding Tools and Options:** Oppose legislation that would diminish or impede the ability of local governments to plan, finance and deliver needed transportation projects.

**Regional Transportation Council Legislative Program
84th Texas Legislature**

LEGISLATION TO ACTIVELY PURSUE

1. **Identify additional transportation revenue** to enhance statewide and regional ability to maintain and improve the multimodal transportation system. Provide metropolitan areas with flexible solutions to solve problems and ensure that areas contributing to transportation solutions will not be penalized with a loss of traditional transportation funding. Ensure a fair allocation of all funding categories across the State by either a direct formula or through partnerships with Districts/Commission. End diversions of transportation revenue to non-transportation purposes. Redirect a portion of the motor vehicle sales tax to fund transportation.
2. **Retain limited authority for TxDOT to enter into public-private partnerships on specific projects.**
 - IH 635 East Project
 - Any CDA project previously approved by the Texas Legislature needing an extension

CDA Projects Approved in 2013 - 83rd Texas Legislature
SH 183/Loop 12/SH 114
North Tarrant Express
IH 35E/US 67
Loop 9
CDA Projects Approved in 2011 - 82nd Texas Legislature
IH 35E Managed Lanes from IH 635 to US 380
North Tarrant Express
SH 183 Managed Lanes from SH 161 to IH 35E

3. **Support the Low Income Repair and Replacement Assistance Program (LIRAP), also known as the AirCheckTexas Drive a Clean Machine Program, and Local Initiative Projects (LIP) through the following principles:**
 - Appropriate all unspent and future revenue generated by LIRAP through the existing collection point
 - Expand the eligibility of projects funded by LIP to include more transportation system improvements including:
 - Emissions enforcement programs, Low-Cost Intersection Improvements, Intelligent Transportation Systems, Bottleneck Improvements, Traffic Signal Progression, Freeway Incident Management Strategies, Alternative Fuel Vehicles/Infrastructure and Idle-Reduction Measures
 - Allow county oversight of LIP project selection and fund distribution
 - Reserve a minimum threshold of 40% of funds for LIRAP
 - Allow counties the ability to exchange funds with other counties in the region to meet a regional minimum LIRAP threshold of 40%
4. **High-Speed Rail**
Provide the ability for high-speed rail to be developed consistent with the Metropolitan Transportation Plan, by TxDOT or through another mechanism approved by the RTC.

Regional Transportation Council Legislative Program 84th Texas Legislature

LEGISLATION TO SUPPORT

Air Quality

- Require emissions testing on all On-Board Diagnostic (OBD) II compliant vehicles.
- Support full funding of the Texas Emissions Reduction Plan (TERP), fund the most cost-effective emissions reduction project; consider funding for transportation projects focused on goods movement with air quality benefits.
- Allow TERP funds to be used for staff time for third-party TERP grants.
- Reinstate the prohibition of idling near sensitive areas and remove 30 minute bus exemption in school zones.
- Allow TCEQ the ability to contract directly with a council of governments or metropolitan planning organization (MPO) for regional administration of LIRAP and/or LIP if a participating county does not wish to administer the programs at the county-level.

Congestion Management & System Operations

- Recognize mobility assistance patrols as emergency responders as it relates to traffic incident response; comparable to the inclusion of tow-trucks and TxDOT vehicles in the Move Over law; support inclusion of NTTA vehicles in Move Over law.
- Ban the use of hand-held communications devices in work zones.
- Establish a standard minimum fine for traffic violations in work zones and allow signs to be posted in work zones displaying the minimum fine. Allow municipalities to retain the right to increase the fine amount.
- Support the adoption of a statewide three foot passing law requiring motorists to give cyclists at least three feet of clearance when passing from the rear and/or the expansion of the Move Over law to include bicycles.
- Support an education campaign to ensure that bicyclists understand correct and safe bicycle operations on public streets.
- Allow video archiving of Intelligent Transportation System closed-circuit television cameras for a 24-hour period for transportation safety training and transportation security purposes. Exempt archived video from the Public Information Act.
- Allow the use of technology to verify HOV/managed lane vehicle occupants.

Aviation

- Enhance opportunities to link transportation and land use surrounding military installations, public use and reliever airports:
 - Establish compatible land use regulations for public use and reliever airports to minimize the effects of urban encroachment.
 - Support legislation that promotes compatible growth that lessens the impact on military installations and provides options for cities and counties to manage growth.
 - Support legislation that provides tools that can be used at the local level to promote compatible growth around military installations, public use and reliever airports.
 - Support legislation that establishes organizational structures to accomplish objectives that are voluntary collaborations of local entities rather than top-down mandated structures.
- Support the safe, secure, and timely implementation of emerging technologies, such as NextGen and Unmanned Aircraft Systems (UAS), to enhance the regional air transportation system.
- Provide tools that support and promote Science, Technology, Engineering, and Mathematics (STEM) through aviation and aerospace careers.

Transportation-Land Use Connection

- Provide appropriate authority to counties based upon a request by the county commissioner's court, including limited land use authority, to ensure the provision of adequate infrastructure and protect the health, welfare and property values in rapidly growing unincorporated areas.
- Support the accommodation of integrated, multimodal travel on all roadway facilities on new and redevelopment projects, including vehicles, bicycles and pedestrians.
- Support existing funding programs/initiatives that maintain or increase current investments in bicycle and pedestrian infrastructure and non-infrastructure projects.

