RICHARDSON CITY COUNCIL
MONDAY, DECEMBER 8, 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 8, 2014 in the Richardson Room of the Civic Center, 411, W. Arapaho Road, Richardson, Texas. The Work Session will be followed by a Council Meeting at 7:30 p.m. in the Council Chambers. Council will reconvene the Work Session following the Council Meeting if necessary.

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

WORK SESSION – 6:00 PM, RICHARDSON ROOM

- **CALL TO ORDER**

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA
The City Council will have an opportunity to preview items listed on the Council Meeting agenda for action and discuss with City Staff.

B. REVIEW AND DISCUSS THE PLANNING FOR A FUTURE BOND PROGRAM

C. REVIEW AND DISCUSS THE TEXAS COMPTROLLER LEADERSHIP CIRCLE PROGRAM

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 – STEVE MITCHELL

2. PLEDGE OF ALLEGIANCE: U.S. AND TEXAS FLAGS – STEVE MITCHELL

3. MINUTES OF THE DECEMBER 1, 2014 MEETING

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 14-31 (CONTINUED FROM NOVEMBER 10, 2014): A REQUEST BY QUOC-ANH C. TRAN FOR APPROVAL OF A SPECIAL PERMIT FOR AN ADULT DAY CARE FACILITY AT 327 W. SPRING VALLEY ROAD, LOCATED ON THE SOUTH SIDE OF SPRING VALLEY ROAD, EAST OF CENTRAL EXPRESSWAY. THE PROPERTY IS CURRENTLY ZONED C-M COMMERCIAL.

6. PUBLIC HEARING, ZONING FILE 14-32: A REQUEST BY ROBERT BOYD, REPRESENTING THE RAINDROP FOUNDATION, TO REVOKE ORDINANCE NO.2390-A, A SPECIAL PERMIT FOR THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION, AND APPROVAL OF A SPECIAL PERMIT FOR A TURKISH COMMUNITY CENTER AT 1416 E. COLLINS BOULEVARD, LOCATED ON THE SOUTH SIDE OF COLLINS BOULEVARD, EAST OF PLANO ROAD. THE PROPERTY IS CURRENTLY ZONED O-M OFFICE.

7. PUBLIC HEARING, ZONING FILE 14-38: A REQUEST BY SCOT WHITWER, REPRESENTING CB JENI HOMES, TO AMEND THE SPRING VALLEY STATION DISTRICT PD PLANNED DEVELOPMENT, ORDINANCE NO. 4032, TO ALLOW DEVELOPMENT OF TOWNHOMES ON APPROXIMATELY 1.63 ACRES LOCATED ON THE NORTH SIDE OF SPRING VALLEY ROAD, BETWEEN GREENVILLE AVENUE AND FLOYD BRANCH CREEK. THE PROPERTY IS CURRENTLY ZONED PD PLANNED DEVELOPMENT.

ACTION ITEMS:

8. CONSIDER ORDINANCE NO. 4093, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY CHANGING THE ZONING OF THREE TRACTS OF LAND: A 33.15-ACRE TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF 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.

9. CONSIDER ORDINANCE NO. 4094, AUTHORIZING THE ISSUANCE OF CITY OF RICHARDSON, TEXAS, ADJUSTABLE RATE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014B AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

10. ORDINANCE NO. 4095, DESIGNATING TRACTS 1, 2, 3 AND 4 AS DESCRIBED IN THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON AND GALATYN PROPERTIES LTD., A TEXAS LIMITED PARTNERSHIP, AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, FOR USE AS PUBLIC PARK LAND AND OPEN SPACE, SAVE AND EXCEPT: (A) ANY PORTIONS OF SAID TRACTS TO BE RESERVED BY OR CONVEYED IN THE FUTURE AS DRAINAGE AND SEWER EASEMENTS TO GALATYN PROPERTIES LTD., A TEXAS LIMITED PARTNERSHIP, OR ITS SUCCESSORS AND ASSIGNS ("COMPANY"), OR THE PUBLIC, AS APPROPRIATE), PURSUANT TO THE PURCHASE AND SALE AGREEMENT OR THE ECONOMIC DEVELOPMENT AND PROJECT DEVELOPMENT AGREEMENTS BY AND BETWEEN THE CITY AND GALATYN; AND (B) PORTIONS OF TRACT 1 AND 4 TO BE RESERVED OR USED IN THE FUTURE FOR THE WIDENING OF PLANO ROAD AND RENNER ROAD AND ANY RELATED LOCATION OR RELOCATION OF PUBLIC UTILITIES AND OTHER PUBLIC IMPROVEMENTS.

11. CONSENT AGENDA:

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

A. ADOPTION OF THE FOLLOWING ORDINANCES:

1. ORDINANCE NO. 4085, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH RICHARDSON RP DEVELOPMENT CORP. (THE "COMPANY") FOR THE RESTAURANT PARK PROJECT; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON AND RICHARDSON RP DEVELOPMENT CORP. FOR THE RESTAURANT PARK PROJECT.

2. ORDINANCE NO. 4090, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP BY REPEALING ORDINANCE 4063; BY GRANTING A CHANGE IN ZONING FROM C-M COMMERCIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR C-M COMMERCIAL DISTRICT USES FOR A 0.354-ACRE TRACT LOCATED AT 501 W. BELT LINE ROAD, RICHARDSON, TEXAS.

3. ORDINANCE NO. 4091, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING FROM I-M(1) INDUSTRIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR I-M(1) INDUSTRIAL DISTRICT USES FOR A 92.45-ACRE LOT LOCATED AT 300 W. RENNER ROAD, RICHARDSON, TEXAS.

4. ORDINANCE NO. 4092, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT WITH CONDITIONS FOR A SMOKING ESTABLISHMENT, SUBJECT TO SPECIAL CONDITIONS, FOR A 1.41-ACRE LOT ZONED LR-M(1) LOCAL RETAIL, LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND ABRAMS ROAD, RICHARDSON, TEXAS.

B. CONSIDER APPROVAL OF THE 2015 CITY COUNCIL MEETING SCHEDULE.

C. CONSIDER AWARD OF THE FOLLOWING BIDS:

1. BID #05-15 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO LILLARD LAWN COMMERCIAL MAINTENANCE FOR PARKS RESTROOM MAINTENANCE PURSUANT TO UNIT PRICES.

2. BID #13-15 – WE REQUEST AUTHORIZATION TO ISSUE AN ANNUAL REQUIREMENTS CONTRACT TO SWEEPING SERVICES OF TEXAS OPERATING, LP FOR STREET SWEEPING PURSUANT TO UNIT PRICES.

3. BID #18-15 – WE RECOMMEND THE AWARD TO WASTEQUIP, LLC FOR THE COOPERATIVE PURCHASE OF REFUSE CONTAINERS THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACT #425-13 IN AN AMOUNT NOT TO EXCEED $333,421.

4. BID #28-15 – WE REQUEST AUTHORIZATION TO ISSUE A COOPERATIVE CONTRACT TO NORTEX CONCRETE LIFT & STABILIZATION, INC. FOR PAVEMENT LEVELING SERVICES THROUGH THE CITY OF GRAND PRAIRIE BID #12001 PURSUANT TO UNIT PRICE OF $3.44 PER POUND.

5. BID #29-15 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO CALDWELL COUNTRY CHEVROLET FOR THE CO-OP PURCHASE OF THREE (3) 2015 CHEVROLET PICKUP TRUCKS FOR THE POLICE DEPARTMENT THROUGH THE TARRANTCOUNTY CONTRACT #2014-165 IN THE AMOUNT OF $79,651.

6. BID #31-15 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO LUBER BROTHERS, INC. FOR THE CO-OP PURCHASE OF A ROTARY MOWER FOR THE SHERRILL PARK GOLF COURSE THROUGH THE TEXAS LOCAL GOVERNMENT STATEWIDE PURCHASING COOPERATIVE BUYBOARD CONTRACT #447-14 IN THE AMOUNT OF $55,722.50.

7. BID #32-15 – WE REQUEST AUTHORIZATION TO ISSUE A PURCHASE ORDER TO SAM PACK'S FIVE STAR FORD FOR THE CO-OP PURCHASE OF A TACTICAL DEPLOYMENT VAN FOR THE POLICE DEPARTMENT THROUGH THE STATE OF TEXAS CONTRACT #071-072-A2 IN THE AMOUNT OF $70,546.04.

8. BID #33-15 – WE REQUEST AUTHORIZATION TO ISSUE PURCHASE ORDERS TO GUNN CHEVROLET/NISSAN FOR THE CO-OP PURCHASE OF A 2015 NISSAN ALTIMA FOR THE POLICE DEPARTMENT IN THE AMOUNT OF $18,932.55 AND TO SILSBEE FORD/TOYOTA FOR A 2015 TOYOTA TACOMA PICKUP TRUCK FOR THE WATER CUSTOMER SERVICE DEPARTMENT IN THE AMOUNT OF $20,867.75 THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD CONTRACT #430-13 FOR A TOTAL EXPENDITURE OF $39,800.30.

D. CONSIDER AWARD OF COMPETITIVE SEALED PROPOSAL #905-14 – WE RECOMMEND THE AWARD TO NORTH TEXAS CONTRACTING, INC., FOR THE UTD LOOP ROAD SEGMENT "D" CONSTRUCTION FOR A TOTAL AMOUNT OF $2,518,369.50.

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

RECONVENE INTO REGULAR SESSION

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

- **ADJOURN**

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

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AIMEE NEMER, CITY SECRETARY

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

City of Richardson
City Council Worksession
Agenda Item Summary

City Council Meeting Date:	Monday, December 8, 2014
Agenda Item:	Review and Discuss the Planning for a Future Bond Program
Staff Resource:	David Morgan, Deputy City Manager
Summary:	The City of Richardson periodically conducts bond referendums to plan and undertake significant capital improvements following voter approval. The City's last bond program was in 2010 with voters approving $66 million in projects. City staff will provide a presentation on Monday evening outlining options for a future bond program and discuss the steps to develop a referendum for voter consideration.
Board/Commission Action:	N/A
Action Proposed:	N/A

City of Richardson
City Council Worksession
Agenda Item Summary

Worksession Meeting Date:	Monday, December 8, 2014
Agenda Item:	Texas Comptroller Leadership Circle Program
Staff Resource:	Kent Pfeil, Director of Finance
Summary:	Staff will be on hand to discuss the City's participation in the Texas Comptroller Leadership Circle Program that recognizes local governments for striving to meet a high standard for financial transparency online. The City of Richardson continues to qualify for the program at the highest level.
Board/Commission Action:	N/A
Action Proposed:	N/A

MINUTES
RICHARDSON CITY COUNCIL
WORK SESSION AND COUNCIL MEETING
DECEMBER 1, 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
Brian Davis	Deputy Chief Information Officer – Tech/Franchising
Bruce MacPherson	Managing Director, Eisemann Center

A. REVIEW AND DISCUSS ITEMS LISTED ON THE CITY COUNCIL MEETING AGENDA
Michael Spicer, Director of Development Services, reviewed Zoning File 14-40 for Council. Brian Davis, Deputy CIO, reviewed Items 6A4 and 6A5 for Council.

B. REVIEW AND DISCUSS EISEMANN CENTER PARTNERSHIP PROGRAMS
Bruce MacPherson, Managing Director, reviewed this item for Council.

C. REVIEW AND DISCUSS THE 2015 CITY COUNCIL MEETING CALENDAR
Aimee Nemer, City Secretary, reviewed the proposed 2015 City Council Meeting Calendar.

D. REPORT ON ITEMS OF COMMUNITY INTEREST
There were no items of community interest reported.

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

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

4. VISITORS
There were no visitors comments submitted.

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.

Public Hearing
Mayor Maczka opened the Public Hearing at 8:02 p.m. No public comments were submitted. The Public Hearing was closed at 8:03 p.m. with a motion by Councilmember Dunn, seconded by Councilmember Solomon, and approved unanimously.

Council Comments
Mayor Maczka emphasized that the multi-family zoning would be reduced with the approval of this request as well as relocated closer to the DART rail and away from single family homes. She also acknowledged Don Dillard and Roy Wilshire for their efforts in care of this property and ensuring the best use for the City.

Council Action
Mayor Pro Tem Townsend moved to approve the request as recommended by the City Plan Commission and to include the word "Office" in the Conceptual Plan for Tract 3; and that the maximum number of amenity points for bike racks be capped at 5. Councilmember Solomon seconded the motion. A vote was taken and passed, 7-0.

6. CONSENT AGENDA:

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.**

Council Action

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

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

Council Action

Council convened into Executive Session at 7:05 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 adjourned the Executive Session at 7:27 p.m. Council convened into Regular Session at 7:30 p.m. There was no action as a result of the Executive Session.

ADJOURNMENT

With no further business, the meeting was adjourned at 8:06 p.m.

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MAYOR

ATTEST:

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CITY SECRETARY

MEMO

DATE: **December 4, 2014**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 14-31 – Special Permit – T.V.E. Wellness Center Adult Day Care**

REQUEST

Quoc-Anh C. Tran, on behalf of TVE Wellness Center, Inc., is requesting approval of a Special Permit for an adult day care facility within the TVE Wellness Center located at 327 W. Spring Valley Road. An adult day care is an unlisted use in the Comprehensive Zoning Ordinance; therefore, a Special Permit is required.

At the request of the applicant, City Council's consideration of the Special Permit was continued from November 10, 2014 to December 8, 2014. It was the applicant's intent to make use of the intervening time period to resolve concerns expressed by neighboring property owners. The applicant has since informed staff that no further dialogue has taken place with the adjacent property owners and the intent is to move forward with the request as originally presented to the City Plan Commission.

BACKGROUND

The TVE Wellness Center offers a variety of martial arts and similar related training and activities. The request is to allow an adult day care use within the existing TVE space from 10:00 a.m. to 3:00 p.m., Monday through Saturday. TVE currently has no activities programmed during these hours, so adding the adult day care use would generate additional revenue from the existing, underutilized lease space. The applicant's intent is to serve the senior population by offering active and recreational programs to promote a healthy lifestyle, including activities such as exercise, mediation, reading, music, crafts, and computer training.

Existing on-site parking appears to be adequate for the proposed use. There are fifty-four (54) existing parking spaces on-site, twelve (12) of which are required for the dental office, leaving forty-two (42) parking spaces for the proposed use. Additionally, it is presumed many of the patrons will be dropped off by relatives or friends or will utilize the bus to get to the facility.

As part of the staff's review of the application, it was determined that the site is not consistent with the approved site plan due to the absence of two (2) parking spaces adjacent to the patio and a landscape island at the rear of the property. If the Special Permit is approved, proposed conditions include the requirement that the site plan be updated to reflect current site conditions. The site itself may also require some modifications in order to conform to the approved site plan. If the Special Permit is not approved, these site modifications will still be required.

Two (2) adjacent property owners spoke in opposition to the request, citing incompatible land uses and additional on-site traffic concerns. However, only one (1) of the property owners has filed written opposition to the request. If written opposition is received from the second property owner, more than twenty percent (20%) of the land area within the 200-foot notification perimeter of the subject property would be opposed to the request. Consequently, in accordance with State law, at least six (6) affirmative votes would be required to approve the request.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 6-1 (Chairman Hand opposed), recommends approval of the request as presented subject to the attached special conditions, including a condition that limits operation of the use to the current owner.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 10-21-2014
Staff Report
Zoning Map
Aerial Map
Zoning Exhibit (Exhibit "B")
Floor Plan (Exhibit "C")
Site Photos
Applicant's Statement
CPC Notice of Public Hearing
Notification List
Correspondence in Opposition

ZF 14-31 Special Conditions

1. An adult day care facility shall be allowed and limited to the area shown on the attached concept plan, marked as Exhibit "B" and made a part thereof.

2. The adult day care facility shall be allowed to operate Monday through Saturday, between the hours 10:00 a.m. to 3:00 p.m.

3. No other use shall be allowed to operate within adult day care facility area while the use is in operation.

4. Prior to the issuance of a certificate of occupancy for the adult day care facility, the approved site plan and landscape plan shall be updated to reflect the existing site conditions or the site shall be modified to comply with the approved site plan and approved landscape plan.

5. The Special Permit for an adult day care facility shall be limited to Quoc-Anh C. Tran exclusively. No other person, company, business or legal entity shall operate an adult day care facility on the property, nor shall a certificate of occupancy be issued for an adult day care facility for any person, company, business or legal entity other than Quoc-Anh C. Tran.

Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: October 22, 2014
Submitted by: City Secretary, City of Richardson

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

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

FOR PUBLICATION ON: October 24, 2014

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, November 10, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 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.

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

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES – October 21, 2014

PUBLIC HEARING

Zoning File 14-31 – Adult Day Care: Consider and take necessary action on a request for approval of a Special Permit for an adult day care facility. The property is currently zoned C-M Commercial and is located at 327 W. Spring Valley Road; on the south side of Spring Valley Road, east of Central Expressway

Mr. Shacklett stated the applicant was requesting a Special Permit for an adult day care facility located within the TVE Wellness Center at 327 W. Spring Valley Road. He added the day care would operate on a daily basis from 10:00 a.m. to 3:00 p.m., which would occur when the wellness center was not being used for martial arts or yoga classes.

Mr. Shacklett said the goal of Special Permit was to provide the senior population with an opportunity to participate in active and recreational programs (exercise, mediation, reading, music, and crafts). In addition, the applicant would offer the option of a pre-packaged or box lunches from an outside vendor.

Mr. Shacklett explained that the property currently has 54 parking spaces for both the dental office and the wellness center, and the applicant felt the parking was adequate because most of those participating in the adult day care would be dropped off by family members or utilize public transportation. He added the applicant has confirmed that no medical care would be provided as the facility was intended more for seniors who are active and looking for an exercise or leisure class.

After visiting the site, Mr. Shacklett acknowledged that staff had noticed some areas (landscaping, parking, etc.) were not in compliance with the City's codes; however, one of the special conditions suggested by staff would require the property to come into compliance with City code prior to receiving a Certificate of Occupancy (CO).

In closing his presentation, Shacklett reviewed the special conditions and stated that one piece of correspondence in opposition had been received.

Commissioner Springs asked if the deed restrictions mentioned in the letter of opposition were under the purview of the Commission or was it a private civil matter.

Mr. Shacklett replied that staff had not been supplied with a copy of the deed restrictions, but confirmed the restrictions were a private agreement entered into by the property owners.

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

Ms. Reeva Wilkinson, Operations Manager, TVE Wellness Center, 327 W. Spring Valley Road, Richardson, Texas, stated the center was attempting to add a wellness program for seniors to their business to fill the time between 10:00 a.m. to 3:00 p.m. when no martial arts classes are taking place. She added that the motivation behind the program was to add exercise classes for senior citizens and to give them a place to go during the day.

Regarding the traffic issue mentioned in the letter of opposition, Ms. Wilkinson stated that most participants would either be dropped off or arrive via public transportation and the parking would not be impacted. In addition, she said if there were any deed restrictions they would abide by the terms of those restrictions.

Ms. Wilkinson said that the wellness center had applied for a license through the State of Texas and the approval was pending the outcome of the current zoning case.

Commissioner DePuy asked if many seniors had requested an exercise program and would qualified staff be on hand to help.

Ms. Wilkinson said they had received many inquiries about starting an exercise program and confirmed that qualified, licensed staff would be on hand to work with the seniors.

Vice Chair Bright asked which state agency would license and regulate the proposed exercise programs.

Ms. Wilkinson replied the Texas Department of Aging and Disability Services (DADS) would license and screen the instructors for the exercise programs.

Chairman Hand wanted to know if the applicant would be contracting with local retirement villages to bring their residents over by buses.

Ms. Wilkinson said they had not explored that avenue as yet, but it was a possibility.

Commissioner DePuy asked how many program participants were anticipated and what would be the cost.

Ms. Wilkinson replied they were not expecting more than 50 or 60 participants and the cost for the program would be regulated by DADS.

With no other comments received in favor, Chairman Hand called for comments in opposition.

Mr. Mark A. Nacol, property owner of 990 S. Sherman Street, Richardson, Texas, said he agreed with Mr. Springs that deed restrictions would not fall under the purview of the Commission and should not be considered when a decision was made on the zoning request. However, he did think the deed restrictions were evidence of the property owner's intent to maintain quality businesses and felt the request to add an adult day care center did not conform to those restrictions.

Mr. Nacol stated he did not have a problem when the applicant changed their building from brick to stone, or the dentist office that was now a tenant, but he was opposed to the additional traffic that would be generated by an adult day care in an already congested area. He asked the Commission to deny the request.

Commissioner Springs asked if there was any opposition to the martial arts studio that is presently leasing the space.

Mr. Nacol replied that he did not have a problem with that use.

Mr. Charles Stevenson, property owner of 329 W. Spring Valley Road, Richardson, Texas, said he agreed with Mr. Nacol that an adult day care center was not the best use of the property. He suggested that if the Commission was inclined to approve the Special Permit that the permit would have a time limit of a year to allow for the permit to be recalled and reviewed.

In rebuttal Ms. Wilkinson said she did not think there would be a problem with traffic from 10:00 a.m. to 3:00 p.m. because of the vacancy rate of the other buildings in the area. She reiterated that the proposed day care would not be for those with medical issues, but simply a place where seniors could go to exercise and participate in other life enhancing programs.

Ms. Wilkinson pointed out that the owner of the martial arts studio had worked hard to bring his property into compliance with the City's ordinances and had conveyed an access easement for a driveway allowing traffic and overflow parking from Chili's restaurant to use the area.

Commissioner DePuy asked how the day care would screen the participants to exclude those with medical issues.

Ms. Wilkinson said DADS required a nurse to be present during exercise classes in case of an emergency, but the center would not provide medical services or dispense medicine so any senior who had those requirements would not be allowed to participate in the programs.

Commissioner Roland asked for clarification of the activities taking place outside the 10:00 a.m. to 3:00 p.m. timeframe for the senior programs, and also wanted to know the level of participation for those activities.

Ms. Wilkinson said from 6:00 a.m. to 10:00 a.m. there are exercise classes and the maximum number of participants is 35 to 55, which would be approximately the same amount of participants for the senior programs.

Commissioner Linn asked if the name of the proposed center had been approved by the state or was it part of the application that was awaiting the outcome of the zoning case.

Ms. Wilkinson replied the name of the center would be TVE Wellness Center for Seniors and the name was part of the current application with DADS that is waiting for the City's approval of the special use permit.

Vice Chair Bright wanted to know if the building capacity that was mentioned of 120 was for the whole building or the proposed use. He also wanted to know if the on-site parking could handle the maximum number of participants.

Mr. Shacklett said the maximum occupancy of the whole building (6,000 square feet) was 120, which was based on the City's Building Codes (size of space, sprinklers, ingress/egress), but the parking requirements were based on the square footage and use of the lease space. He added that a martial arts studio required one parking space for every 100 square feet of activity space or 23 parking spaces based on 2,244 square feet of activity area, which it did provide.

Vice Chair Bright asked about a comment made in the work session concerning what the applicant would like to do and currently could do without changing the zoning.

Mr. Shacklett replied that if the applicant had wanted to use their lease space from 10:00 a.m. to 3:00 p.m. for senior exercise and meditation classes, those two uses would fall under the definition of martial arts and a Special Permit would not be required. However, the applicant also wanted to provide reading, music, crafts, computer training, and provide lunch, which staff determined fell outside the definition of a martial arts studio and a Special Permit would be required.

Vice Chair Bright asked if staff knew the zoning for the adult day care facility on Nantucket Drive.

Mr. Shacklett said it had a similar type of zoning to the current location.

Commissioner Springs asked if the applicant had requested a senior or wellness center would those uses be permitted. He also wanted to know what the zoning was for the City's senior center.

Mr. Shacklett replied that senior or wellness centers were not specifically defined and staff would have to further question the applicant to determine the proposed use. In addition, the City's senior center is considered a public building and therefore allowed in any zoning district.

Mr. Chavez added that the State of Texas also concluded the proposed use fell under the definition of an adult day care center and, just like the City, if a particular use was not defined, staff would look a little further into the use and suggest a Special Permit if appropriate.

Commissioner DePuy asked if the adult day care on Nantucket Drive functioned in the same manner as the proposed center.

Mr. Shacklett said he was not sure, but thought the applicant may have an answer.

Ms. Wilkinson replied that she had visited the facility on Nantucket Drive and it was a health care center that was for individuals who were not able to take care of themselves during the day and their family members would drop them off to be supervised.

Commissioner Ferrell pointed out that several areas on the applicant's site were not in compliance with the site plan and asked if the applicant was agreeable to making those changes.

Ms. Wilkinson said she would make all the changes.

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

Commissioner Springs said he thought the application was more a question of semantics as opposed to a practical problem and helping seniors find active things to do in a building that was already set up for exercise was a use that made sense. He also did not think there would be problems with the traffic, but did emphasize that bringing the site into compliance was a good thing.

Vice Chair Bright said the question for him was whether or not the proposed use was appropriate for the site and, as staff had stated, the proposed use would not be much different from the current activities. He added that he did not think the use would generate more traffic and, as long as the site was brought into compliance with the site plan, he would vote in favor of the item.

Commissioner DePuy suggested the applicant may have been better served by simply adding senior exercise and enrichment classes to their facility, and said she understood the concerns of neighbors regarding traffic, but pointed out that the morning and evening hours for the martial arts studio was not generating an adverse amount of traffic. Ms. DePuy added that her biggest concern was to make sure qualified staff was in place to work with the seniors.

Chairman Hand said he was opposed to repurposing a restaurant building when it first came before the Commission a few years ago, and now with the concerns expressed by the adjacent business owners that the proposed use did not fit in with the vision for the area, he felt he could not support the item.

Commissioner Springs stated the reason the item was before the Commission was the fact the State declared the only definition to fit the proposed use was adult day care, but he felt the use was more in line with wellness, which was a permitted use under the current zoning.

Commissioner Linn asked if the Special Permit could be tied to the applicant so the use specified in the Special Permit would not transfer if the property sold to a different owner.

Mr. Shacklett replied that the Special Permit could be tied to the owner, which would mean if the next owner wanted to open a martial arts studio they could, but not the adult day care.

Mr. Linn said he would prefer the Special Permit being tied to the owner, which he felt could help protect adjacent property owners.

Commissioner DePuy and Vice Chair Bright said they agreed with Mr. Linn's statement about linking the Special Permit to the applicant.

Commissioner Springs asked for clarification on special condition number 4 – *"Prior to the issuance of a certificate of occupancy for the adult day care facility, the approved site plan shall be updated to reflect the existing site conditions."*

Mr. Shacklett suggested some changes to that special condition which would state: *"Prior to the issuance of the Certificate of Occupancy, the approved site plan and landscape plan shall be updated to reflect the existing site conditions, or the site shall be modified to comply with the site and landscape plan."* He added that if the zoning case was approved and the applicant came in for a Certificate of Occupancy, staff would either tell them that whatever had already been done was in compliance and the plans would be modified to match the changes, or what was done did not comply and the property would have to be changed to match the site and landscape plans.

Motion: Vice Chair Bright made a motion to recommend approval of Item 8 with special conditions 1, 2 and 3 as presented; the modification of special condition 4 as stated by staff; and the Special Permit would be limited to the present property owner; second by Commissioner Linn. Motion approved 6-1 with Chairman Hand voting in opposition.

Staff Report

TO: City Council

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

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

DATE: December 4, 2014 *(continued from November 10, 2014 Council meeting)*

RE: **Zoning File 14-31**: Special Permit – T.V.E. Wellness Center Adult Day Care

REQUEST:

Special Permit for an adult day care facility located within T.V.E. Wellness Center located at 327 W. Spring Valley Road.

APPLICANT / PROPERTY OWNER:

Quoc-Anh C. Tran – T.V.E. Wellness Center, Inc.

EXISTING DEVELOPMENT:

The site is currently developed as a 9,286-square foot, building. A dental office is located in a 3,044-square foot space, and the applicant proposes to utilize the remaining 6,242-square foot martial arts studio for the adult day care facility.

ADJACENT ROADWAYS:

Spring Valley Road: Eight-lane, grade separated divided arterial; 42,100 vehicles per day on all lanes, eastbound and westbound, east of Sherman Street (February 2013).

Sherman Street: Four-lane, divided minor collector; 4,800 vehicles per day on all lanes, northbound and southbound, south of Spring Valley Road (February 2013).

SURROUNDING LAND USE AND ZONING:

North: Retail/Commercial; C-M Commercial & PD Planned Development
South: Office & Retail/Commercial; C-M Commercial
East: Retail/Commercial; C-M Commercial
West: Retail/Commercial; LR-M(1) Local Retail

FUTURE LAND USE PLAN:

Enhancement/Redevelopment

These are areas where reinvestment and redevelopment is encouraged. Further study may be necessary to understand the full potential for redevelopment. This property is located in the Central enhancement/redevelopment area and is part of the City's Tax Increment Finance (TIF) district. Enhancement/redevelopment should include new and renovated office space, upgraded retail centers, and additional hospitality uses such as restaurant, hotel, and entertainment.

Future Land Uses of Surrounding Area:

North: Enhancement/Redevelopment
South: Enhancement/Redevelopment
East: Transit Village
West: Enhancement/Redevelopment

EXISTING ZONING:

C-M Commercial per Ordinance Number 2570-A.

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:
The subject property was developed in 1985 as a 6,000-square foot freestanding restaurant. In 2011, a building addition was approved enlarging the building to approximately 9,300 square feet. The building was expanded to accommodate a dental office on the western 1/3 of the building and the reminder of the building is occupied by Tran Vitality Essentials, a martial arts studio.

Request:
The applicant is requesting a Special Permit to allow an adult day care facility within the Tran Vitality Essentials (TVE) space. Although a childcare center is a listed use in the Comprehensive Zoning Ordinance (childcare centers require a Special Permit in any zoning district), an adult day care is unlisted in the Comprehensive Zoning Ordinance; therefore, a Special Permit is required.

The applicant is requesting to allow an adult day care use within the TVE space from 10:00 a.m. to 3:00 p.m., Monday through Saturday. The applicant has stated the lease space is not currently used during these hours for martial arts activities, and this use would allow them to generate additional revenue from an existing, underutilized lease space. The goal of the facility is to provide the senior population the opportunity to participate in active and recreational programs to promote a healthy lifestyle. The applicant states the following activities will be provided:

- Exercise
- Meditation
- Reading
- Music
- Crafts
- Computer Training

In addition to the activities, the applicant has stated lunch will be provided and catered in from outside vendors. The applicant has been in contact with the Health Department and understands the catering shall be limited to boxed or individually packaged lunches.

The applicant also states the parking on-site is adequate for the proposed use. The site has fifty-four (54) parking spaces, twelve (12) of which are required for the dental office. The maximum approved occupancy for the lease space is 120, but the applicant thinks it is unlikely that level will be reached. Additionally, it is presumed many of the patrons will be dropped off by relatives or friends or will utilize the bus to get to the facility.

As part of the review of the application, staff observed the site is not completely consistent with the approved site plan. Along the east side of the building, two (2) parking spaces are shown on the approved site plan adjacent to the patio. Additionally, a landscape island at the rear of the property is not constructed per the approved site plan. Staff has added a condition stating that if this Special Permit is approved, the site plan shall be updated to reflect current site conditions, and in some cases, changes may be required to the site to conform to the approved site plan. However, if the Special Permit is not approved, these changes will still be required and handled through Code Enforcement.

Correspondence: As of this date, one (1) letter of correspondence in opposition of the request has been received and is attached for your review.

Motion: On October 21, 2014, the City Plan Commission recommended approval, by a vote of 6-1 (Chairman Hand opposed), of the request as presented subject to the following special conditions:

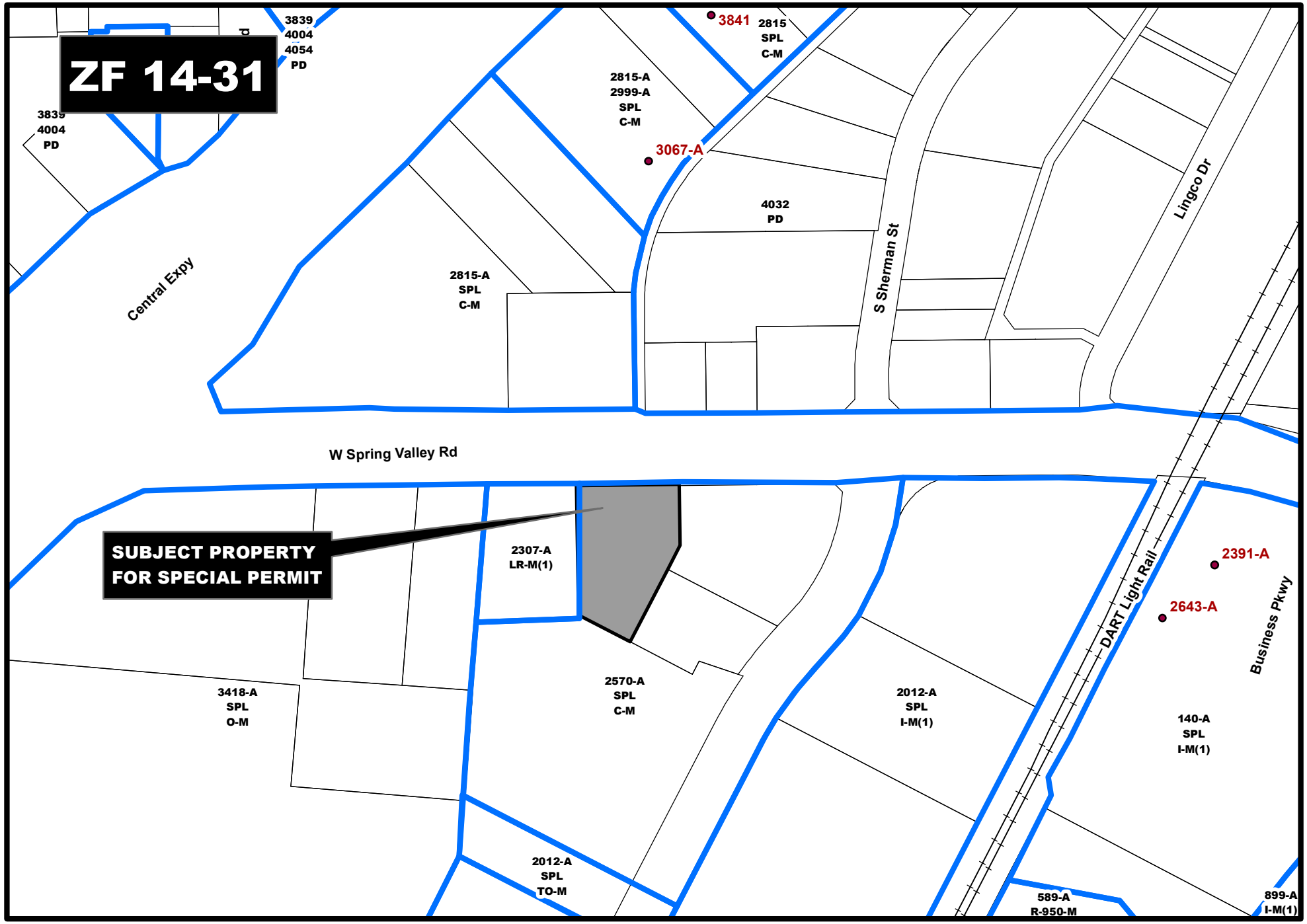
1. An adult day care facility shall be allowed and limited to the area shown on the attached concept plan, marked as Exhibit “B” and made a part thereof.

2. The adult day care facility shall be allowed to operate Monday through Saturday, between the hours 10:00 a.m. to 3:00 p.m.

3. No other use shall be allowed to operate within adult day care facility area while the use is in operation.

4. Prior to the issuance of a certificate of occupancy for the adult day care facility, the approved site plan and landscape plan shall be updated to reflect the existing site conditions or the site shall be modified to comply with the approved site plan and approved landscape plan.

5. The Special Permit for an adult day care facility shall be limited to Quoc-Anh C. Tran exclusively. No other person, company, business or legal entity shall operate an adult day care facility on the property, nor shall a certificate of occupancy be issued for an adult day care facility for any person, company, business or legal entity other than Quoc-Anh C. Tran.



ZF 14-31 Zoning Map

Updated By: shacklettc, Update Date: October 6, 2014
File: DS\Mapping\Cases\Z\2014\ZF1431\ZF1431 zoning.mxd

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

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ZF 14-31 Aerial Map

Updated By: shacklettc, Update Date: October 6, 2014
File: DS\Mapping\Cases\Z\2014\ZF1431\ZF1431 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.

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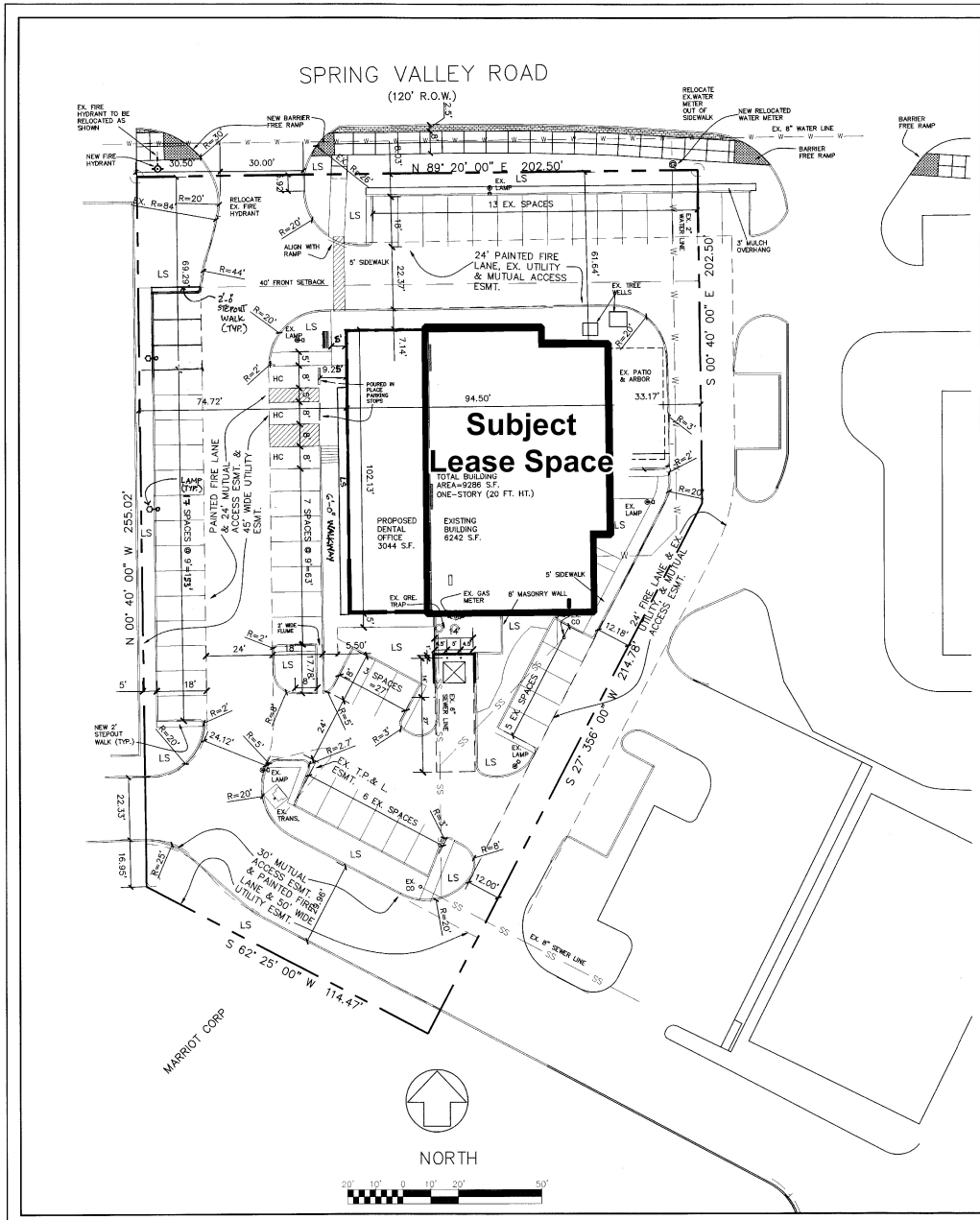
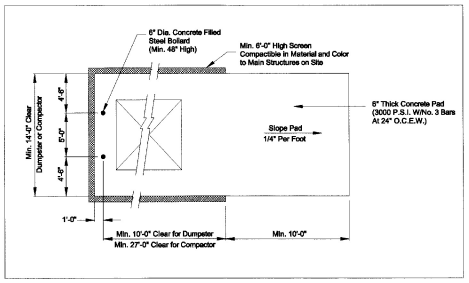
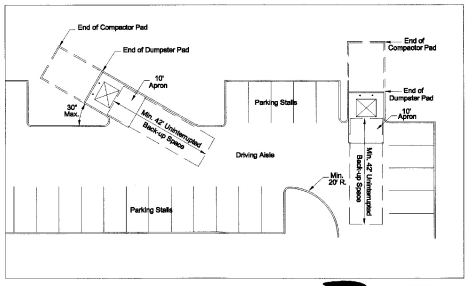
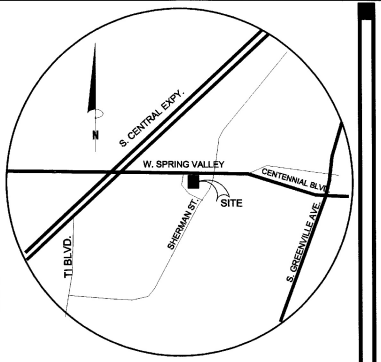






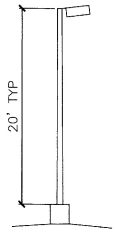
Dumpster/Compactor Pad Detail

CITY OF RICHARDSON TEXAS



VICINITY MAP

NOT TO SCALE



EXISTING LAMP POLE & BASE

NOT TO SCALE

SITE PLAN INFORMATION:

A. ZONING: 2570-A SPL C-M
B. SETBACKS REQUIRED BY ZONING (40' FRONT)
C. BUILDING/PARKING SUMMARY
1. LOT AREA = 50,262 S.F.
2. EX. BLDG.=6242 S.F + PROP. BLDG=3044 S.F.
TOTAL BLDG AREA 9286 S.F.
DENTAL OFFICE AREA-3044 S.F.
TRAN VITALITY 6242 S.F. (2244 S.F. OF ACTIVITY AREA)
3. PARKING RATIO: 1 SPACE: 250 S.F. (DENTAL OFFICE)
1 SPACE: 100 S.F. (ACTIVITY AREA)
4. REQUIRED PARKING: 12 SPACES (DENTAL OFFICE: 3044 S.F.)
23 SPACES (ACTIVITY AREA: 2244 S.F.)
TOTAL SPACES REQ.: 35
5. PARKING PROVIDED: **54** SPACES
6. LANDSCAPE REQUIRED: (7%) = 3518 S.F.
LANDSCAPE PROVIDED: 7391 S.F. OR 14.7 %
7. FLOOR AREA RATIO (FAR)= 0.18
8. BUILDING HEIGHT: ONE STORY (20' HT. WITH 4- 22' DECORATIVE AREAS X 5' WIDE)
D. OWNER NAME:
CHAN QI FA, LLC.
2007 SCARLET OAK DRIVE
RICHARDSON, TX 75081

E. MICHAEL PEEPLES ENGINEERS
1930 E. ROSEMEADE #205
CARROLLTON, TX 75007

UTILITIES SHOWN ARE FROM EX. RECORDS.
CONTRACTOR TO VERIFY LOCATION OF ALL EX. UTILITIES.
REFER TO DEMOLITION PLAN FOR CURB EX. REMOVAL.

approved.
Subject to requirements building Code and
City codes and Ordinances
City Plan Commission
Date
By
Director

All utilities are required underground
struction of any public facilities or ser
contract between owner, contractor, o
filed with Dept. of Public Works. A
plan must be approved and
started prior to occupancy. Design
of signs are not subject to approval
Commission.

ALL FIRE LANES AND PARKING SERVICES SHALL BE COMPLETED PRIOR TO CONSTRUCTION OF BUILDING. SCREENING WALL REQUIRED TO BE INSTALLED PRIOR TO ISSUANCE OF BUILDING PERMIT

Administrative Approval Granted
12-26-12 MB

STATE OF TEXAS
MICHAEL N. PEEPLES
56206
REGISTERED PROFESSIONAL ENGINEER

Michael N. Peeples, P.E.
7/18/11

SITE & DIMENSION CONTROL PLAN

MICHAEL PEEPLES
Engineers and Planners
1930 E. ROSEMEADE #205 - CARROLLTON, TX 75007
214-731-9900 - FAX 214-731-9940 @ (N.A.)
ENGINEERING FIRM # 3754

LEGAL NAME:
BLOCK A LOT 3-B
SPRING VALLEY BUSINESS PARK
VOLUME 87164 PAGE 0628-0635

TRAN DENTAL OFFICE
327 W. SPRING VALLEY ROAD
RICHARDSON, TX

SHEET
CE-1

DATE PLOTTED
7/18/2011

REVISED CITY COMMENTS THROUGH

Exhibit B - Part of Ordinance

ATTACHMENT #2

327 W Spring Valley Road
Richardson, TX 75081

Length: 102'4"
Width: 64'8"

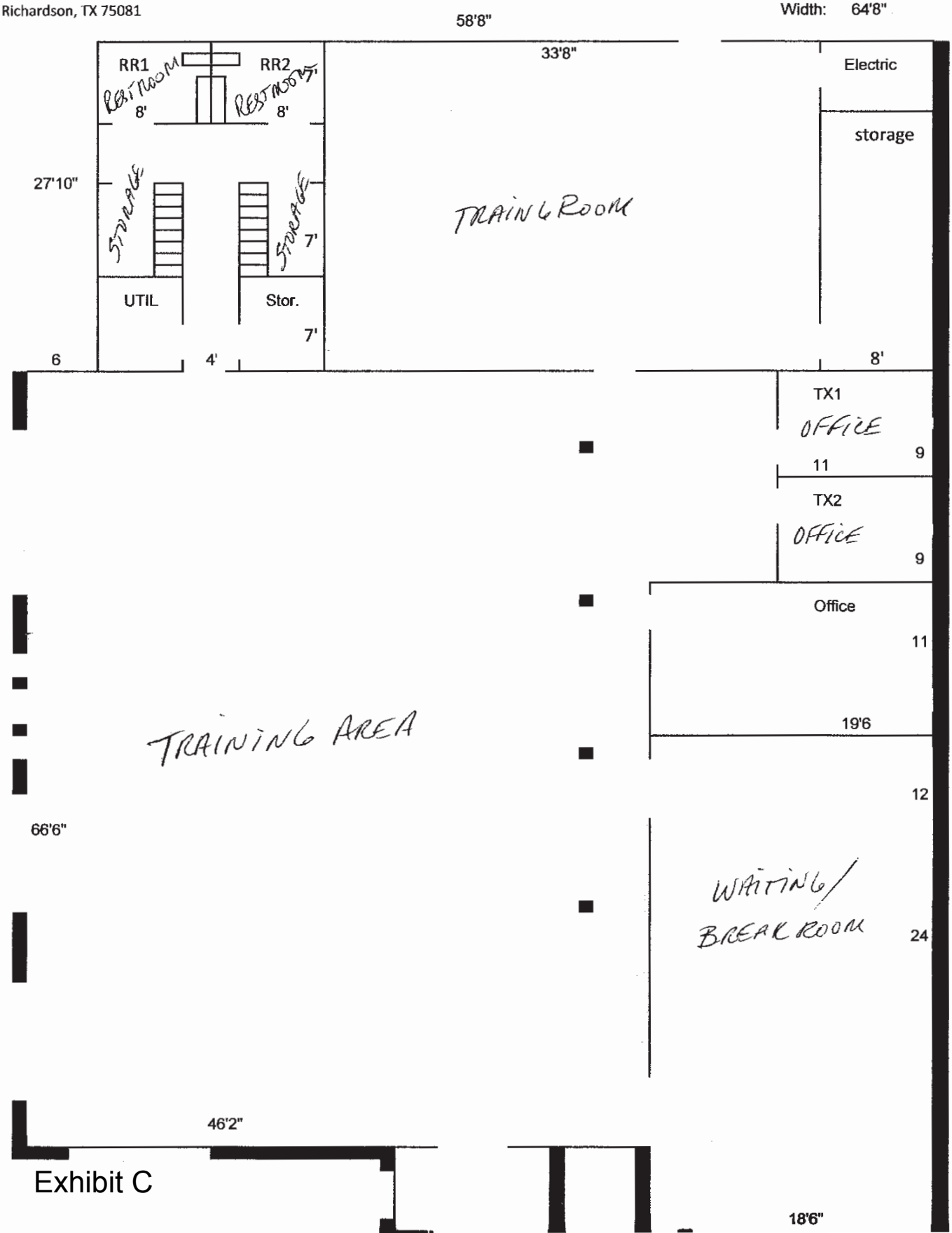


Exhibit C

(1)

Looking Southwest
at Front of Building

(2)

Looking Southeast at Front of Building

T.V.E (TRAN VITALITY ESSENTIAL)
WELLNESS FOR SENIOR, INC.
327 WEST SPRING VALLEY ROAD
RICHARDSON, TEXAS 75081

DATE: October 7, 2014

TO: City of Richardson Zoning/Special Permit
411 W. Arapaho Road
Richardson, TX 75081

FROM: TVE Wellness for Senior, Inc.
327 W. Spring Valley Road
Richardson, TX 75081
ATTN: RevaHue Wilkinson-T.V.E . Operations Manager
Phone: 214-663-0533
Email: rtwenta1@gmail.com

RE: Notification of Intent to Creating New Business Entity/
Re-Zoning and Special Permit Request

This is a request for re-Zoning/Special Permit for adding a new Business Entity at 327 W. Spring Valley Road, Richardson, TX 75081. The New Business entity name is TVE Wellness for Senior , INC.. The details are:

OUR VISION:

Our vision is that older persons should remain integrated in society, participate actively by living healthy and happy lives in their entitlement ages.

We believe in order to improve the quality of life of all older people and to transform all our attitudes towards ageing and older people, they need to have effective exercise programs to gain body flexibility for prevent illness and disease; they also need to participate with recreational to enjoy their entitlement years.

OUR MISSION:

"To achieve fundamental change in the lives of all people by empowering them and actively engaged in wellness life style and securing their health through high quality exercise programs. "

HOURS OPERATIONS:

From 10: A. M. to 3:00 P.M. Daily Monday thru Saturday

*****Please notice the above operational hours are exclusively for the senior programs. There will not be any other training or education occurring during these hours.**

BUILDING'S OCCUPANCY:

Approved Permit Building Occupancy is 120

TRANSPORTATION:

Clients will be communing by bus or they will be dropped-off by relative/friends

FEES:

$75.00 A DAY OR $25.00 AN HOUR

(SENIOR DAY CARE) PROGRAMS:

1. Exercise Programs
2. Meditating
3. Reading
4. Music
5. Lunch (optional. Food is catering from outside Vendors)
6. Computer Training
7. Craft: Crochet, weaver, and knitting
8. Socializing/coffee break/snacks

REQUEST:

We request for adding T.V.E Wellness for Senior, INC. re-Zoning/Permit as follows:

1. Permit for TVE Senior Day Care Operations from 10:00 A.M to 3:00 P.M. Monday thru Saturday.

Sincerely,

RevaHue Wilkinson

_____ ___ Date _____
T.V.E .Operations Manager

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

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

SPECIAL PERMIT

File No./Name:	**ZF 14-31 / The Wellness Center, Inc.**
Property Owners:	Quoc-Anh C. Tran / T.V.E. Wellness Center, Inc.
Applicant:	Quoc-Anh C. Tran / T.V.E. Wellness Center, Inc.
Location:	327 W. Spring Valley Road (See map on reverse side)
Current Zoning:	C-M Commercial
Request:	A request for approval of a Special Permit for an adult day care facility.

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

TUESDAY, OCTOBER 21, 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.

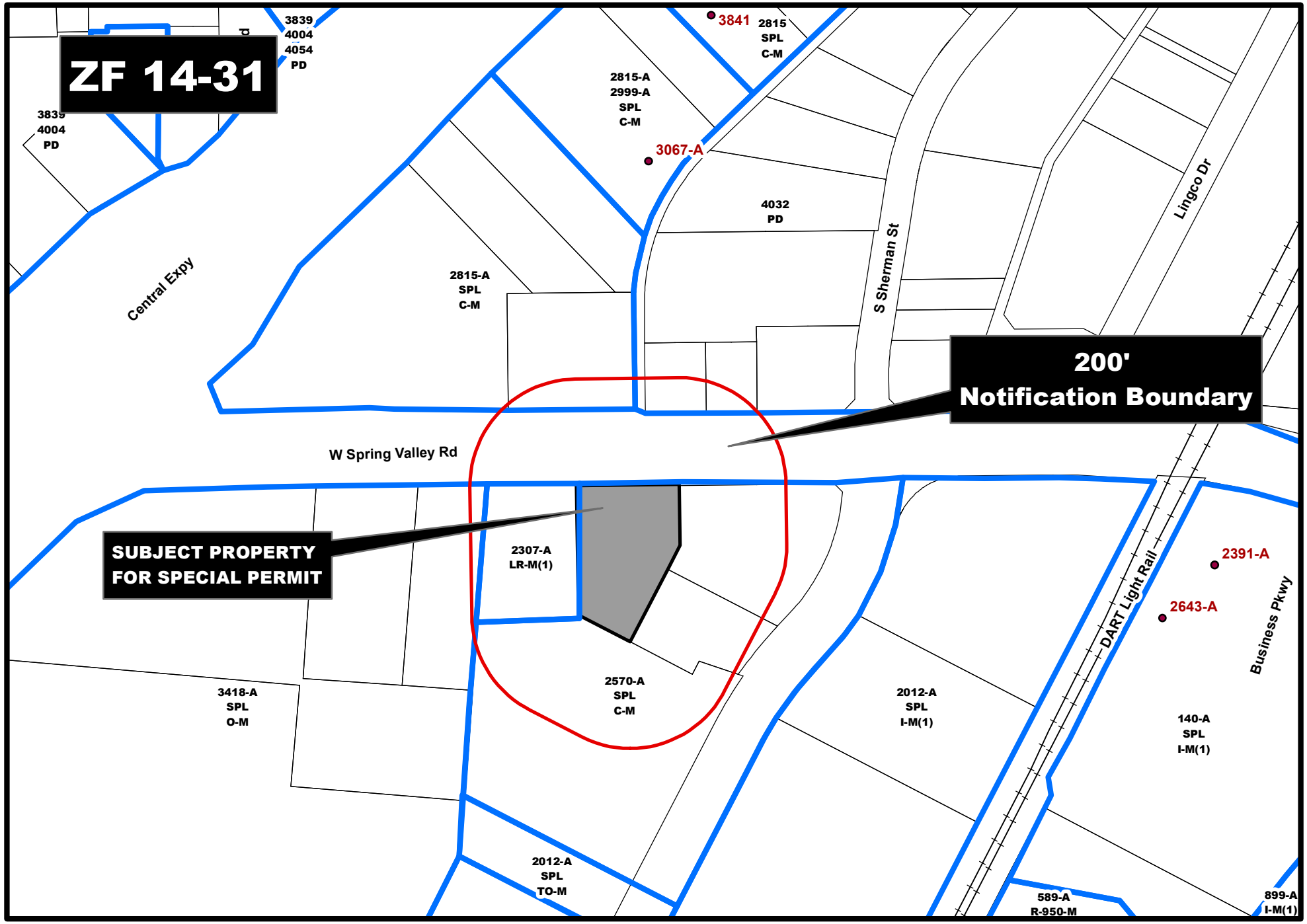
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 14-31.

Date Posted and Mailed: 10/10/2014



ZF 14-31 Notification Map

Updated By: shacklettc, Update Date: October 6, 2014
File: DS\Mapping\Cases\Z\2014\ZF1431\ZF1431 notification.mxd

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

N
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B H DALLAS PORTFOLIO LLC
PO BOX 49993
LOS ANGELES, CA 90049-0993

CASE MANAGEMENT
CONSULTANTS LLC
208 W SPRING VALLEY RD
RICHARDSON, TX 75081-4034

RICHARDSON INVESTORS
PO BOX 223159
CARMEL, CA 93922-3159

C2 LAND LP
% ING CLARION PTNRS/700
1717 MCKINNEY AVE #1900
DALLAS, TX 75202-1253

SPRING VALLEY HOSTS INC
7424 BRADFORD PEAR DR
IRVING, TX 75063-8407

212 SPRING VALLEY LP
100 NORTH CENTRAL EXPY #10
RICHARDSON, TX 75080

CHAN QI FA LLC
2007 SCARLET OAK DR
RICHARDSON, TX 75081-3953

NACOL WORTHAM REALTY LP
990 S SHERMAN ST
RICHARDSON, TX 75081-4845

WENDYS INTERNATIONAL INC
TAX DEPARTMENT
1 DAVE THOMAS BLVD
DUBLIN, OH 43017-5452

STEPHENSON CHARLES E
2804 CHAPMAN RD
PLANO, TX 75093-3422

CVG RICH LP
% OCCUPANCY EXPENSE DEPT
1 CVS DR
WOONSOCKET, RI 02895-6146

QUOC-ANH C. TRAN
THE WELLNESS CENTER, INC.
327 W. SPRING VALLEY RD
RICHARDSON, TX 75081

ZF 14-31
Notification List

The Nacol
Law Firm PC™
Attorneys & Counselors at Law
Mark A. Nacol
Board Certified, Civil Trial Law
Texas Board of Legal Specialization
Angela L. Brown
Associate Attorney

October 16, 2014

Via Email Michael.spicer@cor.gov

Michael Spicer
Director of Development Services
Development Services Department
City of Richardson
411 W. Arapaho Road
Room 204
Richardson, Texas 75080

Re" File No./Name: ZF 14-31/The Wellness Center, Inc.

Dear Sirs:

I am Mark A. Nacol the owner of the entity and land at 990 South Sherman Street, Richardson, Texas 75081 and have been a property owner and tax payer for the last 14 years. I have made every effort to comply with any requests of the City, as to appearance, quality and compliance with codes and have never been cited for any violations.

I have received the request for special permit and variance by Quoc-Anh C. Tran/T.V.E. Wellness Center, Inc. at 327 West Spring Valley Road, to convert commercial use to an adult daycare facility and hereby expressly object and do not concur or consent to the granting of such a permit. I request the variance be in all things denied.

The landowners in this area have taken great effort to raise the level of quality to improve property values for all in the community and in a further effort to entice new, quality commercial investment and development in this area of Richardson and especially over time, to the area on the other side of Central Expressway that is somewhat depressed.

I see of no possible outcome other than reduced values and detriment to allowing 120 people to be bussed in or dropped off and picked up every day given the location, geography and ingress and egress problems associated with the requested variance. This is not a commercial use.

Additionally, the mutual easements that surround the property were never made for heavy traffic of that sort on a daily basis.

990 South Sherman Street Richardson, Texas 75081
Metro: (972) 690-3333 Toll Free: (866) 352-5240 Fax: (972) 690-9901 www.NacolLawFirm.com

Further, being a member of the Architectural Control Committee and under the current recorded and unamended Deed Restrictions, the purpose for which the applicants seek to do business is strictly forbidden and is in violation of such a deed restriction. Should the permit be granted, it would inevitably result in litigation to enforce these Deed Restrictions, Injunctive Relief and great expense to all surrounding the property, none of whom to my knowledge approve or support the variance request.

I believe that granting this special permit would be an unsupported, and very clear step backward to all the owners of property surrounding the subject property and to Richardson generally in this area which has made so much progress over the last 15 years from how it was when I arrived originally.

Thank you as always for your courtesy and if I may be of any service in any way to further the basis of this letter, please do not hesitate to call. Until that time, I remain

Yours very truly,

Mark A. Nacol

MAN/kmc

cc: The City Plan Commission *(via facsimile 972/744-5804)*

MEMO

DATE: **December 3, 2014**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 14-32 – Special Permit – Turkish Community Center – 1416 E. Collins Blvd.**

REQUEST
A request by Robert Boyd on behalf of the Raindrop Foundation, to revoke Ordinance No. 2390, a Special Permit for the Young Women's Christian Association (YWCA) granted in 1983 and approval of a Special Permit for a community center located at 1416 E. Collins Boulevard, on the south side of Collins Boulevard, east of Plano Road. The existing O-M Office District zoning would remain unchanged.

BACKGROUND
The subject property is 3.5 acres in area. Existing on-site improvements include a one-story office building 9,063 square feet in area (built in 1985); a natatorium 7,521 square feet in area (built in 1990); and seventy-five (75) parking spaces, all generally situated on the north half of the property. The southern half of the subject property is undeveloped and used for recreational purposes. An existing masonry screening wall, six feet in height, is located along the site's east property line adjoining an alley that serves single family homes. The open area south of the existing buildings is secured by a chain-link fence, six feet in height, supplemented with large shrubs along the south property line fronting Somerset Place.

The Raindrop Foundation has occupied the site since 2008. The Raindrop Foundation is an educational, charitable, social and cultural non-profit organization serving the Turkish-American community in the Dallas area. The existing facilities are currently being used to house administrative functions of the Raindrop Foundation and for recreational purposes. In addition to the allowed office use, the applicant proposes to use the existing facilities and site for weekly cultural, educational and recreational activities as well as two annual fundraising events and a cultural festival in the fall. **No additional buildings or expansion of the existing facility are proposed.**

A large number of letters were received from the surrounding neighborhood in opposition to the original request, which included a proposal to construct an additional, two-story building to be used for assembly and temporary lodging. In response to neighborhood concerns, the applicant has revised the request and eliminated the proposed building.

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

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 11-18-2014
Staff Report
Zoning Map
Aerial Map
Zoning Exhibit (Exhibit "B")
Site Photos
Applicant's Statement
Notice of Public Hearing & Notification List
Correspondence

ZF 14-32 Special Conditions

1. The special permit for the community center shall be limited to the Raindrop Foundation.

2. Activities shall be limited to the weekly cultural, educational and recreational activities as well as two annual fundraising events and one cultural festival in the fall.

3. The existing large shrubs located along to Somerset Drive, which forms a living screen, shall be maintained and supplemented with additional shrubs to fill any existing gaps within the screen.

4. A minimum of 75 parking spaces shall be provided on the subject property in accordance with Exhibit “B”.

Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: November 19, 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 21, 2014

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, December 8, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 14-32

A request by Robert Boyd, representing Raindrop Foundation, to revoke Ordinance 2390-A, a Special Permit for the Young Women's Christian Association, and for approval of a Special Permit for a community center for the Turkish community. The property is located at 1416 E. Collins Boulevard (south side of Collins Boulevard, east of Plano Road). The property is currently zoned O-M Office.

ZF 14-38

A request by Scot Whitwer, representing CB Jeni Homes, to amend the Spring Valley Station District PD Planned Development, Ordinance 4032, to allow the development of townhomes on approximately 1.63 acres on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

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

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

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES –November 18, 2014

PUBLIC HEARING

Zoning File 14-32 – Turkish Community Center (continued from October 21, 2014 and November 4, 2014): Consider and take necessary action on a request to revoke Ordinance 2390-A, a Special Permit for the Young Women's Christian Association (YWCA), and approval of a request for a Special Permit for a community center to include a proposed two-story building for office, assembly and tutoring rooms. The property is currently zoned O-M Office and is located at 1416 E. Collins Boulevard, the south side of Collins Boulevard, east of Plano Road.

Mr. Bireima stated the previous requests for continuations were based on the applicant's desire to address neighborhood concerns and to modify plans in response to those concerns. As a result of numerous pieces of correspondence and comments in opposition, the applicant has decided to withdraw his request to expand the building and was only asking for the revocation of the Special Permit issued to the Young Women's Christian Association (YWCA) and the issuance of a Special Permit to allow the operation of a community center (Center) for the Turkish community.

Mr. Bireima noted that the Center would have weekly cultural, educational and recreational activities as well as two annual fund raising events and a cultural festival in the fall.

Mr. Bireima pointed out that the property is currently screened from the residential neighborhoods to the east by a masonry wall, and the open field on the south side of the buildings is enclosed by a chain link fence and screened by a living screen. In addition, the existing 75 parking spaces meet the needs of the center.

In closing his comments, Mr. Bireima highlighted the special conditions suggested by the staff including the maintaining and supplementing the living screen along Somerset Place, maintaining at least 75 parking spaces, tie the Special Permit to the Raindrop Foundation, and limit the activities to weekly cultural, education and recreational activities.

Commissioner Frederick asked if one of the areas on Exhibit "B" was a pre-school playground or was it a structure.

Mr. Bireima replied it was an open area with sidewalks that is used for general activities but it could be used as a playground.

Commissioner Linn asked to confirm who the Special Permit would be tied to, what activities are currently held at the Center and the number of parking spaces currently available.

Mr. Bireima replied the Special Permit would be issued to the Raindrop Foundation and if the property was every sold, the new owner would have to come before the Commission to request their own Special Permit.

Regarding the activities at the Center, Mr. Bireima replied the activities outlined in the special conditions were the same as those that are currently taking place and the request for the Special Permit would simply make the property legally conforming. He added that the Center currently has 75 parking spaces on their property.

Commissioner Springs asked if it was staff's opinion that any overnight activity would fall beyond the limitations listed in the special conditions.

Mr. Bireima said any overnight stay would be beyond the scope of the activities listed in the special conditions.

Mr. Chavez added that there are many institutional uses that have overnight retreats, although they may not be permitted, they sometimes occur.

Chairman Hand wanted to know if the previous owner, YWCA, had occupied the property as an office use, and pointed out that the Center's property along Somerset Place might be in need of some landscape maintenance.

Mr. Bireima said the O-M Office zoning was the base zoning for the property and the YWCA requested a Special Permit for a community center because that particular use was not listed as a use in the O-M Office District.

Commissioner Ferrell wanted to know if the applicant was given permission to have a Center, and at a later time they wanted to add another building, they would have to come back before the Commission for approval.

Mr. Bireima replied that was correct and the applicant could not expand the facility without asking for another Special Permit.

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

Mr. Vepa Rejepov, Outreach Director for the Turkish Community Center, 1416 E. Collins Boulevard, Richardson, Texas, said that after listening to the comments and concerns from the adjoining neighborhood, and wanting to maintain good relations with the neighbors, they were rescinding the original request and only asking for a Special Permit to operate as a community center.

Vice Chair Bright asked for more information about the current activities at the Center. He also wanted to know if anyone would be staying overnight at the facility.

Mr. Rejepov said there are weekend schools for the Turkish, Gambian and Bosnian communities, along with SAT courses for the high school students. For cultural events the facility is used as a meeting place for non-profit purposes during the week with luncheons and Saturday socials on the weekends.

Regarding overnight stays, guest would stay at a local host's home or at a local hotel. He added that their initial submittal misstated the intended use and they were only asking for the chance to allow students to stay during SAT courses or other educational activities.

Commissioner Linn asked if the limitation of only two annual fund raisers per year was sufficient.

Mr. Rejepov said that would be sufficient and pointed out that many of the members of the community center provide funds as well as income derived from renting out the natatorium.

Chairman Hand asked if the applicant was not proposing to change the building why were they requesting the Special Permit. He also wanted to know if overnight stays did take place, even though the applicant stated that was no longer part of their request, those stays would fall under the City's Code Enforcement Department.

Mr. Rejepov replied that when they first purchased the property, they were not aware that a change in the Special Permit was necessary, but through contact with the City they were made aware and the current application was a result that a new special permit was needed.

Mr. Bireima confirmed that Mr. Hand was correct regarding overnight stays coming under the purview of the Code Enforcement Department.

Mr. Mark Poer, 1412 Somerset Place, Richardson, Texas, stated his property was directly behind the center and thanked the applicant and the Center for being sensitive to the concerns of the neighborhood. He asked that if the Commission did approve the applicant's request, a condition should be added requiring the Center to come back before the Commission for approval on any future buildings.

Mr. Howard Maher, 1814 Clemson, Richardson, Texas said he was initially undecided and wanted to hear the applicant's statement before making a decision, but with the reported changes he did not see any problems and emphasized that the proposed activities were exactly what they were doing at the current time.

With no further comments in favor, Chairman Hand called for comments in opposition.

Ms. Lily Wang, 1410 Somerset Place, Richardson, Texas, stated she appreciated the fact that the applicant had rescinded the request to build another building, but still had questions about the number of children who would be tutored at the Center.

Ms. D'Andra Summers, 25 Merrie Circle, Richardson, Texas, said she was happy to have the Center in the neighborhood and asked that the additional condition requested by Mr. Poer regarding future buildings be added to the motion.

Mr. Robert Pinkston, 1908 Sara Lane, Richardson, Texas, asked for clarification on the following questions:

- What is the difference between revoking Ordinance 2309-A and the proposed Special Permit;
- What age groups would utilize the facility;
- What do the individuals from the many countries mentioned have in common; and
- Will the tutoring or weekend schools have any affiliation with Gulen Charter Schools?

Chairman Hand explained the previous ordinance/special permit was issued to the YWCA, whereas the new permit would be issued to the Center. He also stated the applicant would answer any questions during the rebuttal phase of the public hearing.

Mr. Eric Torgerson, 1700 Richforest Drive, Richardson, Texas, said he was not as worried since the application for an additional building had been withdrawn, but was concerned that the original intent of the zoning, to provide services for the residents of the Yale Park neighborhood, would be altered by the proposed use and influx of people from all over the metroplex.

Ms. Lydia Luckett, 1935 Forestwood Drive, Richardson, Texas, stated her concern dealt with the fact that the wording of the posted information still contained mention of expanding and/or construction a new building. She asked the Commission to deny the current application and to ask the applicant to submit a new request specifically listing their intentions.

Mr. Bireima replied that there had been previous iterations, but the applicant had presented a new "applicant's statement" that does not include any mention of the previous building expansion or overnight lodging. He added that if the Commission approved the request, the motion could contain the four special conditions mentioned in the staff's report which specifically outlines the activities allowed in the Center.

Chairman Hand asked to confirm that everything under consideration at the present time superseded all the previous requests.

Mr. Bireima confirmed that was correct.

Commissioner Roland read the posted request into the record and stated he would be voting on the posted request as well as the previously mentioned special conditions.

Mr. Chavez pointed out that the confusion could be attributed to the notice that was mailed out to the adjacent homeowners, which went out prior to the applicant submitting a new statement; however, what was before the Commission was a request to revoke the existing Special Permit and approve a new Special Permit for the listed uses and the Zoning Exhibit showing the facility as it is now.

Ms. Luckett concluded her statement by asking that notification to the residents go beyond the 200-foot requirement and be extended to all the residents of the Yale Park neighborhood.

Mr. Chavez replied that state law only required a 200-foot notification on zoning changes.

Ms. Summers asked if during their motion the Commission could specifically list all the conditions they were or were not approving.

Ms. Paula Speer, 1605 Montclair Drive, Richardson, Texas, asked if the applicant was not going to proceed with the building expansion why the application was from the architect as opposed to Mr. Rejepov or the Raindrop Foundation.

Chairman Hand replied that he would let the applicant reply to all the questions and noted that eighteen (18) speaker cards had been received in opposition. He asked Mr. Rejepov if he had any rebuttal comments.

Mr. Rejepov stated that when the original application was submitted and there were plans to expand the building, the architect was the applicant, but if the Commission wanted to begin the process again he would submit a new application with his name on it.

Chairman Hand said he did not think that was necessary and added that it was customary for property owners to hire civil engineers and architects to represent them at city meetings.

Mr. Rejepov stated he wanted to address the neighbor's questions as they were presented:

Q: Why would students be coming from around the metroplex for tutoring and how many would be attending?

A: Since the application for expansion had been withdrawn, tutoring sites in the cities of Pantego, Carrollton and Denton would open to serve area students, and the Center in Richardson would serve students from the cities of Dallas, Richardson and Plano.

Q: What is the age group of those utilizing the Center?

A: All age groups.

Q: Why a Center in the City of Richardson?

A: The property in Richardson was the size needed and the price was affordable.

Q: Is the Center affiliated with Gulen Charter Schools?

A: The Center is not affiliated with any charter or public schools, but the Raindrop Foundation is a Gulen inspired organization. Also, the Center would be willing to assist Richardson or Plano ISD if they wanted to use the facility.

Q: What are the common denominators for the people from different nations who use the Center?

A: The facilities are used by people from the Turkish nations (Turkey, Kazahstan, Turkmenistan, and former Soviet Union Turkish countries) who have similar cultures and languages. Regarding the Bosnian and Gambian communities, they could not afford a facility of their own so they are using the Center for educational purposes.

Q: Why is the Center drifting away from the original purpose?