Planning

- Support the State planning process to improve the Statewide Freight Plan and multimodal system.
- Direct conservation planning agencies, collectively known as resource agencies, to participate in the transportation planning consultation process during long-range transportation planning in order to receive funding and expedite transportation projects.
- Allow for additional flexibility of the State Highway Fund to include transit projects as eligible to receive funds, in addition to current eligible projects under the condition that support for specific legislation on this topic will be presented to the RTC for separate approval.
- Require the Texas Transportation Institute to work with MPOs to develop criteria for Rider 42; allow criteria to be more system oriented rather than project specific.
- Require notification of natural gas well drilling when the action will occur within certain distance of interstate highways, state highways, county roads or passenger rail facilities.

LEGISLATION TO MONITOR

- Maintain local authority to implement red-light cameras and maintain current revenue sharing with the State.
- Oppose legislation permitting triple-tandem trucks on state highway facilities.
- Protect all transportation resources and revenues and the authority and flexibility achieved since the 78th Texas Legislature.
- Protect local flexibility for membership of MPO policy boards with at least 75 percent elected officials.
- Provide local governments, transit entities, and the State a common base for taxable goods and services, including any goods and services newly taxed by the Legislature.
- Review the continued need for eminent domain authority of private toll road corporations.
- Provide additional funding mechanisms to support airport development for public use and reliever airports to meet future demand.

ORDINANCE NO. 14-34

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS, CONDITIONS AND PROVISIONS OF A LICENSE AGREEMENT FOR USE OF CITY RIGHT OF WAY (STATE STREET) TO LOCATE PRIVATE FACILITIES (HEREINAFTER “LICENSE AGREEMENT”), BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, AND BCS OFFICE INVESTMENTS ONE, LP; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LICENSE AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, BCS Office Investments One, LP desires to install underground conduit and related facilities to provide fiber optic connection between the abutting real property to the north and south of State Street (hereinafter the “Facilities”) within the City Right of Way; and

WHEREAS, City desires to grant consent to BCS Office Investments One, LP to locate the Facilities within the City Right of Way; and

WHEREAS, the City Council, after review and proper consideration, desires to approve the terms and conditions of the License Agreement for Use of City Right of Way to Locate Private Facilities (State Street); and

WHEREAS, the City Council does hereby authorize the City Manager to execute on behalf of the City said License Agreement; **NOW, THEREFORE**,

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

SECTION 1. That the terms, conditions and provisions of the License Agreement for Use of City Right of Way to Locate Private Facilities (State Street), a copy of which is attached hereto as Exhibit “A,” be, and the same are hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute the License Agreement for Use of City Right of Way to Locate Private Facilities (State Street) on behalf of the City of Richardson, Texas, with BCS Office Investments One, LP, and to take all necessary action thereto, including any amendments or other instruments related thereto.

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

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

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

DULY PASSED by the City Council of the City of Richardson, Texas, on this the 1st day of December, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:11-25-14:TM 69299)

CITY SECRETARY

EXHIBIT "A"
**License Agreement for Use of City Right of Way
to Locate Private Facilities (State Street)**

(copy to be attached)

ORDINANCE NO. 14-35

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, APPROVING THE TERMS, CONDITIONS AND PROVISIONS OF A LICENSE AGREEMENT FOR USE OF CITY RIGHT OF WAY (PLANO ROAD) TO LOCATE PRIVATE FACILITIES (HEREINAFTER “LICENSE AGREEMENT”), BY AND BETWEEN THE CITY OF RICHARDSON, TEXAS, BCS OFFICE INVESTMENTS ONE, LP AND BCS OFFICE INVESTMENTS TWO GP, LLC; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LICENSE AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, BCS Office Investments One, LP and BCS Office Investments Two GP, LLC desire to install underground conduit and related facilities to provide fiber optic connection between the abutting real property to the east and west of Plano Road (hereinafter the “Facilities”) within the City Right of Way; and

WHEREAS, City desires to grant consent to BCS Office Investments One, LP and BCS Office Investments Two GP, LLC to locate the Facilities within the City Right of Way; and

WHEREAS, the City Council, after review and proper consideration, desires to approve the terms and conditions of the License Agreement for Use of City Right of Way to Locate Private Facilities (Plano Road); and

WHEREAS, the City Council does hereby authorize the City Manager to execute on behalf of the City said License Agreement; **NOW, THEREFORE**,

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

SECTION 1. That the terms, conditions and provisions of the License Agreement for Use of City Right of Way to Locate Private Facilities (Plano Road), a copy of which is attached hereto as Exhibit “A,” be, and the same are hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute the License Agreement for Use of City Right of Way to Locate Private Facilities (Plano Road) on behalf of the City of Richardson, Texas, with BCS Office Investments One, LP and BCS Office Investments Two GP, LLC, and to take all necessary action thereto, including any amendments or other instruments related thereto.

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

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

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

DULY PASSED by the City Council of the City of Richardson, Texas, on this the 1st day of December, 2014.

CITY OF RICHARDSON, TEXAS

MAYOR

APPROVED AS TO FORM:

CORRECTLY ENROLLED:

CITY ATTORNEY
(PGS:11-25-14:TM 69300)

CITY SECRETARY

EXHIBIT "A"
**License Agreement for Use of City Right of Way
to Locate Private Facilities (Plano Road)**

(copy to be attached)