A: Since the Raindrop Foundation is fairly new to the community, it is still in the process of building relationships and would be open to ideas from the neighborhood. Contact has also been made with the president of the local homeowners association in an attempt to better communicate with the neighborhood.

Commissioners DePuy and Linn commended the applicant for listening to and offering to work with the neighbors.

Ms. Laura Koster, 1821 Blake Drive, Richardson, Texas, asked if women would be allowed to use the facility as well as men.

Mr. Rejeprov replied the natatorium is currently rented out to a swimming school and Garland ISD, but they might consider opening the facility to memberships in the future.

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

Commissioner Maxwell asked staff if the current proposal would affect the Center opening the pool to the neighborhood.

Mr. Bireima replied that he thought the Center could open the pool to the community; however, whether a fee could be charged would be something that would require further research.

Chairman Hand asked if the item was approved, would the Center be entitled to expand the existing building.

Mr. Chavez replied no without coming back to the Commission to amend their Special Permit.

Commissioner Roland asked if the expense of mailing out notices of public hearings was borne by the City and if the notices were mailed to every property owner outside the state mandated 200 feet would the cost to the City increase.

Mr. Chavez replied the cost of mailing out the notices was covered by the City and pointed out that as part of notification process, and in addition to the mailed notices, signs were posted on the property, notices were listed in the newspaper as well as posted on the City's web site and at City Hall.

Motion: Commissioner DePuy made a motion to recommend approval of Zoning File 14-32 with the following special conditions:

1. The special permit for the community center shall be limited to the Raindrop Foundation.
2. Activities shall be limited to the weekly cultural, educational and recreational activities as well as two annual fundraising events and one cultural festival in the fall.
3. The existing large shrubs located along Somerset Drive, which forms a living screen, shall be maintained and supplemented with additional shrubs to fill any existing gaps within the screen.
4. A minimum of 75 parking spaces shall be provided on the subject property in accordance with Exhibit "B".

Second by Commissioner Linn.

Chairman Hand thanked the applicant and neighbors for working together on the project and stated the current motion was simply revoking a previous ordinance and granting a new Special Permit to make the establishment legally conforming.

Motion approved 7-0.

Staff Report

TO: City Council

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

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

DATE: November 14, 2014

RE: **Zoning File 14-32**: Special Permit – Turkish Community Center

REQUEST:

A request to revoke Ordinance Number 2390, a Special Permit for the Young Women's Christian Association (YWCA), and approval of a request for Special Permit for a community center located at 1416 E. Collins Boulevard, the south side of Collins Boulevard, east of Plano Road.

APPLICANT / PROPERTY OWNER:

Robert Boyd – Robert Boyd Architects/ Husayin Sari – Raindrop Turkish House

EXISTING DEVELOPMENT:

The 3.5 acres site is developed as a 9,063-square foot single-story building, which currently houses the administrative functions of the Raindrop Foundation, and a 7,521 square foot recreational facility.

ADJACENT ROADWAYS:

Collins Boulevard: Two-lane, divided Collector with bike lanes; 4,840 vehicles per day, between Plano Road and Jupiter Road (February 2012).

Somerset Place: Two -lane, undivided Local Street; no traffic counts available.

SURROUNDING LAND USE AND ZONING:

North: Residential; R-1500-M Residential
South: Residential; R-1500-M Residential
East: Residential; R-1500-M Residential
West: Nursing home and a daycare; O-M Office

FUTURE LAND USE PLAN:

Neighborhood Service

Neighborhood Service includes service-related uses such as retail sales; personal services such as cleaners, barbers and beauty shops; entertainment; recreation; and office uses oriented to the immediate area. Retail centers often contain a major or junior anchor, but may not. Office uses in this category are usually integrated into retail centers, but may include small freestanding office buildings that provide services for the surrounding neighborhood. Some Neighborhood Service districts may include senior housing.

Future Land Uses of Surrounding Area:

North: Residential and Neighborhood Service
South: Neighborhood Residential
East: Neighborhood Residential
West: Neighborhood Service

EXISTING ZONING:

O-M Office District with a Special Permit for the Young Women's Christian Association (Ordinance Number 747 and Ordinance Number 2390).

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:
The subject property is located on the south side of East Collins Boulevard, east of Plano Road. The subject property received a Special Permit to operate the Young Women's Christian Association (YWCA) and related programs in 1983. In 1985, the site was initially developed as a 9,063 square foot single-story building, and a 7,521 square foot natatorium was added in 1990. In 2008, the facility received a Certificate of Occupancy to house the administrative functions of the Raindrop Foundation.

Request:
This is a request to revoke Ordinance Number 2390, a Special Permit for the Young Women's Christian Association (YWCA), and a request for approval of Special Permit to allow a community center, with the underlying zoning district to remain as the O-M Office District.

A Special permit is required for a community center since the use is not listed in the Comprehensive Zoning Ordinance. The proposed community center will be operated by the Raindrop Foundation, an educational, charitable, social and cultural non-profit organization serving the Turkish-American community in the Dallas area. The mission of the organization is to introduce Turkish culture into American society and cultivate friendship and promote the understanding of diverse cultures through services to the community, dialog and cooperation.

The existing facility, which consists of two buildings, is currently being used as an office for the day-to-day operations of the Raindrop Foundation and for recreational purposes. The applicant states that the front building, which is a 9,063-square foot building, is used for office; and the second building is a 7,521 square foot natatorium used for recreational activities. In addition to the allowed office use, the applicant indicates that the proposed activities will include weekly cultural, educational and recreational activities as well as two annual fundraising events and a cultural festival in the fall.

The subject site is currently screened from the residential homes located along the east property line by an existing six (6) high masonry screening wall. The open field located on the south side of the site is currently used for recreational purposes and is secured by an existing six (6) high chain-link fence located along the west property line with the chain-link fence and located 30 feet from the south property line of the site. Existing large shrubs help to screen the area from Somerset Place. ***No additional facilities or expansion are proposed with this request.***

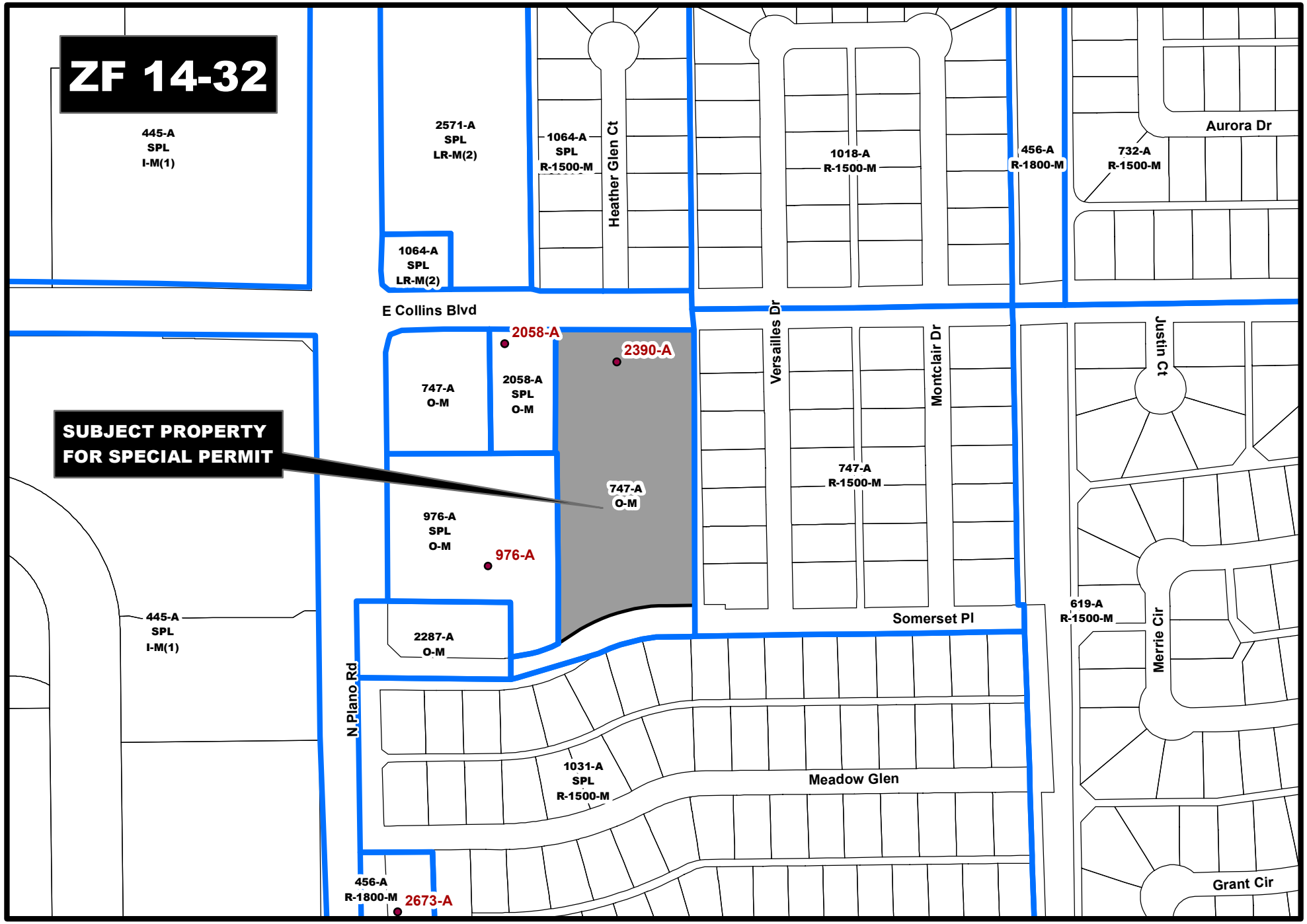
The Zoning Exhibit (Exhibit "B") indicates seventy-five (75) parking spaces on the subject site. The applicant feels that these parking spaces are currently adequate for the activities of the center, which translates to a parking ratio of one (1) space per 220 square feet for the two buildings combined. The applicant states that the facility is generally busy after business hours and during the weekend; and they don't anticipate parking will become a problem since visitors are mostly local residents.

Correspondence: A large number of letters were received from the surrounding neighborhood in opposition to the original request, which included the construction of a two-story building to be used for assembly and temporary lodging. In response to the neighbors' concerns, the applicant revised their original request by eliminating any expansion to the facility.

CPC Action: On November 18, 2014, the City Plan Commission unanimously recommended approval of the request as presented subject to the following special conditions:

1. The special permit for the community center shall be limited to the Raindrop Foundation.
2. Activities shall be limited to the weekly cultural, educational and recreational activities as well as two annual fundraising events and one cultural festival in the fall.
3. The existing large shrubs located along to Somerset Drive, which forms a living screen, shall be maintained and supplemented with additional shrubs to fill any existing gaps within the screen.

4. A minimum of 75 parking spaces shall be provided on the subject property in accordance with Exhibit “B”.



ZF 14-32 Zoning Map

Updated By: shacklettc, Update Date: October 6, 2014
File: DS\Mapping\Cases\Z\2014\ZF1431\ZF1432 zoning.mxd

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

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ZF 14-32 Aerial Map

Updated By: shacklettc, Update Date: October 6, 2014
File: DS\Mapping\Cases\Z\2014\ZF1431\ZF1432 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.

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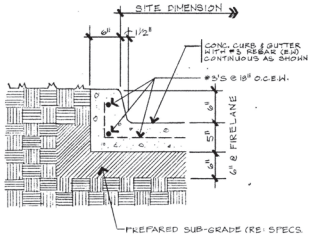
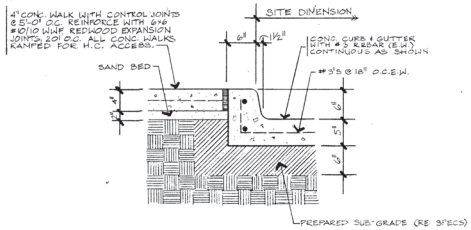


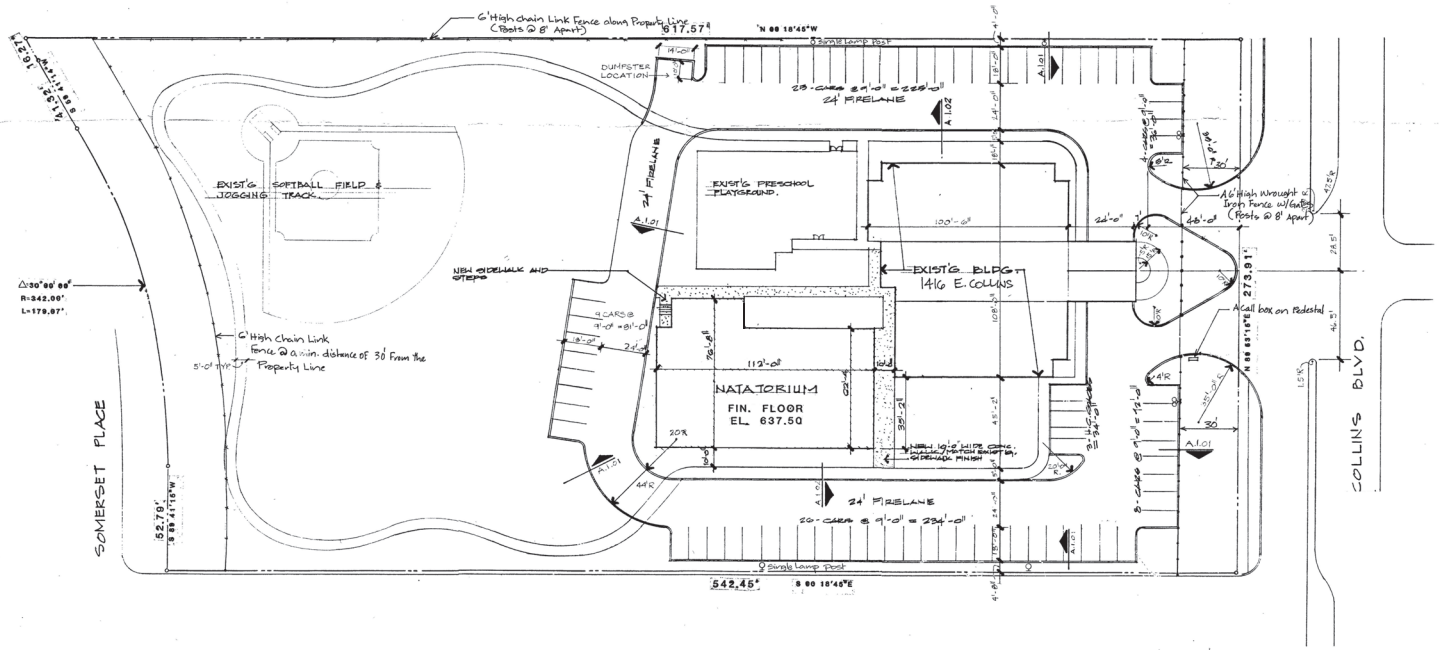
.01 CURB SECTION AT PLANTING
SCALE: 1" = 1'-0"



.02 CURB SECTION AT WALK
SCALE: 1" = 1'-0"

SITE DATA

TOTAL LAND	162,817.47SQ. FT
EXISTING BUILDING AREA	9,063SQ. FT.
PROPOSED BUILDING AREA	7,521SQ. FT.
PARKING REQUIRED	72 SPACES
HANDICAPPED SPACES	3 SPACES
TOTAL	75 SPACES
PARKING PROVIDED	75 SPACES



SITE PLAN

SCALE: 1" = 30'

NORTH

Zoning Exhibit "B"

1416 E. COLLINS BLVD.
LOT NO 1 / BLOCK 1

1416 E. COLLINS BLVD.

PROJECT | DATE | DRAWN

BERAN AND SHELMIRE ARCHITECTS
E.E. BERAN, FAIA (1924-1980)
OVERTON SHELMIRE, FAIA
ASSOCIATES
OTTO MARWICK
HARRY SHIELDS
WES FE HARRY
JEFF PLUMERTON
1800 MERCANTILE COMMERCE BUILDING DALLAS, TEXAS 75201 214-748-0779

NATATORIUM ADDITION TO THE
RICHARDSON Y.W.C.A.
RICHARDSON, TEXAS

REVISIONS

SHEET NUMBER
A.1
OF
SHEET TITLE

MICROFILMED

(1)

Looking south toward the front of the building

(2)
Looking toward the screening
wall along the east property line

(3)
Looking northeast toward the
facility across Somerset Dr.

(4)
Looking northwest across
Somerset Dr.

November 11, 2014

To Whom It May Concern:

We offer this statement to describe the purpose of our request for a Special Permit for the Raindrop Foundation located at 1416 E. Collins Blvd. The site is currently zoned O-M, Office. We are requesting a Special Permit to allow for a community center for the Turkish community in the bigger Dallas area.

Raindrop Foundation is a non-profit 501(c)(3), educational, charitable, social and cultural organization founded by Turkish-Americans in Houston in 2000 which now operates in eight states: Texas, Arkansas, Kansas, Oklahoma, Mississippi, New Mexico, Tennessee and Louisiana. Raindrop Foundation serves the Turkish-American community by addressing their social and cultural needs and helps them integrate into this multicultural society better. The mission of Raindrop is to introduce Turkish culture into American society and cultivate friendship and promote the understanding of diverse cultures through its unique services to the community, through dialog and cooperation.

Raindrop contributes to the society by organizing, sponsoring and hosting cultural and social events such as Turkish cuisine classes, cultural nights, Nevruz picnics, traditional dinners, Turkish Coffee nights, International Women's Day, soccer games, Noah's pudding days, Whirling Dervishes' performances, and Intercultural Dialog Dinners where we enjoy and strengthen friendship ties with our neighbors and local communities and form a culture of "living together".

Raindrop also offers educational services such as Turkish and English classes, music courses, seminars and international conferences. These educational activities mentor students from various majors through its affiliations with universities such as the University of Houston, Texas Tech University, and the University of Houston Clear Lake and help college students become well versed in community matters and be aware of the international world.

The Raindrop Richardson branch is serving the Turkish-American community in the bigger Dallas area. There are about 70 families in the community with the highest participation in the facility events occurring during the cultural festival in the fall with an approximate participation of 75 percent, which makes a maximum of about 70 cars parked at any given time at the facility. The Foundation also has two fundraiser events: one in the fall and one in the spring. The events do not exceed the maximum available parking since the visitors are mostly local residents. Community leaders and elected officials, including the mayor, council members and state and federal level elected officials, have attended the festivals

and the events organized by Raindrop Richardson in the years it has been in operation. The facility is generally utilized after business hours and over the weekend to accommodate the members' work schedule.

The buildings at the facility are currently used as office space and for recreational purposes. The front building is used as office space for day-to-day operations of the Foundation as well as for weekly cultural, educational and recreational events. The other building is a natatorium used as a recreational facility.

The Foundation is proud to hold good relationship with its neighbors and will continue to strive for the same.

Sincerely,

Mehmet Okumus
President, Raindrop Foundation

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

0257

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

SPECIAL PERMIT

File No./Name:	**ZF 14-32 / Turkish Community Center**
Property Owners:	Husayin Sari /Raindrop Turkish House
Applicant:	Robert Boyd / Robert Boyd Architects
Location:	1416 E. Collins Boulevard (See map on reverse side)
Current Zoning:	O-M Office
Request:	A request to revoke Ordinance 2390-A, a Special Permit for the Young Women's Christian Association (YMCA), and approval of a Special Permit for a community center, to include a proposed two-story building for office, assembly and tutoring rooms.

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

TUESDAY, NOVEMBER 18, 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 req0257

uest; 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.

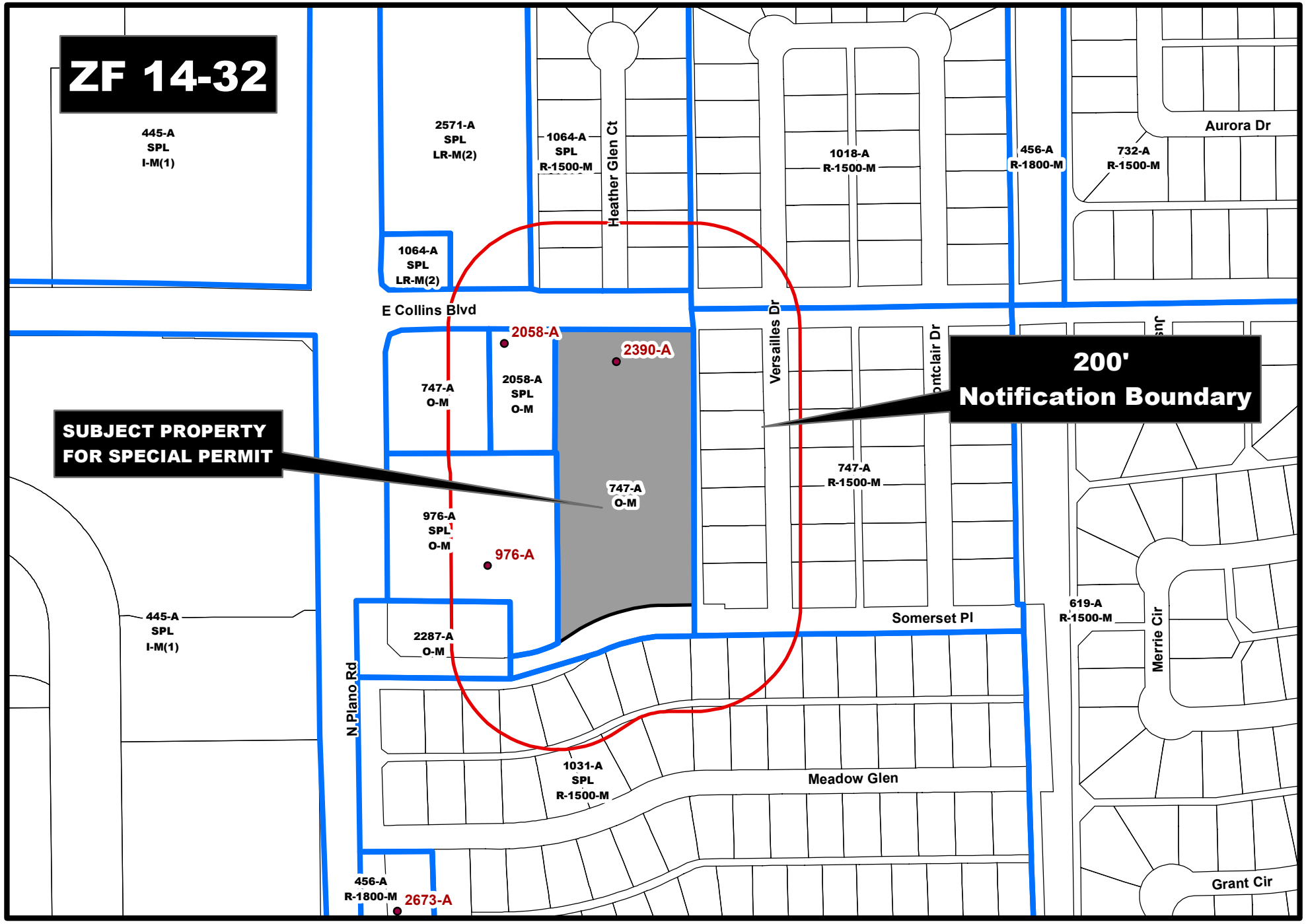
The City Plan Commission may recommend approval of the request as presented, recommend approval with additional conditions or recommend denial. Final approval of this application requires action by the City Council.

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 14-32.

Date Posted and Mailed: 11/07/2014

Continued from CPC Meeting on November 4, 2014



ZF 14-32 Notification Map

Updated By: shacklettc, Update Date: October 6, 2014
File: DS\Mapping\Cases\Z\2014\ZF1431\ZF1432 notification.mxd

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

N
W E
S

GMY MANAGEMENT INC
% KEY POINT MANAGEMENT INC
PO BOX 860512
PLANO, TX 75086-0512

PARK TIMOTHY JAMES &
BRENDA LYNN
1603 VERSAILLES DR
RICHARDSON, TX 75081-1921

THECARLSON FAMILY TRUST
1602 HEATHER GLEN CT
RICHARDSON, TX 75081-1909

HINOJOSA JIMMY J &
KYONG MI
1603 HEATHER GLEN CT
RICHARDSON, TX 75081-1909

RAYMAN PETIA T & EZAZ
1600 VERSAILLES DR
RICHARDSON, TX 75081-1920

BEAIRD STEPHANIE M
1601 VERSAILLES DR
RICHARDSON, TX 75081-1921

MILLER CHRISTOPHER P
1600 HEATHER GLEN CT
RICHARDSON, TX 75081-1909

MA JOHN ZHONGWEN & GRACE YU
2601 PERTH ST
DALLAS, TX 75220-1317

RAIN DROP FOUNDATION INC
9301 W BELLFORT ST
HOUSTON, TX 77031-2101

FRAZIER BARBARA ANN
1510 VERSAILLES DR
RICHARDSON, TX 75081-2554

MUSFELDT PHILLIP W & CHERYL K
1512 VERSAILLES DR
RICHARDSON, TX 75081-2554

CRUZ SHERRIE M & RODERICO R
CRUZ
1511 VERSAILLES DR
RICHARDSON, TX 75081-2555

DAVIDSON ROBERT D & JANIE H
1513 VERSAILLES DR
RICHARDSON, TX 75081-2555

BROWN MATTHEW K & JESSICA M
1508 VERSAILLES DR
RICHARDSON, TX 75081-2554

MOSAIC
4980 S 118TH ST STE 500
OMAHA, NE 68137-2200

BLAKE EDWARD T JR & AMANDA
1506 VERSAILLES DR
RICHARDSON, TX 75081-2554

YANG SAM MOU
1507 VERSAILLES DR
RICHARDSON, TX 75081-2555

LINDAN REAL ESTATE LP
105 N TRENTON ST
RUSTON, LA 71270-4321

RICHARDSON CITY OF
PO BOX 830129
RICHARDSON, TX 75083-0129

SAMAR ZARINA & SAMAR BASHIR
3701 PIN OAK LN
RICHARDSON, TX 75082-2448

KILIAN JOSEPH C
1505 VERSAILLES DR
RICHARDSON, TX 75081-2555

ARVIDSON MARK A & CODY J
1502 VERSAILLES DR
RICHARDSON, TX 75081-2554

CHEUNG PUI YING & FUNG CHING AU
1503 VERSAILLES DR
RICHARDSON, TX 75081-2555

PHAM LILLY
1500 VERSAILLES DR
RICHARDSON, TX 75081-2554

MATHEWS SHARON ELAINE
1501 VERSAILLES DR
RICHARDSON, TX 75081-2555

SHEWMAKER TIMOTHY
1409 MEADOW GLEN ST
RICHARDSON, TX 75081-2540

SCHWARTZ WILLIAM & BETH
1502 SOMERSET PL
RICHARDSON, TX 75081-2546

WILSON JIMMIE F
1500 SOMERSET PL
RICHARDSON, TX 75081-2546

HERRIN LAWRENCE J III & MARY C
1416 SOMERSET PL
RICHARDSON, TX 75081-2559

TRAN PHAN THANH
1414 SOMERSET PL
RICHARDSON, TX 75081-2559

POER MARK ANDREW & LENORA
1412 SOMERSET PL
RICHARDSON, TX 75081-2559

WANG LILY
1410 SOMERSET PL
RICHARDSON, TX 75081-2559

NGUYEN RYAN
1408 SOMERSET PL
RICHARDSON, TX 75081-2559

HINDS MARY
PO BOX 851864
RICHARDSON, TX 75085-1864

SULLIVAN OLIVIA R
1404 SOMERSET PL
RICHARDSON, TX 75081-2559

AGUILERA FRANCISCO & MONICA
1417 MEADOW GLEN ST
RICHARDSON, TX 75081-2540

SMEETON ANDREW & MARINA
1415 MEADOW GLEN ST
RICHARDSON, TX 75081-2540

SHICK HEATH DALE T &
PAULA A SHICK-HEATH
1413 MEADOW GLEN ST
RICHARDSON, TX 75081-2540

RUSSELL PHILLIP & DONNA
1411 MEADOW GLEN ST
RICHARDSON, TX 75081-2540

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

ROBERT BOYD
ROBERT BOYD ARCHITECTS
4004 BELTLINE RD., #220
ADDISON, TX 75001

HUSAYIN SARI
RAINDROP TURKISH HOUSE
9301 W BELFORT AVE
HOUSTON, TX 77031

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

FRAZEE DAVID R & BARBARA D
4962 SHORELINE DR
FRISCO, TX 75034-4058

GLOVER EDWARDIV & BONNIE
1805 SAWMILL DR
ALLEN, TX 75002-8577

ZF 14-32
Notification List

From: "Mark Poer" <wagonmaster_91@yahoo.com>
Date: November 14, 2014 at 11:54:51 AM CST
To: Chris.Shacklett@cor.gov
Subject: Zoning Change Request from The Turkish Community Center

Mr Shacklett,

I am writing to you again concerning the zoning change request from the Turkish Community Center (Turquoise Center) that is scheduled for a public hearing at the City Planning Commission meeting on Tuesday, November 18th. The applicant sent a short text message to the president of the Yale Park homeowners association on Wednesday saying that they will not be doing any expansion on the compound. This would seem to indicate that they will not be erecting a new building, which is the main point of opposition the majority of the residents in the neighborhood and surrounding neighborhoods have expressed. Most will see this as good news, if indeed that is what the representative of the Turkish Center is saying.

What is not known at this point is whether they intend to withdraw the request for the special allowance. The property is currently zoned O-M Office. Under that zoning classification The Turquoise Center has technically been operating in violation of the zoning since it opened by conducting school classes on cooking, language, music, science and math as well as holding twice a year cultural art and music festivals on the property. O-M Office does allow for a school (Sec. 1, item 13) if the school is part of a church. The Turquoise Center does not claim to be a church, rather they say it is a cultural community center.

My home is directly behind the center on Somerset Place. The Turquoise Center has been a good neighbor and I have had no problems with them. The twice a year festivals do not bother me. I can tolerate a bit of loud music and lots of street parking twice a year. Therefore, if they do want to go ahead and get a special zoning allowance to basically do what they have already been doing, I have no problem with the city granting such an allowance. My concern is, if an allowance is given could the owners at a later date then build more structures on the property with out holding a public hearing? (Assuming the new buildings would meet city building codes.) Is it possible to grant a special allowance with restrictions on future development requiring a public hearing?

To be clear, I (and I believe most of my neighbors) am NOT trying to close the center. We are a diverse neighborhood with varied races and religions and we welcome all. All we are opposing is the expansion of more buildings on the compound and increasing the number of people attending the center. That would result in more traffic through the neighborhood, possible negative impact on home values and

generally degrade the quality of life in this quiet neighborhood. If the Turquoise Center does not intend to build another building we do not have a problem, but can we have a guarantee that we are not giving up our rights to protest should they decide to do so in the future if the special zoning allowance is granted?

If the applicant is withdrawing his request completely, (including the special allowance request) then that would end this matter completely. We will not know if that is their intention until the 11-18 CDC meeting.

Please put this email in the packet the CDC will receive for the November 18th meeting.

Thanks you,

Mark Poer

1412 Somerset Place

Richardson,TX 75081

972-480-0703

To: Department of Development Services

The City of Richardson

c/o PO Box 830309

Richardson TX 75083-0309

RECEIVED
NOV 07 2014
DEVELOPMENT SERVICES

In the matter of: Zoning request ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File Presentation Package of Case #ZF 14-32

According to public records, the current zoning status for the property located at 1416 E. Collins Boulevard, Richardson, Texas has been zoned as OM Office since at least January 1, 2000.

According to the Notice of Public Hearing which I received from the City of Richardson, the property owner wants to revoke Ordinance 2390-A, a special permit for the YMCA and gain approval of a Special Permit for a community center to include assembly uses and temporary lodging. A telephone conversation with the Development Services Department informed me that this temporary lodging was to accommodate occasional guest speakers and musicians who performed a few times per year. I was also told the city council had postponed hearing this matter as originally scheduled for October 21, 2014 until the November meeting.

I have been informed by my neighbors that the topic of the permit was discussed at the October 21, 2014 meeting where the property owner actually intended to house Turkish refugee families. The building plan shows sixteen rooms for accommodations, not two or three asI had been led to believe.

I was also informed the Developmental Services Department the discussion of the permit change was at least in part for the property owners to reach out to the neighboring property owners to discuss what the Turkish Community Center plans were. I have not received any information from the Community Center; however apparently a few of my neighbors were contacted. The Community Center was not prepared for the fifty plus residents who showed up for the meeting.

I have the following concerns:

1. It is unclear to be what exactly the owners of the Turkish Community Center intend to do. Are they building a refugee center or very short term housing for guest speakers/performers. If the residents are refugees, how many will be accommodated? How long with they be allowed to stay? Will any children attend local schools? Who will monitor the situation. Who is expected to provide any healthcare required? This area south and east of the center is zoned for single family residential, not for apartments.

2. What is the seating capacity of the assembly space being constructed? The facility plan only shows 90 parking spaces. Is this adequate or can the local residents expect to deal with overflow parking?

3. I do not feel that the Community Center has made a good faith effort to inform the local residents of their intentions. Neither myself nor my next door neighbors have received any communication from the center. My house is immediately at the rear of the Community Center's property. I will have to look at anything they build.

4. I have been informed that the owners of the Community Center also own the day care center on the west side of the center. Sooner or later, the fire station on the corner of Plano Road and Collins will be sold by the city. I do not want to see the Turkish Community Center become a refugee center and end up expanding to include this property.

Until answers can be provided to me, I object and take exception to any change to the existing zoning status of the property located at 1416 E. Collins Blvd, Richardson TX. I reserve the right of being part of any appeal of any adverse decision in this matter to a court of law.

Larry Herrin

Larry Herrin

1416 Somerset Pl

Richardson, TX 75081

November 4, 2014

RECEIVED
NOV 06 2014
DEVELOPMENT SERVICES

RE: File No. ZF 14-32 / Turkish Community Center

TO WHOM IT MAY CONCERN:

We've been home owner here since January 2012. We love our home which located in this quiet community with friendly and nice neighbors. There were times when events occurred during weekends with loud noises, which was fine. It is a once in a while event, and we understand that. However, with a two story building for assembly space and temporary lodging will disrupt the quiet neighborhood. It will be no different than an apartment building. Which will be right in front of my home blocking the view, as well as overlooking to the front of my home. The center also do not maintain well with the lawn along Somerset Place. Grass was more than 12 inches for 2-3 weeks before it was cut.

Thus, I object and do not consent to changing the existing zoning of "0-M Office" for the property located at 1416 E. Collins Blvd, Richardson, Texas.

Sincerely,

Phan T Tran

Tracy T Nguyen

Address: 1414 Somerset Pl, Richardson, TX 75081

October 29, 2014

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File / Presentation Package of Case # ZF 14-32

(The State of Texas
(The County of Dallas

1. The property located at 1416 E. Collins Boulevard, Richardson, Texas, is currently zoned: **"O-M Office".**

2. According to public records, the **current zoning** status for the property located at 1416 E. Collins Boulevard, Richardson, Texas, has been "O-M Office" since before January 1, 2000.

3. According to public records and public information, the property located at 1416 E. Collins Boulevard, Richardson, Texas, is **owned or controlled by:**

   Husayin Sari, and/or
   TURKISH COMMUNITY CENTER, and/or
   RAIN DROP FOUNDATION, INC., and/or
   TURQUOIS CENTER, and/or
   DALLAS ISLAMIC CENTER

4. According to public records, Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, on February 24, 2010.

5. At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, **they knew, or should have known**, that the said property was zoned: "O-M Office".

6. At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, **they accepted the existing zoning** of the said property as "O-M Office".

7. The original "Notice of Public Hearing" was **insufficient** and **inaccurate** when it stated: "...and approval of a Special Permit for a community center, to include assembly uses and temporary housing".

8. In order of giving **sufficient information** to the people living near 1416 E. Collins Boulevard, the original "Notice of Public Hearing" should have stated: "...and approval of a Special Permit for new construction of a 2-story, 16,000 s.f. building...8,000 s.f. to be used for additional office space and 8,000 s.f. to be used for living quarters".

Over

9. The City of Richardson's Director for Development Services has stated that Husayin Sari and/or RAIN DROP FOUNDATION, INC. told the Planning Tech that the "living quarters" were **to be used only to "house the musicians who played at the two (2) annual festivals".**

10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now **changed their story** to admit that they **intend to house Turkish refugees** for an **undetermined length of time** in the proposed "living quarters".

11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC.**

12. Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on housing Turkish refugee families inside of the new construction for an **undetermined length of time.**

13. A Turkish refugee **family of four** can comfortably live in a 10 x 10 room, i.e., 100 s.f.

14. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate **80+ families (or 320+ people),** which is not appropriate for an established residential neighborhood of Richardson.

15. Although Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to only use 8,000 s.f. of new construction for "living quarters", there exists **no system for monitoring** the potential use of all 16,000 s.f. for "living quarters", i.e., **160+ families (or 640+ people).**

16. Because a normal Community Center has no need for 8,000 s.f. of office space, **I have reason to believe, and do believe** that Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on **leasing the proposed office space** in order to **pay for monthly mortgage payments** on the new construction.

17. Therefore, as a Beneficiary, **I object** and **take exception** to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

18. Further, as a Beneficiary, **I do not consent** to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

19. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

Seal

Printed Name: Phan T. Tran
Address: 1414 Somerset Pl
Richardson, TX 75081

November 4, 2014

City of Richardson
City Plan Commission

I have been living on Blake Drive in Richardson and a part of now-called Yale Park area for the past thirty eight (38) years. I have been glad to live in Richardson; BUT:....

The zoning request ZF14-32 makes me wonder why I continue to live here. With the eight hundred plus (800) rental projects being erected merely a mile and a half from my home and the new two stoplights added to my already impeded travel routes, I wonder what next will be thrown at us. The Rainbow Group wants to build a two-story "temporary housing" for immigrant "schooling." Each of these "temporary" apartments will contain a complete facility. Is this not another apartment building? They wish to put it in my backyard!

Do the math - 8000 square feet plus 8000 square foot second story can house a lot of families. No! No! No!

Please do not allow this at all.

Respectfully,
Naomi Zubosky, 1811 Blake Drive, Richardson

Nov 4, 2014

I wish to go on record to the City of Richardson City Plan Commission as being opposed to the zoning change request #ZF14-32.

If this is allowed to be built in my neighborhood, I am afraid it will decrease housing values.

Please, do not pass this zoning change

Paul Zukosky
1811 Blake Drive
Richardson, Texas

Paul A Zukosky

November 4, 2014

Dear Department of Development Services for The City of Richardson,

I live within 200 yards of the Turkish Community Center on the adjacent street to the East. My address is 1502 Versailles Dr., Richardson, Texas, 75081. I have lived at this address since May of 2001 when the YWCA was still active at the site of the Turkish Community Center. **I oppose the rezoning and the development of a refugee center with residences.**

In the matter of Zoning Request Zoning File 14-32 – Turkish Community Center, I **request my letter of opposition to the rezoning request be entered into the presentation package** of the case Zoning File 14-32 – Turkish Community Center. I oppose the rezoning on the basis of evidence and merit as follows:

1. Researchers have shown over time that homeless people are **more likely** to commit **crime**, and by definition, refugees are homeless:

    1.a. see Solarz, 1985 at ERIC - An Examination of Criminal Behavior among the Homeless., 1985-Nov

    1.b. Galster, Pettit, Santiago, & Tatian, 2002, in the *Journal of Urban Affairs* http://www.ballardnewstribune.com/sites/robinsonpapers.com/files/SupportiveHousingStudy.pdf

2. The new building will remove the soccer field that has been in use for festivals and soccer tournaments. Where will the community center play their games and host their annual Turqoise Festival without this field. Community centers tend to have fields for their intended clientele.

3. The **current zoning is adequate**. If the Turkish Community Center needs ongoing residential accommodations for refugees, then they should consider alternative options that will not devalue the properties found in the Yale Park neighborhood of East Richardson and will not inappropriately institutionalize this neighborhood.

4. The Turkish Community Center has failed its local area residents by subterfuge and poor communication; therefore, I cannot support this entity due its disrespect of my family, my children, and my neighbors.

5. Additionally, the City of Richardson's Director for Development Services has stated that Husayin San and/or Rain Drop Foundation, Inc., told the planning board that the "living quarters" were to be used only to "house the musicians who played at the two annual festivals." If this evidence is accurate, then subterfuge and fraud are not adequate for allowing a zoning variance.

6. Their current request included the term "assembly uses and temporary housing." Such a phrase to those familiar with youth groups and collectivist cultures indicates very short term activities with groups traveling for community service purposes or music

festival participation rather than groups traveling for relocation and community integration. "Temporary" sounds very long term when considering the request is about housing homeless peoples.

7. Furthermore, if the Turkish Community Center, Husayin Sari, and/or the Rain Drop Foundation, Inc. have indicated they will house multiple people, i.e., families, in rooms smaller than those found in the typical hotels of Richardson as adequate, then the zoning board needs to enlighten them about code because I am familiar enough with those logistics to know that code demands more space per person per square foot than they indicate needing and this parcel of property is not zoned to allow that type of high density living quarters.

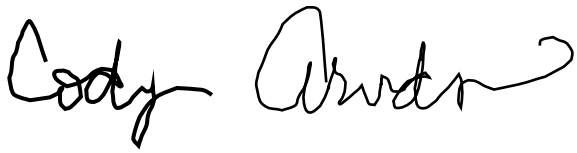
8. The Turkish Community Center accepted the existing zoning when they bought the facility, so they can build their extremely large building elsewhere. They appear to operate their business or office functions with adequate space on a day to day basis, and I do drive by their location daily and see the numbers of cars parked on their property, etc. This Rain Drop Foundation and Husayin Sari need to be transparent and completely honest with their neighbors and should have sought our support. Because they failed in all of those respects, they do not have my support for their request for a variance to the zoning code.

In sum, as a Beneficiary, **I object and take exception to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard**, Richardson, Texas.

Further, as a Beneficiary, **I do not consent** to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas, 75081.

Finally, as a Beneficiary, I reserve my right to participate in an appeal of any adverse decision in this matter to a court of law.

Sincerely,



Mrs. Cody Arvidson, PhD, ACE-CPT, CPC
1502 Versailles Drive
Richardson, TX, 75081
codyarvidson@degreesolutionsgroup.com
214-432-0891 (H)

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

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

RECEIVED
NOV 04 2014
DEVELOPMENT SERVICES

SPECIAL PERMIT

File No./Name: ZF 14-32 / Turkish Community Center
Property Owners: Husayin Sari /Raindrop Turkish House
Applicant: Robert Boyd / Robert Boyd Architects
Location: 1416 E. Collins Boulevard (See map on reverse side)
Current Zoning: O-M Office
Request: A request to revoke Ordinance 2390-A, a Special Permit for the Young Women's Christian Association (YMCA), and approval of a Special Permit for a community center, to include a proposed two-story building for office, assembly space and temporary lodging.

The City Plan Commission will consider this request at a public hearing, **which was continued from the October 21 meeting**, on:

TUESDAY, NOVEMBER 4, 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 14-32.

Date Posted and Mailed: 10/24/2014

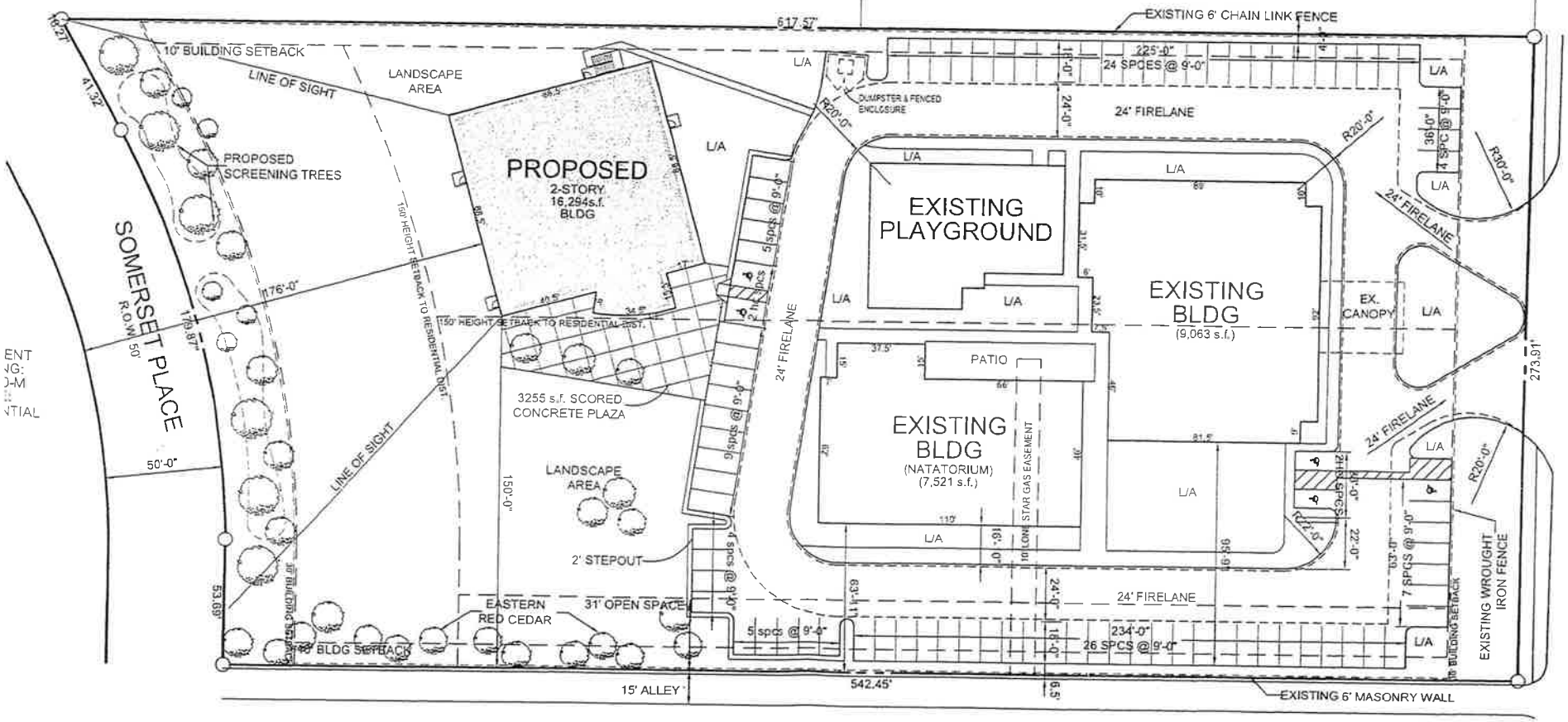
Please read the attached letter, and if you agree with it, please sign it and mail it tomorrow!

EXISTING ZONING:	OFFICE
PROPOSED ZONING:	SPECIAL PERMIT FOR COMMUNITY CENTER & LIVING QUARTERS
REQUIRED ZONING SETBACKS:	FRONT = 30 FT
	SIDES = 10 FT & 46 FT
LOT AREA	3.54 ACRES / 156,566 SF
BUILDING/PARKING SUMMARY:	
EXISTING NATATORIUM AREA	7,521 SF
EXISTING OFFICE AREA	9,063 SF
PROPOSED BUILDING AREA	LEVEL 1 OFFICE + ASSEMBLY HALL = 8,294 SF
	LEVEL 2 LIVING QUARTERS (16 UNITS) = 8,000 SF
	TOTAL BLDG = 32,878 SF
REQUIRED PARKING	
EXISTING BLDG (9,063/250)	36 SPACES
PROPOSED OFFICE/ASSEMBLY (9,094/250)	36 SPACES
LIVING QUARTERS (1 SPC/RM @ 18 RMS)	18 SPACES
TOTAL PARKING (REQ'D/PRV'D)	90 SPACES REQUIRED/ 90 PROVIDED
LANDSCAPE REQUIRED	7% (10,960 SF)
LANDSCAPE PROVIDED	19.5% (30,597 SF)
FAR	0.21:1 PROVIDED/ 0.75:1 ALLOWED
BUILDING HEIGHT (EXISTING BUILDINGS)	1 STORY/ 13'
BUILDING HEIGHT (PROPOSED)	2 STORIES/ 23'-7 1/2"

LOCATOR MAP
SCALE: NTS

ADJACENT ZONING:
O-M
USE: ASSISTED LIVING

ADJACENT
ZONING:
O-M
USE: DAYCARE



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ADJACE
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RESIDEN

October 29, 2014

RECEIVED
NOV 04 2014
DEVELOPMENT SERVICES

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File / Presentation Package of Case # ZF 14-32

(The State of Texas
(The County of Dallas

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Ryan Nguyen Seal

Printed Name:

Address: 1408 SOMERSET PL.
RICHARDSON, TX 75081

We received letters of opposition from the following neighbors on or after Friday, October 31:

1. Debbie Wofford
   1604 Heather Glen Ct.

2. Fred & Linda Binder
   4 Collins Ct.

3. George C. Nelson
   1614 Heather Glen Ct.

4. Erlinda C. Maxwell
   1510 Montclair Drive

5. Jessica & Matt Brown
   1508 Versailles Drive

6. James Sawula
   1619 Versailles Drive

7. David K. Dunlap
   1500 Montclair Drive

8. Michael Cuddy
   1609 Barclay Drive

9. Sharon Mathews
   1501 Versailles Drive

10. Barbara Dunlap
    1500 Montclair Drive

11. Wendy Rouse
    1609 Versailles Drive

12. Lisa Crow
    1704 N. Yale Drive

13. Michael Nelson
    1505 Versailles Drive

14. David Repp
    1502 Montclair Drive

15. Joel D. Ozburn
    1608 Heather Glen Ct.

16. James E. & Sara Kay Tate
    1505 Montclair Drive

17. Adam Barnes
    1606 Versailles Drive

18. Gloria W. Coen
    1603 Montclair Drive

19. Marlene Sternberg
    1605 Versailles Drive

20. Katherine Cameron
    1513 Montclair Drive

21. Thomas Ryan
    1607 Montclair Drive

22. Janie Davison
    1513 Versailles Drive

23. Jennifer Carnell
    1609 Montclair Drive

24. Marian Carnell
    1611 Montclair Drive

25. 1504 Montclair Drive

26. Ryan Nguyen
    1408 Somerset Place

27. Mrs Cody Arividson, PhD.
    1502 Versailles Drive

October 29, 2014

To: Department of Development Services
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Printed Name: DEBBIE WOOFORD

Address: 1604 HEATHER GLEN CT
RICHARDSON, TX 75081

October 29, 2014

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

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Printed Name: Sam Bennett Seal
Address: 5 JUSTIN CT,
RICHARDSON, TX 75081

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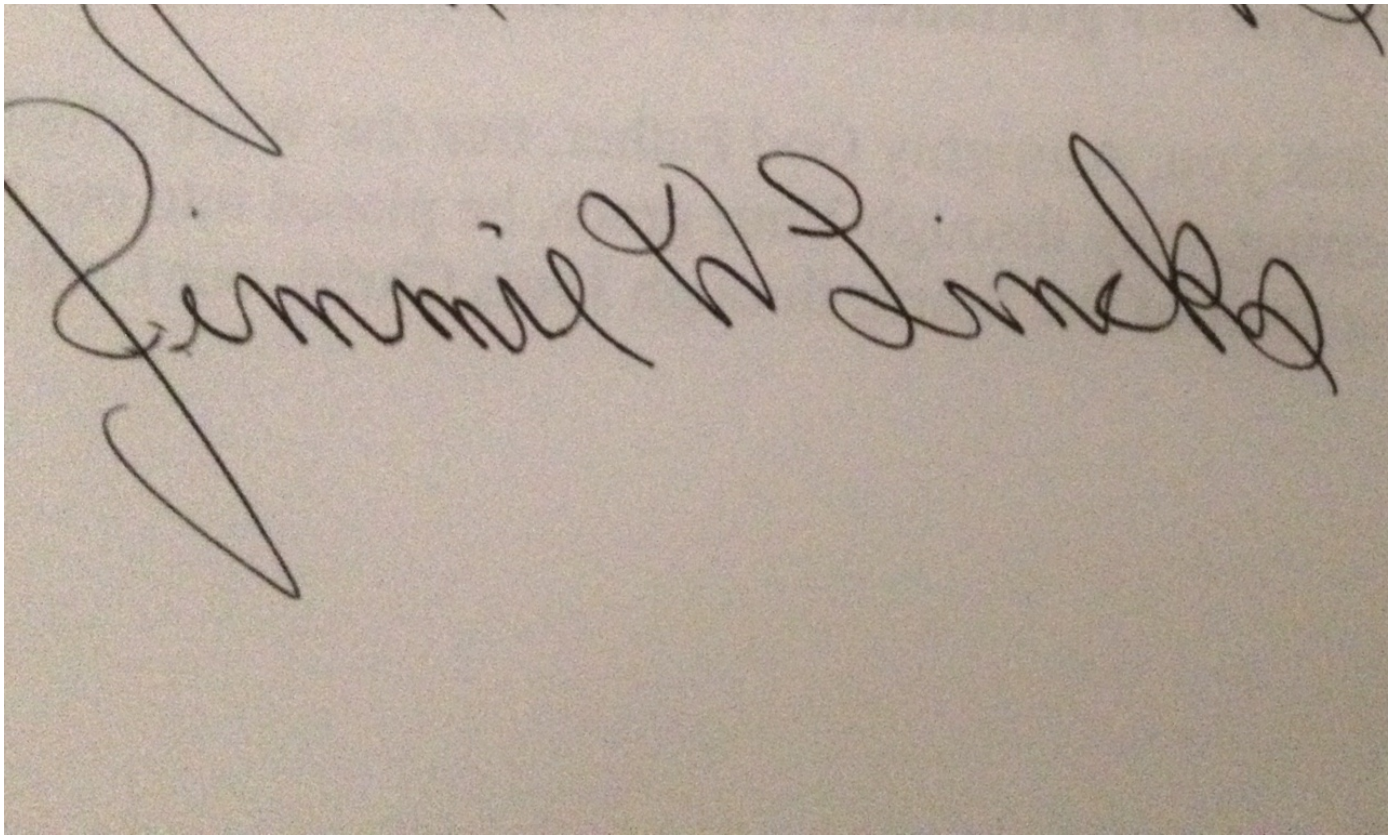
Printed Name: Jim and Linda Lincks
Address: 1920 Forestdale, Richardson,TX 75081


Jimmie H Linder

From: "Chris" <Chris@chrispmiller.com>
To: <Chris.Shacklett@cor.gov>,
Date: 10/31/2014 02:28 PM
Subject: Turquoise Center

Dear Mr. Shacklett and Members of the Commission;

I would like to voice my opposition to the current proposal by the Turquoise Center on E. Collins for the construction of a two story building which would include dormitory style housing and facilities to accommodate overnight guests.

I feel this change is contrary to the zoning for the area and will be detrimental to the neighborhood. My home is directly across the street, and while the Turquoise Center has proven to be an excellent neighbor, I can not support this plan. I purchased my home with the full knowledge that the YWCA was there and that the site could serve similar functions in the future. I also knew that the area was not zoned for temporary or permanent multi-family homes.

Any construction which include dormitory or temporary housing for individuals or families, will have a negative impact on the values and appeal of our entire neighborhood.

Thank you for your consideration.

Chris Miller

October 29, 2014

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Address:

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11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC**.

12. Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on housing Turkish refugee families inside of the new construction for an **undetermined length of time**.

13. A Turkish refugee **family of four** can comfortably live in a 10 x 10 room, i.e., 100 s.f.

14. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate **80+ families (or 320+ people)**, which is not appropriate for an established residential neighborhood of Richardson.

15. Although Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to only use 8,000 s.f. of new construction for "living quarters", there exists **no system for monitoring** the potential use of all 16,000 s.f. for "living quarters", i.e., **160+ families (or 640+ people)**.

16. Because a normal Community Center has no need for 8,000 s.f. of office space, **I have reason to believe, and do believe** that Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on **leasing the proposed office space** in order to **pay for monthly mortgage payments** on the new construction.

17. Therefore, as a Beneficiary, **I object** and **take exception** to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

18. Further, as a Beneficiary, **I do not consent** to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

19. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

Seal

Printed Name:

Address:

From: Emma Pinkston <epinkstn@hotmail.com>
To: "Chris.Shacklett@cor.gov" <chris.shacklett@cor.gov>,
Date: 10/31/2014 10:22 AM
Subject: The Turquoise Center zoning change

Dear Mr. Shacklett,

We are writing to you to ask that you consider voting against the zoning change request for The Turquoise Center.

We are deeply concerned about the possible negative impact the changes they are planning will have on the integrity of our neighborhood and Richardson as a whole. Originally from the Houston area, we have seen what lax zoning laws can do to a community. We chose to raise our family in Richardson because of the value the city has on families and maintaining our neighborhoods. We have set down roots here with great friends, neighbors, our church, and our schools. These changes will allow transient temporary lodgers to live within our neighborhood. They do not have the same connections and roots in the community. Thank you for your consideration. We look forward to seeing you at the meeting on November 4th.

Thank you,
Robert and Emma Pinkston
1908 Sara Lane
Richardson, TX 75081

From: Mark Poer <wagonmaster_91@yahoo.com>
To: Chris.Shacklett@cor.gov,
Date: 10/31/2014 11:48 AM
Subject: Zoning Change Request from The Turkish Community Center

Mr. Shacklett,
I am writing to you concerning the zoning change request submitted by Husayin Sari and The Raindrop Turkish House at 1416 E. Collins Blvd. The property is currently zoned O-M Office and is called the Turquoise Center operating as a 501(c)3 non-profit charity/social/education organization.

My home is at 1412 Somerset Place, directly behind (south) of the Turkish Center property.

When the YWCA had the building, they had to apply for a "special allowance" in order to use the property for swimming, meetings and other activities because obviously those activities do not fit the definition of "commercial business offices". That special permit was granted to the YWCA. As you know, special allowances only apply to the current owner of a property and if the property changes hands, the special allowance is void and the original zoning goes back into effect.

The YWCA sold the property to In Covenant Churches who sold it to Gezgin Development, LLC who sold it to The Raindrop Foundation (owners of The Turquoise Center).
(Source:
http://www.city-data.com/dallas-county/E/E-Collins-Boulevard-7.html)

Since the special allowance no longer applied, technically the Turquoise Center has been operating in violation of the zoning with their festivals and other activities (non-business, non-church types of things). In a meeting with Yale Park residents and representatives of the Turquoise Center we were told that the City of Richardson gave them permission to conduct those activities despite the zoning. So, now it appears that either the city, the Raindrop Foundation or both want to make a special allowance (like the YWCA had) official and in the name of The Turquoise Center. Knowing that they intended to use the property for non-business activities - recreation, classes, music & art festivals, etc. - makes me question why they did not need to apply for a zoning change at the time they bought the property. Perhaps they did not inform the Planning Commission of their intentions?

The center now plans to build a 16,000 sq ft building on the southwest corner of the property. (See attached plan.) The first floor would have a small office and the rest would be a large recreation / gathering / meeting

room. The use and design of the second floor is where things get murky and concerning.

When the zoning change request signs were posted, many of the surrounding neighbors (including myself) went to the center (individually, not as a group) to ask for details as to the purpose of the change and, more importantly, the use of the new building. The answers we got were vague and differed depending upon who we talked to at the Turquoise Center. I was told it would be just a larger recreation center. (No mention of a second floor.) Another neighbor was told the second floor was to be 18 rooms of lodging for performers and speakers that come to their fundraisers (festivals). Yet another was told the rooms would be temporary housing for immigrants coming from Turkey, Syria and the surrounding region to stay until they could find permanent housing in the area. Note that only residents whose property is within 200 feet of the Turquoise Center received the notice letter from the city about the zoning change request and information about the public hearing. I realize that may be standard procedure under city guidelines, but a change as major as this entails will affect the entire surrounding neighborhood.

In the "open house" meeting on October 28th at the center, we were told the 8,000 sq ft upper floor would be a combination of "dormitory-style rooms, tutoring rooms (classrooms) and a common area with refrigerators, microwave ovens, sinks, etc - but not an actual kitchen". The architects hired to build the building (Robert Boyd Architects) were at the meeting and confirmed that the lodging rooms would be similar to hotel rooms and comfortably accommodate up to four people. When we asked the center's reps who would be staying in these rooms, first they said the performers at the festivals. When neighbors attending asked them why the performers could not stay at a hotel or at homes with members of the center, they said they could. Then they said the rooms would be used by the children attending the tutoring classes. Why would children being tutored need to stay overnight? They danced around that and did not have a good answer. The mention of tutoring rooms / classrooms prompted me to ask if they intended to establish a Harmony House charter school on the property. The center's reps said, no, and acted as if they had never heard of Harmony House charter schools. That was a very odd reaction considering that The Raindrop Foundation and Harmony House charter schools big parts of the Gulen Movement, headed by Fethullah Gulen.

(See this chart from the NY Times:
http://www.nytimes.com/imagepages/2011/06/07/education/07charter-ch.html?ref=education

When asked about how many children attend the center's activities they said "about 40". When asked why such a large building, 18 rooms and an area that sounds very similar to a kitchen / lunch room would be needed for 40 children, the reps said they intended the number of children to grow bigger - much bigger.

My initial concern was that they would build an entrance that would open to Somerset Place, across the street from my home, that would increase the amount of traffic on this residential street. The center's reps told me they would not and the plans do not show one. However, there is a pedestrian entrance on the south end of the property. With the building being located on the south end, it would be much closer for people going to the building to park along Somerset and go in through the gate, rather than park in the center's small parking lot and walk the nearly 75 yards to the building. When they have their festivals, cars are parked solidly down Somerset from Plano Road to Montclair. I haven't objected to that since it was only two or three times a year. But if regular classes and events start happening in this new building, that could be every weekend or every day/night.

I, as are many of my neighbors, am opposed to the zoning change and especially opposed to the building of a large two story building that will overlook my home. Further, I suspect that the center will continue to expand, building more structures on the property until it is one large campus. Yes, they would have to be approved, but once precedence is set it will be hard to oppose. I feel this will be very detrimental to property values throughout the surrounding neighborhood. If the Turquoise Center expands, we will see a big increase in traffic through the neighborhood. Already, residents along Collins Blvd, Versailles and Monfort complain about traffic/parking problems on Fridays caused by the mosque located directly across from the Turquoise Center.

The lack of transparency, conflicting and incomplete answers to the questions and concerns of the neighborhood residents is very troubling. I do not think the Richardson City Planning and City Council truly understand the entire nature of The Raindrop Foundation, Harmony Charter Schools, The Gulen Movement and Gulenist associated corporations (former owner of the property Gezgin Development, LLC, for example). On the surface it appears to be a charity organization, but if you dig deeper their true purpose and goals becomes very hazy. For example, The Raindrop Foundation in Houston earned over $500,000- in rental income for 2011 and had over $8 million in mortgages which was 80% of it's assets. (
http://www.nonprofitfacts.com/TX/Rain-Drop-Foundation-Inc.html#statementOfFunctionalExpenses
)

I urge you and your fellow Commission and Council members to take some

time and research the facts about this very large organization. (Google can be your friend for investigation.)

Yale Park is an older neighborhood, with most homes being built in the late 60's and early 70's. While there are families with small children, a large majority of the neighborhood are older residents, retirees and parents whose children grew up and started their own homes elsewhere. We love our quiet neighborhood and many of us hope to live out the rest of lives here. We are a diverse neighborhood made up of whites, African Americans, Latinos, Asians and people of various Middle Eastern backgrounds. This matter is NOT about racial or religious objections. The opposition to the zoning change and additional expansion on the property is about preserving the residential aspects of the neighborhood, our property values, quality of life, sense of security and control of surrounding developments that could adversely affect all of those aspects.

Sorry my email is so long, but I and my neighbors feel the Council and Commission need to know the full story on The Raindrop Foundation and the zoning change request. Please vote "No" and urge your fellow members to do the same. Please enter my email into the City Planning Commissioner's packets that they receive Friday night to prepare for the meeting on Tuesday.

Thank you,

Mark Poer
1412 Somerset Place
Richardson,TX 75081

(See attached file: TurkCntPropPlan.jpg)

October 30, 2014

To: Chris Shacklett
Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

Concerning: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Richardson City Case File / Presentation Package of Case # ZF 14-32

1. The property located at 1416 E. Collins Boulevard, Richardson, Texas, is currently zoned: **"O-M Office".**

2. According to public records, the **current zoning** status for the property located at 1416 E. Collins Boulevard, Richardson, Texas, has been "O-M Office" since before January 1, 2000.

3. According to public records and public information, the property located at 1416 E. Collins Boulevard, Richardson, Texas, is **owned or controlled by:**

   Husayin Sari, and/or
   TURKISH COMMUNITY CENTER, and/or
   RAIN DROP FOUNDATION, INC., and/or
   TURQUOIS CENTER, and/or
   DALLAS ISLAMIC CENTER

4. According to public records, Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, on February 24, 2010.

5. At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, **they knew, or should have known,** that the said property was zoned: "O-M Office".

6. At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, **they accepted the existing zoning** of the said property as "O-M Office".

7. The original "Notice of Public Hearing" was **insufficient** and **inaccurate** when it stated: "...and approval of a Special Permit for a community center, to include assembly uses and temporary housing".

8. In order to give **sufficient information** to the people living near 1416 E. Collins Boulevard, the original "Notice of Public Hearing" **should have stated**: "...and approval of a Special Permit for new construction of a 2-story, 16,000 s.f. building ...8,000 s.f. to be used for additional office space and 8,000 s.f. to be used for living quarters".

9. The City of Richardson's Director for Development Services has stated that Husayin Sari and/or RAIN DROP FOUNDATION, INC. told the Planning Tech that the "living quarters" were **to be used only to "house the musicians who played at the two (2) annual festivals".**

10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now **changed their story** to admit that they **intend to house Turkish refugees** for an **undetermined length of time** in the proposed "living quarters".

11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC.**

12. Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on housing Turkish refugee families inside of the new construction for an **undetermined length of time.**

13. A Turkish refugee **family of four** can comfortably live in a 10 x 10 room, i.e., 100 s.f.

14. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate **80+ families (or 320+ people),** which is not appropriate for an established residential neighborhood of Richardson.

15. Although Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to only use 8,000 s.f. of new construction for "living quarters", there exists **no system for monitoring** the potential use of all 16,000 s.f. for "living quarters", i.e., **160+ families (or 640+ people).**

16. Because a normal Community Center has no need for 8,000 s.f. of office space, **I have reason to believe, and do believe** that Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on **leasing the proposed office space** in order to **pay for monthly mortgage payments** on the new construction. See the statement of gross rental income of over $500,000- below.

Rain Drop Foundation Inc in Hous...

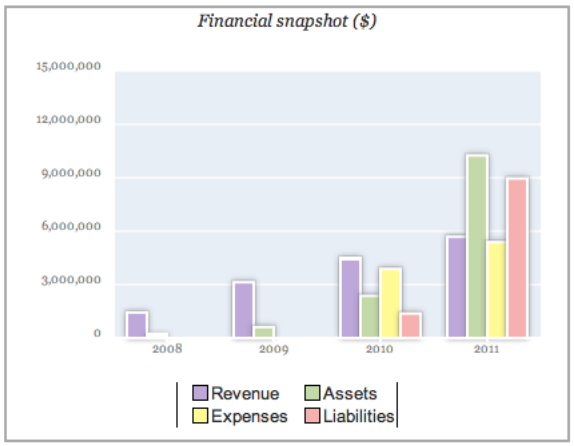
Statement of Revenue (for 2011)	
Total revenue	**$5,684,766**
Contributions, Gifts, Grants and Other Similar Amounts	$1,909,612
Program Service Revenue	$3,114,285
Other Revenue	
Investment income (including dividends, interest, and other similar amounts)	$0
Income from investment of tax-exempt bond proceeds	$0
Royalties	$0
Net rental income	$542,660
Gross rents (Real / Personal)	$542,660 / $0
Less: rental expenses (Real / Personal)	$0 / $0
Rental income or (loss) (Real / Personal)	$542,660 / $0
Net gain from sales of assets other than inventory	$0
Net income from fundraising events	$0
Net income from gaming activities	$0
Net income from sales of inventory	$37,122
Gross sales of inventory, less returns and allowances	$37,122
Less: cost of goods sold	$0
Miscellaneous Revenue	$81,087

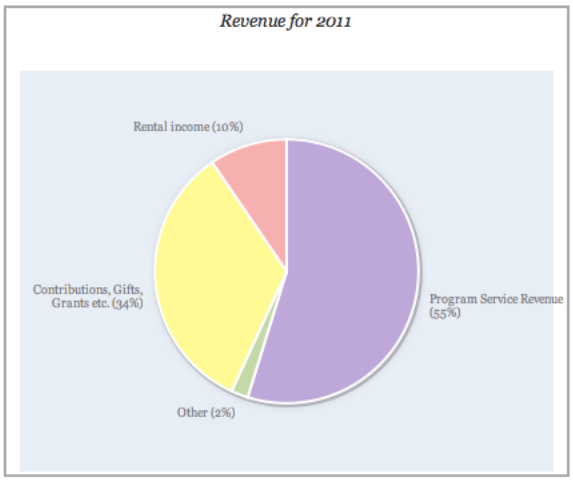
Shows rental income as 10% of revenue.

Rain Drop Foundation Inc in Hous...

Amount of income in 2011: $5,684,766 (it was $4,499,831 in 2010)
This organization: $5,684,766
Other organizations performing similar types of work: $84,379

Assets in 2011: $10,249,840 (it was $2,369,109 in 2010)
Rain Drop Foundation Inc: $10,249,840
Other organizations performing similar types of work: $41,096





17. Therefore, as Beneficiaries, **we object** and **take exception** to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

18. Further, as Beneficiaries, **we do not consent** to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

19. As Beneficiaries, we reserve the right of being a part of an appeal of any adverse decision in this matter to a court of law.

_____ _____

_____ _____

Printed Name: Eric M. Torgerson
Rebecca Torgerson
Address: 1700 Richforest Drive,
Richardson, TX 75081-2155

October 31, 2014

Greetings, Mr. Bireima! At Email: Mohamed.bireima@cor.gov

I am writing to inform the City of Richardson my vote regarding the Special Permit requested by the Turquoise Center.

From a telephone call to the COR on October 20, 2014 and Zoning File 14-32 dated October 17, 2014, it is my understanding that the Turquoise Center is requesting a zoning change to construct a 16,294 sq. ft. two-story building, which will accommodate office and assembly spaces on the first floor and temporary lodging consisting of guest rooms with no cooking facilities on the second floor. The Turquoise Center intends to use these rooms, on the second floor, to accommodate guest performers during their fundraising activities or guest speaker series. The Turquoise Center indicated that the guests might stay for approximately 2-3 days. Additionally, the applicant proposes to install 15 additional parking spaces to their property at 1416 Collins Blvd. in Richardson. Additionally, it is my understanding that the new building is to be 2-stories, each story consisting of 8,147 sq. ft. of space.

From the COR meeting on October 21, 2014**,** it is my understanding on the first story, there are to be offices and an assembly room and also includes an elevator and stairs leading to the second story.

Additionally it is my understanding on the second story, there are to be a few more offices and 18 rooms, each with bathrooms and no kitchens. If I recall correctly, there are to be no beds and overnight guests will use sleeping bags.

From the Turquoise Center meeting on October 28, 2014, it is my understanding that on the first story, there would be only TWO offices and an assembly room, and an elevator and stairs leading to the second story.

It is also my understanding that on the second story, 1/3 of the space would be used for food service. In the other 2/3s of the space would be 20 rooms, each with en-suite bathrooms (toilets and showers) and closets and could accommodate 1-2 beds in each room. The Turquoise Center stated those rooms would be used as tutoring rooms and for housing out-of-country guests twice a year. However, more than once, the Architect stated that those rooms would be used for residential purposes and referred to those rooms as residences. Then, the Turquoise Center stated the rooms would be used to house high school students and stated there were 40 students currently. Later, the Turquoise Center stated there would be no overnight guests but that the rooms would be used for tutoring purposes only.

Here are my votes:

I vote YES to adding an additional one-story building.

I vote NO to adding a second story to the new building or to the already existing building.
16,294 sq. ft. is a LOT of space--my house is 1,700 sq. ft., which means each story is 4-5 houses!

I vote NO to any overnight guests, students or members.
Guests or members of the Turquoise Center can stay at a hotel or in a member's home.

I vote NO to tutoring rooms having en-suite bathrooms and/or closets.

I vote NO to the Turquoise Center ever opening a charter/private school on their property.

I vote YES to additional parking spaces.

It seems to me that a one-story building would be sufficient to accomplish the Turquoise Center's need of additional office space and an assembly room. There does not need to be a second story to tempt them into housing guests overnight or trying to establish a school on the property.

It is my understanding that my vote/opinion is due by noon today, Friday, October 31, 2014. It is also my understanding that the Turquoise Center will be submitting an amended application to the COR before the November 4, 2014 meeting date. I, therefore, reserve the right to make any other additional votes/opinions known at such meeting, or beforehand, if given the opportunity to review such amended application if I feel the need to express my concerns.

Mr. Bireima, please forward my votes/concerns to those COR City Plan Commission Members or other COR persons having a vote in regard to the Special Permit requested by the Turquoise Center, as I was not able to find their email addresses.

Thank you for your time, Mr. Bireima.

Sincerely,

Lydia and Dirk Luckett
1935 Forestwood Drive
Richardson, TX 75081

cc: COR Senior Planner, Chris Shackelett at E-mail: chris.shackelett@cor.gov
COR Mayor, Mayor Laura Maczka at E-mail: laura.maczka@cor.gov
COR Mayor Pro Tem - Place 1, Bob Townsend at E-mail: bob.townsend@cor.gov
COR Council Member - Place 2, Mark Solomon at E-mail: Mark.Solomon@cor.gov
COR Council Member - Place 3, Scott Dunn at E-mail: scott.dunn@cor.gov
COR Council Member - Place 4, Kendal Hartley at E-mail: kendal.hartley@cor.gov
COR Council Member - Place 5, Paul Voelker at E-mail: paul.voelker@cor.gov
COR Council Member - Place 6, Steve Mitchell at E-mail: steve.mitchell@cor.gov

From: Eric M Torgerson <norske-viking@att.net>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 10:02 PM
Subject: Zoning Request: ZF 14-32 / Turkish Community Center

(See attached file:
Letter_-_COR_Planning_Commission_-_Turkish_Community_Center.doc)

The Raindrop Foundation in Houston earned over $500,000- in rental income for 2011 and had over $8 million in mortgages which was 80 % of it's assets. (See attached file: PastedGraphic-1.tiff)
http://www.nonprofitfacts.com/TX/Rain-Drop-Foundation-Inc.html#statementOfFunctionalExpenses

Sounds to me like they are in the rental/ real estate business. There is no reason we should tolerate having a de-facto low rent crowded apartment complex for 300 or more transient persons built in our neighborhood under this charade. Limiting official notice to those living only 200 feet from their property is inadequate for the changes considered and a dis-service to the Yale Park community.
If they truly only expect a few persons to need temporary lodging on an occasional basis, then those persons could stay at the homes of Turquoise Center members or use one of Richardson's many fine hotels. Our church does that with our traveling guests. Otherwise we say they should buy a property zoned for cheap apartments and build there.

Attached is our official document to protest this zoning/variance change.

Eric and Becky Torgerson
1700 Richforest Drive
Richardson, TX 75081

From: Roy <roy1@usa.com>
To: chris.shacklett@cor.gov,
Date: 10/30/2014 09:57 PM
Subject: Zoning Change Request for Turcoise Center

I live on Yale Blvd near Collins, and am very concerned about the proposed zoning change for the Turcoise Center. I say NO (#1), I say NO (#2), I say NO (#3) !!!

1, they have not been straight forward about what they do there (I am not allowed to say because I did the past census interview there). Let's just say it is a place to live and acclimate after arriving in America.

2, I do not want a large, unknown, transitory, non-residentual increase of population bringing more vehicular movement and walking in my neighborhood. Traffic wise now, it is too heavy with school buses and cars involved with Yale Park Elementry.

3, I do not want another 2-story building in my backyard (so-to-speak), that is an area location that should be for a quiet and a safe residental neighborhood only--the reason my wife, friends and acquaintances live here, now, for 30+ years!

From: Laurel Tooley <laureltooley@yahoo.com>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 10:45 PM
Subject: Turquoise Center Expansion

Dear COR Planning Commission,
Please do not approve the zoning request. If allowed to go forward my neighborhood will surely suffer. Having lived her for almost 20 years I can tell you it is a wonderfully quiet and diverse neighborhood filled with families. Walk or drive our streets and you will see children riding their bicycles in the fantastic new bike lanes, families walking their dogs, mothers and fathers strolling their children, and teens just--well--being teens hanging out at the park and playing basketball. This neighborhood is truly iconic, it is Americana at its best. The increase in traffic alone will destroy my neighborhood.
But most importantly, we question how safe our children will be with the influx of an unknown population. Will we continue to feel it is safe to let our kids out in the neighborhood? Would you feel safe to let your kids?
I'm pleading with you to deny their request and to encourage the organization to find another property more suitable to their needs that is not in the heart of a quiet little neighborhood. Please, do not approve the zoning change request on behalf of our children.
Thank You,
Laurel Tooley
1900 Clemson Dr.
Richardson, TX 75081
(972) 951-2513

From: Terry Nelson <terry@sossupply.com>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
"Dan.Johnson@cor.gov" <Dan.Johnson@cor.gov>,
"David.Morgan@cor.gov" <David.Morgan@cor.gov>,
"Cliff.Miller@cor.gov" <Cliff.Miller@cor.gov>,
Cc: "Laura.Maczka@cor.gov" <Laura.Maczka@cor.gov>,
"Mark.Solomon@cor.gov" <Mark.Solomon@cor.gov>
Date: 10/31/2014 09:00 AM
Subject: Zoning Request: ZF 14-32 / Turkish Community Center

Department of Development Services
The City of Richardson

This email is to be entered into the Case File / Presentation Package of Case # ZF 14-32

The property located at 1416 E. Collins Boulevard, Richardson, Texas, is currently zoned: "O-M Office".

According to public records, the current zoning status for the property located at 1416 E. Collins Boulevard, Richardson, Texas, has been "O-M Office" since before January 1, 2000.

At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, they accepted the existing zoning of the said property as "O-M Office".

The City of Richardson's Director for Development Services has stated that Husayin Sari and/or RAIN DROP FOUNDATION, INC. told the Planning Tech that the "living quarters" were to be used only to "house the musicians who played at the two (2) annual festivals".

Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now changed their story to admit that they intend to house Turkish refugees for an undetermined length of time in the proposed "living quarters".

Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate 80+ families (or 320+ people), which is not appropriate for an established residential neighborhood of Richardson.

In doing some research on the Turquoise Center, owned by The Raindrop Foundation, I found that The Raindrop Foundation in Houston earned over $500,000- in rental income for 2011 and had over $8 million in mortgages

which was 80 % of it's assets. It appears to me like a large part of their income is from the rental/ real estate business.

Therefore, as a Beneficiary, I object and take exception to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

Further, as a Beneficiary, I do not consent to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

Signed:

Terry C. Nelson
1816 Sara Ln
Richardson, TX 75081
214-789-4829

October 29, 2014

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File / Presentation Package of Case # ZF 14-32

(The State of Texas
(The County of Dallas

1. The property located at 1416 E. Collins Boulevard, Richardson, Texas, is currently zoned: **"O-M Office".**

2. According to public records, the **current zoning** status for the property located at 1416 E. Collins Boulevard, Richardson, Texas, has been "O-M Office" since before January 1, 2000.

3. According to public records and public information, the property located at 1416 E. Collins Boulevard, Richardson, Texas, is **owned or controlled by:**

   Husayin Sari, and/or
   TURKISH COMMUNITY CENTER, and/or
   RAIN DROP FOUNDATION, INC., and/or
   TURQUOIS CENTER, and/or
   DALLAS ISLAMIC CENTER

4. According to public records, Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, on February 24, 2010.

5. At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, **they knew, or should have known,** that the said property was zoned: "O-M Office".

6. At the time Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, **they accepted the existing zoning** of the said property as "O-M Office".

7. The original "Notice of Public Hearing" was **insufficient** and **inaccurate** when it stated: "...and approval of a Special Permit for a community center, to include assembly uses and temporary housing".

8. In order of giving **sufficient information** to the people living near 1416 E. Collins Boulevard, the original "Notice of Public Hearing" should have stated: "...and approval of a Special Permit for new construction of a 2-story, 16,000 s.f. building...8,000 s.f. to be used for additional office space and 8,000 s.f. to be used for living quarters".

9. The City of Richardson's Director for Development Services has stated that Husayin Sari and/or RAIN DROP FOUNDATION, INC. told the Planning Tech that the "living quarters" were **to be used only to "house the musicians who played at the two (2) annual festivals".**

10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now **changed their story** to admit that they **intend to house Turkish refugees** for an **undetermined length of time** in the proposed "living quarters".

11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC.**

12. Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on housing Turkish refugee families inside of the new construction for an **undetermined length of time.**

13. A Turkish refugee **family of four** can comfortably live in a 10 x 10 room, i.e., 100 s.f.

14. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate **80+ families (or 320+ people),** which is not appropriate for an established residential neighborhood of Richardson.

15. Although Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to only use 8,000 s.f. of new construction for "living quarters", there exists **no system for monitoring** the potential use of all 16,000 s.f. for "living quarters", i.e., **160+ families (or 640+ people).**

16. Because a normal Community Center has no need for 8,000 s.f. of office space, **I have reason to believe, and do believe** that Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on **leasing the proposed office space** in order to **pay for monthly mortgage payments** on the new construction.

17. Therefore, as a Beneficiary, **I object** and **take exception** to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

18. Further, as a Beneficiary, **I do not consent** to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

19. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

_____ Seal

Printed Name: James and Nancy Esker
Address: 1711 Aurora Dr., Richardson TX 75081

From: Andrew Weak <andrew.weak@gmail.com>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 07:56 PM
Subject: Zoning Request: ZF 14-32 / Turkish Community Center

Dear Mr. Shacklett,

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center.

I would like for this document is to be entered into the Case File / Presentation Package of Case # ZF 14-32.

1. The property located at 1416 E. Collins Boulevard, Richardson, Texas, is currently zoned: "O-M Office".

2. According to public records, the current zoning status for the property located at 1416 E. Collins Boulevard, Richardson, Texas, has been "O-M Office" since before January 1, 2000.

3. According to public records and public information, the property located at 1416 E. Collins Boulevard, Richardson, Texas, is owned or controlled by:

Husayin Sari, and/or

TURKISH COMMUNITY CENTER, and/or

RAIN DROP FOUNDATION, INC., and/or

TURQUOIS CENTER, and/or

DALLAS ISLAMIC CENTER

4. According to public records, Husayin Sari and/or RAIN DROP FOUNDATION, INC. purchased the property located at 1416 E. Collins Boulevard, Richardson, Texas, on February 24, 2010.

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7. The original "Notice of Public Hearing" was insufficient when it stated: "...and approval of a Special Permit for a community center, to include assembly uses and temporary housing".

8. In order of giving sufficient information to the people living near 1416 E. Collins Boulevard, the original "Notice of Public Hearing" should have stated: "...and approval of a Special Permit for new

construction of a 2-story, 16,000 s.f. building...8,000 s.f. to be used for additional office space and 8,000 s.f. to be used for living quarters".

9. The City of Richardson's Director for Development Services has stated that Husayin Sari and/or RAIN DROP FOUNDATION, INC. told the Planning Tech that the "living quarters" were to be used only to "house the musicians who played at the two (2) annual festivals".

10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have since admitted that they intend to house Turkish refugees for an undetermined length of time in the proposed "living quarters".

11. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters." The current plan includes 18 150 s.f. rooms with private bathrooms. The number of refugees that this space could accommodate is inappropriate for an established residential neighborhood of Richardson.

12. Although Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to only use 8,000 s.f. of new construction for "living quarters", there exists no system for monitoring the potential use of all 16,000 s.f. for "living quarters."

13. Because my property is within 3 blocks of the property located at 1416 E. Collins Boulevard, and because of the degree to which this

zoning change request could affect my property, I should have been notified in writing of this zoning change request. All properties within 8 blocks of the property located at 1416 E. Collins Boulevard should have notified in writing of this zoning change request.

14. Therefore, as a Beneficiary, I object and take exception to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

15. Further, as a Beneficiary, I do not consent to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

16. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

Sincerely,

Andrew Weak

Property owner of:

1602 Montclair Dr.

Richardson, TX 75081

October 29, 2014

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File / Presentation Package of Case # ZF 14-32

(The State of Texas
(The County of Dallas

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10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now **changed their story** to admit that they **intend to house Turkish refugees** for an **undetermined length of time** in the proposed "living quarters".

11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC.**

12. Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on housing Turkish refugee families inside of the new construction for an **undetermined length of time.**

13. A Turkish refugee **family of four** can comfortably live in a 10 x 10 room, i.e., 100 s.f.

14. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate **80+ families (or 320+ people),** which is not appropriate for an established residential neighborhood of Richardson.

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16. Because a normal Community Center has no need for 8,000 s.f. of office space, **I have reason to believe, and do believe** that Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on **leasing the proposed office space** in order to **pay for monthly mortgage payments** on the new construction.

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19. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

_____ Seal

Printed Name: Sandra Wright
Address: 1911 E. Collins Blvd., Richardson, TX

From: edward miller <limonoids@yahoo.com>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 05:06 PM
Subject: Turquoise Center--Yale Park

Mr. Shacklett,

We are on vacation and unable to attend meetings concerning rezoning requests by
the Turqoise Center. From e-mails we have received from neighbors, we have concerns.

We've lived in Yale Park since the mid-seventies and care greatly about our lovely--
though modest--neighborhood.

Any housing of refugees--should this be the intention of the Center--is out of the
question. Even construction of such a large building for "additional office space"
isn't a good fit for Yale Park.

We respectfully ask that the rezoning request be denied.

Ed and Dianne Miller (1820 Blake Dr.)

October 29, 2014

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File / Presentation Package of Case # ZF 14-32

(The State of Texas
(The County of Dallas

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10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now **changed their story** to admit that they **intend to house Turkish refugees** for an **undetermined length of time** in the proposed "living quarters".

11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC.**

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19. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

_____ Seal

Printed Name:

Address:

From: RoyCapers <roycapers@gmail.com>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 04:03 PM
Subject: City Planning or Zoning Regarding the Turcoise Center

I live on Yale Blvd near Collins, and are very concerned about the proposed zoning change for the Turcoise Center. I so NO (#1), I say NO (#2), I say NO (#3) !!!

Number 1, they have not been straight forward about what they do there (I am not allowed to say because I did the past census interview there). Let's just say it is a place to live and acclimate after arriving in America.

Number 2, I do not want a large, unknown, transitory, non-residentual population increase of vehicular movement and walking in my neighborhood. Traffic wise now, it is too heavy with school buses and cars involved with Yale Park Elementry.

Number 3, I do not want another 2-story building in my backyard (so-to-speak), that is an area location that should be for a quiet and a safe residental neighborhood only--the reason my wife, friends and acquaintances live here, now, for 30+ years!

From: Shelly Loving <sloving@theheights.org>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 03:21 PM
Subject: Turquoise Center Zoning Change Request

To: Mr. Shacklett and the Richardson City Planning Commission

The Turquoise Center is a Turkish Community Center located at 1416 E. Collins Boulevard, Richardson, Texas<x-apple-data-detectors://0>, currently currently zoned: "O-M Office".

Recently, a few close by residents received notice that the Center was requesting approval of a Special Permit for an addition to their existing buildings for office space and temporary housing. Specifically, they are asking to construct a 16,000 s.f. building...8,000 s.f. to be used for additional office space and 8,000 s.f. to be used for "living quarters". This includes 18 dormitory type rooms each with private baths. Initially, they told the city that the "living quarters" were to be used for musicians who play at their annual festivals, and guest speakers.

The Turcoise Center then changed their story to admit that they intend to house Turkish refugees for an undetermined length of time. A Turkish refugee family of four can comfortably live in a 10 x 10 room, i.e., 100 s.f. This is a potential to house accommodate 74 people just in the space they have designated living space. This does not even take into account all the people that will occupy the other 8,000 square feet of office space.

This is also at an intersection that is already continually congested, especially on Friday afternoons when there are hundreds of people and cars at the mosque across the street, at which time the Collins entrance to the Yale Park neighbourhood is already unusable.

Most recently, we have been told that the Turquoise Center now plans to use the living quarters for " tutoring rooms." However, there are rumours that the architect plans have not changed. Why do they need dormitory type housing for tutoring?

Until recently, the Turquoise Center has been a good neighbour, although their occasional festivals do cause traffic and parking congestion. However, due to changing stories, it's difficult to trust what they say. Neighbourhood concerns include: How will the these "living quarters" be monitored to know if people are living in them or not? How will we know if they are renting rooms out to people? What effect will this expansion have on our already busy traffic pattern? Whay effect will temporary residences have on property values? What effect will transient residents have on the Yale Park Community and Yale Elementary? How will this addition effect the crime problem that already plagues Yale Park?

Until the true intentions of the Turquoise Center can be determined, and they are seen to be in the best interests of the established neighbourhood, I urge you to vote against any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.<x-apple-data-detectors://1>

Thank you.

Michelle Loving

1613 Aurora Dr.<x-apple-data-detectors://2/1>

Richardson, Tx 75081<x-apple-data-detectors://2/1>

Sent from my iPhone

From: David J Muller <rxdavemull@sbcglobal.net>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 02:49 PM
Subject: Rezoning case ZF 14-32

Dear Chris,

After reading as much as possible about this rezoning case for the Turquoise House at 1416 E.Collins Blvd.I have decided to put in my NO vote for this change.I feel our neighborhood should remain for single family home structures only to preserve the integrity of Yale Park.Building a 16,000 Sq Ft temporary housing structure with 90 parking spaces will destroy the family atmosphere of the area and negatively affect property values as well as cause a nightmare traffic flow problem. I hope you and the others on the planning commission feel the same way.Please turn down this request.

Sincerely,
David J Muller
1504 Englecrest Drive
Richardson, Tx 75081
972-470-0616
Rxdavemull@sbcglobal.net

From: "Speer, Paula" <pspeer@corelogic.com>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 02:49 PM
Subject: Turquoise Center zoning change/permit

Hi Chris, please accept this email with my concern over the expansion plans for the Turquoise. So far they have been good neighbors and have not been or created an issue for the neighborhood. I attended their meeting on Tuesday night and either they are not clear on city code and what they are asking for or were deliberately obtuse. We all have objections to the second story having overnight accommodations that were described as being similar in size to a nice hotel room each with their own bathroom facilities. This does not make sense with what they presented as needing for classrooms and tutoring. I applaud their endeavors to educate their community and children on Turkish culture and no issues with a cultural center with meeting and classrooms being in Yale Park. I do not agree with any sort of overnight accommodations or approval for building such even if the 'intent' is to use as classrooms. If a permit is granted it should not include such facilities and expressly state the cultural center cannot be used for any overnight guests.

Sincerely,

Paula K. Speer
1605 Montclair Dr
Richardson, Tx 75081

****
****

This message may contain confidential or proprietary information intended only for the use of the
addressee(s) named above or may contain information that is legally privileged. If you are
not the intended addressee, or the person responsible for delivering it to the intended addressee,
you are hereby notified that reading, disseminating, distributing or copying this message is strictly
prohibited. If you have received this message by mistake, please immediately notify us by
replying to the message and delete the original message and any copies immediately thereafter.

Thank you.
****
****

CLLD.docx)

October 30, 2014

To: Department of Development Services
The City of Richardson
P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

Husayin Sari, and/or TURKISH COMMUNITY CENTER, and/or RAIN DROP FOUNDATION, INC., and/or TURQUOIS CENTER, and/or DALLAS ISLAMIC CENTER ("**Applicant**") has applied to the City of Richardson for a special permit to change the zoning status of the property located at 1416 E. Collins Boulevard, Richardson, Texas. This property is currently zoned "O-M Office".

I object and take exception to any change to the existing zoning status of the property located at 1416 E. Collins Boulevard, Richardson, Texas for the following reasons:

1. Applicant desires to build a two-story, 16,000 sq. foot building on this property to be used as a "community center for the Turkish community in the bigger Dallas area." This will go from a small, relatively quiet community center to a much larger facility. Obviously, if they need this much space they are planning to expand their membership and activities. I feel that this will turn into something way too big for our community and will create traffic and other problems.

2. Applicant also states that "the facility is generally utilized after business hours and over the weekend to accommodate the members' work schedule." It sounds like a lot of their events will take place evenings and weekends. I live in close proximity to the Turquoise Center. I look forward to spending my evenings and weekends at home enjoying my quiet neighborhood.

3. Applicant has requested rooms for temporary housing. I do not understand the need for these accommodations. I have heard rumors that they are planning to house refugees. I do not know if this is true, but I do not want them using this facility to house anyone at any time. There are sufficient hotels nearby if they need to provide lodging overnight for speakers, musicians, etc.

I personally have nothing against Applicant and realize that they provide many beneficial services to their members and to the Turkish community. However, based on their plans to expand, I do not think their current location would serve the best interests of the community that I've lived in for many years and plan to continue to enjoy for many years to come.

Donna Rouse

Donna Rouse
1615 Versailles Drive
Richardson, Texas 75081

From: Mary Nichols <mnichols6000@sbcglobal.net>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 01:47 PM
Subject: Turkish Community Center Proposed Housing

Dear Mr. Shacklett,

At this time there seems to be a lot of uproar concerning the establishment of new housing for the Turkish Community
Center. Frankly, I'm surprised and unhappy the City Council would even consider allowing the rezoning and building of such a structure in a neighborhood in Richardson.

Please be advised with this email that I have lived in the Yale Park neighborhood for over 20 years. I am strongly opposed to the rezoning of the center, the stress it would bring to the community on all services as well as the many negative changes to my neighborhood and adjacent schools. I am equally concerned about the negative effects on the children involved who would be continually uprooted and unsettled rather than settling into permanent housing and one designated school where they can feel a sense of belonging instead of the trama and anger of yet another change and the concern of - how long will I be allowed to stay here. These children have already been through enough. Having been a teacher and watched children who are already in shock, because of cultural differences alone, continually being moved is an extreme, emotionally long lasting detriment that must be avoided.

Rather than going on, I have attached the letter stating all the objections shared by the neighborhood watch which I support.
Again, , I do not consent to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

Sincerely,

Mary Nichols(See attached file: 10.29.14 Turkish Community Center.docx)

October 29, 2014

To: Department of Development Services
The City of Richardson
c/o P. O. Box 830309
Richardson, Texas 75083-0309

In the matter of: Zoning Request: ZF 14-32 / Turkish Community Center

This instrument is to be entered into the Case File / Presentation Package of Case # ZF 14-32

(The State of Texas
(The County of Dallas

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10. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have now **changed their story** to admit that they **intend to house Turkish refugees** for an **undetermined length of time** in the proposed "living quarters".

11. Because Husayin Sari and/or RAIN DROP FOUNDATION, INC. have given **two totally different explanations** for the **intended use** of the proposed "living quarters", **I do not trust Husayin Sari and/or RAIN DROP FOUNDATION, INC.**

12. Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on housing Turkish refugee families inside of the new construction for an **undetermined length of time.**

13. A Turkish refugee **family of four** can comfortably live in a 10 x 10 room, i.e., 100 s.f.

14. Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to use 8,000 s.f. of the proposed new construction for "living quarters", which is enough space to accommodate **80+ families (or 320+ people),** which is not appropriate for an established residential neighborhood of Richardson.

15. Although Husayin Sari and/or RAIN DROP FOUNDATION, INC. have stated that they intend to only use 8,000 s.f. of new construction for "living quarters", there exists **no system for monitoring** the potential use of all 16,000 s.f. for "living quarters", i.e., **160+ families (or 640+ people).**

16. Because a normal Community Center has no need for 8,000 s.f. of office space, **I have reason to believe, and do believe** that Husayin Sari and/or RAIN DROP FOUNDATION, INC. plan on **leasing the proposed office space** in order to **pay for monthly mortgage payments** on the new construction.

17. Therefore, as a Beneficiary, **I object** and **take exception** to any change to the existing zoning status of the current property located at 1416 E. Collins Boulevard, Richardson, Texas.

18. Further, as a Beneficiary, **I do not consent** to changing the existing zoning of "O-M Office" for the property located at 1416 E. Collins Boulevard, Richardson, Texas.

19. As a Beneficiary, I reserve my right of being a part of an appeal of any adverse decision in this matter to a court of law.

_____ Seal

Printed Name:

Address:

From: Wendy Bathurst <wbathurst@tx.rr.com>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 12:49 PM
Subject: Turquois Center

Many neighbors attended the information meeting @ the Turquois Center Oct. 28th regarding their request for a special permit to add a 2 story structure to the current location. The handout we were given stated that the 1st floor would have a meeting space for community programs & on the 2nd floor there would be designated tutoring rooms consisting of 18 rooms with no cooking facilities.
About halfway into the meeting we were told that the upper level would be dorm rooms for students to spend the night. We asked how many students, what ages, & why they would need to spend the night & were told the students would be junior high- high school students, maybe 40 @ a time, & rec'd vague answers as to why. The architect that was there said that the 2nd floor would have 20 rooms (different from what we were 1st told) each with its own bathroom! Now it is sounding more like a motel. Information kept changing & we were told that people from all over come to their 2 festivals & they need a place to stay. The question was asked "Why can't they stay in a hotel?" We did not get a straight answer.
There are growing concerns over what the facility will be used for, the lack of transparency of the presenters, future additions/ changes that may take place, & how it will affect the neighborhood.

We appreciate you addressing these concerns.
Ted & Wendy Bathurst
1511 Meadow Glen- 75081

1510 Versailles Drive
Richardson, TX 75081

October 14, 2014

Dept. of Development Services
PO Box 830309
Richardson, TX 75033

Re: ZF 14-32 / Turkish Community Center

To Whom It May Concern:

I am in **strong** opposition to revoking Ordinance 2390-A, a Special Permit for the Young Women's Christian Association (YWCA), and approval of a Special Permit for a community center, to include assembly uses and temporary lodging.

Yale Park is a community of homeowners whereby ***homes*** make the community and not a transient community center interspersed within the area. Unlike the YMCA on Greenville Avenue and the Salvation Army on Inwood Drive, the Turkish Community Center is in very close proximity to a family neighborhood.

Unfortunately, in the Notice of Public Hearing

- there is not a definition of temporary or assembly,
- there is not an explanation of how the City of Richardson plans to store written documentation of the lodgers for
    - criminal background checks
    - health history
    - country of origin
- there is not a tracking methodology for carriers of infectious diseases by a city epidemiologist, and
- there is not a plan for increased police patrolling of potential nefarious activities by transient, temporary lodgers.

It astonishes me that the City of Richardson is even considering a zone change for an ambiguous request with long term consequences to a well established neighborhood. The liability to the neighborhood and the city infers greater costs to the taxpayers.

Sincerely,

Barbara A. Frazier

Barbara A. Frazier

From: pamela wood <pamela.wood1@att.net>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 12:05 PM
Subject: Turquoise Center

I am opposed to having the center expanded for residential quarters for refugees. Once approved, it will be extremely difficult to control how many people will be residing there and for how long. It does appear that there has been some deceit on the part of the owners as to the use of the addition.
Thank you for your consideration, Pamela Wood

From: Kay Tate <jktate1981@sbcglobal.net>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 11:43 AM
Subject: Proposed building by Turquoise Center expansion project

My wife & I attended the Tuesday informational meeting at the Rainbow Center on Collins Avenue. While the hosts were cordial & welcoming, their entire proposal was confusing & contradictory. As various questions were asked about the statements on their hand-out, the moderator and others from the Rainbow group changed their minds, contradicted each other, and finally said that they would totally back off from the inclusion of 18 rooms and bathrooms in the up-stair part of their plan.
Kay & I, along with every single person who spoke Tuesday night, totally oppose any building which would be configured with rooms & bathrooms which would/could serve as temporary housing. The Rainbow moderator could not explain why the rooms & bathrooms were necessary, except to say they would be used for visiting musicians who perform at their annual fests.

As I have indicated, their entire presentation showed a lack of clarity about what they really wanted to do with the building--why so many rooms/bathrooms and why the need for such an increase in size in the building.

We strongly disagree with the plans as now drawn, and request that the Zoning Commission not approve any building such as they plan with multiple rooms and matching bathrooms which could be used as temporary housing. They really have not been "up-front" on what they want to do with this building--that became apparent Tuesday night.

We request that the Zoning Commission deny this request.

Sincerely,

James E. Tate
Sara K.Tate

1505 Montclair
Richardson, Tex.75081

From: Janie Davison <janie_davidson@att.net>
To: "Chris.Shacklett@cor.gov" <Chris.Shacklett@cor.gov>,
Date: 10/30/2014 11:39 AM
Subject: Turquoise Center

I am opposed on this request.

Thank you.
Janie Davison

Sent from my iPad

From: Marilyn Capers <marilyn.capers@gmail.com>
To: Chris.Shacklett@cor.gov,
Date: 10/30/2014 11:15 AM
Subject: Turcoise center

Please take in consideration of the neighborhood of Yale park. An expansion as the one proposed does not go with the neighborhood decor. It would bring property values down and also be an eyesore.
Thank you for your consideration.

--
Marilyn Capers
1411 N Yale Blvd

From: "Procsal" <procsal@tx.rr.com>
To: <Aimee.Nemer@cor.gov>
Cc: "'Procsal'" <procsal@tx.rr.com>
Date: 10/29/2014 04:26 PM
Subject: City Planning Turquoise Center Rezoning

I could find no way to send a message or e-mail to the City Planning Commission and City Council and would appreciate you forwarding this to them.

I attended a meeting on 10/28/2014 where the Turquoise Center presented information to the residents in the area about a request they submitted to the City Planning Commission (CPC) and received a handout concerning the request. As the discussion proceeded it was apparent that the Turquoise Center was presenting different information to the residents than what was presented to the CPC. The information presented to the residents explained they want to continue use of the facilities as a Cultural Activity Center and nothing about housing people overnight in the new building. The architect was present and stated the new building would have about 20 rooms (designed similar to hotel rooms each with a separate in room bathroom) on the second floor. The Turquoise Center facilitator kept stating that they had directed the architect to change his plans to remove these rooms while the architect stated he has not received any direction to do so.

I feel that the Turquoise Center is misleading the residents as to the actual use of the facility and should not be granted any deviance to the present zoning of the property.
They also stated they would be requesting a special permit to use the center as a Cultural Center as they have been doing for the past 6 years. The residents at the meeting that live near the facility seem to have no problem with this special permit. I feel that the residents near the Turquoise Center should be allowed to assist you in making this decision.

I can’t attend the CPC meeting because I will be out of town at that time as well as the proposed date of an appeal to the City Council.

Sorry about involving you and Thanks for your help with this.

Regards,
Bob Procsal
1909 Sara Lane
Richardson, TX 75081
972-234-5254

From: "Wendy Bathurst" <wbathurst@tx.rr.com>
To: <webmaster@cor.gov>
Date: 10/29/2014 06:26 PM
Subject: Feedback for City of Richardson, TX

You have received this feedback from Wendy Bathurst <
wbathurst@tx.rr.com> for the following page

http://www.cor.net/index.aspx?recordid=5037&page=1007

Last night we attended the meeting @ Turquoise regarding the special permit they are requesting for a proposed 2 story structure. A significant number of neighbors came with their concerns as to what exactly this facility will be used for as well as traffic & demographic impacts. The info handouts said the 1st level would have a meeting space for community programs & the 2nd level would have tutoring rooms. Some questioning revealed that the 2nd level would be dorm rooms for students to spend a night or 2 there. When asked if there would be bathrooms up stairs the architects said that the 2nd floor would have 20 rooms each with its own bathroom. This sounded more like a motel to everyone there. Several questions were asked &
vague answers were given so many neighbors have concerns. Subsequent to the meeting many neighbors questioned the transparency of the presentation & the evasiveness of the presenters. Explicit uses of the facility should be formally presented to the neighborhood prior to any final decision on the special permit.
Your attention to this important matter is greatly appreciated.
Ted & Wendy Bathurst
1511 Meadow Glen
Richardson, 75081

Wendy Bathurst

MEMO

DATE: **December 4, 2014**

TO: **Honorable Mayor and City Council**

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

SUBJECT: **Zoning File 14-38 – Brick Row – Townhomes along Spring Valley Road**

REQUEST
Scot Whitwer, representing CB JENI Homes, is requesting to amend the Spring Valley Station Planned Development District to increase the number of single-family units entitled from 170 to 175 and to allow single family uses on a 1.63-acre lot located on the north side of Spring Valley Road between Greenville Avenue and Floyd Branch Creek.

BACKGROUND
A concept plan was approved for the 1.63-acre tract in 2008 that provided for development of a 2-story retail/office building and a 1-story retail building. Development plans were never submitted and the property remains undeveloped.

In November 2013, City Council amended the development rights on 3.8 acres located along the east side of the Floyd Branch Creek, north of the subject property, increasing the number of single-family units allowed and deleting development rights for multi-family. The PD current allows a total of 747 residential units (170 townhomes on the east side of the creek, excluding the subject property, and 577 multi-family units). All multi-family units have been constructed and 159 of the 170 townhome lots have been platted.

The applicant's request is to amend the PD in the following manner:

- Revise the land use plan in Section 3 of Ordinance No. 4032 from "Mixed-Use Area" to "Single Family Area" for the subject property;
- Revise the development rights in Section 4 of Ordinance No. 4032 to increase the single-family residence development rights from 170 units to 175 units; and
- Attach a concept plan with modified development standards to accommodate twelve (12) additional townhome lots along the north side of Spring Valley Road and four (4) lots along Greenville Avenue.

The proposed concept plan includes standards specific to the proposed sixteen (16) townhomes relating to build-to-zones, amenity zones, sidewalk location, parking, open space, and landscaping. The applicant is also proposing additional standards related to finish floor elevations, screening, utility area treatments and roof drainage.

At the City Plan Commission hearing, one (1) resident who lives in the existing Brick Row townhomes spoke in favor of the request; however, he stated several issues needed to be addressed including: parking, alley traffic, landscape screening, and architectural compatibility with the existing townhomes on Greenville Avenue.

The Commission discussed these concerns and suggested the applicant consider making changes to address the issues. The applicant agreed to revise their plan subject to the Commission's comments

which included the use of landscaping rather than pavers in the amenity zones, the addition of more visitor parking, screening of alley areas, and the addition of pedestrian lighting.

PLAN COMMISSION RECOMMENDATION

The City Plan Commission, by a vote of 7-0, recommended approval of the request as presented along with additional conditions related amenity zone, visitor parking, alley screening and pedestrian lighting. The additional conditions are listed in the attached special conditions and staff report.

ATTACHMENTS

Special Conditions
CC Public Hearing Notice
City Plan Commission Minutes 11-18-2014
Staff Report
Zoning Map
Aerial Map
Oblique Aerial Looking North
Zoning Exhibit (Exhibit "B")
Site Photos
Applicant's Statement
Notice of Public Hearing
Notification List
Ordinance No. 4032

ZF 14-38 Special Conditions

1. Ordinance Number 4032 shall be amended to include the Concept Plan attached as Exhibit "B". The development of the subject 1.63-acre property shall be constructed in substantial conformance with Exhibit "B".

2. Ordinance Number 4032 shall be amended to allow single-family residences to be constructed on the 1.63-acres subject property shown within the "Mixed-Use Area" in Ordinance Number 4032, Section 3 – Land Use Plan as described in Ordinance Number 4032 (Spring Valley Station District Use Regulations).

3. Ordinance Number 4032 shall be amended to increase the total allowable development rights for single-family residences in the Spring Valley Station District to 175 units.

4. The approval of the attached concept plan, marked as Exhibit "B" shall replace the requirement for Concept Plan approval of this project as described in Ordinance Number 4032 (Spring Valley Station District Development Rights).

5. Landscaping shall be planted in substantial conformance with Exhibit "B".

6. The amenity zone along Spring Valley Road shall be landscaped as depicted on Exhibit "B".

7. A minimum of eight (8) visitor parking spaces shall be provided, exclusive of on-street parking spaces along Spring Valley Road and shall be located generally as depicted on Exhibit "B".

8. A minimum 3-foot tall hedge row shall be planted along the west end of the alley adjacent to the creek, along the south end of the alley adjacent to Lot 15 and along the south side of the visitor parking spaces as depicted on Exhibit "B".

9. Pedestrian lighting shall be provided within the common areas along the pedestrian walkway between Spring Valley Road and Karen Crossing. The type and location of lighting shall be determined at the time of development plan approval.

Attn. Lynda Black
Publication for Dallas Morning News – Legals
Submitted on: November 19, 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 21, 2014

City of Richardson
Public Hearing Notice

The Richardson City Council will conduct a public hearing at 7:30 p.m. on Monday, December 8, 2014, in the Council Chambers, Richardson Civic Center/City Hall, 411 W. Arapaho Road, to consider the following requests.

ZF 14-32

A request by Robert Boyd, representing Raindrop Foundation, to revoke Ordinance 2390-A, a Special Permit for the Young Women's Christian Association, and for approval of a Special Permit for a community center for the Turkish community. The property is located at 1416 E. Collins Boulevard (south side of Collins Boulevard, east of Plano Road). The property is currently zoned O-M Office.

ZF 14-38

A request by Scot Whitwer, representing CB Jeni Homes, to amend the Spring Valley Station District PD Planned Development, Ordinance 4032, to allow the development of townhomes on approximately 1.63 acres on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

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

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

EXCERPT
CITY OF RICHARDSON
CITY PLAN COMMISSION MINUTES –November 18, 2014

PUBLIC HEARING

Zoning File 14-38 – Brick Row Townhomes: Consider and take necessary action on a request to amend the Spring Valley Station District PD Planned Development, Ordinance 4032, to increase the development rights for townhomes and to allow the development of townhomes on approximately 1.63 acres on the north side of Spring Valley Road between Greenville Avenue and Floyd Branch Creek.

Mr. Shacklett advised the applicant was requesting to amend the Planned Development (PD) to increase the overall development rights for single-family residences from 170 to 175; to allow single-family uses to be located on southern portion of the property, which does not have rights; and, to include a Concept Plan (Plan), listed as Exhibit "B", to be attached to the ordinance, if approved. The additional townhomes would be located along Greenville Avenue and Spring Valley Road.

Mr. Shacklett pointed out the allotted number of multi-family units for all of Brick Row had already been used, and because the property in question had rights for commercial/retail plus multi-family but not single-family, the applicant was requesting additional townhomes to complete the project west of the creek and to blend in with the existing townhome development to the north.

Mr. Shacklett concluded his presentation by highlighting some of the changes requested by staff and the applicant from the original PD including changes to the open space, parking, sidewalks, and landscaping and amenity zones.

Vice Chair Bright asked if the new development plans would affect the creek to the west. He also wanted to know if the change in use from retail to residential would have any bearing on the relationship to the creek.

Mr. Shacklett replied that in the original concept plan there was an amenity zone and sidewalk that separated the commercial/retail building from the creek and with the proposed townhomes the buildings will be located in approximately the same area.

Regarding the change in use from retail to residential, Mr. Shacklett said he did not think there would be an impact on the creek because with a commercial/retail use the side closest to the creek would have had a sidewalk to allow people to walk behind the buildings to the parking area, whereas, the townhomes will have small side yards closer to the creeks.

Commissioner Linn noted that for the proposed townhomes, the pavers and grass areas were the exact opposite of the design in the older townhomes and suggested mimicking the same layout as the previous design. He thought having grass in front of the townhomes would be a better design.

Mr. Shacklett replied that along Greenville Avenue there is no parking in front of the townhomes, plus the amenity zone was directly "back of curb", which afforded the need for a different treatment. He also noted that if there was landscaping in front of the angled parking along Spring Valley Road it would tend to be walked on by people coming out of their cars.

Mr. Chavez added that there will be green space between the amenity zone and the home itself.

Mr. Shacklett suggested that if the Commission was concerned about the location of the pavers versus grass, a special condition could be added stating an amenity zone landscaped with sod should be located between the tree wells.

Commissioner Maxwell said he agreed with Mr. Linn about the grass closer to the townhomes, but also had a question as to why the applicant was not adding more parking spaces at the back of the townhomes as requested by the staff, and was the request from staff based on current parking problems.

Mr. Shacklett replied that all the townhomes to the north met the code for parking, but based on comments from residents in the area, at times it was hard to find visitor parking in the area.

Commissioner Frederick said she had a concern that the homes along Spring Valley Road would be at street level, which would detract from their appeal.

Mr. Shacklett said there is a requirement listed that the homes be at least 18 inches above the sidewalks.

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

Mr. Scot Whitwer, CB Jeni Homes, 2805 N. Dallas Parkway, Plano, Texas, stated the townhome community had been very successful and he thanked staff for all their help.

Mr. Whitwer acknowledged the design of the proposed townhomes was different from the existing townhomes and promised to do whatever was necessary to make the projects look the same within the limitations presented by the existing utility lines buried beneath the area.

Regarding any impact to the creek from the new townhomes, Mr. Whitwer said that with the townhomes there would be less concrete and more open pervious space that would absorb any rainfall as opposed to having it run off into the creek. He added that in his instructions to his landscape architect he asked to make the area feel more residential with large landscape beds and grass between the parking areas.

Mr. Whitwer pointed out that with the widen sidewalk there will be a flow from the west side of the creek to the intersection on the east side of the property, as well as adding large canopy trees, which would be consistent with the existing townhome development.

Commissioner Maxwell asked why the applicant did not add as many visitor parking spaces on the north side of the new townhomes as requested by staff.

Mr. Whitwer replied there are currently 75 parking spaces available in the townhome development and with the inclusion of the spaces in front of the proposed townhomes and the 5 new spaces, the total would be slightly over 100 parking spaces for the townhome community. He added that in the original proposed design there were only 3 parallel spaces on the north side of the new area, but taking staff's suggestion into consideration to make those spaces perpendicular.

Mr. Shacklett added staff was hoping for a total of 8 to 9 perpendicular spaces based on the length of the parallel spaces, and understood there were certain constraints because of existing utilities, but based on comments from the neighborhood additional parking spaces would be appreciated.

Mr. Chavez also noted that the applicant was attempting to make up for a deficiency in parking from the previous project along Greenville Avenue that was not under their control.

Mr. Whitwer stated the previous project had been built by David Weekley before CB Jeni stepped in to complete the project.

Vice Chair Bright asked about the view from the buildings on Karen Crossing. He also wanted to know the price range for the proposed townhomes.

Mr. Whitwer said the price range would be in the $300,000 range and the homes would be the same elevation as those previously approved by the City.

Commissioner Linn asked if the master suites would be on the first floor of the townhomes.

Mr. Whitwer replied the townhomes end units facing Spring Valley Road will have a downstairs master bedroom.

Mr. Kevin Williams, 748 Matthew Place, Richardson, Texas, said was generally in favor or the proposed townhomes, but did have some concerns and listed those as follows:

- Insufficient parking – possibly add more parking in the utility easement/common area.
- Increased alley traffic off Karen Crossing.
- Spring Valley Parking – competition for the parking spaces with mosque across the street as well as local retail. Calculation should not include these parking spaces because the spaces are not dedicated to the townhome community.
- Home size – more detail should be provided regarding patios, front entry, courtyard, etc.
- Landscaping at Greenville Avenue and Spring Valley road – what landscaping will be added to screen the alley.
- Drainage in the alley behind the new townhomes.
- Amenity Zone on Greenville Avenue – extend to the south.
- Common Areas landscaping plan – provide better definition
- Lighting – no lighting mentioned in current plan, would like to see lighting for alleys, common areas and new entrance.

- Greenville building design – adherence to existing theme regarding grade change and wrought iron gates.

Commissioner Linn stated there appears to be street lights around the entrances to the townhome subdivision and asked for clarification as to additional lighting.

Mr. Williams replied there should be lighting for the rear entry homes and for the sidewalk going through the common areas for safety and security.

With no further comments in favor, Chairman Hand noted comments in opposition received via speaker cards:

- Need more parking
- Better defined landscape plan
- Area needed for community gathering (benches, tables, pavilion).

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

Commissioner Frederick said she felt there was not a single small community (zero lot line, etc.) in Richardson that did not have a parking issues and thought the problem needed to be addressed now and going forward with any other developments.

Chairman Hand concurred, and acknowledged that the applicant was not the original developer, but with the change in use a change in the required parking should have been generated. He also suggested raising the entrances to the townhomes more than 18 inches and wanted to know if the parallel parking extended to the utility easement.

Mr. Shacklett replied that each parallel parking space would have been 20 to 22 feet long with one of the angled entrance/exit next to the utility easement. However, staff felt it would be better to have perpendicular spaces, but the applicant did not want to come close to the utility area and have to modify the pavement around the existing manholes.

Mr. Whitwer added there are also irrigation water meters in the area and if they were moved it would require removing large sections of the roadway across Karen Crossing to be able to tie into the main line. He added that they would be willing to work with staff to try and add more parking spaces, but reminded the Commission of the limited space in the area because of the way the existing community was developed.

Chairman Hand suggested that another 4 parking spaces could be added if the spaces were moved as far to the east as possible.

Vice Chair Bright asked if there was anything that could be done regarding the parking to the south and the use by those who do not live in the community.

Mr. Shacklett replied the parking was within the public right-of-way and was designed to meet the needs of the original use, plus the code did allow parking spaces immediately

adjacent to a property to be counted towards parking requirements. As to whether or not the spaces could be signed as "resident only" parking was not known.

Chairman Hand asked to confirm how many parking spaces staff had requested.

Mr. Shacklett replied the original submittal had 3 parallel spaces and staff requested perpendicular spaces and to add as many as possible without moving the existing utilities.

Vice Chair Bright asked if the concern about lighting was something that needed to be addressed at the current time or later on in the development process.

Mr. Shacklett said concerns about lighting and drainage should be addressed during the development plan process. However, the screening of the alley could be added to the motion.

Commissioner DePuy asked to confirm 75 guest parking spaces existed for 175 townhome units.

Mr. Shacklett replied that each townhome had a two car garage, but lacked driveway space for guest parking; however, each unit has one-half of a parking space on the street. The exception would be for the townhomes along the creek, on deeper lots with driveway parking.

Vice Chair Bright stated he was in favor of adding four more parking spaces and asked the applicant to address the question of lighting for the alley and common areas.

Mr. Whitwer replied the lighting would be worked out during the development plan process and noted that while most cities have spacing between street lights of 300 feet, the street lights in the community are spaced at 150 feet. As far as lighting in the common area, there are plans to have lighted bollards along the sidewalk.

Commissioner Linn stated he was in favor of the request and felt the community was a better land use, but asked to replace the pavers with sod and add lighting for the sidewalk in the common area.

Chairman Hand asked if the area shown on page 176 of the staff's packet with pavers outside the parking and tree wells was the area Mr. Linn was concerned about.

Mr. Shacklett replied the code would require a paver area with the tree wells, then sidewalks, then the property lines. The original plan envisioned the area as commercial/retail, but with the proposed single-family townhomes, the area would have an 8-foot concrete sidewalk (back of the parking spaces), then a 6-foot sod area with tree wells spaced every 40 to 50 feet.

Commissioner Linn said he was in favor of replacing the pavers with sod in that area.

Chairman Hand pointed out that in the retail area to the west there were pavers outside the curb and Mr. Linn said his suggestion would make the new townhomes more consistent with the homes along Greenville Avenue.

Commissioner Roland reminded the Commission that trees could not be planted on top of utilities and the fact there would be some type of yard between the amenity zone and the house. He also thought some Commissioners might be under the assumption that no landscaping would be in front of the townhomes and stated that assumption was not correct.

Commissioner DePuy also noted that the community was designed with a more urban feel and did not need a lot of grass.

Commissioner Springs said he agreed with Mr. Linn, but would frame it differently because he did not see it as trading pavers for grass, but as trading pavers for three or four more parking spaces because that was a bigger issue.

Commissioner Linn asked if the concerns over increased parking and removing the pavers and converting it to sod could be added to the motion.

Mr. Shacklett advised the motion could state the item was approved as presented with the addition of adding "x" number of additional parking spaces and the removal of pavers along Spring Valley Road.

Mr. Chavez suggested adding verbiage to include on-site pedestrian lighting in the common area and no fewer than three parking spaces at the north end of the common area.

Vice Chair Bright also thought adding landscaping along the two ends of the ally should be included in the motion.

Motion: Commissioner Linn made a motion to recommend approval of Zoning File 14-38 as presented with the following additional special conditions:

- Pedestrian lighting shall be placed along the walkway between Spring Valley Road and Karen Crossing;
- Increase the number of parking spaces by no fewer than three spaces;
- Removing pavers within the amenity zone along Spring Valley Road in favor of landscaping; and
- The addition of shrubs along the west dead end of the alley behind the Spring Valley Road homes, the south dead end of the alley behind the Greenville Avenue homes, and along the south side of the parking spaces along Karen Crossing.

Second by Vice Chair Bright.

Motion approved 7-0.

Staff Report

TO: City Council

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

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

DATE: December 4, 2014

RE: **Zoning File 14-38**: Brick Row – Townhomes along Spring Valley Road

REQUEST:

Amend the existing development rights of the Spring Valley Station District PD to increase the development rights for the number of single-family units from 170 units to 175 units and to allow single-family uses on a 1.63-acre lot located on the north side of Spring Valley Road.

APPLICANT / PROPERTY OWNER:

Scot Whitwer – CB JENI Homes / William L. Fulton – L&B Realty Advisors, LLP.

EXISTING DEVELOPMENT:

The subject lot is undeveloped, but located within the mixed-use Brick Row development consisting of townhomes, apartments and retail.

ADJACENT ROADWAYS:

Spring Valley Road: Two-lane, undivided collector with on-street parking; No current traffic counts available.

Greenville Avenue: Four-lane, divided arterial; 14,600 vehicles per day on all lanes, northbound and southbound between Belt Line Road and Spring Valley Road (February 2013).

SURROUNDING LAND USE AND ZONING:

North: Single Family; PD Planned Development
South: Retail/Commercial; PD Planned Development
East: Single Family; R-1250-M Residential
West: Multi-Family; PD Planned Development

FUTURE LAND USE PLAN:

Transit Village

Mixed or multiple land uses built around small-scale pedestrian blocks located at the City's rail stations. Uses include medium- to high-density residential, retail, entertainment, hospitality and offices.

Future Land Uses of Surrounding Area:

North: Transit Village
South: Transit Village
East: Neighborhood Residential
West: Transit Village

EXISTING ZONING:

The subject property is zoned PD Planned Development (Ord. 4032). It is called the Spring Valley Station District PD (PD)

TRAFFIC/ INFRASTRUCTURE IMPACTS:

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

APPLICANT'S STATEMENT

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

STAFF COMMENTS:

Background:
The subject lot is part of the Spring Valley Station District Planned Development, which was adopted in 2004. The PD is bisected by the DART Light Rail, and the eastern half (approximately 32 acres) is being developed as a transit-oriented development known as Brick Row. The existing apartment buildings include ground floor retail along Spring Valley Road.

The subject property received concept plan approval in 2008 for a 2-story retail/office building and a 1-story retail building; however, development plans were never submitted, and the property remains undeveloped.

In November 2013, the Commission considered a request to amend the development rights on 3.8 acres along the east side of the creek (located to the north of the subject property) to increase the number of single-family units and to remove the development rights for multi-family units. The Commission recommended approval of the request and Council approved the request.

The current PD allows a total of 747 residential units (170 townhomes on the east side of the creek, excluding the subject property and 577 multi-family units). All of the multi-family units have been constructed, but only 159 of the 170 townhome lots have been platted.

Request:
The applicant's request is to amend the PD in the following manner:

- Revise the land use plan in Section 3 of Ordinance Number 4032 from "Mixed-Use Area" to "Single Family Area"
- Revise the development rights in Section 4 of Ordinance Number 4032 to increase the single-family residence development rights from 170 units to 175 units.
- Attach a concept plan with modified development standards to accommodate twelve (12) additional townhome lots along the north side of Spring Valley Road and four (4) lots along Greenville Avenue.

The subject property is located within Mixed Use Area of the PD. The Mixed Use Area allows multi-family uses with ground floor retail/commercial and office uses; however, single-family uses are not listed as a permitted use.

As part of the request, the applicant provided a concept plan (Exhibit "B") that would be attached to the PD and govern the development of the subject property, thereby eliminating future non-residential development opportunities. The proposed concept plan indicates an additional sixteen (16) townhomes which would increase the total number of single-family units to 175.

Previous amendments to this PD have not included a concept plan. Rather, the change has just been to the text of the PD and the standard development process set forth by the PD has been followed. This process includes a 2-step approval process which includes Concept Plan approval by City Council upon recommendation from the Commission followed by Development Plans approval by the Commission. The PD allows the applicant to request exceptions to the development standards during the Concept Plan or Development Plan approval process when it is determined the public convenience and welfare will be served and the neighboring properties will not be substantially injured by the requested exceptions. Exceptions can be made to building regulations, area regulations, open space requirements, parking requirements, and signage regulations.

As part of this request, the applicant will be requesting "exceptions" to the PD which will be noted and/or depicted on the attached concept plan (Exhibit "B"). Furthermore, the request proposes to waive the requirement for the standard PD Concept Plan approval stage since the approval of Exhibit "B" would take the place of the Concept Plan approval stage. This requirement has been waived before for another development in the PD. In 2012, a Special Permit was approved for the 7-Eleven gas station located across the street from the subject property. As part of that Special Permit approval, a concept was reviewed, approved, and attached to the ordinance. The ordinance allowed the Special Permit concept plan to replace the PD Concept Plan approval stage.

Concept Plan:

The concept plan for the subject property proposes a total of sixteen (16) townhomes, an alley, and open space on the 1.63-acre subject property. Twelve (12) townhomes would front onto Spring Valley Road, and four (4) townhomes would front onto Greenville Avenue and would all be served by an alley that connects into the existing townhome development to the north.

Along Spring Valley Road, the applicant is requesting to transpose the amenity zone and sidewalk to accommodate tree plantings near existing gas and sanitary sewer lines, which will be discussed below. The applicant proposes to maintain the existing angled spaces for visitor parking that were approved as part of the Concept Plan for two (2) retail/office buildings for the subject property.

The townhomes along Greenville Avenue front onto larger landscaped areas and would be built generally in line with the existing townhomes to the north. Along the north side of the subject property, a large open space with trees and additional visitor parking would be provided. A new curb cut would be provided along Spring Valley Road providing access to the alley, but an existing curb cut would be removed and replaced with a large landscape island.

Proposed Development Standards:

Build-to Requirements for Townhomes – The current PD provides a table that defines, for townhome developments, where on-street parking is allowed, amenity zone width requirements, yard requirements, and build-to-zone requirements. These standards have been utilized for previous Concept Plan and Development Plans review and approval. However, since the applicant is proposing a concept plan (Exhibit "B") as part of the zoning request, staff suggests that Exhibit "B" be utilized in lieu of the standard requirements table to regulate the development of the townhomes. This will simplify application of the development standards due to the applicant's proposal to transpose the location of the sidewalk and amenity zone and how that relates to the location of the yard and build-to-zones.

Amenity Zone and Sidewalks – The PD provides requirements to create a uniform design along street frontages. The townhome development standards require a 6-foot wide amenity zone back of curb which is to be improved with specialty paving or landscaping and where tree wells are to be placed approximately forty (40) feet on center.

Along Spring Valley Road, it was envisioned that the amenity zones would be improved with specialty paving. Also, where on-street parking is provided, the bulb outs at the end of the parking rows are to be treated the same as the amenity zone. Staff requested the bulb outs along Spring Valley be finished with specialty paving; however, the applicant is proposing to landscape these areas since this will now residential in nature as opposed to retail/office. Behind the amenity zone, a 6-foot sidewalk is required.

As shown on Exhibit "B", there are gas and sanitary sewer lines located along the Spring Valley Road frontage, which limits planting areas for trees along Spring Valley Road. Staff informed the applicant that due to the depth of the sanitary sewer line, trees would be allowed to be planted over the line, but the gas line would need to be relocated.

Due to the cost associated with relocating the gas line, the applicant proposes to locate the sidewalk at the back of the parking spaces, with the amenity zone located behind the sidewalk.

The sidewalk would be eight (8) feet wide to accommodate vehicle overhang while still providing a 6-foot wide walkable path on the sidewalk. Although the design is not consistent with the amenity zone/sidewalk configuration on the west side of the creek along Spring Valley Road and along Greenville Avenue, the required amenity zone and sidewalk is still provided.

Based on the frontage along Spring Valley Road, approximately twelve (12) trees would be required in the amenity zone. The applicant is providing nine (9) trees in the amenity zone along with two (2) more in the landscape area at the southeast corner of the subject property. There are fewer trees because of the curb cut for the alley connection to Spring Valley Road and the pedestrian connection of the internal walkway to the Spring Valley Road sidewalk.

Along Greenville Avenue, the applicant is proposing no changes to configuration of the amenity zone and sidewalk. Staff requested the amenity zone be continued south toward the corner and to provide additional area for another tree well. The applicant has chosen to leave the amenity zone in its current configuration. The applicant proposes to provide a large landscape area at the corner that would be planted with various ground cover/seasonal color, shrubs, and ornamental trees.

Open Space/Landscaping – The PD requires a minimum of 800 square feet of public or common private open space be provided per platted townhome lot. Within the subject property limits, the applicant is proposing almost 1,300 square feet per lot.

The majority of the open space area is provided in a linear open space area along the north side of the subject property. This area provides a buffer between the alley serving the subject property and the existing townhomes to the north. Within this area, the applicant proposes to plant a variety of canopy and ornamental trees along with five (5) additional parking spaces to provide more visitor parking (required at 0.5 spaces per unit). Staff informed the applicant that throughout the Brick Row townhome development, there appears to be a need for more visitor parking. Although the subject property provides more visitor parking than required for the proposed lots (including parking along Spring Valley), staff requested additional spaces be provided, but the applicant chose to provide the five (5) parking spaces as shown.

An additional open space area with a walkway connecting the large open space to the north to Spring Valley Road is proposed through the middle of the development. This area provides a meandering sidewalk along with shrubs and ornamental trees. At the southeast corner of the development, the applicant proposes an additional open space that serves as a landscaped entry feature for the townhome development. Overall, the applicant is proposing open space and landscaping in a more residential manner than what was originally envisioned for this property. The concept plan for retail/office buildings approved in 2008 provided much more hardscape and much less landscape areas; however, the applicant desires to utilize more landscape beds to add to the residential nature of the new development while still providing the design along the Spring Valley Road frontage that was initially envisioned.

Additional Proposed Standards – The applicant has included several additional standards that are not included in the current PD. Staff requested the applicant include these conditions to address issues that have been identified in the current townhome development. The standards include:

- Require finish floor elevations to be a minimum eighteen (18) inches above the sidewalk to provide a more urban look to the townhomes while providing the resident with a sense of safety by not having their front door located at the same grade as the sidewalk.
- Require the spaces between the driveways in the alleys to be finished with pavers rather than rock or landscaping to provide a clean area for utilities to be located.
- Require the air conditioning units to be screened from all adjoining properties or public right-of-way.
- Require the downspouts from the gutters on the front of the townhomes to be tied into a sub-surface drain (pop-up) that discharges behind the sidewalk/amenity zone. This would prevent the proliferation of downspouts in the front yard which have become maintenance issues along Greenville Avenue when they get stepped on.

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

Motion: On November 18, 2014, the City Plan Commission recommended approval, by a vote of 7-0, of the request as presented subject to the following special conditions along with additional conditions as shown in bold text below:

1. Ordinance Number 4032 shall be amended to include the Concept Plan attached as Exhibit "B". The development of the subject 1.63-acre property shall be constructed in substantial conformance with Exhibit "B".

2. Ordinance Number 4032 shall be amended to allow single-family residences to be constructed on the 1.63-acres subject property shown within the "Mixed-Use Area" in Ordinance Number 4032, Section 3 – Land Use Plan as described in Ordinance Number 4032 (Spring Valley Station District Use Regulations).

3. Ordinance Number 4032 shall be amended to increase the total allowable development rights for single-family residences in the Spring Valley Station District to 175 units.

4. The approval of the attached concept plan, marked as Exhibit "B" shall replace the requirement for Concept Plan approval of this project as described in Ordinance Number 4032 (Spring Valley Station District Development Rights).

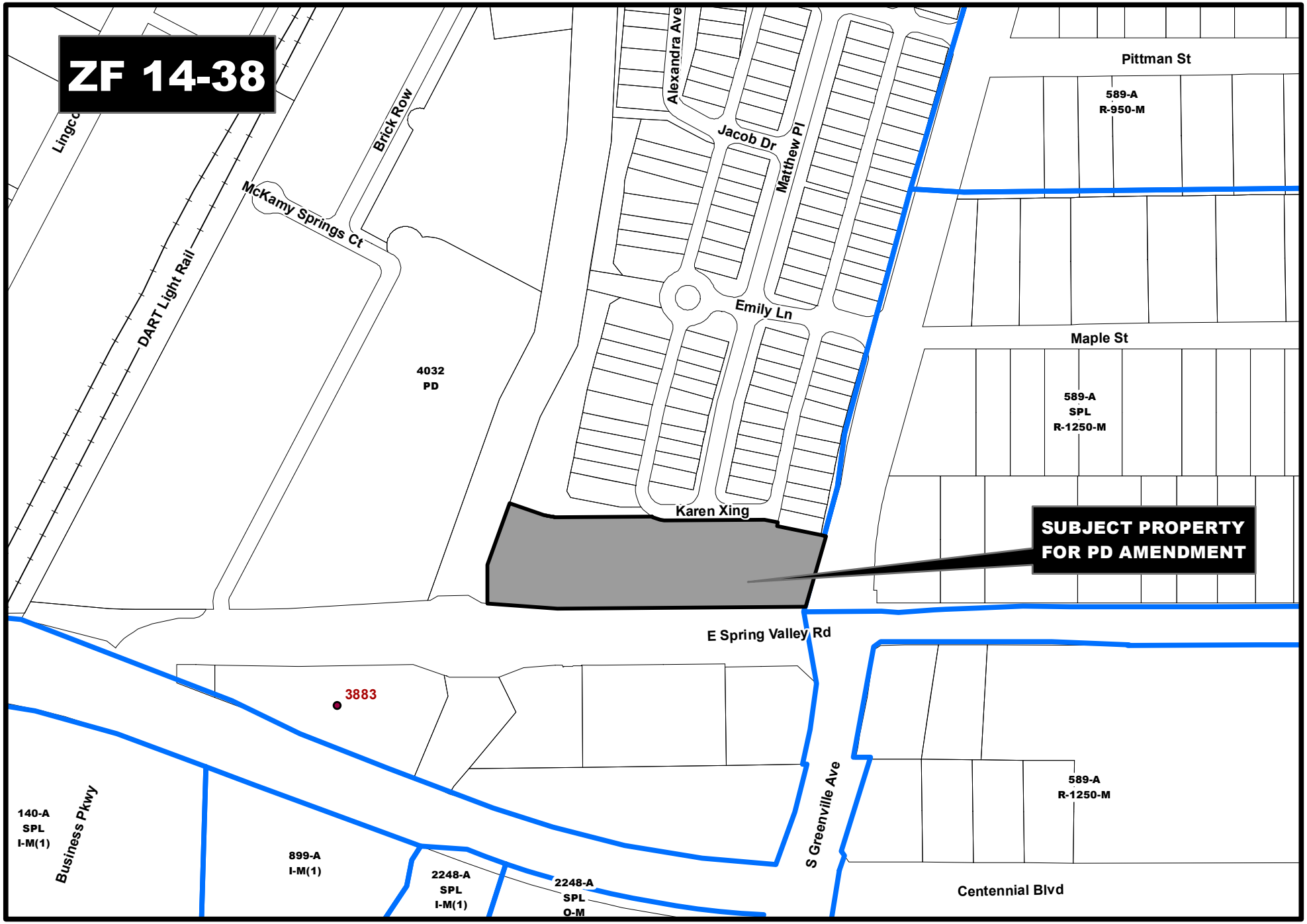
5. Landscaping shall be planted in substantial conformance with Exhibit "B".

6. **The amenity zone along Spring Valley Road shall be landscaped as depicted on Exhibit "B".**

7. **A minimum of eight (8) visitor parking spaces shall be provided, exclusive of on-street parking spaces along Spring Valley Road and shall be located generally as depicted on Exhibit "B".**

8. **A minimum 3-foot tall hedge row shall be planted along the west end of the alley adjacent to the creek, along the south end of the alley adjacent to Lot 15 and along the south side of the visitor parking spaces as depicted on Exhibit "B".**

9. **Pedestrian lighting shall be provided within the common areas along the pedestrian walkway between Spring Valley Road and Karen Crossing. The type and location of lighting shall be determined at the time of development plan approval.**



ZF 14-38 Zoning Map

Updated By: shacklettc, Update Date: November 4, 2014
File: DS\Mapping\Cases\Z\2014\ZF1438\ZF1438 zoning.mxd

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

N W E S

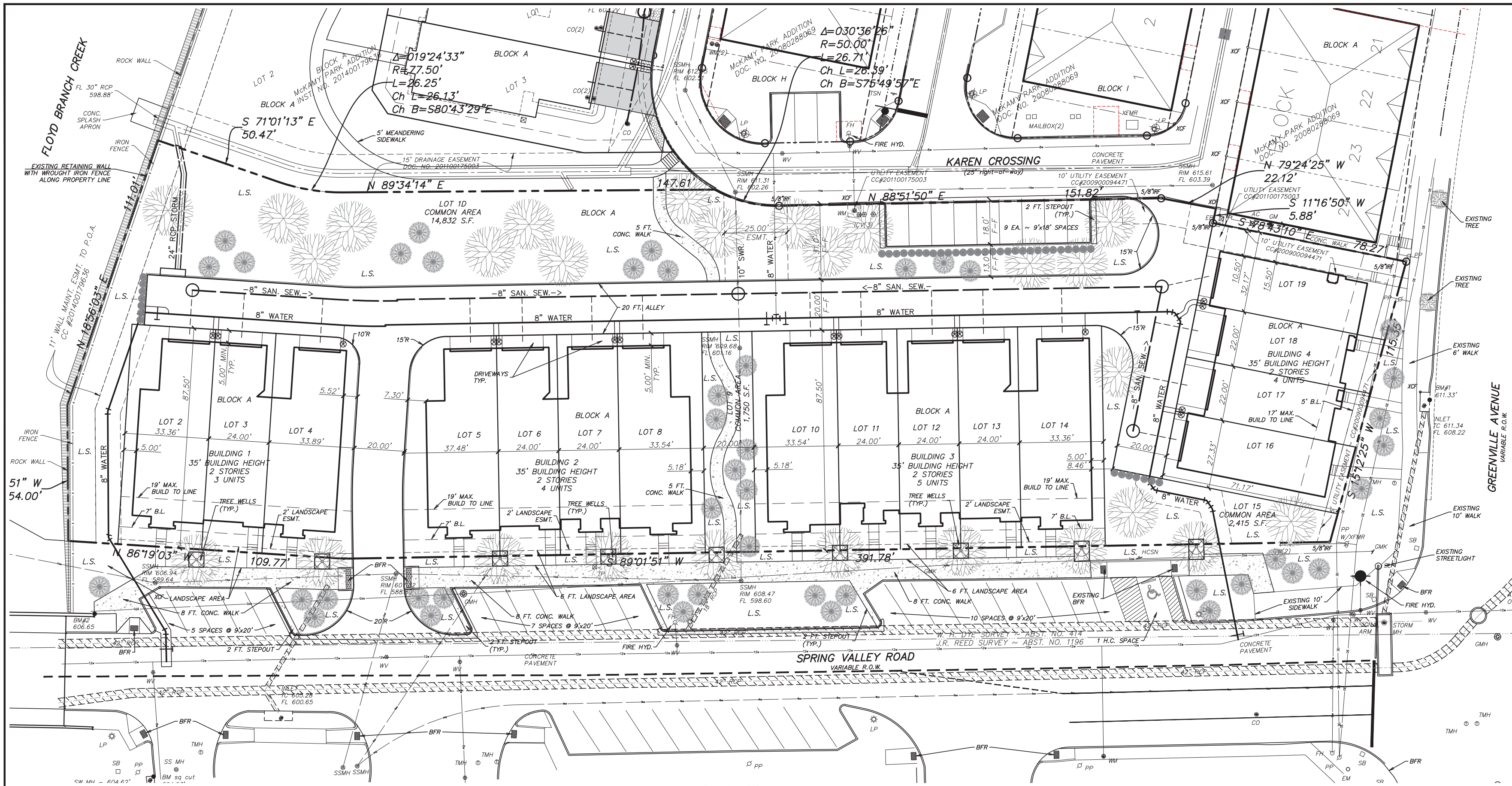
ZF 14-38 Aerial Map

Updated By: shacklettc, Update Date: November 4, 2014
File: DS\Mapping\Cases\Z\2014\ZF1438\ZF1438 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.

N
W E
S

Emily Lane
Karen Crossing
Greenville Ave
Spring Valley Road
Oblique Aerial
Looking North



NOTE:

TREES HEREON ARE SHOWN FOR REFERENCE ONLY. REFER TO LANDSCAPE PLANS FOR ACTUAL TREE LOCATIONS.

NOTE:

PORTIONS OF THIS MAP PROVIDED BY BROCKETTE-DAVIS-DRAKE, INC., ENGINEERS AND USED/UPDATED AS DIRECTED BY I. ROBERTS, PLANNER AT THE CITY OF RICHARDSON.

PROJECT SUMMARY

TOPIC	EXISTING	PROPOSED		PROVISION	REQUIRED	PROVIDED
ZONING	PD-4032			CONTIGUOUS UNITS	5 UNITS MAX.	BLDG 1 - 3 UNITS
USE	MIXED USE (VACANT)	PD				BLDG 2 - 4 UNITS
PROJECT AREA	71,052.7 SF ~ 1.631 AC.					BLDG 3 - 5 UNITS
LOT INFORMATION						BLDG 4 - 4 UNITS
LOT AREA	1,540 SF. MIN.	1,573 SF. MIN.		TOTAL NUMBER OF UNITS		16 UNITS
LOT DEPTH	65' MIN.	71.5' MIN.		MINIMUM UNIT AREA	1,500 SF	2,300 SF
LOT WIDTH	22'	22'		MAXIMUM STORIES/HEIGHT	3 / 55 FT	2 / 35 FT
DENSITY	10.0 UNITS/AC. MAX.	9.81 UNITS/AC.		COMMON AREAS	12,800 SF. ~ 0.29 AC.	18,997 SF. ~ 0.44 AC.
SPRING VALLEY LOTS	(FOR NON-RESIDENTIAL USE)	SEE ZONING NOTE NO. 1			(800 SF. / UNIT)	(1,187 SF. / UNIT)
ONSTREET PARKING	ANGLED 18'					
AMENITY ZONE	6' w/PKG. ~ 25' w/o					
YARD	15'-25'			PARKING	APPROVED	REQUESTED
BUILD-TO ZONE	21'-31' w/PKG. ~ 40'-50' w/o			CURRENT UNIT COUNT	159	
GREENVILLE LOTS		SEE ZONING NOTE NO. 1		ADDITIONAL UNITS		16
ONSTREET PARKING	NONE			TOTAL		175
AMENITY ZONE	6'			GUEST PARKING	79 ~ 0.5 SPACE/UNIT	110 ~ 0.63 SPACE/UNIT
YARD	24'-40'				(LESS SPRING VALLEY)	(WITH SPRING VALLEY)
BUILD-TO ZONE	30--46'					

ZONING NOTES:

1. AMENITY ZONE & PARKING SHALL BE AS SHOWN ON THIS EXHIBIT WITH A BUILD-TO-ZONE OF 7'-19' MAX. FOR LOTS FACING SPRING VALLEY RD., AND 5'-17' MAX. FOR LOTS FACING GREENVILLE AVE., AS MEASURED FROM THE FRONT PROPERTY LINE FOR EACH TH LOT.

2. REFERENCE TO BE ADDED TO PD STATING TOWNHOMES IN THIS AREA ARE SUBJECT TO THIS EXHIBIT AND THE REGULATIONS AS LISTED HEREON.

FURTHER REQUIREMENTS:

1. FINISH FLOOR ELEVATIONS SHALL BE A MINIMUM OF 18 INCHES ABOVE FRONT PUBLIC SIDEWALK.

2. SPACES BETWEEN DRIVEWAYS WHERE WET AND FRANCHISE UTILITIES ARE TO BE PLACED WILL HAVE A 4 FT. WIDE STRIP OF PAVERS SIMILAR TO PREVIOUS PHASES.

3. AIR CONDITIONING UNITS SHALL BE SCREENED FROM VIEW OF ALL ADJOINING PROPERTIES OR PUBLIC RIGHT-OF-WAY.

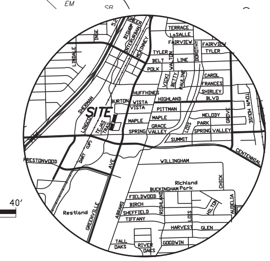
4. DOWNSPOUTS FROM THE GUTTERS ON THE FRONT OF TOWNHOMES THAT FACE SPRING VALLEY RD. AND GREENVILLE AVE. WILL BE TIED INTO A SUB-SURFACE DRAIN (POP-UP) THAT DISCHARGES BEHIND THE SIDEWALK.

5. PEDESTRIAN LIGHTING SHALL BE PROVIDED ALONG THE WALKWAY BETWEEN SPRING VALLEY AND KAREN CROSSING. THE LOCATIONS AND TYPE OF LIGHTING SHALL BE REVIEWED AND APPROVED AT THE TIME OF DEVELOPMENT PLAN APPROVAL.

PURPOSE:

TO MODIFY ZONING TO ALLOW TOWNHOME RESIDENTIAL IN MIXED-USE AREA NORTH OF SPRING VALLEY RD., SOUTH OF KAREN CROSSING, AND BETWEEN FLOYD BRANCH AND GREENVILLE AVE.

SCALE: 1" = 20'



VICINITY MAP
NOT TO SCALE

No.	DATE	REVISION	APPROV.
1	12-02-14	REVISIONS PER CONDITIONAL C.P.C. APPROVAL	C.o.R.

Winkelmann & Associates, Inc.

ZONING EXHIBIT
McKAMY PARK LOT 1C, BLOCK A ~ 1.631 ACRES
CENTENNIAL PARK
RICHARDSON, DALLAS COUNTY, TEXAS

CP-02

Exhibit B - Part of Ordinance

(1)
Looking North along
Greenville Avenue

(2)
Looking West along
Spring Valley Road

(3)

Looking West along
Spring Valley Road
(Brick Row Retail)

Townhome Lots of Brick Row (Lot 1C, Block A)

Applicant's Statement

The Brick Row Townhome project is a gigantic success. As of September 30, 2014, CB JENI Homes has closed 106 townhomes and sold an additional 16. We fully anticipate the remaining platted home sites to be sold and closed by the middle 2015.

The average sales price started at approximately $185,000 and has increased to a current average sales price near $260,000 for the last section.

The current request, is to allow townhomes to be built along Spring Valley Road. This will complete the entire east side of the development. The concept plan provides additional green space and parking spaces for current and future homeowners. If the request is granted, the entire east side of the creek will be platted townhomes lots. The townhomes that we propose to build will match the approved buildings for Brick Row.

If the townhomes are approved, the townhomes will be constructed so that the finished floor elevations of each of the townhomes will be a minimum of 18" above the sidewalk elevations. The spaces between the driveways where the wet and franchise utilities are to be placed will have a 4' wide strip of pavers similar to the previous phases. All of the air conditioning units will be screened from view of other properties and from the public R.O.W. The downspouts from the gutters on the front of the townhomes that face Spring Valley Road and Greenville Avenue will be tied into a subsurface drain (pop up) that discharges behind the pavers and sidewalk.

Thank you for your consideration in these matters.

Bruno Pasquinelli

Notice of Public Hearing

City Plan Commission ▪ Richardson, Texas

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

PD AMENDMENTS

File No./Name:	**ZF 14-38 / Brick Row Townhomes**
Property Owner:	William L. Fulton, EVP / L&B Realty Advisors, LLP
Applicant:	Scot Whitwer / CB JENI Homes
Location:	Northwest Corner of Spring Valley Road and Greenville Avenue (See map on reverse side)
Current Zoning:	PD Planned Development
Request:	A request to amend the Spring Valley Station District PD Planned Development, Ordinance 4032, to increase the development rights for townhomes and to allow the development of townhomes on approximately 1.63 acres on the north side of Spring Valley Road, between Greenville Avenue and Floyd Branch Creek. The property is currently zoned PD Planned Development.

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

TUESDAY, NOVEMBER 18, 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.

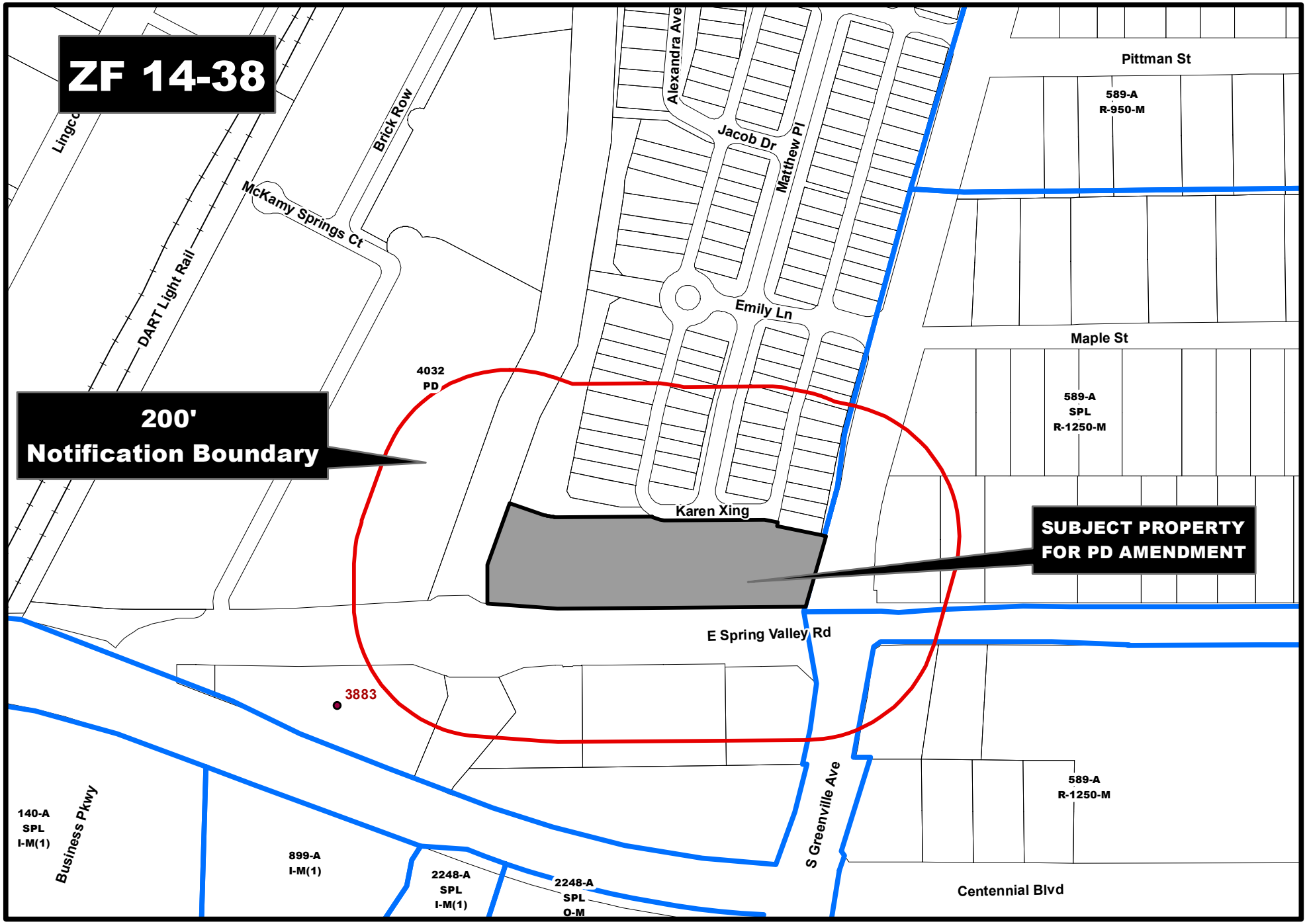
Persons who are unable to attend, but would like their views to be made a part of the public record, may send signed, written comments, referencing the file number above, prior to the date of the hearing to: Dept. of Development Services, PO Box 830309, Richardson, TX 75083.

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 14-38.

Date Posted and Mailed: 11/07/2014



ZF 14-38 Notification Map

Updated By: shacklettc, Update Date: November 4, 2014
File: DS\Mapping\Cases\Z\2014\ZF1438\ZF1438 notification.mxd

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

N W E S

BAYAN WALID
18 DUNROBIN
GARLAND, TX 75044-2722

ISLAMIC ASSOCIATION OF
NORTH TEXAS
PO BOX 833010
RICHARDSON, TX 75083-3010

SYED YASSER & ROMANA
3000 HONOLULU AVE APT 12
LA CRESCENTA, CA 91214-3768

TJH INVESTMENT VENTURE
PO BOX 260039
PLANO, TX 75026-0039

SIGNATURE LEASING &
MANAGEMENT INC
200 E SPRING VALLEY RD
RICHARDSON, TX 75081-5032

JARODIYA & SONS LLC
1597 BRADFORD TRACE DR
ALLEN, TX 75002-0960

BRICK ROW APARTMENTS LLC
ATTN: DAVID W GLEESON
8750 N CENTRAL EXPWY #80
DALLAS, TX 75231

CENTENNIAL PK RICHARDSON
5956 SHERRY LN STE 1200
DALLAS, TX 75225-8023

TSAI HSIAO CHUN
727 MATTHEW PL
RICHARDSON, TX 75081-5077

BRADLEY MICHAEL
756 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

WORTHY JEFFREY T & MONICA M
752 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

SUAREZ CHERYL KAY
748 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

NELSON ROBERT W & MARY H
751 MATTHEW PL
RICHARDSON, TX 75081-5077

ELALAOUI LAHCEN M & NEZHA
744 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

ABDUL RAHMAN FAMILY TRUST
752 MATTHEW PL
RICHARDSON, TX 75081-5076

SANTONICOLA ESPEDITO
747 MATTHEW PL
RICHARDSON, TX 75081-5077

WILLIAMS KEVIN DUANE
748 MATTHEW PL
RICHARDSON, TX 75081-5076

NASIR SHARMEEN & MUHAMMAD
800 RAYEED AVE
RICHARDSON, TX 75081-5194

JACOBSON RICHARD W
1027 LOCHINVAR LN
SHREVEPORT, LA 71106-8172

HAWKINS SHALAUN J
744 MATTHEW PL
RICHARDSON, TX 75081-5076

DEBLASI RAYMOND PAUL & YULI
736 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

LU NANCY
739 MATTHEW PL
RICHARDSON, TX 75081-5077

FUNAHARA MOMOKO
740 MATTHEW PL
RICHARDSON, TX 75081-5076

OWUSU JOVANNA A
735 MATTHEW PL
RICHARDSON, TX 75081-5077

ALAMGIR NUSRAT T
606 OLYMPIC
RICHARDSON, TX 75081-5158

MAA YANN JIUN
736 MATTHEW PL
RICHARDSON, TX 75081-5076

BYARS BYRON III
728 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

MOORE JOHN C & AMANDA W &
BILL FRY TRUSTEE ET AL
732 MATTHEW PL
RICHARDSON, TX 75081-5076

HOWARD STEPHEN THOMAS
724 S GREENVILLE AVE
RICHARDSON, TX 75081-4112

SIMPKINS MICHELLE L
731 MATTHEW PL
RICHARDSON, TX 75081-5077

HIGGINS PATRICE DIANE
728 MATTHEW PL
RICHARDSON, TX 75081-5076

RIVERA JERROLD G
723 MATTHEW PL
RICHARDSON, TX 75081-5077

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

TCG BRICK ROW TRIANGLE LP
15051 PRESTON RD STE 210
DALLAS, TX 75248

SCOTT WHITWER, CB JENI Homes
2805 NORTH DALLAS PARKWAY
SUITE 690
PLANO, TX 75093

WILLIAM L FULTON, EVP
L&B REALTY ADVISORS, LLP
8750 N CENTRAL EXPWY #800
DALLAS, TX 75231

MAINTENANCE & OPERATIONS
ATTN: MICHAEL LONGANECKER
RICHARDSON ISD
400 S GREENVILLE AVE

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

ZF 14-38
Notification List

ORDINANCE NO. 4032

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 AMENDING THE SPRING VALLEY STATION DISTRICT, ORDINANCE 3831, AS HERETOFORE AMENDED AND RESTATING THE PLANNED DEVELOPMENT FOR TRANSIT-ORIENTED DEVELOPMENT BY AMENDING THE SPRING VALLEY STATION DISTRICT DEVELOPMENT REGULATIONS BY AMENDING TABLE 4.1 BY AMENDING THE DEVELOPMENT RIGHTS TO ALLOW A MAXIMUM OF 170 SINGLE-FAMILY RESIDENCES WITHIN THE PD; AND BY ALLOWING A MAXIMUM OF THIRTY (30) SINGLE-FAMILY RESIDENCES AND BY AMENDING SECTION 3 LAND USE PLAN SUBSECTION b(1) PROHIBITING MULTI-FAMILY RESIDENTIAL CONSTRUCTION ON LOT 1B, BLOCK A AND LOT 1B, BLOCK B OF THE MCKAMY PARK ADDITION AS DESCRIBED IN EXHIBITS "A-1" AND "A-2"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO-THOUSAND ($2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 13-20).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, and the same is hereby amended so as to amend the Spring Valley Station District, Ordinance 3831, as heretofore amended and restating the Planned Development and the Spring Valley Station District Development Regulations by amending table 4.1 by amending the development rights to allow a maximum of 170 single-family residences within the PD and by allowing a maximum of thirty (30) single-family residences, and by amending section 3 Land Use Plan subsection (b)(1) prohibiting multi-family residential

construction on Lot 1B, Block A and Lot 1B, Block B of the McKamy Park Addition as described in Exhibits "A-1" and Exhibit "A-2" and made a part hereof for all purposes.

SECTION 2. That the Spring Valley Station District shall be used and developed in accordance with the revised Spring Valley Station District Development Regulations attached hereto as Exhibit "B" and incorporated herein for all purposes.

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

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

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon

conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 25th day of November 2013.

APPROVED:

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY
(PGS:11-14-13:TM 64590)

CORRECTLY ENROLLED:

CITY SECRETARY

CITY OF RICHARDSON
RICHARDSON, TEXAS

EXHIBIT A-1
LEGAL DESCRIPTION
ZF 13-20

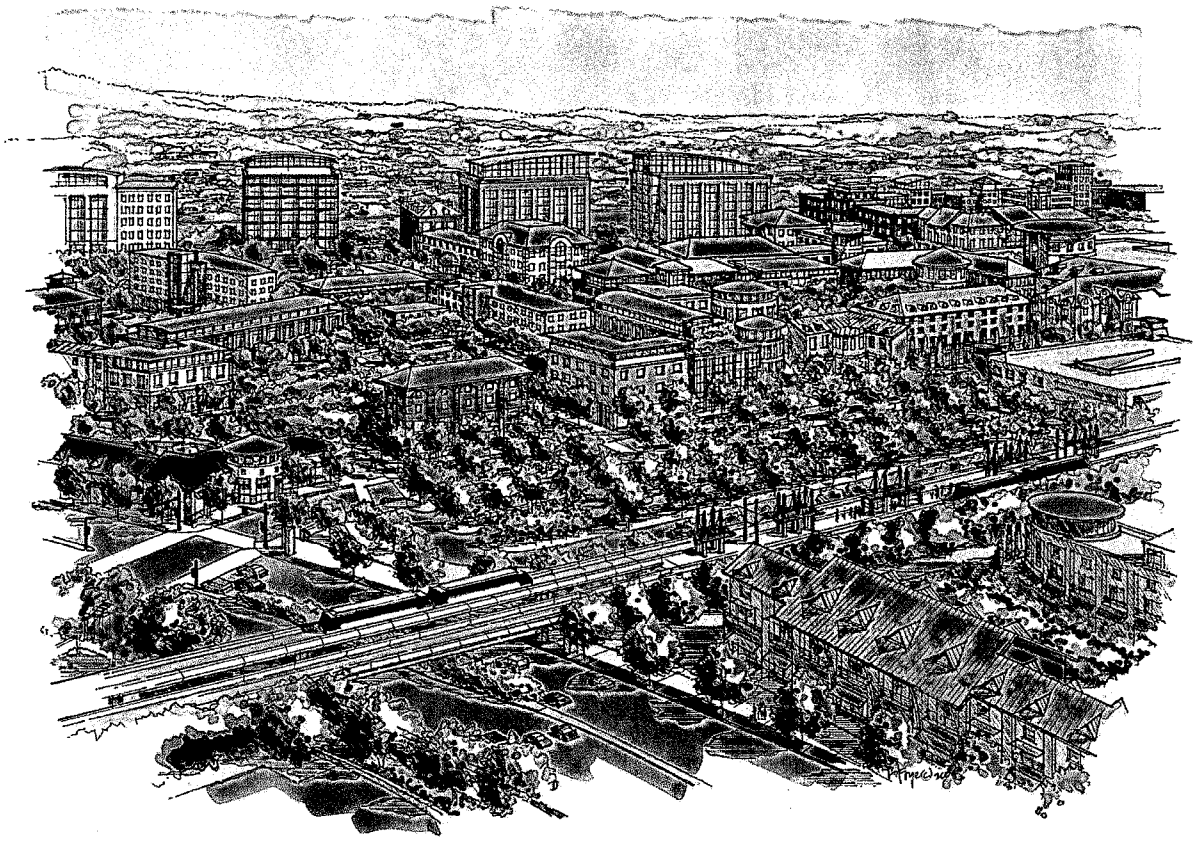
Being a 2.91-acre lot platted as Lot 1B, Block A, McKamy Park Addition, an addition to the City of Richardson, Dallas County, Texas, as recorded in Document No. 201100175003, Official Public Records of Dallas County, Texas.

EXHIBIT A-2
LEGAL DESCRIPTION
ZF 13-20

Being a 0.83-acre lot platted as Lot 1B, Block B, McKamy Park Addition, an addition to the City of Richardson, Dallas County, Texas, as recorded in Document No. 201100175003, Official Public Records of Dallas County, Texas.

Spring Valley Station District
Development Regulations

(Exhibit B)



Adopted:
August 18, 2004 (Ordinance No. 3478)

Amended:
November 13, 2006 (Ordinance No. 3575)
January 8, 2007 (Ordinance No. 3588)
August 8, 2011 (Ordinance No. 3831)
November 25, 2013 (Ordinance No. 4032)

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1. General Provisions

Purpose and Intent

The Spring Valley Station District

Light rail transit has brought a new dimension to city planning, transit-oriented development, where all elements of development—uses, development rights, building regulations, area regulations, open space, parking, and signs—are regulated with the goal of supporting light rail ridership and creating a cohesive mixed-use district. The Spring Valley Station District (the District) surrounds the City of Richardson's Spring Valley DART Light Rail Station and is comprised of the Core Area and the Interface Areas. The Core Area includes the parcels closest to the Spring Valley Station whose development potential is affected by their proximity to the station. The Interface Areas are transition areas between the Core Area and the surrounding City.

New development within the Core Area is governed by this Planned Development (PD) ordinance and the Spring Valley Station District Core Area Design Guidelines. Interface Area standards are detailed in the Spring Valley Station District Interface Area Design Guidelines.

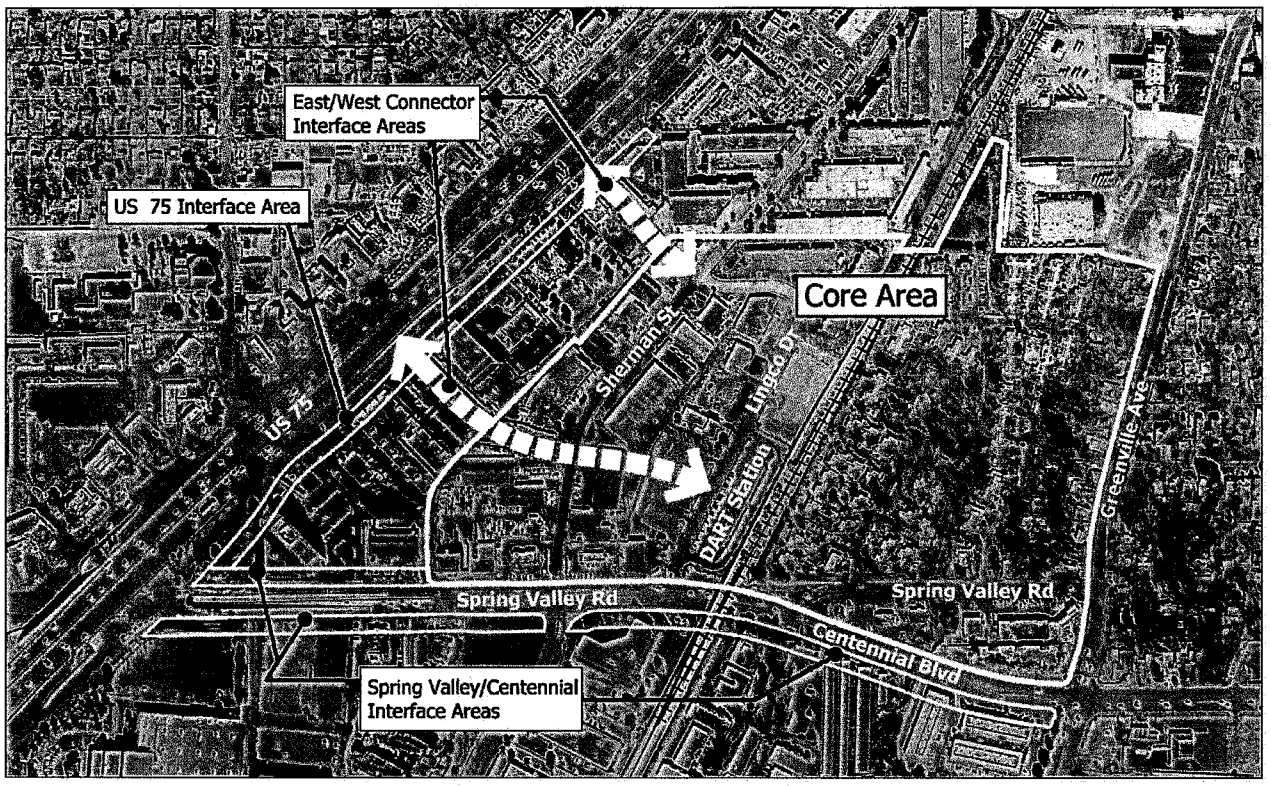


Illustration 1.1: Spring Valley Station District Application Plan

The Core Area PD Ordinance

The purpose of these regulations is to encourage an appropriate mixture and density of uses in the Core Area of the District. Development within the Core Area should promote pedestrian-, bicycle-, and transit-supportive modes of transportation, thereby decreasing automobile dependency and mitigating the effects of traffic congestion and air pollution. The specific objectives of this ordinance are to:

- Allow for a mix of uses within the Core Area of the District;
- Achieve a compact pattern of development more conducive to walking and bicycling;
- Encourage uses that promote round-the-clock activity near the station;
- Encourage people to walk, bicycle, or use transit to reach and/or travel within the Spring Valley Station District;
- Provide amenities and design standards that create a comfortable environment for pedestrians; and
- Maintain an adequate level of parking and access for automobiles.

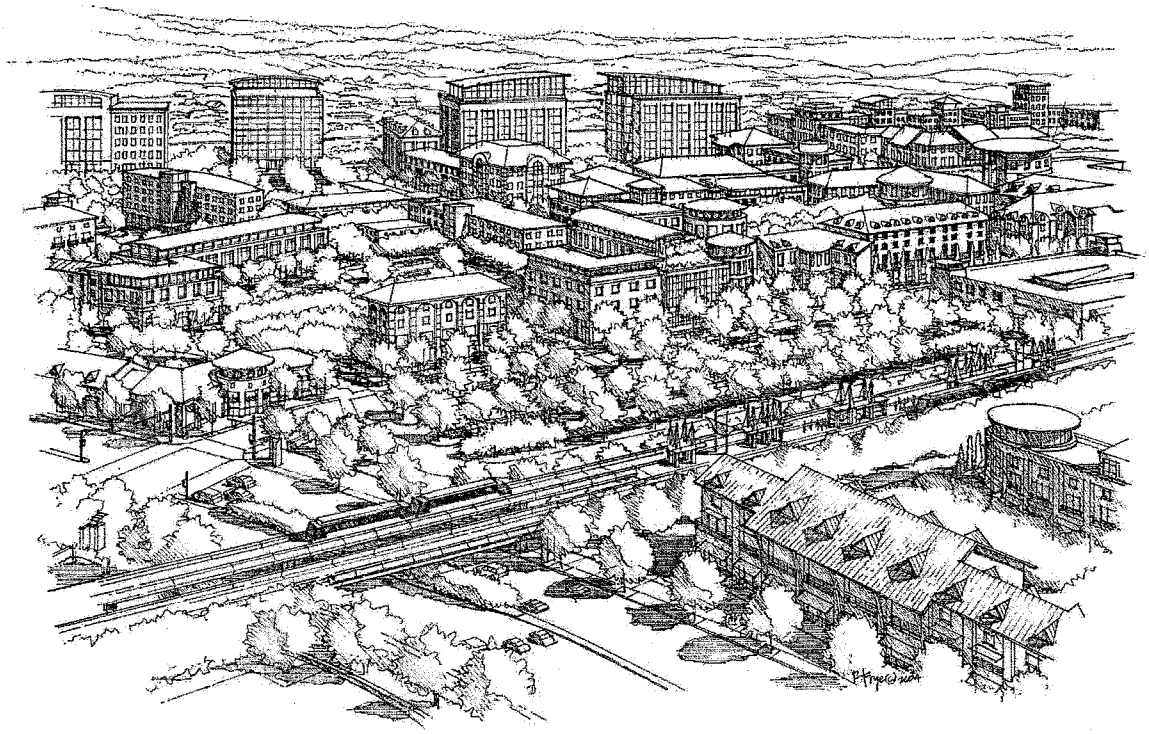


Illustration 1.2: Aerial sketch of the Spring Valley Station District

Boundaries and Application

This ordinance applies to all properties within the Core Area of the Spring Valley Station District. The Core Area boundaries, shown in the Core Area Master Plan, are generally defined by Greenville Avenue on the east; Centennial Boulevard and Spring Valley Road on the south; the alley between US75 and Sherman Street on the west; and the alley located north of the intersection of Sherman Street and Lingco Drive extending to the southern edge of the Richardson Independent School District Administration parcel on the north.

The regulations contained herein apply to property that develops or redevelops through the construction of new buildings or additions to existing buildings. Uses and development lawfully in existence prior to the adoption of this ordinance will be considered legally non-conforming, subject to the provisions of Article XXII of the Comprehensive Zoning Ordinance.

Design Guidelines

Development and redevelopment within the Core Area shall be in general conformance with the *Spring Valley Station District Core Area Design Guidelines*, adopted by City Council Resolution.

In addition, development and redevelopment within the Core Area is encouraged to follow US Green Building Council principles and to seek LEED (Leadership in Energy and Environmental Design) certification.

Core Area Master Plan

The Core Area Master Plan as prepared by the Development Services Department and approved by the City Council upon the recommendation of the City Plan Commission is incorporated herein. The Core Area Master Plan shall include the following elements:

(a) Existing Development Map

  (1) Map of the Core Area, including parcel lines, building footprints, parking areas, landscape and open space areas, and notation of approvals and expiration dates for Concept Plans and Development Plans for each parcel within the Core Area.

(b) Table of Allowable Development Rights as defined herein.

(c) Land Use Map

  (1) Map of the Core Area noting where permitted uses are allowed.

(d) Existing Infrastructure Map

  (1) Map of existing infrastructure, including but not limited to the location of streets, on-street and off-street parking, open space, water, sewer, and drainage.

The Core Area Master Plan shall be continuously updated by the Development Services Department to show Concept Plan and Development Plan approvals.

Centennial Park

A draft concept plan for the Centennial Park development in the eastern portion of the District is included in this ordinance as Appendix A. Final concept plan approval for the development will follow the procedures outlined in Section 13 herein.

Demolition of existing buildings to clear the Centennial Park site for new development should be done as soon as feasible. All existing buildings shall be demolished at one time, regardless of the construction phasing schedule.

Conformity required

No Concept Plan or Development Plans shall be approved nor building permits issued for development or redevelopment within the Core Area that does not conform to this ordinance, and the City Subdivision Regulations.

In the event of a conflict between any provision of this ordinance and any other ordinance of the City, the provisions of this ordinance shall govern.

Penalty for Violation

(a) Any person violating any provision 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 to exist shall be deemed to constitute a separate offense.

(b) Any owner, occupant, tenant, or property manager who fails to maintain property in compliance with this ordinance and the Comprehensive Zoning Ordinance, as amended, 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 to exist shall be deemed to constitute a separate offense.

2. Definitions

For purposes of this ordinance, the definitions listed below shall apply unless the context clearly indicates otherwise. Terms not defined herein may be defined in the Comprehensive Zoning Ordinance.

Aesthetic—elements in the natural or built environment that are pleasing to the eye.

Amendment—a revision, change, addition, or deletion in the text of this ordinance.

Amenity—a natural or man-made feature that enhances the aesthetic quality or visual appearance, or makes more attractive or satisfying, a particular property, place, or area.

Amenity zone—the area between the back of the curbline and the sidewalk where street trees and street furnishings are located.

Apartment—a multi-family structure containing three or more dwelling units located on a single lot designed to be occupied by three or more families living independently of one another, excluding hotels or motels, with units being rented or leased by the occupants.

Architectural appendages—eaves, cornices, platforms, porches, or any types of structure attached to and extending from the main building.

Architectural feature—a prominent or significant part or element of a building, structure, or site.

Architectural images—a set of drawings, renderings, and/or photographs that indicate general architectural concepts, treatments, intentions, and character of a project.

Articulation—features that provide architectural detail, differentiation, openings, and characteristics which give variety to a building façade.

Awning—a rooflike cover that is not a permanent, integral element of the building to which it is attached, projecting from the façade of a building for the purpose of shielding a doorway or window from the elements.

Blank façade—a façade devoid of architectural detail, features, differentiation, openings, and lacking characteristics which give variety.

Branching height—the height of the lowest branch of a tree where it overhangs the sidewalk, curb, on-street parking, or street.

Build-to line—the required distance between the back of the predominant curbline and the building façade.

Building code—the building code adopted by the City of Richardson, Texas including any amendments thereto.

Building elevations—scaled two-dimensional drawings of the front, rear, and side of a building showing features, including architectural details, building materials, and relationship of surrounding grade to floor level.

Building height—The overall height of a building as measured from mean level of the ground surrounding the building to (1) the highest point of the roof surface for flat roofs, (2) the deck lines for mansard roofs, and (3) the mean level between eaves and ridge for gable, hip, shed, and gambrel roofs.

Bulb-out—a design that increases width of the amenity zone or sidewalk, reducing the street pavement width at street or driveway intersections, or in other areas where on-street parking cannot be or is not provided on a street where on-street parking is generally required.

Canopy—a roof-like structure that is an integral element of a building and extends horizontally more than one foot from the face of a building façade.

Canopy tree—a tree that normally achieves an overall height at maturity of 30 feet or more.

City—the City of Richardson, Texas

Copy—text, logos, characters, symbols or any other portion of a sign that conveys a message or other information.

Combustible material—any material that does not meet the definition of noncombustible materials as set forth in the City building code.

Concept plan—a set of plans, further described herein, showing the general layout of a development, building area, circulation, parking, open space, landscape areas, relationship to adjacent properties, and supporting images, submitted for approval by the City.

Condominium—a building, or group of buildings, in which dwelling units, offices or floor area are owned individually, and the structure, common areas and facilities are held in common ownership by all the owners on a proportional basis.

Core Area—the defined area of transit-oriented development adjacent to the light rail station delineated as such on the Core Area Master Plan and further described herein.

Core Area Master Plan—a series of maps, including but not limited to the delineation of the current conditions, regulations, and development approvals within the Core Area as further defined herein.

Curb cut—an opening along the curb line at which point vehicles may enter or leave the roadway.

Curbline—the predominant back edge of a roadway or paved area, excluding driveways, curb cuts, bulb-outs, and indentations.

Day spa—a facility which provides an integrated combination of fitness, beauty, rejuvenation, and relaxation programs.

Design guidelines—recommendations intended to guide the design of buildings, streets, landscaping, and other elements of the built environment in the city.

Development—the construction, reconstruction, expansion, structural alteration, or relocation of any structure. Minor modifications to an existing property or structure, including routine maintenance, aesthetic enhancements, parking and/or circulation changes, and landscaping enhancements shall be excluded from this definition.

Development plans—a set of detailed plans (plat, site plan, landscape plan, civil engineering plans, etc.), further described herein, that are submitted for approval by the City following approval of the Concept Plan.

Development Rights, Allowable—the sum total of the Available Development Rights and the Existing Development Rights as defined herein.

Development Rights, Available—the sum total of the additional square footage for office and retail/commercial uses, number of screens for movie theaters, number of rooms for hotels, and number of units for multi-family or condominium development allowed to be built within the

Core Area based on a market analysis prepared for the city plus any square footage categorized as Existing Development Rights as defined herein that is demolished and not rebuilt. Available Development Rights shall be accounted for in the table of Allowable Development Rights in the Core Area Master Plan and the total may be amended as prescribed under this ordinance.

Development Rights, Existing—the total square footage for retail/commercial, office and institutional uses, number of screens for movie theaters, number of rooms for hotels, and number of units for multi-family or condominium development approved and/or constructed within the Core Area as of the effective date of this ordinance or as may be amended based on future building demolition, construction, reconstruction, etc.

Drive-through—facilities allowing transactions for goods or services without leaving a motor vehicle.

Easement—a grant of one or more of the property rights by the property to and/or for use by the public, a corporation, or another person or entity.

Effective area—the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines around the graphic elements of a sign.

Erect, building—to construct, place, relocate, enlarge, substantially alter, attach, or suspend, but excluding normal maintenance and refinishing.

Erect, sign—to build, construct, hang, place, relocate, enlarge, substantially alter, attach, suspend, paint, post or display signs on the exterior surface of a building or structure, or interior surface of a window, including signs located interior to a building but readily visible from the exterior but excluding normal maintenance and refinishing.

Exception—an adjustment in the application of specific regulations to an individual parcel, noted on a Concept Plan or Development Plans.

Façade—that portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation but excluding the roof. Where separate faces are oriented in the same direction or in directions within 45 degrees of one another, they are to be considered as part of a single façade. Multiple buildings on the same lot will each be deemed to have separate façades.

Face—the surface or surfaces of a sign upon, against, or through which the message is displayed or illustrated on the sign.

Flags—emblems and insignia of the United States, federal agencies and any state or local governmental body as well as corporate and logo flags, and decorative seasonal displays for holidays which do not contain advertising and are not used as such.

Frontage—the linear edge of a property adjacent to a street.

Home occupation—an occupation that is incidental and secondary to the primary use of the premises as a residence and customarily conducted in a residential dwelling unit by a member of the occupant's family and entirely within the main structure, provided such use is not detrimental or injurious to adjoining property and meets the additional requirements herein.

Indentation—a design that reduces sidewalk width or curb line, extending street pavement width.

Live/work—a building or unit within a building that incorporates both residential and non-residential uses with a stronger emphasis on work activities other than a Home Occupation and meets the additional requirements herein.

Masonry construction—exterior walls constructed of brick, concrete, or concrete block in accordance with the Richardson building code, but in no case shall brick be less than three inches in thickness when applied as a veneer, nor shall it be less than the thickness required by the Richardson building code when serving as a structural masonry wall; and in no case shall concrete or concrete block be less than 3-5/8 inches in thickness when serving as a structural masonry wall. As an alternative to the masonry materials described herein, other materials which do not meet the thickness requirements when applied as a veneer, including natural and cast stone, may be utilized so long as the thickness satisfies the structural requirements of the Richardson building code.

Mixed-use—the development of a tract of land, building, or structure that includes multiple uses, including, but not limited to, residential, office, retail, public, or entertainment.

Multi-family residential—a multi-family structure containing three or more dwelling units located on a single lot designed to be occupied by three or more families living independently of one another, excluding hotels or motels. See also *Apartment* and *Condominium*.

Noncombustible material—any material that meets the definition of noncombustible materials as set forth in the City building code.

Nonmasonry construction—exterior walls constructed of materials other than masonry construction that meet the requirements for exterior walls as defined by the Richardson building code.

Open space—an area of land set aside, dedicated, designated, or reserved for public or private use for recreational or amenity activities, including parks, plazas, patios, etc.

Owner—a person claiming, or in whom is vested, the ownership, dominion, or title of real property, including, but not limited to: the holder of fee simple title; the holder of a life estate; the holder of a leasehold estate for an initial term of five years or more; the buyer in a contract for deed; a mortgagee, receiver, executor, or trustee in control of real property; but not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Parapet—that portion of a building wall or façade that extends above the roof line of the building.

Parking Design Manual—the guidelines for parking lot design adopted by the City.

Parking, off-street—parking located within a development parcel and outside a public right-of-way or street easement.

Parking, on-street—parking located completely or partially within a public right-of-way or street easement.

Parking structure—a parking garage located above ground and/or underground consisting of one or more levels but excluding a parking lot with all spaces at grade level.

Patio home—a single-family detached dwelling on a separate lot with open space on only three sides, with one side wall of the dwelling placed coincident with the side property line.

Person—any individual, corporation, organization, partnership, association, or any other legal entity.

Private open space—an area of land set aside, dedicated, designated, or reserved for private use for recreational activities or other amenities, including parks, plazas, patios, etc. and maintained by the property owner.

Private drive—a means of access and/or routes from a dedicated street to parking spaces, building locations, and other dedicated streets; such means of access and/or routes may include driveways, aisles of parking lots and non-dedicated streets.

Projecting structures—covered structures of a permanent nature which are constructed of approved building material, specifically excluding canvas or fabric material, and where such structures are an integral part of the main building or permanently attached to a main building and do not extend into the amenity zone, such as signs and canopies.

Property manager means a person who, for compensation, has managing control of real property including improvements.

Public open space—an area of land set aside, dedicated, designated, or reserved for public use for recreational activities or other amenities, including parks, plazas, patios, etc. and maintained by the City.

Redevelopment—see *Development.*

Right-of-way—the boundary of public ownership of a street or alley.

Shared parking—parking that is utilized by buildings or tenants on two or more parcels.

Sidewalk—a paved surface intended for pedestrians.

Sign—an outdoor structure, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing that is designed, intended or used to advertise or inform.

Sign, A-frame/sandwich board—a self-supporting "A"-shaped sign with two visible sides.

Sign, address—a sign that lists the number or other location designation assigned to a building or tenant suite.

Sign, awning—any awning containing signage used to identify a business, profession, service, product, or activity conducted, sold or offered on the premises where such sign is located.

Sign, bulletin board—a sign containing information where a portion of such information may be periodically changed, providing that such change shall be effected by the replacement or interchange of letters, numbers, or other graphic symbols by insertion, attachment or similar means. The use of slate, chalkboard, cardboard or similar material with pencil, chalk, crayon or similar types of marking is prohibited on a bulletin board sign.

Sign, construction—a temporary sign providing information about future development or current construction on a site and the parties involved in the project.

Sign, directional—any on-site sign to direct the public to entrances, exits and services relating to the property within the Core Area.

Sign, directory—a sign located at a building entrance listing the names, uses, or locations of the various business or activities conducted within a building, but containing no advertising.

Sign, illuminated—any sign which has characters, letters, figures, designs or outlines illuminated directly or indirectly by electric lights, luminous tubes, or other means.

Sign, memorial—a sign, tablet, or plaque typically mounted on a building memorializing a person, event, structure, or site.

Sign, monument—any sign mounted to a solid base support at ground level.

Sign, nameplate—a sign, located on the premises, giving the name and/or address of the owner or occupant of a building or premises, usually a single-family dwelling.

Sign, political—a sign identifying and urging voter support for a particular election issue, political party, or candidate for public office.

Sign, projecting—any sign, except an awning, that projects perpendicularly from a building and which has one end attached to a building, awning, or permanent structure.

Sign, promotional—an advertising display that is temporary in nature, not permanently attached to the ground or sign surface, and is used for special events, such as, but not limited to, grand openings, seasonal sales, and promotions.

Sign, real estate—a temporary sign that relates to the sale, lease, or rental of property or buildings.

Sign, sandwich board—see *Sign, A-frame.*

Sign, wall—any sign erected flush against an exterior wall, supported by the wall, and having the sign face parallel to the wall or painted directly onto a wall, including neon tubing or other material attached directly to a wall surface when forming a border for the subject matter, or when directing attention to the subject matter or when forming letters, logos, or pictorial designs.

Sign, wayfinding—any sign for a development which provides onsite directions, denotes locations for ingress and egress or prohibits ingress and egress, providing such directional signs do not contain advertising and are not used as such.

Sign, window—any sign, banner, poster, or display located on the internal surface of the window of any establishment for the purpose of advertising services, products or sales available within such establishment or which announces the opening of such establishment.

Single-family residential—see *Patio home, Single-family home,* and *Townhome.*

Single-family detached home—a structure containing one dwelling unit, not attached to any other dwelling, entirely surrounded by open space on the same lot and designed exclusively for the use and occupancy of one family.

Slow-burning materials—fire-resistant materials that reduce destruction in the event of a fire.

Street furnishings—elements useful for pedestrian convenience and comfort. Examples are pedestrian lights, benches, newspaper racks, trash receptacles, bollards, planters, tree grates, fences, railings, bicycle racks, mailboxes, fountains, kiosks, and phones.

Street trees—trees that line the street within the required Amenity Zone, typically planted in a linear fashion.

Townhome—a single-family dwelling in a row of at least two attached units, each on its own platted lot and having its own front and rear access to the outside. No unit shall be located over another unit and there shall be no visible separation between walls or roofs of adjoining units. Each unit shall be separated from other units by one or more vertical common firewalls.

Transit-oriented development—development or redevelopment within close proximity to a transit facility (such as a light rail station) and characterized by higher densities than traditional suburban development, a pedestrian orientation, and a mix of uses, which may include retail, office, residential, and/or entertainment.

Unobstructed sidewalk—a paved area parallel to and usually separated from the street, used as a pedestrian walkway and clear of objects, such as signs, furniture, outdoor seating, etc.

Yard—the area located between the required Amenity Zone and any adjacent building, structure, or surface parking lot.

3. Use Regulations

Permitted uses

In the Spring Valley Station District Core Area, no land shall be used and no buildings shall be erected for or converted to any use other than the uses set forth below. The Core Area Master Plan shall designate where each use type is allowed within the Core Area.

(a) Retail/commercial uses.

The following retail/commercial uses shall be permitted in mixed-use buildings or free-standing buildings subject to the limitations noted herein. No drive-through facilities shall be permitted, except by Special Permit within the portion of the Centennial Triangle Area west of the creek. No outside storage of goods shall be allowed.

(1) Antique shop

(2) Art gallery

(3) Bakery, retail sales only

(4) Barber, beauty salon, or day spa

(5) Book, card, music, or stationery store

(6) Camera and photographic supply shop

(7) Clothing or apparel store

(8) Convenience store

(9) Department store

(10) Drugstore or pharmacy

(11) Fabric store

(12) Fine arts studio

(13) Florist

(14) Furniture, home furnishings, and appliance store

(15) Grocery store

(16) Hardware store

(17) Health club or studio

(18) Hotel—full service

(19) Jewelry store

(20) Laundry/dry cleaning pick-up station, no on-site cleaning permitted

(21) Mailing service

(22) Martial arts school

(24) Musical instrument sales and repair

(25) Office furniture, equipment, and supply store

(26) Pet sales and grooming subject to the supplemental regulations contained in Article XXII-E of the Comprehensive Zoning Ordinance

(27) Photography or art studio

(28) Print shop—minor

(29) Repair shop—household items

(30) Repair shop—personal items

(31) Restaurant

(32) Sporting goods store

(33) Tailor shop

(23) Theater, movie

(34) Theater, performing arts

(35) Toy or hobby shop

(36) Video rental store

(b) Office uses:

(1) Bank or financial institution

(2) Office

(3) Veterinary office subject to the supplemental regulations contained in Article XXII-E of the Comprehensive Zoning Ordinance, except boarding shall be permitted for recovery purposes only

(c) Live/work uses:

(1) Home occupation within any residential structure or unit, subject to the regulations herein

(2) Live/work entirely or partially located on the ground floor of mixed-use buildings in non-residential areas, subject to the regulations herein

(d) Public uses:

(1) Public buildings

(2) Transit facilities, including light rail stations, bus stops, and transfer facilities

(e) Other uses:

(1) Antenna—mounted, subject to the supplemental regulations of Article XXII-E of the Comprehensive Zoning Ordinance

(2) Construction field office

(3) Parking lot—accessory

(4) Parking lot or garage—commercial off-street

(5) Community pool and cabana on Lot 1B, Block Q, McKamy Park Addition only (to be constructed and completed by March 1, 2012.

(f) Multi-family residential uses:

(1) Apartments

(2) Condominiums

(g) Single-family residential uses:

(1) Townhomes

(2) Patio homes

(3) Single-family detached homes

Land Use Plan

The Core Area shall be further divided for the purpose of designating the type and location of the land uses in the Core Area under the categories more fully described above. The Core Area Master Plan, attached hereto and made a part hereof, shall designate the boundaries of each portion of the district as generally described below.

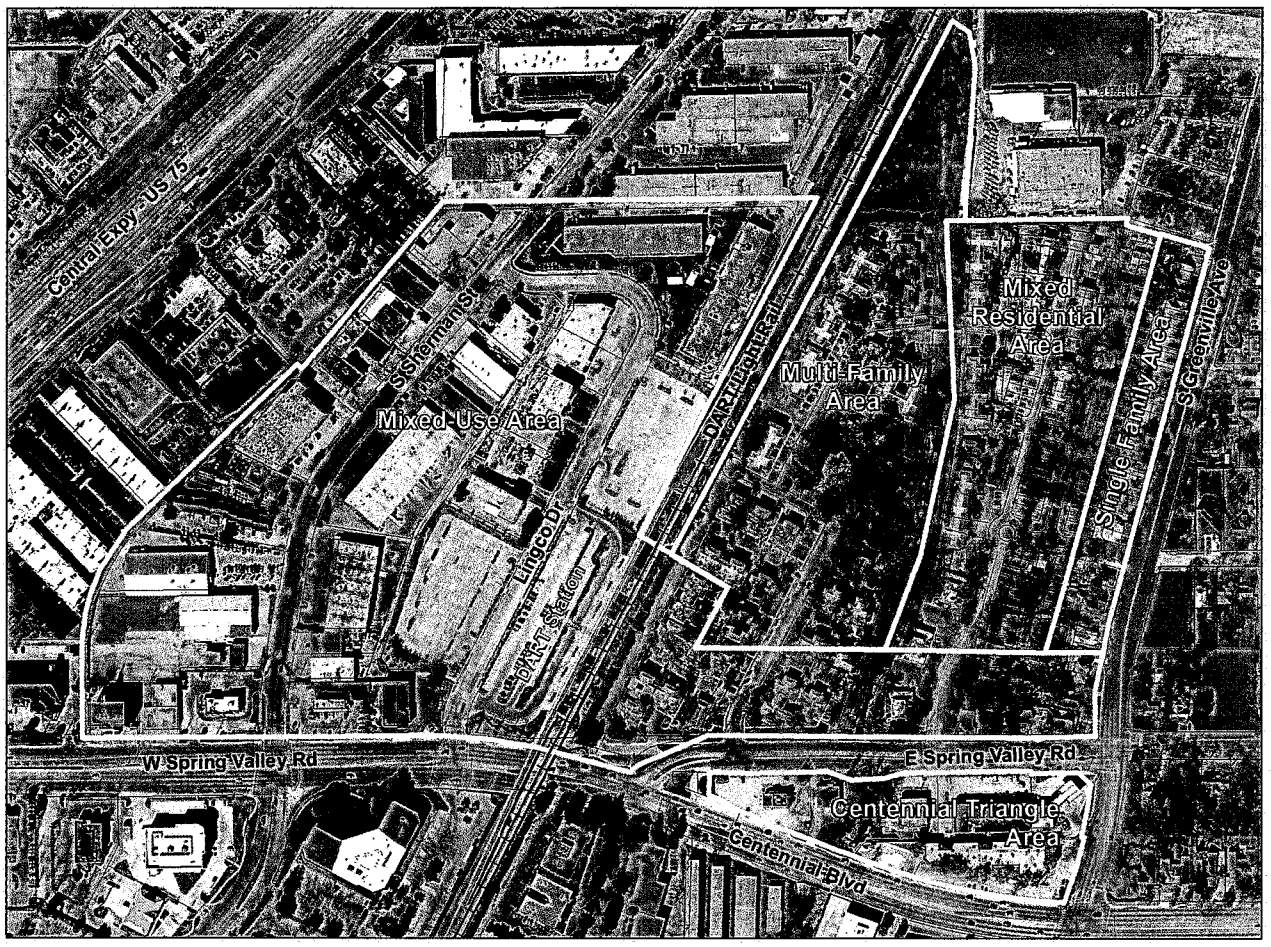


Illustration 3.1: Core Area Land Use Plan

(a) Single-Family Area

(1) In the easternmost portion of the Core Area adjacent to Greenville Avenue, only single-family residential uses as defined herein shall be allowed.

(2) The boundaries of the Single-Family Area are generally defined by Greenville Avenue on the east; a line generally parallel to and 200 feet north of the north curbline of Spring Valley Road on the south; a line generally parallel to and 125 feet west of the west curbline of Greenville Avenue on the west; and the southern boundary of the Richardson Independent School District property on the north.

(b) Mixed Residential Area

(1) In the portion of the Core Area west of the Single-Family Area, a mix of residential uses shall be allowed, including multi-family and single-family residential uses. However, multi-family residential uses shall be prohibited on Lot 1B, Block A and Lot 1B, Block B of the McKamy Park Addition.

(2) The boundaries of the Mixed Residential Area are generally defined by a line parallel to and 125 feet west of the west curbline of Greenville Avenue on the east; a line generally parallel to and approximately 200 feet north of the north curbline of Spring Valley Road on the south; Floyd Branch Creek on the west; and the southern boundary of the Richardson Independent School District property on the north.

(c) Multi-Family Area

(1) Between the Mixed Residential Area and the DART right-of-way, multi-family residential uses and a community pool and cabana use (Lot 1B, Block Q, McKamy Park Addition shall be allowed.

(2) The boundaries of the Multi-Family Area are generally defined by a line generally parallel to and 200 feet north of the north curbline of Spring Valley Road on the south; the DART light rail right-of-way on the west, except within 150 feet of the DART station platform; the southern boundary of the Richardson Independent School District property on the north; and Floyd Branch Creek on the east.

(d) Centennial Triangle Area

(1) In the area south of the Single-Family Area, Mixed Residential Area, and the Multi-Family Area, a mix of uses shall be allowed, including retail/commercial uses, office uses, multi-family residential uses, live/work uses, public uses, and other uses as listed herein. Single-family uses shall not be permitted.

(2) The boundaries of the Centennial Triangle Area are Greenville Avenue on the east; Spring Valley Road on the north; and Centennial Boulevard on the south.

(e) Mixed-Use Area

(1) West of the DART right-of-way, a mix of uses shall be allowed, including retail/commercial uses, office uses, multi-family residential uses, live/work uses, public uses and other uses as listed herein. Single-family uses shall not be permitted.

(2) East of the DART right-of-way, multi-family residential uses shall be allowed with ground floor retail/commercial and office allowed along the frontage of Spring Valley Road and adjacent to the DART station platform.

(3) The boundaries of the Mixed-Use Area west of the DART right-of-way are generally defined by the DART light rail right-of-way on the east; Spring Valley Road on the south; the alley between US75 and Sherman Street on the west; and the alley just north of the intersection of Lingco Drive/Sherman Street intersection on the north. East of the DART right-of-way, the boundaries of the Mixed-Use Area are generally defined as a line parallel to and 125 feet west of the west curbline of Greenville Avenue on the east; Spring Valley Road on the south; the DART light rail right-of-way on the west, and the edge of the DART station platform on the north. In addition, the Mixed-Use Area east of the DART right-of-way shall have a depth of 150 feet

from the DART station platform and 200 feet from the north curbline of Spring Valley Road.

(f) Abandonment of Spring Valley Road

(1) The City will consider the abandonment of the right-of-way for Spring Valley Road between Centennial Boulevard and Greenville Avenue if a development proposal is submitted which consolidates the properties north and south of the roadway.

(2) If the City indicates a willingness to proceed, the abandonment process shall not be initiated until a Concept Plan detailing how the properties will be consolidated, and indicating the proposed land uses for the abandoned right-of-way, has been approved by the City Plan Commission and City Council.

(3) If the Spring Valley Road right-of-way is not abandoned, the segment of Spring Valley Road between Centennial Boulevard and Greenville Avenue shall be downgraded to one lane in each direction with on-street parking on both sides of the street.

(g) Special permits

Notwithstanding the above, special permit uses allowed in the PD Planned Development district may be requested and approved in accordance with the provisions of Article XXII-A of the Comprehensive Zoning Ordinance.

Home occupation regulations/restrictions

Home occupations shall be permitted subject to the regulations within the CZO.

Live/work regulations/restrictions

Live/work units shall be permitted subject to the following regulations:

(a) The business portion of the unit shall be located on the ground floor of mixed-use buildings. The living portion of the unit may be located on and/or above the ground floor.

(b) Shall be conducted entirely within a completely enclosed structure.

(c) Shall have no outside storage, including on a temporary or overnight basis.

(d) Not more than one motor vehicle, which indicates, by signage or other means, that it is used in a business may be parked on an adjacent public street, parking lot, or alley.

(e) Shall not create any condition which is offensive by reason of odor, noise, or manner of operation.

(f) Shall not create a fire or explosion hazard, or accumulation of pests, rodents, flies or vermin.

(g) Shall not be detrimental or injurious to adjoining property.

(h) May have exterior advertisement, sign or display, subject to the sign regulations contained herein.

(i) May have modification of the structure or activity which indicates from the exterior of the structure that the premises are being used for purposes other than a dwelling unit.

(j) May employ persons other than members of the immediate family or lawful occupants residing on the premises.

(k) May exhibit or display goods, wares, or merchandise.

(l) Must include at least one full kitchen, one full bath, and one sleeping area.

Non-conforming structures and uses

Structures and uses that do not conform to the regulations within this ordinance shall be subject to the standard regulations within the CZO.

4. Development Rights

Development Rights

Additional development of various uses within the Core Area shall be limited based on the findings of a market analysis prepared for the City of Richardson. Additional development beyond the existing development within the Core Area upon the effective date of this ordinance shall be limited to the following:

Table 4.1 District Total Development Rights

Land Use	*Existing Development*	*Additional Development*	*Total Development*
(a) Retail/Commercial uses	36,493 SF	120,000 SF	156,493 SF*
(b) Office uses	29,546	350,000 SF	379,546 SF*
(c) Industrial uses *(non-conforming)*	289,566 SF	0 SF	289,566 SF*
(d) Movie theaters	0 screens	6 screens	6 screens
(e) Institutional	0 SF	No limit	No limit
(f) Hotels	0 rooms	200 rooms	200 rooms
(g) Apartments	337 units	163/240 units	500/577 units
(h) Condominiums	0 units	300/223 units	300/223 units
(i) Single-family residences (includes townhomes, patio homes, and single-family homes)	18 units	152 units	170 units

* *Non-conforming Industrial square footage can be redeveloped as Retail/Commercial or Office uses without affecting additional development rights for those uses.*

Table of Development Rights

(a) The Development Services Department shall prepare a Table of Development Rights.

(1) Total Development within the District shall be equal to the sum of Existing Development plus Additional Development Rights, initially based on Table 4.1.

(2) The table shall be an element of the Core Area Master Plan as required in Section 1, General Provisions, of this ordinance, and shall be updated as new development projects are approved and/or as existing buildings are demolished.

(3) No Concept Plan or Development Plans shall be approved for any development or redevelopment that exceeds the Available Development Rights for the proposed use categories at the time of submittal.

(4) The Table shall also track vehicle trips generated by each development, as detailed in the Traffic Impact Analysis required during Concept Plan review.

(b) As new developments are approved, the total building square footage for retail/commercial, office and institutional uses, and/or the number of movie theater screens, hotel rooms, or

apartment or condominium units shall be added to the Existing Development total and subtracted from the Additional Development total so that there is no net change to the Total Development in the table.

(c) Because the limits established under the market study govern additional development only, the square footage of retail/commercial, office or institutional buildings and/or the number of movie screens, hotel rooms or apartment or condominium units eliminated through the demolition of existing structures within the Core Area shall be added to the Available Development Rights total as follows.

(1) The square footage of retail/commercial uses demolished shall be added to the additional retail/commercial development rights.

(2) The square footage of office uses demolished shall be added to the additional office development rights.

(3) The square footage of institutional uses demolished shall be added to the additional office development rights or retail/commercial development rights or divided between the two.

(4) The number of screens in existing movie theaters demolished shall be added to the additional movie theater development rights.

(5) The number of rooms in existing hotel/motel buildings demolished shall be added to the additional hotel development rights.

(6) The number of units of existing multi-family (apartment or condominium) buildings demolished shall be added to the appropriate additional multi-family (apartment or condominium) development rights.

(7) The square footage of industrial uses demolished shall be tracked in a separate category, and the square footage shall be available for any retail/commercial or office use permitted by this ordinance.

(d) In the event all or any portion of the square footage, movie screens, hotel rooms, or multi-family units of existing buildings or uses demolished are not "recaptured" by a proposed redevelopment, the square footage, movie screens, hotel rooms, or multi-family units shall be added to the Additional Development Rights total in the appropriate category, and shall be available for allocation to development projects within the Core Area.

Amendments to Development Limits

Any increase in the Total Development Rights established herein shall require the amendment of this ordinance, following the procedure outlined in Sec. 13 herein. An application to amend this ordinance to increase the development limits shall include a market analysis prepared by the applicant supporting the proposed increase. Said analysis shall be subject to review by the Development Services Department and/or, at the applicant's expense, a third-party consultant selected by the City, prior to presentation of the application to the City Plan Commission. The zoning amendment increasing the development limits must be approved by the City Council prior to approval of a Concept Plan for any proposed development that would exceed the limits established herein.

5. Non-residential, multi-family, and mixed-use buildings

Building regulations

Exterior design

(a) Structures shall have clear or slightly tinted windows. Mirrored or heavily tinted glass is prohibited.

(b) The primary entry for all buildings and ground floor tenant spaces shall be oriented towards the street. Secondary entrances are encouraged for access to parking facilities and pedestrian walkways.

(c) When ground floor commercial space is provided in a multi-story mixed-use building, a clear delineation between the ground floor and upper floors shall be made through change of plane, changes in materials, and/or architectural detail.

(d) Blank façades are prohibited. All exterior walls shall be articulated through the use of architectural design features including but not limited to windows, changes in plane, and in materials.

Exterior building materials

(a) Exterior walls of buildings and parking structures.

  (1) The ground floor exterior walls, excluding windows, doors, and other openings, shall be constructed of one hundred percent (100%) masonry construction.

  (2) Overall, a minimum of eighty-five percent (85%) of said exterior walls, excluding windows, doors, and other openings, shall be of masonry construction.

  (3) The remainder may be constructed of noncombustible materials including exterior stucco, Class PB Exterior Insulating and Finishing Systems (EIFS), cementitious fiberboard, or other materials approved by the Building Official. EIFS shall be used only for walls, architectural features, and embellishments not subject to pedestrian contact.

  (4) Windows and glazing shall be limited to a maximum of sixty percent (60%) of each building elevation.

(b) Exterior walls of courtyards not visible from the street or adjacent properties.

  (1) The ground floor exterior walls of courtyards, excluding windows, doors, and other openings, shall be constructed of one hundred percent (100%) masonry construction.

  (2) Exterior walls of courtyards above the ground floor, excluding windows, doors, and other openings, shall be constructed of a minimum of thirty-five percent (35%) masonry construction.

  (3) The remainder of these courtyard walls may be constructed of noncombustible materials including exterior stucco, Class PB Exterior Insulating and Finishing Systems (EIFS), cementitious fiberboard, or other materials approved by the Building Official. EIFS shall be used only for walls, architectural features, and embellishments not subject to pedestrian contact.

(c) For "chateau," "mansard," or other design where the roof serves as an exterior wall, the portion of the roof below the deck line shall be included in the calculation of building materials.

(d) Unpainted metal, galvanized metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an attractive oxidized finish, such as copper or weathering steel, may be used subject to Concept Plan and Development Plans approvals.

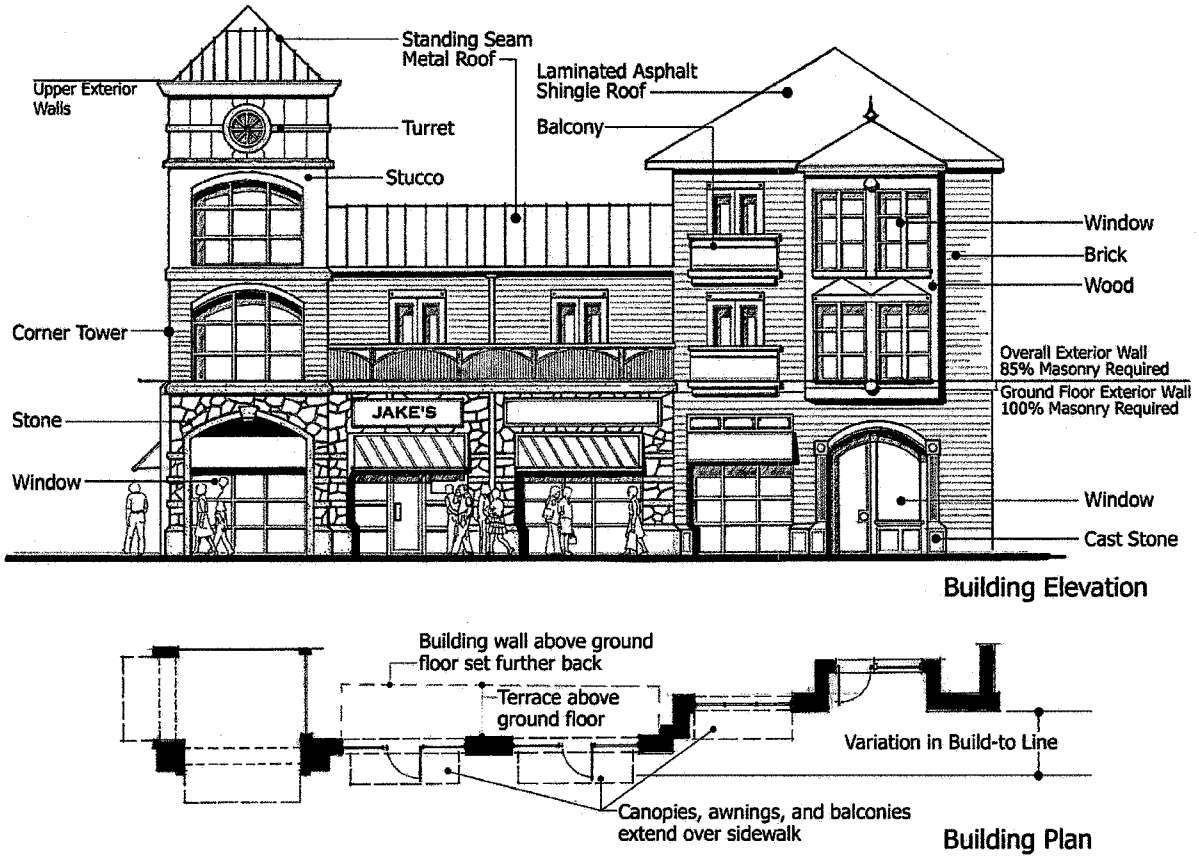


Illustration 5.1: Examples of building materials and architectural articulation

Roof materials

All buildings shall have roof coverings applied in accordance with City building code and the manufacturer's specifications. The following materials shall be permitted for pitched roofs: slate, concrete or clay roofing tile, copper, factory finished standing-seam metal, laminated asphalt shingles of at least 300 pounds per 100 square feet, or other material approved by the Building Official. Wood shingles are prohibited.

Building height

(a) Buildings shall be limited to a maximum height of 100 feet and may not exceed six stories in height, with the following exceptions:

(1) Buildings located within 250 feet of the west curbline of Greenville Avenue shall be limited to a maximum height of 50 feet and not to exceed three stories in height.

(2) Buildings located more than 250 feet from the west curbline of Greenville Avenue and east of Floyd Branch Creek shall be limited to a maximum height of 70 feet and not to exceed five stories in height.

(b) A parapet wall, turret, spire, dome, chimney, elevator, bulkhead or penthouse, mechanical equipment room, cooling tower, ornamental cupola, standpipe, or similar feature may exceed the maximum height of the building provided that any such feature respects the scale of the building, subject to Concept Plan and Development Plans approvals.

Service areas

(a) All service areas (loading, ground-mounted mechanical equipment, etc.) shall be screened from the view of adjacent streets or properties by a screening wall equal to the tallest equipment or utility structure being screened, with a minimum height of six (6) feet. The screening wall shall be compatible in material and design to the primary building associated with the service area.

(b) Wall-mounted equipment, including utility meters, shall be screened from public view with screening walls, cabinets, partitions, or other means, designed to be architecturally compatible with the structure, and painted, finished, or constructed of materials to complement the wall surface.

Roof-mounted equipment

(a) All roof-mounted equipment, including fans, vents, air conditioning units and cooling towers, shall be screened on all sides by use of parapet walls or architecturally compatible rooftop screening elements constructed of materials approved by the building official.

(b) Roof-mounted equipment shall also be placed and finished in a manner which minimizes its visibility from overhead views from nearby buildings, elevated thoroughfare sections, and elevated DART rail sections, and meet the following requirements:

(1) The overall screening height shall be at least the height of the tallest element of roof-mounted equipment.

(2) The outside of the screening device shall be painted or finished in a similar color to the building façade, trim or roof surface.

(3) Roof-mounted equipment and the inside of the screening device shall be painted a color similar to the roof surface in order to minimize the visibility of the equipment and screening device from overhead views.

Residential adjacency

(a) In the event a building in a non-residential, multi-family, or mixed-use development backs or sides upon a lot designated for single-family detached or patio home residential use, a screening wall not less than six feet in height of clay-fired brick, architectural concrete masonry unit block, stone, or any combination thereof, shall be constructed upon the non-residential, multi-family, or mixed-use property, at a location to be determined upon the approved Concept Plan and Development Plans, to screen the view from the adjacent single-family detached or patio home residential use and to impede vehicular traffic.

(b) Pedestrian access may be provided at appropriate locations in said screening wall subject to Concept Plan approval.

(c) The screening wall shall be designed and constructed in accordance with plans and specifications approved by the Development Engineer.

(d) The aesthetic characteristics of the wall, to include color, pattern and texture, shall be reviewed as an element of Development Plans approval.

(e) Required screening walls shall be completed prior to the issuance of a building permit for the principal structure on the non-residential, multi-family, or mixed-use property.

(f) No screening wall shall be erected so as to obstruct the vision of motorists at alley, street or drive intersections.

Trash receptacles

In non-residential, multi-family, or mixed-use developments, all trash receptacles shall meet the following criteria:

(a) A concrete pad of six-inch thick concrete, 3,000 p.s.i. with Number 3 rebar, 24 inches on center, shall be provided for each trash receptacle.

  (1) Dumpster pads shall be 14 feet in width by 20 feet in length.

  (2) Compactors shall be 14 feet in width and 37 feet in length.

(b) All trash receptacles shall be screened from view on three sides by an enclosure not less than six feet in height compatible in material and color to the main structure on the property.

(c) All trash receptacles oriented perpendicular to the principal means of access to such receptacle shall be located in such a manner as to provide a minimum outside turning radius of 40 feet for the collection vehicle.

(d) Any trash receptacle not perpendicular to the principal means of access to such receptacle shall be oriented at a 30-degree angle from the fire lane, alley or other means of access.

(e) Trash receptacles shall conform to City details. Alternative design standards shall be subject to Development Plans approval.

Area regulations

Front build-to line

Non-residential, multi-family, and mixed-use buildings and the elements required between the street and any building, structure, or surface parking lot shall be located within the build-to line in accordance with Table 5-1. Build-to lines shall be measured from the back of the curbline of the lot. On lots with frontage on more than one street, the build-to lines below shall be provided on all street frontages, except for buildings located in the Centennial Triangle Area west of the creek. Said buildings shall be constructed so that the build-to requirements apply along the Spring Valley frontage of the tract.

Street furnishings, where installed, shall be approved by the City prior to installation and shall be maintained by the adjacent property owner.

Table 5-1: Front build-to requirements for non-residential, multi-family, and mixed-use buildings.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	20'-24'	30'	34'
All other streets					
with on-street parking	10'	6'	8'-12'	14'	18'
without on-street parking	n/a	16'	8'-12'	24'	28'

(a) On-street parking

(1) Where feasible, on-street parallel parking shall be provided on all streets except along the arterial sections of Spring Valley and Centennial, and along Greenville Avenue. Angle parking may be requested along Spring Valley Road east of the DART line during Concept Plan and Development Plan review, subject to the approval of the city traffic engineer. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

(1) An Amenity Zone shall be provided along all street frontages for placement of required street trees and optional street furnishings. Except for street tree wells, the Amenity Zone shall be paved with specialty paving per City details. Nothing shall be placed within the Amenity Zone that obstructs visibility for motorists.

(2) On sections of non-arterial streets where on-street parking cannot be provided (i.e. at bulb-outs), the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.

(3) Street trees shall constitute the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with City details and meet the following requirements:

(i) Trees shall be selected from the approved Street Tree list contained in the Spring Valley Station Core Area Design Guidelines. Where appropriate, trees other than those in the approved Street Tree list may be used, subject to approval of the Concept Plan and Development Plans;

(ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access drives, lights, property lines, or other conditions which make it impractical to maintain the required spacing;

(iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street intersections;

(iv) Where on-street parking is provided on non-arterial streets and along the arterial sections of Spring Valley Road and Centennial Boulevard, trees shall be planted in the center of the Amenity Zone;

(v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.

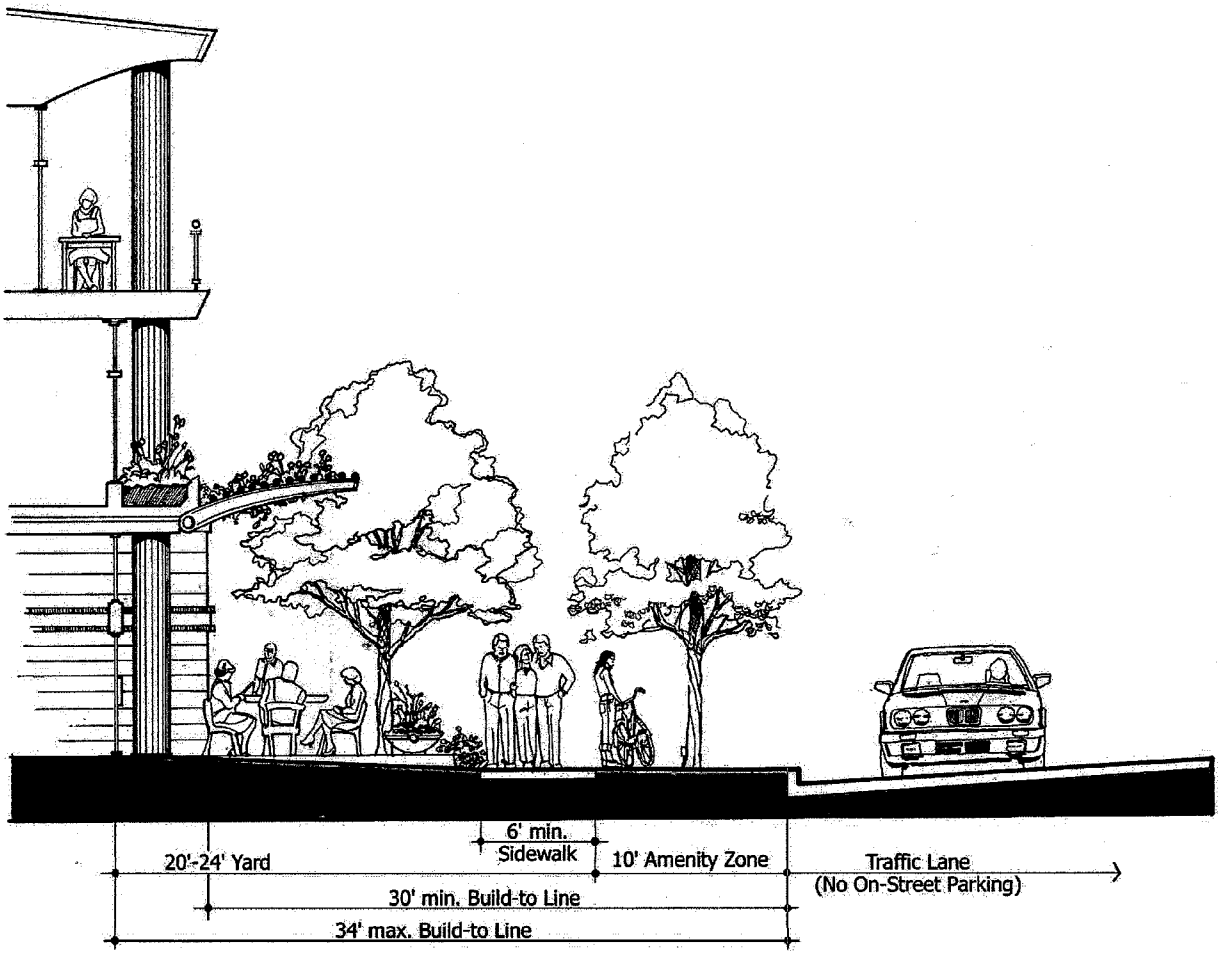


Illustration 5.2: Street section, arterial streets and Greenville Avenue

(vi) Trees shall be planted within 8-foot x 8-foot tree wells, constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, also in accordance with City details;

(vii) Underground bubbler irrigation is required and shall be installed on a zone separate from other landscape areas. Irrigation must be designed to deliver the appropriate amount of water to each tree with minimum waste;

(viii) Drainage for the tree well must be provided in accordance with City details;

(ix) Up-lighting and electrical outlets shall be incorporated within the tree well in accordance with City details; and

(x) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

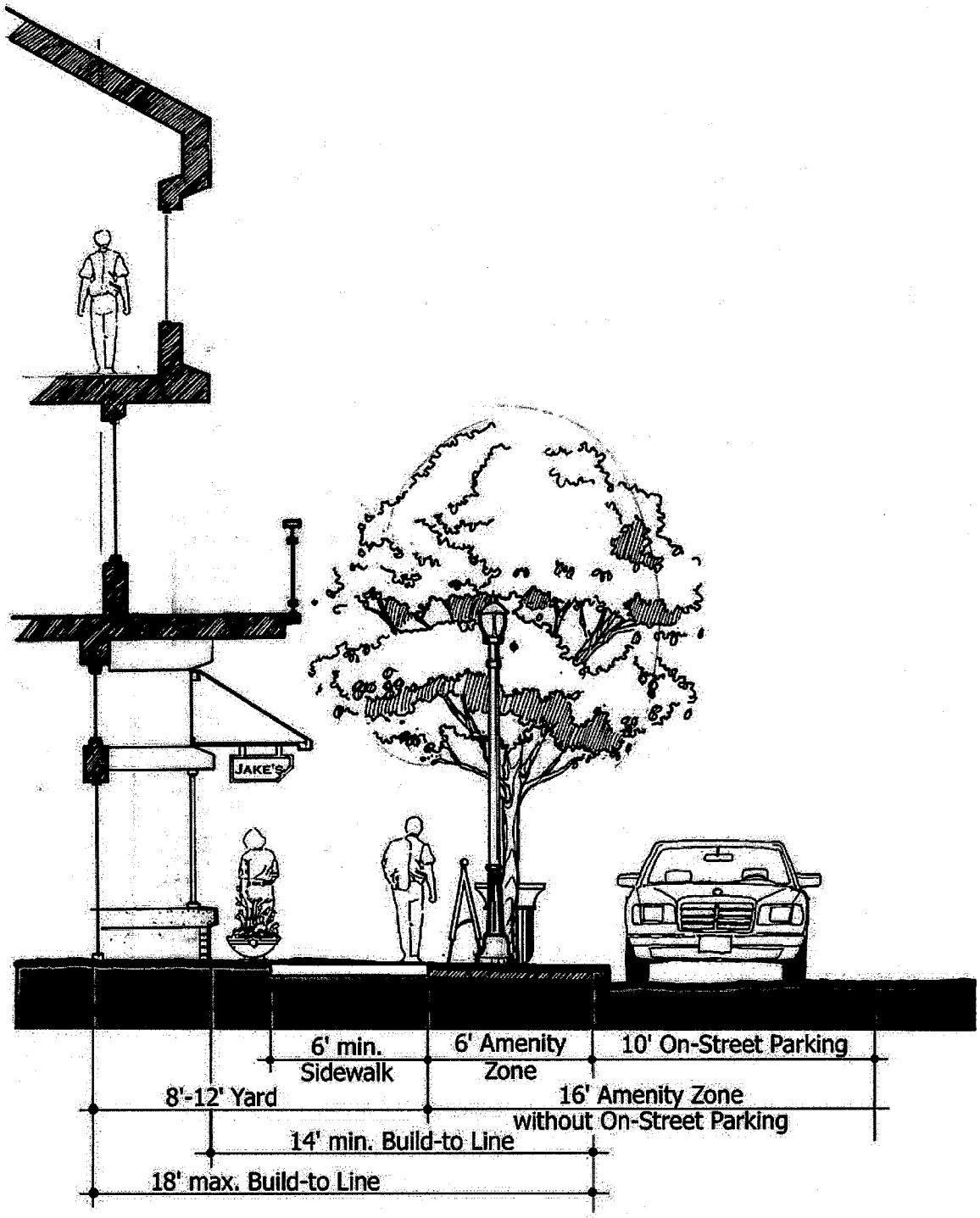


Illustration 5.3: Street section, non-arterial streets

(4) The City shall maintain the required improvements within the Amenity Zone west of the DART right-of-way and along the arterial portions Spring Valley Road and Centennial Boulevard once the improvements have been accepted by the City.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

(1) The property owner shall be responsible for the construction and maintenance of the yard.

(2) A minimum 6-foot wide unobstructed continuous sidewalk constructed of scored concrete shall be provided within the yard.

(3) Along arterial streets, the sidewalk must be continuous but may have offsets within the yard area. On all other streets, the sidewalk shall be placed adjacent to the Amenity Zone.

(4) Additional area within the yard may be used for additional sidewalk width, landscaping, outdoor dining areas, plazas, or other features, subject to Concept Plan and Development Plans approval.

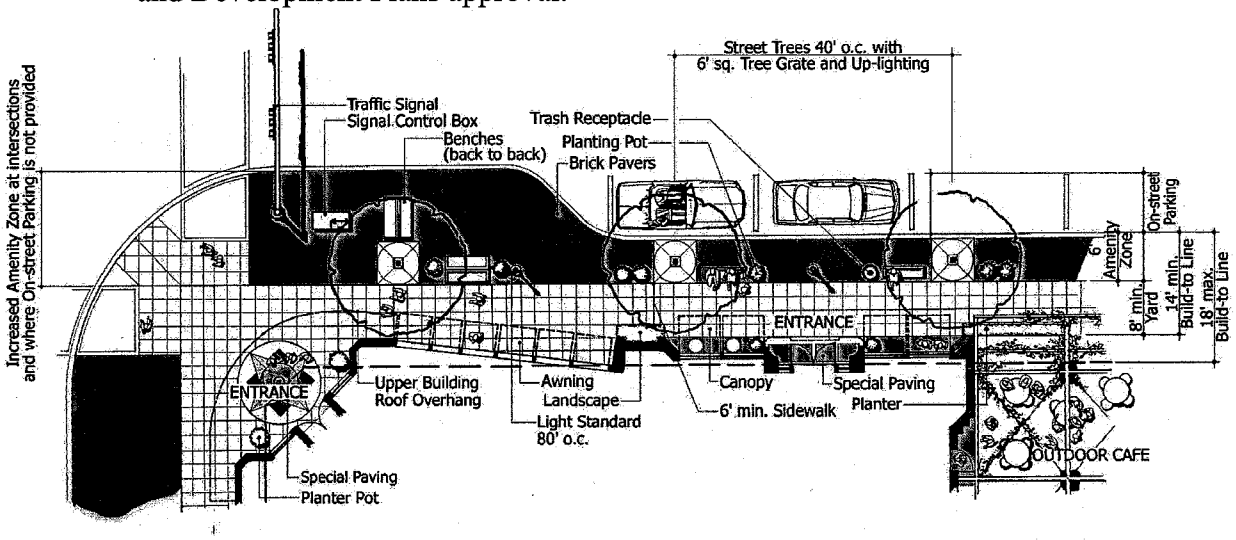


Illustration 5.4: Building frontage features and articulation

(d) Building

(1) For lots containing a building or buildings, a minimum of fifty percent (50%) of the total frontage of the lot shall be occupied by buildings constructed within the required build-to line range.

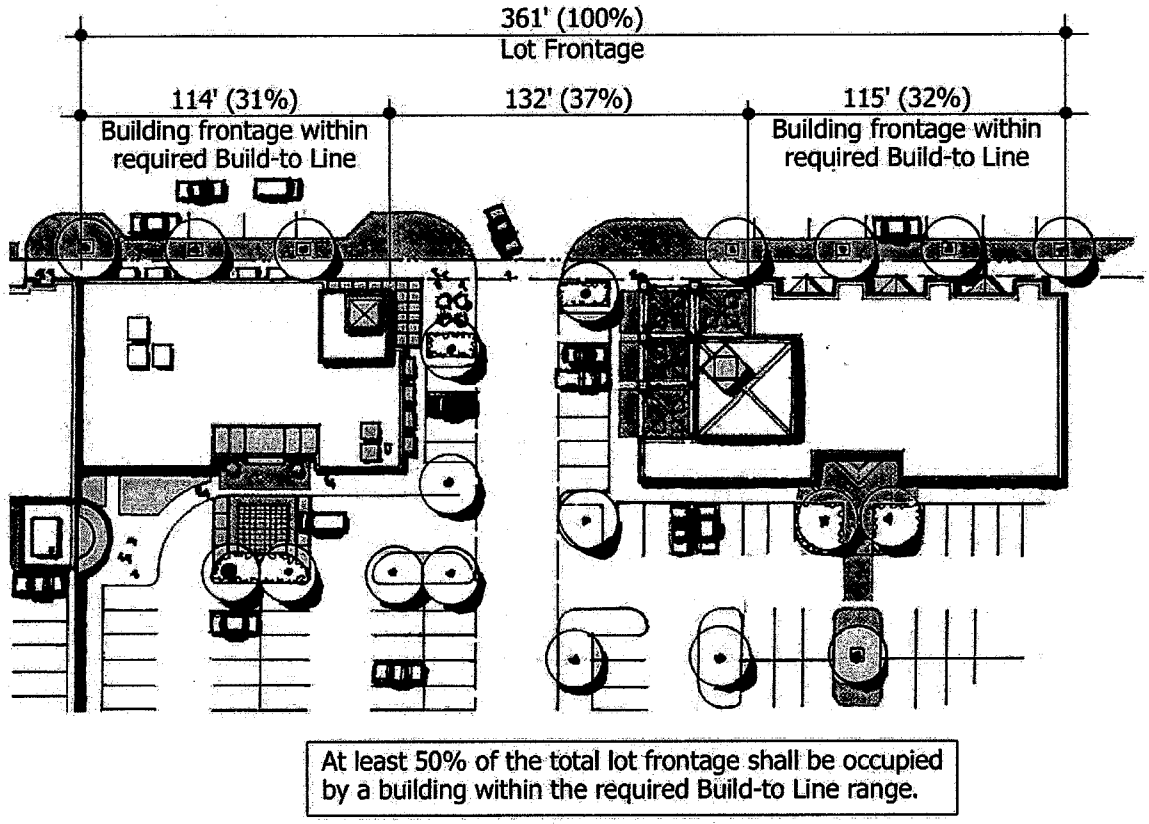


Illustration 5.5: Building frontage requirements

(2) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum front build-to line, but shall not encroach into the required Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and must comply with the City building code.

(3) At street intersections, the corner of the building closest to the intersection shall be set back a minimum of 10 additional feet from the corner, subject to the following:

(i) Setbacks for the building corner may be increased to accommodate the placement of elements such as plazas, outdoor dining areas, or other open space.

(ii) The proposed build-to line must be clearly dimensioned and any of the elements described above shall be clearly identified in the approved Concept Plan and Development Plans.

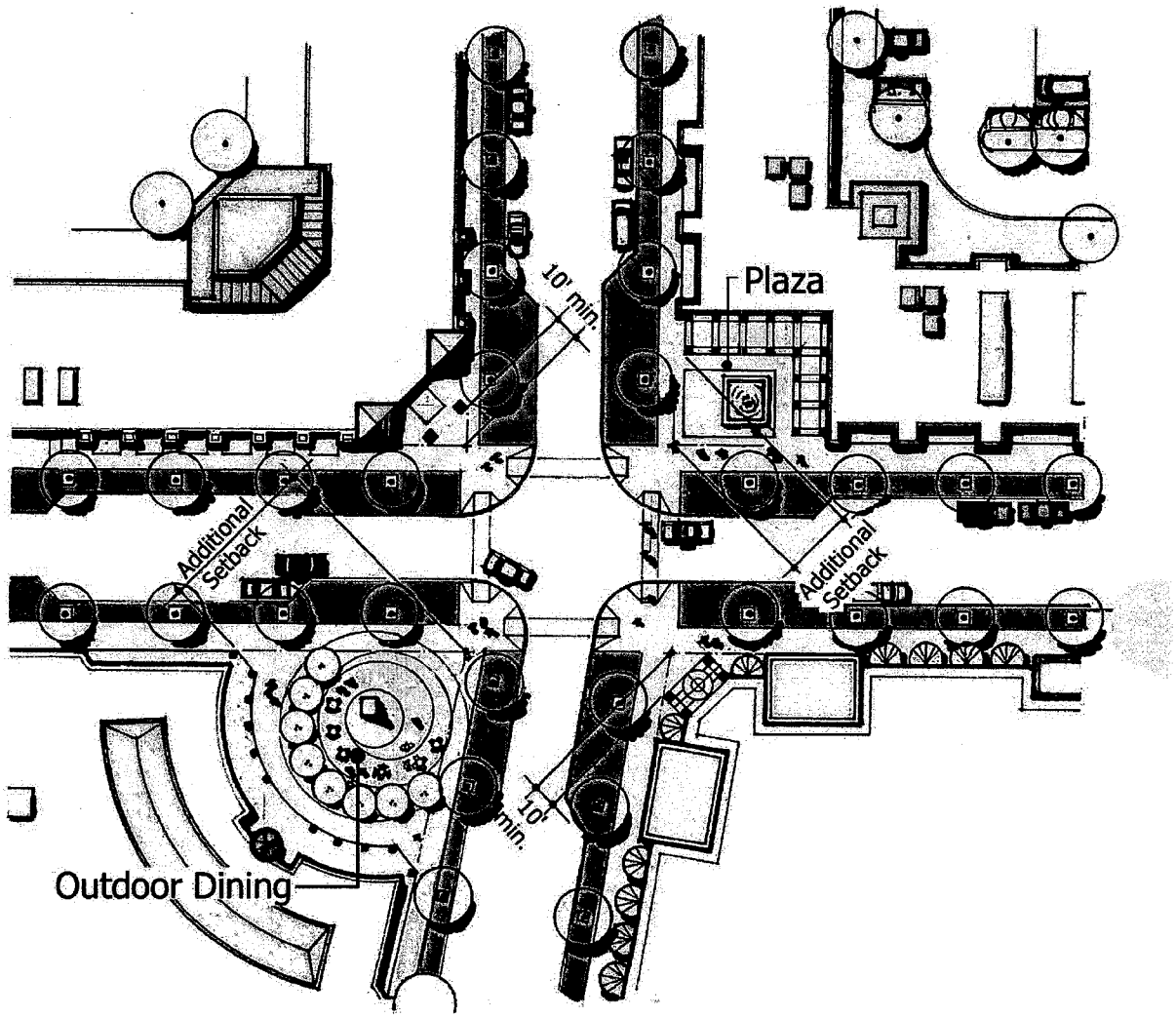


Illustration 5.6: Examples of additional setback requirements at street intersections.

Additional setbacks

(a) *Side setback.* A side setback shall not be required, except:

(1) A minimum 10-foot setback shall be provided where a building is adjacent to a single-family detached, patio home, or townhome lot;

(2) As necessary to comply with the City building code; and

(3) Fireplaces and eaves may extend a maximum of 3 feet into any required side setback

(b) *Rear setback.* A rear setback shall not be required, except:

(1) A minimum 25-foot setback shall be provided where a building is adjacent to a single-family detached, patio home, or townhome lot;

(2) As necessary to comply with the City building code; and

(3) Fireplaces, eaves, bay windows, balconies, and fireproof outside stairways may extend a maximum of 3 feet into any required rear setback

Additional requirements for multi-family buildings or mixed-use buildings with multi-family units

Residential unit size

The minimum multi-family residential dwelling unit size, exclusive of garages and breezeways, shall be:

Unit Type	*Minimum Area per Dwelling Unit (square feet)*
(a) 1 bedroom	750
(b) 2 bedroom	900
(c) 3 bedroom	1,000

The average residential unit floor area per building shall be at least 800 square feet.

To provide design flexibility, the minimum floor area per dwelling unit may be reduced up to 25 percent for five percent of each dwelling unit type per building, provided that the overall average floor area per dwelling units per multi-family building is 800 square feet.

Exterior doors

Exterior front doors on all multi-family units shall be constructed of metal a minimum of 20 gauge in thickness with an insulated core or fiberglass with an insulated core. Glass inserts to allow light shall be permitted. Patio doors may be of a French or sliding glass type with metal or solid wood frames. Garage doors shall be constructed of metal a minimum of 24 gauge thickness.

Balconies and stairways

All balcony and stairway surfaces shall be constructed of noncombustible materials. The structural elements may be constructed of noncombustible materials or decay-resistant wood or as required by the City building code. All handrails and guardrails shall be constructed of noncombustible materials. Trim on balconies and stairways may be constructed of noncombustible or combustible materials.

Screening

All service and recreational areas shall be screened from the view of adjacent streets and properties by a screening wall not less than six feet in height of clay-fired brick, architectural concrete masonry unit block, stone or other material approved by the Development Services Department to be constructed on the multi-family property at a location to be determined at Concept Plan review. The screening wall shall be designed and constructed in accordance with plans and specifications approved by the city engineer. The City shall approve the aesthetic characteristics of the screening wall, to include color, pattern and texture, at the time of Development Plans approval. A required screening wall shall be completed prior to the issuance of a building permit for the principal structure on the multi-family property. The screening wall shall impede vehicular traffic, but may not be erected so as to obstruct the vision of motorists at alley, street, or drive intersections. Pedestrian access may be provided, where appropriate, and shall be noted on the approved Concept Plan and Development Plans.

Recreational amenities

Each multi-family or mixed-use development that includes multi-family shall provide recreational amenities for the residents of the property as required herein. The recreational amenities shall be noted on the approved Concept Plan with detailed descriptions of all recreational amenities, both indoor and outdoor, required as part of the approval of the Development Plans. An assessment report on the adequacy of the proposed recreational amenities shall be submitted to the City Plan Commission from the Director of Development Services or designee.

(a) Each development that includes multi-family units shall provide indoor or outdoor recreational amenities or play areas to meet the requirements of the residents in such development, including facilities for children and adults.

(b) Each development that includes multi-family units shall provide at least one indoor or outdoor play area for the first 350 residential units, or portion thereof, designed for use by children under twelve years of age. The play area equipment and apparatus shall be safe, weather-resistant, suitable for children of such age, and shall meet the guidelines of the Consumer Product Safety Commission for play equipment and safety surface. Playground access and equipment shall be in compliance with the Americans with Disabilities Act.

Playgrounds may be provided in public open space and parks, and may be combined to provide larger community facilities. At least one playground shall be provided on-site of each apartment development.

One additional play area meeting the above requirements shall be provided for each 350 additional multi-family units or portion thereof within the development or portion thereof.

(c) Within each development that includes multi-family units, additional recreational amenities shall be provided. These amenities shall accrue points based on values assigned below. A minimum of 70 recreational amenity points must be accumulated for each 350 residential units or portion thereof. A minimum of 40 points shall be provided on-site. The remainder may be achieved with improvements to the public open space.

(1) Additional playgrounds designed for children ten years of age or younger meeting the requirements above. (Ten points per 500 square feet.)

(2) Clubhouse/gameroom/multi-purpose room of at least a minimum of 400 square feet in area. (Ten points per 400 square feet.)

(3) Equipment, such as pool tables, ping-pong tables, foosball tables, and similar equipment, in the clubhouse/gameroom/multi-purpose room are eligible for amenity points, except that electronic videogames and pinball games are not eligible for points. The appropriateness of the equipment shall be determined by the Director of Parks and Recreation. (One point for each piece of approved equipment.)

(4) Outdoor multi-use sport court, tennis court, racquetball court or similar facility. (Five points per court.)

(5) Indoor multi-use sport court, tennis court, racquetball court or similar facility. (Ten points per court.)

(6) Indoor fitness center at least 400 square feet in area. (Ten points per 400 square feet.)

(7) Swimming pool, including wading area, fenced and secured according to the requirements of the City building code. (Ten points.)

(8) Reinforced concrete jogging trail, bike path or combination thereof, a minimum of eight feet in width, or connection to an existing trail system. (Ten points.)

(9) Usable open space at least 1,000 square feet in area that includes at least three of the following: cluster of trees, water feature, seating area, picnic tables, barbecue grills, gazebos, or other elements as approved by the Director of Parks and Recreation. (Ten points per 1,000 square feet.)

(10) Other recreational amenities as approved by the Director of Parks and Recreation. (Up to ten points, as determined by the Director of Parks and Recreation.)

Creeks and drainageways required to remain in an open state are not eligible for the accumulation of points toward the total recreational amenity requirement, except that the placement of reinforced concrete jogging trails, bike paths, or combination thereof, shall be eligible to accrue points above.

Improvements in the area between the curbline and the building façade shall not be eligible for the accumulation of points towards the total recreational amenity requirement.

(d) The Director of Parks and Recreation shall review proposed recreational amenities and provide a written assessment of adequacy to the City Plan Commission prior to consideration and approval of the Development Plans.

(e) Open space shall be located and designed in such a manner as to ensure the safety and welfare of residents.

6. Townhome residential

Building regulations

Exterior building materials

(a) All building façades of townhome structures, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least seventy-five percent (75%) of the total exterior wall constructed of masonry construction. Chimneys for newly constructed structures or additions to existing structures shall be of one hundred percent (100%) masonry construction or stucco. Where non-masonry construction is permitted, hardboard siding material is prohibited.

(b) Where a second- or third-story exterior wall is offset a minimum of three feet from the plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the plane of the first-floor exterior wall below, the wall of the offset portion or dormer shall be excluded from the exterior area calculation.

(c) For "chateau," "mansard," or any other design where the roof serves as an exterior wall, the above percentages shall apply.

(d) Unpainted metal, galvanized metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an "attractive" oxidized finish, such as copper or weathering steel, may be used subject to Concept Plan and Development Plans approval.

(e) *Nonresidential structures.* Structures other than dwelling units shall comply with the building regulations in Section 5 (Non-residential, multi-family, and mixed use buildings) of this ordinance.

Building height

(a) Principal buildings shall be limited to a maximum height of 55 feet not to exceed three stories, except:

  (1) Buildings that front on Greenville Avenue are limited to a front façade of two stories and a rear façade of three stories, not to exceed 40 feet in height.

  (2) Buildings located west of buildings adjacent to Greenville Avenue and within 250 feet of the west curbline of Greenville Avenue, shall be limited to a maximum height of three stories, not to exceed 40 feet in height.

Dwelling unit size

(a) *Minimum size.* The minimum townhome dwelling unit size is 1,500 square feet, exclusive of garages and breezeways.

(b) *Maximum size.* The maximum size of the principal structure shall be as specified in the Richardson building code.

Number of units per building

The maximum number of contiguous townhome dwelling units is six, except that:

(a) Along Greenville Avenue the maximum number of dwelling units in a building is five.

Area regulations

Area of the lot

The minimum area of an individual townhome lot is 1,540 square feet.

Width of the lot

The minimum width of the lot is 22 feet.

Depth of the lot

The minimum depth of the lot is 65 feet.

Density

(a) In no event shall the number of dwelling units exceed ten units per acre exclusive of all streets, alleys, and sidewalks but inclusive of open space, recreational, and service areas.

Common areas

(a) For each lot platted for a townhome, a minimum area of 800 square feet outside the limits of the platted lot shall be provided for public or common private open space, recreational, and service areas, exclusive of dedications for streets and alleys, and which shall be designated on the Concept Plan and Development Plans.

(b) Evidence of satisfactory provisions for the improvement and ongoing maintenance of all common areas, such as a property owner association, shall be submitted to the City Attorney and to the City Plan Commission for approval as part of the review of Development Plans.

Front build-to line

All townhome buildings shall be built so that they are oriented towards the adjacent street, except:

(a) A developer may request an exception for buildings to front on common area or public open space during Concept Plan review.

Townhome buildings and the elements required between the street curb and any building, structure, or surface parking lot shall be located within the front build-to line in accordance with Table 6-1. On lots with more than one street frontage, the build-to lines shall be provided on each street frontage.

The property owner shall be responsible for maintenance of the area between the back of curb and the building façade.

Table 6-1: Front build-to requirements for townhomes.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	11'-21'	21'	31'
Minor streets					
with on-street parking	10'	6'	11'-21'	17'	27'
without on-street parking	n/a	16'	11'-21'	27'	37'

(a) On-street parking

(1) Where feasible, on-street parallel parking shall be provided on all streets, except for the arterial sections of Spring Valley Road and Centennial Boulevard and Greenville Avenue. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

(1) An Amenity Zone shall be provided along all street frontages for placement of street trees, utilities, landscaping, and street furnishings. The Amenity Zone shall be improved with landscaping, specialty paving, or a combination thereof.

(2) At intersections, curb cuts, and where on-street parking is not provided, the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.

(3) Street trees shall constitute the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with the following requirements.

(i) Trees shall be selected from the Approved Street Tree list contained within the Spring Valley Station Core Area Design Guidelines.

(ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access, lights, property lines, or other conditions which make it impractical to maintain the required spacing.

(iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street corners.

(iv) Where on-street parking is provided and along Greenville Avenue, trees shall be planted in the center of the Amenity Zone.

(v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.

(vi) Trees shall be planted within 8-foot x 8-foot tree wells, constructed in accordance with City details. The tree well opening shall be covered with a 6-foot x 6-foot tree grate, in accordance with City details, or planted with landscaping.

(vii) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

(1) The property owner shall be responsible for the construction and maintenance of the yard.

(2) A minimum 6-foot wide unobstructed continuous sidewalk constructed of scored concrete per City detail shall be provided within the yard.

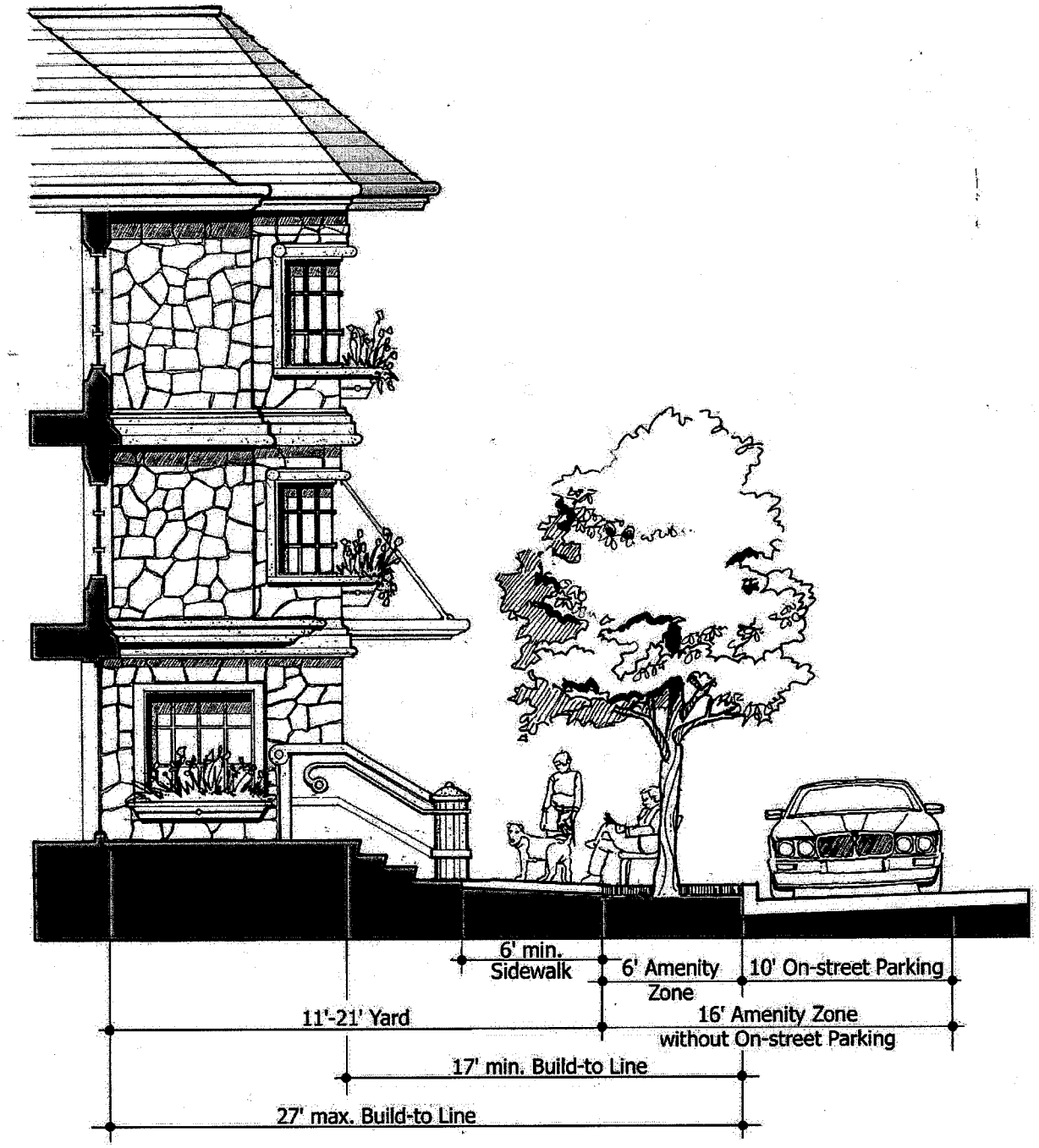


Illustration 6.1: Street section, non-arterial streets (except Greenville Avenue)

(3) Additional area within the yard may be used for additional sidewalk width, landscaping, lawn, patio, steps, stoops or other features, subject to City approval at the time of Concept Plan review.

(d) Building

(1) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum front build-to line, but shall not encroach into the

Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and shall comply with the City building code.

Additional setbacks

(a) *Side setback.* A side setback is not required, except:

(1) The minimum separation between buildings shall be 10 feet, unless one of the exposed walls is constructed as a firewall in accordance with the Richardson building code;

(2) A 10-foot setback shall be provided where a building is adjacent to a single-family detached or patio home lot;

(3) As necessary to comply with City building code;

(4) Fireplaces and eaves may extend to a maximum of 3 feet into any required side yard.

(b) *Rear yard setback.* A rear yard setback is not required, except:

(1) A minimum 5-foot setback shall be provided between garage doors and the adjacent alley;

(2) A minimum 20-foot setback shall be required where a building is adjacent to a single-family detached or patio home lot;

(3) As necessary to comply with City building code;

(4) Fireplaces, eaves, bay windows, balconies, and fireproof outside stairways may extend to a maximum of 3 feet into any required rear yard.

Swimming pools, spas and related buildings and equipment

(a) Swimming pools, spas, and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line, except in a rear setback adjacent to an alley, the swimming pool equipment may be located a minimum distance of 18 inches from the rear property line.

(b) Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations.

(c) Any accessory building to the pool or spa shall be regulated as prescribed herein for non-residential structures.

Special requirements

(a) All areas for locating dwelling units shall be platted into individual lots and located on dedicated streets or access easements; and each of said lots shall be served individually by water, sewer, electric, and gas utility service.

(b) The areas for recreational, open space, and service use may be platted into one or more lots.

(c) Accessory buildings for common use of residents in a townhome development shall be permitted, subject to Concept Plan and Development Plans approval. Accessory buildings on individual residential lots shall be prohibited, unless specifically approved during Concept Plan and Development Plans review.

7. Patio home residential

Building regulations

Exterior building materials

(a) *Principal building.*

(1) All building façades for single-family residential structures, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least seventy-five percent (75%) of the total exterior wall constructed of masonry construction. Chimneys for newly constructed single-family structures or additions to existing dwellings shall be of one hundred percent (100%) masonry construction. Where non-masonry construction is permitted, hardboard siding material is prohibited, except as provided below.

(2) Where a second-story exterior wall of a single-family residential structure is offset a minimum of three feet from the plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the plane of the first-floor exterior wall below, the exterior wall of the offset portion or dormer shall be excluded from the wall area calculation for purposes of these regulations.

(3) An existing single-family residential structure with exterior construction of hardboard siding materials destroyed by fire, the elements, or other cause may not be rebuilt except to conform to these provisions. In the case of partial destruction not to exceed sixty percent (60%) of its total appraised value, reconstruction will be permitted, provided, however, the previously existing percentage or area of the structure covered by such material may not be expanded or increased.

(4) An existing single-family residential structure with exterior construction of hardboard siding materials may be repaired with hardboard siding materials when required by law to preserve such structure in a sound condition provided the repairs do not exceed sixty percent (60%) of the previous existing total exterior wall area of the structure covered by such material.

(5) An existing single-family residential structure with exterior construction of hardboard siding may be enlarged, increased or extended with hardboard siding materials when necessary for a continuation of such materials, provided the extension or addition does not exceed twenty-five percent (25%) of the previous existing total wall area of the structure covered by such materials.

(b) *Accessory buildings.* For accessory buildings in excess of 150 square feet, including, but not limited to, detached garages or servants' quarters, each exterior wall shall be constructed of a minimum of 35 percent masonry construction. Accessory buildings of 150 square feet or less may be of non-masonry construction or may be of all metal with baked-on or pre-painted surface. Detached garages built to replace garages which are enclosed or converted to living space shall be constructed of brick, stone, cementitious materials or a combination thereof in proportions similar to those on a principal building and the detached garage shall be architecturally compatible with the principal building as determined by the Chief Building Official or designee.

(c) *Greenhouses.* A detached greenhouse may be constructed of material approved by the Building Official provided the structure is used exclusively as a greenhouse and maintained as such. A greenhouse converted to another use must be made to comply with the requirements for accessory buildings.

(d) *Nonresidential structures.* Structures other than dwelling units and associated accessory structures shall comply with the building regulations in Section 5 (Non-residential, multi-family, and mixed use buildings) of this ordinance.

Building height

(a) *Principal building.* No principal building shall exceed 40 feet in height and may not exceed two stories in height.

(b) *Accessory buildings.* Accessory buildings shall be a maximum of one story and may not exceed 15 feet in height.

Building size

(a) *Principal building.* The minimum area of the principal building shall be 1,500 square feet, exclusive of garages and breezeways.

(b) *Accessory buildings.* The total area of detached structures, including garages and accessory buildings, shall not occupy more than eight percent (8%) of the lot area and aggregate ground floor area may not exceed 600 square feet.

Area regulations

Area of the lot

The minimum area of the lot is 5,000 square feet.

Width of the lot

The minimum width of the lot is 50 feet.

Depth of the lot

The minimum depth of the lot is 100 feet. Lots located on cul-de-sac circles may be less than 100 feet in depth, provided one side of the lot is at least 100 feet in depth and provided the lot meets width and area requirements.

Lot coverage

The lot coverage of all buildings shall not exceed fifty percent (50%) of the area of the lot, estate, or other land on which the same is situated.

Front build-to line

Patio home buildings and the elements required between the street curb and any building, structure, or surface parking lot shall be located within the front build-to line in accordance with Table 7-1. On lots with more than one street frontage, the build-to lines below shall be provided on each street frontage.

The property owner shall be responsible for maintenance of the area between the back of curb and the building façade.

Table 7-1: Front build-to requirements for patio homes.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	11'-21'	21'	31'
Minor streets					
with on-street parking	10'	6'	11'-21'	17'	27'
without on-street parking	n/a	16'	11'-21'	27'	37'

(a) On-street parking

(1) Where feasible, on-street parallel parking shall be provided on all streets, except for arterial streets and Greenville Avenue. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

(1) An Amenity Zone shall be provided along all street frontages for placement of street trees, utilities, landscaping, and furnishings. The Amenity Zone shall be improved with landscaping, specialty paving, or a combination thereof.

(2) At intersections, curb cuts, and where on-street parking is not provided, the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.

(3) Street trees shall constitute the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with the following requirements:

(i) Trees shall be selected from the Approved Street Tree list contained within the Spring Valley Station Core Area Design Guidelines.

(ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access, lights, property lines, or other conditions which make it impractical to maintain the required spacing.

(iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street corners.

(iv) Where on-street parking is provided and along Greenville Avenue, trees shall be planted in the center of the Amenity Zone.

(v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.

(vi) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

(1) The property owner shall be responsible for the construction and maintenance of the yard.

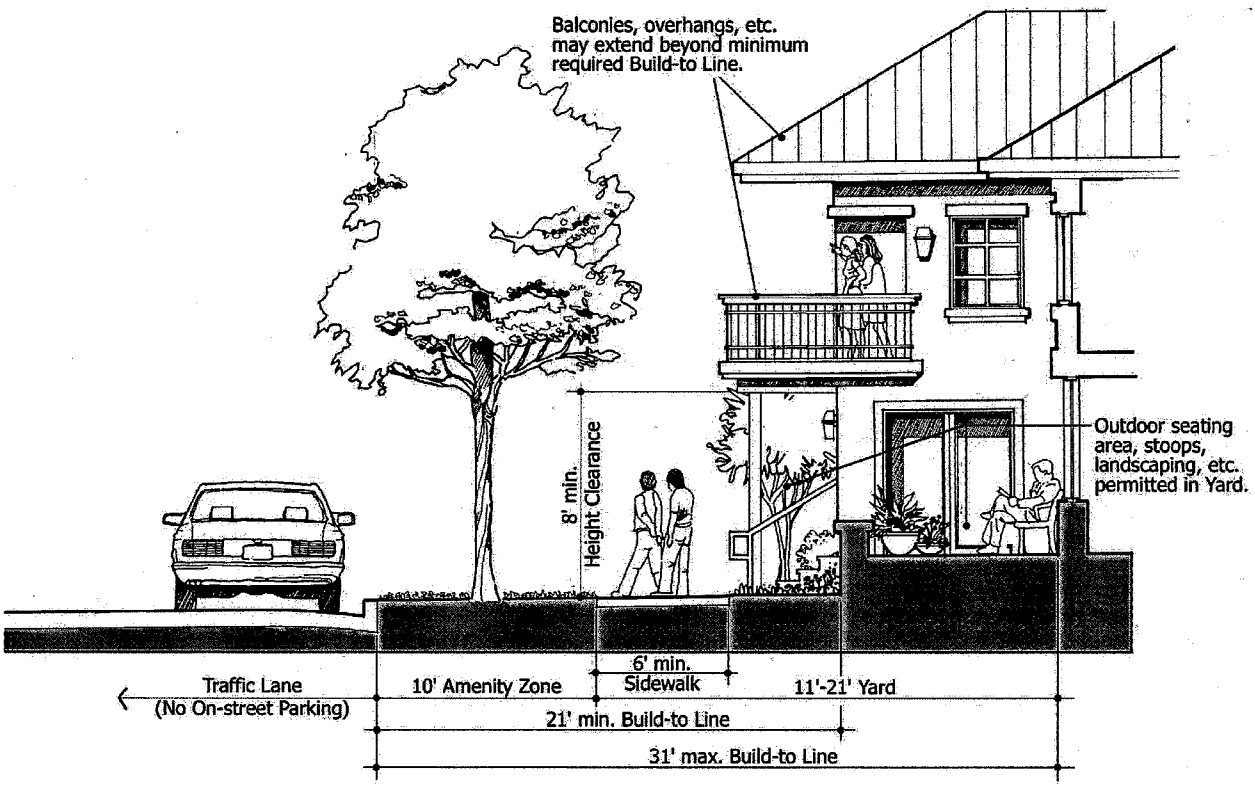


Illustration 7.1: Street section, Greenville Avenue

(2) A 6-foot continuous unobstructed sidewalk constructed of scored concrete per City detail shall be provided within the yard.

(3) Additional area within the yard may be used for additional sidewalk width, landscaping, lawn, patio, steps, stoops or other features, subject to City approval at Concept Plan review.

(d) Building

(1) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum build-to line, but shall not encroach into the Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and shall comply with City building code.

Side setback

(a) A side setback shall be provided on one side of the lot of at least ten feet, except the side setback on a corner lot adjacent to a side street shall conform to the required front build-to line. Adjacent to an alley, a seven-foot setback shall be required from said alley. The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than ten feet in width may extend a maximum of two feet into the required side setback.

(b) A building shall be built on the property line on one side of the lot (the zero side). The side of the structure located on the zero side shall contain no openings, appendages or overhangs. A minimum separation of ten feet shall be provided between all buildings.

(c) Each adjacent lot shall provide a roof eave and access easement, a minimum of three feet in width, adjacent to the zero setback side to allow the property owner access for maintenance of the dwelling. The roof eave may encroach 16 inches into the easement. A gutter and down spout shall be required along the zero setback side to ensure drainage is handled on the dwelling owner's property. The gutter system is not included in the calculation of the eave encroachment.

(d) No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.

Rear setback

A rear setback with a depth of not less than 20 feet is required, except:

(a) The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, and other architectural features not more than ten feet in width may extend into the required rear setback a maximum of two feet;

(b) Where a detached garage, detached carport, attached carport or any other accessory building extends into the rear setback area, a minimum setback of three feet shall be provided from the side lot line and a minimum setback of three feet shall be provided from the rear lot line or 18 inches if the rear lot line is adjacent to an alley;

(c) A rear setback is not required for air conditioning equipment or an uncovered porch or patio.

Swimming pools, spas and related buildings and equipment

(a) Swimming pools, spas, and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line, except in a rear setback adjacent to an alley, the swimming pool equipment may be located a minimum distance of 18 inches from the rear property line.

(b) Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations.

(c) Any accessory building to the pool or spa shall be regulated as prescribed herein for accessory buildings.

8. Single-family detached residential

Building regulations

Exterior building materials

(a) *Principal building.*

(1) All building façades for single-family detached residential structures, excluding doors, windows, breezeways, and courtyards, regardless of height or number of stories, shall have at least seventy-five percent (75%) of the total exterior wall constructed of masonry construction. Chimneys for newly constructed single-family detached structures or additions to existing dwellings shall be of one hundred percent (100%) masonry construction. Where non-masonry construction is permitted, hardboard siding material is prohibited, except as provided below.

(2) Where a second-story exterior wall of a single-family detached residential structure is offset a minimum of three feet from the plane of the first-floor exterior wall below, or a dormer window is offset a minimum of one foot from the plane of the first-floor exterior wall below, the exterior wall of the offset portion or dormer shall be excluded from the wall area calculation for purposes of these regulations.

(3) An existing single-family detached residential structure with exterior construction of hardboard siding materials destroyed by fire, the elements, or other cause may not be rebuilt except to conform to these provisions. In the case of partial destruction not to exceed sixty percent (60%) of its total appraised value, reconstruction will be permitted, provided, however, the previously existing percentage or area of the structure covered by such material may not be expanded or increased.

(4) An existing single-family detached residential structure with exterior construction of hardboard siding materials may be repaired with hardboard siding materials when required by law to preserve such structure in a sound condition provided the repairs do not exceed sixty percent (60%) of the previous existing total exterior wall area of the structure covered by such material.

(5) An existing single-family detached residential structure with exterior construction of hardboard siding may be enlarged, increased or extended with hardboard siding materials when necessary for a continuation of such materials, provided the extension or addition does not exceed twenty-five percent (25%) of the previous existing total wall area of the structure covered by such materials.

(b) *Accessory buildings*. For accessory buildings in excess of 150 square feet, including, but not limited to, detached garages or servants' quarters, each exterior wall shall be constructed of a minimum of 35 percent masonry construction. Accessory buildings of 150 square feet or less may be of non-masonry construction or may be of all metal with baked-on or pre-painted surface. Detached garages built to replace garages which are enclosed or converted to living space shall be constructed of brick, stone, cementitious materials or a combination thereof in proportions similar to those on a principal building and the detached garage shall be architecturally compatible with the principal building as determined by the Chief Building Official or designee.

(c) *Greenhouses.* A detached greenhouse may be constructed of material approved by the Building Official provided the structure is used exclusively as a greenhouse and maintained as such. A greenhouse converted to another use must be made to comply with the requirements for accessory buildings.

(d) *Nonresidential structures.* Structures other than dwelling units and associated accessory structures shall comply with the building regulations in Section 5 (Non-residential, multi-family, and mixed use buildings) of this ordinance.

Building height

(a) *Principal building.* No principal building shall exceed 40 feet in height and may not exceed two stories in height.

(b) *Accessory buildings.* Accessory buildings shall be a maximum of one story and may not exceed 15 feet in height.

Building size

(a) *Principal building.* The minimum area of the principal building is 1,250 square feet, excluding garages and breezeways.

(b) *Accessory buildings.* The total area of detached structures, including garages and accessory buildings, shall not occupy more than eight percent (8%) of the lot area and aggregate ground floor area may not exceed 600 square feet.

Area regulations

Area of the lot

The minimum area of the lot is 8,500 square feet.

Width of the lot

The minimum width of the lot is 68 feet.

Depth of the lot

The minimum dept of the lot is 125 feet. Lots located on cul-de-sac circles may be less than 125 feet in depth provided one side of the lot is at least 125 feet in depth, and further provided the lot meets width and area requirements.

Lot coverage

The lot coverage of all buildings shall not exceed thirty-two percent (32%) of the area of the lot, estate, or other land on which the same is situated.

Front build-to line

Single-family detached buildings and the elements required between the street curb and any building, structure, or surface parking lot shall be located within the front build-to line in accordance with Table 8-1. On lots with more than one street frontage, the build-to lines below shall be provided on each street frontage.

The property owner shall be responsible for maintenance of the area between the back of curb and the building façade.

Table 8-1: Front build-to requirements for single-family detached homes.

	On-Street Parking Lane	Amenity Zone	Yard	Min. Build-to Line	Max. Build-to Line
Arterial streets and Greenville Avenue	n/a	10'	11'-21'	21'	31'
Minor streets					
with on-street parking	10'	6'	11'-21'	17'	27'
without on-street parking	n/a	16'	11'-21'	27'	37'

(a) On-street parking

(1) Where feasible, on-street parallel parking shall be provided on all streets, except for arterial streets and Greenville Avenue. Franchised utilities (electric, gas, cable, telephone, etc.) may be located in the area under the on-street parking.

(b) Amenity zone

(1) An Amenity Zone shall be provided along all street frontages for placement of street trees, utilities, landscaping, and furnishings. The Amenity Zone may be landscaped or paved with specialty paving.

(2) At intersections, curb cuts, and where on-street parking is not provided, the Amenity Zone shall increase in depth by 10 feet, and franchised utilities may be located in the area under the expanded Amenity Zone.

(3) Street trees shall be the primary landscaping for the Core Area and shall be planted within the Amenity Zone in accordance with the following requirements.

(i) Trees shall be selected from the Approved Street Tree list contained within the Spring Valley Station Core Area Design Guidelines.

(ii) Trees shall be planted 40 feet on center, except that the spacing may be adjusted as necessary to accommodate access, lights, property lines, or other conditions which make it impractical to maintain the required spacing.

(iii) Trees shall be placed a minimum of 20 feet from the back of intersecting curbs at street corners.

(iv) Where on-street parking is provided and along Greenville Avenue, trees shall be planted in the center of the Amenity Zone.

(v) In bulb-out areas, trees shall be planted to align with those trees in the Amenity Zone where on-street parking is provided.

(vi) Tree branches shall be maintained at no less than 8 feet above the sidewalk and Amenity Zone, and no less than 14 feet above on-street parking spaces or traffic lanes.

(c) Yard and sidewalk

A yard shall be provided between the Amenity Zone and the nearest face of any building, structure, or surface parking lot.

(1) The property owner shall be responsible for the construction and maintenance of the yard.

(2) A minimum 6-foot wide unobstructed continuous sidewalk constructed of scored concrete per City detail shall be provided within the yard adjacent to the Amenity Zone.

(3) Additional area within the yard may be used for additional sidewalk width, landscaping, lawn, patio, steps, stoops or other features, subject to City approval at Concept Plan review.

(d) Building

(1) Canopies, awnings, balconies, and/or upper story architectural appendages may extend beyond the minimum front build-to line, but shall not encroach into the Amenity Zone. Such features shall provide a minimum clearance above the sidewalk of eight feet, and shall comply with the City building code.

Side setback

(a) A side setback shall be provided on each side of the lot having a minimum width of seven feet without projections or appendages except as allowed herein, except the side setback on a corner lot adjacent to a side street shall equal the required front build-to line.

(b) The ordinary projections of a roof eave or cornice may extend into the required side setback a maximum of two feet. A fireplace, windowsill, box or bay window, or other architectural features not more than ten feet in width may extend into the required side setback a maximum of two feet.

(c) A detached garage, detached carport, attached carport or any other accessory building shall meet the side setback required for the principal building, except in the required rear setback adjacent to an interior side lot line, a minimum three foot setback shall be provided. No portion of the garage, carport or other accessory structure shall extend into the required side setback when located within the required rear setback area.

(d) No setback shall be required from an interior side lot line for air conditioning equipment or an uncovered porch or patio.

Rear setback.

A rear setback having a depth of not less than 25 feet shall be provided, except:

(a) The ordinary projections of a roof eave or cornice may extend into the required rear setback a maximum of two feet. A fireplace, windowsill, box or bay window, and other architectural features not more than ten feet in width may extend into the required rear setback a maximum of two feet.

(b) Where a detached garage, detached carport, attached carport or any other accessory building extends into the rear setback area, a minimum setback of three feet shall be provided from the side lot line, and a minimum setback of three feet shall be provided from the rear lot line or 18 inches if the rear lot line is adjacent to an alley.

(c) A rear setback is not required for air conditioning equipment or an uncovered porch or patio.

Swimming pools, spas and related buildings and equipment

(a) Swimming pools, spas, and related equipment may be located anywhere behind the front building line and a minimum distance of three feet from any other property line, except in a

rear setback adjacent to an alley, the swimming pool equipment may be located a minimum distance of 18 inches from the rear property line.

(b) Swimming pools or spas shall not be located in any area which cannot be fenced in accordance with the city fence regulations.

(c) Any accessory building to the pool or spa shall be regulated as prescribed herein for accessory buildings.

9. Open space

In addition to the Amenity Zone, sidewalk, and yard requirements, the following open space provisions shall apply.

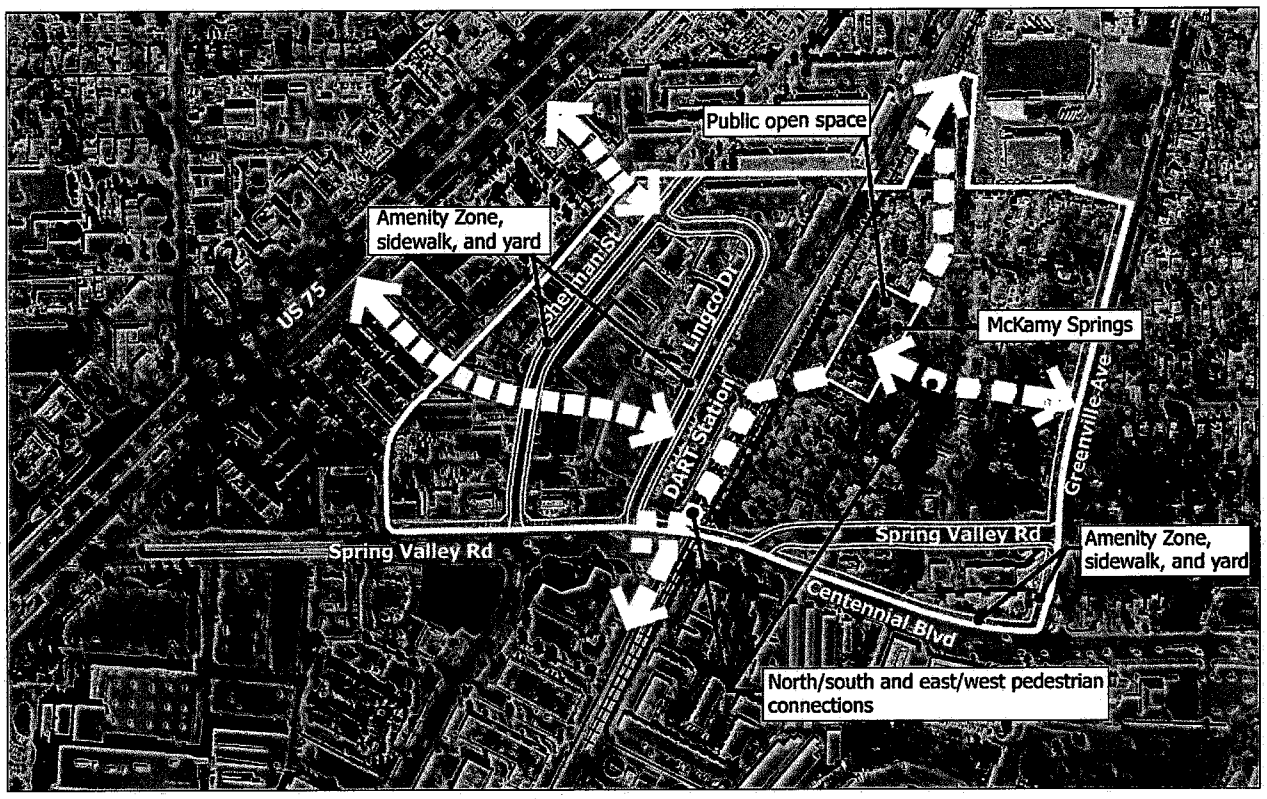


Illustration 9.1: Open Space Plan

Area west of the DART right-of-way

(a) The provision of additional public or private open space is encouraged in the area west of the Spring Valley station, to include plazas, pocket parks, fountains, water features, or other features.

Area east of the DART right-of-way

Within the area east of the DART right-of-way:

(a) A minimum of 2 acres of public open space shall be dedicated, including an area at least 200 feet x 200 feet outside the floodplain.

(b) Public open space should accommodate active and passive uses for a variety of age groups, complement the scale of the surrounding neighborhood, and incorporate McKamy Springs.

(c) Public open space shall be linked to the surrounding neighborhoods, light rail station, and City trails by pedestrian connections.

(d) Any dedication of open space to the City shall be reviewed for suitability and desirability. The Director of Development Services or designee shall provide a written assessment of

any proposed open space dedication to the City Plan Commission and City Council prior to Concept Plan review.

(e) The City shall be responsible for maintenance of the public open space east of the DART right-of-way.

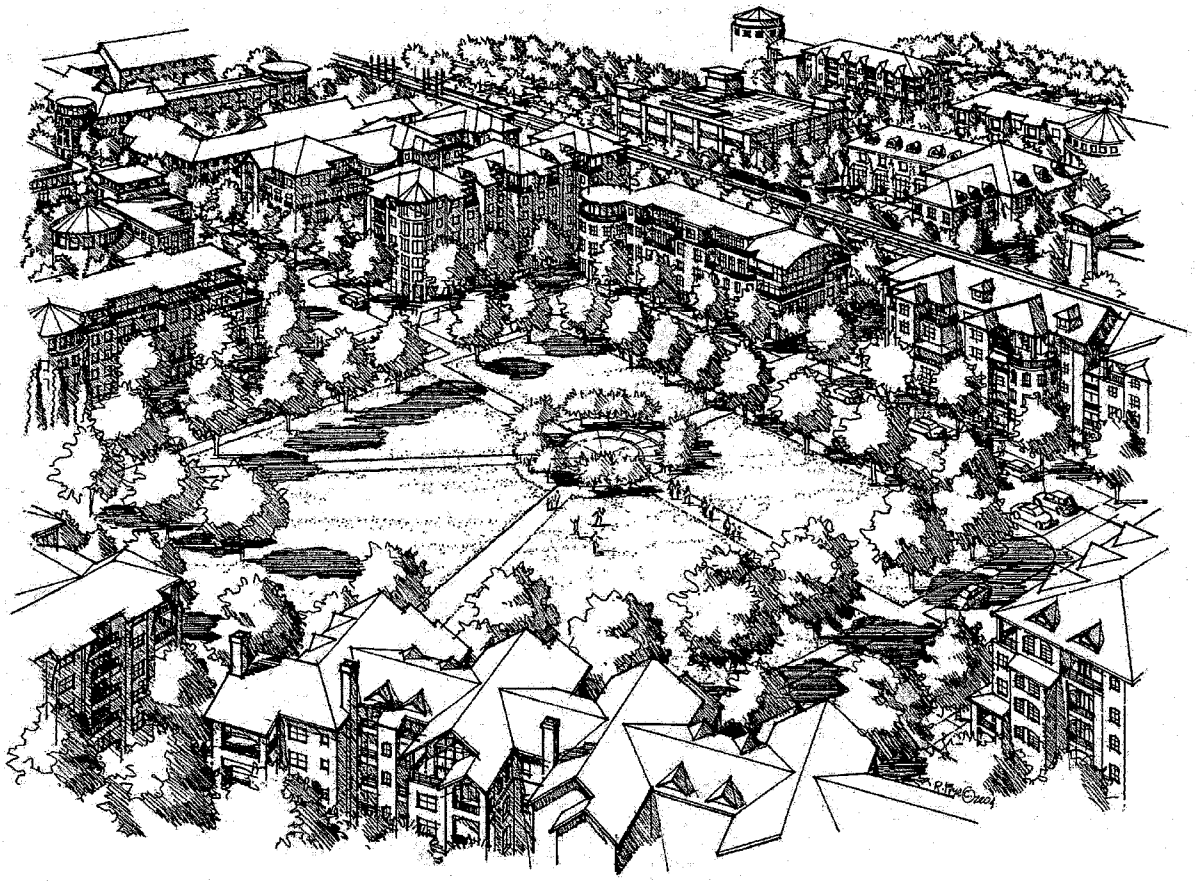


Illustration 9.2: Sketch of potential open space

Undevelopable areas

Ponds, creeks, floodways, and other undevelopable areas shall be planned as open space to the maximum extent possible.

10. Access and Parking

Access

Internal streets

As properties with frontage along streets within the Core Area (excluding Greenville Avenue and the arterial sections of Spring Valley Road and Centennial Boulevard) redevelop, the street section adjacent to the property shall be reconstructed to conform to the regulations in this ordinance, as well as the appropriate City details and construction standards. In general, the street section for internal streets shall consist of two travel lanes and required on-street parking.

East/west connectors

To create connectivity between US75 and the Core Area, new east/west connector street(s) shall be added to the Master Transportation Plan. The locations for these connector streets shall be generally noted within the Core Area Master Plan and the Master Transportation Plan as amended. The specific alignment(s) of the east/west connector(s) shall be determined as redevelopment efforts progress.

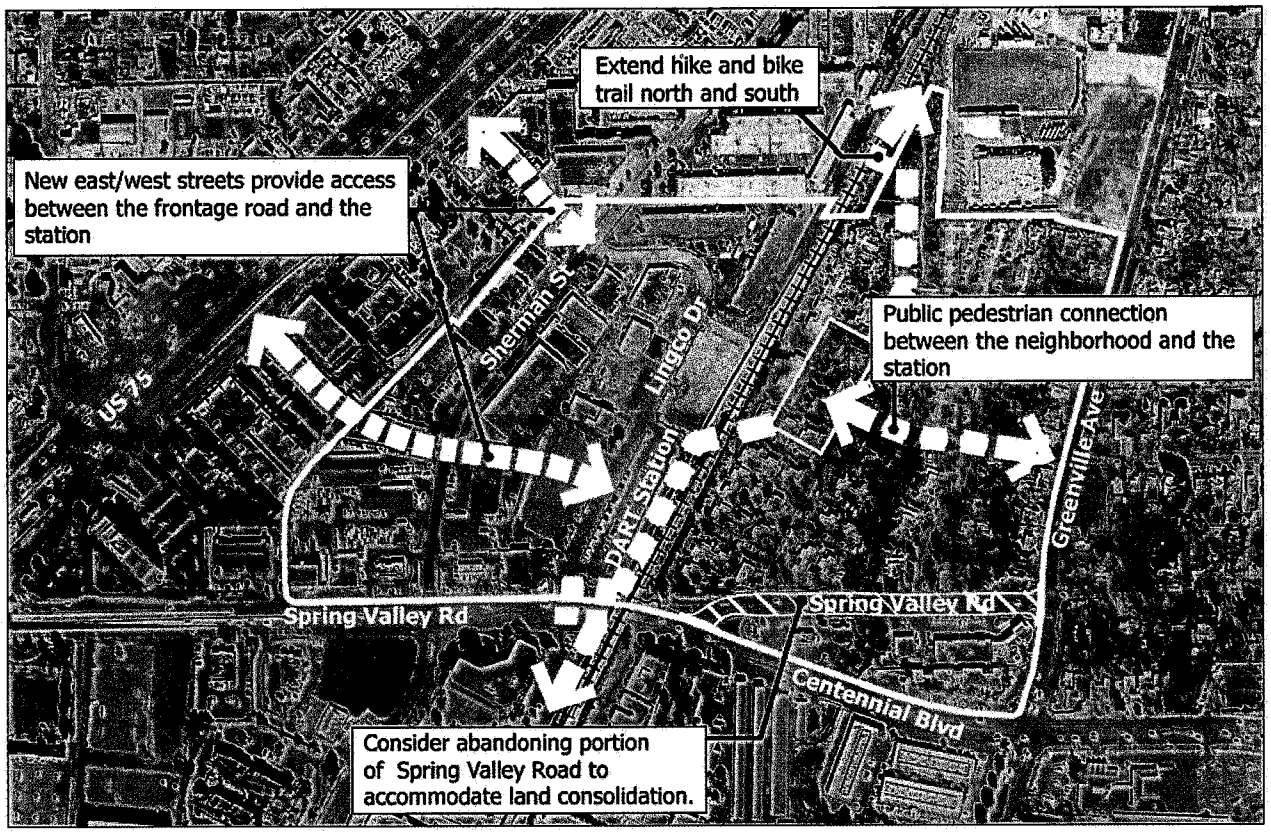


Illustration 10.1: Spring Valley Station District Circulation Plan

Spring Valley Road Abandonment

(a) The City will consider the abandonment of the right-of-way for Spring Valley Road between Centennial Boulevard and Greenville Avenue if a development proposal is submitted which consolidates the properties north and south of the roadway.

(b) If the City indicates a willingness to proceed, the abandonment process shall not be initiated until a Concept Plan detailing how the properties will be consolidated, and indicating the proposed land uses for the abandoned right-of-way, has been approved by the City Plan Commission and City Council.

(c) If the Spring Valley Road right-of-way is not abandoned, the segment of Spring Valley Road between Centennial Boulevard and Greenville Avenue shall be downgraded to one lane in each direction with on-street parking on both sides of the street.

Greenville Avenue

Direct vehicular access from new developments within the District to the neighborhood on the east side of Greenville Avenue shall be prohibited.

(a) Access points from the development to Greenville Avenue shall be constructed so as not to align with any existing local street on the east side of Greenville Avenue; or

(b) Traffic diverters or similar devices shall be installed so as to prohibit access from the District to the neighborhood.

Easements

Specifications for easements under this ordinance shall be as follows:

(a) Access easements shall be provided to serve parking areas, service entrances to buildings (usually the rear of buildings), and any other areas deemed necessary for accessibility of public and private emergency and service agencies in non-residential, multi-family, or mixed-use developments.

(b) Pedestrian easements shall be provided for all sidewalks parallel to streets intended for public use but located on private property.

Parking

Standards

(a) The standards in the City's Parking Design Manual shall govern the design and layout of off-street and on-street parking facilities.

Off-street parking

(a) General requirements

  (1) For lots containing a building, off-street parking may not occupy more than fifty percent (50%) of the total lot frontage.

  (2) In no case shall off-street parking be located closer to the street than the maximum required build-to line.

(b) Surface parking

(1) Surface parking areas on adjacent lots must be physically separated by a building, wall, plaza, landscaping, or other feature; and include provisions for mutual access between adjacent parking lots for pedestrians and motor vehicles.

(2) A six-foot wide raised unobstructed sidewalk shall be required from the parking area to any adjacent public sidewalk or building entrance. If head-in parking is present along the sidewalk, an additional three feet of sidewalk width is required to accommodate motor vehicle overhang.

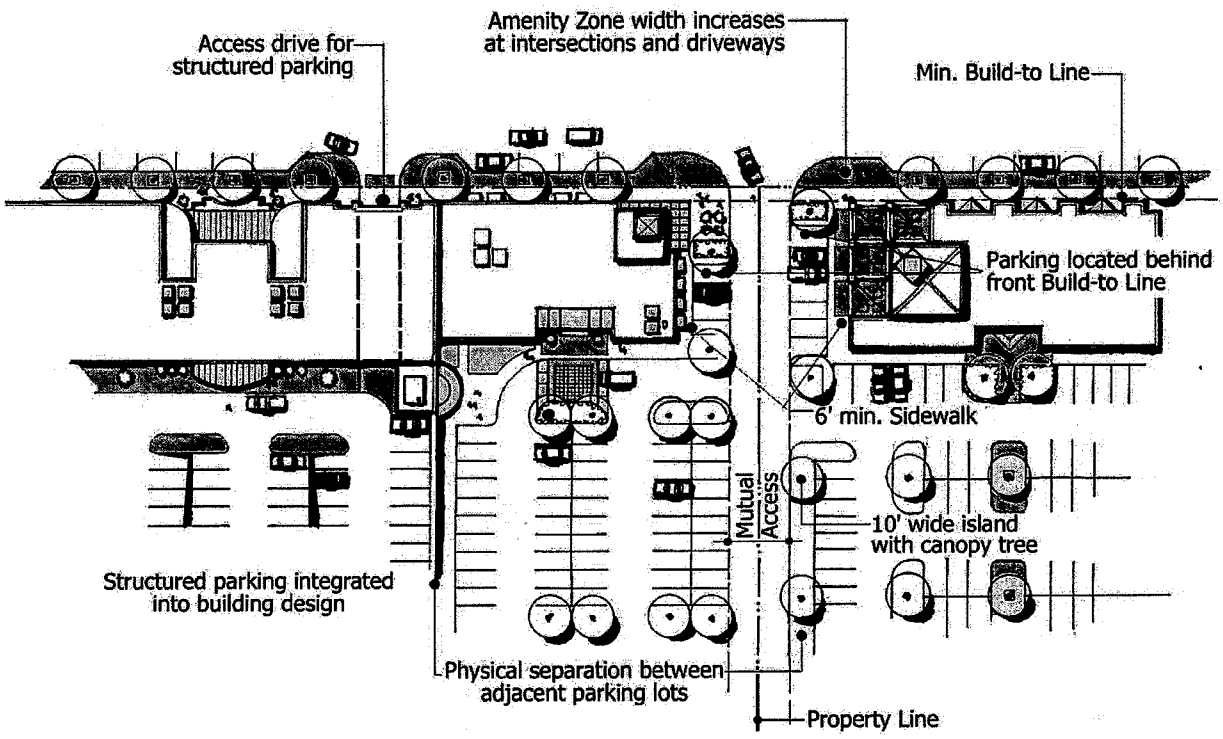


Illustration 10.2: Parking layout examples

(3) A 10-foot wide island shall be placed at the end of each row of parking within a parking lot. A canopy tree shall be provided in the island with ground cover, shrubs, or enhanced pavers filling in the remainder of the island.

(c) Structured parking

(1) Ramp articulation in parking structures shall be concealed from view by architectural treatment.

(2) Pedestrian access to any adjacent public sidewalk shall be provided from the parking structure.

On-street parking

(a) Where feasible, on-street parallel parking shall be provided on all streets, excluding Greenville Avenue, the arterial sections of Spring Valley Road, and Centennial Boulevard. Angle parking may be requested along Spring Valley Road east of the DART line during Concept Plan and Development Plan review, subject to approval by the city traffic engineer. On-street parking spaces immediately adjacent to a property may be counted

toward meeting the parking requirement of said property. Each on-street parking space shall be counted towards the parking requirements for only one building. Use of on-street parking spaces to satisfy the parking requirement of a building must be approved in conjunction with the Concept Plan and Development Plans approval.

(b) On-street parking spaces are intended for short-term use by patrons or visitors to any building or business within the Core Area. Regulations governing on-street parking (i.e. hours, time limits, etc.) may be adopted and enforced by the City. On-street spaces may not be signed or in any way physically designated for use by only one business without prior written consent of the Director of Development Services or designee.

(c) Dimensional Requirements

On-street parking space dimensions shall be 10'x22'. Spaces at the end of a row of parallel spaces shall provide additional length for maneuvering and transition.

Off-site parking

(a) Parking spaces serving a non-residential building are not required to be provided on the same platted lot as the building being served; however, all parking spaces serving a given building must be located within 600 feet of the nearest outer façade of said building. Parking spaces serving more than one building may be located in the same surface parking lot or parking structure with spaces serving other buildings, subject to the requirements herein. The provision of off-site parking shall be noted on the Concept Plan.

(b) Off-site parking shall require a formal, executed parking agreement, in a format acceptable to the City, submitted in conjunction with any plans for initial development and construction, or subsequent building expansion. The parking agreement must provide for an adequate number of spaces to meet the requirements contained herein for all buildings being served, and must contain provisions adequate to ensure its enforceability. The parking agreement must be reviewed by the City Attorney and approved by the City Plan Commission in conjunction with Development Plans approval and prior to plat approval. Upon approval, an executed copy of the agreement shall be filed in the Dallas County deed records by the City. Amendments or modifications to the agreement shall require approval by the City and be recorded in the Dallas County deed records.

Tracking of Parking Space Allocations

(a) Notations shall be made on individual Development Plans and on the Core Area Master Plan to clearly indicate which off-site and/or on-street parking spaces are allocated to each building.

Existing development

Parking requirements for buildings existing at the time of adoption of this ordinance shall be those specified in the City of Richardson *Code of Ordinances*, as amended. All parking required for an existing building must be provided on the same platted lot as the structure. Requests for variances to the parking requirements established in the *Code of Ordinances* shall follow the procedures outlined therein.

Minimum parking requirements for new development

Property developed under the provisions of this ordinance shall provide parking based on the following ratios:

(a) Retail/commercial uses (except hotel and movie or performing arts theaters), office uses, and childcare centers

(1) For buildings of 75,000 square feet or less: 1 space per 250 gross square feet

(2) For buildings of more than 75,000 square feet: 1 space per 300 gross square feet

(b) Theater (movie or performing art)

(1) 1 space per 4 seats

(c) Hotel (full service)

(2) 1 space per guestroom plus 1 space per 300 square feet of conference and/or meeting space

(d) Multi-family residential uses (apartments and condominiums)

(1) One-bedroom units: 1.5 spaces per unit

(2) Two-bedroom units: 1.75 spaces per unit

(3) Three- or more bedroom units: 2 spaces per unit

(4) Every multi-family project shall provide structured parking for the development, except that parking spaces for the leasing office, deliveries, and other associated activities may be provided on-street or through surface lots. Structured parking shall be constructed as an integral part of the multi-family building, except for development of multi-family on Lot 1B, Block O, McKamy Park Addition and a 1.89724 acre tract of land located adjacent to and north of Lot 1B, Block O, McKamy Park Addition, which shall be allowed surface parking..

(5) The parking of boats, trailers, and recreational vehicles shall be prohibited, except where storage area is provided and specifically designated for this purpose. Where such a storage area is provided, it shall accommodate the boats, trailers, and other recreational vehicles owned by residents of the development only. The storage area shall not be located between the building and the street, and shall be screened from any abutting properties by a wall as described in Section 5 of this ordinance. Parking provided in this storage area shall not count toward the minimum required parking for the multi-family development.

(6) No parking area or vehicle storage space shall be used for the storage or parking of any truck, truck trailer or van, house trailer, except one panel or pickup truck, not exceeding one-ton capacity, may be kept on premises if used in connection with maintenance and management of the multi-family project.

(e) Institutional and other uses

(1) Independent living senior facility: 1 space per unit

(2) Assisted living senior center: 0.5 spaces per unit

(3) Public buildings, transit facilities, and other institutional uses: To be determined as outlined in the Special Exceptions section herein

(f) Townhomes

(1) Two spaces per unit on the same lot as the dwelling being served, located behind the required building lines and in an enclosed garage structure.

(2) 0.5 additional spaces per unit located outside the platted residential lots. On-street parking and/or parking in common areas owned and maintained by a Homeowner's Association may be used to satisfy the 0.5 space per unit requirement, as described herein. Spaces shall be located conveniently and dispersed throughout the development so as to best serve residents and their guests.

(3) Garages and driveways shall be accessed from the rear of the townhome building. No front entry garages shall be permitted.

(4) All townhome lots shall be accessible by means of an alley or private access drive with a minimum of twenty feet paved width from a street to the parking or service area.

(g) Patio homes

(1) Two off-street parking spaces, accessible from a driveway constructed of an approved parking surfaces, shall be provided on the lot in an enclosed garage structure behind the required build-to lines to accommodate two motor vehicles for each dwelling unit. The garage may be either attached to or detached from the principal building.

(2) No more than two contiguous front-facing garages (opening parallel to the street) shall be permitted. Swing-entry garages (opening perpendicular to the street) shall be permitted and shall not be considered front-facing.

(h) Single family homes

(1) Two off-street parking spaces, accessible from a driveway constructed of an approved parking surface, shall be provided on the lot in an enclosed garage structure behind the required build-to lines to accommodate two motor vehicles for each dwelling unit. The garage may be either attached to or detached from the principal building.

(2) No more than two contiguous front-facing garages (opening parallel to the street) shall be permitted. Swing-entry garages (opening perpendicular to the street) shall be permitted and shall not be considered front-facing.

11. Signs

Administration and Enforcement

Administration and enforcement of these sign regulations shall be in conformance with the procedures outlined in Chapter 18 of the Code of Ordinances, as amended, except as otherwise provided herein. All signs must be located on the same platted lot as the business or building being advertised or identified.

Sign Classifications

The following regulations shall apply to development and redevelopment authorized by this ordinance.

Illustration 12.1: Sketch of sign examples

A-frame/sandwich board signs

(a) A-frame or sandwich board signs meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Signs shall be limited to one per business and may only advertise retail/commercial activities and shall not be used to advertise real estate sales or leasing opportunities.

(c) Signs shall not interfere with the required unobstructed sidewalk path; and shall not be located within the Amenity Zone.

(d) Signs shall be within 20 feet of the primary entrance to the business.

(e) Signs shall not exceed eight square feet in area per face and four feet in height. The entire sign structure shall be included in the calculation of the sign area.

(f) Signs shall be professionally manufactured with the frame of the sign made from wood or finished metal. PVC and Coroplast shall not be allowed as sign materials.

(g) Attachments to the sign shall not be permitted.

(h) Signs may include a chalkboard or bulletin board.

(i) Signs shall be weighed down with weights integrated into the sign but shall not be chained or bolted to the building, sidewalk, street signs, light poles, or other street furnishings.

(j) A-frame signs shall not be left outside the building overnight.

Address signs

(a) Address signs meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Address sign text shall be no larger than 12 inches in height.

(c) Address signs, including suite numbers, shall be limited to one per entrance.

(d) Address signs shall be in conformance with the regulations of Chapter 20, Article IV of the Code of Ordinances.

Awning signs

(a) Awning signs shall require a sign permit prior to erection.

(b) Awning signs shall be permitted for ground floor uses only.

(c) Signs on awnings shall be printed, painted, or applied directly on the surface of the awning.

(d) Backlighting of awning signs shall be prohibited.

(e) Awnings shall be made of metal or heavyweight canvas or laminated material (minimum 14 oz. woven acrylic, 16 oz. opaque or translucent vinyl, or 20 oz. eradicable vinyl).

(f) Awnings may only be placed over windows and doors.

Bulletin board signs

(a) Bulletin board signs shall require a sign permit prior to erection.

(b) Bulletin board signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except as noted herein.

    (1) Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating.

    (2) Bulletin board signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.

(c) Bulletin board signs shall not extend above the façade of the structure or building to which it is attached; and shall be designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.

Construction signs (temporary)

(a) Construction signs meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Temporary construction signs denoting the architect, engineer, contractor, subcontractor, and/or financier and temporary signs denoting the future location of a particular business, retail center or institution shall be limited to one construction sign and one future location sign per street adjacent to the construction site or future location site. Each sign shall:

(1) Be limited to 32 square feet in area;

(2) Shall not extend above 15 feet in height measured from ground level; and

(3) Must be located on the premises where the construction or the location being advertised is or will be occurring.

Such signs shall be removed upon issuance of the certificate of occupancy.

Directory signs

(a) Exterior directory signs meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Exterior directory signs shall be allowed on multi-tenant buildings where there are two or more tenants without direct outside access to a public street. One exterior directory sign per entrance shall be permitted.

(c) The exterior directory sign shall include only building information (name, address and logo) and building tenant information (name and suite). The sign shall not contain advertising.

(d) Text size is limited to three inches for building name and logo, and one inch for all other information. All tenant information should utilize a single text font.

(e) Internal directory signs shall not be limited.

Flags

(a) Flags meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Corporate and logo flags shall be limited to one per site when accompanied by a U.S. and/or state flag of equal size or larger.

(c) Corporate and logo flags shall be limited in non-residential, multi-family, and mixed-use sites to 40 square feet for sites of less than one acre, 60 square feet for sites of more than one acre but less than five acres, and 96 square feet for sites of five or more acres.

Memorial signs or tablets

(a) Memorial signs or tablets meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Memorial signs may be constructed of bronze or other noncombustible materials attached to the building or may be cut into any masonry surface.

(c) Memorial signs shall not exceed four square feet in area, with one sign permitted for each building wall facing a street.

Monument signs

(a) Monument signs shall require a sign permit prior to erection.

(b) Monument signs shall be limited to an area of 35 square feet per face.

(c) Monument signs must be located a minimum of 30 feet from adjoining platted property lines.

(d) No monument sign shall obstruct the vision of traffic on public streets or be constructed so as to interfere with sight lines at elevations between 2 1/2 feet and eight feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection.

(e) Monument signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead load as required in City building code.

(f) All monument signs shall be placed on concrete bases or footings. Monument signs shall be constructed of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, and must be supported by noncombustible material. All portions of any sign must be finished in a presentable manner; wood or non-painted steel supports are specifically prohibited. Heavy timber and other materials may be used only if approved by the Building Official.

Nameplate

(a) Nameplate signs meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Nameplate signs shall not exceed one square foot in area, with one sign permitted for each residential unit.

Political signs (temporary)

(a) Temporary political signs meeting the requirements outlined below shall not require a sign permit prior to erection.

(b) Temporary political signs shall be limited to a maximum of thirty-six (36) square feet and eight (8) feet in height and shall only be located on private property with the consent of the property owner. No political sign may be illuminated or have moving parts.

(c) No political sign may be placed in any location that obstructs vision for traffic. Any sign in violation of the provisions of this section may be removed by the Building Official ten days after written notice to the property owner. Any expense incurred by removal shall be paid by the owner of the property on which the sign is located.

Projecting signs

(a) Projecting signs shall require a sign permit prior to erection.

(b) Projecting signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except:

    (1) Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating.

(2) Projecting signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.

(c) Projecting signs shall specifically include any sign affixed to a projecting structure of a building, providing that such sign shall not extend above the façade of the structure or building to which it is attached. Such sign shall be designed, constructed, and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.

(d) Projecting signs shall maintain a minimum clearance above the sidewalk of eight feet, unless a landscape area or other feature is located below the sign, and shall not encroach into the Amenity Zone.

(e) A projecting sign shall not extend above the façade of the use to which it is attached.

Promotional signs (temporary)

(a) Temporary promotional signs shall require a sign permit prior to erection.

(b) Submission to the Building Official shall include, but not be limited to, a drawing or sketch showing the type, size, height and location of the temporary promotional sign (including banners, flags and pennants), along with a description of the means of attachment or support, and the stated purposes of the promotion.

(c) A promotion for a site, center, development, or subdivision shall be considered separately from promotional signs for individual establishments within such site, center, development, or subdivision.

(d) Specifically, temporary promotional signs shall include:

(1) Signs, banners, flags, balloons or pennants promoting a merchandise program, opening of a retail or commercial establishment or center, special program of a public institution, or the opening of a single-family subdivision or multifamily development, providing that such sign shall have a maximum single use period of 30 days for the initial permit for a new business and a 21-day permit thereafter. Such sign shall have a minimum period between permits of seven days and a maximum number of four permits per year. The use of balloons shall be restricted to the initial 30-day permit. The size of a banner shall be limited to one square foot per lineal foot of lease space frontage up to a maximum of 200 square feet.

Real estate signs

(a) Real estate signs meeting the criteria contained below shall not require a sign permit prior to erection.

(1) Signs not exceeding eight square feet in area and not exceeding four feet in height for single-family uses which advertise the sale, rental or lease of the premises upon which such signs are located only. The number of such signs shall be limited to one per lot or development, except, where such lot or development abuts more than one dedicated public street, one additional sign shall be allowed for each public street.

(2) Signs not exceeding 24 square feet in area and not exceeding eight feet in height for all uses, except single-family (attached and detached), which advertise the sale, rental or lease of the premises upon which such signs are located only. The number of such allowable signs shall be limited to one for lots having less than 200 feet of street frontage. For lots having at least 200 feet of street frontage, two such signs shall be

allowed plus one additional sign for each additional 100 feet of street frontage. In no event may the number of such signs exceed four for a given lot. Such signs shall be removed upon issuance of any occupancy permit.

Wall signs

(a) Wall signs shall require a sign permit prior to erection.

(b) Wall signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces, except:

(1) Combustible materials may be used, providing the sign is attached to a wall with a minimum two-hour fire resistive rating.

(2) Wall signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated.

(c) A wall sign shall not extend above the façade of the structure or building to which it is attached. Such sign shall be designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.

Wayfinding signs

(a) Wayfinding signs shall not require a sign permit but must be submitted to the building official for review.

(b) Submission to the building official shall include, but not be limited to, a site drawing showing the location of the proposed sign(s), a dimensional drawing showing size and content, a designation of the material or materials to be used, and the proposed method of erection.

(c) No wayfinding sign shall be erected until the Building Official has approved the sign submission.

Window signs

(a) Window signs shall require a sign permit prior to erection.

(b) In no event may signs be located on the window surface internally or externally in any manner to obscure more than 25 percent of the visible window area available in the absence of any signs. Where multiple windows exist fronting on a single street or sidewalk, the 25 percent visibility shall be maintained for each window on such street or sidewalk. Window signs shall include:

(1) Signs painted on the internal surface of the window of a retail/commercial or office establishment.

(2) Signs (except posters), banners or displays located on the internal surface of the window of a commercial or retail establishment.

(3) Posters, providing such posters are not located on the external surface of the window.

(4) Decorations intended to direct attention to and stimulate citizens' interest in public events, providing such signs are painted on the internal surface of the window no more than 25 percent of the window is obscured by said decorations.

(5) Signs attached to the internal surface of a window that define the name, proprietor, telephone number or address of such retail or commercial establishment.

Table 10-1: Signs requiring permits

Sign Type	*Permit required?*
A-frame/sandwich board	No
Address	No
Awning	Yes
Bulletin board	Yes
Construction (temporary)	No
Directory	No
Flags	No
Memorial	No
Monument	Yes
Nameplate	No
Political (temporary)	No
Projecting	Yes
Promotional	Yes
Real estate	No
Wall	Yes
Wayfinding	No
Window	Yes

Regulation by Use

The sign types and area allowances for each use shall be as defined in this section, subject to the conditions specified.

All buildings/uses

(a) Address signs are required for all buildings and shall be in conformance with the regulations in Chapter 20, Article IV of the Code of Ordinances, as amended.

(b) Signs classified as construction (temporary), flags, memorial, political (temporary), and real estate are allowed for all uses subject to the conditions herein.

Non-residential and mixed-use buildings

Non-residential and mixed-use buildings allow the following signs:

(a) Ground floor uses:

(1) The ground floor of the building (maximum 25 feet in height) may have a maximum combined effective area for all signs requiring a permit not exceeding twenty percent (20%) of the total area of the ground floor façade. For multi-tenant buildings, the effective area for all signs for each tenant shall not exceed twenty percent (20%) of the total area for the tenant's portion of the façade.

(2) Signs may be placed on each exterior façade, subject to the twenty percent (20%) limit per façade.

(3) The total sign area may be divided into any combination of individual signs, including awning, hanging, projecting, window, or wall signs.

(b) Uses above the ground floor:

(1) The area above the ground floor may have a maximum combined effective area for all signs requiring a permit not exceeding five percent (5%) of the total area of each façade above the ground floor.

(2) Signs may be placed on each exterior façade, subject to the five percent (5%) limit per façade.

(3) The total sign area may be divided into any combination of individual signs, including projecting or wall signs.

(4) If a ground floor use occupies one or more floors above the ground floor, that section of the façade above the ground floor is eligible for signage not to exceed five percent (5%) of the total area of the tenant's portion of the façade above the ground floor.

(c) One monument sign per street frontage, subject to the limits and restrictions herein.

(d) Directory signs, subject to the limits and restrictions herein.

(e) Promotional signs, subject to the limits and restrictions herein.

Multi-family (freestanding) buildings

Freestanding multi-family buildings are allowed the following signs:

(a) The maximum combined effective area of all signs requiring a permit may not exceed five percent (5%) of the total area of each façade, in the form of wall, projecting, awning, and/or window signs.

(1) The total sign area may be divided into any combination of individual signs, including awning, projecting, window, or wall signs.

(2) Signs may be placed on each exterior façade, subject to the five percent (5%) limit per façade.

(b) One monument sign per street frontage, subject to the limits and restrictions herein.

(c) Directory signs, subject to the limits and restrictions herein.

(d) Promotional signs, subject to the limits and restrictions herein.

Single-family (attached and detached)

Single-family, attached and detached, uses are allowed the following signs:

(a) Nameplate

(b) Memorial

Variances

(a) The City Council authorizes the City Plan Commission to sit as a board of appeals in public hearings for purposes of these sign regulations.

(b) In considering requests for variations to the requirements of these regulations, the City Plan Commission shall consider, but not be limited to, the degree of variance, the reasons for the variance being requested, the location of the variance request, the duration of the requested variance, the effect on public safety, protection of neighborhood property, the degree of hardship or injustice involved, and the effect of the variance on the overall character of the Spring Valley Station Core Area. The City Plan Commission may grant the variance requested, grant a variance of a lesser nature than requested, or deny a variance request.

(c) All actions on sign variance requests shall be submitted to the City Council for review and become final unless reversed or modified by the City Council no later than the second City Council meeting following the date of City Plan Commission action on the requested variance . In reviewing the action of the commission on variance requests, the City Council shall consider the records made at the hearing before the City Plan Commission.

12. Exceptions, Special Permits, and Amendments

Exceptions

General

Where in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially injured, the City Council may, in specific cases, at a regular meeting of the City Council, and subject to appropriate conditions, safeguards, and after the recommendation of the City Plan Commission, may authorize exceptions (as defined herein) to the regulations in this ordinance as listed below in order to permit reasonable development and improvement of property. No public notice or public hearing shall be required prior to the grant of an exception.

An applicant may request an exception to the regulations of this ordinance as part of a Concept Plan or Development Plans application. The proposed exception shall be clearly noted on the Concept Plan or Development Plans. Information supporting the need for the exception shall be submitted for review by the Development Services Department prior to submission of the Concept Plan or Development Plans. Approval of the Concept Plan or Development Plans shall constitute approval of the exception noted therein for that development.

Exceptions to the regulations of this ordinance that may be authorized include the following:

(a) Definitions

(b) Building regulations

(c) Area regulations

(d) Additional requirements for multi-family

(e) Open space

(f) Access and parking

(g) Signs

Special permits

Any use not listed as a permitted use in this ordinance may be allowed by special permit through the process detailed in Article XXII-A of the Comprehensive Zoning Ordinance.

Amendments

Amendments to this ordinance, including changes to the list of permitted uses and the Additional Development Rights table should follow the process outlined in Article XXIX of the Comprehensive Zoning Ordinance.

13. Development Review

The following review process shall be required for all proposed developments, except for single-family homes and patio homes.

Concept Plan

The submission of a Concept Plan shall constitute the first step in development approvals for a specific site. The Concept Plan shall delineate the site plan elements, showing how the development complies with this ordinance, the Core Area Design Guidelines, and the Core Area Master Plan. The Concept Plan shall include and show the following:

(a) Scaled drawing, clearly showing vehicular and pedestrian circulation, parking (required and provided), open space, landscape areas, the type and location of buildings, building area (square footage, height, number of stories, and/or number of units), square footage being redeveloped (where applicable), land area and building coverage, uses within the buildings, fire lanes, parking areas, landscaped areas, street and lot configuration, building sites, access, density, and relation to adjacent facilities.

(b) Location and size of amenities, when required.

(c) Architectural images indicating general architectural concepts, treatments, character, and other similar features.

(d) Description of building exterior, roof, architectural, and paving materials.

(e) A traffic impact analysis. Development proposals that generate more than 10,000 vehicle trips per day or are located on sites of five acres or more shall submit a traffic impact analysis with modeling. Development proposals that generate fewer than 10,000 vehicle trips per day or located on sites of less than five acres may be submitted without modeling.

The Concept Plan shall be reviewed by the City Plan Commission for recommendation to the City Council for final approval. Concept Plan approval shall expire one year after the date of City Council approval, unless extended by the City Plan Commission for a single period not to exceed one year. An application for an extension of Concept Plan approval shall be submitted 45 days prior to the expiration date of the approved Concept Plan. The City Plan Commission may extend the approval if sufficient progress towards creating a Development Plans is demonstrated.

Development Plans

After approval of the Concept Plan, the following Development Plans shall be submitted for final approval by the City Plan Commission, however both the City Plan Commission and the City Council shall approve the required building elevations. Development Plans shall be submitted within one year after approval of the Concept Plan.

Development Plans shall be in substantial conformance with the updated Core Area Master Plan and the Concept Plan approved by the City Council. The Development Plans shall consist of the following:

(a) Site plan—approval of a site plan in accordance with the provisions of the Comprehensive Zoning Ordinance.

(b) Landscape plan—approval of a landscape plan in accordance the provisions the Comprehensive Zoning Ordinance.

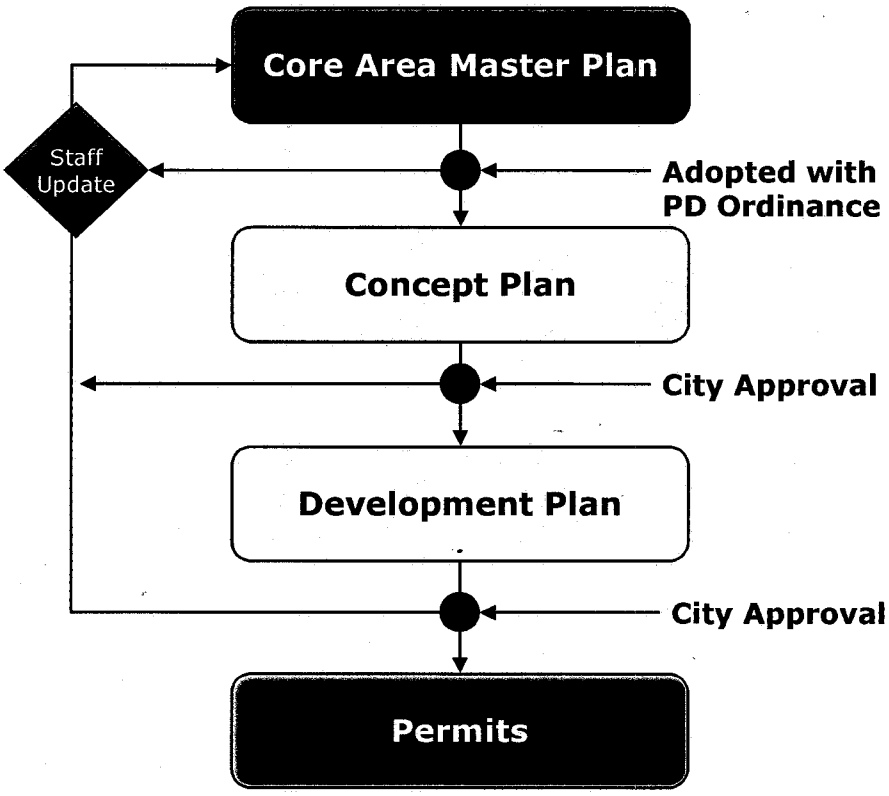
(c) Civil engineering plans—approval of civil engineering plans in accordance with the Code of Ordinances.

(d) Building elevations.

(e) Description and samples of building exterior, roof, architectural, and paving materials, indicating proposed colors.

(f) Other documents necessary to support the proposed development including, but not limited to, maintenance agreements, shared parking agreements, property owner association agreements.

Development Plans shall be submitted for review and approval by the City Plan Commission; however, building elevations shall also approved by the City Council. If building permits have not been issued within one year of the approval date of the Development Plans, the approval shall expire. The City Plan Commission may issue an extension of the Development Plan approval for a single period of up to six months if sufficient progress towards implementing the Development Plan is demonstrated. The application for an extension of a Development Plan approval shall be submitted by the applicant no less than 30 days and no more than 45 days prior to the Development Plan expiration date.



ORDINANCE NO. 4093

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 OF 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 herein 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 wavier 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 curb 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.

Rear Yard. No rear setback shall be required except as may be required by the City of Richardson Building Code.

(f) *Lot Coverage.* The maximum lot coverage shall be ninety (90%) percent.

(g) *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)

(h) *Interior Setbacks.* No setback shall be required from interior lot lines except as may be required by the City of Richardson Building Code.

(i) *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.

(j) *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 wi*thin 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 X 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; five points maximum)

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 fire lanes .

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 8th day of December, 2014.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:12-3-14:TM 69344)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

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°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°08'29", having a radius of 990.14 feet, and a chord bearing and distance of South 19°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°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 angel of 30°05'13", having a radius of 480.00 feet, and a chord bearing and distance of South 82°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°21'50", having a radius of 420.00 feet, and a chord bearing and distance of South 75°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°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°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)

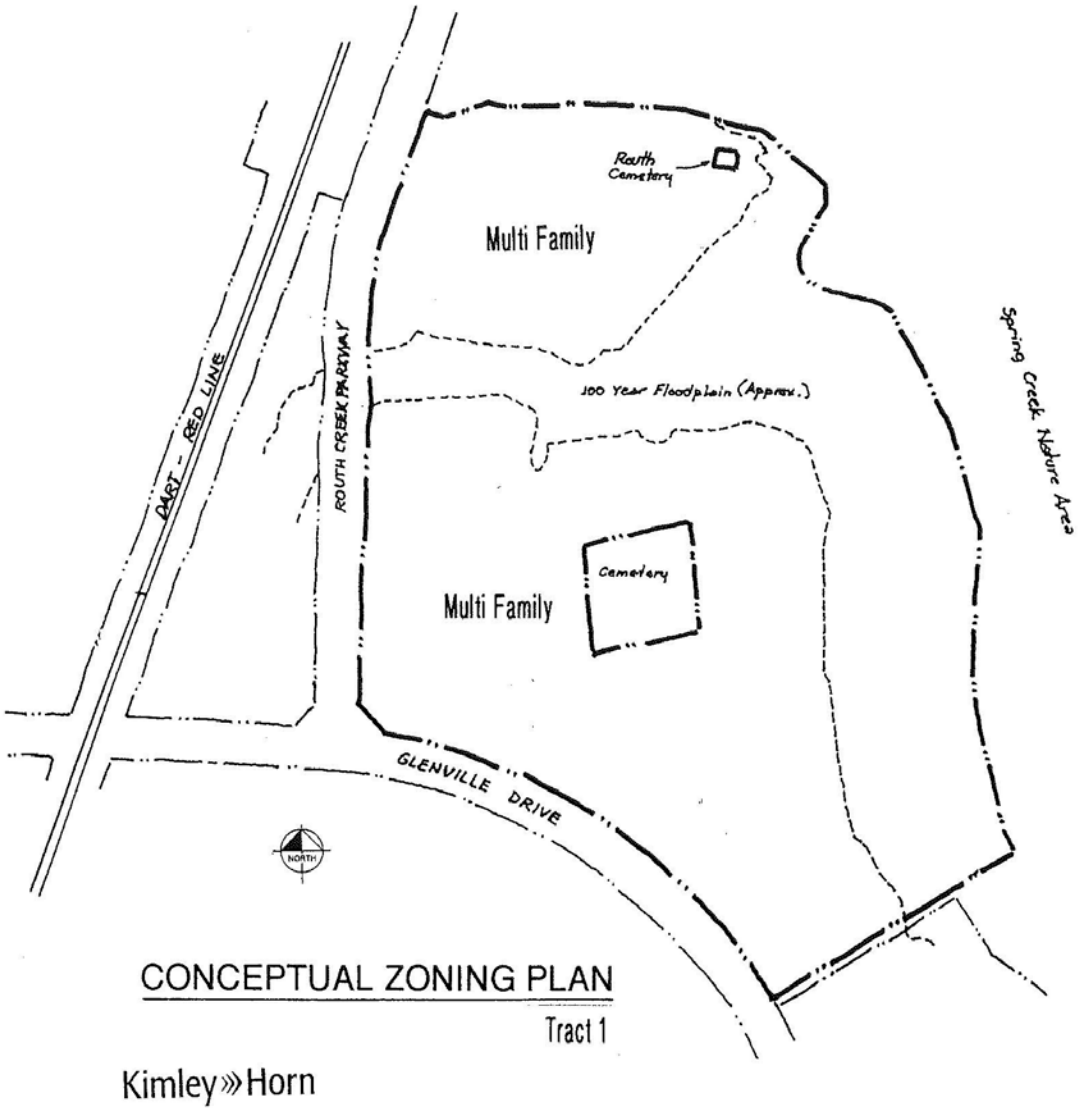


EXHIBIT "B" (2 OF 3)

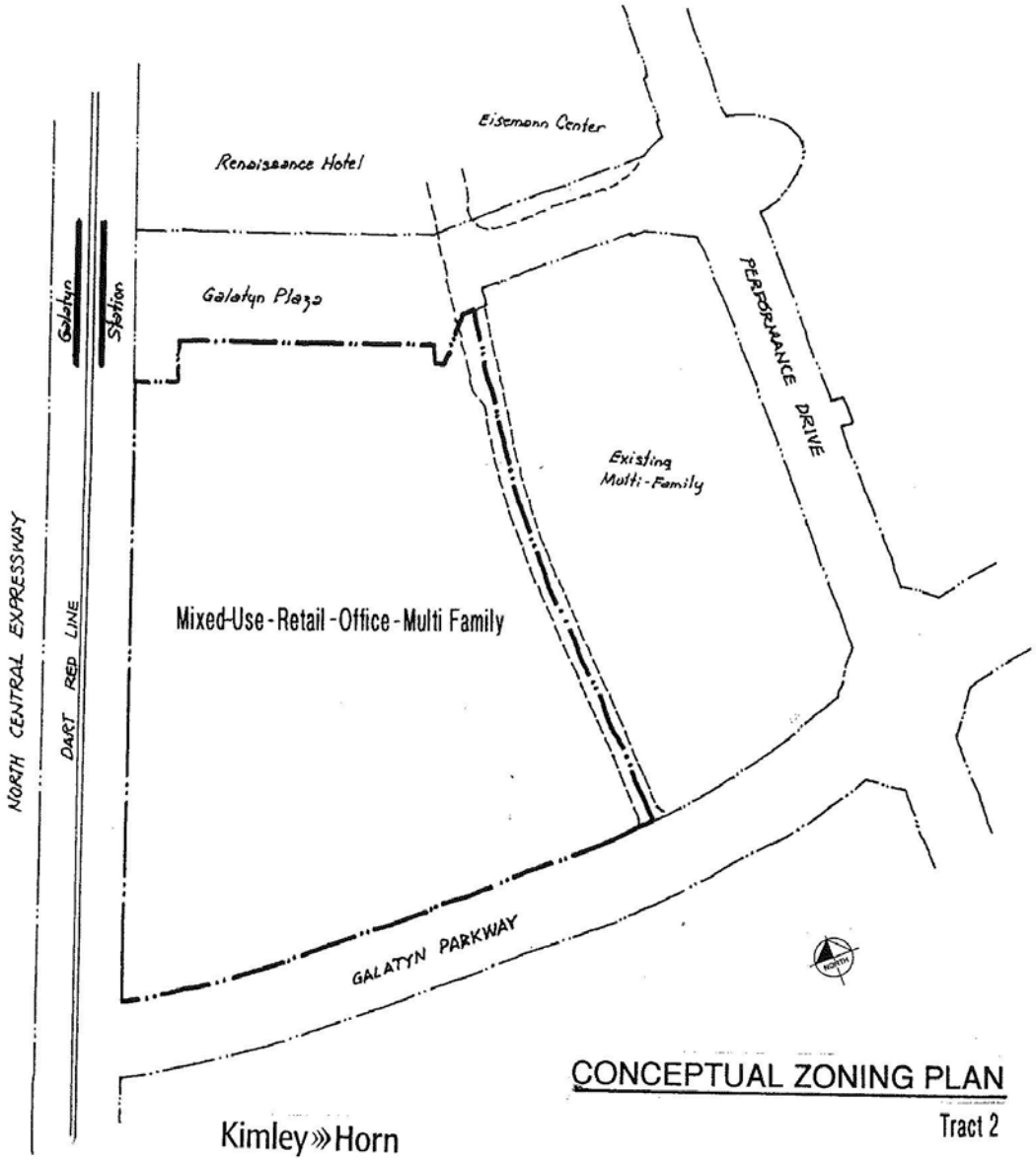


EXHIBIT "B" (3 OF 3)

CONCEPTUAL ZONING PLAN

Tract 3

Kimley»Horn

ORDINANCE NO. 4094

AN ORDINANCE authorizing the issuance of "CITY OF RICHARDSON, TEXAS, ADJUSTABLE RATE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014B"; providing for the payment of said certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues from the operation of the City's Waterworks and Sewer System; prescribing the terms and details of such Certificates and resolving other matters incident and related to the issuance, sale, security, payment and delivery of said Certificates, including the approval and execution of a Paying Agent/Registrar Agreement and a Purchase Agreement Letter; and providing an effective date.

WHEREAS, notice of the City Council's intention to issue certificates of obligation in the maximum principal amount of $11,425,000 for the purpose of paying contractual obligations to be incurred for (1) the acquisition of public park land and open space and (2) professional services rendered in connection therewith, has been duly published in *The Dallas Morning News*, a newspaper hereby found and determined to be of general circulation in the City of Richardson, Texas, on November 5, 2014 and November 12, 2014, the date of the first publication of such notice being not less than thirty-one (31) days prior to the tentative date stated therein for the passage of the ordinance authorizing the issuance of such certificates; and

WHEREAS, no petition, protesting the issuance of such certificates and bearing valid petition signatures of at least five percent (5%) of the qualified voters of the City, has been filed with the City Secretary, any member of the City Council or any other official of the City on or prior to the date of the passage of this ordinance; and

WHEREAS, the City Council hereby finds and determines that all of the certificates of obligation described in such notice should be issued and sold at this time; now, therefore,

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

SECTION 1. Authorization – Designation – Principal Amount – Purpose. Certificates of obligation of the City shall be and are hereby authorized to be issued in the aggregate principal amount of $11,425,000 to be designated and bear the title "CITY OF RICHARDSON, TEXAS, ADJUSTABLE RATE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014B" (the "Certificates"), for the purpose of paying contractual obligations to be incurred for (1) the acquisition of public park land and open space and (2) professional services rendered in connection therewith; and, pursuant to authority conferred by and in conformity with the Constitution and laws of the State of Texas, including Texas Local Government Code, Subchapter C of Chapter 271, as amended.

SECTION 2. Fully Registered Obligations – Authorized Denominations – Stated Maturity – Date – Interest Rate.

(a) The Certificates shall be issued as a single fully registered obligation, shall be dated December 1, 2014 (the "Certificate Date") and shall become due and payable on June 15, 20__ (the "Stated Maturity") and bear interest at a variable rate as provided below calculated on the basis of a 360-day year of twelve 30-day months.

(b) Interest on the unpaid principal amount of the Certificates shall be payable each Interest Payment Date and shall initially accrue from the date of delivery of the Certificates to the Purchaser (anticipated to be December 22, 2014) through June 14, 2015 (the "Initial Rate Period") at the "Initial Rate" which is the lesser of the 12-month LIBOR as determined on December 19, 2014 (or in the event the 12-month LIBOR is no longer being calculated, a comparable 12-month index as mutually agreed to by the City and the Purchaser, or its successors or assigns) and the Maximum Rate. Upon expiration of the Initial Rate Period, interest shall accrue during each subsequent Annual Rate Period at the Annual Rate as determined on the applicable Annual Reset Date.

(c) The "Annual Rate" is the rate as of the Annual Reset Date which is the lesser of (i) __% of the 12-month LIBOR plus (ii) __% per annum (or in the event 12-month LIBOR is no longer being calculated, a comparable 12-month index as mutually agreed to by the City and the Purchaser, or its successors or assigns) and the Maximum Rate. For so long as the Purchaser is the Holder of 100% of the Certificates, such Purchaser shall determine the Annual Rate on each Annual Reset Date; however, if such day is not a date on which dealings in U.S. dollars are transacted in the London interbank market, then such Purchaser shall determine the Annual Rate on the next preceding day on which such dealings are transacted in such market. Upon determination of the Annual Rate, the Purchaser shall immediately notify in writing (which may be by facsimile or electronic mail) the City, the Financial Advisor and the Paying Agent/Registrar of the Annual Rate to be effective for the next Annual Rate Period. In no event shall the interest rate on the Certificates exceed the Maximum Rate.

(d) As used in this Ordinance, the following terms have the following meanings:

"Annual Rate Period" means each period following the Initial Rate Period during which the Certificates bear interest at the Annual Rate, beginning on June 15 and ending on June 14 of the following year, commencing June 15, 2015.

"Annual Reset Date" shall mean the Business Day immediately preceding the first day of each Annual Rate Period.

"Business Day" means any day which is not a Saturday, Sunday, a legal holiday, or a day when banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar (as identified in Section 3 below) is located are authorized by law or executive order to be closed or a day on which the New York Stock Exchange is closed.

"Financial Advisor" shall mean, initially, First Southwest Company, Dallas, Texas, and any other entity that may be designated from time to time by the City as its financial advisor.

"Interest Payment Date" shall mean the dates that interest shall be paid on the Certificates while any principal amount thereof is outstanding; beginning December 15, 2015 and each June 15 and December 15 thereafter, until maturity or prior redemption.

"Maximum Rate" shall be the net effective interest rate of fifteen percent (15%) per annum, or such lesser rate as may be the maximum lawful non-usurious rate permitted by Texas Government Code, Chapter 1204, as amended ("Chapter 1204"). Notwithstanding anything herein to the contrary, in no event shall the aggregate of the interest on any Certificate, plus any other amounts paid in connection therewith which

are deemed "interest" under the laws of the State of Texas and the United States of America in effect on the applicable date permitting the charging and collecting of the highest non-usurious interest rate on such Certificate (hereinafter referred to as "Applicable Law") ever exceed the maximum amount of interest which could be lawfully charged and paid on such Certificate under Applicable Law, and if any amount of interest taken or received by any person shall be in excess of the maximum amount of interest which, under Applicable Law, could lawfully have been collected and paid thereon, then the excess shall be deemed to have been the result of a mathematical error by the City and such person and shall be refunded promptly to the City. All amounts paid or agreed to be paid in connection with the indebtedness evidenced by any Certificate which under Applicable Law would be deemed "interest" shall, to the extent permitted by Applicable Law, be amortized, prorated, allocated, and spread throughout the full term of such obligation. Every obligation of the City contained in, or arising by virtue of, this Ordinance is subject to Chapter 1204. Nothing herein or in the Certificates authorizes payment of any amount which constitutes "interest" under Chapter 1204 in an amount greater than the limitations set forth in Chapter 1204.

"12-Month LIBOR" means a rate (expressed to the fifth decimal place) equal to (i) the rate of interest which is identified and normally published by ICE Benchmark Administration for loans in United States dollars for twelve (12) month periods as of 11:00 a.m. (London time), on the Annual Reset Date (or if such day is not a Business Day, the immediately preceding Business Day) plus (ii) the maximum reserve requirement, if any, then imposed under Regulation D of the Board of Governors of the Federal Reserve System (or any successor thereto) for "Eurocurrency Liabilities" (as defined therein). If ICE Benchmark Administration no longer reports the LIBOR or the Purchaser determines in good faith that the rate so reported no longer accurately reflects the rate available to the Purchaser in the London Interbank Market or if such index no longer exists or accurately reflects the rate available to the Purchaser in the London Interbank Market, the Purchaser may select a replacement index.

SECTION 3. Terms of Payment – Paying Agent/Registrar. The principal of, premium, if any, and the interest on the Certificates, due and payable by reason of maturity, or otherwise, shall be payable only to the registered owners or holders of the Certificates (hereinafter called the "Holders") appearing on the Security Register (defined below) maintained by the Paying Agent/Registrar and the payment thereof shall be in any coin or currency of the United States of America, which at the time of payment is legal tender for the payment of public and private debts, and shall be without exchange or collection charges to the Holders.

The selection and appointment of _ _____, _____, _____ to serve as Paying Agent/Registrar for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained by the Paying Agent/Registrar books and records for the registration, payment and transfer of the Certificates (the "Security Register"), all as provided herein, in accordance with the terms and provisions of a "Paying Agent/Registrar Agreement" substantially in the form attached hereto as **Exhibit A** and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe; and the Mayor and City Secretary are authorized to execute and deliver such Agreement in connection with the delivery of the Certificates. The City covenants to maintain and provide a Paying Agent/Registrar at all times until the Certificates are paid and discharged, and any successor Paying Agent/Registrar shall be a commercial bank, trust company, financial institution or other entity qualified and authorized to serve in such capacity and perform the duties and services of Paying Agent/Registrar. Upon any change in the Paying Agent/Registrar for the Certificates,

the City agrees to promptly cause a written notice thereof to be sent to each Holder by United States Mail, first class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of and premium, if any, on the Certificates shall be payable at the Stated Maturities thereof only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its designated office initially in _____, _____, or, with respect to a successor Paying Agent/Registrar, at the designated offices of such successor (the "Designated Payment/Transfer Office"). Interest on the Certificates shall be paid by the Paying Agent/Registrar to the Holders whose names appear in the Security Register at the close of business on the Record Date (the last business day of the month next preceding each interest payment date) and payment of such interest shall be (i) by check sent United States Mail, first class postage prepaid, to the address of the Holder recorded in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder. If the date for the payment of the principal of or interest on the Certificates shall be a Saturday, Sunday, legal holiday or a day when banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday or day when banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due.

In the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States Mail, first class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4. Redemption.

(a) Optional Redemption. The Certificates shall be subject to redemption prior to maturity, at the option of the City, in whole or in part in principal amounts of $5,000 or any integral multiple thereof (and if in part by lot by the Paying Agent/Registrar), on June 15 of each year at the redemption price of par plus accrued interest to the date of redemption.

At least forty five (45) days prior to an optional redemption date for the Certificates (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of the decision to redeem Certificates, the principal amount of each Stated Maturity to be redeemed, and the date of the redemption therefor.

(b) Selection of Certificates for Redemption. If less than all Outstanding Certificates of the same Stated Maturity are to be redeemed on a redemption date, the Paying Agent/Registrar shall treat such Certificates as representing the number of Certificates Outstanding which is obtained by dividing the principal amount of such Certificate by $5,000 and shall select the Certificates, or principal amount thereof, to be redeemed within such Stated Maturity by lot.

(c) Notice of Redemption. Not less than thirty (30) days prior to a redemption date for the Certificates, a notice of redemption shall be sent by United States Mail, first class postage prepaid, in the name of the City and at the City's expense, to each Holder of a Certificate to be redeemed in whole or in part at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder.

All notices of redemption shall (i) specify the date of redemption for the Certificates, (ii) identify the Certificates to be redeemed and, in the case of a portion of the principal amount to be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Certificates, or the portion of the principal amount thereof to be redeemed, shall become due and payable on the redemption date specified, and the interest thereon, or on the portion of the principal amount thereof to be redeemed, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Certificates, or the principal amount thereof to be redeemed, shall be made at the Designated Payment/Transfer Office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder. If a Certificate is subject by its terms to prior redemption and has been called for redemption and notice of redemption thereof has been duly given as hereinabove provided, such Certificate (or the principal amount thereof to be redeemed) shall become due and payable and interest thereon shall cease to accrue from and after the redemption date therefor; provided moneys sufficient for the payment of such Certificate (or of the principal amount thereof to be redeemed) at the then applicable redemption price are held for the purpose of such payment by the Paying Agent/Registrar.

(d) Conditional Notice of Redemption. With respect to any optional redemption of the Certificates, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption may, at the option of the City, be conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption; and, if sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

SECTION 5. Registration – Transfer – Exchange of Certificates – Predecessor Certificates. A Security Register relating to the registration, payment, and transfer or exchange of the Certificates shall at all times be kept and maintained by the City at the Designated Payment/Transfer Office of the Paying Agent/Registrar and at a place within the State of Texas, as provided herein and in accordance with the provisions of an agreement with the Paying Agent/Registrar and such rules and regulations as the Paying Agent/Registrar and the City may prescribe. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of each and every Holder of the Certificates issued under and pursuant to the provisions of this Ordinance, or if appropriate, the nominee thereof. Any Certificate may be transferred or exchanged for Certificates of other authorized denominations by the Holder, in person or by his duly authorized agent, upon surrender of such Certificate to the Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender of any Certificate for transfer at the Designated Payment/Transfer Office of the Paying Agent/Registrar, the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Certificates of authorized denominations and having the same Stated Maturity and of a like aggregate principal amount as the Certificate or Certificates surrendered for transfer.

At the option of the Holder, Certificates may be exchanged for other Certificates of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Certificates surrendered for exchange, upon surrender of the Certificates to be exchanged at the Designated Payment/Transfer Office of the Paying Agent/Registrar. Whenever any Certificates are surrendered for exchange, the Paying Agent/Registrar shall register and deliver new Certificates to the Holder requesting the exchange.

All Certificates issued in any transfer or exchange of Certificates shall be delivered to the Holders at the Designated Payment/Transfer Office of the Paying Agent/Registrar or sent by United States Mail, first class postage prepaid, to the Holders, and, upon the registration and delivery thereof, the same shall be the valid obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Certificates surrendered in such transfer or exchange.

All transfers or exchanges of Certificates pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Certificates cancelled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be "Predecessor Certificates", evidencing all or a portion, as the case may be, of the same obligation to pay evidenced by the new Certificate or Certificates registered and delivered in the exchange or transfer therefor. Additionally, the term "Predecessor Certificates" shall include any mutilated, lost, destroyed or stolen Certificate for which a replacement Certificate has been issued, registered and delivered in lieu thereof pursuant to the provisions of Section 27 hereof and such new replacement Certificate shall be deemed to evidence the same obligation as the mutilated, lost, destroyed or stolen Certificate.

SECTION 6. <u>Execution – Registration</u>. The Certificates shall be executed on behalf of the City by the Mayor under its seal reproduced or impressed thereon and countersigned by the City Secretary. The signature of said officers and the seal of the City on the Certificates may be manual or facsimile. Certificates bearing the manual or facsimile signatures of individuals who are or were the proper officers of the City on the Certificate Date shall be deemed to be duly executed on behalf of the City, notwithstanding that one or more of the individuals executing the same shall cease to be such officer at the time of delivery of the Certificates to the initial purchaser(s) and with respect to Certificates delivered in subsequent exchanges and transfers, all as authorized and provided in Texas Government Code, Chapter 1201, as amended.

No definitive Certificate shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Certificate a certificate of registration substantially in the form provided in Section 8D, manually executed by an authorized officer, employee or representative of the Paying Agent/Registrar, and such

manually executed certificate upon any Certificate shall be conclusive evidence, and the only evidence, that such Certificate has been duly certified, registered and delivered.

No Initial Certificate shall be entitled to any right or benefit under this Ordinance or be valid or obligatory for any purpose unless there appears on such Initial Certificate a certificate of registration substantially in the form provided in Section 8C, manually executed by the Comptroller of Public Accounts of the State of Texas, or the duly authorized agent of said Comptroller.

SECTION 7. Initial Certificate. The Certificates herein authorized shall be initially issued as a single fully registered certificate in the aggregate principal amount shown in Section 1 hereof and numbered T-1, (hereinafter called the "Initial Certificate") and the Initial Certificate shall be registered in the name of the initial purchaser(s) or the designee thereof. The Initial Certificate shall be the Certificate submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the initial purchaser(s). Any time after the delivery of the Initial Certificate, the Paying Agent/Registrar, pursuant to written instructions from the initial purchaser(s), or the designee thereof, shall cancel the Initial Certificate delivered hereunder and exchange therefor a definitive Certificate of authorized denomination, Stated Maturity and principal amount for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the initial purchaser(s), or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 8. Forms.

A. Forms Generally. The Certificates, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas to appear on the Initial Certificate, the Registration Certificate of Paying Agent/Registrar to appear on the definitive Certificate, and the form of Assignment to appear on each of the Certificates, shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends in the event the Certificates, or any maturities thereof, are purchased with insurance) and any reproduction of an opinion of counsel thereon as may, consistently herewith, be established by the City or determined by the officers executing such Certificates as evidenced by their execution. Any portion of the text of any Certificates may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Certificate.

The definitive Certificate and the Initial Certificate shall be printed, lithographed, engraved, typewritten, photocopied, or produced in any other similar manner, all as determined by the officers executing such Certificates as evidenced by their execution.

B. Form of Certificate.

REGISTERED REGISTERED
NO. [R-____][T-1] $_____

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF RICHARDSON, TEXAS
ADJUSTABLE RATE COMBINATION TAX AND REVENUE CERTIFICATE OF OBLIGATION
SERIES 2014B

Certificate Date: Stated Maturity:
December 1, 2014 June 15, 20__

Registered Owner: _____

Principal Amount: _____ DOLLARS

The City of Richardson (hereinafter referred to as the "City"), a body corporate and municipal corporation in the Counties of Dallas and Collin, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the Registered Owner named above (the "Registered Owner"), or the registered assigns thereof, the Principal Amount stated above, on the Stated Maturity date specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest (computed on the basis of a 360-day year consisting of twelve 30-day months) on the unpaid Principal Amount hereof from the interest payment date next preceding the "Registration Date" of this Certificate appearing below (unless this Certificate bears a "Registration Date" as of an interest payment date, in which case it shall bear interest from such date, or unless the "Registration Date" of this Certificate is prior to the initial interest payment date in which case it shall bear interest from the date of delivery to the initial purchaser) at the per annum rate of interest equal to the Initial Rate or the Annual Rate, as applicable and as defined in the Ordinance, calculated on the basis of a 360-day year of twelve 30-day months. In no event shall the interest payable on this Certificate exceed the Maximum Rate.

"Maximum Rate" shall be the net effective interest rate of fifteen percent (15%) per annum, or such lesser rate as may be the maximum lawful non-usurious rate permitted by Texas Government Code, Chapter 1204, as amended ("Chapter 1204"). Notwithstanding anything in the Ordinance to the contrary, in no event shall the aggregate of the interest on any Certificate, plus any other amounts paid in connection therewith which are deemed "interest" under the laws of the State of Texas and the United States of America in effect on the applicable date permitting the charging and collecting of the highest non-usurious interest rate on such Certificate (hereinafter referred to as "Applicable Law") ever exceed the maximum amount of interest which could be lawfully charged and paid on such Certificate under Applicable Law, and if any amount of interest taken or received by any person shall be in excess of the maximum amount of interest which, under Applicable Law, could lawfully have been collected and paid thereon, then the excess shall be deemed to have been the result of a mathematical error by the City and such person and shall be refunded promptly to the City. All amounts paid or agreed to be paid in connection with the indebtedness evidenced by any Certificate which under Applicable Law would be deemed "interest" shall, to the extent permitted by Applicable Law, be amortized, prorated, allocated, and spread throughout the full term of such obligation. Every obligation of the City contained in, or arising by virtue of, the Ordinance

is subject to Chapter 1204. Nothing in the Ordinance or in this Certificate authorizes payment of any amount which constitutes "interest" under Chapter 1204 in an amount greater than the limitations set forth in Chapter 1204.

Principal of this Certificate is payable at its Stated Maturity or upon prior redemption to the Registered Owner hereof, upon presentation and surrender, at the Designated Payment/Transfer Office of _____, _____, _____ (the "Paying Agent/Registrar") or its successor. Interest is payable to the Registered Owner of this Certificate (or one or more Predecessor Certificates, as defined in the Ordinance hereinafter referenced) whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date", which is the last business day of the month next preceding each interest payment date, and interest shall be paid by the Paying Agent/Registrar by check sent United States Mail, first class postage prepaid, to the address of the Registered Owner recorded in the Security Register on the Record Date or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. If the date for the payment of the principal of or interest on the Certificates shall be a Saturday, Sunday, legal holiday or a day when banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday or day when banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due. All payments of principal of, premium, if any, and interest on this Certificate shall be without exchange or collection charges to the Registered Owner hereof and in any coin or currency of the United States of America, which at the time of payment is legal tender for the payment of public and private debts.

This Certificate is one of the series specified in its title issued in the aggregate principal amount of $11,425,000 (herein referred to as the "Certificates") for the purpose of paying contractual obligations to be incurred for (1) the acquisition of public park land and open space and (2) professional services rendered in connection there with, under and in strict conformity with the Constitution and laws of the State of Texas, particularly Texas Local Government Code, Subchapter C of Chapter 271, as amended, and pursuant to an Ordinance adopted by the governing body of the City (herein referred to as the "Ordinance").

The Certificates may be redeemed prior to maturity, at the option of the City, in whole or in part in principal amounts of $5,000 or any integral multiple thereof (and if in part by lot by the Paying Agent/Registrar), on June 15 of each year at the redemption price of par plus accrued interest to the date of redemption.

At least thirty days prior to the date fixed for any redemption of Certificates, the City shall cause a written notice of such redemption to be sent by United States Mail, first class postage prepaid, to the registered owners of each Certificate to be redeemed at the address shown on the Security Register and subject to the terms and provisions relating thereto contained in the Ordinance. If a Certificate (or any portion of its principal sum) shall have been duly called for redemption and notice of such redemption duly given, then upon such redemption date such Certificate (or the portion of its principal sum to be redeemed) shall become due and payable, and interest thereon shall cease to accrue from and after the redemption date therefor, provided moneys for the payment of the redemption price and the interest on the principal amount to be redeemed to the date of redemption are held for the purpose of such payment by the Paying Agent/Registrar.

With respect to any optional redemption of the Certificates, unless moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption may, at the option of the City, be conditional upon the receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon the satisfaction of any prerequisites set forth in such notice of redemption; and, if sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

The Certificates are payable from the proceeds of an ad valorem tax levied, within the limitations prescribed by law, upon all taxable property in the City and are additionally payable from and secured by a lien on and limited pledge of the Net Revenues (as defined in the Ordinance) of the City's Waterworks and Sewer System (the "System"), such lien and pledge, however, being junior and subordinate to the lien on and pledge of the Net Revenues of the System securing the payment of "Prior Lien Obligations" (as defined in the Ordinance) now outstanding and hereafter issued by the City. In the Ordinance, the City reserves and retains the right to issue Prior Lien Obligations while the Certificates are outstanding without limitation as to principal amount but subject to any terms, conditions or restrictions as may be applicable thereto under law or otherwise.

Reference is hereby made to the Ordinance, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all the provisions of which the Registered Owner hereof by the acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied for the payment of the Certificates; the properties constituting the System; the limited amount of Net Revenues pledged to the payment of the principal of and interest on the Certificates; the nature and extent and manner of enforcement of the pledge; the terms and conditions relating to the transfer of this Certificate; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Registered Owners of the Certificates; the rights, duties and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which the tax levy and the liens, pledges, charges and covenants made therein may be discharged at or prior to the maturity of this Certificate, and this Certificate deemed to be no longer Outstanding thereunder; and for the other terms and provisions contained therein. Capitalized terms used herein and not otherwise defined have the meanings assigned in the Ordinance.

This Certificate, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by, the Registered Owner hereof, or his or her duly authorized agent. When a transfer on the Security Register occurs, one or more fully registered Certificates of authorized denominations and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, may treat the Registered Owner hereof whose name appears on the Security Register (i) on the Record Date as the owner entitled to payment of interest hereon, (ii) on the date of surrender of this Certificate as the owner entitled to payment of principal hereof at its Stated Maturity, and (iii) on any other date as the owner for all other purposes, and neither the City nor the Paying

Agent/Registrar, or any agent of either, shall be affected by notice to the contrary. In the event of nonpayment of interest on a scheduled payment date and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States Mail, first class postage prepaid, to the address of each Registered Owner appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, recited, represented and covenanted that the City is a body corporate and political subdivision duly organized and legally existing under and by virtue of the Constitution and laws of the State of Texas; that the issuance of the Certificates is duly authorized by law; that all acts, conditions and things required to exist and be done precedent to and in the issuance of the Certificates to render the same lawful and valid obligations of the City have been properly done, have happened and have been performed in regular and due time, form and manner as required by the Constitution and laws of the State of Texas, and the Ordinance; that the Certificates do not exceed any constitutional or statutory limitation; and that due provision has been made for the payment of the principal of and interest on the Certificates by the levy of a tax and a pledge of a limited amount of the Net Revenues of the System as aforestated. In case any provision in this Certificate or any application thereof shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City Council of the City has caused this Certificate to be duly executed under the official seal of the City as of the Certificate Date.

CITY OF RICHARDSON, TEXAS

_____
Mayor

COUNTERSIGNED:

_____
City Secretary

(SEAL)

C. Form of Registration Certificate of Comptroller of Public Accounts to Appear on Initial Certificate only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER	§	
OF PUBLIC ACCOUNTS	§	
	§	REGISTER NO. _____
THE STATE OF TEXAS	§	

I HEREBY CERTIFY that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this _____.

_____
Comptroller of Public Accounts
of the State of Texas

(SEAL)

D. Form of Certificate of Paying Agent/Registrar to Appear on definitive Certificates only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Certificate has been duly issued and registered under the provisions of the within-mentioned Ordinance; the certificate or certificates of the above entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

The designated office of the Paying Agent/Registrar in _____, _____ is the Designated Payment/Transfer Office for this Certificate.

_____,
_____, _____, as Paying Agent/Registrar

Registration Date:

By _____
Authorized Signature

_____

E. Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto (Print or typewrite name, address and zip code of transferee): _____
_____
_____
(Social Security or other identifying number: _____
_____) the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____
_____
attorney to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

Signature guaranteed:

_____

_____

NOTICE: The signature on this assignment must correspond with the name of the Registered Owner as it appears on the face of the within Certificate in every particular.

SECTION 9. Definitions. That for purposes of this Ordinance and for clarity with respect to the issuance of the Certificates, and the levy of taxes and appropriation of Net Revenues therefor, the following words or terms, whenever the same appear herein without qualifying language, are defined to mean as follows:

(a) The term "Additional Certificates" shall mean combination tax and revenue certificates of obligation hereafter issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271, as amended, or similar law hereafter enacted and payable from ad valorem taxes and additionally payable from and secured by a parity lien on and pledge of the Net Revenues of the System of equal rank and dignity with the lien and pledge securing the payment of the Certificates.

(b) The term "Certificates" shall mean the "CITY OF RICHARDSON, TEXAS, ADJUSTABLE RATE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014B" authorized by this Ordinance.

(c) The term "Certificate Fund" shall mean the special Fund created and established under the provisions of Section 10 of this Ordinance.

(d) The term "Collection Date" shall mean, when reference is being made to the levy and collection of annual ad valorem taxes, the date annual ad valorem taxes levied each year by the City become delinquent.

(e) The term "Fiscal Year" shall mean the annual financial accounting period used with respect to the operations of the System ending on September 30th of each year; provided, however, the City Council may change, by ordinance duly passed,

such annual financial accounting period to end on another date if such change is found and determined to be necessary for budgetary or other fiscal purposes.

(f) The term "Government Securities" shall mean (i) direct, noncallable obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations unconditionally guaranteed or insured by the agency or instrumentality and, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent and (iv) any other then authorized securities or obligations that may be used to defease obligations such as the Certificates under the then applicable laws of the State of Texas.

(g) The term "Gross Revenues" shall mean all revenues, income and receipts of every nature derived or received by the City from the operation and ownership of the System, including the interest income from the investment or deposit of money in any Fund created or reaffirmed by this Ordinance.

(h) The term "Net Revenues" shall mean all Gross Revenues after deducting and paying the current expenses of operation and maintenance of the System, as required by Texas Government Code, Chapter 1502, as amended, including all salaries, labor, materials, repairs and extensions necessary to render efficient service; provided, however, that only such repairs and extensions as in the judgment of the City Council, reasonably and fairly exercised by the adoption of the appropriate resolution, are necessary to keep the System in operation and render adequate service to the City and the inhabitants thereof, or such as might be necessary to meet some physical accident or condition which would otherwise impair any obligations payable from Net Revenues of the System shall be deducted in determining "Net Revenues". Payments made by the City for water supply or treatment of sewage which constitute under the law operation and maintenance expense shall be considered herein as expenses incurred in the operation and maintenance of the System. Depreciation shall never be considered as an expense of operation and maintenance.

(i) The term "Operating and Maintenance Expenses" shall mean the operating and maintenance expenses referred to in the definition of Net Revenues.

(j) The term "Outstanding", when used in this Ordinance with respect to Certificates, means, as of the date of determination, all Certificates theretofore issued and delivered under this Ordinance, except:

(1) those Certificates cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;

(2) those Certificates deemed to be duly paid by the City in accordance with the provisions of Section 23 hereof by the irrevocable deposit with the Paying Agent/Registrar, or an authorized escrow agent, of money or Government Securities, or both, in the amount necessary to

fully pay the principal of, premium, if any, and interest thereon to maturity; and

(3) those Certificates that have been mutilated, destroyed, lost, or stolen and replacement Certificates have been registered and delivered in lieu thereof as provided in Section 27 hereof.

(k) The term "Prior Lien Obligations" shall mean all bonds or other similar obligations that are payable in whole or in part from and secured by a lien on and pledge of the Net Revenues of the System and such lien and pledge securing the payment thereof is prior and superior in claim, rank and dignity to the lien and pledge of the Net Revenues securing the payment of the Certificates.

(l) The term "Purchaser" shall mean _____ or its successors or assigns.

(m) The term "System" shall mean and include the City's combined existing waterworks and sewer system, together with all future extensions, improvements, enlargements and additions thereto, and all replacements thereof; provided that, notwithstanding the foregoing, and to the extent now or hereafter authorized or permitted by law, the term System shall not include any waterworks or sewer facilities which are declared not to be a part of the System and which are acquired or constructed by the City with the proceeds from the issuance of "Special Facilities Bonds", which are hereby defined as being special revenue obligations of the City which are not secured by or payable from the Net Revenues, but which are secured by and payable solely from special contract revenues or payments shall not be considered as or constitute Gross Revenues of the System, unless and to the extent otherwise provided in the ordinance or ordinances authorizing the issuance of such "Special Facilities Bonds".

SECTION 10. Certificate Fund. That, for the purpose of paying the interest on and to provide a sinking fund for the payment and retirement of the Certificates, there shall be and is hereby created a special fund to be designated "SPECIAL 2014B CITY OF RICHARDSON, TEXAS, ADJUSTABLE RATE COMBINATION TAX AND REVENUE CERTIFICATE OF OBLIGATION FUND" (the "Certificate Fund"), which shall be kept and maintained at a City depository bank, and moneys deposited in the Certificate Fund shall be used for no other purpose. The Mayor, City Manager, Director of Finance and City Secretary, either or any combination of them, are hereby authorized and directed to cause to be transferred to the Paying Agent for the Certificates, from funds on deposit in the Certificate Fund, amounts sufficient to fully pay and discharge promptly each installment of interest and principal of the Certificates as the same accrues or matures; such transfers of funds to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent for the Certificates at the close of business on the last business day next preceding each interest and/or principal payment date for the Certificates.

Pending the transfer of funds to the Paying Agent/Registrar, money in the Certificate Fund may, at the option of the City, be invested in obligations identified in, and in accordance with the provisions of the "Public Funds Investment Act" (Texas Government Code, Chapter 2256, as amended) relating to the investment of "bond proceeds"; provided that all such investments shall be made in such a manner that the money required to be expended from said Fund will be available at the proper time or times. All interest and income derived from deposits and investments in said Certificate Fund shall be credited to, and any losses debited to, the said

Certificate Fund. All such investments shall be sold promptly when necessary to prevent any default in connection with the Certificates.

SECTION 11. Tax Levy. That to provide for the payment of the "Debt Service Requirements" on the Certificates, being (i) the interest on said Certificates and (ii) a sinking fund for their redemption at maturity or a sinking fund of 2% (whichever amount shall be the greater), there shall be and there is hereby levied, within the limitations prescribed by law, for the current year and each succeeding year thereafter while said Certificates or any interest thereon shall remain Outstanding, a sufficient tax on each one hundred dollars' valuation of taxable property in said City, adequate to pay such Debt Service Requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the Debt Service Requirements, and the same shall not be diverted to any other purpose. The taxes so levied and collected shall be deposited into the Certificate Fund. The City Council hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient to pay the said Debt Service Requirements, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness.

The amount of taxes to be provided annually for the payment of the principal of and interest on the Certificates herein authorized to be issued shall be determined and accomplished in the following manner:

(a) Prior to the date the City Council establishes the annual tax rate and passes an ordinance levying ad valorem taxes each year, the City Council shall determine:

(1) The amount on deposit in the Certificate Fund after (a) deducting therefrom the total amount of Debt Service Requirements to become due on Certificates prior to the Collection Date for the ad valorem taxes to be levied and (b) adding thereto the amount of Net Revenues of the System, together with any other lawfully available revenues of the City, appropriated and allocated to pay such Debt Service Requirements prior to the Collection Date for the ad valorem taxes to be levied.

(2) The amount of Net Revenues, together with any other lawfully available revenues of the City, appropriated and to be set aside for the payment of the Debt Service Requirements on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year.

(3) The amount of Debt Service Requirements to become due and payable on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year.

(b) The amount of taxes to be levied annually each year to pay the Debt Service Requirements on the Certificates shall be the amount established in paragraph (3) above less the sum total of the amounts established in paragraphs (1) and (2), after taking into consideration delinquencies and costs of collecting such annual taxes.

SECTION 12. Limited Pledge of Net Revenues. The City here by covenants and agrees that subject to the prior lien on and pledge of the Net Revenues to the payment and security of the Prior Lien Obligatio ns, the Net Revenues (within the limitation of a total amount of on e thousand dollars ($1,000) during the time the Certificates or interest thereon remain outstanding and unpaid) are hereby irrevocably pledged to the paymen t of the principal of and interest on the Certificates, and the pledge of Net Re venues herein made for the payment of the Certificates shall constitute a lien on the Net Revenues until such time as the City shall pay all of such $1,000, after which time the pledge sha ll cease, all in accorda nce with the terms an d provisions hereof and be valid and binding without any physical delivery thereof or further act by the City.

Texas Government Code, Chapter 1208, as amended, ap plies to the issuance o f the Certificates and the ple dge of the revenues granted by the City under this Section of th is Ordinance, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Certificates are Outstanding and unpaid such that the pledge of th e revenues granted by the City under this Sectio n of this Ordinance is t o be subject to the filing requirements of Texas Business and Commerce Code, Chapter 9, as amended, then in order to preserve to the Holders of the Certificates the p erfection of the security interest in said pledge, the City agrees to ta ke such measures as it determines are reasonable and nece ssary under Texas law to comply with the applicable prov isions of Tex as Business and Commerce Code, Chapter 9, as amended, and enable a filing t o perfect the security interest in said pledge t o occur.

SECTION 13. System Fund. The City hereby covenants and agrees that all Gross Revenues (excluding e arnings from the investm ent of money held in any sp ecial funds or accounts created for the payment and security of Prior Lien Obligations) shall be deposited from day to day as colle cted into a "City of Richardson Waterworks and Sewer System Fund" (hereinafter called "System Fund") which Fund shall be kept and maintained at an officia l depository bank of the City. All moneys deposited in the System Fun d shall be pledged and appropriated to the extent required for the following purposes and in the order of priority shown, to wit:

> First. To the payment of all necessary and reasonable Operating and Maintenance Expenses of the System as defined herein or required by statute to be a first ch arge on an d claim aga inst the Gross Revenues;
>
> Second. To the payment of t he amounts required to be deposited in the specia l Funds created and estab lished for the payment, security and benefit of Prior Lien Obligations in accordance with the terms and provisions of the ordinances au thorizing the issuance of Prior Lien Obligations; and
>
> Third. To the payment of the amounts required to be deposited in the special funds and accounts (in cluding the Certificate F und) created and established for the paymen t of the Certificates, the "City o f Richardson, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2 014" dated April 1, 2014 (the "Series 2 014 Certificates") and Additional Certificates.

Any Net Revenues remaining in the System Fund after satisfying the foregoing payments, or making adequate and sufficient provision for the payment thereof, may be appropriated and used for any other City purpose now or hereafter permitted by law.

SECTION 14. Deposits to Certificate Fund. The City hereby covenants and agrees to cause to be deposited in the Certificate Fund from the pledged Net Revenues in the System Fund, an amount not to exceed $1,000.

The City covenants and agrees that the amount of pledged Net Revenues ($1,000), together with ad valorem taxes levied, collected, and deposited in the Certificate Fund for and on behalf of the Certificates, will be an amount equal to one hundred percent (100%) of the amount required to fully pay the interest and principal due and payable on the Certificates. In addition, any surplus proceeds from the sale of the Certificates not expended for authorized purposes shall be deposited in the Certificate Fund, or another fund created for the payment of the principal of and interest on any Certificates, and such amounts so deposited shall reduce the sums otherwise required to be deposited in said Fund from ad valorem taxes and the Net Revenues.

SECTION 15. Security of Funds. All moneys on deposit in the Funds for which this Ordinance makes provision (except any portion thereof as may be at any time properly invested) shall be secured in the manner and to the fullest extent required by the laws of the State of Texas for the security of public funds, and moneys on deposit in such Funds shall be used only for the purposes permitted by this Ordinance.

SECTION 16. Maintenance of System - Insurance. While the Certificates remain Outstanding, the City covenants and agrees to maintain and operate the System with all possible efficiency and to maintain casualty and other insurance on the properties of the System and its operations of a kind and in such amounts customarily carried by municipal corporations in the State of Texas engaged in a similar type business; and that it will faithfully and punctually perform all duties with reference to the System required by the Constitution and laws of the State of Texas.

SECTION 17. Rates and Charges. The City hereby covenants and agrees that rates and charges for services provided by the System will be established and maintained, on the basis of all available information and experience and with due allowance for contingencies, that are reasonably expected to provide Gross Revenues to pay:

(a) Operating and Maintenance Expenses of the System;

(b) the interest on and principal of Prior Lien Obligations and the amounts required to be deposited into any special Funds created and established for the payment and security of the Prior Lien Obligations;

(c) the amounts required to be deposited in the special Funds or Accounts (such as the Certificate Fund) created for the payment of the Certificates and Additional Certificates;

(d) any other legally incurred indebtedness payable from the revenues of the System and/or secured by a lien on the System or the revenues thereof.

SECTION 18. Records and Accounts – Annual Audit. The City further covenants and agrees that while any Certificates remain Outstanding, it will keep and maintain accurate and complete records and accounts pertaining to the ownership, operation and maintenance of the System. The Holders of the Certificates or any duly authorized agent or agents of such Holders shall have the right to inspect the System and all properties comprising the same. The City further agrees that following the close of each Fiscal Year, it will cause an audit of such books and accounts to be made by an independent firm of Certified Public Accountants.

SECTION 19. Remedies in Event of Default. In addition to all the rights and remedies provided by the laws of the State of Texas, the City covenants and agrees particularly that in the event the City (a) defaults in the payments to be made to the Certificate Fund, or (b) defaults in the observance or performance of any other of the covenants, conditions or obligations set forth in this Ordinance, the Holder of any of the Certificates shall be entitled to a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power, or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

SECTION 20. Special Covenants. The City hereby further covenants as follows:

(a) It has the lawful power to pledge the Net Revenues of the System supporting this issue of Certificates and has lawfully exercised said powers under the Constitution and laws of the State of Texas, including said power existing under Texas Local Government Code, Subchapter C of Chapter 271, as amended, and Texas Government Code, Chapter 1502, as amended.

(b) Other than for the payment of the outstanding Prior Lien Obligations, the Series 2014 Certificates and the Certificates, the Net Revenues of the System are not in any manner pledged to the payment of any debt or obligation of the City or of the System.

SECTION 21. Issuance of Prior Lien Obligations and Additional Certificates. The City hereby expressly reserves the right to hereafter issue Prior Lien Obligations, without limitation as to principal amount.

In addition, the City reserves the right to issue Additional Certificates, without limitation or any restriction or condition being applicable to their issuance under the terms of this Ordinance, payable from and secured by a lien on and pledge of the Net Revenues of the System of equal rank and dignity, and on a parity in all respects, with the lien thereon and pledge thereof securing the payment of the Certificates.

SECTION 22. Subordinate to Prior Lien Obligations, Covenants and Agreements. It is the intention of this governing body and accordingly hereby recognized and stipulated that the provisions, agreements and covenants contained herein bearing upon the management and operations of the System and the administering and application of revenues derived from the

operation thereof, shall to the extent possible be harmonized with like provisions, agreements and covenants contained in the ordinances authorizing the issuance of the Prior Lien Obligations, and to the extent of any irreconcilable conflict between the provisions contained herein and in the ordinances authorizing the issuance of the Prior Lien Obligations, the provisions, agreements and covenants contained therein shall prevail to the extent of such conflict and be applicable to this Ordinance but in all respects subject to the priority of rights and benefits, if any, conferred thereby to the holders or owners of the Prior Lien Obligations. Notwithstanding the above, any change or modification affecting the application of revenues derived from the operation of the System shall not impair the obligation of contract with respect to the pledge of revenues herein made for the payment and security of the Certificates.

SECTION 23. Satisfaction of Obligations of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Certificates, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied and the lien on and pledge of the Net Revenues of the System under this Ordinance and all covenants, agreements and other obligations of the City to the Holders shall thereupon cease, terminate and be discharged and satisfied.

Certificates, or any principal amounts thereof, shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Certificates or the principal amount(s) thereof at maturity, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, or (ii) Government Securities shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities have been certified by an independent accounting firm to mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any moneys deposited therewith, if any, to pay when due the principal of and interest on such Certificates, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof. The City reserves the right, subject to satisfying the requirements of (i) and (ii) above, to substitute Government Securities for the Government Securities originally deposited, to reinvest the uninvested moneys on deposit for such defeasance and to withdraw for the benefit of the City moneys in excess of the amount required for such defeasance. The City covenants that no deposit of moneys or Government Securities will be made under this Section and no use will be made of any such deposit which would cause the Certificates to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or regulations adopted pursuant thereto.

Any moneys so deposited with the Paying Agent/Registrar, or an authorized escrow agent, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Certificates, or any principal amount(s) thereof, or interest thereon with respect to which such moneys have been so deposited, shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Certificates and remaining unclaimed for a period of three (3) years after the Stated Maturity of the Certificates such moneys were deposited and are held in trust to pay shall, upon the request of the City, be remitted to the City against a written receipt therefor. Notwithstanding the above and foregoing, any remittance of funds from the Paying Agent/Registrar to the City shall be subject to any applicable unclaimed property laws of the State of Texas.

SECTION 24. Ordinance a Contract – Amend ments. This Ordinance shall constitute a contract with the Holders from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Certificate r emains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Holders of the Certificates, from time to time and at any time, amend this Ordinance in any manner not detr imental to the interests of the Holders of the Certificates, including the curing of any ambiguity, inconsistency or formal defect or omission herein. In additi on, the City may, with the written consent of Holders of the Certificates holding a majority in aggregate principal a mount of the Certificate s then Outstanding affect ed thereby, amend, ad d to or res cind any of the provisions of this Ordinance; provided that, without the consent of all Holders of Outstanding Certificates, no such amendment, addition or rescission shall (1) exte nd the time or times of payment of the principal of, premium, if any, and interest on the Certificates, reduce the principal amount thereof, or the rate of inter est thereon, or in any other way modify the terms of payment of the p rincipal of, premium, if any, or inter est on the Certificates, (2) give an y preference to any Certificate over any other Certificate, or (3) reduce the aggregate principal amount of Certificates required to be held by Holders for consent to any such amendment, addition or rescission.

SECTION 25. Notices to Holders – Waivers. Wherever this Ordinan ce provides for notice to Holders of any event, such notice shall be sufficien tly given (unless otherwise herein expressly provided) if in writing and sent by Un ited States Mail, first class postage prepaid, to the address of each Holder appearing in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case where notice to Holders is giv en by mail, neither the failure to mail such notice to a ny particular Holders, nor any defect in any notice so mailed, shall affect t he sufficiency of such notice with respect to all other Certificates. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition pre cedent to the validity of any action taken in reliance upon such waiver.

SECTION 26. Cancellation. Certificates surrendered for payment, transfer or exchange, if surrendered to the Paying Agent/Registrar, shall be promptly cancelled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already cancelled, shall be promptly cancelled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation an y Certificates previously certified or registered and delivered which the City ma y have acquired in any man ner whatsoever, and all Certificates so delivered shall be promptly c ancelled by the Pa ying Agent/Registrar. All cancelled Certificates held by the Paying Agent/Registrar shall be returned to the City.

SECTION 27. Mutilated, Destroyed, Lost and Stolen Certificates. In case any Certificate shall be mutilated, de stroyed, lost or stole n, the Paying Agent/Registrar may execute and deliver a re placement Certificate of like form and tenor, and in the same denomination and bearing a number not c ontemporaneously outstanding, in exchange and substitutio n for such mutilated Certificate, or in lieu of and in substitution for such destroyed, lost or stolen Certificate, only upon the approval of the City and after (i) the filing b y the Holder thereof with the Paying Agent/Registrar of evidence satisfactory to the Paying Agent/Registrar of the destruction, loss or theft of such Certificate, and of the authenticity of the ownership thereof and (ii) the furnishing to the Paying Agent/Registrar of indemnification in an a mount satisfactory to hold the City and th e Paying Agent/Registrar harmless. All expenses and charges associa ted with such indemnity

and with the preparation, execution and delivery of a replacement Certificate shall be borne by the Holder of the Certificate mutilated, destroyed, lost or stolen.

Every replacement Certificate issued pursuant to this Section shall be a valid and binding obligation, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Certificates; notwithstanding the enforceability of payment by anyone of the destroyed, lost or stolen Certificates.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost or stolen Certificates.

SECTION 28. Covenants to Maintain Tax-Exempt Status.

(a) Definitions. When used in this Section, the following terms have the following meanings:

"Closing Date" means the date on which the Certificates are first authenticated and delivered to the initial purchasers against payment therefor.

"Code" means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

"Computation Date" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Gross Proceeds" means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Certificates.

"Investment" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Nonpurpose Investment" means any investment property, as defined in Section 148(b) of the Code, in which Gross Proceeds of the Certificates are invested and which is not acquired to carry out the governmental purposes of the Certificates.

"Rebate Amount" has the meaning set forth in Section 1.148-1(b) of the Regulations.

"Regulations" means any proposed, temporary or final Income Tax Regulations issued pursuant to Sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Certificates. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

"Yield" of (1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations and (2) the Certificates has the meaning set forth in Section 1.148-4 of the Regulations.

(b) Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in Section 61 of the Code, of the Holder thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the City shall comply with each of the specific covenants in this Section.

(c) No Private Use or Private Payments. Except as permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Certificates:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Certificates, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

(d) No Private Loan. Except to the extent permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if: (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

(e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Certificates directly or indirectly invest Gross Proceeds in any Investment (or use Gross Proceeds to replace money so invested), if as a result of such investment the Yield from the Closing Date of all Investments acquired with Gross Proceeds (or

with money replaced thereby), whether then held or previously disposed of, exceeds the Yield of the Certificates.

(f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Certificates to be federally guaranteed within the meaning of Section 149(b) of the Code and the Regulations and rulings thereunder.

(g) Information Report. The City shall timely file the information required by Section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

(h) Rebate of Arbitrage Profits. Except to the extent otherwise provided in Section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last outstanding Certificate is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Certificates with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in Section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Certificates until six years after the final Computation Date.

(3) As additional consideration for the purchase of the Certificates by the Purchasers and the loan of the money represented thereby, and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States out of its general fund, other appropriate fund or, if permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the Certificate Fund, the amount that when added to the future value of previous rebate payments made for the Certificates equals (i) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by Section 148 (f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3) and, if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

(i) Not to Divert Arbitrage Profits. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

(j) Elections. The City hereby directs and authorizes the Mayor, City Manager, Director of Finance and City Secretary, either or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Certificates, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document.

SECTION 29. Sale of the Certificates. The offer of the "Purchaser to purchase the Certificates in accordance with a purchase letter, dated as of December 8, 2014 (the "Purchase Letter"), attached hereto as **Exhibit B** and incorporated herein by reference as a part of this Ordinance for all purposes, is hereby accepted and the sale of the Certificates to the Purchaser is hereby approved and authorized, and the City has determined and does determine that the terms of such Purchase Letter are in the City's best interests. The Mayor and City Secretary are hereby authorized and directed to sign the acceptance clause of the Purchase Letter for and on behalf of the City and as the act and deed of this Council. Delivery of the Certificates to the Purchaser shall occur as soon as possible upon payment being made therefor in accordance with the terms of sale.

SECTION 30. Proceeds of Sale. The proceeds of sale of the Certificates, excluding the amounts to be used to pay the costs of issuing the Certificates, shall be deposited in a fund maintained at a depository bank of the City (the "Construction Fund"). Pending expenditure for authorized projects and purposes, such proceeds of sale may be invested in any authorized investments in accordance with the provisions of Texas Government Code, Chapter 2256, as amended, including guaranteed investment contracts, and the City's investment policies and guidelines, and any investment earnings realized may be expended for such authorized projects and purposes or deposited in the Certificate Fund as shall be determined by the City Council. Any investment earnings remaining after completion of all authorized projects or purposes shall be deposited to the credit of the Certificate Fund. Any surplus proceeds of sale may be deposited to the Certificate Fund or to another fund created for the payment of any Certificates.

SECTION 31. Control and Custody of Certificates. The Mayor of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas, including the printing of the Certificates, and shall take and have charge and control of the Initial Certificate pending the approval thereof by the Attorney General, the registration thereof by the Comptroller of Public Accounts and the delivery thereof to the Purchasers.

Furthermore, the Mayor, City Manager, Director of Finance and City Secretary, any one or more of said officials, are hereby authorized and directed to furnish and execute such documents and certifications relating to the City and the issuance of the Certificates, including a certification as to facts, estimates, circumstances and reasonable expectations pertaining to the use and expenditure and investment of the proceeds of the Certificates as may be necessary for the approval of the Attorney General, registration by the Comptroller of Public Accounts and delivery of the Certificates to the purchasers thereof and, together with the City's financial advisor, bond counsel and the Paying Agent/Registrar, make the necessary arrangements for printing of definitive Certificates and the delivery of the Initial Certificates to the initial purchaser(s) and the exchange thereof for definitive Certificates.

SECTION 32. Further Procedures. Any one or more of the Mayor, Mayor Pro Tem, City Manager, Deputy City Manager, Director of Finance, and City Secretary are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City all agreements, instruments, certificates or other documents, whether mentioned herein or not, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and the issuance, sale and delivery of the Certificates. In addition, prior to the delivery of the Certificates, the Mayor, Mayor Pro Tem, City Manager, Deputy City Manager, Director of Finance, City Secretary or Bond Counsel to the City are each hereby authorized and directed to approve any changes or corrections to this Ordinance or to any of the documents authorized and approved by this Ordinance: (i) in order to cure any ambiguity, formal defect, or omission in the Ordinance or such other document, or (ii) as requested by the Attorney General of the State of Texas or his representative to obtain the approval of the Certificates by the Attorney General. In the event that any officer of the City whose signature shall appear on any document shall cease to be such officer before the delivery of such document, such signature nevertheless shall be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 33. Bond Counsel's Opinion. The Purchasers' obligation to accept delivery of the Certificates is subject to being furnished a final opinion of Fulbright & Jaworski LLP, Attorneys, Dallas, Texas, approving such Certificates as to their validity, said opinion to be dated and delivered as of the date of delivery and payment for such Certificates. A true and correct reproduction of said opinion or an executed counterpart thereof is hereby authorized to be either printed on the definitive printed obligation or accompany the definitive Certificate delivered at closing.

SECTION 34. CUSIP Numbers. That CUSIP numbers may be printed or typed on the definitive Certificates. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Certificates shall be of no significance or effect as regards the legality thereof, and neither the City nor attorneys approving said Certificates as to legality are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Certificates.

SECTION 35. Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, the Paying Agent/Registrar and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions is intended to be and being for the sole and exclusive benefit of the City, the Paying Agent/Registrar and the Holders.

SECTION 36. Inconsistent Provisions. All ordinances, orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

SECTION 37. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 38. Incorporation of Findings and Determinations. The findings and determinations of the City Council contained in the preamble hereof are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section.

SECTION 39. Severability. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 40. Effect of Headings. The Section headings herein are for convenience only and shall not affect the construction hereof.

SECTION 41. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 42. Public Meeting. It is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 43. Effective Date. In accordance with the provisions of Texas Government Code, Section 1201.028, as amended, this Ordinance shall be in force and effect from and after its passage and it is accordingly so ordained.

[*remainder of page intentionally left blank*]

PASSED AND ADOPTED, this December 8, 2014.

CITY OF RICHARDSON, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

(City Seal)

_____
Robert D. Dransfield, Bond Counsel

EXHIBIT A

PAYING AGENT/REGISTRAR AGREEMENT

EXHIBIT B

PURCHASE AGREEMENT

PAYING AGENT/REGISTRAR AGREEMENT

THIS AGREEMENT is entered into as of December 8, 2014 (this "Agreement"), by and between _____, a banking association duly organized and existing under the laws of the _____, or its successors (the "Bank") and the City of Richardson, Texas (the "Issuer").

RECITALS

WHEREAS, the Issuer has duly authorized and provided for the issuance of its "City of Richardson, Texas, Adjustable Rate Combination Tax and Revenue Certificates of Obligation, Series 2014B", dated December 1, 2014 (the "Obligations"), such Obligations scheduled to be delivered to the initial purchasers thereof on or about December 22, 2014; and

WHEREAS, the Issuer has selected the Bank to serve as Paying Agent/Registrar in connection with the payment of the principal of, premium, if any, and interest on said Obligations and with respect to the registration, transfer and exchange thereof by the registered owners thereof; and

WHEREAS, the Bank has agreed to serve in such capacities for and on behalf of the Issuer and has full power and authority to perform and serve as Paying Agent/Registrar for the Obligations;

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE ONE
APPOINTMENT OF BANK AS PAYING AGENT AND REGISTRAR

Section 1.01 **Appointment**. The Issuer hereby appoints the Bank to serve as Paying Agent with respect to the Obligations, and, as Paying Agent for the Obligations, the Bank shall be responsible for paying on behalf of the Issuer the principal, premium (if any), and interest on the Obligations as the same become due and payable to the registered owners thereof; all in accordance with this Agreement and the "Authorizing Document" (hereinafter defined). The Issuer hereby appoints the Bank as Registrar with respect to the Obligations and, as Registrar for the Obligations, the Bank shall keep and maintain for and on behalf of the Issuer books and records as to the ownership of said Obligations and with respect to the transfer and exchange thereof as provided herein and in the Authorizing Document.

The Bank hereby accepts its appointment, and agrees to serve as the Paying Agent and Registrar for the Obligations.

Section 1.02 **Compensation**. As compensation for the Bank's services as Paying Agent/Registrar, the Issuer hereby agrees to pay the Bank the fees and amounts set forth in **Annex A** attached hereto.

In addition, the Issuer agrees to reimburse the Bank upon its request for all reasonable expenses, disbursements and advances incurred or made by the Bank in accordance with any of the provisions hereof (including the reasonable compensation and the expenses and disbursements of its agents and counsel).

ARTICLE TWO
DEFINITIONS

Section 2.01 Definitions. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires:

"Acceleration Date" on any Obligation means the date on and after which the principal or any or all installments of interest, or both, are due and payable on any Obligation which has become accelerated pursuant to the terms of the Obligation.

"Authorizing Document" means the resolution, order, or ordinance of the governing body of the Issuer pursuant to which the Obligations are issued, as the same may be amended or modified, including any pricing certificate related thereto, certified by the secretary or any other officer of the Issuer and delivered to the Bank.

"Bank Office" means the designated office of the Bank at the address shown in Section 3.01 hereof. The Bank will notify the Issuer in writing of any change in location of the Bank Office.

"Holder" and "Obligation Holder" each means the Person in whose name an Obligation is registered in the Obligation Register.

"Obligation Register" means a register maintained by the Bank on behalf of the Issuer providing for the registration and transfers of Obligations.

"Person" means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization or government or any agency or political subdivision of a government.

"Predecessor Obligations" of any particular Obligation means every previous Obligation evidencing all or a portion of the same obligation as that evidenced by such particular Obligation (and, for the purposes of this definition, any mutilated, lost, destroyed, or stolen Obligation for which a replacement Obligation has been registered and delivered in lieu thereof pursuant to Section 4.06 hereof and the Authorizing Document).

"Redemption Date", when used with respect to any Obligation to be redeemed, means the date fixed for such redemption pursuant to the terms of the Authorizing Document.

"Responsible Officer", when used with respect to the Bank, means the Chairman or Vice-Chairman of the Board of Directors, the Chairman or Vice-Chairman of the Executive Committee of the Board of Directors, the President, any Vice President, the Secretary, any Assistant Secretary, the Treasurer, any Assistant Treasurer, the Cashier, any Assistant Cashier, any Trust Officer or Assistant Trust Officer, or any other officer of the Bank customarily performing functions similar to those performed by any of the above designated officers and also means, with respect to a particular corporate trust

matter, any other officer to whom such matter is referred because of his knowledge of and familiarity with the particular subject.

"Stated Maturity" means the date specified in the Authorizing Document the principal of an Obligation is scheduled to be due and payable.

Section 2.02 **Other Definitions**. The terms "Bank," "Issuer" and "Obligations (Obligation)" have the meanings assigned to them in the recital paragraphs of this Agreement.

The term "Paying Agent/Registrar" refers to the Bank in the performance of the duties and functions of this Agreement.

ARTICLE THREE
PAYING AGENT

Section 3.01 **Duties of Paying Agent**. As Paying Agent, the Bank shall pay, provided adequate collected funds have been provided to it for such purpose by or on behalf of the Issuer, on behalf of the Issuer the principal of each Obligation at its Stated Maturity, Redemption Date or Acceleration Date, to the Holder upon surrender of the Obligation to the Bank at the following address:

_____
_____
_____

As Paying Agent, the Bank shall, provided adequate collected funds have been provided to it for such purpose by or on behalf of the Issuer, pay on behalf of the Issuer the interest on each Obligation when due, by computing the amount of interest to be paid each Holder and making payment thereof to the Holders of the Obligations (or their Predecessor Obligations) on the Record Date (as defined in the Authorizing Document). All payments of principal and/or interest on the Obligations to the registered owners shall be accomplished (1) by the issuance of checks, payable to the registered owners, drawn on the paying agent account provided in Section 5.05 hereof, sent by United States mail, first class postage prepaid, to the address appearing on the Obligation Register or (2) by such other method, acceptable to the Bank, requested in writing by the Holder at the Holder's risk and expense.

Section 3.02 **Payment Dates**. The Issuer hereby instructs the Bank to pay the principal of and interest on the Obligations on the dates specified in the Authorizing Document.

ARTICLE FOUR
REGISTRAR

Section 4.01 **Obligation Register - Transfers and Exchanges**. The Bank agrees to keep and maintain for and on behalf of the Issuer at the Bank Office books and records (herein sometimes referred to as the "Obligation Register") for recording the names and addresses of the Holders of the Obligations, the transfer, exchange and replacement of the Obligations and the payment of the principal of and interest on the Obligations to the Holders and containing such other information as may be reasonably required by the Issuer and subject to such reasonable regulations as the Issuer and the Bank may prescribe. All transfers, exchanges and replacements of Obligations shall be noted in the Obligation Register.

Every Obligation surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, the signature on which has been guaranteed by an officer of a federal or state bank or a member of the National Association of Obligations Dealers, such written instrument to be in a form satisfactory to the Bank and duly executed by the Holder thereof or his agent duly authorized in writing.

The Bank may request any supporting documentation it feels necessary to effect a re-registration, transfer or exchange of the Obligations.

To the extent possible and under reasonable circumstances, the Bank agrees that, in relation to an exchange or transfer of Obligations, the exchange or transfer by the Holders thereof will be completed and new Obligations delivered to the Holder or the assignee of the Holder in not more than three (3) business days after the receipt of the Obligations to be cancelled in an exchange or transfer and the written instrument of transfer or request for exchange duly executed by the Holder, or his duly authorized agent, in form and manner satisfactory to the Paying Agent/Registrar.

Section 4.02 **Obligations**. The Issuer shall provide additional Obligations when needed to facilitate transfers or exchanges thereof. The Bank covenants that such additional Obligations, if and when provided, will be kept in safekeeping pending their use and reasonable care will be exercised by the Bank in maintaining such Obligations in safekeeping, which shall be not less than the care maintained by the Bank for debt securities of other governments or corporations for which it serves as registrar, or that is maintained for its own securities.

Section 4.03 **Form of Obligation Register**. The Bank, as Registrar, will maintain the Obligation Register relating to the registration, payment, transfer and exchange of the Obligations in accordance with the Bank's general practices and procedures in effect from time to time. The Bank shall not be obligated to maintain such Obligation Register in any form other than those which the Bank has currently available and currently utilizes at the time.

The Obligation Register may be maintained in written form or in any other form capable of being converted into written form within a reasonable time.

Section 4.04 **List of Obligation Holders**. The Bank will provide the Issuer at any time requested by the Issuer, upon payment of the required fee, a copy of the information contained in the Obligation Register. The Issuer may also inspect the information contained in the Obligation Register at any time the Bank is customarily open for business, provided that reasonable time is allowed the Bank to provide an up-to-date listing or to convert the information into written form.

The Bank will not release or disclose the contents of the Obligation Register to any person other than to, or at the written request of, an authorized officer or employee of the Issuer, except upon receipt of a court order or as otherwise required by law. Upon receipt of a court order and prior to the release or disclosure of the contents of the Obligation Register, the Bank will notify the Issuer so that the Issuer may contest the court order or such release or disclosure of the contents of the Obligation Register.

Section 4.05 **Return of Cancelled Obligations**. The Bank will, at such reasonable intervals as it determines, surrender to the Issuer, all Obligations in lieu of which or in exchange for which other Obligations have been issued, or which have been paid.

Section 4.06 **Mutilated, Destroyed, Lost or Stolen Obligations**. The Issuer hereby instructs the Bank, subject to the provisions of the Authorizing Document, to deliver and issue Obligations in exchange for or in lieu of mutilated, destroyed, lost, or stolen Obligations as long as the same does not result in an overissuance.

In case any Obligation shall be mutilated, destroyed, lost or stolen, the Bank may execute and deliver a replacement Obligation of like form and tenor, and in the same denomination and bearing a number not contemporaneously outstanding, in exchange and substitution for such mutilated Obligation, or in lieu of and in substitution for such mutilated, destroyed, lost or stolen Obligation, only upon the approval of the Issuer and after (i) the filing by the Holder thereof with the Bank of evidence satisfactory to the Bank of the destruction, loss or theft of such Obligation, and of the authenticity of the ownership thereof and (ii) the furnishing to the Bank of indemnification in an amount satisfactory to hold the Issuer and the Bank harmless. All expenses and charges associated with such indemnity and with the preparation, execution and delivery of a replacement Obligation shall be borne by the Holder of the Obligation mutilated, destroyed, lost or stolen.

Section 4.07 **Transaction Information to Issuer**. The Bank will, within a reasonable time after receipt of written request from the Issuer, furnish the Issuer information as to the Obligations it has paid pursuant to Section 3.01, Obligations it has delivered upon the transfer or exchange of any Obligations pursuant to Section 4.01, and Obligations it has delivered in exchange for or in lieu of mutilated, destroyed, lost, or stolen Obligations pursuant to Section 4.06.

ARTICLE FIVE
THE BANK

Section 5.01 **Duties of Bank**. The Bank undertakes to perform the duties set forth herein and agrees to use reasonable care in the performance thereof.

Section 5.02 **Reliance on Documents, Etc.**

(a) The Bank may conclusively rely, as to the truth of the statements and correctness of the opinions expressed therein, on certificates or opinions furnished to the Bank.

(b) The Bank shall not be liable for any error of judgment made in good faith by a Responsible Officer, unless it shall be proved that the Bank was negligent in ascertaining the pertinent facts.

(c) No provisions of this Agreement shall require the Bank to expend or risk its own funds or otherwise incur any financial liability for performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity satisfactory to it against such risks or liability is not assured to it.

(d) The Bank may rely and shall be protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. Without limiting the generality of the foregoing statement, the Bank need not examine the ownership of any Obligations, but is protected in acting upon receipt of Obligations containing an endorsement or instruction of

transfer or power of transfer which appears on its face to be signed by the Holder or an agent of the Holder. The Bank shall not be bound to make any investigation into the facts or matters stated in a resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security or other paper or document supplied by the Issuer.

(e) The Bank may consult with counsel, and the written advice of such counsel or any opinion of counsel shall be full and complete authorization and protection with respect to any action taken, suffered, or omitted by it hereunder in good faith and in reliance thereon.

(f) The Bank may exercise any of the powers hereunder and perform any duties hereunder either directly or by or through agents or attorneys of the Bank.

(g) The Bank is also authorized to transfer funds relating to the closing and initial delivery of the Obligations in the manner disclosed in the closing memorandum or letter as prepared by the Issuer, Issuer's financial advisor or other agent. The Bank may act on a facsimile or e-mail transmission of the closing memorandum or letter acknowledged by the Issuer, the Issuer's financial advisor or other agent as the final closing memorandum or letter. The Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Bank's reliance upon and compliance with such instructions.

Section 5.03 Recitals of Issuer. The recitals contained herein with respect to the Issuer and in the Obligations shall be taken as the statements of the Issuer, and the Bank assumes no responsibility for their correctness.

The Bank shall in no event be liable to the Issuer, any Holder or Holders of any Obligation, or any other Person for any amount due on any Obligation from its own funds.

Section 5.04 May Hold Obligations. The Bank, in its individual or any other capacity, may become the owner or pledgee of Obligations and may otherwise deal with the Issuer with the same rights it would have if it were not the Paying Agent/Registrar, or any other agent.

Section 5.05 Moneys Held by Bank - Paying Agent Account/Collateralization. A paying agent account shall at all times be kept and maintained by the Bank for the receipt, safekeeping, and disbursement of moneys received from the Issuer under this Agreement for the payment of the Obligations, and money deposited to the credit of such account until paid to the Holders of the Obligations shall be continuously collateralized by securities or obligations which qualify and are eligible under both the laws of the State of Texas and the laws of the United States of America to secure and be pledged as collateral for paying agent accounts to the extent such money is not insured by the Federal Deposit Insurance Corporation. Payments made from such paying agent account shall be made by check drawn on such account unless the owner of the Obligations shall, at its own expense and risk, request an alternative method of payment.

Subject to the applicable unclaimed property laws of the State of Texas, any money deposited with the Bank for the payment of the principal of, premium (if any), or interest on any Obligation and remaining unclaimed for three years after final maturity of the Obligation has become due and payable will be held by the Bank and disposed of only in accordance with Title 6 of the Texas Property Code, as amended. The Bank shall have no liability by virtue of actions taken in compliance with this provision.

The Bank is not obligated to pay interest on any money received by it under this Agreement.

This Agreement relates solely to money deposited for the purposes described herein, and the parties agree that the Bank may serve as depository for other funds of the Issuer, act as trustee under indentures authorizing other bond transactions of the Issuer, or act in any other capacity not in conflict with its duties hereunder.

Section 5.06 Indemnification. To the extent permitted by law, the Issuer agrees to indemnify the Bank for, and hold it harmless against, any loss, liability, or expense incurred without negligence or bad faith on its part, arising out of or in connection with its acceptance or administration of its duties hereunder, including the cost and expense against any claim or liability in connection with the exercise or performance of any of its powers or duties under this Agreement.

Section 5.07 Interpleader. The Issuer and the Bank agree that the Bank may seek adjudication of any adverse claim, demand, or controversy over its person as well as funds on deposit, in either a Federal or State District Court located in the state and county where the administrative office of the Issuer is located, and agree that service of process by certified or registered mail, return receipt requested, to the address referred to in Section 6.03 of this Agreement shall constitute adequate service. The Issuer and the Bank further agree that the Bank has the right to file a Bill of Interpleader in any court of competent jurisdiction in the State of Texas to determine the rights of any Person claiming any interest herein.

ARTICLE SIX
MISCELLANEOUS PROVISIONS

Section 6.01 Amendment. This Agreement may be amended only by an agreement in writing signed by both of the parties hereto.

Section 6.02 Assignment. This Agreement may not be assigned by either party without the prior written consent of the other.

Section 6.03 Notices. Any request, demand, authorization, direction, notice, consent, waiver, or other document provided or permitted hereby to be given or furnished to the Issuer or the Bank shall be mailed or delivered to the Issuer or the Bank, respectively, at the addresses shown on the signature pages hereof.

Section 6.04 Effect of Headings. The Article and Section headings herein are for convenience of reference only and shall not affect the construction hereof.

Section 6.05 Successors and Assigns. All covenants and agreements herein by the Issuer shall bind its successors and assigns, whether so expressed or not.

Section 6.06 Severability. In case any provision herein shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

Section 6.07 Merger, Conversion, Consolidation, or Succession. Any corporation or association into which the Bank may be merged or converted or with which it may be consolidated, or any corporation or association resulting from any merger, conversion, or

consolidation to which the Bank shall be a party, or any corporation or association succeeding to all or substantially all of the corporate trust business of the Bank shall be the successor of the Bank as Paying Agent under this Agreement without the execution or filing of any paper or any further act on the part of either parties hereto.

Section 6.08 Benefits of Agreement. Nothing herein, express or implied, shall give to any Person, other than the parties hereto and their successors hereunder, any benefit or any legal or equitable right, remedy, or claim hereunder.

Section 6.09 Entire Agreement. This Agreement and the Authorizing Document constitute the entire agreement between the parties hereto relative to the Bank acting as Paying Agent/Registrar and if any conflict exists between this Agreement and the Authorizing Document, the Authorizing Document shall govern.

Section 6.10 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall constitute one and the same Agreement.

Section 6.11 Termination. This Agreement will terminate (i) on the date of final payment of the principal of and interest on the Obligations to the Holders thereof or (ii) may be earlier terminated by either party upon sixty (60) days written notice; provided, however, an early termination of this Agreement by either party shall not be effective until (a) a successor Paying Agent/Registrar has been appointed by the Issuer and such appointment accepted and (b) notice has been given to the Holders of the Obligations of the appointment of a successor Paying Agent/Registrar. However, if the Issuer fails to appoint a successor Paying Agent/Registrar within a reasonable time, the Bank may petition a court of competent jurisdiction within the State of Texas to appoint a successor. Furthermore, the Bank and the Issuer mutually agree that the effective date of an early termination of this Agreement shall not occur at any time which would disrupt, delay or otherwise adversely affect the payment of the Obligations.

Upon an early termination of this Agreement, the Bank agrees to promptly transfer and deliver the Obligation Register (or a copy thereof), together with the other pertinent books and records relating to the Obligations, to the successor Paying Agent/Registrar designated and appointed by the Issuer.

The provisions of Section 1.02 and of Article Five shall survive and remain in full force and effect following the termination of this Agreement.

Section 6.12 Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Texas.

[Remainder of page left blank intentionally]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

_____ BANK

By: _____

Title: _____

Attest:

Address: _____
_____

_____

Title: _____

[*signature page to Paying Agent/Registrar Agreement – signatures continue on next page*]

CITY OF RICHARDSON, TEXAS

By: _____
Mayor

Address: 411 W. Arapaho Road
Richardson, Texas 75080

Attest:

_____
City Secretary

[*signature page to Paying Agent/Registrar Agreement*]

ANNEX A

PURCHASE LETTER

December 8, 2014

Honorable Mayor and City Council
City of Richardson, Texas
411 W. Arapaho Road, Room 101
Richardson, Texas 75080

Re: $11,425,000 City of Richardson, Texas, Adjustable Rate Combination Tax and Revenue Certificates of Obligation, Series 2014B

Ladies and Gentlemen:

_____ (the "Purchaser") hereby offers to purchase from the City of Richardson, Texas (the "City") the captioned certificates of obligation (the "Certificates") and, upon acceptance of this offer by the City, such offer will become a binding agreement between the Purchaser and the City. This offer must be accepted by 10:00 p.m., Dallas time, December 8, 2014, and if not so accepted will be subject to withdrawal.

1. Purchase Price: The purchase price for the Certificates is par, $11,425,000.

2. Terms of Certificates: The Certificates shall be issued in principal amounts, shall bear interest at such rates, mature on such date and in such amount, and have such other terms and conditions as are set forth in the Ordinance (the "Ordinance") to be adopted by the City Council on December 8, 2014, unsigned copies of which have been provided to the Purchaser. Pursuant to and as more fully described in the Ordinance, the Certificates shall be secured by a pledge of ad valorem taxes to be levied on all taxable property within the City and from a limited pledge of the net revenues of the City's Waterworks and Sewer System.

3. Closing: The City shall deliver the Initial Certificate to, or for the account of, the Purchaser and the Purchaser shall purchase the Certificates at or about 10:00 a.m. Dallas time, on December 22, 2014, or at such other time as shall be mutually agreed upon (hereinafter referred to as the "Closing"). The Closing shall take place at the offices of Fulbright & Jaworski LLP, Dallas, Texas, or such other location as may be mutually agreed upon. The City will also deliver a signed copy of the Ordinance to the Purchaser.

4. Conditions to Closing: The Purchaser shall not have any obligation to consummate the purchase of the Certificates unless the following requirements have been satisfied prior to Closing:

(a) The City shall have adopted the Ordinance authorizing the issuance of the Certificates.

(b) Fulbright & Jaworski LLP, Bond Counsel, shall have issued its approving legal opinion as to the due authorization, issuance and delivery of the Certificates and as to the exemption of the interest thereon from federal income taxation, upon which the Purchaser shall be entitled to rely.

(c) The Certificates shall have been approved by the Attorney General of the State of Texas and shall have been registered by the Comptroller of Public Accounts of the State of Texas.

(d) Nothing shall have occurred prior to closing which in the reasonable opinion of the Purchaser has had or could have a materially adverse affect on the City's business, property or financial condition.

5. Nature of Purchase: The Purchaser acknowledges that no official statement or other disclosure or offering document has been prepared in connection with the issuance and sale of the Certificates. The Purchaser is a financial institution or other accredited investor as defined in the Securities Act of 1933, Regulation D, 17 C.F.R. §230.501(a), accustomed to purchasing tax-exempt obligations in large denominations such as the Certificates. Fulbright & Jaworski LLP, Bond Counsel, has not undertaken steps to ascertain the accuracy or completeness of information furnished to the Purchaser with respect to the City or the Certificates, and the Purchaser has not looked to that firm for, nor has that firm made, any representations to the Purchaser with respect to that information. The Purchaser has satisfied itself that it may lawfully purchase the Certificates. The Certificates (i) are not being registered under the Securities Act of 1933 and are not being registered or otherwise qualified for sale under the "Blue Sky" laws and regulations of any state; (ii) will not be listed on any stock or other securities exchange; and (iii) will not carry any rating from any rating service. The Purchaser is familiar with the financial condition and affairs of the City, particularly with respect to its ability to pay its tax-supported obligations such as the Certificates. The Purchaser has received from the City all information that it has requested in order for it to assess and evaluate the security and source of payment for the Certificates. The Purchaser is purchasing the Certificates for its own account or for that of an affiliate as evidence of a loan to the City and has no present intention to make a public distribution or sale of the Certificates. In no event will the Purchaser sell the Certificates to purchasers who are not sophisticated investors unless an official statement or other disclosure document is prepared with respect to such sale of the Certificates.

6. In consideration of the purchase of the Certificates by the Purchaser, the City agrees as follows:

(a) The City agrees to deliver to the Purchaser within 180 days after the end of each fiscal year, beginning in 2015, its audited financial statements.

(b) During the period the Certificates are outstanding, the City agrees to deliver to the Purchaser any other financial information that the Purchaser may reasonably request from time to time.

7. Issue Price Certifications: Furthermore, the Purchaser hereby certifies and represents that (1) the Certificates were issued for cash and were not publicly offered, (2) the price paid by the undersigned for the Certificates is $11,425,000, and (3) the undersigned understands that the statements contained herein will be relied upon by the City in its effort to comply with the conditions imposed by the Internal Revenue Code of 1986, as amended to the date of initial delivery of the Certificates, and Bond Counsel in rendering their opinion that the interest on the Certificates is excludable from the gross income of the owners thereof.

8. No Oral Agreements: To the extent allowed by law, the parties hereto agree to be bound by the terms of the following notice: THIS PURCHASE AGREEMENT, THE ORDINANCE OF THE CITY AUTHORIZING THE CERTIFICATES, THE ATTORNEY GENERAL OPINION, THE OPINION OF BOND COUNSEL AND THE CERTIFICATES TOGETHER REPRESENT THE FINAL AGREEMENT BETWEEN THE PARTIES REGARDING THIS TRANSACTION AND MAY NOT BE CONTRADICTED BY EVIDENCE OF PRIOR, CONTEMPORANEOUS, OR SUBSEQUENT ORAL AGREEMENTS OF THE PARTIES. THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES RELATING TO THIS TRANSACTION.

[signatures begin on next page]

If this purchase agreement meets with the Purchaser's and the City's approval, please execute it in the place provided below.

_____

By: _____

Title: _____

[*signatures continue on next page*]

ACCEPTED BY THE CITY OF RICHARDSON, TEXAS:

_____
Mayor

ATTEST:

_____
City Secretary

ORDINANCE NO. 4095

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS, DESIGNATING TRACTS 1, 2, 3 AND 4 AS DESCRIBED IN THE PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON AND GALATYN PROPERTIES LTD., A TEXAS LIMITED PARTNERSHIP, AS DEPICTED IN EXHIBIT "A" ATTACHED HERETO, FOR USE AS PUBLIC PARK LAND AND OPEN SPACE, SAVE AND EXCEPT: (A) ANY PORTIONS OF SAID TRACTS TO BE RESERVED BY OR CONVEYED IN THE FUTURE AS DRAINAGE AND SEWER EASEMENTS TO GALATYN PROPERTIES LTD., A TEXAS LIMITED PARTNERSHIP, OR ITS SUCCESSORS AND ASSIGNS ("COMPANY"), OR THE PUBLIC, AS APPROPRIATE), PURSUANT TO THE PURCHASE AND SALE AGREEMENT OR THE ECONOMIC DEVELOPMENT AND PROJECT DEVELOPMENT AGREEMENTS BY AND BETWEEN THE CITY AND GALATYN; AND (B) PORTIONS OF TRACT 1 AND 4 TO BE RESERVED OR USED IN THE FUTURE FOR THE WIDENING OF PLANO ROAD AND RENNER ROAD AND ANY RELATED LOCATION OR RELOCATION OF PUBLIC UTILITIES AND OTHER PUBLIC IMPROVEMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to that certain Purchase and Sale Agreement between the City and Galatyn Properties Ltd.,("Company") effective November 7, 2014 (the "PSA"), City has agreed to purchase Tracts 1, 2, the floodplain portion of 3, 4, and 6, as described in the PSA (collectively, the "Property); and

WHEREAS, as a condition of the sale of the Property, Company has requested the City designate Tracts 1, 2, and 3 as depicted in the PSA for use as public park land and open space, save and except: (a) any portions of said tracts to be reserved by or conveyed in the future as drainage and sewer easements to Company or its successors and assigns, or the public, as appropriate, pursuant to the PSA, or the Development Agreements; and (b) portions of Tract 1 to be reserved or used in the future for the widening of Plano Road and Renner Road and any related location or relocation of public utilities and other public improvements, to be effective upon the closing of the purchase of the Property; and

WHEREAS, the City Council also desires to designate Tract 4 as depicted in the PSA for use as public park land and open space, save and except: (a) any portions of Tract 4 to be reserved by or conveyed in the future as drainage and sewer easements reserved and for the widening of Plano Road and any related location or relocation of public utilities and other public improvements, to be effective upon the closing of the purchase of the Property; and

WHEREAS, the Company requested the City provide Economic Development Agreements for Tracts 3, 5 and 7, to support the development of those tracts and as an inducement for the sale of the Property; and

WHEREAS, the City Manager has been authorized to negotiate and execute on behalf of the City with Company Economic Development Agreements for Tracts 3, 5 and 7; and

WHEREAS, the City Council desires to close on the purchase the Property and to make such designations as required by the PSA and as set forth herein; and

WHEREAS, the City Council finds and determines that the designation of the Property and Tract 4 as set forth herein is in the best interest of the City and the citizens of Richardson; **NOW, THEREFORE**,

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

SECTION 1. That the City Council does hereby designate Tracts 1, 2, 3 and 4 as described in the PSA and as depicted in Exhibit "A" attached hereto, for use as public park land and open space, save and except: (a) any portions of said tracts to be reserved by or conveyed in the future as drainage and sewer easements to Galatyn Properties Ltd., a Texas limited partnership, or its successors and assigns ("Company"), or the public, as appropriate, pursuant to the PSA, or the Economic Development Agreements, by and between the City and Company; (b) portions of Tract 1 to be reserved or used in the future for the widening of Plano Road and Renner Road and any related location or relocation of public utilities and other public improvements; and (c) portions of Tract 4 to be reserved or used for drainage and sewer easements and in the future for the widening of Plano Road, all to be effective upon the closing of the purchase of the Property; and the City Manager is hereby authorized to take all necessary action relating to such designation hereby.

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

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

SECTION 4. That this Ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide except that the designation as set forth herein shall not become effective unless and until the closing of the purchase of the Property described in Exhibit "A".

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

CITY OF RICHARDSON, TEXAS

_____

MAYOR

APPROVED AS TO FORM:

_____

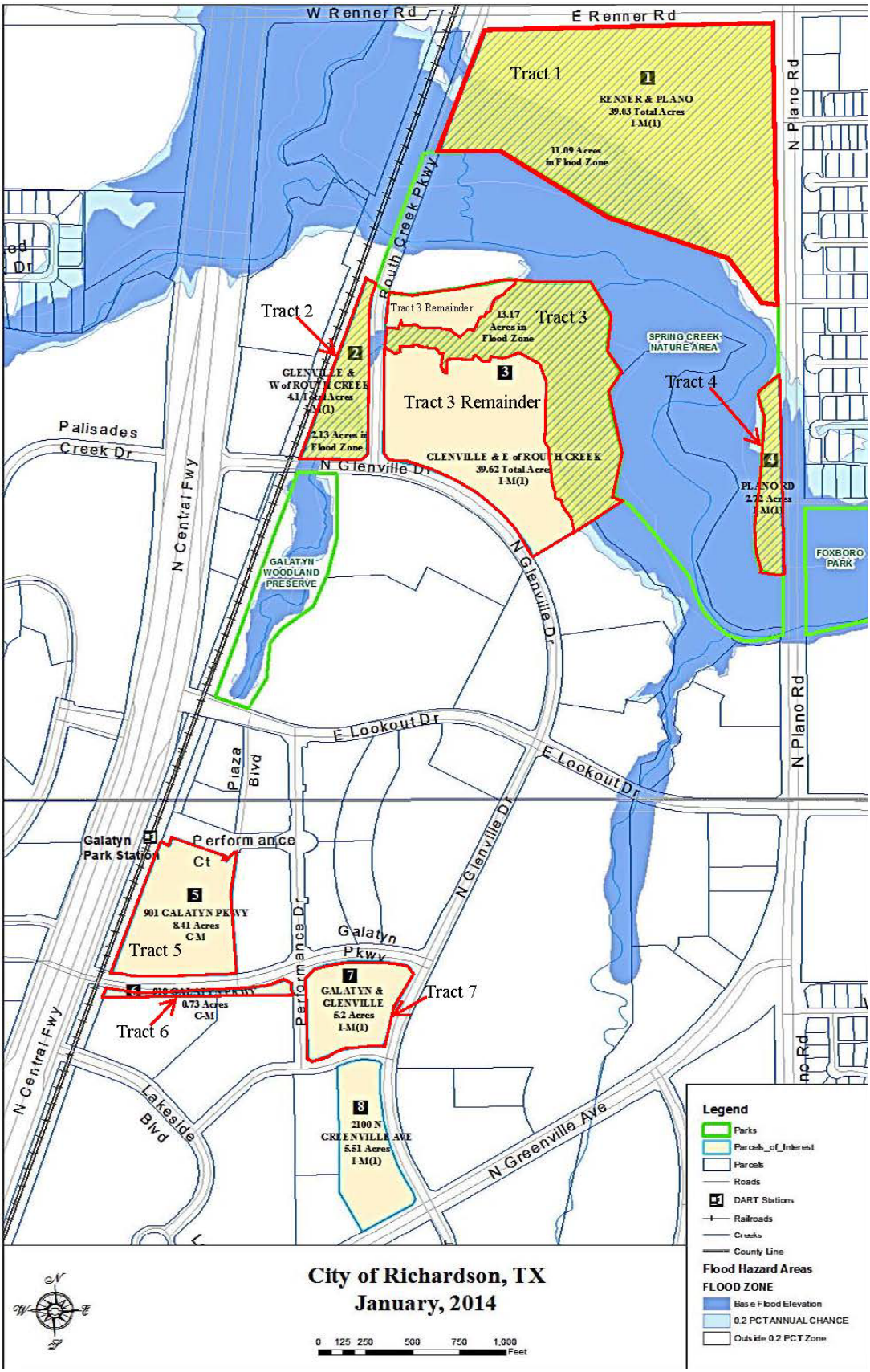
CITY ATTORNEY
(PGS:12-4-14:TM 69357)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT "A"


W Renner Rd
E Renner Rd
Tract 1
1
RENNER & PLANO
39.03 Total Acres
I-M(1)
11.09 Acres
in Flood Zone
N Plano Rd
Routh Creek Pkwy
Tract 2
Tract 3 Remainder
13.17
Acres in
Flood Zone
Tract 3
SPRING CREEK
NATURE AREA
2
GLENVILLE &
W of ROUTH CREEK
4.1 Total Acres
I-M(1)
2.13 Acres in
Flood Zone
3
Tract 3 Remainder
Tract 4
Palisades
Creek Dr
N Glenville Dr
GLENVILLE & E of ROUTH CREEK
39.62 Total Acres
I-M(1)
4
PLANO RD
2.72 Acres
I-M(1)
N Central Fwy
GALATYN
WOODLAND
PRESERVE
FOXBORO
PARK
E Lookout Dr
Plaza
Blvd
Galatyn
Park Station
Performance
Ct
5
901 GALATYN PKWY
8.41 Acres
C-M
Tract 5
Galatyn
Pkwy
Performance Dr
7
GALATYN &
GLENVILLE
5.2 Acres
I-M(1)
Tract 7
0.73 Acres
C-M
Tract 6
Lakeside
Blvd
8
2100 N
GREENVILLE AVE
5.51 Acres
I-M(1)
N Greenville Ave
Legend
Parks
Parcels_of_Interest
Parcels
Roads
DART Stations
Railroads
Creeks
County Line
Flood Hazard Areas
FLOOD ZONE
Base Flood Elevation
0.2 PCT ANNUAL CHANCE
Outside 0.2 PCT Zone
City of Richardson, TX
January, 2014
0 125 250 500 750 1,000
Feet

ORDINANCE NO. 4085

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PURCHASE AND SALE AGREEMENT WITH RICHARDSON RP DEVELOPMENT CORP. (THE "COMPANY") FOR THE RESTAURANT PARK PROJECT; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ECONOMIC DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF RICHARDSON AND RICHARDSON RP DEVELOPMENT CORP. FOR THE RESTAURANT PARK PROJECT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Company owns or is under contract to purchase the real property and improvements located at 760 South Central Expressway, Richardson, Texas, and 709, 715, and 747 South Floyd Road, Richardson, Texas (collectively the "Company Site"); and

WHEREAS, the City owns the real property and improvements located at 750 and 758 South Central Expressway, Richardson, Texas, more particularly described in **Exhibit "A"** which is located within the City of Richardson Tax Increment Financing Reinvestment Zone No. One (the "Property"); and

WHEREAS, the Company desires to purchase the Property and, following such purchase, develop the Property and the Company Site for a restaurant park consisting of four (4) buildings for use as either stand-alone or in-line restaurants, with a minimum of two (2) free standing restaurants, and related infrastructure, with a minimum aggregate of 21,000 square feet of leasable space consistent with the applicable zoning (the "Restaurant Park" or the "Project"); and

WHEREAS, Texas Tax Code, Section 311.08 (b), authorizes the City to sell real property located within City of Richardson Tax Increment Financing Reinvestment Zone No. One on the terms and conditions, and in the manner it considers advisable, to implement project plans for City of Richardson Tax Increment Financing Reinvestment Zone No. One; and

WHEREAS, the City Council for the City finds and determines that the transfer and sale of the Property to the Company for collective development of the Property and the Company Site for the Restaurant Park is advisable to implement the project plans for the City of Richardson Tax Increment Financing Reinvestment Zone No. One; and

WHEREAS, the City has adopted programs for promoting economic development, and this Agreement and the economic development incentives set forth herein are given and provided by the City pursuant to and in accordance with those programs; and

WHEREAS, the City is authorized by Article III, Section 52-a of the Texas Constitution and Texas Local Government Code Chapter 380 to provide economic development grants to

promote local economic development and to stimulate business and commercial activity in the City; and

WHEREAS, the City has determined that making an economic development grant to the Company to offset the costs of Infrastructure necessary for the Project in accordance with the City's economic development program will (i) further the economic development objectives of the City; (ii) benefit the City and the City's inhabitants; and (iii) promote local economic development and stimulate business and commercial activity in the City; and

WHEREAS, the City Council does hereby authorize the City Manager to negotiate and execute on behalf of the City a Purchase and Sale Agreement for the sale of the Property to the Company; and to execute on behalf of the City an Economic Development Agreement with the Company to provide an economic development grant to offset a portion of the costs of infrastructure necessary for the Project; **NOW, THEREFORE**,

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

SECTION 1. That the City Manager is hereby authorized to negotiate and execute a Purchase and Sale Agreement on behalf of the City of Richardson, Texas, with Richardson RP Development Corp. for the sale of the Property, and to take all necessary action thereto, including any amendments to the Purchase and Sale Agreement, and to execute any related instruments that the City Manager, in consultation with the City Attorney, deems reasonable and necessary with respect to the closing of sale of the Property.

SECTION 2. That the City Manager is hereby authorized to negotiate and execute an Economic Development Agreement on behalf of the City of Richardson, Texas, with the Richardson RP Development Corp., and to take all necessary action thereto including any amendments to the Economic Development Agreement, and to execute any related instruments that the City Manager, in consultation with the City Attorney, deems reasonable and necessary in accordance with the following general terms:

1. Agreement will be subject to and conditioned upon the following conditions: (i) the Company closing its purchase of the Company Site; (ii) the Company closing its purchase of the Property; and (iii) the Company having at least two (2)

executed leases for approved restaurants for two (2) separate buildings as required herein, and shall have provided copies thereof to the City.

2. Agreement will provide an infrastructure grant in the amount not to exceed $1.2 Million to offset costs incurred and paid by the Company for infrastructure necessary for the Project. The infrastructure grant is to be paid in three (3) installments. Following the commencement of construction of the infrastructure, the City shall provide the first installment in an amount of up to Six Hundred Thousand Dollars ($600,000.00) for payment of eligible infrastructure; following the commencement of construction of at least two (2) approved restaurants, the City shall provide the second installment in an amount of up to Three Hundred Thousand Dollars ($300,000.00) for payment of additional eligible infrastructure costs not previously paid by the City; and following completion of construction of two (2) approved restaurants, the City shall provide the third and final installment in an amount of up to Three Hundred Thousand Dollars ($300,000.00) for payment of additional eligible infrastructure costs not previously paid by the City.

3. Following completion of construction of the infrastructure, Company shall provide the City with copies of bills, receipts and invoices to verify the costs incurred and paid by the Company for the infrastructure.

4. Company shall cause completion of construction of at least two (2) buildings for two (2) approved restaurants to occur within twenty-four (24) months after the purchase of the Property. Such approved restaurants may be either multi-tenant occupancy or free-standing.

5. In the event the actual costs incurred and paid by the Company for the infrastructure upon completion of construction, as verified by the City, are less than $2 Million, the infrastructure grant (or installments thereof) shall be reduced by product of $1.2 Million x (the difference between one and the quotient of the actual City verified infrastructure costs divided by $2 Million); and the Company shall pay such amount to the City within thirty (30) days after written demand by the City.

6. The Company shall have at least two (2) executed leases for approved restaurants for two (2) separate buildings prior to the closing date for the purchase of the Property.

7. Agreement shall contain appropriate provisions for the timely construction and development of the Project, and for the repayment of the infrastructure grant in the event of an uncured default of the agreement.

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 8th day of December, 2014.

CITY OF RICHARDSON, TEXAS

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:11-6-14:TM 68571)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

Exhibit "A"
Legal Description of the Property

Tract 1: Being all that certain lot, tract or parcel of land situated in the Lavinia McCommas Survey, Abstract Number 927, City of Richardson, Dallas County, Texas, and being all of that certain called 2.24 acre tract of land described as Tract 1 and part of that certain called 31,323 square foot tract described as Tract 2 in deed from George M. Underwood, Jr., to Colonial House, Inc., recorded in Volume 814, Page 1215 of the Deed Records of Dallas County, Texas, and being part of that certain called 2.96 acre tract of land described in deed from Value Investments to Baldev Patel, recorded in Volume 2002053, Page 3447 of the Deed Records of Dallas County, Texas, and being all that certain called 0.0892959 acre tract of land described in deed from Richardson Heights, Inc., to Baldev Patel, recorded in Instrument Number 20080100111 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" capped rebar found (USA Inc.) at the south corner of said Tract I and the south corner of said 2.96 acre tract, being the east corner of Lot 1, Block 1 of Smith Retail, an addition to the City of Richardson, Dallas County, Texas, according to the replat thereof, recorded in Volume 92177, Page 3054 of the Deed Records of Denton County, Texas, and being on the westerly line of Central Expressway (A.K.A. U.S. Highway 75) according to that certain called 13.458 acre tract of land described in deed from T.F. McKamy to the State of Texas, recorded in Volume 3020, Page 405 of the Deed Records of Dallas County, Texas,

THENCE N 35°55'40" W, 158.13 feet (called 158.00 feet), with the west line of said Tract 1 and the west line of said 2.96 acre tract and the east line of said Lot 1, Block 1, Smith Retail, to a 1/2" rebar found at the northeast corner thereof, being the southeast corner of that certain tract of land described in deed from T.K. Eng to CPC Sing Trust, recorded in Volume 88127, Page 623 of the Deed Records of Dallas County, Texas;

THENCE N 00°25'30" W, with the west line of said Tract 1 and the west line of said 2.96 acre tract and the east line of said CPC Sing Trust tract, passing at 50 feet the northeast corner thereof and the southeast corner of that certain called 4,367.32 square foot tract of land described in deed from Eldon O. Harrison to Gary C. Brantley, recorded in Volume 90142, Page 800 of the Deed Records of Dallas County, Texas, continuing with the east line thereof a total distance of 74.16 feet to a railroad spike found;

THENCE N 45°59'40" E, with the west line of said Tract 1 and the west line of said 2.96 acre tract and the east line of said 4,367.32 square foot tract, passing at 26 feet the northeast corner thereof and the southerly southeast corner of that certain tract of land described in deed from Eldon O. Harrison to Gary C. Brantley, recorded in Volume 82172, Page 2449 of the Deed Records of Dallas County, Texas, continuing with the east line thereof a total distance of 37.59 feet (called 37.47 feet) to a PK nail found;

THENCE N 89°23'20” E, 22.44 feet (called 22.87 feet) with the west line of said Tract 1 and the west line of said 2.96 acre tract and the east line of said Brantley tract to a PK nail found at the easterly southeast corner thereof;

THENCE N 00°37'00” W, with the west line of said Tract 1 and the west line of said 2.96 acre tract and the east line of said Brantley tract, passing at 30 feet the northeast corner thereof and the southeast corner of that certain called 0.46 acre tract of land described in deed from TY Equity Group, Inc., to Floyd Central, LTD., recorded in Volume 2004145, Page 9824 of the Deed Records of Dallas County, Texas, continuing with the east line thereof, passing at 165.35 feet the northeast corner thereof and the southeast corner of Lot 11, Block 1 of TOR Sheet 13A, Lot 11, an addition to the City of Richardson, Dallas County, Texas, according to the plat thereof, recorded in Volume 82209, Page 350 of the Deed Records of Dallas County, Texas, and being the northwest corner of said Tract 1 and the southwest corner of Tract 2, continuing with the west line of said Tract 2 and the east line of said Lot 11, Block 1, a total distance of 310.24 feet (called 315.36 feet) to a 1/2" capped rebar set (G&A) on the south line of James Drive (55' right-of-way at this point) as evidenced by that certain called 0.92 acre tract of land described in dedication from Richardson Heights, Inc., to the City of Richardson, Texas, recorded in Volume 4946, Page 27 of the Deed Records of Dallas County, Texas, said point being S 00°37'00” E, 5 feet from a 5/8” rebar found at the northeast corner of said Lot 11, Block 1 and the northwest corner of said Tract 2 and the northwest corner of said 2.96 acre tract, said point also being S 79°07' W, 1.3 feet from a 1/2" capped rebar found (USA Inc.);

THENCE N 88°48'50” E, with the south line of said James Drive, passing at 267.92 feet (called 266.65 feet) the east line of said Tract 2 and the east line of said 2.96 acre tract and the northerly northwest corner of the aforementioned 0.0892959 acre tract, continuing with the north line thereof a total distance of 285.30 feet to a “+” set in concrete at the northeast corner thereof;

THENCE S 00°39'10” E, 10.09 feet (called 10.40 feet), with the east line of said 0.0892959 acre tract to a “+” set;

THENCE S 45°46'50” W, 32.51 feet (called 32.44 feet), with the east line of said 0.0892959 acre tract to a “+” set at an inner ell corner thereof;

THENCE S 44°13'10” E, with the east line of said 0.0892959 acre tract, passing at 6.9 feet (called 6.74 feet) a “+” found in concrete at an outer ell corner thereof, being the north corner of said Tract 1 and the west corner of that certain called 0.241 acre tract of land described in deed to Alden E. Wagner, Jr., recorded in Instrument Number 20070404841 of the Deed Records of Dallas County, Texas, continuing with the northeasterly line of said Tract 1 and the southwesterly line of said 0.241 acre tract a total distance of 217.03 feet to the east corner of said Tract 1 and the east corner of the aforementioned 2.96 acre tract and the south corner of said 0.241 acre tract and being on the westerly line of the aforementioned Central Expressway, from which a 5/8” rebar found for witness bears N 44°13'10” W, 0.3 feet;

THENCE S 45°46'50” W, 180.00 feet with the southeasterly line of said Tract 1 and the southeasterly line of said 2.96 acre tract and the westerly line of said Central Expressway to a PK nail with shiner found at the east corner of that certain called 0.339 acre tract of land described in deed from Espressotime Vending Co., to Duckwin, LLC, recorded in Instrument Number 20080386650 of the Deed Records of Dallas County, Texas;

THENCE N 44°13'10” W, 182.50 feet (called 182.30 feet) with the northeasterly line of said 0.339 acre tract to a railroad spike found at the north corner thereof;

THENCE S 45°46'50” W, 81.00 feet with the northwest line of said 0.339 acre tract to a PK nail found at the west corner thereof;

THENCE S 44°13'10” E, 182.50 feet (called 182.30 feet) with the southwest line of said 0.339 acre tract to the south corner thereof, being on the westerly line of said Central Expressway, from which a PK nail found for witness bears N 44°13'10” W, 0.3 feet;

THENCE S 45°46'50” W, 250.00 feet with the southeasterly line of said Tract 1 and the southeasterly line of said 2.96 acre tract and the westerly line of said Central Expressway to the POINT OF BEGINNING and containing approximately 3.023 acres of land.

Tract 2: Being all that certain lot, tract or parcel of land situated in the Lavinia McCommas Survey, Abstract Number 927, City of Richardson, Dallas County, Texas, and being all that certain called 0.339 acre tract of land described in deed from Espressotime Vending Co., to Duckwin, LLC, recorded in Instrument Number 20080386650 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a PK nail with shiner found at the east corner of said 0.339 acre tract, being on the westerly line of Central Expressway (A.K.A. U.S. Highway 75) according to that certain called 13.458 acre tract of land described in deed from T.F. McKamy to the State of Texas, recorded in Volume 3020, Page 405 of the Deed Records of Dallas County, Texas, and being a common corner of that certain called 2.39 acre tract of land described in deed from Value Investments to Baldev Patel, recorded in Volume 2002053, Page 3447 of the Deed Records of Dallas County, Texas;

THENCE S 45°46'50” W, 81.00 feet with the westerly line of Central Expressway;

THENCE N 44°13'10” W, passing at 0.3' a PK nail, and continuing along said course a total distance of 182.50, with the common line of said Patel tract, to a PK nail found;

THENCE N 45°46'50” E, 81.00 feet, with the common line of said Patel tract, to a railroad spike found;

THENCE S 44°13'10” E, 182.50, with the common line of said Patel tract, to the POINT OF BEGINNING and containing approximately 0.339 acres of land.

ORDINANCE NO. 4090

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 REPEALING ORDINANCE 4063; BY GRANTING A CHANGE IN ZONING FROM C-M COMMERCIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR C-M COMMERCIAL DISTRICT USES FOR A 0.354-ACRE TRACT LOCATED AT 501 W. BELT LINE ROAD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 14-33).

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

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

SECTION 1. That Ordinance No. 4063, adopted on August 25, 2014, is hereby repealed.

SECTION 2. 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, to grant a change in zoning from C-M Commercial with special conditions to PD Planned Development for C-M Commercial District uses for a 0.354-acre tract located at 501 W. Belt Line Road, Richardson, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 3. That the Property shall be used and developed in accordance with the development regulations set forth below:

Base Zoning District: The property shall be zoned PD Planned Development for the C-M Commercial District uses, and shall be used and developed in substantial conformance with the concept plan attached hereto as Exhibit "B" (the "Concept Plan"), which is hereby approved and made a part hereof for all purposes. The property shall be developed and used in accordance with the C-M Commercial District Zoning Regulations, except as otherwise provided herein:

1. A restaurant with drive-through service shall be allowed as defined in the Comprehensive Zoning Ordinance and limited to the area shown on the Concept Plan and constructed in substantial conformance with building elevations (Exhibits "C-1" and "C-2").

2. The minimum front setback shall be twenty (20) feet for the building and drive-thru menu board/signage along Belt Line Road and Central Expressway.

3. Decorative metal screens shall be allowed for screening of ground mounted utilities located as depicted in Exhibits "C-1" and "C-2".

4. A minimum 4.5-foot landscape buffer along Belt Line Road and a minimum 8-foot landscape buffer along the US-75 frontage road shall be provided as depicted in the Concept Plan.

5. The requirement in the US-75 Amenities Planning Guidelines for a 10-foot pedestrian easement shall be waived.

6. Outdoor seating shall be provided.

7. Designer bike racks that are thematically consistent with the restaurant use shall be provided.

8. A minimum three (3) foot tall hedge row shall be planted within the landscape buffer along US-75 and Belt Line Road to provide screening of the drive-thru lane from both street frontages.

9. A walkway shall be provided extending from the sidewalk along US-75 Central Expressway westward across the north side of the five (5) parking spaces as shown on the Concept Plan.

SECTION 4. That the above-described tract of land shall be used in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Richardson, Texas, as heretofore amended, and subject to the aforementioned special conditions.

SECTION 5. 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 6. 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 7. That an offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 8. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

DULY PASSED by the City Council of the City of Richardson, Texas, on the 8th day of December, 2014.

APPROVED:

_____
MAYOR

APPROVED AS TO FORM:

_____
CITY ATTORNEY
(PGS:11-25-14:TM 69303)

CORRECTLY ENROLLED:

_____
CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 14-33

BEING 0.354 acre of land located in LAVINIA McCOMMAS SURVEY, Abstract No. 927, Dallas County, Texas and being all of Lot 4, RICHARDSON HEIGHTS VILLAGE SHOPPING CENTER, an addition to the City of Richardson, Dallas County, Texas, according to the plat recorded in County Clerk's File No. 200600148049, of the Deed Records of Dallas County, Texas. Said 0.354 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an "X" cut in concrete found at the Southeast corner of said Lot 4, being the most Easterly Northeast corner of Lot 2A, RICHARDSON HEIGHTS VILLAGE SHOPPING CENTER, an addition to the City of Richardson, Dallas County, Texas, according to the plat recorded in County Clerk's File No. 200115300001, of the Deed Records of Dallas County, Texas, and said point lying in the Northwest right-of-way line of U.S. Highway No. 75 (Central Expressway), a variable width public right-of-way;

THENCE N 77° 29' 57" W 118.67 feet, along the South boundary line of said Lot 4, and the most Southerly North boundary line of said Lot 2A, to an "X" cut in concrete found at the Southwest corner of said Lot 4;

THENCE N 00° 00' 03" E 110.00 feet, along the West boundary line of said Lot 4, to an "X" cut in concrete set in the Northwest corner of said Lot 4, said point lying in the South right-of-way line of Belt Line Road (a variable width public right-of-way);

THENCE along the North boundary line of said Lot 4 and the South right-of-way line of said Belt Line Road, as follows:

1. N 89° 27' 57" E 80.94 feet, to a "MAG" nail set;

2. S 76° 46' 57" E 55.94 feet, to an "X" cut in concrete set at the Northeast corner of said Lot 4, being the intersection of the South right-of-way line of said Belt Line Road, with the Northwest right-of-way line of said U.S. Highway No. 75;

THENCE S 08° 58' 41" W 125.19 feet, along the East boundary line of said Lot 4, and the Northwest right-of-way line of said U.S. Highway No. 75, to the POINT OF BEGINNING containing 0.354 acre (15,399 square feet) of land.

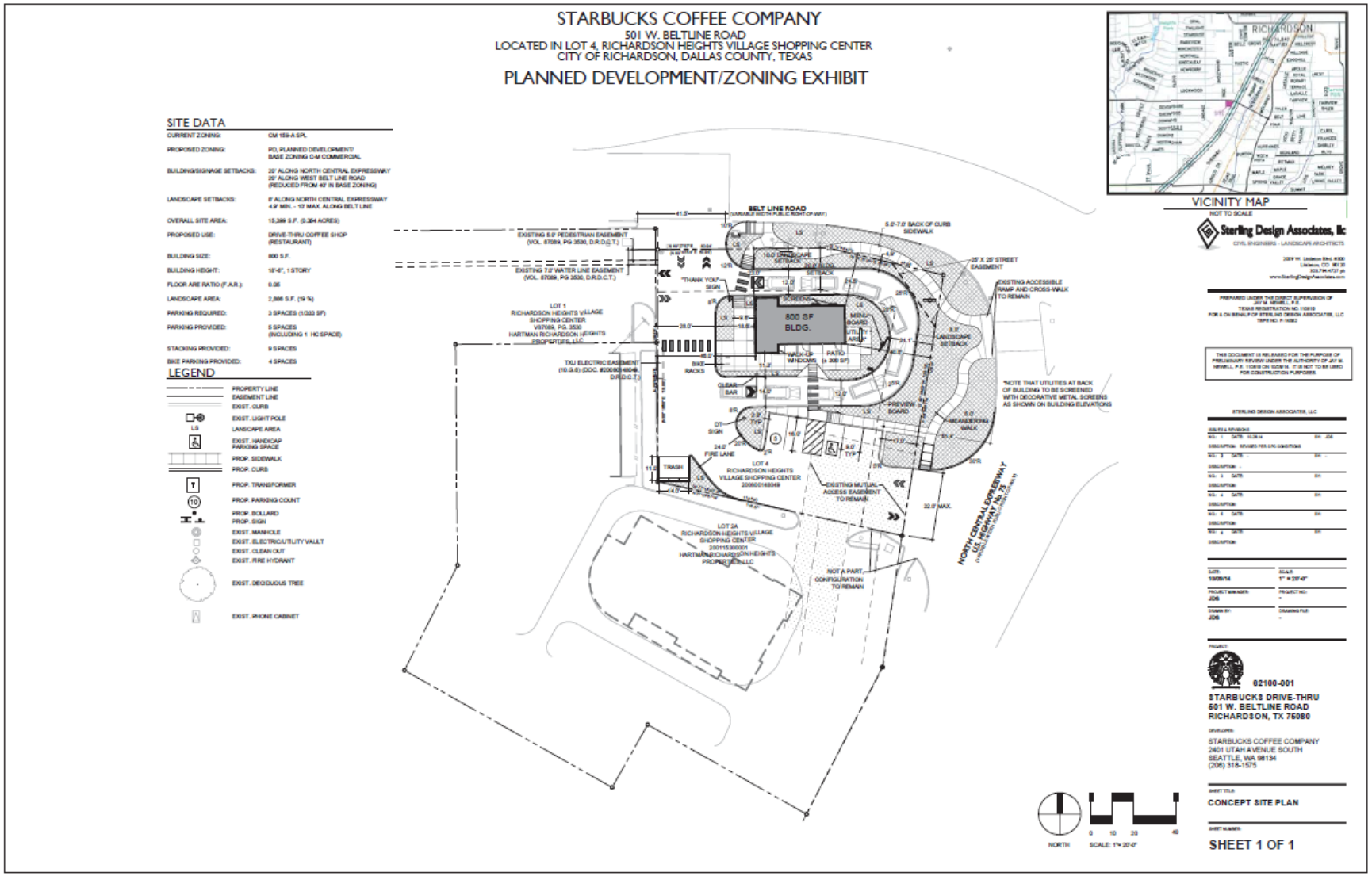


Exhibit B - Part of Ordinance

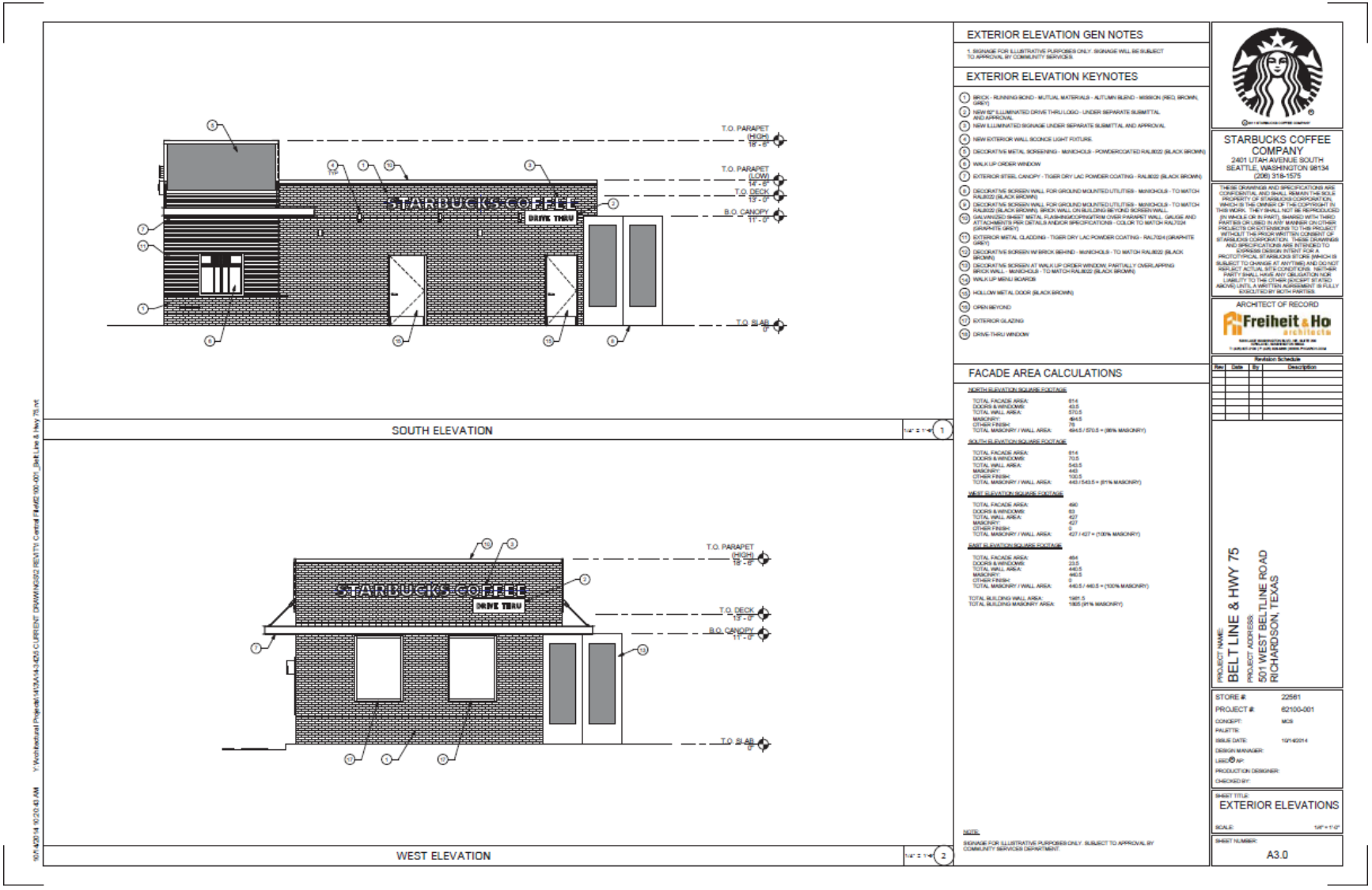


Exhibit C-1 - Part of Ordinance

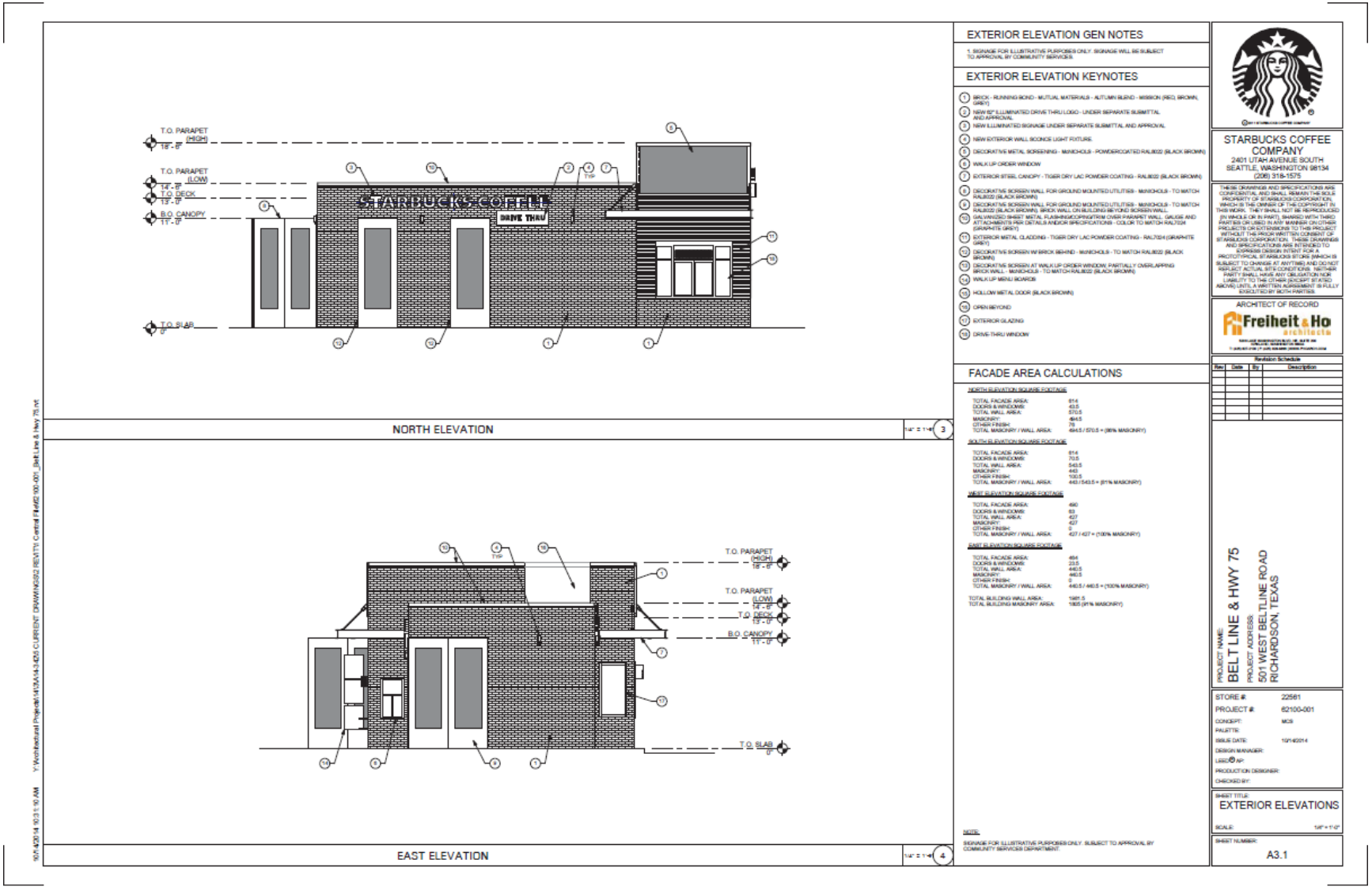


Exhibit C-2 - Part of Ordinance

ORDINANCE NO. 4091

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING FROM I-M(1) INDUSTRIAL WITH SPECIAL CONDITIONS TO PD PLANNED DEVELOPMENT FOR I-M(1) INDUSTRIAL DISTRICT USES FOR A 92.45-ACRE LOT LOCATED AT 300 W. RENNER ROAD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 14-36).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, to grant a change in zoning from I-M(1) Industrial with special conditions to PD Planned Development for I-M(1) Industrial District uses for a 92.45-acre lot located at 300 W. Renner Road, Richardson, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property shall be used and developed in accordance with the development regulations set forth below:

Base Zoning District: Planned Development for the I-M(1) Industrial District. The property shall be developed and used in accordance with the concept plan attached hereto as Exhibit "B" (the "Concept Plan") which is hereby approved and incorporated herein

for all purposes and the I-M(1) Industrial Zoning District regulations, except as otherwise provided herein.

1. The Concept Plan shall govern the limits of Utility Areas #1 and #2. Future development of the site shall not be restricted by the Concept Plan provided such development is in conformance with the I-M(1) Industrial District regulations and the following special conditions:
   (a) The height requirements of the I-M(1) Industrial District shall apply except that the maximum height of twenty-five (25) feet for the first floor and fifteen (15) feet for all other floors shall be waived, and the maximum overall height of any building shall not exceed seventy-five (75) feet.
   (b) Parking shall be provided at a minimum ratio of one (1) space per 375 square feet of office use and one (1) space per 2,500 square feet for manufacturing use. The construction of 150 spaces in the first phase may be deferred to the next phase of development of the site. No parking shall be required for mechanical and cafeteria areas.
   (c) Along Renner Road and Alma Road, a minimum 50-foot wide landscape and pedestrian strip shall be provided within the property lines of the tract in addition and adjacent to the standard parkway. This landscape strip shall include ornamental trees, shrubs, and sidewalks. Installation and maintenance of the irrigation system, the landscaping and sidewalk shall be the responsibility of the property owner.
   (d) All outdoor service and storage areas shall be buffered from the view of the future DART rail line located directly north of the site. The buffer may include berms, trees, shrubs, screening walls, or any combination thereof.
   (e) Along Alma Road, additional shade and ornamental trees are required for screening of Utility Areas #1 and #2 as stipulated in the variance approved in case VAR 11-08 on August 8, 2011.
   (f) The owner of the tract shall construct the following traffic improvements at the time the site is developed:
      (i) Construct deceleration lanes to serve the driveway immediately north of Renner on Alma and the driveway immediately west of Alma on Renner.
      (ii) Close all median breaks in Alma Road, which do not serve the site or adjacent properties. Closure of median breaks in Renner Road, which do not serve the site or adjacent properties, shall be deferred until such time as the final phase of development on the site occurs.
   (g) In addition, the owner of the tract shall dedicate land for a right-turn lane on the southbound approach at the intersection of Alma and Renner Road at the time the property is platted.
   (h) Non-masonry utility buildings, of which the principal purpose is to protect electrical and mechanical equipment, shall be allowed subject to the following conditions:

(i) No personnel shall work in the buildings except to perform routine and infrequent maintenance activities.
(ii) The buildings shall only be allowed within Utility Area #1 and Utility Area #2 as shown on Exhibit "B".
(iii) Each building shall not exceed 1,000 square feet in area.
(iv) Each building shall not exceed fifteen (15) feet in height.
(v) The exterior material on these buildings shall be prefinished in a color to complement and maintain consistency with existing enclosures and buildings on the site.
(vi) Existing non-masonry buildings within Utility Area #1 and Utility Area #2 shall be allowed and are deemed to be conforming as of the date of this ordinance.

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

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

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 8th day of December, 2014.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:12-2-14:TM 69342)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 14-36

BEING a 92.45-acre lot situated in the William Beverly Survey, Abstract No. 75, Collin County, Texas; said lot being all of Lot 2, Block 1, Telecom Industrial Park, an addition to the City of Richardson, Texas according to the plat recorded in Volume Q, Page 115 of the Map Records of Collin County, Texas.

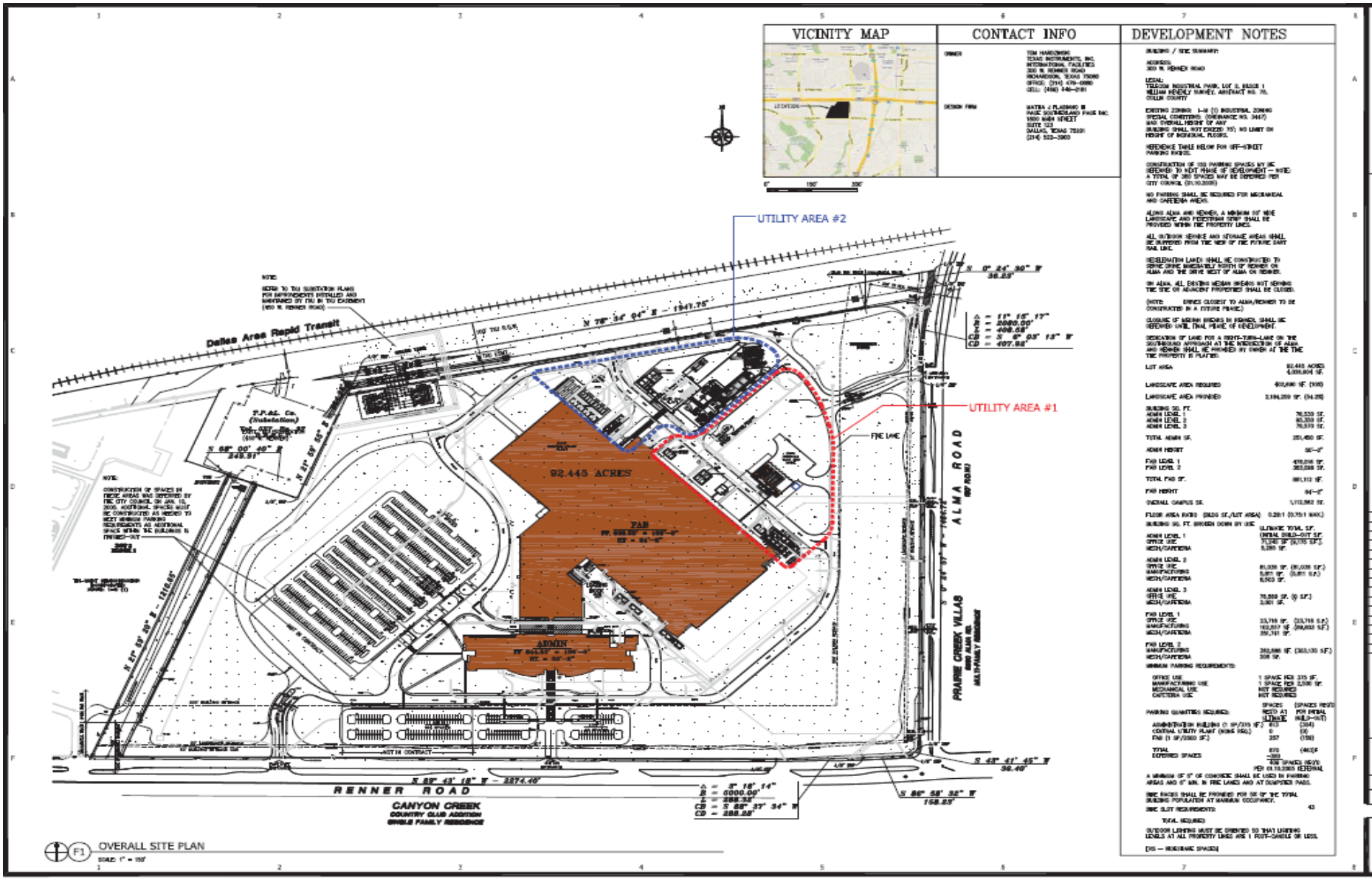


Exhibit B - Part of Ordinance

ORDINANCE NO. 4092

AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, SO AS TO GRANT A CHANGE IN ZONING TO GRANT A SPECIAL PERMIT WITH CONDITIONS FOR A SMOKING ESTABLISHMENT, SUBJECT TO SPECIAL CONDITIONS, FOR A 1.41-ACRE LOT ZONED LR-M(1) LOCAL RETAIL, LOCATED AT THE SOUTHWEST CORNER OF MAIN STREET AND ABRAMS ROAD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 14-37).

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

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

SECTION 1. That the Comprehensive Zoning Ordinance and Zoning Map of the City of Richardson, Texas, duly passed by the governing body of the City of Richardson on the 5th day of June, 1956, as heretofore amended, be, so as to grant a change in zoning to grant a special permit for a smoking establishment, subject to special conditions, for a 1.41-acre lot zoned LR-M(1) Local Retail located at the southwest corner of Main Street and Abrams Road, Richardson, Texas, and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That the Special Permit for a smoking establishment is hereby conditionally granted subject to the following special conditions:

1. A Special Permit shall be granted to allow a smoking establishment as defined in the Comprehensive Zoning Ordinance and shall be limited to outdoor use only on

the restaurant patio as shown on the site plan attached as Exhibit "B". The use and development of the property for a smoking establishment shall be in conformance with Exhibit "B".

2. The smoking establishment's hours of operation shall be limited from 11:00 am to 11:00 pm (Sunday through Thursday) and from 11:00 am to midnight (Friday & Saturday).

3. A certificate of occupancy for the new restaurant and smoking establishment as shown on Exhibit "B" shall not be issued unless and until the restaurant in the existing building ceases operation on the property. Upon issuance of a certificate of occupancy for the "Afrah Restaurant" as shown on Exhibit "B", operations within the existing restaurant building, generally located where the "Afrah Grocery" is shown on Exhibit "B", shall cease operation and shall not re-open for business.

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

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

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

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

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Richardson, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

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

DULY PASSED by the City Council of the City of Richardson, Texas, on the 8th day of December, 2014.

APPROVED:

_____

MAYOR

APPROVED AS TO FORM:

_____

CITY ATTORNEY
(PGS:12-2-14:TM 69343)

CORRECTLY ENROLLED:

_____

CITY SECRETARY

EXHIBIT "A"
LEGAL DESCRIPTION
ZF 14-37

BEING a 1.41-acre tract of land situated in the William Bodine Survey, Abstract No. 153, Dallas County, Texas; said tract being all of Lot 1A, Block A, Arnold Subdivision, an addition to the City of Richardson, Texas according to the plat recorded in Document No. 201300064761 of the Official Public Records of Dallas County, Texas.

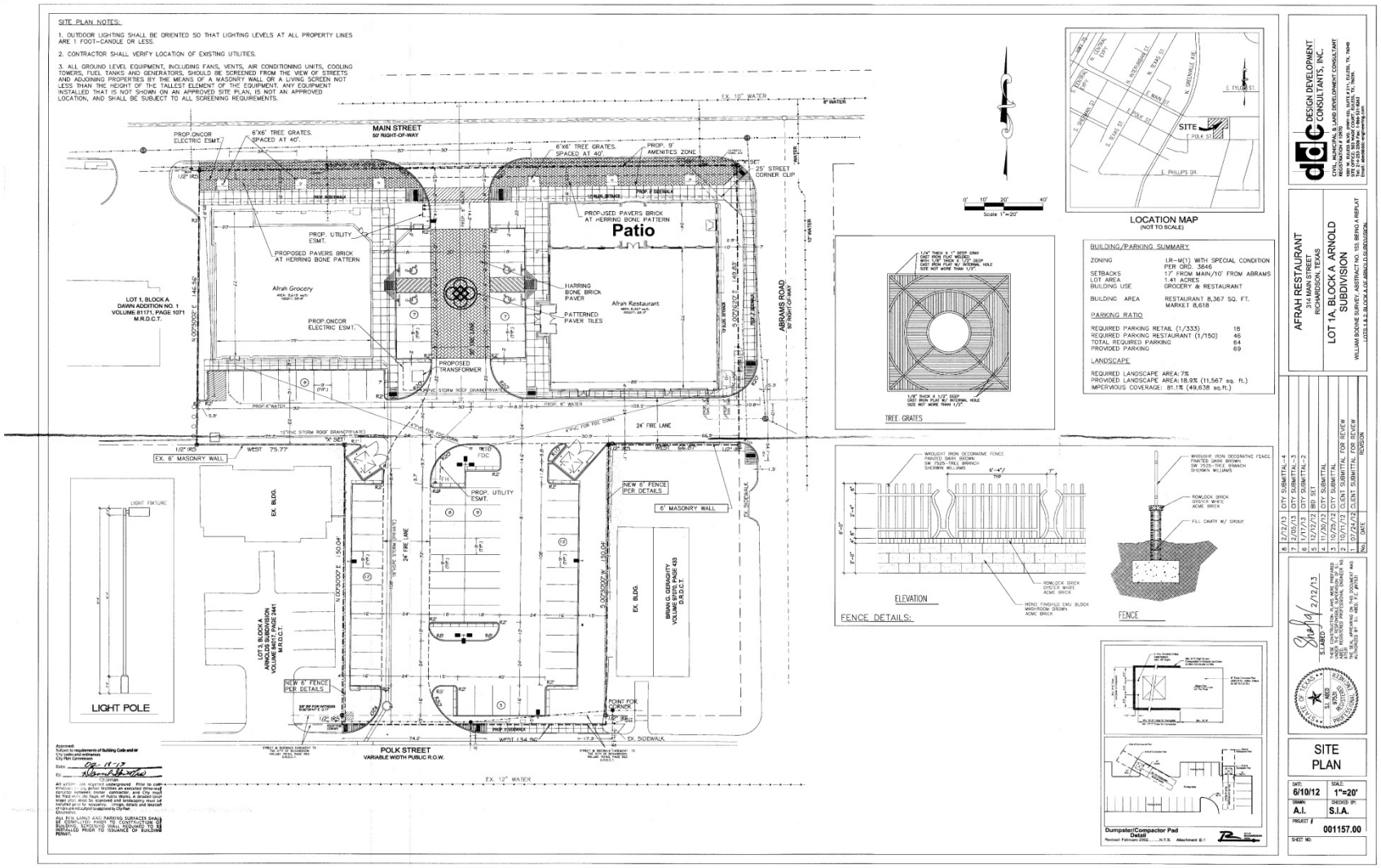


Exhibit B - Part of Ordinance

Richardson City Council
Proposed 2015 Meeting Dates

All City Council meeting dates are subject to revision by City Council within the scope of the City Charter and the Texas Open Meetings Act.

Date	Type of Meeting	Cancelled	Date	Type of Meeting	Cancelled
January 5, 2015	WS & Regular		July 13, 2015	WS & Regular	
January 12, 2015	Worksession		July 14-15, 2015	Budget Retreat	
January 19, 2015	**City Holiday**	**No Meeting/Holiday**	July 20, 2015	Worksession	
January 26, 2015	WS & Regular		July 27, 2015	WS & Regular	
February 2, 2015	Worksession		August 3, 2015	Worksession	*Discuss Tax Rate; Set PHs*
February 9, 2015	WS & Regular		August 10, 2015	WS & Regular	*Budget Presentation*
February 16, 2015	**Worksession**	**Holiday**	August 17, 2015	Worksession	*1st Public Hearing*
February 23, 2015	WS & Regular		August 24, 2015	WS & Regular	*2nd Public Hearing*
March 2, 2015	**Worksession**	**No Meeting/Collin Co. Legislative Day**	**August 31, 2015**	**Worksession**	**No Meeting/5th Monday**
March 9, 2015	**WS & Regular**	**No Meeting/Spring Break**	**September 7, 2015**	**City Holiday**	**No Meeting/Holiday**
March 16, 2015	Worksession		September 14, 2015	WS & Regular	*Adopt Budget*
March 23, 2015	WS & Regular		September 21, 2015	Worksession	
March 30, 2015	**Worksession**	**No Meeting/5th Monday**	September 28, 2015	WS & Regular	
April 6, 2015	Worksession		October 5, 2015	Worksession	
April 13, 2015	WS & Regular		October 12, 2015	WS & Regular	
April 20, 2015	Worksession		October 19, 2015	Worksession	
April 27, 2015	WS & Regular		October 26, 2015	WS & Regular	
May 4, 2015	Worksession		November 2, 2015	Worksession	
May 11, 2015	WS & Regular		November 9, 2015	WS & Regular	
May 18, 2015	Worksession		November 16, 2015	Worksession	
May 25, 2015	**City Holiday**	**No Meeting/Holiday**	**November 23, 2015**	**WS & Regular**	**Week of Thanksgiving**
June 1, 2015	Worksession		**November 30, 2015**	**Worksession**	**No Meeting/5th Monday**
June 8, 2015	WS & Regular		December 7, 2015	Worksession	
June 15, 2015	Worksession		December 14, 2015	WS & Regular	
June 22, 2015	WS & Regular		**December 21, 2015**	**Worksession**	**Week of Christmas**
June 29, 2015	**Worksession**	**No Meeting/5th Monday**	**December 28, 2015**	**WS & Regular**	**Week of New Year's**
July 6, 2015	**Worksession**	**No Meeting/Monday after 4th**			

Notes:
The 2014 calendar omitted 11 meeting dates. The 2015 calendar omits 14 dates which include City Holidays (4), Fifth Mondays (4), Spring Break (1), Monday after July 4th which falls on Saturday (1), Mondays on week of Thanksgiving, Christmas, and New Year's (3). One additional ommission for 2015 is March 2 to allow Council and Staff to attend Collin County Legislative Day.

Special Considerations for 2015 (Council Election Year):
May 9 is Election Day. June 13 would be the Run-off Election Date if needed. June 22 would be the canvass of the Run-off Election.

Meeting Hiatus: March 2/March 9, June 29/July 6 , August 31/September 7, Nov 23/Nov 30, Dec 21/Dec 28

MEMO

DATE: **December 1, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager**

SUBJECT: **Award of Bid #05-15 for an annual requirements contracts for Parks Restroom Maintenance to Lillard Lawn Commercial Maintenance pursuant to unit prices**

Proposed Date of Award: December 8, 2014

I concur with the recommendation of Bobby Kinser – Assistant Parks Superintendent, and request permission to issue an annual requirements contract for parks restroom maintenance to Lillard Lawn Commercial Maintenance pursuant to unit prices bid.

The term of the contract is for one (1) year with options for four (4) additional one (1) year renewal periods, if agreeable to both parties. The award of this contract allows for parks restroom maintenance as the requirements and needs of the city arise on an annual basis and during any subsequent renewal period(s). Since the city is not obligated to purchase a minimum or maximum amount of services, payment will be rendered pursuant to the unit prices bid.

The bid was advertised in *The Dallas Morning News* on October 21 & 28, 2014 and was posted on Bidsync.com. A prebid conference was held on October 29, 2014 and 673 electronic notices were distributed; 39 vendors viewed the bid; and 5 responsive bids were received.

Concur:

Kent Pfeil

Attachments

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

TO: Pam Kirkland
FROM: Bobby Kinser
DATE: 11-14-14
SUBJECT: **Award of bid # 05-15 A/C for Parks Restroom maintenance**

After careful committee review the Parks Department recommends award of bid # 05-15 Annual contract for maintenance/cleaning Parks restrooms too Lillard lawn and Commercial maintenance they are low bid and best value and have a favorable history with the City of Richardson. This contract is not to exceed $ 65,000 Please use account # 011-3061-541-3399.

Bobby W Kinser 11-14-14

BID NUMBER: 05-15
DATE OPENED: November 11, 2014

BID TABULATION-ANNUAL CONTRACT FOR PARKS RESTROOM MAINTENANCE

				Encore Commercial Services		HWC System		James Enterprise		Lillard Lawn Comm. Maint.	
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Berkner Park	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
2	Brecknridge Park	296	ea	10.000	$2,960.00	45.000	$13,320.00	10.800	$3,196.80	10.000	$2,960.00
3	Canyon Creek Pool	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
4	Cottonwood Park	326	ea	10.000	$3,260.00	45.000	$14,670.00	10.800	$3,520.80	10.000	$3,260.00
5	creek hollow	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
6	Crowley Park	270	ea	7.000	$1,890.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
7	Custer Park	270	ea	6.000	$1,620.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
8	Foxboro Park	270	ea	5.000	$1,350.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
9	Glenville Pool	270	ea	6.000	$1,620.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
10	Heights Park	326	ea	11.000	$3,586.00	45.000	$14,670.00	10.800	$3,520.80	8.400	$2,738.40
11	Huffhines Park	326	ea	20.000	$6,520.00	45.000	$14,670.00	10.800	$3,520.80	12.000	$3,912.00
12	Lookout Park	270	ea	6.000	$1,620.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
13	Mark Twain Park	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
14	Mimosa Park	270	ea	7.000	$1,890.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
15	Point North Park	270	ea	8.000	$2,160.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
16	Richland Park	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
17	Terrace Park	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
18	Woodland Park	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
19	Wyndsor Park	270	ea	10.000	$2,700.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
20	Yale Park	270	ea	15.000	$4,050.00	45.000	$12,150.00	10.500	$2,835.00	8.400	$2,268.00
21	Huffhines Ball Field	326	ea	8.000	$2,608.00	45.000	$14,670.00	10.800	$3,520.80	8.400	$2,738.40
22	Breckinridge Ball Field	326	ea	19.000	$6,194.00	45.000	$14,670.00	10.800	$3,520.80	8.400	$2,738.40
23	Dog Park	326	ea	3.000	$978.00	45.000	$14,670.00	10.800	$3,520.80	8.400	$2,738.40
	TOTAL PRICE				$63,906.00		$295,740.00		$69,681.60		$57,373.60

BID NUMBER: 05-15
DATE OPENED: November 11, 2014

BID TABULATION-ANNUAL CONTRACT FOR PARKS RESTROOM MAINTENANCE

				Premier Building Maint.							
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Berkner Park	270	ea	10.000	$2,700.00						
2	Brecknridge Park	296	ea	10.000	$2,960.00						
3	Canyon Creek Pool	270	ea	10.000	$2,700.00						
4	Cottonwood Park	326	ea	10.000	$3,260.00						
5	creek hollow	270	ea	10.000	$2,700.00						
6	Crowley Park	270	ea	10.000	$2,700.00						
7	Custer Park	270	ea	10.000	$2,700.00						
8	Foxboro Park	270	ea	10.000	$2,700.00						
9	Glenville Pool	270	ea	10.000	$2,700.00						
10	Heights Park	326	ea	10.000	$3,260.00						
11	Huffhines Park	326	ea	10.000	$3,260.00						
12	Lookout Park	270	ea	10.000	$2,700.00						
13	Mark Twain Park	270	ea	10.000	$2,700.00						
14	Mimosa Park	270	ea	10.000	$2,700.00						
15	Point North Park	270	ea	10.000	$2,700.00						
16	Richland Park	270	ea	10.000	$2,700.00						
17	Terrace Park	270	ea	10.000	$2,700.00						
18	Woodland Park	270	ea	9.740	$2,629.80						
19	Wyndsor Park	270	ea	10.000	$2,700.00						
20	Yale Park	270	ea	10.000	$2,700.00						
21	Huffhines Ball Field	326	ea	10.000	$3,260.00						
22	Breckinridge Ball Field	326	ea	10.000	$3,260.00						
23	Dog Park	326	ea	8.000	$2,608.00						
	TOTAL PRICE				$64,997.80						

MEMO

DATE: **December 1, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #13-15 for an annual requirements contracts for Street Sweeping to Sweeping Services of Texas Operating, LP pursuant to unit prices**

Proposed Date of Award: December 8, 2014

I concur with the recommendation of Bobby Kinser – Assistant Parks Superintendent, and request permission to issue an annual requirements contract for street sweeping to Sweeping Services of Texas Operating, LP pursuant to unit prices bid as per the attached tabulation.

The term of the contract is for one (1) year with options for four (4) additional one (1) year renewal periods, if agreeable to both parties. The award of this contract allows for street sweeping services as the requirements and needs of the city arise on an annual basis and during any subsequent renewal period(s). Since the city is not obligated to purchase a minimum or maximum amount of services, payment will be rendered pursuant to the unit prices bid.

The bid was advertised in *The Dallas Morning News* on October 29, 2014 and November 4, 2014 and was posted on Bidsync.com. A prebid conference was held on November 17, 2014 and 749 electronic notices were distributed; 21 vendors viewed the bid; and one responsive bid was received.

Concur:

Kent Pfeil

Attachments

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

TO: Pam Kirkland
FROM: Bobby Kinser
DATE: 12-02-14
SUBJECT: **Award of bid # 13-15 Annual contract for street sweeping**

After committee review the Parks Department recommends award of bid # 13-15 Annual contract for Street sweeping services to Sweeping Services of Texas-Operating, LP. They are the only bid have a favorable history with the City of Richardson. This contract is not to exceed $ 250,000 Please use account # 164-0310-512-3399. Project # DR 1401

BK

BID NUMBER: 13-15
DATE OPENED: December 1, 2014

BID TABULATION-ANNUAL CONTRACT FOR STREET SWEEPING SERVICES

				Sweeping Services of Texas							
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
	12 Cycles per Year										
	Schedule A	1	ea	31992.600	$31,992.60						
	Schedule B	1	ea	42216.600	$42,216.60						
	Schedule C	1	ea	26944.500	$26,944.50						
	Schedule D	1	ea	73634.410	$73,634.41						
	Make Up Calls	1	hr	135.000	$135.00						
	Curb Mile Rate	1	mi	17.50	$17.50						
	24 Cycles per Year										
	Schedule A	1	ea	65586.000	$65,586.00						
	Schedule B	1	ea	77298.000	$77,298.00						
	Schedule C	1	ea	49335.000	$49,335.00						
	Schedule D	1	ea	134823.000	$134,823.00						
	Make Up Calls	1	hr	135.000	$135.00						
	Curb Mile Rate	1	mi	16.750	$16.75						
	19 Cycles per Year										
	Schedule A	1	ea	48514.600	$48,514.60						
	Schedule B	1	ea	63678.600	$63,678.60						
	Schedule C	1	ea	40859.500	$40,859.50						
	Schedule D	1	ea	111721.100	$111,721.10						
	Make Up Calls	1	hr	135.000	$135.00						
	Curb Mile Rate	1	mi	17.000	$17.00						

MEMO

DATE: **December 1, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #18-15 for the cooperative purchase of refuse containers to Wastequip, LLC in an amount not to exceed $333,421 through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #425-13**

Proposed Date of Award: December 8, 2014

I concur with the recommendation of Ryan Delzell – Superintendent of Solid Waste, to purchase 4-yard and 8-yard frontload refuse containers, 30 yard open top roll off containers and 35 cubic yard compactors, as outlined below, in an amount not to exceed $333,421.

Primarily, in the past, we have been able to take delivery of all refuse containers budgeted within a fiscal year. However, due to the construction of the Fire Training Center/EOC Complex, the space allotted for storage of refuse containers was decreased considerably. We, therefore, cannot purchase and store all of the containers at one time.

Attached is a quote from Wastequip, Inc. with unit prices for each type of containers and compactors we intend to purchase this year and the estimated freight charges, per load, per container type.

It is our recommendation to purchase the containers, as needed and as storage space becomes available, for the following containers, keeping expenditures within the FY14-15 budgeted amounts.

Qty/Type Refuse Container	Account	Budget
152 – 8 cubic yard frontload containers	597-2050-581-7482	$ 1,841
	598-2050-581-7482, CS1504	135,000
12 – 4 cubic yard frontload containers	597-2050-581-7483	134
	598-2050-581-7483, CS1505	7,000
6 – 30 cubic yard open top containers	596-2050-581-7481	1,642
	598-2050-581-7481, CS1503	30,000
8 – 35 cubic yard compactors	594-2050-581-7484	10,804
	598-2050-581-7484, CS1506	147,000
Total		$333,421

The above referenced refuse containers have been bid through the Texas Local Government Statewide Purchasing Cooperative (Buyboard) Contract #425-13. The City of Richardson is a member of the Texas Local Government Statewide Purchasing Cooperative through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Concur:

Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

To: Pam Kirkland-Purchasing Manager

From: Ryan Delzell-Solid Waste Operations Superintendent RD

Date: October 31, 2014

Re: Solid Waste Container Purchases

Solid Waste recommends purchasing all solid waste containers listed below from Wastequip utilizing the Buyboard Cooperative Purchasing agreement with the City of Richardson. Solid Waste will order containers in phases over the fiscal year due to limited storage space. Please see the budgeted amount for each type of unit below:

8 cubic yard frontloads $136,841.04
597-2050-581-7482 $1,841.04
598-2050-581-7482 $135,000.00
(128) 8yd Slants @ $826 + (16) loads @ $390 = $111,968
(24) 8yd Flats @ $910 + (3) loads @ $390 = $23,010
Total 8 yds = $134,978

4 cubic yard frontloads $7,134.00
597-2050-581-7483 $134.00
598-2050-581-7483 $7,000.00
(12) 4yd Flats @ $543 + (1) load @ $390 = $6,906

30 cubic yard opentops $31,642.00
596-2050-581-7481 $1,642.00
598-2050-581-7481 $30,000.00
(6) 30 yd OT @ $4,493 + (3) loads @ $390 = $28,128

35 cubic yard compactors $157,804.00
594-2050-581-7484 $10,804.00
598-2050-581-7484 $147,000.00
(8) 35 yd Comp @ $17,663 + (4) loads @ $1,034 = 145,440

XC: Darryl Fourte-Director of Public Services
Travis Switzer-Assistant Director of Public Services, Environmental Operations
Bill Martin-Assistant Purchasing Manager

100 East Industrial Park Blvd, Beeville, TX, 78102
PHONE: 800-242-0122 FAX: 361-358-0418
Quote Number: WQ-0034953

QUOTATION

Sell To:		Ship To:	
Customer Contact	Ryan Delzell	Ship To Name	
Customer Name	City of Richardson	Shipping Address	2001 E Renner Richardson, TX 75081
Billing Address	Po Box 830309 Richardson, TX 75083-0309	Customer Job Reference	BuyBoard Quote
Email	ryan.delzell@cor.gov		
Phone	972-744-4404		

Salesperson	Marya Jenkins	Created Date	10/21/2014
Email	mjenkins@wastequip.com	Expiration Date	11/05/2014
Phone	(800) 255-4126	Quote Number	WQ-0034953

Customer Service Contact	Marya Jenkins
Email	mjenkins@wastequip.com
Phone	(800) 255-4126

Product	Product Description	Details	Options	QTY	Unit Price	Extended Price
265IP-35	Self-Contained Model includes a Key Start-Auto-Jog, 10HP Tri-volt T.E.F.C. motor, UL/CUL Listed, Remote power unit with 6' hydraulic hoses, Weather Cover, NEMA 4 Rated Control Panel, Controls in panel face, Full Gasketed Door, A.N.S.I Z.245.2 Compliant and WASTEC rated	3 Phase is standard. Pricing does not include any hoppers or install. Maximum (2) Compactors per load.		1	$17,663.00	$17,663.00
Compaction - Specialty Option	Special Compactor Option	Non Contract Item. 3 Phase Power Unit		1	$3,520.00	$3,520.00
Compaction - Specialty Option	Special Compactor Option	Non Contract Item. Single Phase Power Unit		1	$4,722.00	$4,722.00
125533	4 Yard Front Load Flat 10/12	Maximum (18) Containers per load.		1	$543.00	$543.00
125535	8 Yard Front Load Slant - WQ 10/12	Maximum (8) Containers per load.		1	$826.00	$826.00
125537	8 Yard Front Load Flat 2-Door 10/12	Maximum (8) Containers per load.		1	$910.00	$910.00
154234	30 Yard Rectangular ROC Heavy Duty, 22' Long	Maximum (2) Containers per load. Containers ARE NOT TO BE NESTED or STACKED.		1	$4,493.00	$4,493.00

Subtotal	$32,677.00
Freight (F.O.B)	$0.00
Tax	$0.00
Total	$32,677.00

100 East Industrial Park Blvd, Beeville, TX, 78102
PHONE: 800-242-0122 FAX: 361-358-0418
Quote Number: WQ-0034953

Special Instructions and Information

Additional Information	
Special Instructions	PRICING IS A PER UNIT PRICE AND DOES NOT INCLUDE FREIGHT. PRICING DOES NOT INCLUDE INSTALLATION.

100 East Industrial Park Blvd, Beeville, TX, 78102
PHONE: 800-242-0122 FAX: 361-358-0418
Quote Number: WQ-0034953

Shipping Details

Est. Ship Date		Shipping Terms	FOB Destination
Shipping Instructions	FREIGHT RATES ARE: CONTAINERS TRUCKLOAD FREIGHT RATE: FOB Durant, OK - $390.00. if ordered in less than truckload quantities, additional freight charges may apply. COMPACTION TRUCKLOAD FREIGHT RATE: FOB Alexandria, LA - $1,035.00 COMPACTION LTL RATE: FOB Alexandria, LA - $750.00	Shipping Terms Details	
Installation Instructions	Off Loading & Installation by Others		

Additional Information

Payment Terms	Net 30 Days
Additional Terms	Our quote is a good faith estimate, based on our understanding of your needs. Your order is an offer to purchase our products and services, subject to our acceptance, and in accordance with the Wastequip Terms and Conditions. The Wastequip Terms and Conditions, which are available on our website and incorporated by reference herein, constitute the entire agreement regarding the purchase of our products and services, including our limited warranties. Our pricing is based on your anticipated order, including product specifications, quantities and timing - any differences to your order may result in different pricing. Due to volatility in petrochemical, steel and related product material markets, actual prices, as well as freight, are subject to change and will be confirmed prior to acceptance of an order. Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, products and materials are subject to manufacturing and commercial variations and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this quotation may not include all applicable taxes, brokerage fees or duties. Wastequip, Toter, Galbreath, Cusco, Accurate, Mountain Tarp, Pioneer, and Parts Place are registered trademarks, trade names and subsidiaries of Wastequip, LLC.
Special Contract Information	Pricing is based on Wastequip's Buy Board Contract No.425-13 as awarded on May 23, 2013. Per the terms of the contract, pricing may be amended at any time with proper documentation, and subject to Buy Board approval. Pricing may change without written prior notice.

Signatures

Salesperson:	_____	Accepted By:	_____
		Company Name:	_____
		Date:	_____
CC:		Purchase Order:	_____

Please Reference Quote Number on all Purchase Orders

MEMO

DATE: **December 2, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #28-15 for a cooperative contract for pavement leveling services to Nortex Concrete Lift & Stabilization, Inc. through the City of Grand Prairie Bid #12001 pursuant to unit price of $3.44 per pound**

Proposed Date of Award: December 8, 2014

I concur with the recommendation of Heather Cerda – Street Superintendent, and request permission to issue a contract for pavement leveling services with Nortex Concrete Lift & Stabilization, Inc. pursuant to City of Grand Prairie Bid #12001 pursuant to the unit price of $3.44 per pound.

The City of Grand Prairie competitively bid and awarded a contract for the above services on Bid #12001 on November 1, 2011. Nortex Concrete Lift & Stabilization, Inc. has agreed to extend the contract price of $3.44 per pound to the City of Richardson to furnish and install high density polyurethane under major thoroughfares, streets, and alleys with injections to seal cracks and joints. The term of the original contract was for one (1) year with the option to renew for four (4) additional one (1) year periods. The City of Grand Prairie amended their contract on August 12, 2014 to exercise the third of four renewal options to extend the contract until November 1, 2015. We also would reserve the right to utilize this contract for the current renewal period and the fourth and final renewal period if approved by the City of Grand Prairie in the future.

The City of Richardson and the City of Grand Prairie have an existing interlocal agreement for cooperative purchasing as provided by Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

A total of $100,000 is currently available in accounts 011-2060-531-4532 and 353-8702-583-7524 for these expenditures, as outlined in Ms. Cerda's attached memo.

Concur:

Kent Pfeil

Kent Pfeil

Attachments

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

TO: Pam Kirkland, Purchasing Manager

FROM: Heather Cerda, Streets Superintendent

DATE: November 13, 2014

SUBJECT: Street Leveling Contract

The Street Department would like to contract with Nortex Concrete Lift & Stabilization for an estimated $100k worth of street leveling throughout the City of Richardson. The City of Grand Prairie currently has a contract with Nortex Concrete Lift & Stabilization for street leveling in which we can piggyback.

The following accounts will be used to pay for these services for FY14-15:

011-2060-531-4532 $50,000.00
353-8702-583-7524 $50,000.00

Nortex will charge a flat unit cost of $3.44 / pound for street leveling services per the Grand Prairie contract. For fiscal year 14-15 we are estimating $100,000 and we reserve the right to use the product on an as needed basis for future locations if funding becomes available. Locations will be completed throughout the city based on oldest to newest until the money is dissolved or future funds become available.

City of Grand Prairie

Temporary Meeting Place
Grand Prairie ISD
Administration Building
2602 S. Beltline Road
Grand Prairie, Texas

Legislation Details (With Text)

File #:	11-1420	**Version:** 1	**Name:**	Price Agreement Contract for Pavement Leveling Srvc
Type:	Agenda Item		**Status:**	Consent Agenda
File created:	10/18/2011		**In control:**	Public Works
On agenda:	11/1/2011		**Final action:**	
Title:	Price Agreement Contract for Pavement Leveling Services with Nortex Concrete Lift & Stabilization in the amount of $266,935, and authorize the City Manager to execute up to four future one year renewals so long as funding is appropriated by the City Council to satisfy the City's obligation during renewal term and as long as total cost of price agreement does not increase by twenty-five percent (25%) of the original contracted amount.			
Sponsors:				
Indexes:				
Code sections:				
Attachments:	Fiscal Impact 11-1420 Pavement Leveling.pdf Pavement Leveling 12001 11-1420.pdf			

Date	Ver.	Action By	Action	Result

From
Donna Villafranca

Title
Price Agreement Contract for Pavement Leveling Services with Nortex Concrete Lift & Stabilization in the amount of $266,935, and authorize the City Manager to execute up to four future one year renewals so long as funding is appropriated by the City Council to satisfy the City's obligation during renewal term and as long as total cost of price agreement does not increase by twenty-five percent (25%) of the original contracted amount.

Presenter
Ron McCuller, Public Works Director

Recommended Action
Approve

Analysis
This service is used to restore concrete pavement to original grade, thereby, relieving standing water to a positive run off. This process of filling, stabilizing and lifting concrete with a formulation of high density polyurethane can, in most cases, be a less expensive procedure than a full concrete removal and replacement.

Notice of bid #12001 was advertised and distributed to 483 vendors. There were not any Grand Prairie vendors that responded. Two bids were received as shown on attachment.

The low-bid received from Nortex meets specifications and is recommended for award. The price agreement will be for one year with the option to renew for four, one-year periods.

Authorize the City Manager to execute future renewals so long as sufficient funding is appropriated by the City Council to satisfy the City's obligation during renewal term and as long as total cost of price agreement does not increase by twenty-five percent (25%) of the original contracted amount.

Financial Consideration

Funds are available in Street Sales Tax Maintenance Capital Projects Fund (232010), WO #01210101-03 and will be charged accordingly on orders through the end of the year.

Funds are also available in various departments operating budgets and will be charged accordingly on orders through the end of the contract. Funding for future fiscal years will be paid from that year's approved budgets.

MEMO

DATE: **December 2, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #29-15 for the co-op purchase of three (3) 2015 Chevrolet Pickup Trucks for the Police Department to Caldwell Country Chevrolet in the amount of $79,651 through the Tarrant County Contract #2014-165**

Proposed Date of Award: December 8, 2014

I concur with the recommendations of Jim Spivey – Police Chief and Ernest Ramos - Fleet and Materials Manager, and request permission to issue a purchase order for three (3) 2015 Chevrolet 1500 Silverado Pickup trucks, as specified in the attached quotation, to Caldwell Country Chevrolet in the amount of $79,651.

The above referenced vehicles have been bid through Tarrant County Contract #2014-165. The City of Richardson and Tarrant County have established an interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in the FY14-15 budget in account 235-1011-581-7421, Projects #PD1503 and #PD1507.

Concur:

Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

DATE: November 14, 2014

TO: Pam Kirkland, Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager E.R.

RE: Capital Equipment Purchase, Pickup Trucks for Police via Tarrant County Contract # 2014-165, effective 9/23/14

I have reviewed the existing contract referenced above and recommend purchasing three (3) 2015 Chevrolet 1500 Silverado Pickup Trucks for an amount of $79,651.00. Caldwell Country Chevrolet is listed as an awarded contractor.

I have received and approved the quote with options listed from Caldwell Country Chevrolet. The funding for the purchase is funded from the accounts listed below. The contact at Caldwell Country Chevrolet is Mr. Averyt Knapp, and he can be reached at (979) 567-6116, or E-mail: aknapp@caldwellcountry.com, or fax: (979) 567-0853. Please order the trucks as specified in the attached quotes.

Quote #1, Project # PD1503, Account # 235-1011-581-7421 $26,297

Quote #3, Project # PD1507, Account # 235-1011-581-7421 $53,354

Attachment/s: Quote from Caldwell Country Chevrolet (4-pages)
Tarrant County Contract (3-pages)

CC: Steven Baxter, Police Lieutenant
Daniel Robb, Police Captain
Danny Martin, Assistant Chief of Police
Jim Spivey, Chief of Police
Kent Pfeil, Director of Finance

MEMO

DATE: November 17, 2014

TO: Pam Kirkland, Purchasing Manager

FROM: Jimmy L. Spivey, Chief of Police

RE: Capital Equipment Purchase, Pickup Trucks for Police via Tarrant County Contract # 2014-165, effective 9/23/14

I recommend purchasing three (3) 2015 Chevrolet 1500 Silverado Pickup Trucks for an amount of $79,651.00. The funding for the purchase is funded from account # 235-1011-581-7421.
Project # PD1503 one (1) vehicle for $26,297
Project # PD1507 two (2) vehicles for $53,354

I have received and approved the quote with options listed from Caldwell Country Chevrolet. The funding for the purchase is funded from the accounts listed below. The contact at Caldwell Country Chevrolet is Mr. Averyt Knapp, and he can be reached at (979) 567-6116, or E-mail: aknapp@caldwellcountry.com, or fax: (979) 567-0853. Please order the trucks as specified in the attached quotes.

Attachment/s: Quote from Caldwell Country Chevrolet (4-pages)
Tarrant County Contract (3-pages)

CC: Steven Baxter, Police Lieutenant
Daniel Robb, Police Captain
Danny Martin, Assistant Chief of Police
Jim Spivey, Chief of Police
Kent Pfeil, Director of Finance

QUOTE# 001 PD1503

CONTRACT PRICING WORKSHEET

E.R.

End User: CITY OF RICHARDSON	Contractor: CALDWELL COUNTRY
Contact Name: ERNIE RAMOS	CALDWELL COUNTRY
Email: ERNEST.RAMOS@COR.GOV	Prepared By: Averyt Knapp
Phone #: 972-744-4421 214-212-1531 -C	Email: aknapp@caldwellcountry.com
Fax #: 972-744-5812	Phone #: 979-567-6116
Location City & State: RICHARDSON	Fax #: 979-567-0853
Date Prepared: OCTOBER 27, 2014	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: 2014-165	Tax ID # 14-1856872

Product Description: 2015 CHEVROLET 4X2 CREW CAB SSV CC15543

A Base Price & Options:	$26,297

B Fleet Quote Option:

Code	Description	Cost	Code	Description	Cost
	SSV-CREW CAB, 4X2, 5.3L-V8, FOB RICHARDSON, POWER WINDOWS, POWER LOCKS, POWER MIRRORS, KEYLESS ENTRY, TILT, CRUISE, 40-20-40 VINYL FRONT/REAR, FULL RUBBER FLOOR, SHORT BOX, REAR STEP BUMPER	INCL			
	GM WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY PO BOX 27 CALDWELL, TEXAS 77836	

Subtotal B	INCL

C Unpublished Options

Code	Description	Cost	Code	Description	Cost

Subtotal C	

D Other Price Adjustments (Installation, Delivery, Etc…)

Subtotal D	INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)	$26,297
Quantity Ordered	1
Subtotal E	$26,297

F Non-Equipment Charges (Trade-In, Warranty, Etc…)	
G. Color of Vehicle: BROWNSTONE (1)	
H. Total Purchase Price (E+F)	$26,297
Estimated Delivery Date:	60-90 DAYS APPX

QUOTE# 003 PD1507 CONTRACT PRICING WORKSHEET E.R.

End User: CITY OF RICHARDSON	Contractor: CALDWELL COUNTRY
Contact Name: ERNIE RAMOS	CALDWELL COUNTRY
Email: ERNEST.RAMOS@COR.GOV	Prepared By: Averyt Knapp
Phone #: 972-744-4421 214-212-1531 -C	Email: aknapp@caldwellcountry.com
Fax #: 972-744-5812	Phone #: 979-567-6116
Location City & State: RICHARDSON	Fax #: 979-567-0853
Date Prepared: OCTOBER 27, 2014	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: 2014-165	Tax ID # 14-1856872

Product Description: 2015 CHEVROLET 4X2 CREW CAB SSV CC15543

A Base Price & Options:	$26,677

B Fleet Quote Option:

Code	Description	Cost	Code	Description	Cost
	SSV-CREW CAB, 4X2, 5.3L-V8, FOB RICHARDSON, POWER WINDOWS, POWER LOCKS, POWER MIRRORS, KEYLESS ENTRY, TILT, CRUISE, 40-20-40 VINYL FRONT/REAR, FULL RUBBER FLOOR, SHORT BOX, REAR STEP BUMPER, OEM TRAILER TOW PACKAGE	INCL			
	GM WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY PO BOX 27 CALDWELL, TEXAS 77836	
Subtotal B					INCL

C Unpublished Options

Code	Description	Cost	Code	Description	Cost
Subtotal C					

D Other Price Adjustments (Installation, Delivery, Etc…)

Subtotal D	INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)	$26,677
Quantity Ordered	2
Subtotal E	$53,354

F Non-Equipment Charges (Trade-In, Warranty, Etc…)	
G. Color of Vehicle: WHITE (2)	
H. Total Purchase Price (E+F)	$53,354

Estimated Delivery Date:	60-90 DAYS APPX

MEMO

DATE: **December 2, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #31-15 for the co-op purchase of a rotary mower for the Sherrill Park Golf Course to Luber Brothers, Inc. in the amount of $55,722.50 through the Texas Local Government Statewide Purchasing Cooperative Buyboard Contract #447-14**

Proposed Date of Award: December 8, 2014

I concur with the recommendation of Steve Greenhaw – Sherrill Park Maintenance Superintendent, to issue a purchase order for the above referenced rotary mower to Luber Brothers, Inc. as outlined in the attached quotation for a total expenditure of $55,722.50.

The above referenced equipment has been bid through the Texas Local Government Statewide Purchasing Cooperative (Buyboard) Contract #447-14. The City of Richardson is a member of the Texas Local Government Statewide Purchasing Cooperative through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in account 233-3710-581-7401, Project GF1401.

Concur:

Kent Pfeil

Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

To: Pam Kirkland, Purchasing Manager

From: Steve Greenhaw, Golf Superintendent

RE: Recommendation To Purchase

Date: November 17, 2014

In reference to requisition #22235, it is my recommendation to purchase one Jacobsen AR-722 mower in the amount of $55,722.50 from Luber Brothers. The funding for this purchase will come from line item #233-3710-581-7401- Project #GF1401. This purchase is pursuant to Buy Board Discount, Contract #447-14. Attached is the quote for this purchase from Luber Brothers containing all pertinent information regarding this mower.

S Greenhaw

Luber Bros.
We're the Good Guys!

"OFFICIAL SUPPLIER OF GROUNDS AND SPORTS TURF EQUIPMENT"

Oklahoma City, OK
Tulsa, OK
Dallas, TX
Houston, TX

"Endorsed By PGA Touring Pro"
John Daly

JACOBSEN
A Textron Company
Official Turf Equipment Supplier of the PGA

Customer: **Sherrill Park G.C.**
Attn.: Steve Greenhaw
Phone:
Fax:

Date: 10/29/2014
Acct. Type: Golf Acct.
E-mail: steve.greenhaw@cor.gov
Mobile:

QUOTATION

QTY	MODEL #	EQUIPMENT DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		LARGE AREA CONTOUR FOLLOWING ROTARY		
~~1~~	68233	~~JACOBSEN AR-722, Powerful 62.5 HP Turbo Tier 4 Kubota Diesel Engine, 4 WD, 124 Inch Cut, Seven - 22 Inch Trim Tek Decks HOC From 0.75 to 5.25 Inches, Traction Control with On-Demand Weight Transfer Control From the Operator Station. Decks Easily Convert From Discharge to Mulch in Minutes.~~	~~$~~	~~$ [redacted]25.00~~
~~1~~	~~68127~~	~~Sun Canopy~~		
		Buy Board Discount, Contract # 447-14	$	(24,697.50)
		Prep and Ready	$	1,095.00
		2 Year Warranty	**Total $**	~~**58,722.50**~~
		LARGE AREA CONTOUR FOLLOWING ROTARY		
* 1	68233	JACOBSEN AR-722, Powerful 62.5 HP Turbo Tier 4 Kubota Diesel Engine, 4 WD, 124 Inch Cut, Seven - 22 Inch Trim Tek Decks HOC From 0.75 to 5.25 Inches, Traction Control with On-Demand Weight Transfer Control From the Operator Station. Decks Easily Convert From Discharge to Mulch in Minutes.	$	82,325.00
* 1	68127	Sun Canopy		
		Buy Board Discount, Contract # 447-14	$	(27,697.50)
		Prep and Ready	$	1,095.00
		Demo Unit with less than 100 hours. 2 Year Warranty	**Total $**	**55,722.50**
~~1~~	68132	~~JACOBSEN AR-522, Powerful 62.5 HP Turbo Tier 4 Kubota Diesel Engine, 4 WD, 90 Inch Cut, Five - 22 Inch Trim Tek Decks HOC From 0.75 to 5.25 Inches, Traction Control with On-Demand Weight Transfer Control From the Operator Station. Decks Easily Convert From Discharge to Mulch in Minutes.~~	$	65,918.00
1	68127	Sun Canopy		
		Buy Board Discount, Contract # 447-14	$	(19,775.40)
		Prep and Ready	$	750.00
		2 Year Warranty	**Total $**	**46,892.60**
1	68098	JACOBSEN AR-522, Powerful 60 HP Turbo Tier 3 Kubota Diesel Engine, 4 WD, 90 Inch Cut, Five - 22 Inch Trim Tek Decks HOC From 0.75 to 5.25 Inches, Traction Control with On-Demand Weight Transfer Control From the Operator Station. Decks Easily Convert From Discharge to Mulch in Minutes.	$	65,918.00
1	68127	Sun Canopy		
		Buy Board Discount, Contract # 447-14	$	(23,775.40)
		Prep and Ready	$	750.00
		Demo Unit with less than 100 hours. 2 Year Warranty	**$**	**42,892.60**

QUOTATION VALID FOR 90 DAYS
TERMS: 30 Days
DEL.: 21 or less days ARO

Accepted By:

Date:

PO # :

Tim Sisson
Territory Account Executive
(Cell)972-740-7625
timsisson@luber.com

MEMO

DATE: **December 2, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager**

SUBJECT: **Award of Bid #32-15 for the co-op purchase of a tactical deployment van for the Police Department to Sam Pack's Five Star Ford in the amount of $70,546.04 through the State of Texas Contract #071-072-A2**

Proposed Date of Award: December 8, 2014

I concur with the recommendations of Jim Spivey – Police Chief, and Ernest Ramos - Fleet and Materials Manager, and request permission to issue a purchase order for the above referenced tactical deployment van to Sam Pack's Five Star Ford, as per the attached quotation, in the amount of $70,546.04.

Sam Pack's Five Star Ford is the contract vendor on Contract #071-072-A2 through the State of Texas Procurement and Support Services Cooperative Purchasing Program. The City of Richardson is a member of this program through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. This agreement automatically renews annually unless either party gives prior notice of termination.

Funding is available in account 011-1011-521-7421.

Concur:

Kent Pfeil

Attachments

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

DATE: November 14, 2014

TO: Pam Kirkland, Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager E.R.

RE: Capital Equipment Purchase, Tactical Deployment Van for Police via State of Texas Contract # 071-072-A2, effective 9/1/13

I have reviewed the existing contract referenced above and recommend purchasing one (1) 2015 Ford E-450 Cut-a-away Chassis with Tactical Deployment Body for an amount of $70,546.04. Sam Pack's Five Star Ford is listed as an awarded contractor.

I have received and approved the quote with options listed from Sam Pack's Five Star Ford. The funding for the purchase is funded from account # 011-1011-521-7421. The contact at Sam Pack's Five Star Ford is Mr. Alan Rosner, and he can be reached at (888) 835-3389, or E-mail: alanr@spford.com, or fax: (972) 245-5278. Please order the Chassis/Body as specified in the attached quote.

Attachment/s: Quote from Sam Pack's Five Star Ford (5-pages)
Published State of Texas Contract (2-pages)
State of Texas Contract Details #071-A1 (12-pages)

CC: Steven Baxter, Police Lieutenant
Daniel Robb, Police Captain
Danny Martin, Assistant Chief of Police
Jim Spivey, Chief of Police
Kent Pfeil, Director of Finance

MEMO

DATE: December 1, 2014

TO: Pam Kirkland, Purchasing Manager

FROM: Jimmy L. Spivey, Chief of Police

RE: Capital Equipment Purchase, Tactical Deployment Van for Police via State of Texas Contract # 071-072-A2, effective 9/1/13

I recommend purchasing one (1) 2015 Ford E-450 Cut-a-away Chassis with Tactical Deployment Body for an amount of $70,546.04.
The funding for the purchase is funded from account # 011-1011-521-7421.

The contact at Sam Pack's Five Star Ford is Mr. Alan Rosner, and he can be reached at (888) 835-3389, or E-mail: alanr@spford.com, or fax: (972) 245-5278. Please order the Chassis/Body as specified in the attached quote.

Attachment/s: Quote from Sam Pack's Five Star Ford (5-pages)
Published State of Texas Contract (2-pages)
State of Texas Contract Details #071-A1 (12-pages)

CC: Steven Baxter, Police Lieutenant
Daniel Robb, Police Captain
Danny Martin, Assistant Chief of Police
Jim Spivey, Chief of Police
Kent Pfeil, Director of Finance

Sam Pack's Five Star Ford
1635 S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Ruben Santana - Grace Torres - Jorge Guerra - Alan Rosner

Contract Name:State of Texas 071-072-AT 2014 - Texas Smartbuy Contract

End User: City of Richardson **Sam Pack's Rep:** Alan Rosner

Contact: Ernie Ramos **Date:** 10/27/2014

Contact TN/Email ernest.ramos@cor.gov Phone # 972-447-7721

Product Description: 2015 Ford E-450 Cut Chassis Exterior Color / Interior White

A. Bid Series: 885C **Base Price:** $ 21,561.41

B. Published Options (Itemize Each Below)

Code	Description	Bid Price	Code	Description	Bid Price
	Automatic	Included			
	Air Conditioning	Included			
				Total of B. - Published Options	$ -

C. Ford Factory Published Options

Code	Description	Bid Price	Code	Description	Bid Price
	6.8L V10	$ 1,050.00			
	Limited Slip	$ 270.00			
	155 AMP Alt	$ 80.00			
	Trailer Tow Mirrors	$ 125.00			
				Total of C. - Dealer Published Options	$ 1,525.00

D. Fleet Quote

Code	Description	Bid Price	Code	Description	Bid Price
	Quote # JJ141106B	$47,513.00			
	Armored Group - Fort Worth				
				Total of D. - Off Menu Options	$ 47,513.00

F.	Delivery Charges	0 Miles @ $2.45/mile	$ -
G.	Option Discounts		$ (53.38)
H.	Total of A + B + C + D + E = F		$ 70,546.04
I.	Floor Plan Assistance		$0.00
J.	Lot Insurance Coverages		$0.00
K.	Quantity Ordered	1 X F =	$ 70,546.04
L.	Administrative Fee		$ -
M.	Non-Equip Charges & Credits		
N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE		$70,546.04

RICHARDSON POLICE DEPARTMENT
RAPID DEPLOYMENT VEHICLE

The Armored Group, LLC

221 W. Lancaster Ave., Suite 12002
Fort Worth, TX 76102
www.armoredcars.com
O: 817-332-4646 C: 817-291-4956

CUSTOMER:

Captain Daniel Robb
Richardson Police Department
140 N. Greenville Ave
Richardson, TX 75081
Phone: 972-744-4850
Email: Daniel.robb@cor.gov

- **Body Style:** R.D.V. (Rapid Deployment Vehicle)
- **Protection Level:** Non Armored
- **Chassis:** CUSTOMER SUPPLIED CHASSIS

RICHARDSON POLICE DEPARTMENT
RAPID DEPLOYMENT VEHICLE

The Armored Group, LLC

RDV Standard Up Fit/Body Specifications:

Dimensions

- Interior Length- 14'
- Interior Width- 96"
- Interior Height- 84"

Floor

- 1 1/8" Hardwood
- 3" "C" Crossmembers
- Low mount with wheel wells

Cab Access

- Full height aerocap bulkhead with 26" sliding/locking door

Wall Construction

- 6MM "Duraplate" bonded wall
- "Duraplate body skirting below frame /floor level

Rear Structure

- 12 gauge steel rear structure and rear vertical corners
- 10 gauge steel rear sills

Rear Doors

- Twin 25" swing "Duraplate" doors
- Kason slamlock hardware
- Plunger style door retainers
- 12" x 18" rear tinted fixed windows in each door

Side Doors

- 2-34" x 80" sliding side doors with walk-up steps
- Doors to be mounted starting 10" from front wall on either side
- 12" x 18" fixed tinted windows in doors
- Kason key lock on each door

Roof

- Aluminum Roof
- 2" roof bows 12" on center

Bumper

- 12" gripstrut rear bumper

Lighting

- LED clearance lights
- LED stop turn and taillights
- 2-Reverse lights mounted on either side of license plate frame switched at CS rear bench

RICHARDSON POLICE DEPARTMENT
RAPID DEPLOYMENT VEHICLE

The Armored Group, LLC

Interior/Up Fit Specifications:

Ceiling

- "Reflectix" R-19 rated insulation
- ¼" Lionite melamine ceiling lining
- Padded Headers at all doors

HVAC

- ACC Heat/Cooling combination system
- 30,000 BTU Cooling; 35,000 BTU heating capacity; 600CFM 3 speed fan
- 2 fan condenser
- Additional compressor for auxiliary A/C system
- Evaporator mounted over rear doors

Lighting

- 3 Red/White LED Dome Lights mounted on cargo area ceiling (evenly spaced)
- Ceiling lighting can be switched between red and white at light
- Ceiling lights to have power switch at dash, rear & side doors

Seating

- 2 commander seats mounted on removable seat posts
- Commander seats located on either side of cab access door by front wall
- Bench seating located on both sides of interior walls with 3" padded vinyl seats and backs
  - Each bench 120" long with 5-24" flip up padded base equipped with pneumatic assist rods
  - Bench to be constructed of steel sub frame and aluminum "bright" exterior diamond plate
  - Each bench to include side access doors for storage access (in addition to top access)
- Seat Belts-3 sets mounted per side meeting FMVSS standard 209 & 302

Grab Handles

Interior

- 6-42" stainless steel grab handle bars ceiling mounted (three per side)
- 2-42" stainless steel grab handle bars mounted on bulkhead (either side of cab access door) Exterior
- 1-42" stainless steel grab handle mounted above rear doors
- 4-12" chrome grab handles mounted on rear & side cargo walls
  - 2 located on either side of rear door; 1 on each side entry door

RICHARDSON POLICE DEPARTMENT
RAPID DEPLOYMENT VEHICLE

The Armored Group, LLC

Floor

- "Rhino Line" non skid black spray on

Included Equipment

BASE RDV BODY (No Chassis):
2000W Inverter w/Glas Matt, 80amp Conf, Battery Seperator, Power Strip, 2 Outlets
Rear Mounted Ladder
(14) Vest Hooks Mounted on Inner Walls (7 Per Side)
Insulation Package: Side Wall Insulation and Double Roof Insulation
Shore Line Power Package with 30 Amp Cord
Walk On Roof Package
Freight

RDV With No Chassis Cost Delivered to Richardson PD: $47,513.00

November 24, 2014

Jeremy Johnson
Tactical Vehicle Specialist
817-332-4646 Office
817-394-2499 Fax
817-291-4956 Mobile
jeremy@armoredcars.com

_____November____, 2014

Authorized Signature
Richardson Police Department

MEMO

DATE: **December 2, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Bid #33-15 for the co-op purchase of a 2015 Nissan Altima for the Police Department to Gunn Chevrolet/Nissan in the amount of $18,932.55 and a 2015 Toyota Tacoma pickup truck for Water Customer Service Department to Silsbee Ford/Toyota in the amount of $20,867.75 for a total expenditure of $39,800.30 through the Local Government Purchasing Cooperative Buyboard Contract #430-13**

Proposed Date of Award: December 8, 2014

I concur with the recommendations of Ernest Ramos - Fleet & Materials Manager, Jimmy Spivey – Chief of Police and Cara Copley – Customer Service Manager and request permission to issue purchase orders to the following vendors for the following equipment, as per the attached quotations:

Item	Department	Vendor	Amount
2015 Nissan Altima, 4-door Sedan	Police Department	Gunn Chevrolet/Nissan	$18,932.55
2015 Toyota Tacoma ½ ton Compact Truck	Water Customer Service	Silsbee Ford/Toyota	20,867.75
Total Award			**$39,800.30**

The above referenced equipment has been bid through the Local Government Purchasing Cooperative (Buyboard) Contract #430-13. The City of Richardson participates in the Buyboard program through our existing interlocal agreement for cooperative purchasing pursuant to Texas Government Code, Chapter 791.025 and Texas Local Government Code, Subchapter F, Section 271.102. Both agreements automatically renew annually unless either party gives prior notice of termination.

Funding is available in accounts 235-1011-581-7421, Project #1504 and 511-5010-503-721.

Concur:

Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

DATE: November 4, 2014

TO: Pam Kirkland, Purchasing Manager

FROM: Ernie Ramos, Fleet & Materials Manager E.R.

RE: Capital Equipment Purchase, Vehicles via TASB Buyboard 430-13, Effective 12/1/13

I have reviewed the existing contract referenced above and recommend purchasing two (2) vehicles for an amount of $39,800.30. The two approved vendors are Silsbee Ford/Toyota and Gunn Chevrolet/Nissan. I have received and approved the quotes listed below.

Project # 1504, Account # 235-1011-581-7421, $18,500
2015 Nissan Altima, 4-Door Sedan as specified on the quote.
Total price with fee and delivery charges will be $18,932.55 and the deficit of $432.55 will funded within the account.

Account # 511-5010-503-7421, $23,000
2015 Toyota Tacoma ½-ton Compact Truck as specified on the quote.
Total price with fee and delivery charges will be $20,867.75

The contact at Gunn Chevrolet/Nissan is Mr. Danny Mireles, and he can be reached at (210) 599-5000, ext. 2059, or E-mail: dmireles@gunnauto.com, or fax: (210) 599-4251. Please order the Nissan Altima as specified in the attached quote.

The contact at Silsbee Ford/Toyota is Mr. Richard Hyder, and he can be reached at (409) 300-1385, or E-mail: rhyder.cowboyfleet@gmail.com, or fax: (409) 386-0824. Please order the Toyota Truck as specified in the attached Contract Pricing Worksheet.

Attachment/s: Nissan Altima Quote, (9-pages)
TASB Buyboard Pricing Sheet (2-pages)
TASB Buyboard Vendor Contract Information (2-pages)
Toyota Tacoma Quote, (1-page)
TASB Buyboard Pricing Sheet (2-pages)
TASB Buyboard Vendor Contract Information (2-pages)

CC: Daniel Robb, Police Captain
Danny Martin, Assistant Police Chief
Jim Spivey, Chief of Police
Cara Copley, Customer Service Manager
Keith Dagen, Assistant Director of Finance
Kent Pfeil, Director of Finance

MEMO

DATE: November 17, 2014

TO: Pam Kirkland, Purchasing Manager

FROM: Jimmy L. Spivey, Chief of Police

RE: Capital Equipment Purchase, Vehicles via TASB Buyboard 430-13, Effective 12/1/13

I recommend purchasing one (1) 2015 Nissan Altima, 4-Door Sedan for $18,932.55. The funding for the purchase is funded from account # 235-1011-581-7421. Project # PD1504.

The contact at Gunn Chevrolet/Nissan is Mr. Danny Mireles, and he can be reached at (210) 599-5000, ext. 2059, or E-mail: dmireles@gunnauto.com, or fax: (210) 599-4251. Please order the Nissan Altima as specified in the attached quote.

Attachment/s: Nissan Altima Quote, (9-pages)
TASB Buyboard Pricing Sheet (2-pages)
TASB Buyboard Vendor Contract Information (2-pages)

CC: Daniel Robb, Police Captain
Danny Martin, Assistant Police Chief
Jim Spivey, Chief of Police
Cara Copley, Customer Service Manager
Keith Dagen, Assistant Director of Finance
Kent Pfeil, Director of Finance

MEMO

TO: Pam Kirkland, Purchasing Manager

FROM: Cara Copley, Customer Service Manager CC

DATE: December 1, 2014

SUBJECT: Vehicle Purchase for Customer Service

I have reviewed and concur with the Fleet Department recommendation to purchase on 2015 Toyota Tacoma regular cab 1/2 ton compact truck in the amount of $20,867.75. The FY13-14 Customer Service budget includes funds in account number 511-5010-501-7421 for this purchase in the amount of $23,000.

Prepared For:
Ernie Ramos
City Of Richardson, Tx
1260 Columbia Dr
Richardson, TX 750811293
Phone: (214) 212-1531
Primary FAN: 000945321
Requested Quantity: 1

Prepared By:
Danny Mireles
Gunn Chevrolet
16550 IH35 North
Selma, TX 78154
Phone: (210) 599-5000
Fax: (210) 599-4251
Email: dmireles@gunnauto.com

2015 Fleet/Non-Retail Nissan Altima 4dr Sdn I4 2.5 S 13115

WINDOW STICKER

2015 Nissan Altima 4dr Sdn I4 2.5 S	Interior: - No color has been selected.
2.5 L/152 CID Regular Unleaded I-4	Exterior 1: - No color has been selected.
1-Speed CVT w/OD	Exterior 2: - No color has been selected.

CODE	MODEL	MSRP
13115	2015 Nissan Altima 4dr Sdn I4 2.5 S	$22,560.00
	OPTIONS	
K23	BRILLIANT SILVER	$0.00
—	STANDARD PAINT	$0.00
G	CHARCOAL, CLOTH SEAT TRIM	$0.00
FL2	[L92] FLOOR MATS W/O TRUNK MAT (4 PIECE)	$135.00
	SUBTOTAL	**$22,695.00**
	Advert/Adjustments	$0.00
	Destination Charge	$825.00
	TOTAL PRICE	**$23,520.00**

Est City: 27.00 mpg
Est Highway: 38.00 mpg
Est Highway Cruising Range: 684.00 mi

SALE PRICE 18253.25
STATE INS 23.75
$ 18277.00

BUY BOARD FEE 400.00
DELIVERY FEE $ 255.55

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 357.0, Data updated 10/21/2014
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Customer File:

Total $18,932.55

PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #430-13

Vehicles and Heavy Duty Trucks

VENDOR--Silsbee Toyota, 1396 Hwy 327 E, Silsbee TX 77656

End User: CITY OF RICHARDSON
Contact: ERNIE RAMOS 972.744.4421
Email: ERNEST.RAMOS@COR.GOV
Product Description: 2015 TOYOTA TACOMA

Prepared by: RICHARD HYDER
Phone: (409) 300-1385
Email: rhyder.cowboyfleet@gmail.com
Date: November 4, 2014

A. **Bid Series:** 301 **A. Base Price:** $ 18,281.00

B. **Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
7114	TACOMA ACCESS CAB I4 4X2	$ 2,742.00			
FE	50 STATE EMISSIONS	$ -			
CT	ALL WEATHER FLOOR MATS	$ 156.00			
BZ	UTILITY PKG, NO REAR SEATS	$ (1,210.00)			

Total of B. Published Options: $ 1,688.00

C. **Unpublished Options [Itemize each below, not to exceed 25%]** $= 0.0 %

Options	Bid Price	Options	Bid Price

Total of C. Unpublished Options: $ -

D.	**Pre-delivery Inspection:**	$ -
E.	**Texas State Inspection:**	$ -
F.	**Manufacturer Destination/Delivery:**	$ -
G.	**Floor Plan Interest (for in-stock and/or equipped vehicles):**	$ -
H	**Lot Insurance (for in-stock and/or equipped vehicles):**	$ -
I.	**Contract Price Adjustment:**	$ -
J.	**Additional Delivery Charge:** 285 miles	$ 498.75
K.	**Subtotal:**	$ 20,467.75
L.	**Quantity Ordered** 1 x K =	$ 20,467.75
M.	**Trade in:**	
N.	**BUYBOARD Administrative Fee ($400 per purchase order)**	$ 400.00
O.	**TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE**	$ 20,867.75

MEMO

DATE: **December 2, 2014**

TO: **Kent Pfeil – Director of Finance**

FROM: **Pam Kirkland – Purchasing Manager** Pam

SUBJECT: **Award of Competitive Sealed Proposal #905-14 for the UTD Loop Road Segment "D" Construction to North Texas Contracting, Inc. in the amount of $2,518,369.50**

Proposed Date of Award: December 8, 2014

I concur with the recommendation of Steve Spanos – Director of Engineering, and request permission to issue a contract to North Texas Contracting, Inc. for the above referenced project for a total award of $2,518,369.50, as outlined in Mr. Spanos attached memo.

Funding is provided from 2010 G.O. Bonds and UTD. The project was advertised in the *Dallas Morning News* on October 15 & 22, 2014 and was posted on Bidsync.com. A pre-proposal conference was held on October 23, 2014 and 1,618 electronic notices were distributed; 34 vendors viewed the bid; and 1 responsive bid was received.

Concur:

Kent Pfeil

ATTACHMENTS

Xc: Dan Johnson
David Morgan
Cliff Miller
Don Magner
Shanna Sims-Bradish

MEMO

TO: Dan Johnson, City Manager

THROUGH: Cliff Miller, Assistant City Manager CJM

FROM: Steve Spanos, P.E., Director of Engineering SS

SUBJECT: Award of UTD Loop Road Segment "D" Construction CSP No. 905-14

DATE: November 26, 2014

ACTION REQUESTED:
Council to consider award of CSP #905 -14 to North Texas Contracting, Inc., for the UTD Loop Road Segment "D" Construction for a total amount of $2,518,369.50.

BACKGROUND INFORMATION:
The City and University of Texas at Dallas (UTD) are partnering to construct the Segment "D" roadway improvements on the UTD Campus to improve traffic circulation through the campus. On November 4, 2014, Capital Projects Department received and opened one Competitive Sealed Proposal (CSP) from North Texas Contracting, Inc. for the UTD Loop Road Segment "D" Construction.

A Committee of City and UTD Staff reviewed and evaluated the proposal in accordance with the criteria set forth in the request for proposal. The CSP Committee identified various cost saving measures to reduce the proposal amount; the project schedule was extended by UTD and pricing was negotiated with North Texas Contracting, Inc. This proposal review process generated savings of $425,403.00. Staff recommends award of a contract to North Texas Contracting, Inc. for this project.

The southern half of the Loop Road Improvements was constructed and opened to traffic in August 2013. Segment "D" is the northern half that will complete the Loop Road project. Segment "D" will complete a direct connection between Armstrong Drive and Rutford Avenue and provide the campus with an internal roadway running parallel to North Floyd Road.

FUNDING:
Funding is provided from 2010 G.O. Bond and UTD.

SCHEDULE:
Capital Projects Department plans for this project to begin construction January 2015 and be completed by December 2015.

Cc: Edward Witkowski, P.E., Project Engineer EW

UTD LOOP ROAD
SEGMENT "D" CONSTRUCTION
JANUARY 2015

0 150 300 600 900 1,200
Feet